

SEP 24 2026

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

By ANNA MEYER
DEPUTY
Clerk

BRYAN C. KOHBERGER,

Petitioner,

vs.

STATE OF IDAHO,

Respondent.

Case No. CV01-26-15094

NOTICE OF INTENT TO PROVIDE
UNREDACTED MAY 20, 2025 EX-
PARTE SUPPLEMENT AND
ORDER TO RESPONDENT

Petitioner has moved under IRCP 40(b)(1)(D) to disqualify this Court from presiding over this matter. In the motion, Petitioner questions the Court's ability to impartially adjudicate the validity of his guilty plea, particularly in light of the Court's denial of Petitioner's Motion to Continue filed in the underlying criminal case. *See*, Redacted Memorandum Decision and Order on Defendant's Motion to Continue (June 26, 2025) ("Redacted Order"). In part, Petitioner's concern rests on the May 20, 2025 Ex-Parte Supplement to Motion to Continue ("Ex-Parte Supplement")¹ emailed by trial counsel to this Court. In moving to disqualify this Court, Petitioner questions whether this Court—having learned of the information in the Ex-Parte Supplement, denied his motion to continue and then accepted Petitioner's guilty plea a few weeks later—is capable of impartially determining whether his guilty plea was valid.

Respondent was never provided with the Ex-Parte Supplement in the criminal case. Further, the Court's Redacted Order was filed in redacted form to remove all references to information contained in that Ex-Parte Supplement. Because Petitioner has made the Ex-Parte Supplement and the Redacted Order an issue in the motion to disqualify, Respondent argues Petitioner has waived any privilege over the information in the Ex-Parte Supplement and requests that it be provided to the State so as to allow a meaningful response to the pending motion to disqualify.

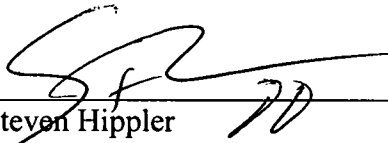
¹ The Ex-Parte Supplement includes the Ex-Parte Declaration of Juliet Yakel appended thereto.

The Court agrees that if Petitioner intends to rely on information Ex-Parte Supplement to support his motion to disqualify, he must afford Respondent the same opportunity to review the information therein, not just counsel's general description of the information. Consequently, the Court is providing counsel with notice of its intent to provide the unredacted Ex-Parte Supplement and Unredacted Order to Respondent.

To the extent Petitioner objects to this Notice, he has five (5) days from the filing date of this Order to lodge such objection. If an objection is filed, the State will be permitted five (5) days to respond. If no objection is received within the time period allotted to Petitioner, the Court will file the Ex-Parte Supplement and Unredacted Order through an Order of Judicial Notice to which the materials will be appended and sealed.

IT IS SO ORDERED.

DATED this 23 day of September, 2026.



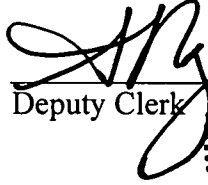
Steven Hippler
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on 09/23/2026, I mailed (served) a true and correct copy of the NOTICE OF INTENT TO PROVIDE UNREDACTED MAY 20, 2025 EX-PARTE SUPPLEMENT AND ORDER TO RESPONDENT to:

LATAH COUNTY PROSECUTOR'S OFFICE VIA EMAIL: paservice@latahcountyid.gov	☐ U.S. Mail, Postage Prepaid ☐ Interdepartmental Mail ☒ Electronic Mail ☐ Facsimile
Greg Rauch VIA EMAIL: nppd@mrlegal.com	☐ U.S. Mail, Postage Prepaid ☐ Interdepartmental Mail ☒ Electronic Mail ☐ Facsimile

TRENT TRIPPLE
Clerk of the District Court

By: 
Deputy Clerk

