Filed: 03/07/2023 14:58:18

Second Judicial District, Latah County

Julie Fry, Clerk of the Court

By: Deputy Clerk - Reeves, Tamzen

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

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

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, pursuant to I.C.A.R. 32(i)(2)(A) and (D) and I.C. §74-124(1)(c), the court finds it necessary to seal the records 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;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute an unwarranted invasion of personal privacy.

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

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231

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 March 8, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/9/22 @ 10:59 am

Magistrate Judge

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.

Match Group, LLC Tinder Records 8750 N Central Expressway, Suite 1400 Dallas, TX 75231 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:

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 _____ 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 Moscow, Idaho 83843-0568 (208) 883-2246

P.O. Box 8068

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 Ap For a Search Warrant	-) Case No. CR29-
Match Group, LLC Tinder Records 8750 N Central Expre Dallas, TX 75231	ssway, Suite 1400) RETURN OF) SEARCH WARRANT))
MPD Case No. 22-M	09903	<u>ن</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 915 o'clock a.m., this 8 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)

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF II	DAHO)									
County of Lat	:ss. ah)									
I, Law	rence 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 office for 12 years;									
(3)	On 12/6/22, I obtained a search warrant for Tinder;									
(4)	The warrant was served on 12/6/2022 by email (fax, email, etc);									
(5)	On 12/07//22, I received an e-mail from Tinder 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 Moscow Police Department.									
FUR	THER your Affiant sayeth not.									
	Lawrence Mowery Affiant									
I cert	ify (or declare) under penalty of perjury pursuant to the law the State of Idaho that									
the foregoing	g is true and correct.									
<u>12/08</u> (Date	(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	Case No.				
Match Group, LLC / Tinder Records 8750 N Central Expressway, Suite 1400	RECEIPT AND INVENTORY OF WARRANT				
Dallas, TX 75231					
·	, 20 <u>22</u> , at approximately <u>3:19</u> o'clock <u>P</u> .M.,				
served the Search Warrant heretofore issued directed in said Search Warrant. Entrance v	d upon the place and/or person(s) described therein as was obtained by:				
The person(s) found in said place were:					
The property found and taken and the lo	cation within or upon said place and/or person(s) are				
DESCRIPTION OF PROPERTY	LOCATION/PERSON				

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY	LOCATION/PERSON					
-						

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 n person(s) present during said search:
DATED this 8 day of December , 2022.
WITNESS PEACE OFFICER
The undersigned person(s) hereby acknowledge receiving a copy hereof on this day o, 20:

CASE NO. ______DEPUT

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:)	
)	
Match Group, LLC)	ORDER
Tinder Records)	
8750 N Central Expressway, Suite 1400)	
Dallas, TX 75231)	
)	
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

ORDER 1

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 @ 10:57 am.

Megah 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:)	
)	
Match Group, LLC)	SEARCH WARRANT
Tinder Records)	
8750 N. Central Expressway, Suite 1400,)	
Dallas, Texas 75231)	
)	
)	
MPD Case No. 22-M09903		

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 there is 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 subscriber information between November 3, 2022, to present, including but not limited to biographical data, geographical location, user name, phone number associated, electronic mail (email) address, profile information, primary picture, other private images, pictures, or videos, credit card information, and billing and information for the following UID accounts:

•

SEARCH WARRANT

•

•

•

•

•

•

_

•

•

•

•

•

•

•

•

Located at the following premises:

Match Group, LLC Tinder Records 8750 N. Central Expressway, Suite 1400, Dallas, Texas 75231

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, MATCH/TINDER IS ORDERED NOT TO

DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

MATCH/TINDER SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN	UNDER	MY	HAND	and	DATED	this	6th	day	of	December,	2022,	a
3:10			<u>p</u>	m.								
							Mega	en i		Marsha	ll	
	Magistrate Judge					_						