

Gregory R. Rauch, ISB# 7389
Magyar, Rauch & Associates, PLLC
326 E 6th Street
Moscow Idaho 83843
Tel: (208) 882-1906
Fax: (208) 882-4540
nppd@mrlegal.com
Attorneys for Petitioner

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF ADA**

BRYAN KOHBERGER,

Petitioner,

vs.

STATE OF IDAHO,

Respondent.

Case No.: CV01-26-15094

**AFFIDAVIT OF GREGORY R. RAUCH
IN SUPPORT OF MOTION TO CHANGE
VENUE**

STATE OF IDAHO)
) ss.
County of Latah)

I, Gregory R. Rauch, being first duly sworn upon my oath, depose and say:

1. I am counsel of record for Petitioner Bryan C. Kohberger in this post-conviction proceeding. I make this Declaration pursuant to 40.1(a)(1)(B).in support of Petitioner's Motion to transfer venue.

2. I am an attorney licensed to practice law in the State of Idaho and am counsel of record for Petitioner Bryan C. Kohberger in this post-conviction proceeding.

3. I am a member of Magyar, Rauch & Associates, PLLC. My office is located in Moscow, Latah County, Idaho.

4. The attorneys presently representing Respondent are members of the Latah County Prosecuting Attorney's Office, which is also located in Moscow, Latah County, Idaho.

5. I have begun reviewing the record, defense materials, and anticipated issues relevant to Kohberger's claims for post-conviction relief.

6. Based upon my review to date, I reasonably anticipate that this proceeding will require testimony or evidence from persons involved in the investigation, prosecution, defense, plea process, and related factual development in the underlying criminal case.

7. The underlying criminal investigation originated in Latah County. A substantial portion of the law-enforcement activity, investigative work, records, and events giving rise to the underlying prosecution occurred in or were centered in Latah County and Northern Idaho.

8. I reasonably anticipate that witnesses associated with the underlying investigation, including law-enforcement personnel, records custodians, and other fact witnesses, may be necessary in connection with claims asserted or investigated in this post-conviction proceeding.

9. I further reasonably anticipate that testimony from members of Kohberger's former defense team may be material to claims concerning ineffective assistance of counsel, investigation, trial preparation, plea advice, and the circumstances surrounding Kohberger's decision to plead guilty.

10. Former defense counsel Anne Taylor and Jay Logsdon are located in Coeur d'Alene, Idaho. Coeur d'Alene is geographically substantially closer to Latah County than to Ada County.

11. Rather, based upon the information presently available to me, Latah County is the more practical geographic center for a substantial portion of the witnesses and factual proof likely to be involved in this proceeding.

12. Because both current counsel offices are located in Moscow, proceedings conducted in Latah County would also substantially reduce repeated travel and logistical expense for both Petitioner's counsel and the Respondent's.

13. It will be a hardship for both sets of counsel, witnesses, evidence to all head down to Ada county for every required in person hearing.

14. The post-conviction proceeding will not involve selection of a jury. To the extent an evidentiary hearing is granted, the factual issues will be tried to the Court.

15. Accordingly, the jury-pool and capital-jury-trial logistical concerns that supported transfer of the underlying criminal trial from Latah County to Ada County do not apply to this proceeding in the same manner.

16. My firm has substantial experience representing petitioners in post-conviction proceedings in Idaho.

17. My firm represented the petitioner in Lankford v. State, Case No. CV25-24-0232. The underlying criminal prosecution in that matter originated in Idaho County, the criminal trial was transferred to Canyon County, and the subsequent post-conviction proceeding was returned to and adjudicated in Idaho County.

18. Based upon the anticipated witnesses, counsel locations, underlying investigative history, and logistical considerations presently known to me, it is my professional judgment that litigating this post-conviction proceeding in Latah County would materially reduce unnecessary travel and expense and would promote the convenience of witnesses.

19. I submit this Affidavit in support of Petitioner's Motion for Change of Venue pursuant to Idaho Rule of Civil Procedure

I swear under penalty of perjury pursuant to the laws of the State of Idaho that the foregoing document is true and correct

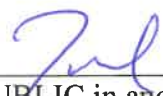
DATED this 27th Day of August 2026.



Gregory Rauch
Attorney for Petitioner

SWORN AND SUBSCRIBED to before me on this 27th Day of August 2026





NOTARY PUBLIC in and for the State
of Idaho, residing in Moscow.
My commission expires: 10-01-2026.

CERTIFICATE OF SERVICE

I hereby certify that on the 27th Day of August 2026 I caused a true and correct copy of the foregoing to be served on the following in the manner indicated below:

Prosecutor:
Latah County Prosecutor's Office
Email: paservice@latahcountyid.gov

- ☐ U.S. Mail
- ☐ Overnight Mail
- ☒ Odyssey
- ☐ e-mail
- ☐ Courthouse Mail

MAGYAR, RAUCH & ASSOCIATES, PLLC

By: /s/Matt Ruck
Matt Ruck,
Paralegal to Mr. Rauch