

**IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH**

STATE OF IDAHO,)	
)	Case No. CR29-22-2805
Plaintiff,)	
)	RESPONSE TO PUBLIC RECORDS
vs.)	REQUEST
)	
BRYAN C. KOHBERGER)	
)	
Defendant.)	
_____)	

A public records request was submitted to the Latah County Court Clerk on February 26, 2024, and was subsequently forwarded to this Court for review and a response. The request was to “examine and/or copy” records pertaining to the “[t]otal cost, to date, of the case against Bryan Kohberger, including both defense and prosecution, and any other costs this case has required” pursuant to Idaho Code Section 74-102. This response is specific to records of the Latah County judicial department and, more specifically, records for which this Court is the “custodian judge” as defined in Idaho Court Administrative Rule 32(k)(3)(C).

First, Idaho Code Section 74-102 does generally give the public the right to examine “any public record of this state.” However, Idaho Code Section 74-104(1)(b) exempts from disclosure “[r]ecords contained in court files of judicial proceedings, the disclosure of which is prohibited by or under rules adopted by the Idaho supreme court, but only to the extent that confidentiality is provided under such rules” Idaho Court Administrative Rule 32 governs “Records of The Judicial

Department – Examination and Copying – Exemption from and Limitations on Disclosure.” Rule 32(i)(2)(E) allows a judicial record to be sealed “to preserve the right to a fair trial.” Sealed court records are not “subject to examination, inspection or copying by the public.” I.C.A.R. 32(i)(4).

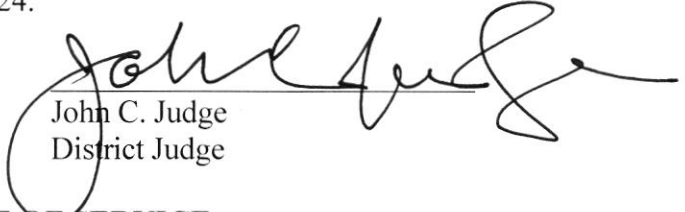
Idaho Criminal Rule 12.2 addresses a defendant’s ability to file “Motions Requesting Additional Defense Services.” Rule 12.2(d) allows the judge presiding over a case to “request that the Administrative District Judge appoint another judge to consider and conduct any hearing on the motion and to decide on the motion.” On January 6, 2023, this Court issued an Order Appointing Resource Judge for this case. Thus, a separate judge is tasked with decisions related to any defense “motions requesting additional defense services.” This Court has no knowledge of the costs associated with the defense of this case, nor is this Court the “custodian judge” for records pertaining to the “total cost, to date, of the case against Bryan Kohberger.” This is to ensure that any decisions made by the Court are not in any way influenced by the cost of the case.

On January 13, 2023, the Resource Judge tasked with evaluating and ruling on any defense requests for services issued an order Sealing Documents pursuant to Idaho Court Administrative Rule 32(i)(2)(E) “to preserve the right to a fair trial.” Therefore, all documents and materials related to costs associated with the defense’s request for services are sealed and exempt from disclosure at this time. Additionally, the judicial department does not maintain any records related to the costs of the State’s case.

In addition to this Response explaining why the Latah County judicial department cannot provide the “total cost, to date, of the case against Bryan Kohberger,” attached is the above-mentioned Order Appointing Resource Judge and Order Sealing Documents, I.C.A.R. Rule 32(I). Additionally, the Order Approving Appointed Counsel’s Hourly Rate, which is not a sealed document and is

contained in this Court's case file, is attached.

DATED this 28th day of February 2024.


John C. Judge
District Judge

CERTIFICATE OF SERVICE

I certify that copies of the Response to Public Records Request were delivered by email to:

William W. Thompson, Jr., and Bradley Rudley
Latah County Prosecuting Attorney
Paservice@latah.id.us

Jeffery Nye
Deputy Attorney General
Jeff.nye@ag.idaho.gov

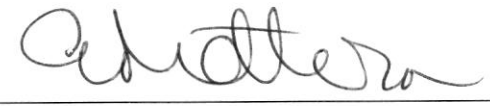
Ingrid Batey
Deputy Attorney General
Ingrid.batey@ag.idaho.gov

Anne C. Taylor and Jay Logsdon
Attorneys for Defendant
pdfax@kcgov.us

Elisa C. Massoth
Attorney for Defendant
emassoth@kmrs.net

on this 28th day of February 2024.

CLERK OF THE COURT

By: 
Deputy Clerk

REQUEST TO EXAMINE/COPY PUBLIC RECORDS

TO: Latah County Clerk (Governmental Entity)

DATE: 2/26/24

I hereby request, pursuant to Idaho Code §74-102, to examine and/or copy the following public records:

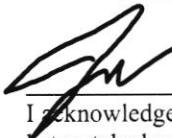
Total cost, to date, of the case against Bryan Kohberger, including both defense and prosecution, and
any other costs this case has required.

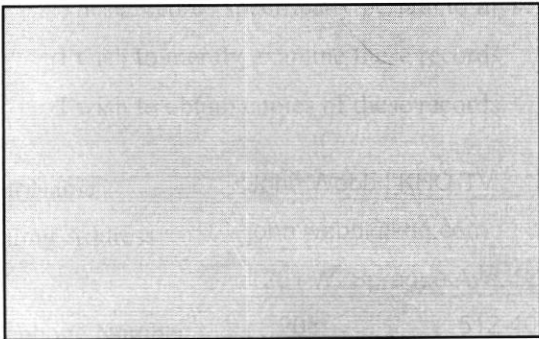
- These records specifically pertain to myself.
- I wish to merely examine these records.
- I wish to obtain copies of these records.

