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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**

STATE OF IDAHO

Plaintiff,

V.

BRYAN C. KOHBERGER,

Defendant.

CASE NUMBER CR29-22-2805

**MOTION TO UNSEAL DEFENDANT'S
MOTION TO RECONSIDER ORDERS
DEYING MOTIONS TO DISMISS THE
INDICTMENT AND IN THE
ALTERNATIVE FOR PERMISSIONS TO
APPEAL FROM INTERLOCUTORY
ORDERS**

COMES NOW, Bryan C. Kohberger, by and through his attorney, Anne C. Taylor, Public Defender, and hereby moves the Court for an Order to unseal the Defendant's Motion to Reconsider Orders Denying Motions to Dismiss Indictment and in the Alternative for Permission to Appeal from Interlocutory Orders and a Stay of Proceedings filed with the court on 12/21/23, and the State's Objection to this Motion that was filed with court on 1/5/24.

**MOTION TO UNSEAL DEFENDANT'S MOTION TO RECONSIDER ORDERS
DEYING MOTIONS TO DISMISS THE INDICTMENT AND IN THE ALTERNATIVE
FOR PERMISSIONS TO APPEAL FROM INTERLOCUTORY ORDERS**

This motion is made on the grounds that the pleadings and hearing thereon do not need to be sealed. Previous motions related to the grand jury proceedings were properly sealed pursuant to ICAR 32, Idaho Criminal Rule 6 and the Court's order relating to Grand Jury proceedings.

The pending proceedings, brought by motion and supported by pleadings do not meet the language of the rule. The issues for the court to decide are procedural and legal and do not delve into areas covered by rule and order.

Mr. Kohberger sought sealing of his filings solely based on email communications with the Latah County Prosecutor's office stating they wanted the filings sealed. The deadline for Mr. Kohberger's motion was eminent; thus in an abundance of caution the Defense filed a motion to seal. Counsel for Mr. Kohberger informed the Latah County Prosecutor's office a motion to unseal was forthcoming.

Mr. Kohberger moves the court to unseal the proceedings and filings on the basis that these filings and proceedings are not covered within ICAR 32. Mr. Kohberger acknowledges the right of the public to be fully informed of the issues. Mr. Kohberger has a right for the rule to apply as it is written rather than disadvantage him with items remaining sealed that are not within the scope of ICAR 32.

DATED this 12 day of January, 2024.

ANNE C. TAYLOR, PUBLIC DEFENDER
KOOTENAI COUNTY PUBLIC DEFENDER



BY:

ANNE TAYLOR
PUBLIC DEFENDER

CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing was personally served as indicated below on the 12 day of January, 2024 addressed to:

Latah County Prosecuting Attorney –via Email: paservice@latahcountyid.gov
Elisa Massoth – via Email: legalassistant@kmrs.net


