

**IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH**

STATE OF IDAHO,	)	
	)	Case No. CR29-22-2805
Plaintiff,	)	
	)	<b>SCHEDULING ORDER</b>
vs.	)	
	)	
BRYAN C. KOHBERGER,	)	
	)	
Defendant.	)	
_____	)	

**TRIAL SETTING:**

- A.** A jury trial shall commence at **8:30 a.m. on June 2, 2025**, in Courtroom #3 of the Latah County Courthouse and will run until **August 29, 2025**, on an 8:30 a.m. to 3:30 p.m. schedule. Trial will not be held on June 19, 2025, or July 4, 2025. These dates are inclusive of jury selection as well as any sentencing phase that may be necessary. The defense’s motion to change venue is currently set to be heard on August 29, 2024. If that motion is granted, the Court anticipates that the trial dates will not change although the location of the trial would.
- B.** A final pre-trial conference will be held on **April 3, 2025, at 10:00 a.m.**

**MOTIONS:**

- A.** Any motions challenging the death penalty shall be filed on or before September 5, 2024. Any responses shall be filed on or before October 10, 2024. Any replies are due by October 24, 2024. A hearing on the motions shall be held on November 7, 2024, at 10:00 a.m.

- B. Motions to suppress evidence and any other 12(b) motions shall be filed no later than November 14, 2024. Responses shall be filed by December 19, 2024. Any replies shall be filed by January 10, 2025. A hearing on the motions shall be held on February 6, 2025, at 10:00 a.m. and may continue into February 7, 2025, if needed.
- C. Motions in limine, including any 404(b) notices, shall be filed by February 13, 2025. Any responses are due by March 13, 2025. Any replies shall be filed by March 20, 2025. A hearing on the motions shall be held on March 27, 2025, at 10:00 a.m. and may continue into March 28, 2025, if needed.

**DISCOVERY COMPLETION:**

- A. The State's discovery deadline is September 6, 2024.
- B. The defense's discovery deadline is January 9, 2025.

**DISCLOSURE OF TRIAL EXPERTS:**

- A. A list of experts, along with a copy of the expert's report, consistent with I.C.R. 16(b)(7), and a copy of the expert's curriculum vitae, the State intends to call at trial shall be disclosed to the defense and the Court by December 4, 2024.
- B. A list of experts, along with a copy of the expert's report, consistent with I.C.R. 16(c)(4), and a copy of the expert's curriculum vitae, the defense intends to call at trial shall be disclosed to the State and the Court by January 9, 2025.
- C. Any rebuttal experts for either the State or the defense must be disclosed by January 30, 2025.

**TRIAL MATERIALS:**

- A. Proposed jury questionnaires shall be provided to the Court by February 7, 2025. Responses must be filed by March 7, 2025. Pursuant to I.C.A.R. 32(i)(2)(C) and I.C.A.R. 32(i)(2)(E), a closed, sealed hearing on the jury questionnaires will be held on April 2, 2025, at 10:00 a.m.

- B.** Proposed jury instructions shall be filed with the Court by March 14, 2025. Jury instructions will be discussed at the final pre-trial conference.
- C.** Lay trial witness lists shall be filed by March 14, 2025.
- D.** Exhibit lists with attached copies of exhibits shall be filed by March 14, 2025.

Each party shall prepare a list of exhibits that it expects to offer (excluding impeachment documents) to the Court and to opposing counsel. Exhibits should be listed in the order that the party anticipates they will be offered. Each party shall affix labels to their exhibits before trial. The State's exhibits should be marked with red labels, in numerical sequence with a "S" before the number (S-1). Defendant's exhibits should be marked with blue labels, in numerical sequence with a "D" before the number (D-1). The case number should also be placed on each of the exhibit labels. Exhibits should be lodged and served as required by this pretrial order. Exhibit labels can be obtained from a deputy court clerk.

Counsel shall provide a copy of each exhibit and an exhibit list to opposing counsel and the Court. Copies should be made after the labels are marked and attached to the original exhibit. To expedite the trial, each exhibit to be offered should be viewed by opposing counsel prior to trial and a determination made as to whether an objection will be lodged against the exhibit. An exhibit, to which there is no objection, will be admitted prior to trial.

- E.** Each party shall provide the Court with a trial brief which shall be filed on or before March 14, 2025.

**SENTENCING DISCLOSURES:**

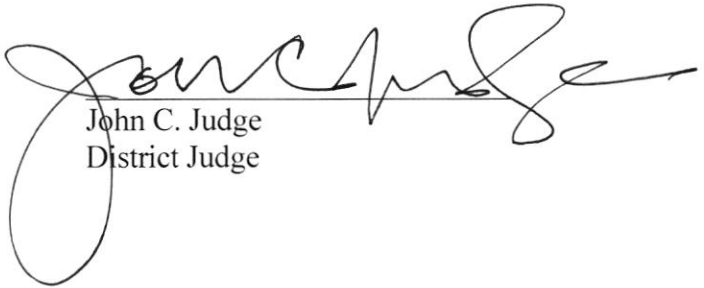
- A.** Any witnesses, lay or expert, expert reports, and a list of exhibits with copies attached the State intends to present in support of aggravation shall be provided to the defense and the Court by January 9, 2025. Defendant's mitigation disclosures, including a list of witnesses,

lay and expert, expert reports, and a list of exhibits with copies attached shall be provided to the State and the Court by March 3, 2025. Any witnesses, lay or expert, and exhibits the State intends to present in rebuttal shall be provided to the defense and the Court by March 31, 2025.

**FILINGS AFTER DEADLINE:**

- A. The Court reserves the right to hear any motions filed after a deadline has passed if good cause is shown, including, but not limited to, motions that arise after a disclosure made by the opposing party.

DATED this 27<sup>th</sup> day of June 2024



John C. Judge  
District Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the SCHEDULING ORDER were delivered by email to:

William W. Thompson, Jr., and Ashley S. Jennings  
Latah County Prosecuting Attorney  
[Paservice@latah.id.us](mailto:Paservice@latah.id.us)

Jeffery Nye  
Deputy Attorney General  
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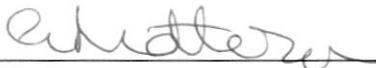
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on this 27 day of June 2024.

CLERK OF THE COURT

By:   
Deputy Clerk