

CASE NO. CR 29-22-2805
BY WWT DEPUTY
MAY 30 2023 PM 4:00
CLERK OF DIST. CT. LATAH

LATAH COUNTY PROSECUTOR'S OFFICE
WILLIAM W. THOMPSON, JR.
PROSECUTING ATTORNEY
Latah County Courthouse
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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

STATE OF IDAHO,
Plaintiff,

V.

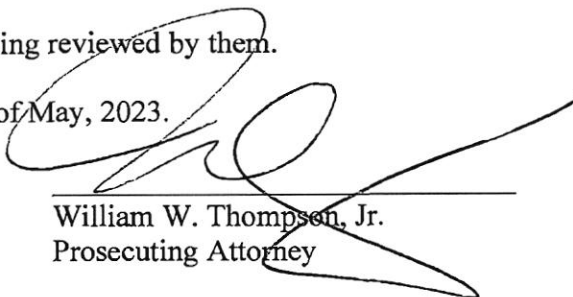
BRYAN C. KOHBERGER
Defendant.

Case No. CR29-22-2805

STATE'S RESPONSE TO
DEFENDANT'S MOTIONS
REGARDING GRAND JURY
RECORD AND TRANSCRIPT

COMES NOW the State of Idaho, by and through the Latah County Prosecuting Attorney, and in response to the Defendant's "Motion to Make Available the Record of All Proceedings of the Grand Jury Pursuant to I.C.R. 6.2." and "Motion Requesting Release of Grand Jury Materials Under Qualified Protective Order" respectfully submits the attached proposed "Order for Preparation and Release of Transcript and Record of Grand Jury Proceedings with Conditions." A proposed Stipulation for such an order was provided to Defendant's counsel on May 25, 2023, and is being reviewed by them.

Respectfully submitted this 30th day of May, 2023.



William W. Thompson, Jr.
Prosecuting Attorney

STATE'S RESPONSE TO DEFENDANT'S
MOTIONS REGARDING GRAND JURY
RECORD AND TRANSCRIPT:

CERTIFICATE OF DELIVERY

I hereby certify that true and correct copies of the STATE'S RESPONSE TO
DEFENDANT'S MOTIONS REGARDING GRAND JURY RECORD AND TRANSCRIPT
was served on the following in the manner indicated below:

Anne Taylor
Attorney at Law
PO Box 9000
Coeur d'Alene, ID 83816-9000

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

Dated this 30 day of May, 2023.

_____

STATE'S RESPONSE TO DEFENDANT'S
MOTIONS REGARDING GRAND JURY
RECORD AND TRANSCRIPT:

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 CHRISTOPHER KOHBERGER,
Defendant.

Case No. CR29-22-2805

ORDER FOR PREPARATION AND
RELEASE OF TRANSCRIPT AND
RECORD OF GRAND JURY
PROCEEDINGS WITH
CONDITIONS

The above matter having come before the court and good cause appearing:

IT IS HEREBY ORDERED, pursuant to Idaho Criminal Rules 6.2(c) and 6.3(c) as follows:

- a. A transcript of the proceedings herein, except deliberations, will be prepared as contemplated by Idaho Criminal Rule 6.2;
- b. A copy of the transcript and record will be provided to the State and the defense with the understanding that the same will remain confidential.
- c. The Honorable Jay Gaskill, Senior District Judge presiding over the grand jury proceeding, having already issued a May 16, 2023, "Order Releasing Records and Proceedings Pursuant to Idaho Criminal Rule 6.3(c)," the records and proceedings of the grand jury may also be shared by defense counsel with its investigators and retained experts with the provisions that those individuals shall not be allowed to further disclose any of the grand jury material.

ORDER FOR PREPARATION AND RELEASE OF
TRANSCRIPT AND RECORD OF GRAND
JURY PROCEEDINGS WITH CONDITIONS:

- d. In order to protect the identities of the impaneled grand jurors, the disclosed record and transcript shall be redacted prior to being shared so as to remove any reference to grand jurors' individual names.
- e. Select portions of the grand jury record and transcript may also be shared with any witnesses who testified at the grand jury proceedings – but for each witness, only that portion of the redacted version of the transcript that contains his or her own testimony.

DATED _____.

John C. Judge
District Judge

CERTIFICATE OF DELIVERY

I hereby certify that true and correct copies of the ORDER FOR PREPARATION AND
RELEASE OF TRANSCRIPT AND RECORD OF GRAND JURY PROCEEDINGS WITH
CONDITIONS were served on the following in the manner indicated below:

William W. Thompson, Jr.
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☐ Mailed
☐ E-filed & Served / E-mailed
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Attorney at Law
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☐ E-filed & Served / E-mailed
☐ Faxed
☐ Hand Delivered

Dated this _____

JULIE FRY
Latah County Clerk of the Court

By: _____
Deputy Clerk