

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

Meta Platforms, Inc.
1601 Willow Rd
Menlo Park, CA 94025

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), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

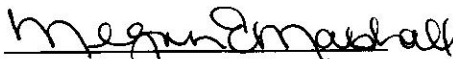
- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

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

<p>In the Matter of the Application for a Search Warrant for</p>	<p>Case No.</p>
<p>Meta Platforms, Inc. 1601 Willow Rd Menlo Park, CA 94025</p>	<p>ORDER SEALING SEARCH WARRANT AND RELATED DOCUMENTS</p>
<p>MPD Case No. 22-M09903</p>	

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 3, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/2/22 e 9:40 am.

Megan Marshall
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.

Meta Platforms, Inc.
1601 Willow Rd
Menlo Park, CA 94025

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:

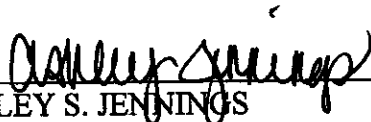
1. Interfere with enforcement proceedings;

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 1st day of December, 2022.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

CASE NO. _____
BY _____ DEPUTY

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. 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)	Case No. CR29-
For a Search Warrant for:)	
)	
Meta Platforms, Inc)	RETURN OF
1601 Willow Road)	SEARCH WARRANT
Menlo Park, CA 94025)	
)	
<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 4:00 o'clock p.m., this 1st day of December, ²⁰²²~~2020~~. *WEM*

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

12/01/2022
(Date)

JEM 162
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 11/21/22, I obtained a search warrant for Facebook;
- (4) The warrant was served on 11/21/22, by email (fax, email, etc);
- (5) On 11/30/2022, I received an e-mail from Facebook, ~~Instagram, etc.~~ 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.

12/01/2022
(Date)

Lawrence Mowery
(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

Meta Platforms, Inc.,
1601 Willow Road
Menlo Park, CA 94025

Case No. _____

RECEIPT AND
INVENTORY OF WARRANT

On the 21st day of November, 2022, at approximately 11:12 o'clock A.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: LEERS Portal

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

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 1 day of December, 2022.

WITNESS


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:)	
)	
Meta Platforms, Inc.)	ORDER
1601 Willow Road)	
Menlo Park, CA 94025)	
)	
<u>MPD Case No. 22-M09903</u>)	

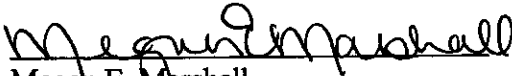
In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized 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 12/2/22 @ 9:40 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)	Case No. CR29-
for a Search Warrant for:)	
)	
Meta Platforms, Inc.)	SEARCH WARRANT
1601 Willow Road)	
Menlo Park, CA 94025)	
)	
<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.

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 crime(s) of homicide on the Facebook account(s) of Madison "Maddie" Mogen with the
following IDENTIFIERS from August 1, 2022, to November 19, 2022,
including:

- All user subscriber information to include, but not limited to, the FBID identification number, e-mail address, date and time stamp of account creation date displayed in GMT, most recent account log-ins in GMT, registered mobile number and verification on whether the number is publicly viewable;
- The length of service (including start date), the types of service utilized by the user and the means and source of any payments associated with the service (including any credit card or bank account number) for the Facebook accounts listed above;
- User contact information to include name, birth date, contact email addresses, physical address, city, state, zip, home phone, cell phone, work phone, screen name

REDACTED

and website;

- All privacy settings and other account settings;
- User Photoprint including all photos uploaded by that user ID and all photos uploaded by any user that has that user tagged, including any metadata, and EXIF data associated with the files, including date of upload and other metadata, if such information exists;
- All Neoprints, including profile contact information; mini-feed information; status updates, links to videos, photographs, articles, and other items; notes; wall posts; friend lists; including the friends' Facebook user identification members; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications, including any metadata associated with those files including date of upload and other metadata;
- Any and all communications and messages received by or sent from the screen/usernames including all private messages and pending friend requests;
- IP logs including all records of the IP addresses that logged into the accounts; and
- All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account; including contacts with support services and records of action taken;

located in or upon the following described premises to-wit:

Meta Platforms, Inc.
Security Department/Custodian of Records
1601 Willow Rd
Menlo Park, CA 94025
Fax: (650) 472-8007

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, FACEBOOK INC. 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.

FACEBOOK, INC. SHALL DISCLOSE THE DESCRIBED PROPERTY
AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY HAND and DATED this 21st day of November, 2022, at
10:21 a .m.

Megan C. Marshall
Magistrate Judge