Commonwealth of Pennsy	/Ivania	APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION
		AND ADTHORIZATION
Docket Number Issuing Authority):	Police Incident Number: PA2022-1651897	Warrant Control Number:
For. Justin M. LERI For. Brian V. NOLL FRANT NAME AGENCY		519-6800 12/29/2022
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Commonwealth of Pennsylvania



RETURN of SERVICE AND INVENTORY

COUNTY OF MONROE	S.		
	Police Incident		Warrant Control
(Issuing Authority):	Number: PA202	a ta contenna tê tê vê yê ale ta te qeyanen vaneda vatê ta t	
12/30/22	of Search: 0428		eized as result of Search((Y)N):
Date of Return: Time	of Return:	Officer ma CoRPOR/	king Return: John D. Powis
Signature of Person Seizing Property: Task Force Officer Shane YELLAND	- Federal Bureau of I	nvestigation	n la na sana na katana papanan panana la katana kanan kanan kananaka katan kata kananakaka pananakaka katan ka
Other Officers Participating in Search:		invoorigution	n an
Special Agent Jake ARCHER - Feder		ati <mark>o</mark> n et al	N THE REPORT A DESCRIPTION OF A
 Pa.R.Crim.P. Chapter 2000. SEARCH WARRA Rule 2002A. Approval of Search Warrant Applicat. (b) The District Attorney of any county may req Commonwealth prior to filing. 	ions by Attorney for the Con		
Rule 2004. Person To Serve Warrant. A search warrant shall be served by a law enforcer	nent officer		
	nom officer.		Clerk of Courts JAN 12 '23 px3:06
Rule 2005. Contents of Search Warrant. Each search warrant shall be signed by the issuing	authority and shall:		JHN 12 20 MO-VO
(i) specify the date and time of issuance;	·		
 (j) identify specifically the property to be seized (k) name or describe with particularity the perso 			
 direct that the search be executed within a sp direct that the warrant be served in the daytin 2000, the term "daytime" shall be used to me 	ne unless otherwise authoriz	ed on the warrant, PR	he time of issuance; OVIDED THAT, for purposes of the Rules of Chapter
 (n) designate by title the judicial officer to whor (o) certify that the issuing authority has found participation 	n the warrant shall be returne	ed;	med before the issuing authority by written
affidavit(s) attached to the warrant; and			sealed pursuant to Rule 2011 and state the length of
time the affidavit(s) will be sealed.	intent differenties good ondie sin		source pursuant to there 2011 and state ine rengan of
Rule 2006. Contents of Application for Search War Each application for a search warrant shall be supp affidavit(s) shall: (i) state the name and department, agency, or ac	ported by written affidavit(s)	signed and sworn to c	or affirmed before an issuing authority, which
 (j) identify specifically the items or property to (k) name or describe with particularity the person (l) identify the owner, occupant, or possessor of 	n or place to be searched; f the place to be searched;		
	nces which form the basis for of a crime, or are contraband	, or are otherwise unla	on that there is probable cause to believe the items or wfully possessed or subject to seizure, and that these
(o) if a "nighttime" search is requested (i.e., 10	p.m. to 6 a.m.), state addition requesting that the affidavit(nal reasonable cause fo	or seeking permission to search in the nighttime; and to Rule 2011, state the facts and circumstances which
	perty pursuant to a search wa affidavit(s) in support there		the person from whom or from whose premises the the property seized. A copy of the warrant and
(c) If no one is present on the premises when the location in the said premises. A copy of the	e warrant is executed, the off warrant and affidavit(s) must	t be left whether or not	cuments specified in paragraph (a) at a conspicuous any property is seized.
 (f) Notwithstanding the requirements in paragra 2011. 	phs (a) and (b), the officer s	hall not leave a copy o	f an affidavit that has been sealed pursuant to Rule
Rule 2009, Return with Inventory.			
(d) An inventory of items seized shall be made the person from whose possession or premis shall sign a statement on the inventory that i provisions of 18 Pa.C.S. Section 4904(b) - U	es the property was taken, w t is a true and correct listing	hen feasible, or otherw of all items seized, and	rrant. The inventory shall be made in the presence of vise in the presence of at least one witness. The officer d that the signer is subject to the penalties and ry shall be returned to and filed with the issuing
authority. (e) The judicial officer to whom the return was	made shall upon request cau	se a copy of the invent	tory to be delivered to the applicant for the warrant and
to the person from whom, or from whose pro (f) When the search warrant affidavit(s) is sealed	emises, the property was take ad pursuant to Rule 2011, the	en. e return shall be made i	to the justice or judge who issued the warrant.
THE LAW ENFORCEMENT OF	FICER SHALL MAK		NS TO THE ISSUING AUTHORITY

DESIGNATED ON THE SEARCH WARRANT.

		Ith of Penns	ylvania		R	CEIPT / INV	
COUNT	ry of M	ONROE		Contraction of the second			
Docket N			Police In	ncident : PA2022-16518		Warrant Control Number:	
(Issuing Au	States of the second second	Timo	and the second second second	ALL REAL PROPERTY AND	entory Page N	and some in the second second	
Date of S	Search: [2/30/2 (0 22	of Search: 0428		of Page	25	
		TROOPER BRIAN N	oll 🔍 P	ENNSYLVANIA ST.	ate Police	13223/	10920
Warrant :	and affidav	ant erty was taken / sei vit(s) (if not sealed ed on (name of per cribe the location)) was 🦯	py of this Receipt		ith a copy of the S	
Item Number	Quantity	Item Description	πλομες Γ		e, Model, Serial N		
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I/we do he sign this R	ereby state that Receipt / Inver	at this inventory is to th ntory subject to the pen	alties and provis	ions of Title 18 Pa.C.	S. 4904(b)Unsw	ct listing of all items se forn Falsification to Au	ized, and that I/v thorities. <b>8648</b>
CPUC	MUHAN	ssuing Receipt / Inver		ND. POWIS		F iliation	Badge or Title
CON		sound receipt? inver		IN D. POWIS		PSP	8648
Signature	of Witness	$\sim$		IN U. FUWIS ed Name	A	<u>רטר</u> ffiliation	Badge or Title
S.A. 1	1 Anth		S.A. JA	KE ARCHER			SPECIAL AGE
Sanatura	of person maki	Ing Search	Print	ed Name	<u> </u>	ffiliation	Badge or Title

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FD-597 (Rev. 4-13-2015)	
UNITED STATES DEPARTMENT OF JUSTICE	
FEDERAL BUREAU OF INVESTIGATION	
<b>Receipt for Property</b>	
Case ID: 45CD - SU - 3683464	
On (date) 12.30.2022 item (s) listed below were:	
Collected/Seized Received From	
Returned To Released To	
(Name)	
(Street Address) 2015 Hyundai Elantra bearing VIN: 5NPDHYAE6FH579.	860
(City)	
	!
Description of Itom (a). School of the last last last	
Description of Item (s): Swabs, ziploch bag with pinkzipper, 7 quarter.	<u> </u>
plastic baggie with green zipper 36 dimes, 32 nickels, 8 pennie	_s,
gloves, receipts, car insurance card, car registration hilling box	sts
confort Inn room key holder and sky information tive irons, show	rel
goggles, floor mats, reflective vest, used water bottles, wrench	
door panel, seats and seat cushions, headnests, seatbelt,	4
Fiber, brake pedal, gas pedal, Phone Cherger, band aid, with	
maps, documents seat belt boot	- Arcs
Notting .	······
J. Ferry	
Fearther May	
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00	
Received By: (Signature) Received From: Vehicle	
Children (Signature)	
Printed Name/Title:	

Commonwealth of COUNTY OF MONROE			S	APPLICAT	VARRANT	-		I	
Docket Number Issuing Authority):	Police Ir Number	icident : PA2022-1651		arrant Control umber:					
T <b>pr. Justin M. LERI</b> Tpr. Brian V. NOLL	Pennsylvania Sta		570-619-680 PHONE NUMBER		12/20/20	C_		1	
FFIANT NAME SENTIFY ITEMS TO BE BEARCHED FOR A A white 2015 Hyundal Elantra Items listed on "continuation" (	bearing VIN: 5NPDH4AE page.	:6FH579860 and	WA registration: C	CFB8708 to inclu	ude any and all	ue and correct copy	A.D. 20 22	fionroe County wealth of Pennsylvania Cle <u>fty of Orphans</u> ' <u>Cour</u> i	K RULATION CONTRACT COM
specific description of premises and specific description of premises and pa.Code §§ 213.1-213.7. A white 2015 Hyundai Elaritra	DIOR PERSON TO BE SEARCHED ( mation (a.g. PINS) should not be list bearing VIN: 5NPDH4AE	Steel and No., Apt. No., V teol. If the identity of an t E6FH579860 and	Venicle, Sale Deposition, Record and the Contract of the Contr	eta.): established, list anly CFB8708	the last four digits: 204	Mat this is a tr	Record this	ummon Pleas of I District Common Jerk of Øpurta & I	NUL 100-00. Deputy Clerk of Court
NAME OF OWNER, OCCUPANT OR POSSE Bryan C. KOHBERGER DO	SSOR OF SAID PREMISES TO BE S B 11/21/1994	EARCHED (If proper name	e is unknown, give allas a	nd/or description):		certify	Certified From th	ourt of Co 1 Judicial Narden, C	ALM.
violation of (Describe conduct or specify)	statute):		<u>217.77.117.77.717.87.187.</u>	DATE(S) OF VIOLATI 11/13/2022	ON:	This is to t	fied		Deb
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(Issuing Authority):		PA2022-1651897	Number:	
Continuation of:				
Items to be searched	Description of pre	emises/person(s)	Owner/ Occupant	Violations
<ul> <li>Blood or other bodily fluids or ma Knives, sheaths, other weapons acquisition of such Items;</li> <li>Documents, records, medication and other items associated with m or mental states of assailants or v violence, a physical attack, a fight</li> <li>Any property belonging to Ethan Mortensen</li> <li>Documents, records, data comp Goncalves, and/or Xana Kernodia</li> <li>Clothing to include but not limite</li> <li>DNA, footprints, fingerprints, fibe relating to or containing informatio</li> <li>Four (4) samples of Bryan Kohb mouth and/or whole blood sample</li> <li>Alcoholic beverages, other intox</li> <li>Data compilations relating to or motive/hostility for any of the sam tapes, photographs, videos, or oth storing electronic data, other elece</li> <li>All electronic devices including a storage, notes or voicemail, inclu- logs, images and any other recom- information found; all location dat including metadata of photos or s photographic/video/audio data ar history, and search terms; all stor ownership and control for the dat social network posts/updates/tag associated connected devices (b - Live and deleted electronic user messages, electronic records (pr constitute evidence, contraband, listed below from the vehicle Infor</li> <li>Indicia of residency in, or owner</li> </ul>	or instrumentalities of injur is, drugs, or other substance redications, drugs, or other itcims, or relating to or con- it, or motive/hostility for any Chapin, Kaylee Goncalves illations related to 1122 Kin a, and/or Madison Mogen, is d to dark shirt(s) or pant(s) ers, animal and/or human fron indicating, suggesting, c erger's deoxyribonucleic a es; itcants, and any containers containing information indi- te, to include without limitat her media or similar docum tronic storage devices and all communications content ding attachments, source a ds, including indicia of use ta for the above, which may social networking posts, wi- id associated metadata; all red IP addresses associate a and cellular device, such s, wi-fi network tables, assi ackup devices) and stored r attribution data, historical ograms, pictures, videos, a fruits, and/or instrumentalit tainment center/vehicle cor- rship or possession of, the	ry or death and sales reaces, prescription or other r substances, prescription of the same; is, Xana Kernodle, Madi- ing Road, Moscow, Idaho and/or Bethany Funke, a ), mask(s), shoes with a nair or other physical or or related to violence, a fa- icid (DNA) by buccal swa is or receipts for the same cating, suggesting, or re- tion ledgers, papers, list ments or Items, compute it media, and access to o t, including email, text (S and destination addression , ownership, possession y be stored in GPS local -fi logs, and data associal i internet history for the i ad; all financial information as device identification oclated wireless devices i passwords or user dicti event data, historical na audio files and text files) ities of violations of crime imputer system; vehicle and any of the a	ceipts or documentation from wise; bottles, labels, syring n or otherwise, that could re- ating, suggesting, or otherwise and/or Ethan Chapin, and/or and/or Dylan Mortensen diamond pattern sole; trace evidence, or items bea- ight, or motive/hostility for a abs taken from the inside of a; lated to violence, stabbing, s, books, notes, letters, cale and communications device ontents of all of the above; SMS,MMS or app chats), ap as, time and date informatio , or control of such communications above, including cookles, bo on related to the above; all in and settings data, address (wi-fi networks or Bluetooth onaries; vigation data, contact lists, and other electronic items as, including but not limited	n purchases or es, packaging, elate to physical //se evidencing , and/or Dylan or Kaylee aring these ny of the same; Kohberger's a fight, or indars, diaries, ies capable of plications, cloud n, connection nication or iction data, ns; all pokmarks, web indicia of book/contacts, in devices) call logs, text that may to the crime(s)

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Docket Number		Police Incident		rant Control	
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Γpr. Justin M. LERI Γpr. Brian V. NOLL	Pennsylva	ania State Police	570-619-6800	12/2	24/2020
FFIANT NAME DENTIFY ITEMS TO BE SEARCHED FOR The person of Bryan C. KOH			PHONE NUMBER	pate/of / lation	APPLICATION
PECIFIC DESCRIPTION OF PREMISES A		ARCHED (Street and No. Ant. N			ter and the second s
Social security numbers and financial inf Pa,Code §§ 213.1 - 213.7.					four digits. 204
The person of Bryan C. K	OHBERGER DO	B 11/21/1994			
IAME OF OWNER, OCCUPANT OR POSS Bryan C. KOHBERGER DO		ES TO BE SEARCHED (If proper	nama is unknown, give alias and/o	r description):	
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## **Commonwealth of Pennsylvania**



1665862

## AFFIDAVIT OF PROBABLE CAUSE

Docket Number

COUNTY OF MONROE

#### Police Incident Number: PA2022-1651897

Warrant Control Number:

(Issuing Authority): Number: PA2022-1651897 Number: PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES: Social security numbers and financial information (e.g. PINS) should not be [isted. If the identity of an account number must be established, list only the last four digits. 204 Pa.Code §§ 213.1 - 213.7.

