

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

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 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 TEMPORARILY
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 5/12/2023.

Megan Marshall
Magistrate Judge

APR 10 2023 PM 3:50
CLERK OF DIST. CT. LATAH
CASE NO. _____
BY _____ DEPUTY

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 10th day of May, 2023.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

MPD 12/29/23 PM 2:56
CLERK OF DISTRICT COURT
CASE NO. 22-M09903

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

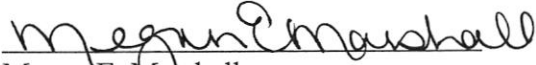
In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized 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 5/12/2023 @ 12:49 pm


Megan E. Marshall
Magistrate Judge

MM 12 2023 PM 2:55
CLERK OF DIST CT. LATAH

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. CR29-22-2805
)	
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 12:00 o'clock p.m., this 10th 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.

5/10/2023
(Date)


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 March 30, 2023, I obtained a search warrant for Instagram (Meta);
- (4) The warrant was served on April 3, 2023, through the law enforcement portal located at <https://www.facebook.com/records/>;
- (5) On May 9, 2023, I received an e-mail from Meta directing me to login to the portal to download the data;
- (6) The data was downloaded and 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.

Det 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.

5/10/2023
(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 (Instagram)
1601 Willow Road
Menlo Park, CA 94025

Case No. _____

RECEIPT AND
INVENTORY OF WARRANT

On the 3 day of April, 2023, at approximately 1055 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

“ _____ ”;

“ _____ ”;

“ _____ ”

“ _____ ” (Was Not Received)

RECEIPT AND INVENTORY

PAGE 1 OF 2 PAGES

DESCRIPTION OF PROPERTY

LOCATION/PERSON

This Receipt and Inventory was made in the presence of: _____

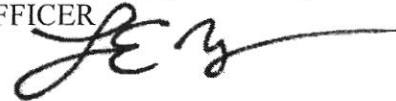
A copy hereof was given to the following named person(s) on the _____ day of _____, 20____;

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 10 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____;

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 probable cause to believe property consists of information consists of information related to the crime(s) of homicide and burglary occurring at 1122 King Road, Moscow, Idaho on or about November 13, 2022 on the following Instagram accounts from June 23, 2022 to August 1, 2022:

- B F with identifier “ ”;
- D M with identifier “ ”;
- Ethan Chapin with identifier “ ”;
- Xana Kernodle with identifier “ ”;
- Kaylee Goncalves with identifier “ ”;

to include:

- 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;

REDACTED

- 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 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

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:

****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
2:29 p.m.

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

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 23, 2023.

SO ORDERED this 5/21/2023


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 5/14/23

JULIE FRY
Latah County Clerk of the Court

By:  _____
Deputy Clerk

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 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 30th 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 3rd day of April, 2023, by Portal. On April 13, 2023, an order was signed extending the return to May 4, 2023. 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 2nd day of May, 2023.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

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 9:02
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
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 Road
Menlo Park, CA 94025

MPD Case No. 22-M09903

Case No. CR29-22-2805


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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 12th day of April, 2023.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney