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**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 NUMBER CR29-22-2805

**MOTION TO DISMISS INDICTMENT
ON GROUNDS OF BIASED GRAND
JURY, INADMISSIBLE EVIDENCE,
LACK OF SUFFICIENT EVIDENCE,
AND PROSECUTORIAL MISCONDUCT
IN WITHHOLDING EXCULPATORY
EVIDENCE**

Comes Now, Bryan C. Kohberger, through his attorneys of record and files a Motion to Dismiss Indictment on Grounds of a Biased Grand Jury, Inadmissible Evidence, Lack of Sufficient Evidence, and Prosecutorial Misconduct by Withholding Exculpatory Evidence.


This motion is based on the State's various violations during the Grand Jury pursuant to Idaho Code § 19-1001 et seq., Idaho Criminal Rule 6.7 and 48, Idaho Rules of Evidence, 401, 402,

403, 404, 404B, 601, 602, 608, 701, 702, 703,708, 801(c),802, 803(2), 804(a)(3),901,902, and prosecutor misconduct pursuant to Idaho Criminal Rule 6.1(b)(1) and Napue v. Illinois, 360 U.S.264 (1959).

Mr. Kohberger raises twenty four (24) issues which are set forth in full in the Memorandum in Support of Motion to Dismiss Indictment and its attachments.

DATED this 23 day of August, 2023.

ANNE C. TAYLOR, PUBLIC DEFENDER
KOOTENAI COUNTY PUBLIC DEFENDER

BY: 

JAY WESTON LOGSDON
CHIEF DEPUTY LITIGATION
ASSIGNED ATTORNEY

CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing was personally served as indicated below on the 23 day of August, 2023 addressed to:

Latah County Prosecuting Attorney –via Email: paservice@latahcountyid.gov
Elisa Massoth – via Email: legalassistant@kmrs.net