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CLERK OF DIST. CT. LATAH

CASE NO. CR29-22-2805
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:

Paypal/Venmo
Attn: Global Asset Protection Team
2211 North First St.
San Jose, CA 95131

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on August 22, 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 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 to the search warrant for the following reasons:

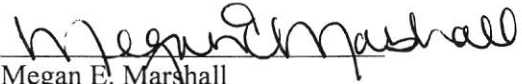
- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

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: 9/8/2023


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

ORDER TEMPORARILY
SEALING SEARCH
WARRANT AND RELATED
DOCUMENTS

Paypal/Venmo
Attn: Global Asset Protection Team
2211 North First St.
San Jose, CA 95131

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

SO ORDERED 8/2/2023

Meghan 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

Paypal/Venmo
Attn: Global Asset Protection Team
2211 North First St.
San Jose, CA 95131

MOTION TO TEMPORARILY
SEAL SEARCH WARRANT AND
RELATED DOCUMENTS

MPD Case No. 22-M09903

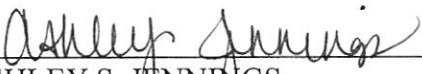
The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for a temporary Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including 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 temporarily 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 1st day of August, 2023.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

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CLERK OF DIST CT, LATAH

LATAH COUNTY PROSECUTOR'S OFFICE
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SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
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(208) 883-2246
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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:)	
)	
Paypal/Venmo)	ORDER
Attn: Global Asset Protection Team)	
2211 North First St.)	
San Jose, CA 95131)	
)	
<u>MPD Case No. 22-M09903</u>)	

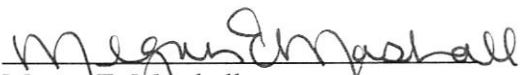
In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized 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 8/2/2023.


Megan E. Marshall
Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
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

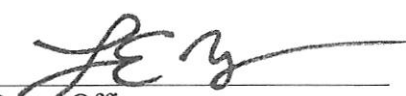
In the Matter of the Application) Case No. CR29-22-2805
For a Search Warrant for:)
)
Paypal/Venmo) RETURN OF
Attn: Global Asset Protection Team) SEARCH WARRANT
2211 North First St.)
San Jose, CA 95131)
MPD Case No. 22-M09903)

STATE OF IDAHO)
) :ss.
County of Latah)

I, Detective 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 4:00 o'clock p.m., this 1st day of August, 2023.

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

8/1/2023
(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:

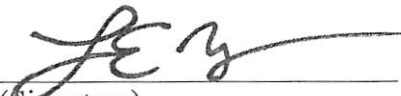
- (1) That I am employed by Moscow Police Department in the official position of Forensic Detective;
- (2) Affidavit has been a trained and qualified peace officer for 13 years;
- (3) On July 24, 2023, I obtained a search warrant for Paypal/Venmo;
- (4) The warrant was served on July 25, 2023, via LE portal <https://safetyhub.paypal.com/>;
- (5) On August 1, 2023, I received an email from Paypal/Venmo which directed me to the LE portal;
- (6) I logged into the LE portal and downloaded the data requested in the warrant;
- (7) An inventory was prepared for all the items received; and
- (8) The information received was placed into evidence at the 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.

8/1/2023
(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

Paypal/Venmo
2211 North First St.
San Jose, CA 95131

Case No. CR29-22-2805

RECEIPT AND
INVENTORY OF WARRANT

On the 25 day of July, 2023, at approximately 1133 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: LE Portal <https://safetyhub.paypal.com/>

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

DESCRIPTION OF PROPERTY

LOCATION/PERSON

IMEI _____

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

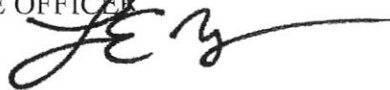
A copy hereof was given to the following named person(s) on the _____ day of _____, 20__;

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 1st day of August , 20 23 .

WITNESS

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
for a Search Warrant for:

PayPal Holdings, Inc.
2211 North First St.
San Jose, CA 95131

MPD Case No. 22-M09903

Case No. CR29-22-2805

SEARCH WARRANT

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 that the property referred to and sought in or upon said premises 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, to include all records from June 22, 2022 to December 31, 2022, associated with the PayPal account(s) associated with any of the following:

-
-

-
-
- IMEI

to include the following:

- All subscriber information, to include profile information, current customer name and address, billing information, billing records, billing address, mobile payments, bank accounts, credit cards, debit cards, restrictions, profile information, screen names, phone numbers, geo-location data, and associated e-mail addresses used by the individual(s) accessing the Internet and conducting financial transactions on PayPal using the PayPal user names listed above;
- All financial transaction data, to include dates, times, name of recipients, type of transaction, status of transaction, any identified subject, amounts, activity logs, associated banks or credit cards, and the account names and IP addresses of the sender and recipient;

in the constructive or actual possession of the business known as PayPal Holdings, Inc., located at 2211 North First Street, San Jose, CA 95131, submission to be made via PayPal's Safety Hub Portal at <https://safetyhub.paypalcorp.com>.

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. local time) and with the following conditions:

****THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, PAYPAL 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.**

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

GIVEN UNDER MY HAND and DATED this 24th day of July, 2023, at 4:39
 p. .m.

Megan Marshall
Magistrate Judge