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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 MAINTAIN EX PARTE
STATUS AND TO SEAL
CONFIDENTIAL SUPPLEMENT TO
MOTION TO DISQUALIFY**

COMES NOW the Petitioner, Bryan Kohberger (“Kohberger”) by and through his attorneys, Magyar, Rauch & Associates, PLLC, and who respectfully moves the Court for an order maintaining the ex parte status of, and sealing from public disclosure, Petitioner’s Confidential Supplemental Memorandum in Support of Motion to Disqualify.

The Supplemental Memorandum relies upon information previously submitted to this Court ex parte in the underlying criminal proceeding, including confidential defense communications, attorney work product, expert-related information, and matters concerning Petitioner’s ability to understand and participate in consequential defense decisions.

Petitioner does not seek through the present filing to broaden disclosure of information that the Court previously received on an ex parte basis or inadvertently waive any privilege or protection associated with that material. Accordingly, Petitioner requests that the Supplemental Memorandum remain inaccessible both to the public and to Respondent unless and until the Court orders otherwise. *See* I.C.A.R. 32(i).

In the alternative, should the Court determine that Respondent is entitled to disclosure of some portion of the Supplemental Memorandum, Petitioner requests an opportunity to submit an appropriately redacted version before any presently ex parte material is disclosed.

Sealing is also warranted because the material contains highly intimate personal information and confidential matters previously protected from public disclosure. *See* I.C.A.R. 32(i)(3)(A). The requested relief is narrowly tailored: Petitioner seeks to seal only the supplemental filing containing the protected information, while the Motion to Disqualify, supporting memorandum, and this Motion to Maintain Ex Parte Status and Seal remain publicly available.

Respectfully submitted,

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