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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,

Plaintiff,

v.

BRYAN C. KOHBERGER,

Defendant.

Case No. CR01-24-31665

**MOTION TO BE HEARD AS
INTERESTED PARTIES AND MOTION
TO VACATE NONDISSEMINATION
ORDER**

AMERICAN BROADCASTING
COMPANIES, INC., D/B/A/ ABC NEWS;
THE ASSOCIATED PRESS; BONNER
COUNTY DAILY BEE; CBS NEWS; CNN;
COWLES PUBLISHING, D/B/A/ THE
SPOKESMAN-REVIEW; COEUR D'ALENE
PRESS; DAILY MAIL;
EASTIDAHONEWS.COM, LLC, D/B/A/
EAST IDAHO NEWS; FOX NEWS; IDAHO
PRESS CLUB; ION MEDIA NETWORKS,
LLC, D/B/A COURT TV; KXLY; LEWISTON
TRIBUNE/TPC HOLDINGS INC.; MOSCOW-
PULLMAN DAILY NEWS/TPC HOLDINGS

MOTION TO BE HEARD AS INTERESTED PARTIES AND MOTION TO VACATE
NONDISSEMINATION ORDER - 1

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INC.; SCRIPPS MEDIA, INC., D/B/A/ KIVI-TV; SOCIETY OF PROFESSIONAL JOURNALISTS; STATES NEWSROOM, D/B/A/ IDAHO CAPITAL SUN; TEGNA; THE MCCLATCHY COMPANY, LLC, D/B/A THE IDAHO STATESMAN; THE NEW YORK TIMES COMPANY; NBC NEWS; NEWSNATION; and UNIVERSITY OF IDAHO STUDENT MEDIA/THE ARGONAUT,

Interested Parties.

On July 2, 2025, Brian Kohberger pled guilty to the murders of four University of Idaho students and to one count of burglary. Mr. Kohberger's plea sharply changed the Sixth Amendment fair trial/First Amendment balance in this case. At the request of the State, and with agreement of Mr. Kohberger, the Court left the Nondissemination Order in place until Mr. Kohberger's sentencing, which is set for July 23, 2025. However, the Nondissemination Order, and its infringement on the First Amendment rights of the media, is no longer justifiable and should be vacated immediately.

Accordingly, a coalition of media organizations, including American Broadcasting Companies, Inc., d/b/a/ ABC News; the Associated Press; Bonner County Daily Bee; CBS News; CNN; Cowles Publishing, d/b/a/ The Spokesman-Review; Coeur d'Alene Press; Daily Mail; EastIdahoNews.com, LLC, d/b/a/ East Idaho News; FOX News; Idaho Press Club; Ion Media Networks, LLC, d/b/a Court TV; KXLY; Lewiston Tribune/TPC Holdings Inc.; Moscow-Pullman Daily News/TPC Holdings Inc.; Scripps Media, Inc., d/b/a/ KIVI-TV; Society of Professional Journalists; States Newsroom, d/b/a/ Idaho Capital Sun; TEGNA; The McClatchy Company, LLC, d/b/a The Idaho Statesman; The New York Times Company; NBC News; NewsNation; and

University of Idaho Student Media/The Argonaut (the “Media Coalition”)¹ respectfully move this Court for leave to file their Motion to Vacate the Nondissemination Order filed contemporaneously herewith. *See The Associated Press v. Second Jud. Dist.*, 172 Idaho 113, 121, 529 P.3d 1259, 1267 (2023) (“both state and federal courts often permit the media to intervene in criminal cases on a limited basis—or at least file a motion as interested parties—in the defense of public access and free speech, including in Idaho.”). The Media Coalition further requests the opportunity to present oral argument on this issue at the Court’s earliest available opening. This Motion is supported by the accompanying memorandum, the Declaration of Rebecca Boone in Support of Motion to be Heard and Vacate Nondissemination Order, and Declaration of Wendy J. Olson in Support of Motion to be Heard and Vacate Nondissemination Order.

DATED: July 3, 2025.

STOEL RIVES LLP

/s/ Wendy J. Olson

Wendy J. Olson

Cory M. Carone

Anders Pedersen

Attorneys for Interested Parties

¹ The Media Coalition is largely made up of the same media organizations that were allowed to previously intervene regarding the Nondissemination Order and were granted an opportunity to be heard on other issues related to media access. These organizations once again seek to protect their First Amendment Rights.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 3rd day of July 2025, I served a true and correct copy of the within and foregoing **MOTION TO BE HEARD AS INTERESTED PARTIES AND MOTION TO VACATE NONDISSEMINATION ORDER** upon the following named parties by the method indicated below, and addressed to the following:

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/s/ Wendy J. Olson
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