Your Affiant is Trooper Justin M. LERI of the Pennsylvania State Police, Stroudsburg Station- Criminal Investigation Unit. Since 2009, I have served as a Detective with the Lackawanna County District Attorney's Office, a Special Agent with the Pennsylvania Office of Attorney General. a Task Force Officer with the Federal Bureau of Investigation and currently as a Trooper with the Pennsylvania State Police, Troop N- Vice Unit. Throughout my career, I have conducted hundreds of criminal investigations, including numerous homicide investigations.

Your Affiant is Trooper Brian V. NOLL of the Pennsylvania State Police, Troop N Criminal Investigation Assessment Officer. I have been employed with the Pennsylvania State Police since 2008 and assigned as a Criminal Investigator since 2012. I have been assigned as the Criminal Investigation Assessment Officer since 2019. Throughout my career, I have conducted hundreds of criminal investigations, including numerous homicide investigations.

On Wednesday, December 28, 2022, the Pennsylvania State Police was requested to assist the Moscow Police Department, Moscow, ID and Federal Bureau of Investigation with a homicide investigation which occurred on Sunday, November 13, 2022. As a part of this investigation, we reviewed reports and affidavits prepared by the Moscow Police Department, establishing probable cause for issuance of search warrants related to this investigation, which are included in this affidavit of probable cause as "Exhibit A."

Furthermore, Investigators began physical surveillance of the property and area of 119 Lamsden Drive, Chestnuthill Township, and in the early morning hours of Tuesday, December 27, 2022, observed Bryan KOHBERGER walking near this residence. Additionally, KOHBERGER'S vehicle was observed entering the Indian Mountain Lakes development on December 16, 2022, and the vehicle is still believed to be on premises. Investigators are also monitoring KOHBERGER'S cellular phone which appears to be in the same vicinity of this residence. On Wednesday, December 28, 2022, while conducting surveillance, Investigators observed KOHBERGER traveling throughout Monroe County and arriving back at his residence on Lamsden Drive.

Your affiants are requesting a search warrant be issued for the search and seizure of all items listed in the items to be searched, along with forensic processing of all items. Additionally, based upon the serious and violent nature of these crimes, including risk of general publie's safety, your Affiants are requesting a night-time search warrant be issued to execute this search warrant at any time and the affidavit of probable cause be sealed.

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I, Trooper Justin M. LERI / 13223 / Trooper Brian NOLL, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.	
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Affiant-Signature Date Date Date	
ACPC 410P-10	]

### Exhibit A Statement of Brett Payne

The below information is provided by Corporal (CPL) Brett Payne, who is a duly appointed, qualified and acting peace officer within the County of Latah, State of Idaho. CPL Payne is employed by Moscow Police Department in the official capacity or position of Corporal and has been a trained and qualified peace officer for approximately four (4) years. Cpl. Payne is being assisted by members of the Idaho State Police and agents of the Federal Bureau of Investigation.

On November 13, 2022, at approximately 4:00 p.m., Moscow Police Department (MPD) Sergeant Blaker and I responded to 1122 King Road, Moscow, Idaho, hereafter the "King Road Residence," to assist with scene security and processing of a crime scene associated with four homicides. Upon our arrival, the Idaho State Police (ISP) Forensic Team was on scene and was preparing to begin processing the scene. MPD Officer (OFC) Smith, one of the initial responding officers to the incident, advised he would walk me through the scene.

OFC Smith and I entered the King Road Residence through the bottom floor door on the north side of the building. OFC Smith and I then walked upstairs to the second floor. OFC Smith directed me down the hallway to the west bedroom on the second floor, which I later learned (through Xana's driver's license and other personal belongings found in the room) was Xana Kernodle's, hereafter "Kernodle" room. Just before this room there was a bathroom door on the south wall of the hallway. As I approached the room, I could see a body, later identified as Kernodle's, laying on the floor. Kernodle was deceased with wounds which appeared to have been caused by an edged weapon.

Also in the room was a male, later identified as Ethan Chapin, hereafter, "Chapin". Chapin was also deceased with wounds later determined (Autopsy Report provided by Spokane

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County Medical Examiner Veena Singh dated December 15, 2022), to be caused by "sharp-force injuries".

I then followed OFC Smith upstairs to the third floor of the residence. The third floor consisted of two bedrooms and one bathroom. The bedroom on the west side of the floor was later determined to be Kaylee Goncalves, hereafter "Goncalves," room. I later learned (from review of Officer Nunes' body camera) there was a dog in the room when Moscow Police Officers initially responded. The dog belonged to Goncalves and her ex-boyfriend Jack Ducoeur. I found out from my interview with Jack Ducouer on November 13, 2022, that he and Goncalves shared the dog. OFC Smith then pointed out a small bathroom on the east side of the third floor. This bathroom shared a wall with Madison Mogen's, hereafter "Mogen" bedroom which was situated on the southeast corner of the third floor.

As I entered this bedroom, I could see two females in the single bed in the room. Both Goncalves and Mogen were deceased with visible stab wounds. I also later noticed what appeared to be a tan leather knife sheath laying on the bed next to Mogen's right side (when viewed from the door). The sheath was later processed and had "Ka-Bar", "USMC" and the United States Marine Corps eagle globe and anchor insignia stamped on the outside of it. The Idaho State Lab later located a single source of male DNA left on the button snap of the knife sheath.

As part of the investigation, numerous interviews were conducted by Moscow Police Department Officers, Idaho State Police Detectives, and FBI Agents. Two of the interviews included Bethany Funke (hereafter "Funke"), and Dylan Mortensen (hereafter "Mortensen"). Both Funke and Mortensen were inside the King Road Residence at the time of the homicides

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and were roommates to the victims. Funke's bedroom was located on the east side of the first floor of the King Road Residence.

Based on numerous interviews conducted by MPD Officers, ISP Detectives, and FBI Agents as well as my review of evidence, I have learned the following:

On the evening of November 12, 2022, Chapin and Kernodle are seen by Funke at the Sigma Chi house on the University of Idaho campus at 735 Nez Perce Drive from approximately 9:00 p.m. on November 12 to 1:45 a.m. on November 13. Funke also estimated that at approximately, 1:45 a.m. Chapin and Kernodle returned to the King Road Residence. Funke also stated that Chapin did not live in the King Road Residence but was a guest of Kernodle.

Goncalves and Mogen were at a local bar, the Corner Club at 202 N. Main Street, in Moscow. Goncalves and Mogen can be seen on video footage provided by the Corner Club between 10:00 p.m. on November 12 and 1:30 a.m. on November 13th. At approximately 1:30 a.m. Goncalves and Mogen can be seen on video at a local food vendor called the "Grub Truck" at 318 S. Main Street in downtown Moscow. The Grub Truck live streams video from their food truck on the streaming platform Twitch which is available for public viewing on their website. This video was captured by law enforcement. A private party (Eric Grower) reported that he provided a ride to Goncalves and Mogen at approximately 1:56 a.m. from downtown Moscow (in front of the Grub Truck) to the King Road Residence.

Mortensen and Funke both made statements during interviews that indicated the occupants of the King Road Residence were at home by 2:00 a.m. and asleep or at least in their rooms by approximately 4:00 a.m. This is with the exception of Kernodle, who received a

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Doordash order at the residence at approximately 4:00 a.m. (law enforcement identified the DoorDash delivery driver who reported this information).

Mortensen stated she originally went to sleep in her bedroom on the southeast side of the second floor. Mortensen stated she was awoken at approximately 4:00 a.m. by what she stated sounded like Goncalves playing with her dog in one of the upstairs bedrooms, which were located on the third floor. A short time later, Mortensen said she heard who she thought was Goncalves say something to the effect of "there's someone here." A review of records obtained from a forensic download of Kernodle's phone showed this could also have been Kernodle as her cellular phone indicated she was likely awake and using the TikTok app at approximately 4:12

a.m.

Mortensen stated she looked out of her bedroom but did not see anything when she heard the comment about someone being in the house. Mortensen stated she opened her door a second time when she heard what she thought was crying coming from Kernodle's room. Mortensen then said she heard a male voice say something to the effect of "its ok, I'm going to help you."

At approximately 4:17 a.m., a security camera located at 1112 King Road, a residence immediately to the northwest of 1122 King Road, picked up distorted audio of what sounded like voices or a whimper followed by a loud thud. A dog can also be heard barking numerous times starting at 4:17 a.m. The security camera is less than fifty feet from the west wall of Kernodle's bedroom.

Mortensen stated she opened her door for the third time after she heard the crying and saw a figure clad in black clothing and a mask that covered the person's mouth and nose walking towards her. Mortensen described the figure as 5'10" or taller, male, not very muscular, but

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athletically built with bushy eyebrows. The male walked past Mortensen as she stood in a "frozen shock phase." The male walked towards the back sliding glass door. Mortensen locked herself in her room after seeing the male. Mortensen did not state that she recognized the male. This leads investigators to believe that the murderer left the scene.

The combination of Mortensen's statements to law enforcement, reviews of forensic downloads of records from Funke and Mortensen's phone, and video of a suspect video as described below leads investigators to believe the homicides occurred between 4:00 a.m. and 4:25 a.m.

During the processing of the crime scene, investigators found a latent shoe print. This was located during the second processing of the crime scene by the ISP Forensic Team by first using a presumptive blood test and then Amino Black, a protein stain that detects the presence of cellular material. The detected shoe print showed a diamond-shaped pattern (similar to the pattern of a Vans type shoe sole) just outside the door of Mortensen's bedroom (located on second floor ). This is consistent with Mortensen's statement regarding the suspect's path of travel.

As part of the investigation, an extensive search, commonly referred to in law enforcement as a "video canvass," was conducted in the area of the King Road Residence. This video canvass was to obtain any footage from the early morning hours of November 13, 2022, in the area of the King Road Residence and surrounding neighborhoods in an effort to locate the suspect(s) or suspect vehicle(s) traveling to or leaving from the King Road Residence. This video canvass resulted in the collection of numerous surveillance videos in the area from both residential and business addresses. I have reviewed numerous videos that were collected and have had conversations with the other MPD Officers, ISP Detectives, and FBI Agents that are

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similarly reviewing footage that was obtained.

A review of camera footage indicated that a white sedan, hereafter "Suspect Vehicle 1", was observed traveling westbound in the 700 block of Indian Hills Drive in Moscow at approximately 3:26 a.m and westbound on Styner Avenue at Idaho State Highway 95 in Moscow at approximately 3:28 a.m. On this video, it appeared Suspect Vehicle 1 was not displaying a front license plate.

A review of footage from multiple videos obtained from the King Road Neighborhood showed multiple sightings of Suspect Vehicle 1 starting at 3:29 a.m. and ending at 4:20 a.m. These sightings show Suspect Vehicle 1 makes an initial three passes by the 1122 King Road residence and then leave via Walenta Drive. Based off of my experience as a Patrol Officer this is a residential neighborhood with a very limited number of vehicles that travel in the area during the early morning hours. Upon review of the video there are only a few cars that enter and exit this area during this time frame.

Suspect Vehicle 1 can be seen entering the area a fourth time a approximately 4:04 a.m. It can be seen driving eastbound on King Road, stopping and turning around in front of 500 Queen Road #52 and then driving back westbound on King Road. When Suspect Vehicle 1 is in front of the King Road Residence, it appeared to unsuccessfully attempt to park or turn around in the road. The vehicle then continued to the intersection of Queen Road and King Road where it can be seen completing a three-point turn and then driving eastbound again down Queen Road.

