

CASE NO. CR29-22-2805
BY: [Signature] 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:

Case No. CR29-22-2805

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

ORDER TO SEAL AND REDACT

MPD Case No. 22-M09903

This matter came before the court on March 14, 2023 on the State's motion to seal or redact pursuant to I.C.A.R. 32(i). The hearing was held via Zoom. 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: 3/24/2023

Megan E. Marshall
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

Case No. CR29-22-2805

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

ORDER SEALING SEARCH
WARRANT AND RELATED
DOCUMENTS

MPD Case No. 22-M009903

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 any exhibits and inventories 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 1, 2023, or further order of the Court, whichever occurs first.

SO ORDERED this 25th day of February, 2023. @ 12:22 PM

Megan 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

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

MOTION TO TEMPORARILY SEAL
SEARCH WARRANT AND RELATED
DOCUMENTS PENDING HEARING

MPD Case No. 22-M009903


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 a temporary Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), Search Warrant, Return of Search Warrant (including all exhibits of the inventories 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;
3. Constitute an unwarranted invasion of personal privacy,
4. Disclose the identity of a confidential source; and/or
5. Disclose investigative techniques and procedures.

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

RESPECTFULLY SUBMITTED this 22nd day of February, 2023.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney

LATAH COUNTY PROSECUTOR'S OFFICE
ASHLEY S. JENNINGS
SR. DEPUTY PROSECUTING ATTORNEY
Latah County Courthouse
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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
Warrant for

Case No. CR29-22-2805

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-M009903

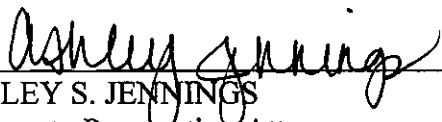
The State of Idaho, by and through the Latah County Prosecuting Attorney, respectfully moves the Court pursuant to Idaho Court Administrative Rule 32(g)(1) and Idaho Code 74-124 for an Order Sealing Search Warrant and Related Documents, including the Affidavit for Search Warrant (including any exhibits), 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
5. Disclose investigative techniques and procedures.

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 21st day of February, 2023.



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)	Case No.
for a Search Warrant for:)	
)	
Google Services)	ORDER
1600 Amphitheater Parkway)	
Mountain View, 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 2/27/2023 @ 9:14pm

Megan E. Marshall
Megan E. Marshall
Magistrate Judge

FEB 28 2023 PM 4:49
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

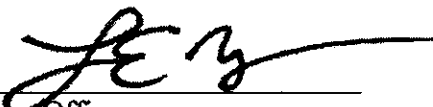
In the Matter of the Application) Case No. CR29-
for a Search Warrant for:)
Google LLC) RETURN OF SEARCH WARRANT
1600 Amphitheatre Parkway)
Mountainview, CA 94043)
)
MPD Case No. 22-M09903)

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 the Court at 10 o'clock a.m., this 21 day of February, 2023.

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

2/21/2023
(Date)


Peace Officer

REDACTED

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 25 day of January, 2023, at approximately 0911 o'clock A.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: https://lers.google.com

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

Account information for

_____ @gmail.com

RECEIPT AND INVENTORY

PAGE 1 OF 2 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 21 day of February, 2023.

WITNESS

Lawrence Mowery
PEACE OFFICER



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

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 the email address

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

- Google Account subscriber information, as defined in 18 U.S.C. § 2703(c)(2);
- Google Account recent activity logs and connected devices;

REDACTED

- 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 7 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 25th day of January, 2023, at
10:25 a .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

Case No.

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

ORDER FOR EXTENSION TO
RETURN SEARCH WARRANT

MPD Case No. 22-M009903

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 April 28, 2023.

SO ORDERED this 2/8/2023

Meghan Marshall
Magistrate Judge

CERTIFICATE OF DELIVERY

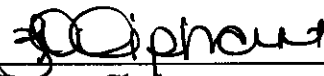
I do hereby certify that true and correct copies of the ORDER FOR EXTENSION TO RETURN SEARCH WARRANT were served on the following in the manner indicated below:

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

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

Dated 2/8/23

JULIE FRY
Latah County Clerk of the Court

By: 
Deputy Clerk

FEB 7 2023 PM 4:10
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
Phone: (208) 883-2246
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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 for a Search
Warrant for

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

MPD Case No. 22-M009903

Case No.

MOTION FOR EXTENSION TO
RETURN SEARCH WARRANT


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 January 25, 2023. The search warrant was directed by the Court to be served within seven (7) days of issuance during business hours. The warrant was served by Detective Lawrence Mowery on January 26, 2023, 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

MOTION FOR EXTENSION TO
RETURN SEARCH WARRANT

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 7th day of February, 2023.



ASHLEY S. JENNINGS
Sr. Deputy Prosecuting Attorney