

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 the
Application for a Search
Warrant for

Extreme Networks
6480 Via Del Oro
San Jose, CA 95119

MPD Case No. 22-M09903

Case No. CR29-22-2805

ORDER TO SEAL AND REDACT

This matter came before the court on February 10, 2023 on the court's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. William W. Thompson, Jr. and Ashley Jennings appeared on behalf of the State. Anne Taylor appeared on behalf of Mr. Kohberger.

The court reviewed the records, considered the arguments presented, weighed the interests in privacy and public disclosure, and announced its findings of fact on the record. Therefore, pursuant to I.C.A.R. 32(i)(2)(A) and (D), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:


- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals.

After due consideration and with good cause appearing,

IT IS HEREBY ORDERED that the record herein shall be disclosed except for the following:

1. The *Affidavit in Support of Search Warrant* is SEALED.
2. The *Search Warrant and Receipt and Inventory* be REDACTED.
3. This order will remain in effect until further order of the court.

Dated: 3/7/2023


Megan E. Marshall
Magistrate Judge

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 the
Application for a Search
Warrant for

Extreme Networks
6480 Via Del Oro
San Jose, CA 95119

MPD Case No. 22-M09903

Case No.

ORDER SEALING SEARCH
WARRANT AND RELATED
DOCUMENTS

Based upon the Motion to Seal Search Warrant and Related Documents filed herein, the Court does hereby confirm and ORDER that the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order are confidential, exempt from disclosure and are SEALED pursuant to Idaho Court Administrative Rule 32(g)(1) for the reasons stated in the said Motion and throughout the entirety of CR29-22-2805, or further order of the Court, whichever occurs first.

SO ORDERED this 25th day of January, 2023. @ 4:42 PM.

Meghan Marshall
Magistrate Judge

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
ISB No. 8491
paservice@latah.id.us

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 the
Application for a Search
Warrant for

Case No. CR29-22-2805

Extreme Networks
6480 Via Del Oro
San Jose, CA 95119

MOTION TO SEAL SEARCH
WARRANT AND RELATED
DOCUMENTS

MPD Case No. 22-M09903

The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including the inventory of items seized) and Order filed herein because release or disclosure would:


1. Interfere with enforcement proceedings;

2. Deprive a person of a right to a fair trial or an impartial adjudication;
3. Constitute an unwarranted invasion of personal privacy,
4. Disclose the identity of a confidential source; and/or
5. Disclose investigative techniques and procedures.

And the State seeks this protection throughout the entirety of CR29-22-2805.

Wherefore, the State respectfully prays that the Court seal from public disclosure the Affidavit for Search Warrant, Search Warrant, Return of Search Warrant and Order herein under the provisions of Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124.

RESPECTFULLY SUBMITTED this 24 day of January, 2023.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

JAN 25 2023 PM 4:54
CLERK OF DIST CT, LATAH
CASE NO. _____
BY _____ DEPUTY

LATAH COUNTY PROSECUTOR'S OFFICE
Ashley S. Jennings
Sr. Deputy Prosecuting Attorney
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843-0568
(208) 883-2246
ISB No. 8491
paservice@latah.id.us

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 the Application) Case No. CR29-
for a Search Warrant for:)
Extreme Networks) RETURN OF SEARCH WARRANT
6480 Via Del Oro)
San Jose, CA 95119)
)
MPD Case No. 22-M09903)

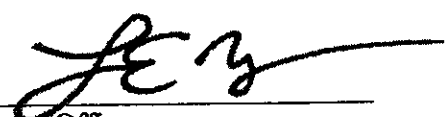
STATE OF IDAHO)
) :ss.
County of Latah)

I, Lawrence Mowery, do certify the warrant was served via email by Det Neil Uhrig of the Post Falls Police Department, and the appended inventory contains a true and detailed account of all property taken by me or other officers pursuant to this Warrant, and that this Warrant and property have been duly returned before the Court at 2 o'clock p.m., this 25 day of January, 2023.

I certify under penalty of perjury pursuant to the law the State of Idaho that the foregoing is true and correct.

1/25/2023
(Date)

REDACTED


Peace Officer

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
THE APPLICATION
FOR A SEARCH WARRANT FOR

Extreme Networks
6480 Via Del Oro
San Jose, CA 95119

Case No. _____

RECEIPT AND
INVENTORY OF WARRANT

On the 12 day of December, 2022, at approximately 1519 o'clock P.M.,
the following peace officers: Det Lawrence Mowery and Det Neil Uhrig (Post Falls Police Dept)

served the Search Warrant heretofore issued upon the place and/or person(s) described therein as
directed in said Search Warrant. Entrance was obtained by: email

The person(s) found in said place were: _____

The property found and taken and the location within or upon said place and/or person(s) are
as follows:

DESCRIPTION OF PROPERTY

LOCATION/PERSON

Decrypted access to the following computer:

EXTREME NETWORKS, SERVICE TAG:

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

This Receipt and Inventory was made in the presence of: _____

A copy hereof was given to the following named person(s) on the _____ day of _____, 20____;

A copy hereof was left on this date in a conspicuous place in the place searched, there being no person(s) present during said search: _____

DATED this 25 day of January, 2023.

