

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

KA-BAR Knives, Inc.  
200 Homer Street  
Olean, NY 14760

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) and I.C. §74-124(1)(c), the court finds it necessary to seal the records related to the search warrant for the following reasons:

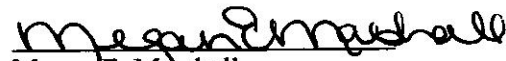
- (1) The documents contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person;
- (2) The documents contain facts or statements that might threaten the safety of or endanger the life or safety of individuals; and
- (3) Disclosure would constitute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

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

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 for a Search  
Warrant for

KA-BAR Knives, Inc.  
200 Homer Street  
Olean, NY 14760

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 March 7, 2023, or further order of the Court, whichever occurs first.

SO ORDERED 12/7/22 @ 4:33 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

KA-BAR Knives, Inc.  
200 Homer Street  
Olean, NY 14760

MPD Case No. 22-M09903

Case No.

MOTION TO SEAL SEARCH  
WARRANT AND RELATED  
DOCUMENTS

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:

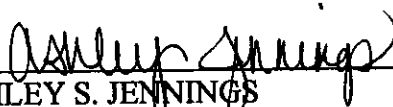
1. Interfere with enforcement proceedings;

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 7<sup>th</sup> day of December, 2022.

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





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

Ka-Bar Knives Inc.  
200 Holmer Street  
Olean, NY 14760

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

RECEIPT AND  
INVENTORY OF WARRANT

On the 29th day of November, 2022, at approximately 231 o'clock P.M.,  
the following peace officers: Detective 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: \_\_\_\_\_

\_\_\_\_\_

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

Ka-Bar 1217

\_\_\_\_\_

Ka-Bar 1217S

\_\_\_\_\_

Ka-Bar 1218

\_\_\_\_\_

Ka-Bar 9128

\_\_\_\_\_

RECEIPT AND INVENTORY

PAGE 1 OF 3 PAGES

DESCRIPTION OF PROPERTY

LOCATION/PERSON

Ka-Bar 9140

\_\_\_\_\_

Ka-Bar 9169

\_\_\_\_\_

Ka-Bar 9191

\_\_\_\_\_

Distribution information regarding Blue Ridge Knives

\_\_\_\_\_

Distribution information regarding

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Distribution information regarding

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Distribution information regarding

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Distribution information regarding

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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 5 day of December, 2022.

\_\_\_\_\_  
WITNESS

LEN 162  
PEACE OFFICER

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

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

LATAH COUNTY PROSECUTOR'S OFFICE  
WILLIAM W. THOMPSON  
PROSECUTING ATTORNEY  
Latah County Courthouse  
P.O. Box 8068  
Moscow, Idaho 83843-0568  
(208) 883-2246  
ISB No.2613  
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:	)	
	)	
Ka-Bar Knives, Inc	)	ORDER
200 Homer Street	)	
Olean, NY 14760	)	
	)	
<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 12/7/22 @ 4:33 pm.

  
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:

KA-BAR Knives, Inc.  
200 Homer Street  
Olean, NY 14760  
Ph: 800-282-0130  
KA-BAR.com  
Email:

MPD Case No. 22-M09903

Case No.

AMENDED SEARCH

WARRANT

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 that the property  
referred to and sought in or upon said premises consists of records and documents related to the  
crime(s) of homicide in the possession or control of KA-BAR Knives, Inc. related to the sales of the  
following items for the period of January 1, 2022 to present:

1. Ka-Bar 1217
2. Ka-Bar 1217S

**REDACTED**

3. Ka-Bar 1218
4. Ka-Bar 9128
5. Ka-Bar 9140
6. Ka-Bar 9169
7. Ka-Bar 9191
8. Distribution information regarding Blue Ridge Knives
9. Distribution information regarding
10. Distribution information regarding
11. Distribution information regarding
12. Distribution information regarding
13. Distribution information regarding

The records and documents (The terms "records" and "documents" mean any and all tangible forms of expression in your possession, custody, or control, in any language or format, and include, but are not limited to, writings, papers, and tape recordings, electronic video and audio recordings (e.g. video surveillance), microform, electromagnetic recordings, optical recordings, electronic files or records, photographs, drafts, finished versions, originals, and copies, however created, produced, or stored. Video surveillance/images pertaining to account transactions (to include account opening, deposit, withdrawals, etc.) are included with this subpoena request. Supporting information can be provided to help identify surveillance video/images for some of the transactions.) shall include but are not limited to:

- All Open and Closed accounts: all records pertaining to the individuals(s) or business entities identified in this letter whether held jointly or severally or as trustee or fiduciary as well as custodian, executor or guardian, as well as any other entity in which these individual(s) or entities may have a financial interest; includes all accounts in which these individuals had signatory authority and/or the right of withdrawal; these records should include:
  - Signature cards.
  - Statement Data/Monthly Account Statements.
  - Identification of and name assigned on all Debit Cards on account.

