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**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

MOTION TO EXCEED PAGE LIMIT

COMES NOW Petitioner Bryan C. Kohberger (“Kohberger”), by and through undersigned counsel, and respectfully moves the Court for leave to file an oversized memorandum in support of his Motion to Disqualify the Honorable Steven Hippler for Cause pursuant to I.R.C.P. 40(b)(1)(D), or, alternatively, for voluntary disqualification pursuant to I.R.C.P. 40(c). The memorandum is twenty-four (24) pages long including the sealed Supplemental Memorandum. Fourth Judicial District Local Rule 8.1 limits a memorandum in support of a non-dispositive motion to fifteen pages (15), and Local Rule 8.3 permits enlargement with prior leave of Court.

Good cause exists for the requested enlargement. The Motion presents an unusually fact-intensive and legally complex question that cannot be fairly addressed through isolated allegations or a single judicial ruling. The requested disqualification is based upon the cumulative effect of multiple events occurring over several months, including pre-plea litigation concerning counsel’s preparedness, the Court’s June 26, 2025, findings, the plea entered six days later, the plea colloquy itself, and subsequent sentencing remarks bearing upon issues of credibility that may now arise in post-conviction proceedings.

The Motion must also address substantial Idaho authority permitting the original trial judge to preside over post-conviction proceedings and explain why the particular combination of circumstances presented here is materially different. Petitioner has endeavored to avoid unnecessary repetition and seeks additional pages only to provide the Court with the factual context and legal

analysis necessary to evaluate the Motion on a complete record. Allowing this modest enlargement will not prejudice Respondent and will assist the Court in resolving an issue of significant consequence without requiring the parties or the Court to reconstruct the relevant context from numerous separate filings and transcripts.

WHEREFORE, Petitioner respectfully requests that the Court grant leave to file his memorandum in support of the Motion to Disqualify not to exceed 24 pages including the sealed Supplemental Memorandum.

DATED this 27th Day of August 2026.

MAGYAR, RAUCH & ASSOCIATES P.L.L.C.,

/s/Gregory Rauch
Gregory Rauch, ISB #7389
Attorney for Petitioner

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

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