

AUG 26 2026

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA
TRENT TRIPPLE, Clerk
DEPUTY CLERK
BY: JACQUELYNNA MEYER
DEPUTY CLERK

BRYAN C. KOHBERGER,

Petitioner,

vs.

STATE OF IDAHO,

Respondent.

Case No. CV01-26-15094

ORDER GOVERNING
PROCEEDINGS AND SETTING
HEARINGS

This is a civil action.

THEREFORE, THIS ORDERS THAT:

The following is the schedule for this matter. If either party objects to the schedule set forth below, such objection must be filed within fourteen (14) days of the date of this order. Upon receipt of an objection, the Court will set the matter for hearing.

The above-described matter is set as follows: if an evidentiary hearing is granted it shall be set to commence on **June 17, 2027 at 9:00 a.m.** before the Honorable Steven J. Hippler, at the Ada County Courthouse, Boise, Idaho. A status conference will be set for **June 3, 2027 at 1:30 p.m.** at the Ada County Courthouse, Boise, Idaho.

THIS ALSO ORDERS that the following scheduling dates shall be complied with:

- (a) Amendment of pleadings shall be completed by **November 13, 2026.**

A PARTY'S AMENDMENT OF PLEADINGS, INCLUDING THE PETITION, SUPERSEDES AND REPLACES THAT PARTY'S PRIOR PLEADING IN FULL. FURTHER, THE PRIOR PLEADING MAY NOT BE "INCORPORATED BY REFERENCE," IN WHOLE OR IN PART, INTO THE AMENDED PLEADING. ANY CLAIM STATED IN THE INITIAL PLEADING WHICH A PARTY FAILS TO RESTATE IN FULL IN THE AMENDED PLEADING WILL OPERATE AS A WAIVER OF THAT CLAIM.

- (b) The State's Answer shall be due within fourteen (14) days of the filing of an amended petition or, if none is filed, the deadline for filing an amended petition.

- (c) All discovery requests shall be completed by **May 7, 2027**;
- (d) The filing, noticing, and hearing of all pretrial motions, including motions for summary dismissal, shall be filed and noticed in compliance with I.R.C.P. 56(c);
- (e) The last day for petitioner to disclose witnesses, including experts, together with their opinions and reports, shall be by **February 1, 2027**;
- (f) The last day for respondent to disclose rebuttal experts, together with their opinions and reports shall be **March 1, 2027**;
- (g) **The court further notifies** the parties they must **strictly** adhere to **I.R.C.P. 56(a), 56(b), 56(d) and 56(e)**. If affidavits setting out **facts on personal knowledge** do **not** demonstrate **on their face** the evidence contained therein is admissible under the Idaho Rules of Evidence (or a case on point construing the same) or I.C. §19-4903, the parties must file a memorandum in support of the affidavit(s) or applicable parts, specifically referencing the evidence in question and citing the court and opposing counsel to the rule or case supporting the court's consideration of the affidavit(s) proffered;
- (h) In the event any party elects to move to **strike an affidavit** as setting forth evidence that is not otherwise admissible, such moving party, in either the **motion or a supporting memorandum**, should direct the court with specificity to the paragraph or paragraphs objected to and should further cite the court to the rule or case that supports the motion to strike.
- (i) **The court reminds** the parties that a motion under I.R.C.P. 37(a) requires a certification that the movant has, in good faith, conferred or attempted to confer with the party not making the disclosure (serving as the object of the motion) in an effort to secure the disclosure without court action.
- (j) Any requests for judicial notice must be accompanied by the documents for which judicial notice is requested.
- (k) If counsel is requested and appointed, upon appointment, and after consultation with the petitioner, counsel shall be given leave to file an amended petition if so needed. Upon filing the amended petition, counsel shall verify that he/she has visited with the petitioner, reviewed the claims listed in both the initial and amended post-conviction petition and obtained the petitioner's verified signature

for the amended petition.

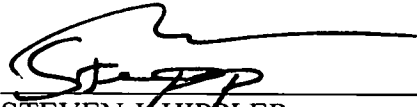
THIS FURTHER ORDERS that all parties shall file with the court no later than seven (7) days prior to the status conference the following:

- (a) A concise written statement of the theory of recovery or defense, the elements of such theory, and supporting authorities;
- (b) A written list identifying stipulated facts, all witnesses, and all exhibits to be introduced at the evidentiary hearing, accompanied by a statement pertaining to each exhibit on whether each exhibit in question is stipulated as admissible;
- (c) ~~A written statement that the parties have discussed settlement or the use of extrajudicial proceedings including alternative dispute techniques to resolve the dispute.~~

THIS FINALLY ORDERS that:

- (a) Attorneys attending the status conference must have authority to enter into stipulations regarding factual issues and admissions of exhibits or of other evidence; and,
- (b) Noncompliance with this ORDER may result in the court imposing sanctions.
- (c) All exhibits each party intends to introduce at the evidentiary hearing will be pre-marked in coordination with the court's clerk and under the positive control of the clerk throughout the hearing;
- (d) Any open or closing presentations shall be pre-marked as demonstrative exhibits and provided to the court two (2) business days before the evidentiary hearing.

Dated this 8-25-26 day of August, 2026.



STEVEN J. HIPPLER
DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2026, I mailed (served) a true and correct copy of the ORDER GOVERNING PROCEEDINGS AND SETTING HEARINGS 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

