

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

Google LLC and/or Google Payment Corp.  
1600 Amphitheatre Parkway  
Mountainview, CA 94043

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 (E) and I.C. §74-124(1)(b), the court finds it necessary to seal in part and redact the record related to the search warrant for the following reasons:

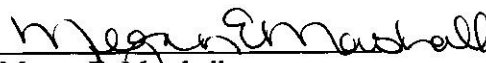
- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person; and
- (2) It is necessary to preserve the right to a fair trial.

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  
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Mountainview, CA 94043

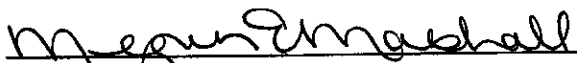
MPD Case No. 22-M09903

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 until April 5,  
2023, or further order of the Court, whichever occurs first.

SO ORDERED this 4th day of January, 2023. @ 6:18 PM

  
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.

Google LLC and/or Google Payment Corp.  
1600 Amphitheatre Parkway  
Mountainview, CA 94043

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:

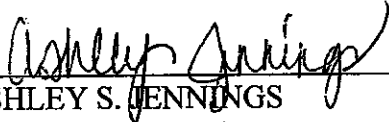
1. Interfere with enforcement proceedings;

2. Constitute an unwarranted invasion of personal privacy,
3. Disclose the identity of a confidential source; and
4. Disclose investigative techniques and procedures.

And the State seeks this protection for a minimum of ninety (90) days or until such time as the investigation is concluded and/or charges are filed.

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 4<sup>th</sup> day of January, 2023.

  
\_\_\_\_\_  
ASHLEY S. JENNINGS  
Sr. Deputy Prosecuting Attorney

JAN 5 2023 AM 7:20  
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  
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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

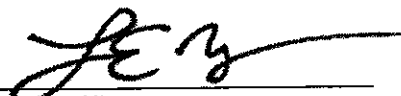
In the Matter of the Application ) Case No. CR29-  
for a Search Warrant for: )  
Google LLC )  
1600 Amphitheatre Parkway ) RETURN OF  
Mountainview, CA 94043 ) SEARCH WARRANT  
)  
)  
MPD Case No. 22-M09903 )

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

I, Lawrence Mowery, the officer by whom this Warrant was executed, do certify 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 Judge Megan E. Marshall.

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

1/4/2023  
(Date)

  
Peace Officer

**REDACTED**

AFFIDAVIT OF LAWRENCE MOWERY

STATE OF IDAHO )  
  :SS.  
County of Latah )

I, Lawrence Mowery, being duly sworn, do hereby state the following information is true and correct to the best of my knowledge and belief:

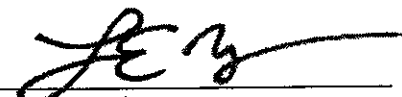
- (1) That I am employed by Moscow Police Department in the official position of Forensic Detective;
- (2) Affidavit has been a trained and qualified peace officer for 12 years;
- (3) On January 3, 2023, I obtained a search warrant for data associated with the Gmail account of .
- (4) The warrant was served on January 3, 2023, by logging into the Google Law Enforcement Portal;
- (5) On January 4, 2023, I received an e-mail from Google instructing me to login and download the data obtained pursuant the warrant;
- (6) An inventory was prepared for all the items received; and
- (7) The information received was placed into evidence at the Moscow Police Department.

FURTHER your Affiant sayeth not.

Lawrence Mowery - 162  
Affiant

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

1/4/2023  
(Date)

  
(Signature)

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

Google LLC  
1600 Amphitheatre Parkway  
Mountainview, CA 94043

Case No. \_\_\_\_\_

RECEIPT AND  
INVENTORY OF WARRANT

On the 3 day of January, 2023, at approximately 1517 o'clock P.M.,  
the following peace officers: Det Lawrence Mowery

\_\_\_\_\_

\_\_\_\_\_

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: 1

\_\_\_\_\_

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

Data related to the Google Account: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





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\_\_\_\_;

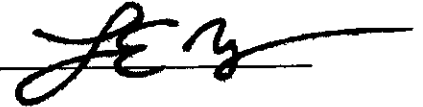
\_\_\_\_\_  
\_\_\_\_\_

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 4 day of January, 2023.

