

# In the Supreme Court of the State of Idaho

In Re: Petition for Writ of Mandamus  
or Writ of Prohibition.

-----  
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  
YORK 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,

v.

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

Respondents.

## Order Granting Petitions to Intervene

Supreme Court Docket No. 50482-2023

County of Latah No.  
CR29-22-2805

1. An Order Re: Petition for a Writ of Mandamus or a Writ of Prohibition was entered by this Court on February 17, 2023, which set the due date for Respondents' answer and response brief, as well as Petitioners' reply brief.
2. A Petition to Intervene as Real Party in Interest and a Memorandum in Support of Petition to Intervene as Real Party in Interest were filed by counsel for proposed Intervenor Bryan C. Kohberger on February 17, 2023, requesting to intervene as a Respondent in this action.
3. A Verified Petition for Leave to Intervene by State of Idaho, Latah County Prosecutor and a Memorandum in Support of Petition for Leave to Intervene by State of Idaho, Latah County Prosecutor were filed by counsel for proposed Intervenor State of Idaho, Latah County Prosecutor on February 17, 2023, requesting to intervene as a Respondent in this action.
4. A Notice of Non-Opposition to Petitions to Intervene was filed by counsel for Respondents on February 20, 2023.

Therefore, after due consideration,

IT IS ORDERED that the Petition to Intervene as Real party in Interest and the Verified Petition for Leave to Intervene by State of Idaho, Latah County Prosecutor are GRANTED.

IT IS FURTHER ORDERED pursuant to I.A.R. 5(d):

1. Intervenor-Respondents Bryan Kohberger and State of Idaho, Latah County Prosecutor shall file response briefs to the Petition for a Writ of Mandamus or a Writ of Prohibition no later than March 3, 2023. The response briefs shall not exceed 20 pages in length.
2. Petitioners shall file reply briefs within seven (7) days after the filing of the Intervenor-Respondents response briefs. The reply briefs shall not exceed 15 pages in length.

IT IS FURTHER ORDERED that the Court may issue a Final Writ based on the record, or after oral argument, which may be scheduled at the discretion of the Court. If oral argument is scheduled, the extent of intervenors' participation in the argument will be set forth in a future order.

IT IS FURTHER ORDERED that the caption in the above-entitled appeal shall be AMENDED as follows:

In Re: Petition for Writ of Mandamus  
or Writ of Prohibition.

-----  
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 YORK 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,

v.

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

Respondents,

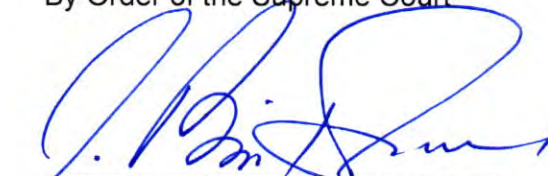
and

BRYAN C. KOHBERGER and STATE OF IDAHO, LATAH COUNTY PROSECUTOR,

Intervenor-Respondents.

Dated: February 23<sup>rd</sup>, 2023

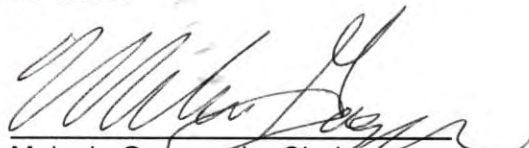
By Order of the Supreme Court



---

G. Richard Bevan, Chief Justice

ATTEST:



---

Melanie Gagnepain, Clerk

cc: Counsel of Record