

CASE NO. CR 22-22-2805  
BY [Signature] DEPUTY  
MAY 19 2023 PMS:00  
CLERK OF DIST. CT. LATAH

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*Assigned Attorney:*  
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Jay W. Logsdon, Chief Deputy Public Defender, Bar Number: 8759  
Elisa G. Massoth, Bar Number: 5647

**IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH**

**STATE OF IDAHO**

**Plaintiff,**

**V.**

**BRYAN C. KOHBERGER,**

**Defendant.**

**CASE NUMBER CR29-22-2805**

**MOTION TO ENLARGE TIME TO  
FILE PRETRIAL MOTIONS AND  
MEMORANDUM IN SUPPORT**

COMES NOW, Bryan C. Kohberger, by and through his attorney, Anne C. Taylor, Public Defender, hereby moves the Court for an order enlarging the time for the filing of pretrial motions in this matter.

**Procedural History**

The *Indictment* for the above-entitled matter was filed on May 16, 2023; Counsel for the Defendant filed its initial *Request for Discovery* on January 10, 2023. Counsel for the Defendant filed a *Motion to Make Available the Record of All Proceedings of the Grand Jury* on May 19, 2023.

Based on the amount of time it will likely take to receive and review all grand jury materials for this matter, Counsel will need additional time to file pretrial motions pursuant to Idaho Criminal Rule 12.

### **Request**

Counsel requests enlargement of time to file pretrial motions of at least twenty-eight days from the receipt of the requested grand jury materials and other discovery materials previously requested. As of the time of the filing of this *Motion to Enlarge Time*, Counsel for the Defendant has not received any of the grand jury materials; the review of such materials are critical to the adequate preparation of the Defendant's defense, and will cause Counsel for the Defendant to likely file pretrial motions regarding various evidentiary issues, challenges to the grand jury, and possible motions for suppression of evidence.

Counsel makes this request for the enlargement of time based on the belief the Defendant will be subject to prejudice, harmful error, and inadequate defense without the opportunity review grand jury materials prior to the filing of pretrial motions.

### **Conclusion**

Based on the foregoing reasons, Counsel requests enlargement of time to file pretrial motions. If argument is required on the matter, the Defendant requests ten (10) minutes time.

DATED this 19 day of May, 2023.

ANNE C. TAYLOR, PUBLIC DEFENDER  
KOOTENAI COUNTY PUBLIC DEFENDER



BY: \_\_\_\_\_

ANNE TAYLOR  
PUBLIC DEFENDER  
ASSIGNED ATTORNEY

**CERTIFICATE OF DELIVERY**

I hereby certify that a true and correct copy of the foregoing was personally served as indicated below on the 19 day of May, 2023 addressed to:

Latah County Prosecuting Attorney –Via iCourt: [paservice@latahcountyid.gov](mailto:paservice@latahcountyid.gov)

Jeff Nye, Deputy Attorney General – via iCourt: [jeff.nye@ag.idaho.gov](mailto:jeff.nye@ag.idaho.gov)

Ingrid Batey, Deputy Attorney General – via iCourt: [ingrid.batey@ag.idaho.gov](mailto:ingrid.batey@ag.idaho.gov)

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