WITNESS

Det Lawrence Mowery - 162
PEACE OFFICER



The undersigned person(s) hereby acknowledge receiving a copy hereof on this _____ day of _____, 20____:

CASE NO. _____
BY _____ DEPUTY

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 the Application)	Case No.
for a Search Warrant for:)	
)	
Extreme Networks)	
6480 Via Del Oro)	ORDER
San Jose, CA 95119)	
)	
<u>MPD Case No. 22-M09903</u>)	

In the above-titled matter, this Court having heretofore issued a Search Warrant, and the said Search Warrant having been served according to law, and the Return of Warrant having been duly made as directed in said Search Warrant to this Court, and a written inventory of the property found and seized having been duly made and taken before the undersigned Magistrate or Judge and filed herein;

NOW, THEREFORE IT IS HEREBY ORDERED that the said Peace Officer shall deliver or cause to be delivered, the property described in said inventory to the Moscow Police Department or such other law enforcement agency as may be appropriate for the purpose of preserving said property for use as evidence or until further order of a court of competent jurisdiction. Once any related criminal case has been concluded, including the expiration of time for appeal, or at such other appropriate time, the property can be released or disposed of upon authorization of the jurisdictional

prosecuting attorney.

IT IS FURTHER ORDERED that said property or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis, or identification of said property which is deemed necessary by the custodial law enforcement agency or jurisdictional prosecuting attorney without further order of this Court.

DATED 1/25/2023 @ 4:41 PM.

Megan Marshall
Megan E. Marshall
Magistrate Judge

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 the Application)	Case No. CR29-
for a Search Warrant for:)	
)	
Extreme Networks)	SEARCH WARRANT
6480 Via Del Oro)	
San Jose, CA 95119)	
)	
<u>MPD Case No. 22-M09903</u>)	

TO: ANY PEACE OFFICER AUTHORIZED TO ENFORCE OR ASSIST IN ENFORCING ANY LAW OF THE STATE OF IDAHO.

Lawrence Mowery, having given me proof, upon oath, this day showing probable cause establishing grounds for issuing a search warrant and probable cause to believe property consisting of there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the investigation of homicides that occurred at 1122 King Road in Moscow, Idaho including:

- Decrypted access to the following computer: EXTREME NETWORKS, SERVICE TAG: _____, registered in the name of KAYLEE GONCALVES;

located in or upon the following premises:

Extreme Networks
6480 Via Del Oro
San Jose, CA 95119

YOU ARE THEREFORE COMMANDED TO SEARCH the above-described premises for the property described above, TO SEIZE it if found and to bring it promptly before the Court above named. THIS WARRANT SHALL BE EXECUTED WITHIN 7 DAYS OF ISSUANCE, AND IS AUTHORIZED FOR DAYTIME SERVICE ONLY (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. local time), AND UNDER THE FOLLOWING SPECIAL DIRECTIONS:

****EXTREME NETWORK SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.****

GIVEN UNDER MY HAND and DATED this 12th day of December, 2022, at 11:23 p .m.

Megan Marshall
Magistrate Judge

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 the
Application for a Search
Warrant for

Extreme Networks
6480 Via Del Oro
San Jose, CA 95119

MPD Case No. 22-M09903


Case No.

ORDER FOR EXTENSION TO
RETURN SEARCH WARRANT

The above matter having come before the Court based upon the motion of the State,
and good cause appearing:

IT IS HEREBY ORDERED that the time for which the above referenced search warrant
shall be returned is extended to March 22, 2023.

SO ORDERED this 12/23/22


Magistrate Judge

CERTIFICATE OF DELIVERY

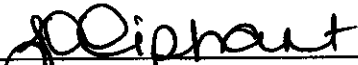
I do hereby certify that true and correct copies of the ORDER FOR EXTENSION TO RETURN SEARCH WARRANT were served on the following in the manner indicated below:

William W. Thompson, Jr.
Latah County Prosecuting Attorney
Latah County Courthouse
Moscow, ID 83843

- Mailed
- E-filed & Served / E-mailed
- Faxed
- Hand Delivered

Dated 12/23/22

TONYA DODGE
Latah County Clerk of the Court

By: 
Deputy Clerk

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843
Phone: (208) 883-2246
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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

In the Matter of the
Application for a Search

Case No.

MOTION FOR EXTENSION TO
RETURN SEARCH WARRANT

Extreme Networks
6480 Via Del Oro
San Jose, CA 95119


MPD Case No. 22-M09903

The State of Idaho by and through Ashley S. Jennings, Latah County Sr. Deputy Prosecuting Attorney, moves this Court for an order extending the time for returning the above referenced search warrant which was issued on the 12th day of December, 2022. The search warrant was directed by the Court to be served within fourteen (14) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on the 12th day of December, 2022, by email. However, as of this date, the information has not been received.

Although the warrant was executed within the fourteen (14) day timeframe directed by

I.C. 19-4412, the State is not able to comply with the timeframe within which to return the warrant and provide a written inventory. Accordingly, the State requests an extension of time for the return of the search warrant.

RESPECTFULLY SUBMITTED this 11th day of December, 2022.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney