

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

Strava, Inc.  
208 Utah Street  
San Francisco, CA 94103

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on April 28, 2023 on the State's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. Ashley Jennings appeared on behalf of the State. Anne Taylor, Jay Logsdon, and Elisa Massoth 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 (E), the court finds it necessary to seal in part and redact the record related 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) It is necessarily to temporarily seal or redact the documents or materials to preserve the right to a fair trial.

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: 5/31/2023  
NUNC PRO TUNC 4/28/2023

  
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

Case No. CR29-22-2805

Strava, Inc.  
208 Utah Street  
San Francisco, CA 94103

ORDER SEALING SEARCH  
WARRANT AND RELATED  
DOCUMENTS

MPD Case No. 22-M009903

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 any exhibits and inventories 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 May 1, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 3/24/2023 @ 2:28 PM

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. CR29-22-2805

Strava, Inc.  
208 Utah Street  
San Francisco, CA 94103

MOTION TO TEMPORARILY SEAL  
SEARCH WARRANT AND RELATED  
DOCUMENTS PENDING HEARING

MPD Case No. 22-M009903

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 a temporary Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including all exhibits of the inventories of items seized) and Order filed herein because release or disclosure would:

1. Interfere with enforcement proceedings;

2. Deprive a person of a right to a fair trial;
3. Constitute an unwarranted invasion of personal privacy,
4. Disclose the identity of a confidential source; and/or
5. Disclose investigative techniques and procedures.

Wherefore, the State respectfully prays that the Court temporarily seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant (including all Exhibits) and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 pending a hearing on the matter.

RESPECTFULLY SUBMITTED this 23<sup>rd</sup> day of March, 2023.

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

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

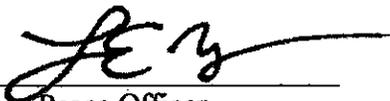
In the Matter of the Application	)	
For a Search Warrant for:	)	Case No. CR29-22-2805
	)	
Strava, Inc.	)	RETURN OF
208 Utah Street	)	SEARCH WARRANT
San Francisco, CA 94103	)	
	)	
	)	
<u>MPD Case No. 22-M09903</u>	)	

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 11:00 o'clock a.m., this 22th day of March, 2023.

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

3/22/2023  
(Date)

  
\_\_\_\_\_  
Peace Officer

**REDACTED**



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

Strava, Inc  
208 Utah Street  
San Francisco, CA 94103

Case No. \_\_\_\_\_

RECEIPT AND  
INVENTORY OF WARRANT

On the 1 day of March, 2023, at approximately 1024 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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIPT AND INVENTORY

PAGE 1 OF 3 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: email \_\_\_\_\_

DATED this 23 day of March, 2023.

\_\_\_\_\_  
WITNESS

Lawrence Mowery  
PEACE OFFICER



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

\_\_\_\_\_  
\_\_\_\_\_

MAY 16 2023 PM 3:53  
CLERK OF DIST. CT. LATAH

CASE NO. \_\_\_\_\_  
31 \_\_\_\_\_ 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	)	Case No. CR29-22-2805
for a Search Warrant for:	)	
	)	
Strava, Inc.	)	SEARCH WARRANT
208 Utah Street	)	
San Francisco, CA 94103	)	
	)	
	)	
<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 investigation into the crimes of homicide and/or burglary at 1122 King Road,  
Moscow, Idaho occurring on or about November 13, 2022, on all Strava accounts linked by  
recovery email, cookie, Android ID, Creation IP or phone number associated with the  
following identifiers:

IMEI

Between June 27, 2022 to December 30, 2022 including:

- Identifiers including but not limited to real name, athlete ID, IP address, and/or email addresses;
- Personal information including, but not limited to, physical characteristics, payment information;
- Commercial information to include, but not limited to, records of purchases;
- Biometric information to include, but not limited to, exercise data;
- Internet or other electronic network activity information to include, but not limited to, session logs;
- Geolocation data, to include, but not limited to, physical location of the recorded activity;
- All activity logs and connected devices including, but not limited to, all segments, routes, challenges, clubs, friends, follows;
- Contacts;
- Electronic, visual, or similar information to include, but not limited to, photos;

located at the following premises: Strava, Inc. at 208 Utah Street, San Francisco, CA 94103 and email

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 14 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, STRAVA 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.

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

GIVEN UNDER MY HAND and DATED this 26th day of February, 2023, at 7:51 p.m.

Megan 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.
for a Search Warrant for:	)	
	)	
Strava, Inc,	)	ORDER
208 Utah Street	)	
San Francisco, CA 94103	)	
	)	
<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 3/24/2023 @ 2:27 PM

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 for a Search  
Warrant for

Case No. CR29-22-2805

ORDER FOR EXTENSION TO  
RETURN SEARCH WARRANT

Strava, Inc.  
208 Utah Street  
San Francisco, CA 94103

MPD Case No. 22-M009903

The above matter having come before the Court based upon the motion of the State,  
and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant  
shall be returned is extended to April 10, 2023.

SO ORDERED this 3/8/2023

  
Magistrate Judge

CERTIFICATE OF DELIVERY

I do hereby certify that true and correct copies of the ORDER FOR EXTENSION TO RETURN SEARCH WARRANT were served on the following in the manner indicated below:

William W. Thompson, Jr.  
Latah County Prosecuting Attorney  
Latah County Courthouse  
Moscow, ID 83843

- Mailed
- E-filed & Served / E-mailed
- Faxed
- Hand Delivered

Dated 3/10/23

JULIE FRY  
Latah County Clerk of the Court

By: [Signature]  
Deputy Clerk

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

Case No. CR29-22-2805

MOTION FOR EXTENSION TO  
RETURN SEARCH WARRANT

Strava, Inc.  
208 Utah Street  
San Francisco, CA 94103

MPD Case No. 22-M009903

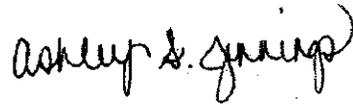
The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on the 26th day of February, 2023. The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on the 1<sup>st</sup> day of March, 2023, by Email. However, as of this date, the information has not been received.

MOTION FOR EXTENSION TO  
RETURN SEARCH WARRANT

**REDACTED**

Although the warrant was executed within the fourteen (14) day timeframe directed by I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of March, 2023.

Handwritten signature of Ashley S. Jennings in black ink.

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ASHLEY S. JENNINGS  
Sr. Deputy Prosecuting Attorney