Suspect Vehicle 1 is next seen departing the area of the King Road Residence at approximately 4:20 a.m. at a high rate of speed. Suspect Vehicle 1 is next observed traveling southbound on Walenta Drive. Based on my knowledge of the area and review of camera footage

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in the neighborhood that does not show Suspect Vehicle 1 during that timeframe, I believe that Suspect Vehicle 1 likely exited the neighborhood at Palouse River Drive and Conestoga Drive. Palouse River Drive is at the southern edge of Moscow and proceeds into Whitman County, Washington. Eventually the road leads to Pullman, Washington. Pullman Washington is approximately 10 miles from Moscow, Idaho. Both Pullman and Moscow are small college towns and people commonly travel back and forth between them.

Law enforcement officers provided video footage of Suspect Vehicle 1 to forensic examiners with the Federal Bureau of Investigation that regularly utilize surveillance footage to identify the year, make, and model of an unknown vehicle that is observed by one or more cameras during the commission of a criminal offense. The Forensic Examiner has approximately 35 years law enforcement experience with twelve years at the FBI. His specific training includes identifying unique characteristics of vehicles, and he uses a database that gives visual queues of vehicles across states to identify differences between vehicles.

After reviewing the numerous observances of Suspect Vehicle 1, the forensic examiner initially believed that Suspect Vehicle 1 was a 2011-2013 Hyundai Elantra. Upon further review, they indicated it could also be a 2011-2016 Hyundai Elantra. As a result, investigators have been reviewing information on persons in possession of a vehicle that is a 2011-2016 white Hyundai Elantra.

Investigators were given access to video footage on the Washington State University (WSU) campus located in Pullman, WA. A review of that video indicated that at approximately 2:44 a.m. on November 13, 2022, a white sedan, which was consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed on WSU surveillance cameras travelling north on southeast Nevada Street at northeast Stadium Way. At approximately 2:53

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a.m., a white sedan, which is consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed traveling southeast on Nevada Street in Pullman, WA towards SR 270. SR 270 connects Pullman, Washington to Moscow, Idaho. This camera footage from Pullman, WA was provided to the same FBI Forensic Examiner. The Forensic Examiner identified the vehicle observed in Pullman, WA as being a 2014-2016 Hyundai Elantra.

At approximately 5:25 a.m., a white sedan, which was consistent with the description of Suspect Vehicle 1, was observed on five cameras in Pullman, WA and on WSU Campus cameras. The first camera that recorded the white sedan was located at 1300 Johnson Road in Pullman. The white sedan was observed traveling northbound on Johnson Road. Johnson Road leads directly back to West Palouse River Drive in Moscow which intersects with Conestoga Drive. The white sedan was then observed turning north on Bishop Boulevard and northwest on SR 270. At approximately 5:27 a.m., the White Elantra was observed on cameras traveling northbound on Stadium Way at Nevada Street, Stadium Way at Grimes Way, Stadium Drive at Wilson Road, and Stadium Way at Cougar Way.

Depiction showing Moscow and Pullman:



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#### Depiction showing White Elantra's path of travel:

#### Legend

∆ White Elantra seen leaving WSU Campus

White Elantra seen Returning to WSU Campus

1630 NE Valley Road

Arrows are camera locations and indicate vehicle direction of travel



On November 25, 2022, MPD asked area law enforcement agencies to be on the lookout for white Hyundai Elantras in the area. On November 29, 2022, at approximately 12:28 a.m., Washington State University (WSU) Police Officer Daniel Tiengo, queried white Elantras registered at WSU. As a result of that query, he located a 2015 white Elantra with a Pennsylvania license plate LFZ-8649. This vehicle was registered to Bryan Kohberger hereafter "Kohberger" residing at 1630 NE Valley Road, Apartment 201, Pullman, Washington. 1630 NE Valley Road is approximately three-quarters of a mile from the intersection of Stadium Way and Cougar Way (last camera location that picked up the white Elantra).

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That same day at approximately 12:58 a.m., WSU Officer Curtis Whitman was looking for white Hyundai Elantra's and located a 2015 white Hyundai Elantra at 1630 NE Valley Road in Pullman in the parking lot. 1630 NE Valley Road is an apartment complex that houses WSU students. Officer Whitman also ran the car and it returned to Kohberger with a Washington tag. I reviewed Kohberger's WA state driver license information and photograph. This license indicates that Kohberger is a white male with a height of 6' and weighs 185 pounds. Additionally, the photograph of Kohberger shows that he has bushy eyebrows. Kohberger's physical description is consistent with the description of the male Mortensen saw inside the King Road Residence on November 13th.

Further investigation, including a review of Latah County Sheriff's Deputy Corporal (CPL) Duke's body cam and reports, showed that on August 21, 2022, Bryan Kohberger was detained as part of a traffic stop that occurred in Moscow, Idaho, by CPL Duke. At the time, Kohberger, who was the sole occupant, was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649 which was set to expire on November 30, 2022. During the stop, which was recorded via a law enforcement body camera, Kohberger provided his phone number as 509-592-8458, hereafter the "8458 Phone" as his cellular telephone number. Investigators conducted electronic database queries and learned that the 8458 Phone is a number issued by AT&T.

On October 14, 2022, Bryan Kohberger was detained as part of a traffic stop by a WSU Police Officer. Upon review of that body cam and report of the stop, Kohberger was the sole occupant and was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649.

On November 18, 2022, according to WA state licensing, Kohberger registered the 2015 white Elantra with WA and later received WA plate CFB-8708. Prior to this time, the 2015 white

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Elantra was registered in Pennsylvania, which does not require a front license plate to be displayed (this was learned through communications with a Pennsylvania officer who is currently certified in the State of Pennsylvania). Based on my own experience and communication with Washington law enforcement, I know that Idaho and Washington require front and back license plates to be displayed.

Investigators believe that Kohberger is still driving the 2015 white Elantra because his vehicle was captured on December 13, 2022, by a license plate reader in Loma, Colorado (information provided by a query to a database). Kohberger's Elantra was then queried on December 15, 2022 by law enforcement in Hancock County, Indiana. On December 16, 2022 at approximately 2:26 p.m., surveillance video showed Kohberger's Elantra in Albrightsville, Pennsylvania. The sole occupant of the vehicle was a white male whose description was consistent with Kohberger. Kohberger has family in Albrightsville, Pennsylvania (learned through a TLO search and locate tool database query).

Based on information provided on the WSU website, Kohberger is currently a Ph.D Student in Criminology at Washington State University. Pursuant to records provided by a member of the interview panel for Pullman Police Department, we learned that Kohberger's past education included undergraduate degrees in psychology and cloud-based forensics. These records also showed Kohberger wrote an essay when he applied for an internship with the Pullman Police Department in the fall of 2022. Kohberger wrote in his essay he had interest in assisting rural law enforcement agencies with how to better collect and analyze technological data in public safety operations. Kohberger also posted a Reddit survey which can be found by an open-source internet search. The survey asked for participants to provide information to

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"understand how emotions and psychological traits influence decision making when committing a crime."

As part of this investigation, law enforcement obtained search warrants to determine cellular devices that utilized cellular towers in close proximity to the King Road Residence on November 13, 2022, between 3:00 a.m. and 5:00 a.m. After determining that Kohberger was associated to both the 2015 White Elantra and the 8458 Phone, investigators reviewed these search warrant returns. A query of the 8458 Phone in these returns did not show the 8458 Phone utilizing cellular tower resources in close proximity to the King Road Residence between 3:00 a.m. and 5:00 a.m.

Based on my training, experience, and conversations with law enforcement officers that specialize in the utilization of cellular telephone records as part of investigations, individuals can either leave their cellular telephone at a different location before committing a crime or turn their cellular telephone off prior to going to a location to commit a crime. This is done by subjects in an effort to avoid alerting law enforcement that a cellular device associated with them was in a particular area where a crime is committed. I also know that on numerous occasions, subjects will surveil an area where they intend to commit a crime prior to the date of the crime. Depending on the circumstances, this could be done a few days before or for several months prior to the commission of a crime. During these types of surveillance, it is possible that an individual would not leave their cellular telephone at a separate location or turn it off since they do not plan to commit the offense on that particular day.

On December 23, 2022, I applied for and was granted a search warrant for historical phone records between November 12, 2022 at 12:00 a.m. and November 14, at 12:00 a.m. for the

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8458 Phone held by the phone provider AT&T (approximately 24 hours proceeding and following the times of the homicides).

On December 23, 2022, pursuant to that search warrant, I received records for the 8458 Phone from AT&T. These records indicated that the 8458 Phone is subscribed to Bryan Kohberger at an address in Albrightsville, Pennsylvania and the account has been open since June 23, 2022. These records also included historical cell site location information (CSLI) for the 8458 Phone. After receiving this information, I consulted with an FBI Special Agent (SA) that is certified as a member of the Cellular Analysis Survey Team (CAST). Members of CAST are certified with the FBI to provide expert testimony in the field of historical CSLI and are required to pass extensive training that includes both written and practical examinations prior to be certified with CAST as well as the completion of yearly certification requirements. Additionally, the FBI CAST SA that I consulted with has over fifteen years of federal law enforcement experience, which includes six years with the FBI. From information provided by CAST, I was able to determine estimated locations for the 8458 Phone form November 12, 2022, to November 13, 2022, the time period authorized by the court.

On November 13, 2022, at approximately 2:42 a.m., the 8458 Phone was utilizing cellular resources that provide coverage to 1630 Northeast Valley Road, Apt G201, Pullman, WA, hereafter the "Kohberger Residence." At approximately 2:47 a.m., the 8458 Phone utilized cellular resources that provide coverage southeast of the Kohberger Residence consistent with the 8458 Phone leaving the Kohberger Residence and traveling south through Pullman, WA. This is consistent with the movement of the white Elantra, At approximately 2:47 a.m. the 8458 Phone stops reporting to the network, which is consistent with either the phone being in an area without cellular coverage, the connection to the network is disabled (such as putting the phone in

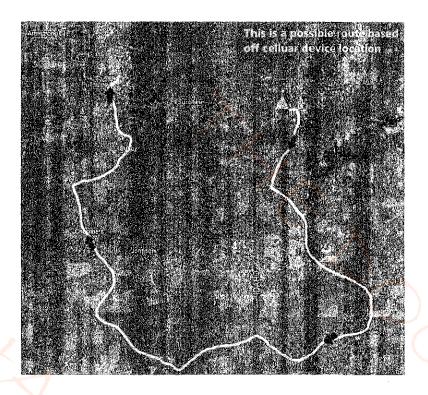
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airplane mode), or that the phone is turned off. The 8458 Phone does not report to the network again until approximately 4:48 a.m. at which time it utilized cellular resources that provide coverage to ID state highway 95 south of Moscow, ID near Blaine, ID (town north of Genesee). Between 4:50 a.m. and 5:26 a.m., the phone utilizes cellular resources that are consistent with the 8458 Phone traveling south on ID state highway 95 to Genesee, ID, then traveling west towards Uniontown, ID, and then north back into Pullman, WA. At approximately 5:30 a.m., the 8458 Phone is utilizing resources that provide coverage to Pullman, WA and consistent with the phone traveling back to the Kohberger Residence. The 8458 Phone's movements are consistent with the movements of the white Elantra that is observed traveling north on Stadium Drive at approximately 5:27 a.m. Based on a review of the 8458 Phone's estimated locations and travel, the 8458 Phone's travel is consistent with that of the white Elantra.

Further review indicated that the 8458 Phone utilized cellular resources on November 13, 2022, that are consistent with the 8458 Phone leaving the area of the Kohberger Residence at approximately 9:00 a.m. and traveling to Moscow, ID. Specifically, the 8458 Phone utilized cellular resources that would provide coverage to the King Road Residence between 9:12 a.m. and 9:21 a.m. The 8458 Phone next utilized cellular resources that are consistent with the 8458 Phone traveling back to the area of the Kohberger Residence and arriving to the area at approximately 9:32 a.m.

Below is a depiction (not to scale) of the possible route taken based off of cellular site locations:

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Investigators found that the 8458 Phone did connect to a cell phone tower that provides service to Moscow on November 14, 2022, but investigators do not believe the 8458 Phone was in Moscow on that date. The 8458 Phone has not connected to any towers that provide service to Moscow since that date.

Based on my training, experience, and the facts of the investigation thus far, I believe that Kohberger, the user of the 8458 Phone, was likely the driver of the white Elantra that is observed departing Pullman, WA and that this vehicle is likely Suspect Vehicle 1. Additionally, the route of travel of the 8458 Phone during the early morning hours of November 13, 2022 and the lack of the 8458 Phone reporting to AT&T between 2:47 a.m. and 4:48 a.m. is consistent with Kohberger attempting to conceal his location during the quadruple homicide that occurred at the King Road Residence.

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On December 23, 2022, I was granted a search warrant for Kohberger's historical CSLI from June 23, 2022 to current, prospective location information, and a Pen Register/Trap and Trace on the 8458 Phone to aid in efforts to determine if Kohberger stalked any of the victims in this case prior to the offense, conducted surveillance on the King Road Residence, was in contact with any of the victim's associates before or after the alleged offense, any locations that may contain evidence of the murders that occurred on November 13, 2022, the location of the white Elantra registered to Kohberger, as well as the location of Kohberger.

