

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

Inland Cellular  
960 West Pullman Rd  
Moscow, ID 83843

MPD Case No. 22-M0990

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, pursuant to I.C.A.R. 32(i)(2)(A) and I.C. §74-124(1)(e), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

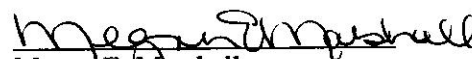
- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) Production of such records would disclose investigative techniques and procedures.

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* is SEALED.
2. The *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

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

Inland Cellular  
960 West Pullman Rd  
Moscow, ID 83843

Latah County, Idaho  
MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH  
WARRANT AND RELATED  
DOCUMENTS

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 February 16, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 19th day of November, 2022.

*Megan Marshall*

LATAH COUNTY PROSECUTOR'S OFFICE  
ASHLEY S. JENNINGS  
SR. DEPUTY PROSECUTING ATTORNEY  
Latah County Courthouse  
P.O. Box 8068  
Moscow, ID 83843  
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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 for a Search  
Warrant for

Inland Cellular  
960 West Pullman Rd  
Moscow, ID 83843

Latah County, Idaho  
MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH  
WARRANT AND RELATED  
DOCUMENTS

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:


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 18<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
ASHLEY S. JENNINGS  
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE  
MICHAEL G. CAVANAGH  
DEPUTY PROSECUTING ATTORNEY  
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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	)	
For a Search Warrant for:	)	Case No.
Inland Cellular	)	<b>RETURN OF</b>
960 West Pullman Road	)	<b>SEARCH WARRANT</b>
Moscow, Idaho 83843	)	
<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.

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

11/17/2022  
(Date)

  
Peace Officer



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 ) Case No. \_\_\_\_\_  
THE APPLICATION )  
FOR A SEARCH WARRANT FOR ) RECEIPT AND  
Case # 22-M09903 ) INVENTORY OF WARRANT  
Inland Cell Tower Data )

On the 17 day of November, 2022, at approximately 1044 o'clock A.M.,  
The following peace officers: Det 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: Email

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
Data Records associated with	
<u>Inland Tower Data Dump</u>	

RECEIPT AND INVENTORY  
PAGE

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This Receipt and Inventory was made in the presence of: n/a

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A copy hereof was given to the following named person(s) on the \_\_\_\_\_ day of  
20 ;

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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: Email \_\_\_\_\_

DATED this 17 day of November, 2022

\_\_\_\_\_  
WITNESS

  
\_\_\_\_\_  
PEACE OFFICER

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

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RECEIPT AND INVENTORY  
PAGE

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LATAH COUNTY PROSECUTOR'S OFFICE  
WILLIAM W. THOMPSON  
PROSECUTING ATTORNEY  
Latah County Courthouse  
P.O. Box 8068  
Moscow, Idaho 83843-0568  
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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.  
for a Search Warrant for: )  
Inland Cellular ) ORDER  
960 West Pullman Rd )  
Moscow, Idaho 83843 )  
)  
MPD Case No. 22-M09903 )

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 11/19/22 at 7:05 p.m.

Megan E. Marshall  
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	)	Case No. CR29-
for a Search Warrant for:	)	
	)	
Inland Cellular	)	SEARCH WARRANT
960 W Pullman Rd	)	
Moscow, Latah County, Idaho	)	
	)	
<u>MPD Case No. 22-M09903</u>	)	

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

Detective 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 records  
and information associated with certain cellular towers ("cell towers") and records generated  
by the cellular network that are in the possession, custody, and/or control of Inland Cellular,  
hereafter "the Service Provider," a cellular service provider; this data is in possession of the  
Service Provider and the data may contain evidence of a homicide between November 13,  
2022 from 3:00 a.m. to 5:00 a.m. (Pacific Standard Time) including the following:

- A. Search of all records and unique device/user identifiers pertaining to Timing

**REDACTED**

Advance, Real Time Tool (RTT), Location Database of Record (LocDBoR) location information during the following listed dates, times and geographical boundaries (distance from GPS points):

GPS Coordinates: miles	Distance from Location: 0.50 miles
Date: November 13, 2022 (PST)	Time: 3:00 a.m. – 5:00 a.m.

- B. For each search area described above, the Service Provider is required to disclose all records and other information (not including the contents of communications) about all communications made and all cellular device interactions with the network that have generated location information that falls within the defined search area during the corresponding timeframe(s) listed above, including records that identify:
- i. the unique identifiers for each wireless device that generated a Timing Advance, RTT, and/or LocDBoR record within the search area for each location, including Electronic Serial Numbers (“ESN”), Mobile Electronic Identity Numbers (“MEIN”), Mobile Identification Numbers (“MIN”), Subscriber Identity Modules (“SIM”), Mobile Subscriber Integrated Services Digital Network Numbers (“MSISDN”), International Mobile Subscriber Identifiers (“IMSI”), International Mobile Equipment Identities (“IMEI”), and the make and model of the device;
  - ii. the starting and ending date/time of the connection along with the duration;
  - iii. for each communication with the network the tower and the “sector(s)” (i.e. the face(s) of the tower(s)) that received a radio signal from the locally served wireless device for both starting and ending points of the communication;
  - iv. the service type for the communication;
  - v. the estimated latitude and longitude (along with confidence level) and the distance from the tower for both the starting and ending points of the communication contained within the Timing Advance, RTT, and/or LocDBoR records.
- C. These records should include records about communications and cellular device interactions with the network that were initiated before or terminated after the timeframe(s) identified in above if some part of the communication occurred during the relevant timeframe(s) listed above;

The above-described evidence is located within the following described premises:

Inland Wireless  
960 West Pullman Road  
Moscow, Idaho 83843

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. PST), and under the following special directions:

**\*\*THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, INLAND CELLULAR IS ORDERED NOT TO DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.**

**INLAND CELLULAR SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.\*\***

GIVEN UNDER MY HAND and DATED this 16th day of November, 2022, at  
9:24 p.m.

Megan Marshall  
Magistrate Judge