

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) 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

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

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

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 14, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 15th day of December, 2022. @ 11:55 am

Megan Marshall
Magistrate Judge

Meta Platforms, Inc. 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

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

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 14th 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
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)
For a Search Warrant for:) Case No. CR29-
)
)
Meta Platforms, Inc) RETURN OF
1601 Willow Road) SEARCH WARRANT
Menlo Park, CA 94025)
)
MPD Case No. 22-M09903)

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 14th day of December, 2022 *Jen*

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

12/14/2022
(Date)

Jen 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 12/02/22, I obtained a search warrant for Facebook;
- (4) The warrant was served on 12/04/22, by email (fax, email, etc);
- (5) On 12/08/2022, I received an e-mail from Facebook 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 Moscow Police Department.

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.

12/14/2022
(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

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

Case No. _____

RECEIPT AND
INVENTORY OF WARRANT

On the 4th day of December, 2022, at approximately 1:31 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: LERS 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 3 PAGES

DESCRIPTION OF PROPERTY

LOCATION/PERSON

Lined area for entering property descriptions.

Lined area for entering location or person information.

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 14th 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 12/15/22 @ 11:55 am.

Megan 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:)
)
Meta Platforms, Inc.) SEARCH WARRANT
1601 Willow Road)
Menlo Park, CA 94025)
)
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 crime(s) of homicide on the Facebook account(s) from August 1, 2022, to November 19,
2022:

1. Madison "Maddie" Mogen with the following IDENTIFIERS
2. with the following IDENTIFIERS
3. with the following IDENTIFIERS
4. with the following IDENTIFIERS
5. Kaylee Goncalves with the following IDENTIFIERS
6. Ethan Chapin with the following IDENTIFIERS

REDACTED

7. Xana Kernodle with the following the IDENTIFIERS

to include:

- All contact and personal identifying information, including for Madison “Maddie” Mogen with the following IDENTIFIERS ;
with the following IDENTIFIERS ;
with the following IDENTIFIERS ; with the
following IDENTIFIERS ; Kaylee Goncalves with the
following IDENTIFIERS ; Ethan Chapin with the following
IDENTIFIERS ; Xana Kernodle with the following the
IDENTIFIERS ; to include full name, user identification number,
birth date, gender, contact e-mail addresses, physical address (including city, state,
and zip code), telephone numbers, screen names, websites, and other personal
identifiers;
- All activity logs for the account and all other documents showing the user’s posts
and other Facebook activities from August 1, 2022, to November 19, 2022;
- All photos and videos uploaded by that user ID and all photos and videos uploaded
by any user that have that user tagged in them from August 1, 2022, to November
19, 2022, including Exchangeable Image File (“EXIF”) data and any other
metadata associated with those photos and videos;
- All profile information; News Feed information; status updates; videos,
photographs, articles, and other items; Notes; Wall postings; friend lists, including
the friends’ Facebook user identification numbers; 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;
- All records or other information regarding the devices and internet browsers
associated with, or used in connection with, that user ID, including the hardware
model, operating system version, unique device identifiers, mobile network
information, advertising ID, and user agent string;
- All other records and contents of communications and messages made or received
by the user from August 1, 2022, to November 19, 2022, including all Messenger
activity, private messages, chat history, video and voice calling history, and
pending “Friend” requests;
- All “check ins” and other location information;
- All IP logs, including all records of the IP addresses that logged into the account;

- All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
- All information about the Facebook pages that the account is or was a "fan" of;
- All past and present lists of friends created by the account;
- All records of Facebook searches performed by the account from August 1, 2022, to November 19, 2022
- All information about the user's access and use of Facebook Marketplace;
- The types of service utilized by the user;
- The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- Records of any Facebook accounts that are linked to the account by machine cookies (meaning all Facebook user IDs that logged into Facebook by the same machine as the account);
- All records pertaining to communications between Meta and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.
- Records regarding the crimes of homicide of Madison "Maddie" Mogen, Kaylee Goncalves, Ethan Chapin, and Xana Kernodle;
- Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Facebook account owner;
- Evidence indicating the Facebook account owner's state of mind as it relates to the crime under investigation;
- The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s);

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 OR nighttime service (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, META 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.**

META SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.**

GIVEN UNDER MY HAND and DATED this 2nd day of December, 2022, at
1:56 p .m.

Megan Marshall
Magistrate Judge