On December 23, 2022, pursuant to that search warrant, I received historical records for the 8458 Phone from AT&T from the time the account was opened in June 2022. After consulting with CAST SA, I was able to determine estimated locations for the 8458 Phone from June 2022 to present, the time period authorized by the court. The records for the 8458 Phone show the 8458 Phone utilizing cellular resources that provide coverage to the area of 1122 King Road on at least twelve occasions prior to November 13, 2022. All of these occasions, except for one, occurred in the late evening and early morning hours of their respective days.

One of these occasions, on August 21, 2022, the 8458 Phone utilized cellular resources providing coverage to the King Road Residence from approximately 10:34 p.m. to 11:35 p.m. At approximately 11:37 p.m., Kohberger was stopped by Latah County Sheriff's Deputy Corporal Duke, as mentioned above. The 8548 Phone was utilizing cellular resources consistent with the location of the traffic stop during this time (Farm Road and Pullman Highway),

Further analysis of the cellular data provided showed the 8458 Phone utilized cellular resources on November 13, 2022, consistent with the Phone travelling from Pullman, Washington to Lewiston, Idaho via US Highway 195. At approximately 12:36 p.m., the 8458 Phone utilized cellular resources that would provide coverage to Kate's Cup of Joe coffee stand

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located at 810 Port Drive, Clarkston, WA. Surveillance footage from the US Chef's Store located at 820 Port Drive, Clarkston, WA and adjacent to Kate's Cup of Joe showed a white Elantra, consistent with Suspect Vehicle 1, drive past Kate's Cup of Joe at a time consistent with the cellular data from the 8548 Phone.

At approximately 12:46 p.m., the 8458 Phone then utilized cellular data in the area of the Albertson's grocery store at 400 Bridge Street in Clarkston, Washington. Surveillance footage obtained from the Albertson's showed Kohberger exit the white Elantra, consistent with Suspect Vehicle 1, at approximately 12:49 p.m. Interior surveillance cameras showed Kohberger walk through the store, purchase unknown items at the checkout, and leave at approximately 1:04 p.m. Kohberger's possible path of travel is depicted below (not to scale):



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Additional analysis of records for the 8458 Phone indicated that between approximately 5:32 p.m. and 5:36 p.m., the 8458 Phone utilized cellular resources that provide coverage to Johnson, ID. The 8458 Phone then stops reporting to the network from approximately 5:36 p.m. to 8:30 p.m. That is consistent with the 8458 Phone being the area that the 8458 Phone traveled in the hours immediately following the suspected time the homicides occurred.

Based off the above information, I am seeking a search warrant for Kohberger's person and his parents' residence located at 119 Lamsden Drive, Albrightsville, PA, 18210, 119 Lamsden Drive, Albrightsville, PA is a single family, two-story residence white in color. There is a two-car garage located on the west side of the residence. This is the location Kohberger is currently believed to be at based off cellular phone data received in previous warrants. Based off information gathered during this investigation, it is believed Kohberger's mother Maryann Kohberger, Father Michael Kohberger, and sister Amanda Kohberger currently reside in the residence. In addition, I am seeking a warrant for all outbuildings and sheds located on the property.

It is also believed Kohberger's white Hyundai Elantra (Suspect Vehicle 1) is stored in the two-car garage on the west side of the residence. Based off the above facts, I am requesting a search warrant for Kohberger's white 2015 Hyundai Elantra bearing VIN number 5NPDH4AE6FH579860 for wherever it is found. The Hyundai Elantra is registered solely to Kohberger.

Based on my experience or the experience of investigators trained in forensic technology, I provide the following:

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Many electronic devices, particularly newer mobile devices and laptops, offer their users the ability to unlock the device through biometric features in lieu of a numeric or alphanumeric passcode or password. These biometric features include fingerprint scanners, facial recognition features, and iris recognition features. Some devices offer a combination of these biometric features, and the user of such devices can select which features they would like to utilize.

If a device is equipped with a fingerprint scanner, a user may enable the ability to unlock the device through his or her fingerprints. For example, Apple offers a feature called "Touch ID," which allows a user to register up to five fingerprints that can unlock a device. Once a fingerprint is registered, a user can unlock the device by pressing the relevant finger to the device's Touch ID sensor, which is found in the round button (often referred to as the "home" button) located at the bottom center of the front of the device. The fingerprint sensors found on devices produced by other manufacturers have different names but operate similarly to Touch ID.

If a device is equipped with a facial recognition feature, a user may enable the ability to unlock the device through his or her face. For example, this feature is available on certain Android devices and is called "Trusted Face." During the Trusted Face registration process, the user holds the device in front of his or her face. The device's front-facing camera then analyzes and records data based on the user's facial characteristics. The device can then be unlocked if the front-facing camera detects a face with characteristics that match those of the registered face. Facial recognition features found on devices produced by other manufacturers have different names but operate similarly to Trusted Face.

If a device is equipped with an iris recognition feature, a user may enable the ability to unlock the device with his or her irises. For example, on certain Microsoft devices, this feature is

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called "Windows Hello." During the Windows Hello registration, a user registers his or her irises by holding the device in front of his or her face. The device then directs an infrared light toward the user's face and activates an infrared-sensitive camera to record data based on patterns within the user's irises. The device can then be unlocked if the infrared-sensitive camera detects the registered irises. Iris recognition features found on devices produced by other manufacturers have different names but operate similarly to Windows Hello.

Users of electronic devices often enable the aforementioned biometric features because they are considered to be a more convenient way to unlock a device than by entering a numeric or alphanumeric passcode or password. Moreover, in some instances, biometric features are considered to be a more secure way to protect a device's contents. This is particularly true when the users of a device are engaged in criminal activities and thus have a heightened concern about securing the contents of a device.

As discussed in this affidavit, based on my training and experience I believe that one or more digital devices will be found during the search. The passcode or password that would unlock the device(s) subject to search under this warrant is not known to law enforcement. Thus, law enforcement personnel may not otherwise be able to access the data contained within the device(s), making the use of biometric features necessary to the execution of the search authorized by this warrant.

I also know from my training and experience, as well as from information found in publicly available materials including those published by device manufacturers, that biometric features will not unlock a device in some circumstances even if such features are enabled. This can occur when a device has been restarted, inactive, or has not been unlocked for a certain period of time. For example, Apple devices cannot be unlocked using Touch ID when (1) more

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than 48 hours has elapsed since the device was last unlocked or (2) when the device has not been unlocked using a fingerprint for 8 hours and the passcode or password has not been entered in the last 6 days. Similarly, certain Android devices cannot be unlocked with Trusted Face if the device has remained inactive for four hours. Biometric features from other brands carry similar restrictions. Thus, in the event law enforcement personnel encounter a locked device equipped with biometric features, the opportunity to unlock the device through a biometric feature may exist for only a short time.

In my training and experience, the person who is in possession of a device or has the device among his or her belongings at the time the device is found is likely a user of the device. However, in my training and experience, that person may not be the only user of the device whose physical characteristics are among those that will unlock the device via biometric features, and it is also possible that the person in whose possession the device is found is not actually a user of that device at all. Furthermore, in my training and experience, I know that in some cases it may not be possible to know with certainty who is the user of a given device, such as if the device is found in a common area of a premises without any identifying information on the exterior of the device. Thus, it will likely be necessary for law enforcement to have the ability to require any individual, who is found at the Subject Premises and reasonably believed by law enforcement to be a user of the device, to unlock the device using biometric features in the same manner as discussed above.

Due to the foregoing, if law enforcement personnel encounter a device that is subject to seizure pursuant to this warrant and may be unlocked using one of the aforementioned biometric features, the warrant I am applying for would permit law enforcement personnel to (1) press or swipe the fingers (including thumbs) of any individual, who is found at the subject premises and

Fron The

reasonably believed by law enforcement to be a user of the device(s), to the fingerprint scanner of the device(s) found at the premises; (2) hold the device(s) found at the premises in front of the face to those same individuals and activate the facial recognition feature; and/or (3) hold the device(s) found at the premises in front of the face of those same individuals and activate the iris recognition feature, for the purpose of attempting to unlock the device(s) in order to search the contents as authorized by this warrant.

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MPW 29 December 2022

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Commonwealth of Pennsylvania	APPLICATION FOR ARCH WARRANT ND AUTHORIZATION	
COUNTY OF MONROE Police Incident Warr	ant Control	
Docket Number         Police Incident         Warning incident           Issuing Authority):         Number: PA2022-1651897         Number		
Ipr. Justin M. LERI         Pennsylvania State Police         570-619-6800           For Brian V. NOLL         Pennsylvania State Police         570-619-6800	DATE OF APPLICATION	
FFANT NAME FFANT NAME DENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible) DENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible) A white 2015 Hyundal Elantra bearing VIN: 5NPDH4AE6FH579860 and WA registration: CFB items listed on "continuation" page.		A.D. 20 A.D. 20 A.D. 20 A.D. 20 B. A.D. 20 A.D. 20 A.D
		Monro Monro
specific DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Stream and the second s	38708	Record this Record this All (111 K mmon Pleas of District Common District Comm
NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (if proper name is unknown, give alias and/or Bryan C. KOHBERGER DOB 11/21/1994		From the From the ourt of Co Warden, C
the second of the second of or	TE(S) OF VIOLATION: 1/13/2022	dr. Certified From t Court of C Forty-Thyd Judica George / Warden, Byr ALLOURH. Susan Deboer, Sent
(If DA approval required per Park Chin, P. but A will assigned to the Approval required per Park Chin, P. but A will assigned to the Approval required per Park Chin, P. but A will assigned to the Approval required per Park Chin, P. but A will assigned to the Approval required per Park Chin, P. but A will assigned to the Approval required per Park Chin, P. but A will assigned to the Approval required per Park Chin, P. but A will assigned to the Approval required per Park Chin, P. but A will be a standard and the Approval Park Chin, P. but A will be a standard at the Park Chin, P. But A and Chin, P. But A and Chin, P. But A and Contract and Contract and P. But A and Contract and Contract and Provide the Standard Contract and Contract and Provide the Approximation of the Park Chin, P. But A and Contract and Contract and Provide the Approximation of the Park Chin, P. But A and Contract and	poses and says that there is protable posessed or is otherwise subject of id above. DEC 29 22 Photo	5
Pennsylvania State Police Troop N	13223 / 10920 Badge Number	
Signature of Affiant Agency or Address if private Affiant	NUMBER OF THE OWNER	
Sworn to and subscribed before me this day of,, Mag	, Dist. No(SEAL)	
Signature of Issuing Authority Office Address		
SEARCH WARRANT TO LAW ENFORCEMENT OFFICER: WHEREAS, facts have been sworn to or affirmed before me by with which I have found probable cause, I do authorize you to search the seize, secure, inventory and make return according to the Pennsylv	ania Rules of Criminal Procedure.	
This Warrant shall be served as soon as practicable and shall be served only between the nours of c	And to the poly of the time of	
This Warrant shall be served as soon as practicable and may be served any time during the day or n 4:35 P M, o'clock <u>31 December 2022</u>		SUING
This Warrant shall be returned to judicial officer Margherita Patti-Worth	lington, PJ	HE IS
<ul> <li>The Issuing authority should specify a date not later than two (2) days after Issuance. Pa.R.Crim.P. 205(4).</li> <li>"If the Issuing authority finds reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reasonable cause for Issuing a nightime warrant on the basis of additional reas</li></ul>	ause set forth in the accompanying affidavit	
	M, o'clock. 2030 <i>(SEAL)</i>	LETED
Signature of Issuing Authority Mag. Dist. or Judicial Dist. No. Date	Commission Expires:	COMPL
Title of Issuing Authority: Magisterial District Judge X Common Pleas Judge	re sealed for 60 days	
X For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) and by my certification and signature. (Pa.R.Grim.P. 211)		10 1
JI Jacobine JVI - Page - Blace or Appellate Court lus		4 <b>1</b>