Print Name: John Webb | KHQ-TV

Mailing Address: john.webb@khq.com
1201 W. Sprague Ave. Spokane, WA 99201

Telephone Number: (208) 512-4070

Signature: 
I acknowledge by my signature that the records sought by this request will not be used for mailing list or telephone list as set forth in Idaho Code §74-120.



CASE NO. CR29-22-2805
BY JD DEPUTY

**IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH**

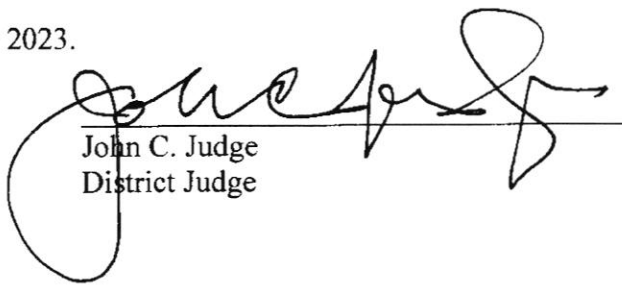
STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 BRYAN C. KOHBERGER,)
)
 Defendant.)
)
 _____)

Case No. CR29-22-2805

**ORDER APPROVING APPOINTED
COUNSEL'S HOURLY RATE**

Anne C. Taylor, Chief Public Defender of the Kootenai County Public Defender Office, has been appointed to represent Defendant Bryan C. Kohberger at public expense. Therefore, it is ordered that Anne C. Taylor is entitled to payment for her services at the rate of \$200.00 per hour and Jay W. Logsdon, Chief Deputy of Litigation, also of the Public Defender Office, will be entitled to payment for his services at the rate of \$180.00 per hour.

SO ORDERED this 6th day of January 2023.



John C. Judge
District Judge

CERTIFICATE OF SERVICE

I certify that copies of the ORDER APPROVING APPOINTED COUNSEL'S HOURLY RATE were delivered by email to the following:

William W. Thompson, Jr.
Latah County Prosecuting Attorney
Paservice@latah.id.us

Anne C. Taylor
Attorney for Defendant
pdfax@kcgov.us

on this 9th day of January 2023.

CLERK OF THE COURT

By: *Sanya Dodge*
Deputy Clerk

JAN 6 2023 PM 4:50
CLERK OF DIST CT. LATAH

CASE NO. _____
DEPUTY _____

**IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH**

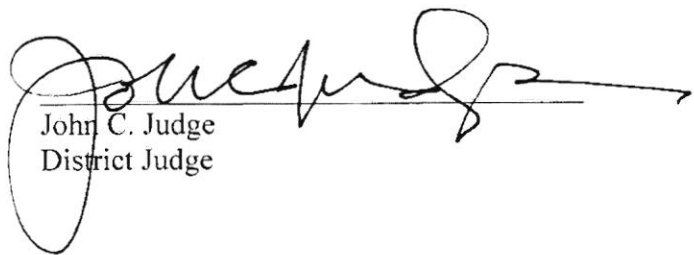
STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 BRYAN C. KOHBERGER,)
)
 Defendant.)
 _____)

Case No.

**ORDER APPOINTING RESOURCE
JUDGE**

It is **ORDERED** that Mark Monson, District Judge – Nez Perce County, is appointed as the resource judge for any defense requests.

Dated this 6th day of January 2023.


John C. Judge
District Judge

CERTIFICATE OF SERVICE

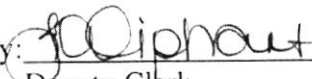
I certify that copies of the ORDER APPOINTING RESOURCE JUDGE were delivered by email to the following:

Anne C. Taylor
Attorney for Defendant
pdfax@kegov.us

Mark Monson, District Judge

on this 17th day of January 2023.

CLERK OF THE COURT

By: 
Deputy 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: Bryan C Kohberger

Case No.

Order Sealing Documents,
I.C.A.R. Rule 32(I)

Event Code: ORSD32

THIS MATTER is before the court pursuant to a request to seal certain documents in this case. Notice of this request was given and a hearing conducted as required by ICAR 32(i).

The court finds as a fact, as to the documents listed below, that the interest of privacy predominates over the interest of public disclosure and furthermore;

That it is necessary to seal the documents or materials to preserve the right to a fair trial. ICAR 32(i)(5)

The following documents are therefore sealed pursuant to I.C.A.R. 32(i): All documents filed in this case.

**THE PUBLIC IS NOT ALLOWED TO EXAMINE, INSPECT,
OR COPY THESE DOCUMENTS.**

The clerk shall designate the security group of the sealed documents as sealed.

Because this order reveals information the court seeks to protect this order shall be sealed and the public shall not be allowed to examine, inspect or copy this order. The Court will provide a copy of this order redacted for public inspection, examination and copying.

IT IS SO ORDERED.

Date: 1/13/2023 5:00:38 PM



Hon. Mark T. Monson
District Judge



CERTIFICATE OF SERVICE

I certify that on this day I served a copy of the attached to:

pdfax@kcgov.us

E-mail

Date: 1/18/2023 08:25 AM

By: Jenifer Aliphant
Deputy Clerk