- Deposits and supporting documentation including but not limited to evidence of cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
  - Checks and other withdrawals including but not limited to cancelled checks front and back, withdrawals and offsets, evidence of cash withdrawals, transfers from other accounts including account number and name, other debit information.
  - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible.
  - Evidence of cash transactions and identifying information of individuals conducting cash transactions.
  - Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers.
- **Electronic/Internet records:** for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session.
  - **Credit Card records (e.g. MasterCard and Visa):** including customer's application, signature card, credit or background investigations conducted, correspondence, monthly billing statements, individual charge invoices, repayment records, disclosing the date, amounts and method of repayment, checks used to make repayments (front and back).
  - **Correspondence:** all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance.
  - **Other records:** all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities.

located in or upon the following described premises,

KA-BAR Knives, Inc.  
200 Homer Street  
Olean, NY 14760  
Ph: 800-282-0130  
KA-BAR.com  
Email:

## INSTRUCTIONS FOR PRODUCTION OF ELECTRONICALLY (DIGITALLY) STORED RECORDS

### Electronic Records

Electronically stored records shall be produced in electronic form and shall include those records held (1) in your record retention systems; and/or (2) by your technology, data, or other service provider(s).

### Text Data

Text data relating to transactions (e.g., core data, history file) shall be produced within a data file: (1) using delimited ASCII text data format; or (2) within software that can export without loss of data to a non-proprietary file format; or (3) using commonly readable file format set by agreement.

Text data files relating to transactions produced according to the above shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

### Image Data

Image data shall be produced in graphic data files in a non-proprietary or commonly readable format with the highest image quality maintained. Image data of items associated with specific transactions (e.g., checks, deposits) shall be: (1) Produced in individual graphic data

files with any associated endorsements; and (2) linked to corresponding text data by a unique identifier.

#### Encryption/Authentication

Electronically stored records may be transmitted in an encrypted container. Decryption keys shall be produced separately at the time the data are produced. Authentication, such as hash coding, may be set by agreement.

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 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:

**\*\*THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, KA-BAR 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.**

**KA-BAR SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.\*\***

GIVEN UNDER MY HAND and DATED this 29th day of November, 2022, at  
1:51 p.m.

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:

eBay Inc  
ATTN Legal Department  
Ph: 801-545-1385  
Email:  
Submit via <https://le.corp.ebay.com>

MPD Case No. 22-M09903

Case No.

SEARCH WARRANT

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  
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1. Ka-Bar 1217
2. Ka-Bar 1217S

3. Ka-Bar 1218
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  - Identification of and name assigned on all Debit Cards on account.
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- cash, cancelled deposited checks front and back, transfers from other accounts including full account number and name, and other credit information.
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  - Wire transfers in and out including wire transfer instructions and evidence of requestor if possible.
  - Evidence of cash transactions and identifying information of individuals conducting cash transactions.
  - Identification of sender or recipient bank, full account number, and account name on ACH transfers, online transfers, teller transfers, or other transfers.
- **Electronic/Internet records:** for those customers who engage in online banking with your financial institution, the following information pertaining to that online banking account: usernames or other identifying information for the account; e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter; historical access logs for authentication to the account including Internet Protocol (IP) addresses for this account and date, time and duration of each session.
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- **Correspondence:** all records of correspondence/communication between the customer and the financial institution relating to the above services or for any other purpose, including customer service inquiries or requests for assistance.
- **Other records:** all applications, forms, and other written documents completed by the customer; records of certified checks, wire transfers, or collections, letter credit, bonds and securities purchased through your financial institution, savings bond transaction and investment accounts. Such records that disclose the date and amount of the transaction, method (cash or check) and source of payment, instruments and statements of transactions; all correspondence with the above individual(s)/entities and/or with third parties regarding the above individual(s)/entities; all memoranda, notes, files, or records relating to meetings or conversations concerning the above individual(s)/entities.

located in or upon the following described premises,

KA-BAR Knives, Inc.

200 Homer Street  
Olean, NY 14760  
Ph: 800-282-0130  
KA-BAR.com

Email:

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**\*\*THIS SEARCH WARRANT IS ISSUED FOR A LAW ENFORCEMENT PURPOSE, KA-BAR 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.**

**KA-BAR SHALL DISCLOSE THE DESCRIBED PROPERTY AND INFORMATION WITHIN 14 DAYS OF ISSUANCE.\*\***

GIVEN UNDER MY HAND and DATED this 28th day of November, 2022, at  
6:55 P.m.

  
Magistrate Judge