	2413B-98		
Со	mmonwealth of Pennsylvar	nia	RETURN of SERVICE
CO	UNTY OF MONROE	10	
Docł	ket Number Po	olice Incident	
		umber: PA2022	2-1651897 Number:
Date	of Search: Time of Sea	rch:	Property Seized as result of Search (Y/N):
12/3	0/2022 Approx. 012	5 	
		irn:	Oncer making Return.
***************	9/2023 1500		Trooper Justin M. LERI
Sign	ature of Person Seizing Property:	1.   ] / ]	
Othe	er Officers Participating in Search:	í sa finn a sao	ululaina ny kaominina mandrononin'ny faritr'ora dia taona dia bandrona dia mandrona dia mandrona dia mandrona d I
otne bd#A	of Onicers Participating in Search.		
	Pa.R. Crim.P.	Chapter 2. Part A	SEARCH WARRANTS
Rule 2 (a)	202. Approval of Search Warrant Applications by Attor	ney for the Common	
	204. Person To Serve Warrant.		
A se	arch warrant shall be served by a law enforcement offic	er.	Clerk of Courts
	205. Contents of Search Warrant.		JAN 13 '23 AM10:41
Each (1)	search warrant shall be signed by the issuing authority specify the date and time of issuance;	and shall;	
(2)	identify specifically the property to be seized:		
(3) (4)	name or describe with particularity the person or place direct that the search be executed either: (a) within a si	to be searched; pecified period of tim	e, not to exceed 2 days from the time of issuance, or; (b) when the warrant
	is issued for a prospective event, only after the specific	ed event has occurred	
(5)	2, Part A., the term "daytime" shall be used to mean the	e hours of 6 a.m. to 1	on the warrant, PROVIDED THAT, for purposes of the Rules of Chapter 0 p.m.:
(6)	designate by title the judicial officer to whom the warr	ant shall be returned;	
(7)	affidavit(s) attached to the warrant; and	use based upon the fa	acts sworn to or affirmed before the issuing authority by written
(8)		for good cause show	in the affidavit(s) is sealed pursuant to Rule 211 and state the length of
	06. Contents of Application for Search Warrant.		
	application for a search warrant shall be supported by v davit(s) shall:	vritten affidavit(s) sig	gned and sworn to or affirmed before an issuing authority, which
(1)	state the name and department, agency, or address of the		
(2)	identify specifically the items or property to be searche name or describe with particularity the person or place		
(4)	identify the owner, occupant, or possessor of the place		
(5) (6)	specify or describe the crime which has been or is bein set forth specifically the forth and discumptonees which		the affiant's conclusion that there is probable cause to believe that the items
(0)	or property identified are evidence or the fruit of a crim	ne, or are contraband	, or are or are expected to be otherwise unlawfully possessed or subject to
(7)	seizure, and that these items or property are or are expe	ected to be located on	the particular person or at the particular place described;
(7) (8)	when the attorney for the Commonwealth is requesting alleged to establish good cause for the sealing of the at	g that the affidavit(s)	reasonable cause for seeking permission to search in the nighttime; and be sealed pursuant to Rule 211, state the facts and circumstances which are
Rule 2	08. Copy of Warrant; Receipt for Seized Property.		
(a)	A law enforcement officer, upon taking property pursu	ant to a search warra	nt, shall leave with the person from whom or from whose premises the , and a receipt for the property seized. A copy of the warrant and
	affidavit(s) must be left whether or not any property is	seized.	
(b)			er shall leave the documents specified in paragraph (a) at a conspicuous
(c)	location in the said premises. A copy of the warrant an Notwithstanding the requirements in paragraphs (a) an 211.		I left whether or not any property is seized. I not leave a copy of an affidavit that has been sealed pursuant to Rule
Rule 2	09. Return with Inventory.		
(a)	An inventory of items seized shall be made by the law the person from whose possession or premises the pro- shall sign a statement on the inventory that it is a true a provisions of 18 Pa.C.S. Section 4904(b) - Unsworn Fa	perty was taken, when and correct listing of a	serving a search warrant. The inventory shall be made in the presence of a feasible, or otherwise in the presence of at least one witness. The officer all items seized, and that the signer is subject to the penalties and ities. The inventory shall be returned to and filed with the issuing
(b)	authority. The judicial officer to whom the return was made shall	l upon request cause :	a copy of the inventory to be delivered to the applicant for the warrant and
(0)	to the person from whom, or from whose premises, the	e property was taken.	
(c)	when the search warrant arritavit(s) is seared pursuan	i to rule 211, the refi	In shall be made to the justice or judge who issued the warrant.

## THE LAW ENFORCEMENT OFFICER SHALL MAKE ALL RETURNS TO THE ISSUING AUTHORITY DESIGNATED ON THE SEARCH WARRANT.

A COP	Y OF THIS FO	ORM, WHEN COMPLETE	ED, IS TO BE ATTA	CHED TO EACH COP	Y OF THE SEARCH WAR	
Com	monwe	alth of Penns	ylvania	Salt.	RECEIPT	INVENTORY
COUN	TY OF N	IONROE				DINOPENTI
	Number	anan isan manananan karang				
	Authority):		Police Incic	42022-1651807	Warrant Co Number:	
Date of	Search:		of Search:	NARA NI MANANA NA MANANA MA	HEARING CONTRACTORY AND AND THE TRANSPORT	
12/30/2	2022	Appro	or 3earch.	Inventor 1 of	y Page Number:	
Troope	r Justin M.		PSP Stroudsbu		1 Pages	
					1322	.3
Vvarran D ners	owing prop t and affida	ivit(s) (if not sealed) red on (name of porc	Was		private affiant Bad ventory with a copy o	_{ge No.} f the Search
🖾 was	left at (des	cribe the location)	RESIDICAL	15	·····	
an a	Hini kana kana kana kana kana kana kana k					
ltem Number	Quantity	Item Description		and the second of a second period of second s	Make, Model, Serial	No., Color, etc.
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I/we do her sign this Re	reby state that eceipt / Invent	t this inventory is to the be ory subject to the penaltie	est of my/our knowle es and provisions of	edge and bellef a true a Title 18 Pa.C.S. 4904(	nd correct listing of all iter b)Unsworn Falsification	ns seized, and that I/we to Authorities.
Since	p.l	1 cm	Tpr. Justin		PSP	13223
Signature	ør person Iss	suing Receipt / Inventor	y Printed Nar	ne	Affiliation	Badge or Title
						r I
Signature	of Witness	7	Printed Nar		Affiliation	Badge or Title
-11	<u>11h</u>	11	Tpr. Justin	WI. LERI	PSP	13223
Signature	of person ma	aking Search	Printed Nar	ne	Affiliation	Badge or Title

PD-597 (Rev. 4-13-2015)
UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION Receipt for Property
Case ID: $50 - 3683464$ On (date) $12302022$ , item (s) listed below were: Collected/Seized Received From Returned To Released To
(Name)
(Street Address) II9 Lamsden Drive
(City) Albrightsville, PA 18210
Description of Item (s): (1) Knife
2 BOOK with underlining on page 118
3 ATIT bill for Bryan L. Kohberger
€ GIUCK 22 Gen 5 . 40 (aliber serial # BM)KVSQI
5 Smith & Wellow Pulket Knike
@ Folder luntuining relacte papermone
() ALEY IMPTUP MUDEL NU NZZCZ SIN NHQHXAM 001226056893400 -
8 Green leuty substance in green container
Opulumenti
@Green leuty substance in plashe bug
White paper with paupvord
(2) power while
(3) (ell phone
(14) Three (3) GIVIK. 40 (Uliber mugazines (Empty)

(4) Three (3) GIVIL. 40 (411ber mughzin	er (empty)
(3) bunks	
(b) black the masks	
O Prescription	
(8) black gloves	
1 black hat I black mask	
Received By:	Received From:
Printed Name/Title: Joseph Transmu / Spreaser Acar	Printed Name/Title: Michael FKohberger J

FD-597 (Rev. 4-13-2015)	Page 2 of 4
UNITED STATES DEPARTMENT OF JUSTI	
FEDERAL BUREAU OF INVESTIGATION	
<b>Receipt for Property</b>	
Case ID: 54-3683481	
On (date) $ \partial   \partial  \partial  \partial  \partial  \partial  $ item (s) listed below were: Collected/Seized	
Received From Returned To	
Released To	
(Name)	
(Street Address) 119 LAMSden Drive	
(City) Albrightsville, PA 18210	
Description of Item (s): (20) Personal illenhying duliments -	
2) New Balunce shoes	
(22) Name word Juckets	949 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 - 1940 -
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50) nor in deile	
(1) "(riminal psychology Busk"	
32) DUMMENTS WU . DEJUIE, UNIVERSITY. MUTE SUSIC - INT /	vota n
Received By: And Received From: Will	NO CON St
(Signature)	(Signature) VCT
Printed Name/Title: Jus 1919 Trasu Sparse Acent Printed Name/Title: MIC	MULLI ASOMA GAL

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FD-597 (Rev. 4-13-2015) Page $3 \text{ of } 4$
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
<b>Receipt for Property</b>
Case ID: $50 - 3683464$
On (date) $12302$ item (s) listed below were:
Received From Returned To
Released To
(Name) (Street Address) 19 amsden DNe
Alloraintaille DA 19710
(City) = 11001900000000000000000000000000000000
Description of Item (s): (33) XL COlUMBIG NAMY HEECE
(34) "Aman's word drawing (35) 10 (urus inside blove inside box
, , , , , , , , , , , , , , , , , , ,
(3) dune culor put
(38) DIVILLE GIVE
(3) seagrate burkluida ITS samung sulid state dove
(4) BIGGEDOX SUMMING NYMESSO 960 EM SUUGA SUN MINEL OPTUNE IN BUY
(i) 2 pain of black glove, I black whit hat
(42) dune green shortsleeve shirt; black long sleeve shirt; black sweakshirt; grey sucket; 2 pair
bluck punk 1 pur bialk jeans, 2 pairs black jeans
(43) 2 binch ung sleeve shins 2 pain of binch punts; 1 grey jacket, 1 grey ignir / feit
hat, buik yore
(F) MOTHER BURN IS IN 11 2M PMBILK 01039
(5) WWMinghon state University papermore
(46) NULL from Bayan from Montany
(47) Ura Human shup val
(48) medical downents
(44) win downears
Received By: Received From: XIII Construction (Signature)
Printed Name/Title: Joseph Traswo Sphere Acen Printed Name/Title Michaelt, Kotterport

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Page______ of_____

UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION
Receipt for Property
Case ID: $\frac{54 - 3683464}{On (date)}$
Collected/Seized Received From
Returned To Released To
(Name)
(Street Address) Ad la add a a b a l 9 10
(City)
Description of Item (s): (50) note to dud from Bryan
(5) MUNON WOORD SPIRAL NOTEBOOK
(52) AUR LOIDRELI LINHEI (53) HP IQUB MI-in-one-LOMPURC S/N 46511308170
(55) rungent model Medallion 5,553 Perking S/N: (1132540) 77-
60 plinc (1) thes in laindry busices
(5) raylor when white in leather sheath
68) svab s1
<u>(5)</u> swab 52
(6) swab S3 (6) Swab S4
(62) 2 pair of dark colored boots
(63)   pair brown boots
THING FOLLOW
NOTON ( ( )
A A A A
Received By: Received From Mich & Court
Printed Name/Title: Juspan Transno / spean Art Printed Name/Title: Michael F. Konberger Sy

