

IN THE SUPREME COURT OF THE STATE OF IDAHO

SUPREME COURT DOCKET NO. 50482-2023

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.; COURT TV MEDIA, INC.; 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,

and

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

Intervenor-Respondents.

MOTION FOR LEAVE TO FILE CONSOLIDATED REPLY

For Petitioners

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Petitioners move for leave to file a single, consolidated reply brief instead of three separate reply briefs. *See generally* I.A.R. 32(c). Petitioners' motion is based on the following:

1. On February 17, 2023, the Court ordered that Petitioners may file a 15-page reply brief seven days after Respondents filed a response brief.

2. On February 23, 2023, the Court granted two petitions to intervene and ordered that Petitioners may file 15-page "reply briefs" seven days after the Intervenor-Respondents file their "response briefs."

3. On March 2, 2023, Intervenor-Respondent Bryan C. Kohberger filed his response brief.

4. On March 3, 2023, Respondent Second Judicial District of the State of Idaho, County of Latah and Intervenor-Respondent State of Idaho, Latah County Prosecutor filed their response briefs.

5. Read together, Petitioners understand that they may file a 15-page reply to Intervenor-Respondent Bryan C. Kohberger's response brief on March 9, 2023, a 15-page reply to Respondent Second Judicial District of the State of Idaho, County of Latah's response brief on March 10, 2023, and a 15-page reply to Intervenor-Respondent State of Idaho, Latah County Prosecutor's response brief on March 10, 2023.

6. After review, the three response briefs have both overlapping and distinct arguments.

7. Petitioners believe a consolidated reply would be more efficient to draft and more efficient for the Court to review.

Therefore, Petitioners seek leave to file a single, consolidated reply not to exceed 45 pages no later than March 10, 2023.

DATED: March 7, 2023

STOEL RIVES LLP

/s/ Wendy J. Olson

Wendy J. Olson

Cory M. Carone

Attorneys for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of March 2023, I served a true and correct copy of the within and foregoing **MOTION FOR LEAVE TO FILE CONSOLIDATED REPLY** upon the following named parties by the method indicated below, and addressed to the following:

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