

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the
Application for a Search
Warrant for

DoorDash Inc.
ATTN Legal Department
901 Market St
6th Floor
San Francisco CA 94103

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT


This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, the court finds it necessary to seal in part and redact the record related to the search warrant because the documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person. I.C.A.R. 32(i)(2)(A). After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

1. The *Affidavit in Support of Search Warrant* and the *Amended Affidavit in Support of Search Warrant* be SEALED.
2. The *Search Warrant, Amended Search Warrant* and *Receipt and Inventory* be REDACTED.
3. This order will remain in effect until further order of the court.

Dated: 3/7/2023


Megan E. Marshall
Magistrate Judge

CASE NO. _____
BY _____ DEPUTY

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the
Application for a Search
Warrant for

DoorDash Inc.
ATTN Legal Department
901 Market St
6th Floor
San Francisco CA 94103
Email:

Case No.

ORDER SEALING SEARCH
WARRANT AND RELATED
DOCUMENTS

MPD Case No. 22-M09903

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until March 8, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 9th day of December, 2022. @ 11:03 am

Meghan Nashall
Magistrate Judge

ORDER SEALING SEARCH
WARRANT AND RELATED DOCUMENTS

REDACTED

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the
Application for a Search
Warrant for

Case No.

DoorDash Inc.
ATTN Legal Department
901 Market St
6th Floor
San Francisco CA 94103
Email:

MOTION TO SEAL SEARCH
WARRANT AND RELATED
DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:

MOTION TO SEAL SEARCH
WARRANT AND RELATED DOCUMENTS


REDACTED

1. Interfere with enforcement proceedings;
2. Constitute an unwarranted invasion of personal privacy,
3. Disclose the identity of a confidential source; and
4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 8th day of December, 2022.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
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(208) 883-2246
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IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No. CR29-
For a Search Warrant for:)	
)	
DoorDash Inc.)	
ATTN Legal Department)	RETURN OF
901 Market St)	SEARCH WARRANT
6th Floor)	
San Francisco CA 94103)	
)	
<u>MPD Case No. 22-M09903</u>)	

STATE OF IDAHO)
 :ss.
County of Latah)

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before Judge Megan E. Marshall at 9:00 o'clock a.m., this 9th day of December, 2022.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/08/2022
(Date)


Peace Officer

REDACTED

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAHO)
 :SS.
County of Latah)

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

- (1) That I am employed by Moscow Police Department in the official position of Forensic Detective;
- (2) Affidavit has been a trained and qualified peace officer for 12 years;
- (3) On 12/6/22, I obtained a search warrant for DoorDash;
- (4) The warrant was served on 12/6/22, by email (fax, email, etc);
- (5) On 12/7/2022, I received an e-mail from DoorDash which contained the requested information;
- (6) An inventory was prepared for all the items received; and
- (7) The information received was placed into evidence at the Latah County Sheriff's Department/Moscow Police Department/Idaho State Police.

FURTHER your Affiant sayeth not.

LAWRENCE MOWERY
Affiant

I certify (or declare) under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

12/08/2022
(Date)

JEM 162
(Signature)

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

IN THE MATTER OF
THE APPLICATION
FOR A SEARCH WARRANT FOR

DoorDash Inc.
901 Market St; 6th floor
San Francisco, CA 94103

Case No. _____

RECEIPT AND
INVENTORY OF WARRANT

On the 6 day of December, 2022, at approximately 3:35 o'clock P.M.,
the following peace officers: Detective Lawrence Mowery

served the Search Warrant heretofore issued upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance was obtained by: _____

The person(s) found in said place were: _____

The property found and taken and the location within or upon said place and/or person(s) are
as follows:

DESCRIPTION OF PROPERTY

LOCATION/PERSON

1122 King Rd

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

This Receipt and Inventory was made in the presence of: _____

A copy hereof was given to the following named person(s) on the _____ day of _____, 20____;

A copy hereof was left on this date in a conspicuous place in the place searched, there being no person(s) present during said search: _____

DATED this 8 day of December, 2022.

WITNESS

JEM 162
PEACE OFFICER

The undersigned person(s) hereby acknowledge receiving a copy hereof on this _____ day of _____, 20____:

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
ISB No.8491
paservice@latah.id.us

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application)	Case No.
for a Search Warrant for:)	
)	
DoorDash Inc.)	
ATTN Legal Department)	ORDER
901 Market St)	
6th Floor)	
San Francisco CA 94103)	
)	
<u>MPD Case No. 22-M09903</u>)	

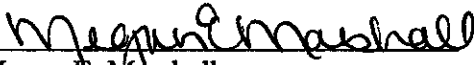
In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other

appropriate time, the property can be released or disposed of upon authorization of the jurisdictional prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 12/9/22 @ 11:03 am.


Megan E. Marshall
Magistrate Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Application
for a Search Warrant for:

DoorDash Inc.
ATTN Legal Department
901 Market St
6th Floor
San Francisco CA 94103
Email:

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING
ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause
establishing grounds for issuing a search warrant and probable cause to believe that the property
referred to and sought in or upon said premises consists of information related to the investigation of
the November 13, 2022, homicides that occurred at 1122 King Road in Moscow, Idaho, to include:

- all information in your possession or control related to sales, deliveries, purchases, and/or transactions made to 1122 King Road, Moscow, Idaho 83843 for the period of January 1, 2022 to present, to include:
 - date and time of sales;
 - date and time of deliveries;
 - purchases and/or transactions;
 - name and identification of the driver;
 - a full description of the vehicles used;
 - any and all communications between drivers and the purchasers;

located in or upon the following described premises, located in Latah County, State of Idaho:

DoorDash Inc.
ATTN Legal Department
901 Market St
6th Floor
San Francisco CA 94103
Email: '

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and bring it promptly before the Court above-named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time).

GIVEN UNDER MY HAND and DATED this 8th day of December, 2022, at
3:14 P.m.

Megan Marshall
Magistrate Judge