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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**

STATE OF IDAHO

Plaintiff,

V.

BRYAN C. KOHBERGER,

Defendant.

CASE NUMBER CR29-22-2805

**OBJECTION TO MOTION TO
RECONSIDER ORDER DATED
MAY 4, 2023**

COMES NOW, Bryan C. Kohberger, by and through his attorney, Jay Weston Logsdon, Chief Deputy Litigation, and hereby objects to the Motion to Reconsider Order dated May 4, 2023, on the grounds that the Media's Motion to Vacate the Amended Nondissemination Order raises factual issues that Mr. Kohberger requires additional time to prepare.

The Media argues in its Motion that it is "irreparably" harmed each day this Court's Amended Nondissemination Order remains in place. In essence, the Media argues that this

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Court should grant a temporary injunction against its own injunction. It claims that this was the intent of the Supreme Court because it moved quickly to determine that its Petition for a Writ was filed in the wrong forum and using the wrong vehicle.

What the Media fails to note is that the Supreme Court provided no such directive in its written decision. It also fails to note that the Petition for a Writ was a purely legal issue, whereas, as it has repeatedly argued, the basis for the entry or amendment of a nondissemination order is a question of law *and fact*. See, *Memorandum in Support of Motion to Vacate the Amended Nondissemination Order*, at *12.


The Media seems to be acting on the premise that the Order should simply vanish now that it has arrived on the scene. Instead, this Court has reasonably and correctly recognized that the proper path forward is a hearing where the parties may show what evidence there is of prejudice and the potential for prejudice to Mr. Kohberger's 6th and 14th amendment rights to a fair trial from the removal of the nondissemination order in this case.

Because the media coverage of this case has been intense, and because Mr. Kohberger plans on providing expert testimony on its damaging effects, Mr. Kohberger will require additional time and will not be prepared for such a hearing on May 22, 2023.

DATED this 10 day of May, 2023.

ANNE C. TAYLOR, PUBLIC DEFENDER
KOOTENAI COUNTY PUBLIC DEFENDER

BY:



JAY WESTON LOGSDON
CHIEF DEPUTY LITIGATION
ASSIGNED ATTORNEY

CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing was personally served as indicated below on the 11 day of May, 2023 addressed to:

Latah County Prosecuting Attorney –via iCourt: paservice@latahcountyid.gov

Shannon Gray – via iCourt shanon@graylaw.org

WENDY J. OLSON

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CORY M. CARONE

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A handwritten signature in cursive script, appearing to read "D. J. ...", is written above a horizontal line.