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COUNTY OF MONROE	ennsylvania			SEARCH	ATION FOR WARRANT HORIZATION
Docket Number	Police In		Dan Kalendari M	Warrant Contr	
(issuing Authority):		PA2022-1651	897	Number:	
Tpr. Justin M. LERI Tpr. Brian V. NOLL	Pennsylvania Stat	te Police	570-619-	6800	plantana-
AFFIANT NAME	AGENCY		PHONENUME	This is to certify?	bar unis in a tope and o
DENTIFY ITEMS TO BE SEARCHED FOR AND SE Any and all items listed on "Contir	EIZED (Be as specific as possible nuation" page	y:		Certified From th	Record this 29
			· ·	CONTA-LUNGTURGUCIAL	mmon Pleas of Monroe Co District Commonwealth of Jergof Courts & Clerkof O
	fili - Elsterration (deltarman)			3v: AUBOU/	Rellan Voll
SPECIFIC DESCRIPTION OF PREMISES AND/OR Social security numbers and financial information Pa.Coda §§ 213.1 - 213.7.					
<ul> <li>119 Lamsden Drive, Chestnuth foundation, and dark colored s</li> </ul>	hill Twp, Monroe Cou hutters, An attached	unty- A single fa l carace is local	amily residen ted on side B	ce with white si . A small shed	ding, tan with a door and
windows is located at the rear NAME OF OWNER, OCCUPANT OR POSSESSOR Michael KOHBERGER, Maryan	of the property alone of said premises to be se	a with all curtilag	ie unknown, give alle	V.	
VIOLATION OF (Describe conduct or specify statute, Criminal Homicide	permentan ana parany. }:		inite and an and a second s	DATE(S) OF VIOLA 11/13/2022	TION: Clerk of Courts DEC 29 '22 PM 4:40
The below named Afflant, being duly sw cause to believe that certain property is seizure, and is located at the particular,	orn (or affirmed) before t evidence of or the fruit of premises or in the posses Pennsylvania Sta	he Issuing Authority a crime or is contra- ssion of the particula te Police Troop N	/ according to la aband or is unia	w, deposes and say	ys that there is probable r is otherwise subject to
Signature of Affiant /	A CONTRACTOR OF A CONTRACTOR O	is if private Affiant	101 IS ST. 15 17 19 19 19 19 19 19 19 19 19 19 19 19 19		nber
Sworn to and subscribed before	me this day	of	; ;	Mag. Dist. No	
Signature of Issuing Authority	Office Address		• :	• • • • • • • • • • • • • • • • • • • •	(SEAL)
TO LAW ENFORCEMENT whi	EREAS, facts have been the line found probable ze, secure, inventory and	e cause, I do author	ed before me by ize you to searc	written affidavit(s) h the premises or p	erson described, and to
This Margari shell he served as serve	n as practicable and shal	I be served only be	tween the hours	of 6AM to 10PM b	ut in no event later than:*
This Warrant shall be served as soon 4:35 P M, o'clock 31	December 2022	be served any time			
This Warrant shall be served as soon 4:35 P M, o'clock 31 This Warrant shall be returned to jud	December 2022	be served any time Margherita	Patti-Wort		
X This Warrant shall be served as soo	December 2022 licial officer not later than two (2) days at	be served any time Margherita ter Issuance. Pa.R.Cr trad on the basis of a	Patti-Wort	nington, PJ	vent later than: ** _·
This Warrant shall be served as soon <u>4:35 P</u> M, o'clock <u>31</u> This Warrant shall be returned to jud <i>* The issuing authority should specify a data a</i> <i>"If the issuing authority finds reasonable cau</i>	December 2022 dicial officer not later than two (2) days aff ise for issuing a nighttime wa this block shall be checked.	be served any time Margherita ter Issuance. Pa.R.Cr rrant on the basis of a Pa.R.Crim.P. 206(7). 022at	Patti-Wortl Im.P. 205(4). ddilional reasonal 4:35 P	nington, PJ le cause set forth In ti	vent later than: **  he accompanying affidavit(s)
This Warrant shall be served as soon 4:35 P M, o'clock 31 X This Warrant shall be returned to jud * The issuing authority should specify a date if * If the issuing authority finds reasonable cau and wishes to issue a nighttime warrant, then if A the issue a nighttime warrant, then if A the issue a night time warrant time warrant the issue a night time warrant time warea night time warrant time warrant time warrant	December 2022 dicial officer not later than two (2) days at use for Issuing a nighttime wa this block shall be checked. ay-of_December 2	be served any time Margherita ter Issuance. Pa.R.Cr rrant on the basis of a Pa.R.Crim.P. 206(7).	Patti-Wortl Im.P. 205(4). doillional reasonal 4:35 P 31 Decem	nington, PJ le cause set forth In ti	vent later than: **  he accompanying affidavit(s) <b>(SEAL)</b>
This Warrant shall be served as soon 4:35 P M, o'clock 31 X This Warrant shall be returned to jud * The issuing authority should specify a date if * If the issuing authority finds reasonable cau and wishes to issue a nighttime warrant, then it issued under my hand this 29 de	December 2022 dicial officer not later than two (2) days ath ise for issuing a nightlime wa this block shall be checked. ay-of	be served any time Margherita ter Issuance. Pa.R.Cr rrant on the basis of a Pa.R.Crim.P. 206(7). 022 at 43rd t. or Judicial Dist.	Patti-Wortl Im.P. 205(4). dditional reasonal 4:35 P 31 Decem No. D	nington, PJ le ceuse set forth In th M, o'clock. ber 2030 ate Commission E	vent later than: **  he accompanying affidavit(s) <b>(SEAL)</b>

	ennsylvania		SEARCH	ATION FOR I WARRANT ATION PAGES
COUNTY OF MONROE	and the second state of th			and the second s
Docket Number		e Incident per: PA2022-1651897	Warrant Co Number:	ητοι
Issuing Authority); Continuation of:				<u> </u>
Items to be searched	Description of to be searched	f premises/person(s)	Owner/ Occup	ant Violations
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pr. Brian V. NOLL	Pennsylvania State Police	570-619-6800	12/2m/2me
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Bryan C, KOHBERGER DC		DATE(S) OF	VIOLATION:
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the state of the second st	y a date not later than two (2) days after issuance. I able cause for issuing a nighttime warrant on the be ant, then this block shall be checked. Pa.R.Crim.P.	asis of additional reasonable cause set 206(7).	forth in the accompanying affidavit(s)
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# Commonwealth of Pennsylvania

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## **AFFIDAVIT OF** PROBABLE CAUSE

### COUNTY OF MONROE

Docket Number

WARD OF THE WARD Police Incident

Warrant Control Number:

(Issuing Authority):

Number: PA2022-1651897

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES: Social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account number must be established, list only the last four digits. 204 Pe.Code §§ The contact of the state of the 213.1 - 213.7. The second s

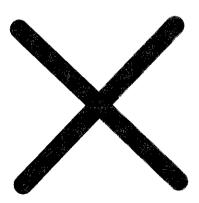
Your Affiant is Trooper Justin M. LERI of the Pennsylvania State Police, Stroudsburg Station- Criminal Investigation Unit. Since 2009, I have served as a Detective with the Lackawanna County District Attorney's Office, a Special Agent with the Pennsylvania Office of Attorney General. a Task Force Officer with the Federal Bureau of Investigation and currently as a Trooper with the Pennsylvania State Police, Troop N- Vice Unit. Throughout my career, I have conducted hundreds of criminal investigations, including numerous homicide investigations.

Your Affiant is Trooper Brian V. NOLL of the Pennsylvania State Police, Troop N Criminal Investigation Assessment Officer. I have been employed with the Pennsylvania State Police since 2008 and assigned as a Criminal Investigator since 2012. I have been assigned as the Criminal Investigation Assessment Officer since 2019. Throughout my career, I have conducted hundreds of criminal investigations, including numerous homicide investigations.

On Wednesday, December 28, 2022, the Pennsylvania State Police was requested to assist the Moscow Police Department, Moscow, ID and Federal Bureau of Investigation with a homicide investigation which occurred on Sunday, November 13, 2022. As a part of this investigation, we reviewed reports and affidavits prepared by the Moscow Police Department, establishing probable cause for issuance of search warrants related to this investigation, which are included in this affidavit of probable cause as "Exhibit A."

Furthermore, Investigators began physical surveillance of the property and area of 119 Lamsden Drive, Chestnuthill Township, and in the early morning hours of Tuesday, December 27, 2022, observed Bryan KOHBERGER walking near this residence. Additionally, KOHBERGER'S vehicle was observed entering the Indian Mountain Lakes development on December 16, 2022, and the vehicle is still believed to be on premises. Investigators are also monitoring KOHBERGER'S cellular phone which appears to be in the same vicinity of this residence. On Wednesday, December 28, 2022, while conducting surveillance, Investigators observed KOHBERGER traveling throughout Monroe County and arriving back at his residence on Lamsden Drive.

Your affiants are requesting a search warrant be issued for the search and seizure of all items listed in the items to be searched, along with forensic processing of all items. Your Affiants are requesting all digital devices, including any vehicle infotainment/computer system, seized be forensically examined in a controlled environment at some future date, and until such examinations are complete. Additionally, based upon the serious and violent nature of these crimes, including risk of general public's safety, your Affiants are requesting a night-time search warrant be issued to execute this search warrant at any time and the affidavit of probable cause be sealed.



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### **Exhibit A** Statement of Brett Payne

The below information is provided by Corporal (CPL) Brett Payne, who is a duly appointed, qualified and acting peace officer within the County of Latah, State of Idaho. CPL Payne is employed by Moscow Police Department in the official capacity or position of Corporal and has been a trained and qualified peace officer for approximately four (4) years. Cpl. Payne is being assisted by members of the Idaho State Police and agents of the Federal Bureau of Investigation.

On November 13, 2022, at approximately 4:00 p.m., Moscow Police Department (MPD) Sergeant Blaker and I responded to 1122 King Road, Moscow, Idaho, hereafter the "King Road Residence," to assist with scene security and processing of a crime scene associated with four homicides. Upon our arrival, the Idaho State Police (ISP) Forensic Team was on scene and was preparing to begin processing the scene. MPD Officer (OFC) Smith, one of the initial responding officers to the incident, advised he would walk me through the scene.

OFC Smith and I entered the King Road Residence through the bottom floor door on the north side of the building. OFC Smith and I then walked upstairs to the second floor. OFC Smith directed me down the hallway to the west bedroom on the second floor, which I later learned (through Xana's driver's license and other personal belongings found in the room) was Xana Kernodle's, hereafter "Kernodle" room. Just before this room there was a bathroom door on the south wall of the hallway. As I approached the room, I could see a body, later identified as Kernodle's, laying on the floor. Kernodle was deceased with wounds which appeared to have been caused by an edged weapon.

Also in the room was a male, later identified as Ethan Chapin, hereafter, "Chapin". Chapin was also deceased with younds later determined (Autopsy Report provided by Spokane

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County Medical Examiner Veena Singh dated December 15, 2022), to be caused by "sharp-force injuries".

I then followed OFC Smith upstairs to the third floor of the residence. The third floor consisted of two bedrooms and one bathroom. The bedroom on the west side of the floor was later determined to be Kaylee Goncalves, hereafter "Goncalves," room. I later learned (from review of Officer Nunes' body camera) there was a dog in the room when Moscow Police Officers initially responded. The dog belonged to Goncalves and her ex-boyfriend Jack Ducoeur. I found out from my interview with Jack Ducouer on November 13, 2022, that he and Goncalves shared the dog. OFC Smith then pointed out a small bathroom on the east side of the third floor. This bathroom shared a wall with Madison Mogen's, hereafter "Mogen" bedroom which was situated on the southeast corner of the third floor.

As I entered this bedroom, I could see two females in the single bed in the room. Both Goncalves and Mogen were deceased with visible stab wounds. I also later noticed what appeared to be a tan leather knife sheath laying on the bed next to Mogen's right side (when viewed from the door). The sheath was later processed and had "Ka-Bar", "USMC" and the United States Marine Corps eagle globe and anchor insignia stamped on the outside of it. The Idaho State Lab later located a single source of male DNA left on the button snap of the knife sheath.

As part of the investigation, numerous interviews were conducted by Moscow Police Department Officers, Idaho State Police Detectives, and FBI Agents. Two of the interviews included Bethany Funke (hereafter "Funke"), and Dylan Mortensen (hereafter "Mortensen"). Both Funke and Mortensen were inside the King Road Residence at the time of the homicides

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and were roommates to the victims. Funke's bedroom was located on the east side of the first floor of the King Road Residence.

Based on numerous interviews conducted by MPD Officers, ISP Detectives, and FBI Agents as well as my review of evidence, I have learned the following:

On the evening of November 12, 2022, Chapin and Kernodle are seen by Funke at the Sigma Chi house on the University of Idaho campus at 735 Nez Perce Drive from approximately 9:00 p.m. on November 12 to 1:45 a.m. on November 13. Funke also estimated that at approximately, 1:45 a.m. Chapin and Kernodle returned to the King Road Residence. Funke also stated that Chapin did not live in the King Road Residence but was a guest of Kernodle.

Goncalves and Mogen were at a local bar, the Corner Club at 202 N. Main Street, in Moscow. Goncalves and Mogen can be seen on video footage provided by the Corner Club between 10:00 p.m. on November 12 and 1:30 a.m. on November 13th. At approximately 1:30 a.m. Goncalves and Mogen can be seen on video at a local food vendor called the "Grub Truck" at 318 S. Main Street in downtown Moscow. The Grub Truck live streams video from their food truck on the streaming platform Twitch which is available for public viewing on their website. This video was captured by law enforcement. A private party (Eric Grower) reported that he provided a ride to Goncalves and Mogen at approximately 1:56 a.m. from downtown Moscow (in front of the Grub Truck) to the King Road Residence.

Mortensen and Funke both made statements during interviews that indicated the occupants of the King Road Residence were at home by 2:00 a.m. and asleep or at least in their rooms by approximately 4:00 a.m. This is with the exception of Kernodle, who received a

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Doordash order at the residence at approximately 4:00 a.m. (law enforcement identified the DoorDash delivery driver who reported this information).

Mortensen stated she originally went to sleep in her bedroom on the southeast side of the second floor. Mortensen stated she was awoken at approximately 4:00 a.m. by what she stated sounded like Goncalves playing with her dog in one of the upstairs bedrooms, which were located on the third floor. A short time later, Mortensen said she heard who she thought was Goncalves say something to the effect of "there's someone here." A review of records obtained from a forensic download of Kernodle's phone showed this could also have been Kernodle as her cellular phone indicated she was likely awake and using the TikTok app at approximately 4:12 a.m.

Mortensen stated she looked out of her bedroom but did not see anything when she heard the comment about someone being in the house. Mortensen stated she opened her door a second time when she heard what she thought was crying coming from Kernodle's room. Mortensen then said she heard a male voice say something to the effect of "its ok, I'm going to help you."

At approximately 4:17 a.m., a security camera located at 1112 King Road, a residence immediately to the northwest of 1122 King Road, picked up distorted audio of what sounded like voices or a whimper followed by a loud thud. A dog can also be heard barking numerous times starting at 4:17 a.m. The security camera is less than fifty feet from the west wall of Kernodle's bedroom.

