

CASE NO. CR29-22-2805  
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

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

ORDER TO SEAL AND REDACT

MPD Case No. 22-M09903

This matter came before the court on June 27, 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), (D), and (E), 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;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) It is necessary 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: 7/13/2023

  
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

Case No. CR29-22-2805

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

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 July 1, 2023 or further order of the Court, whichever occurs first.

SO ORDERED this 5/2/2023.

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

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

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 2<sup>nd</sup> day of May, 2023.

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

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. CR29-22-2805
for a Search Warrant for:	)	
	)	
Meta Platforms, Inc.	)	ORDER
1601 Willow Road	)	
Menlo Park, CA 94025	)	
	)	
<u>MPD Case No. 22-M09903</u>	)	

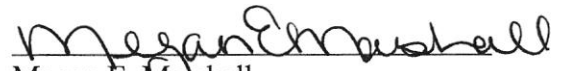
In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized 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 5/2/2023 @ 4:51 pm.

  
Megan E. Marshall  
Magistrate Judge

APR 2 2023 PM 5:05  
CLERK OF DISTRICT COURT  
CASE NO. 22-2805

LATAH COUNTY PROSECUTOR'S OFFICE  
ASHLEY S. JENNINGS  
SR. DEPUTY PROSECUTING ATTORNEY  
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P.O. Box 8068  
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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

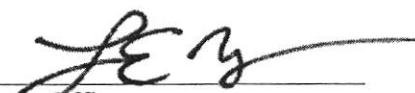
In the Matter of the Application )  
For a Search Warrant for: ) Case No. CR29-22-2805  
)  
Meta Platforms, Inc )  
1601 Willow Road ) RETURN OF  
Menlo Park, CA 94025 ) SEARCH WARRANT  
)  
MPD Case No. 22-M09903 )

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 1500 o'clock p.m., this 2nd day of May, 2023.

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

5/2/2023  
(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

Meta, Platforms, Inc (Facebook)  
1601 Willow Road  
Menlo Park, Ca 94025

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

RECEIPT AND  
INVENTORY OF WARRANT

On the 3 day of April, 2023, at approximately 1002 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: <https://www.facebook.com/records>

\_\_\_\_\_

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

“ \_\_\_\_\_ ”

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“ \_\_\_\_\_ ”

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LOCATION/PERSON

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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\_\_\_\_;

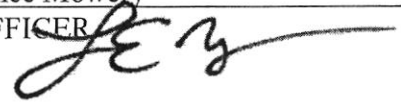
\_\_\_\_\_  
\_\_\_\_\_

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 2 day of May, 2023.

\_\_\_\_\_  
WITNESS

Det Lawrence Mowery  
PEACE OFFICER



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

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

CLERK OF DISTRICT COURT  
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	)	Case No. CR29-22-2805
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 and/or burglary occurring at 1122 King Road, Moscow, Idaho on or about November 13, 2022, on following Facebook account(s) from June 23, 2022, to August 1, 2022:

1. Madison "Maddie" Mogen with the following IDENTIFIER "[REDACTED]"
2. D. M. [REDACTED] with the following IDENTIFIER "[REDACTED]"
3. B. F. [REDACTED] with the following IDENTIFIER "[REDACTED]"
4. Kaylee Goncalves with the following IDENTIFIER "[REDACTED]"
5. Ethan Chapin with the following IDENTIFIER "[REDACTED]"

REDACTED

6. Xana Kernodle with the following the IDENTIFIER “ ”

to include:

- All contact and personal identifying information, 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 June 23, 2022, to August 1, 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 June 23, 2022, to August 1, 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 June 23, 2022, to August 1, 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 June 23, 2022, to August 1, 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.
- 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 crimes under investigation;
- The identity of the person(s) who created or used the user ID

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 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, 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 30th day of March, 2023, at  
2:35 p .m.

Megan Marshall  
Magistrate Judge

APR 13 2023 AM 10:09  
CLERK OF DIST CT. LATAH  
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 Road  
Menlo Park, CA 94025

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER FOR EXTENSION TO  
RETURN SEARCH WARRANT

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 May 4, 2023.

SO ORDERED this 4/13/2023

Megan Marshall  
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 4-13-2023

JULIE FRY  
Latah County Clerk of the Court

By:   
Deputy Clerk

CASE NO. \_\_\_\_\_  
BY \_\_\_\_\_ DEPUTY  
APR 12 2023 AM 9:03  
CLERK OF DIST. CT. LATAH

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

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

MPD Case No. 22-M09903

Case No. CR29-22-2805


MOTION FOR EXTENSION TO  
RETURN SEARCH WARRANT

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 30<sup>th</sup> day of March, 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 3<sup>rd</sup> day of April, 2023, by Portal. However, as of this date, the information has not been received.

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 12<sup>th</sup> day of April, 2023.

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