

Assigned Attorney:



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

STATE OF IDAHO

Plaintiff,

V.

BRYAN C. KOHBERGER,

Defendant.

CASE NUMBER CR29-22-2805

**NOTICE OF DEFENDANT'S
SUPPLEMENTAL RESPONSE TO
STATE'S ALIBI DEMAND**

COMES NOW, Bryan C. Kohberger, by and through his attorney of record, Anne C. Taylor, Public Defender, and hereby files a supplemental response to the demand for alibi and in compliance with Idaho Code §19-519 and Idaho Criminal Rule 12.1.

Mr. Kohberger moved to Pullman, Washington in June of 2022. As an avid runner and hiker, he explored many areas of the Palouse. Of note, he explored Wawawai Park in July of 2022 and this became a favorite location. After the school year began, Mr. Kohberger was busy with classes and work at Washington State University and his running and hiking decreased but did not stop. Instead, his nighttime drives increased. This is supported by data from Mr.

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Kohberger's phone showing him in the countryside late at night and/or in the early morning on several occasions. The phone data includes numerous photographs taken on several different late evenings and early mornings, including in November, depicting the night sky.

Mr. Kohberger was out driving in the early morning hours of November 13, 2022; as he often did to hike and run and/or see the moon and stars. He drove throughout the area south of Pullman, Washington, west of Moscow, Idaho including Wawawai Park.

PARTIAL CORROBORATION

Mr. Kohberger intends to offer testimony of Sy Ray, CSLI expert, (cell tower, cell phone and other radio frequency, curricula vitae is attached) to show that Bryan Kohberger's mobile device was south of Pullman, Washington and west of Moscow, Idaho on November 13, 2022; that Bryan Kohberger's mobile device did not travel east on the Moscow-Pullman Highway in the early morning hours of November 13th, and thus could not be the vehicle captured on video along the Moscow-Pullman highway near Floyd's Cannabis shop.

Additional information as to Mr. Kohberger's whereabouts as the early morning hours progressed, including additional analysis by Mr. Ray will be provided once the State provides discovery requested and now subject to an upcoming Motion to Compel . If not disclosed, Mr. Ray's testimony will also reveal that critical exculpatory evidence, further corroborating Mr. Kohberger's alibi, was either not preserved or has been withheld.

DATED this 17 day of April, 2024.

ANNE C. TAYLOR, PUBLIC DEFENDER
KOOTENAI COUNTY PUBLIC DEFENDER



BY:

ANNE TAYLOR
PUBLIC DEFENDER
ASSIGNED ATTORNEY