

CASE NO. CR29-22-2805  
BY [Signature] DEPT. CLERK

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

YouTube Studio, C/O Google  
Google Custodian of Records  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

ORDER TO SEAL AND REDACT

MPD Case No. 22-M09903

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:

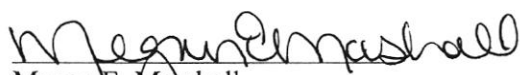
- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

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

YouTube Studio, C/O Google  
Google Custodian of Records  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

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 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 TEMPORARILY SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and until December 1, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 8/14/2023.

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

YouTube Studio, C/O Google  
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1600 Amphitheatre Parkway  
Mountain View, CA 94043

MOTION TO TEMPORARILY SEAL  
SEARCH WARRANT AND RELATED  
DOCUMENTS PENDING HEARING

MPD Case No. 22-M009903

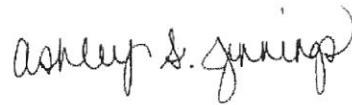
The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for a temporary Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any 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 9th day of August, 2023.



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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  
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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:	)	
	)	
YouTube Studio, C/O Google	)	
Google Custodian of Records	)	ORDER
1600 Amphitheatre Parkway	)	
Mountain View, CA 94043	)	
	)	
<u>MPD Case No. 22-M09903</u>	)	

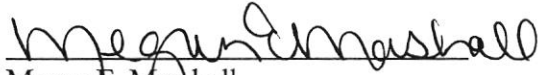
In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized 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 8/14/2023.

  
Megan E. Marshall  
Magistrate Judge

AUG 14 2023 PM 4:46  
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 83843-0568  
(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: )  
)  
YouTube Studio, C/O Google )  
Google Custodian of Records ) RETURN OF SEARCH WARRANT  
1600 Amphitheatre Parkway )  
Mountain View, CA 94043 )  
)  
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 the Court at 1400 o'clock p.m., this 9th 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.

8/9/2023  
(Date)

REDACTED

  
Peace Officer

AFFIDAVIT OF DET. 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 the Moscow Police Department in the official position of Detective;
- (2) Affidavit has been a trained and qualified peace officer for 13 years;
- (3) I currently work the day shift, 7:00 a.m. to 5:00 p.m.;
- (4) On July 25, 2023, I obtained a search warrant for YouTube;
- (5) The warrant was served on July 25, 2023,
- (6) On August 8, 2023, I received an email notifying me the download was available;
- (7) On August 9, 2023, I downloaded the data and an inventory was prepared for all the items received;
- (8) The information received was placed into evidence at Moscow Police Department.

FURTHER your Affiant sayeth not.

Detective Lawrence Mowery - 162  
Affiant

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

8/9/2023  
(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

YouTube Studio, C/O Google  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

Case No. CR29-22-2805

RECEIPT AND  
INVENTORY OF WARRANT

On the 25 day of July, 2023, at approximately 1413 o'clock P.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: \_\_\_\_\_

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

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

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



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\_\_\_\_;

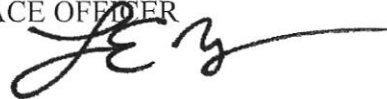
\_\_\_\_\_  
\_\_\_\_\_

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   9   day of   August  , 20  23  .

\_\_\_\_\_  
WITNESS

  Det Lawrence Mowery    
  PEACE OFFICER  



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

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

AUG 14 2023 PM 4:45  
CLERK OF DIST CT, LATAH  
CASE NO. \_\_\_\_\_  
BY \_\_\_\_\_

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: )  
)  
YouTube Studio, c/o Google Inc. ) SEARCH WARRANT  
Google Custodian of Records )  
1600 Amphitheatre Parkway )  
Mountain View, CA 94043 )  
)  
MPD Case No. 22-M09903 )

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 of the homicide(s) related to 1122 King Road, Moscow, Idaho on  
or about November 13, 2022 on the YouTube account of \_\_\_\_\_ with any of the  
following IDENTIFIERS: Email address(es) \_\_\_\_\_ and/or  
\_\_\_\_\_ and/or \_\_\_\_\_ and/or phone number  
\_\_\_\_\_ ; and/or IMEI \_\_\_\_\_ generated on or between June 1, 2022 to December

**REDACTED**

29, 2022, including:

- Subscriber information including all names, addresses, emails, phone numbers, driver's license numbers, social security numbers, and any other personal identifiers;
- All device identifiers for all devices that logged into the above account, including IMEI, IMSI, MEID, MAC Address, browser types and versions used, cookies, web beacons, time zone setting and locations, operating system and platform and any other devices used to access the account;
- All IP addresses, with associated port IDs, collected in relation to this account;
- Any other accounts associated with this account or channel that have been provided with administrative privileges/permissions over that account/channel, including access status, account names, email addresses, phone numbers, device identifiers, and other personal identifiers;
- All Settings data, including default currency/units, channel settings, upload settings, permissions, community settings (moderators, approved users, hidden users, blocked words, blocked links), comment settings;
- All Dashboard data, including subscribers and their associated channels, date subscribed, subscriber count;
- All Channel Content, including videos, visibility, restrictions, dates, views, comments, likes/dislikes, scheduled live content;
- All Playlists created and videos included within those playlists, visibility, dates, video count
- All Channel Analytics, including all data contained in the overview, reach, engagement, audience, and revenue tabs/data subsets;
  - For each video in the Channel Analytics section, all data contained in each video's Video Analytics section, including details, analytics, editor, comments, and subtitles data subsets;
- All Comments and Mentions, including whether the comment/mention is published or held for review;
- All Subtitles, including default settings, languages, dates modified, title and description, and draft and published subtitles;
- All Monetization and financial data, including application(s) for monetization, all financial accounts linked to the channel/creator account, all payments made to the account, all per-video revenue data (including total revenue and revenue per date/view/time of view/etc.);
- All Customization data, including layout, branding, and basic information;
- All records pertaining to communications between Google/YouTube/YouTube Studios and any person regarding the user or the user's Google/YouTube/YouTube Studio account, including contacts with support services and records of actions taken;

that is stored at premises owned, maintained, controlled, or operated by:

YouTube Studio, c/o Google Inc.  
Google Custodian of Records  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

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 (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, YOUTUBE 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.**

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

GIVEN UNDER MY HAND and DATED this 25th day of July, 2023, at 11:11 a .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

Case No. CR29-22-2805

ORDER FOR EXTENSION TO  
RETURN SEARCH WARRANT

YouTube Studio, C/O Google  
Google Custodian of Records  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

MPDvCase No. 22-M09903

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 September 4, 2023.

SO ORDERED this 8/7/2023

  
Magistrate Judge

CERTIFICATE OF DELIVERY

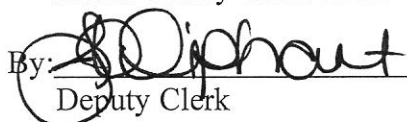
I do hereby certify that true and correct copies of the ORDER FOR EXTENSION TO RETURN SEARCH WARRANT were served on the following in the manner indicated below:

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

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

Dated 8/8/2023

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  
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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


YouTube Studio, C/O Google  
Google Custodian of Records  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

MPDvCase No. 22-M09903

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 July 25, 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 Law Enforcement Portal on the July 25, 2023, by Detective Lawrence Mowery. 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 7<sup>th</sup> day of August, 2023.

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