\_\_\_\_\_  
WITNESS

Lawrence Mowery  
PEACE OFFICER



The undersigned person(s) hereby acknowledge receiving a copy hereof on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_;

\_\_\_\_\_  
\_\_\_\_\_

LATAH COUNTY PROSECUTOR'S OFFICE  
ASHLEY S. JENNINGS  
SR. DEPUTY PROSECUTING ATTORNEY  
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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.
for a Search Warrant for:	)	
	)	
Google LLC and/or Google Payment Corp.	)	ORDER
1600 Amphitheatre Parkway	)	
Mountainview, CA 94043	)	
	)	
<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 1/4/23 @ 6:18 PM.

Megan E. 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. CR29-22-2805
for a Search Warrant for:	)	
	)	
Google LLC and/or Google Payment Corp.	)	SEARCH WARRANT
1600 Amphitheatre Parkway	)	
Mountainview, CA 94043	)	
	)	
<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 there is probable cause to believe that the property referred to and sought in or upon said premises consists of information related to the investigations into the crime(s) of homicide at 1122 King Road, Moscow, Idaho on the Google account of Bryan C. Kohberger with any of the following identifiers: email address of \_\_\_\_\_ ; and/or any Google Account(s) associated with the following telephone numbers \_\_\_\_\_ and/or \_\_\_\_\_ ; or any Google Account(s) associated with the following International Mobile Equipment Identifier:

\_\_\_\_\_, for all business records and subscriber information, in any form kept, pertaining to the Account, between January 1, 2021 to December 30, 2022, including:

**REDACTED**

- Google Account subscriber information, as defined in 18 U.S.C. § 2703(c)(2);
- Google Account recent activity logs and connected devices;
- Google email messages (Gmail) including drafts and those in the trash;
- Google Pay- Account information and transactions;
- Calendar- calendar events;
- Contacts – people contact files;
- Photos- photos, videos and albums, and associated metadata;
- Drive- documents, spreadsheets, presentations and files, and associated metadata;
- Keep- titles and the notes;
- Hangouts and Chats- messages, including attachments such as photos;
- Location History- location data and deletion records;
- My activity- searches and browsing history, including activity from Web & App Activity, Google Assistant, and Google Home;
- Google Voice- Google Voice information, including Google Voice basic subscriber information, call logs, forwarding number, text messages, and voicemails;
- YouTube- Registration email, channel ID, display name, IP logs, and account registration information;
- Android- records for Android Devices, to include subscriber information, other associated accounts, cellular carrier information, and device/hardware information;
- Google Play- Google Play purchases made and Google Play applications downloaded;

located at the following premises:

Google LLC and/or Google Payment Corp.  
 1600 Amphitheatre Parkway  
 Mountain View, CA 94043

and operates the publicly accessible website <https://plus.google.com>.

You are therefore commanded to search the above-described premises for the property described above, to seize it if found and bring it promptly before the court above named. This warrant shall be executed within 14 days of issuance, and is authorized for daytime or nighttime service (pursuant to Idaho Criminal Rule 41, "daytime" means the hours between 6:00 a.m. and 10:00 p.m. PST), and under the following special directions:

**\*\*THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, GOOGLE IS ORDERED NOT TO**

DISCLOSE THE EXISTENCE OR CONTENTS OF THIS SEARCH WARRANT OR THE INFORMATION FURNISHED IN RESPONSE TO THE SEARCH WARRANT FOR A PERIOD OF 90 DAYS OR UNTIL FURTHER ORDER OF THE COURT.

GOOGLE SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.\*\*

GIVEN UNDER MY HAND and DATED this 3rd day of January, 2023, at  
2:41 p.m:

Megan E. Marshall  
Magistrate Judge