

IN THE SUPREME COURT OF THE STATE OF IDAHO

SUPREME COURT DOCKET NO. 50482-2023

THE ASSOCIATED PRESS; RADIO TELEVISION DIGITAL NEWS ASSOCIATION;
SINCLAIR MEDIA OF BOISE, LLC/KBOI-TV (BOISE); THE MCCLATCHY COMPANY,
LLC; STATES NEWSROOM dba IDAHO CAPITAL SUN; THE SEATTLE TIMES; TEGNA
INC./KREM (SPOKANE), KTVB (BOISE) AND KING (SEATTLE);
EASTIDAHONEWS.COM; THE LEWISTON TRIBUNE; WASHINGTON STATE
ASSOCIATION OF BROADCASTERS; ADAMS PUBLISHING GROUP dba POST
REGISTER; IDAHO PRESS CLUB; IDAHO EDUCATION NEWS; KXLY-TV/4 NEWS
NOW AND KAPP/KVEW-TV- MORGAN MURPHY MEDIA KXLY-TV/4 NEWS NOW;
SCRIPPS MEDIA, INC., dba KIVI-TV, a Delaware corporation; BOISE STATE PUBLIC
RADIO; THE TIMES-NEWS; THE SPOKESMAN-REVIEW/COWLES COMPANY;
COEUR D'ALENE PRESS; THE NEW YOUR TIMES COMPANY; DAY365 dba
BOISEDEV; LAWNEWZ, INC.; SCRIPPS MEDIA, INC., a Delaware corporation; ABC,
INC.; WP COMPANY LLC, dba THE WASHINGTON POST; SOCIETY OF
PROFESSIONAL JOURNALISTS,

Petitioners,

vs.

SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, COUNTY OF LATAH;
HONORABLE MEGAN E. MARSHALL, MAGISTRATE JUDGE,

Respondents.

**VERIFIED PETITION FOR LEAVE TO INTERVENE BY STATE OF IDAHO,
LATAH COUNTY PROSECUTOR**

For Petitioners

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For Respondent

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Party in Interest/Proposed Intervenors

LATAH COUNTY PROSECUTOR'S OFFICE
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Assigned Attorney:


Anne C. Taylor, Public Defender, Bar Number:
5836
Jay Weston Logsdon, Chief Deputy Litigation,
Bar Number: 8759

VERIFIED PETITION FOR LEAVE TO INTERVENE BY STATE OF IDAHO, LATAH COUNTY PROSECUTOR


The State of Idaho, by and through the Latah County Prosecuting Attorney, William W. Thompson, Jr., and Bradley J. Rudley, Chief Civil Deputy Prosecuting Attorney, Latah County, hereby seek to intervene in this action for a peremptory writ of prohibition or peremptory writ of mandate to defend the Respondent, Latah County District Court and the Honorable Megan E. Marshall's "Amended Nondissemination Order" entered on January 18, 2023 in *State of Idaho v. Bryan C. Kohberger*, case no. CR29-22-2805. The State of Idaho, through the Latah County Prosecutor's Office, seeks intervention as a real party in interest consistent with Idaho Appellate Rule 7.1. Where the Petitioners are seeking to have the Court invalidate or nullify the "Amended Nondissemination Order," and it is the duty of the Prosecutor and Judge Megan E. Marshall, to ensure that the accused in the underlying criminal case has a "fair and impartial jury trial," the State of Idaho would be "affected by the outcome or proceeding" in this matter and is a real party in interest. Further, the State is subject to the "Amended Nondissemination Order" and would be affected by any nullification or invalidation of such order.

The State of Idaho, through the Latah County Prosecutor, respectfully requests that leave to intervene be granted as set out in this Petition and the attached *Memorandum in Support of Verified Petition for Leave to Intervene by Latah County Prosecutor*.

DATED this 15th day of February, 2023.



William W. Thompson, Jr.
Latah County Prosecutor



Bradley J. Rudley
Latah County Chief Civil Deputy Prosecutor

VERIFICATION

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

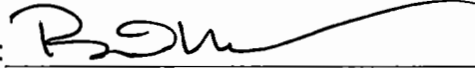
William W. Thompson, Jr., being first duly sworn, deposes and says:

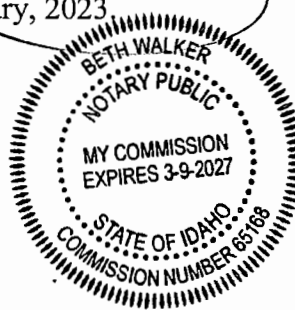
I, William W. Thompson, Jr., declare under penalty of perjury, pursuant to the law of the State of Idaho that the foregoing is true and correct to the best of my knowledge and belief.



William W. Thompson, Jr.
Prosecuting Attorney

Subscribed and sworn to before me on 15th day of February, 2023

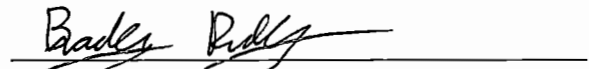
By: 



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

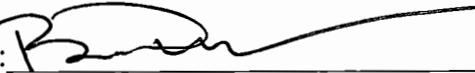
Bradley J. Rudley, being first duly sworn, deposes and says:

I, Bradley J. Rudley, declare under penalty of perjury, pursuant to the law of the State of Idaho that the foregoing is true and correct to the best of my knowledge and belief.



Bradley J. Rudley
Chief Civil Deputy Prosecuting Attorney

Subscribed and sworn to before me on 15th day of February, 2023

By: 



CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing **PETITION FOR LEAVE TO INTERVENE BY STATE/LATAH COUNTY PROSECUTOR** was served on the following in the manner indicated below:

Wendy J. Olson – wendy.olson@stoel.com
Cory M. Carone – cory.carone@stoel.com
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- US Postal Service
- E-filed & Served
- e-mailed
- Faxed

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Party in Interest/Proposed Intervenors

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Attorney for Respondent

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- E-filed & Served
- e-mailed
- Hand Delivery

DATED this 17th day of February, 2023.