Mortensen stated she opened her door for the third time after she heard the crying and saw a figure clad in black clothing and a mask that covered the person's mouth and nose walking towards her. Mortensen described the figure as 5'10" or taller, male, not very muscular, but

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athletically built with bushy eyebrows. The male walked past Mortensen as she stood in a "frozen shock phase." The male walked towards the back sliding glass door. Mortensen locked herself in her room after seeing the male. Mortensen did not state that she recognized the male. This leads investigators to believe that the murderer left the scene.

The combination of Mortensen's statements to law enforcement, reviews of forensic downloads of records from Funke and Mortensen's phone, and video of a suspect video as described below leads investigators to believe the homicides occurred between 4:00 a.m. and 4:25 a.m.

During the processing of the crime scene, investigators found a latent shoe print. This was located during the second processing of the crime scene by the ISP Forensic Team by first using a presumptive blood test and then Amino Black, a protein stain that detects the presence of cellular material. The detected shoe print showed a diamond-shaped pattern (similar to the pattern of a Vans type shoe sole) just outside the door of Mortensen's bedroom (located on second floor ). This is consistent with Mortensen's statement regarding the suspect's path of travel.

As part of the investigation, an extensive search, commonly referred to in law enforcement as a "video canvass," was conducted in the area of the King Road Residence. This video canvass was to obtain any footage from the early morning hours of November 13, 2022, in the area of the King Road Residence and surrounding neighborhoods in an effort to locate the suspect(s) or suspect vehicle(s) traveling to or leaving from the King Road Residence. This video canvass resulted in the collection of numerous surveillance videos in the area from both residential and business addresses. I have reviewed numerous videos that were collected and have had conversations with the other MPD Officers, ISP Detectives, and FBI Agents that are

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similarly reviewing footage that was obtained.

A review of camera footage indicated that a white sedan, hereafter "Suspect Vehicle 1", was observed traveling westbound in the 700 block of Indian Hills Drive in Moscow at approximately 3:26 a.m and westbound on Styner Avenue at Idaho State Highway 95 in Moscow at approximately 3:28 a.m. On this video, it appeared Suspect Vehicle 1 was not displaying a front license plate.

A review of footage from multiple videos obtained from the King Road Neighborhood showed multiple sightings of Suspect Vehicle 1 starting at 3:29 a.m. and ending at 4:20 a.m. These sightings show Suspect Vehicle 1 makes an initial three passes by the 1122 King Road residence and then leave via Walenta Drive. Based off of my experience as a Patrol Officer this is a residential neighborhood with a very limited number of vehicles that travel in the area during the early morning hours. Upon review of the video there are only a few cars that enter and exit this area during this time frame.

Suspect Vehicle 1 can be seen entering the area a fourth time a approximately 4:04 a.m. It can be seen driving eastbound on King Road, stopping and turning around in front of 500 Queen Road #52 and then driving back westbound on King Road. When Suspect Vehicle 1 is in front of the King Road Residence, it appeared to unsuccessfully attempt to park or turn around in the road. The vehicle then continued to the intersection of Queen Road and King Road where it can be seen completing a three-point turn and then driving eastbound again down Queen Road.

Suspect Vehicle 1 is next seen departing the area of the King Road Residence at approximately 4:20 a.m. at a high rate of speed. Suspect Vehicle 1 is next observed traveling southbound on Walenta Drive. Based on my knowledge of the area and review of camera footage

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in the neighborhood that does not show Suspect Vehicle 1 during that timeframe, I believe that Suspect Vehicle 1 likely exited the neighborhood at Palouse River Drive and Conestoga Drive. Palouse River Drive is at the southern edge of Moscow and proceeds into Whitman County, Washington. Eventually the road leads to Pullman, Washington. Pullman Washington is approximately 10 miles from Moscow, Idaho. Both Pullman and Moscow are small college towns and people commonly travel back and forth between them.

Law enforcement officers provided video footage of Suspect Vehicle 1 to forensic examiners with the Federal Bureau of Investigation that regularly utilize surveillance footage to identify the year, make, and model of an unknown vehicle that is observed by one or more cameras during the commission of a criminal offense. The Forensic Examiner has approximately 35 years law enforcement experience with twelve years at the FBI. His specific training includes identifying unique characteristics of vehicles, and he uses a database that gives visual queues of vehicles across states to identify differences between vehicles.

After reviewing the numerous observances of Suspect Vehicle 1, the forensic examiner initially believed that Suspect Vehicle 1 was a 2011-2013 Hyundai Elantra. Upon further review, they indicated it could also be a 2011-2016 Hyundai Elantra. As a result, investigators have been reviewing information on persons in possession of a vehicle that is a 2011-2016 white Hyundai Elantra.

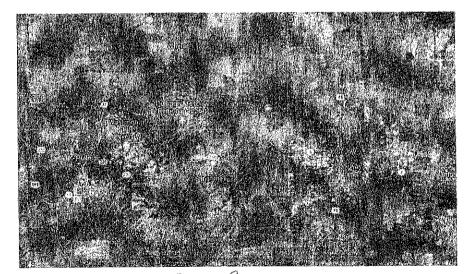
Investigators were given access to video footage on the Washington State University (WSU) campus located in Pullman, WA. A review of that video indicated that at approximately 2:44 a.m. on November 13, 2022, a white sedan, which was consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed on WSU surveillance cameras travelling north on southeast Nevada Street at northeast Stadium Way. At approximately 2:53

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Type: text hors MPW 29 December 2022 a.m., a white sedan, which is consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed traveling southeast on Nevada Street in Pullman, WA towards SR 270. SR 270 connects Pullman, Washington to Moscow, Idaho. This camera footage from Pullman, WA was provided to the same FBI Forensic Examiner. The Forensic Examiner identified the vehicle observed in Pullman, WA as being a 2014-2016 Hyundai Elantra.

At approximately 5:25 a.m., a white sedan, which was consistent with the description of Suspect Vehicle 1, was observed on five cameras in Pullman, WA and on WSU Campus cameras. The first camera that recorded the white sedan was located at 1300 Johnson Road in Pullman. The white sedan was observed traveling northbound on Johnson Road. Johnson Road leads directly back to West Palouse River Drive in Moscow which intersects with Conestoga Drive. The white sedan was then observed turning north on Bishop Boulevard and northwest on SR 270. At approximately 5:27 a.m., the White Elantra was observed on cameras traveling northbound on Stadium Way at Nevada Street, Stadium Way at Grimes Way, Stadium Drive at Wilson Road, and Stadium Way at Cougar Way.

Depiction showing Moscow and Pullman:



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#### Depiction showing White Elantra's path of travel:

#### Legend

- ∆ White Elantra seen leaving WSU Campus
- White Elantra seen Returning to WSU Campus

1630 NE Valley Road

Arrows are camera locations and indicate vehicle direction of trave/



On November 25, 2022, MPD asked area law enforcement agencies to be on the lookout for white Hyundai Elantras in the area. On November 29, 2022, at approximately 12:28 a.m., Washington State University (WSU) Police Officer Daniel Tiengo, queried white Elantras registered at WSU. As a result of that query, he located a 2015 white Elantra with a Pennsylvania license plate LFZ-8649. This vehicle was registered to Bryan Kohberger hereafter "Kohberger" residing at 1630 NE Valley Road, Apartment 201, Pullman, Washington. 1630 NE Valley Road is approximately three-quarters of a mile from the intersection of Stadium Way and Cougar Way (last camera location that picked up the white Elantra).

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That same day at approximately 12:58 a.m., WSU Officer Curtis Whitman was looking for white Hyundai Elantra's and located a 2015 white Hyundai Elantra at 1630 NE Valley Road in Pullman in the parking lot. 1630 NE Valley Road is an apartment complex that houses WSU students. Officer Whitman also ran the car and it returned to Kohberger with a Washington tag. I reviewed Kohberger's WA state driver license information and photograph. This license indicates that Kohberger is a white male with a height of 6' and weighs 185 pounds. Additionally, the photograph of Kohberger shows that he has bushy eyebrows. Kohberger's physical description is consistent with the description of the male Mortensen saw inside the King Road Residence on November 13th.

Further investigation, including a review of Latah County Sheriff's Deputy Corporal (CPL) Duke's body cam and reports, showed that on August 21, 2022, Bryan Kohberger was detained as part of a traffic stop that occurred in Moscow, Idaho, by CPL Duke. At the time, Kohberger, who was the sole occupant, was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649 which was set to expire on November 30, 2022. During the stop, which was recorded via a law enforcement body camera, Kohberger provided his phone number as 509-592-8458, hereafter the "8458 Phone" as his cellular telephone number. Investigators conducted electronic database queries and learned that the 8458 Phone is a number issued by AT&T.

On October 14, 2022, Bryan Kohberger was detained as part of a traffic stop by a WSU Police Officer. Upon review of that body cam and report of the stop, Kohberger was the sole occupant and was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649.

On November 18, 2022, according to WA state licensing, Kohberger registered the 2015 white Elantra with WA and later received WA plate CFB-8708. Prior to this time, the 2015 white

MPW 29 December 2022 15 Sum

Elantra was registered in Pennsylvania, which does not require a front license plate to be displayed (this was learned through communications with a Pennsylvania officer who is currently certified in the State of Pennsylvania). Based on my own experience and communication with Washington law enforcement, I know that Idaho and Washington require front and back license plates to be displayed.

Investigators believe that Kohberger is still driving the 2015 white Elantra because his vehicle was captured on December 13, 2022, by a license plate reader in Loma, Colorado (information provided by a query to a database). Kohberger's Elantra was then queried on December 15, 2022 by law enforcement in Hancock County, Indiana. On December 16, 2022 at approximately 2:26 p.m., surveillance video showed Kohberger's Elantra in Albrightsville, Pennsylvania. The sole occupant of the vehicle was a white male whose description was consistent with Kohberger. Kohberger has family in Albrightsville, Pennsylvania (learned through a TLO search and locate tool database query).

Based on information provided on the WSU website, Kohberger is currently a Ph.D Student in Criminology at Washington State University. Pursuant to records provided by a member of the interview panel for Pullman Police Department, we learned that Kohberger's past education included undergraduate degrees in psychology and cloud-based forensics. These records also showed Kohberger wrote an essay when he applied for an internship with the Pullman Police Department in the fall of 2022. Kohberger wrote in his essay he had interest in assisting rural law enforcement agencies with how to better collect and analyze technological data in public safety operations. Kohberger also posted a Reddit survey which can be found by an open-source internet search. The survey asked for participants to provide information to

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"understand how emotions and psychological traits influence decision making when committing a crime."

As part of this investigation, law enforcement obtained search warrants to determine cellular devices that utilized cellular towers in close proximity to the King Road Residence on November 13, 2022, between 3:00 a.m. and 5:00 a.m. After determining that Kohberger was associated to both the 2015 White Elantra and the 8458 Phone, investigators reviewed these search warrant returns. A query of the 8458 Phone in these returns did not show the 8458 Phone utilizing cellular tower resources in close proximity to the King Road Residence between 3:00 a.m. and 5:00 a.m.

Based on my training, experience, and conversations with law enforcement officers that specialize in the utilization of cellular telephone records as part of investigations, individuals can either leave their cellular telephone at a different location before committing a crime or turn their cellular telephone off prior to going to a location to commit a crime. This is done by subjects in an effort to avoid alerting law enforcement that a cellular device associated with them was in a particular area where a crime is committed. I also know that on numerous occasions, subjects will surveil an area where they intend to commit a crime prior to the date of the crime. Depending on the circumstances, this could be done a few days before or for several months prior to the commission of a crime. During these types of surveillance, it is possible that an individual would not leave their cellular telephone at a separate location or turn it off since they do not plan to commit the offense on that particular day.

On December 23, 2022, I applied for and was granted a search warrant for historical phone records between November 12, 2022 at 12:00 a.m. and November 14, at 12:00 a.m. for the

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8458 Phone held by the phone provider AT&T (approximately 24 hours proceeding and following the times of the homicides).

On December 23, 2022, pursuant to that search warrant, I received records for the 8458 Phone from AT&T. These records indicated that the 8458 Phone is subscribed to Bryan Kohberger at an address in Albrightsville, Pennsylvania and the account has been open since June 23, 2022. These records also included historical cell site location information (CSLI) for the 8458 Phone. After receiving this information, I consulted with an FBI Special Agent (SA) that is certified as a member of the Cellular Analysis Survey Team (CAST). Members of CAST are certified with the FBI to provide expert testimony in the field of historical CSLI and are required to pass extensive training that includes both written and practical examinations prior to be certified with CAST as well as the completion of yearly certification requirements. Additionally, the FBI CAST SA that I consulted with has over fifteen years of federal law enforcement experience, which includes six years with the FBI. From information provided by CAST, I was able to determine estimated locations for the 8458 Phone form November 12, 2022. to November 13, 2022, the time period authorized by the court.

On November 13, 2022, at approximately 2:42 a.m., the 8458 Phone was utilizing cellular resources that provide coverage to 1630 Northeast Valley Road, Apt G201, Pullman, WA, hereafter the "Kohberger Residence." At approximately 2:47 a.m., the 8458 Phone utilized cellular resources that provide coverage southeast of the Kohberger Residence consistent with the 8458 Phone leaving the Kohberger Residence and traveling south through Pullman, WA. This is consistent with the movement of the white Elantra. At approximately 2:47 a.m. the 8458 Phone stops reporting to the network, which is consistent with either the phone being in an area without cellular coverage, the connection to the network is disabled (such as putting the phone in

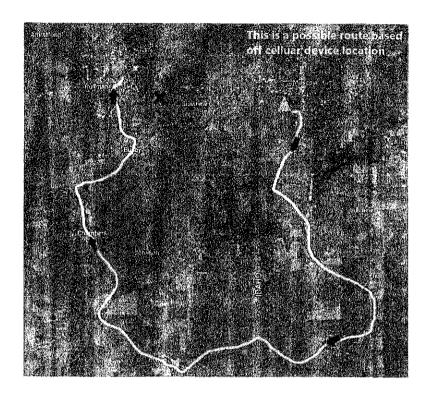
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airplane mode), or that the phone is turned off. The 8458 Phone does not report to the network again until approximately 4:48 a.m. at which time it utilized cellular resources that provide coverage to ID state highway 95 south of Moscow, ID near Blaine, ID (town north of Genesee). Between 4:50 a.m. and 5:26 a.m., the phone utilizes cellular resources that are consistent with the 8458 Phone traveling south on ID state highway 95 to Genesee, ID, then traveling west towards Uniontown, ID, and then north back into Pullman, WA. At approximately 5:30 a.m., the 8458 Phone is utilizing resources that provide coverage to Pullman, WA and consistent with the phone traveling back to the Kohberger Residence. The 8458 Phone's movements are consistent with the movements of the white Elantra that is observed traveling north on Stadium Drive at approximately 5:27 a.m. Based on a review of the 8458 Phone's estimated locations and travel, the 8458 Phone's travel is consistent with that of the white Elantra.

Further review indicated that the 8458 Phone utilized cellular resources on November 13, 2022, that are consistent with the 8458 Phone leaving the area of the Kohberger Residence at approximately 9:00 a.m. and traveling to Moscow, ID. Specifically, the 8458 Phone utilized cellular resources that would provide coverage to the King Road Residence between 9:12 a.m. and 9:21 a.m. The 8458 Phone next utilized cellular resources that are consistent with the 8458 Phone traveling back to the area of the Kohberger Residence and arriving to the area at approximately 9:32 a.m.

Below is a depiction (not to scale) of the possible route taken based off of cellular site locations:

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Investigators found that the 8458 Phone did connect to a cell phone tower that provides service to Moscow on November 14, 2022, but investigators do not believe the 8458 Phone was in Moscow on that date. The 8458 Phone has not connected to any towers that provide service to Moscow since that date.

Based on my training, experience, and the facts of the investigation thus far, I believe that Kohberger, the user of the 8458 Phone, was likely the driver of the white Elantra that is observed departing Pullman, WA and that this vehicle is likely Suspect Vehicle 1. Additionally, the route of travel of the 8458 Phone during the early morning hours of November 13, 2022 and the lack of the 8458 Phone reporting to AT&T between 2:47 a.m. and 4:48 a.m. is consistent with Kohberger attempting to conceal his location during the quadruple homicide that occurred at the King Road Residence.

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On December 23, 2022, I was granted a search warrant for Kohberger's historical CSLI from June 23, 2022 to current, prospective location information, and a Pen Register/Trap and Trace on the 8458 Phone to aid in efforts to determine if Kohberger stalked any of the victims in this case prior to the offense, conducted surveillance on the King Road Residence, was in contact with any of the victim's associates before or after the alleged offense, any locations that may contain evidence of the murders that occurred on November 13, 2022, the location of the white Elantra registered to Kohberger, as well as the location of Kohberger.

On December 23, 2022, pursuant to that search warrant, I received historical records for the 8458 Phone from AT&T from the time the account was opened in June 2022. After consulting with CAST SA, I was able to determine estimated locations for the 8458 Phone from June 2022 to present, the time period authorized by the court. The records for the 8458 Phone show the 8458 Phone utilizing cellular resources that provide coverage to the area of 1122 King Road on at least twelve occasions prior to November 13, 2022. All of these occasions, except for one, occurred in the late evening and early morning hours of their respective days.

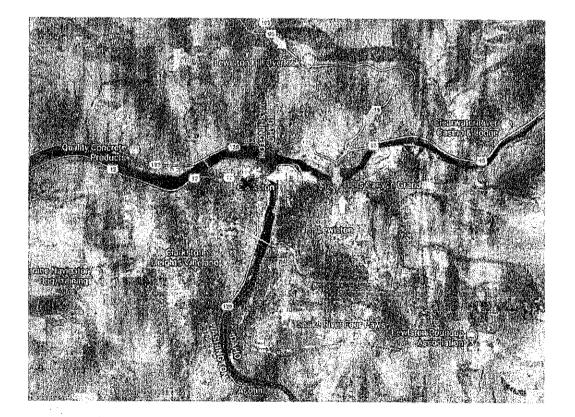
One of these occasions, on August 21, 2022, the 8458 Phone utilized cellular resources providing coverage to the King Road Residence from approximately 10:34 p.m. to 11:35 p.m. At approximately 11:37 p.m., Kohberger was stopped by Latah County Sheriff's Deputy Corporal Duke, as mentioned above. The 8548 Phone was utilizing cellular resources consistent with the location of the traffic stop during this time (Farm Road and Pullman Highway).

Further analysis of the cellular data provided showed the 8458 Phone utilized cellular resources on November 13, 2022, consistent with the Phone travelling from Pullman, Washington to Lewiston, Idaho via US Highway 195. At approximately 12:36 p.m., the 8458 Phone utilized cellular resources that would provide coverage to Kate's Cup of Joe coffee stand

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located at 810 Port Drive, Clarkston, WA. Surveillance footage from the US Chef's Store located at 820 Port Drive, Clarkston, WA and adjacent to Kate's Cup of Joe showed a white Elantra, consistent with Suspect Vehicle 1, drive past Kate's Cup of Joe at a time consistent with the cellular data from the 8548 Phone.

At approximately 12:46 p.m., the 8458 Phone then utilized cellular data in the area of the Albertson's grocery store at 400 Bridge Street in Clarkston, Washington. Surveillance footage obtained from the Albertson's showed Kohberger exit the white Elantra, consistent with Suspect Vehicle 1, at approximately 12:49 p.m. Interior surveillance cameras showed Kohberger walk through the store, purchase unknown items at the checkout, and leave at approximately 1:04 p.m. Kohberger's possible path of travel is depicted below (not to scale):



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Additional analysis of records for the 8458 Phone indicated that between approximately 5:32 p.m. and 5:36 p.m., the 8458 Phone utilized cellular resources that provide coverage to Johnson, ID. The 8458 Phone then stops reporting to the network from approximately 5:36 p.m. to 8:30 p.m. That is consistent with the 8458 Phone being the area that the 8458 Phone traveled in the hours immediately following the suspected time the homicides occurred.

Based off the above information, I am seeking a search warrant for Kohberger's person and his parents' residence located at 119 Lamsden Drive, Albrightsville, PA, 18210. 119 Lamsden Drive, Albrightsville, PA is a single family, two-story residence white in color. There is a two-car garage located on the west side of the residence. This is the location Kohberger is currently believed to be at based off cellular phone data received in previous warrants. Based off information gathered during this investigation, it is believed Kohberger's mother Maryann Kohberger, Father Michael Kohberger, and sister Amanda Kohberger currently reside in the residence. In addition, I am seeking a warrant for all outbuildings and sheds located on the property.

It is also believed Kohberger's white Hyundai Elantra (Suspect Vehicle 1) is stored in the two-car garage on the west side of the residence. Based off the above facts, I am requesting a search warrant for Kohberger's white 2015 Hyundai Elantra bearing VIN number 5NPDH4AE6FH579860 for wherever it is found. The Hyundai Elantra is registered solely to Kohberger.

Based on my experience or the experience of investigators trained in forensic technology, I provide the following:

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Many electronic devices, particularly newer mobile devices and laptops, offer their users the ability to unlock the device through biometric features in lieu of a numeric or alphanumeric passcode or password. These biometric features include fingerprint scanners, facial recognition features, and iris recognition features. Some devices offer a combination of these biometric features, and the user of such devices can select which features they would like to utilize.

If a device is equipped with a fingerprint scanner, a user may enable the ability to unlock the device through his or her fingerprints. For example, Apple offers a feature called "Touch ID," which allows a user to register up to five fingerprints that can unlock a device. Once a fingerprint is registered, a user can unlock the device by pressing the relevant finger to the device's Touch ID sensor, which is found in the round button (often referred to as the "home" button) located at the bottom center of the front of the device. The fingerprint sensors found on devices produced by other manufacturers have different names but operate similarly to Touch ID.

If a device is equipped with a facial recognition feature, a user may enable the ability to unlock the device through his or her face. For example, this feature is available on certain Android devices and is called "Trusted Face." During the Trusted Face registration process, the user holds the device in front of his or her face. The device's front-facing camera then analyzes and records data based on the user's facial characteristics. The device can then be unlocked if the front-facing camera detects a face with characteristics that match those of the registered face. Facial recognition features found on devices produced by other manufacturers have different names but operate similarly to Trusted Face.

If a device is equipped with an iris recognition feature, a user may enable the ability to unlock the device with his or her irises. For example, on certain Microsoft devices, this feature is

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called "Windows Hello." During the Windows Hello registration, a user registers his or her irises by holding the device in front of his or her face. The device then directs an infrared light toward the user's face and activates an infrared-sensitive camera to record data based on patterns within the user's irises. The device can then be unlocked if the infrared-sensitive camera detects the registered irises. Iris recognition features found on devices produced by other manufacturers have different names but operate similarly to Windows Hello.

Users of electronic devices often enable the aforementioned biometric features because they are considered to be a more convenient way to unlock a device than by entering a numeric or alphanumeric passcode or password. Moreover, in some instances, biometric features are considered to be a more secure way to protect a device's contents. This is particularly true when the users of a device are engaged in criminal activities and thus have a heightened concern about securing the contents of a device.

As discussed in this affidavit, based on my training and experience I believe that one or more digital devices will be found during the search. The passcode or password that would unlock the device(s) subject to search under this warrant is not known to law enforcement. Thus, law enforcement personnel may not otherwise be able to access the data contained within the device(s), making the use of biometric features necessary to the execution of the search authorized by this warrant.

I also know from my training and experience, as well as from information found in publicly available materials including those published by device manufacturers, that biometric features will not unlock a device in some circumstances even if such features are enabled. This can occur when a device has been restarted, inactive, or has not been unlocked for a certain period of time. For example, Apple devices cannot be unlocked using Touch ID when (1) more

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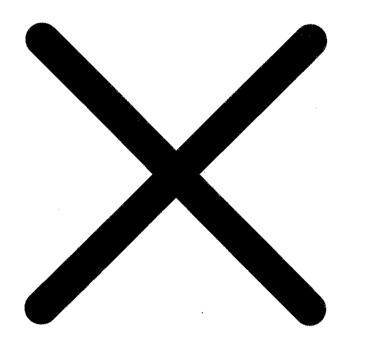
than 48 hours has elapsed since the device was last unlocked or (2) when the device has not been unlocked using a fingerprint for 8 hours and the passcode or password has not been entered in the last 6 days. Similarly, certain Android devices cannot be unlocked with Trusted Face if the device has remained inactive for four hours. Biometric features from other brands carry similar restrictions. Thus, in the event law enforcement personnel encounter a locked device equipped with biometric features, the opportunity to unlock the device through a biometric feature may exist for only a short time.

In my training and experience, the person who is in possession of a device or has the device among his or her belongings at the time the device is found is likely a user of the device. However, in my training and experience, that person may not be the only user of the device whose physical characteristics are among those that will unlock the device via biometric features, and it is also possible that the person in whose possession the device is found is not actually a user of that device at all. Furthermore, in my training and experience, I know that in some cases it may not be possible to know with certainty who is the user of a given device, such as if the device is found in a common area of a premises without any identifying information on the exterior of the device. Thus, it will likely be necessary for law enforcement to have the ability to require any individual, who is found at the Subject Premises and reasonably believed by law enforcement to be a user of the device, to unlock the device using biometric features in the same manner as discussed above.

Due to the foregoing, if law enforcement personnel encounter a device that is subject to seizure pursuant to this warrant and may be unlocked using one of the aforementioned biometric features, the warrant I am applying for would permit law enforcement personnel to (1) press or swipe the fingers (including thumbs) of any individual, who is found at the subject premises and

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reasonably believed by law enforcement to be a user of the device(s), to the fingerprint scanner of the device(s) found at the premises; (2) hold the device(s) found at the premises in front of the face to those same individuals and activate the facial recognition feature; and/or (3) hold the device(s) found at the premises in front of the face of those same individuals and activate the iris recognition feature, for the purpose of attempting to unlock the device(s) in order to search the contents as authorized by this warrant.



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