

IN THE SUPREME COURT OF THE STATE OF IDAHO

SUPREME COURT DOCKET NO. 50482-2023

THE ASSOCIATED PRESS; RADIO TELEVISION DIGITAL NEWS ASSOCIATION; SINCLAIR MEDIA OF BOISE, LLC/KBOI-TV (BOISE); THE MCCLATCHY COMPANY, LLC; STATES NEWSROOM dba IDAHO CAPITAL SUN; THE SEATTLE TIMES; TEGNA INC./KREM (SPOKANE), KTVB (BOISE) AND KING (SEATTLE); EASTIDAHONEWS.COM; THE LEWISTON TRIBUNE; WASHINGTON STATE ASSOCIATION OF BROADCASTERS; ADAMS PUBLISHING GROUP dba POST REGISTER; IDAHO PRESS CLUB; IDAHO EDUCATION NEWS; KXLY-TV/4 NEWS NOW AND KAPP/KVEW-TV—MORGAN MURPHY MEDIA KXLY-TV/4 NEWS NOW; SCRIPPS MEDIA, INC., dba KIVI-TV, a Delaware corporation; BOISE STATE PUBLIC RADIO; THE TIMES-NEWS; THE SPOKESMAN-REVIEW/COWLES COMPANY; COEUR D'ALENE PRESS; THE NEW YORK TIMES COMPANY; DAY365 dba BOISEDEV; LAWNEWZ, INC.; COURT TV MEDIA, INC.; ABC, INC.; WP COMPANY LLC, dba THE WASHINGTON POST; SOCIETY OF PROFESSIONAL JOURNALISTS,

Petitioners,

vs.

SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, COUNTY OF LATAH;
HONORABLE MEGAN E. MARSHALL, MAGISTRATE JUDGE,

Respondents.

PETITION FOR A WRIT OF MANDAMUS OR A WRIT OF PROHIBITION

For Petitioners

WENDY J. OLSON, ISB No. 7634
wendy.olson@stoel.com
CORY M. CARONE, ISB No. 11422
cory.carone@stoel.com
STOEL RIVES LLP
101 S. Capitol Boulevard, Suite 1900
Boise, ID 83702-7705

Respondents Second Judicial District of the
State of Idaho, County of Latah; Honorable
Megan E. Marshall, Magistrate Judge.

Petitioners, a coalition of media companies, request that the Court issue a peremptory writ of mandamus, or a peremptory writ of prohibition, ordering Respondents Latah County District Court and the Honorable Megan E. Marshall to vacate the “Amended Nondissemination Order” entered on January 18, 2023 in *State of Idaho v. Bryan C. Kohberger*, case no. CR29-22-2805.

As the Court surely knows, this past November, four students at the University of Idaho were murdered at a home near the campus. The tragedy is a matter of public interest that has garnered attention, and inflicted great sorrow, throughout the University, the State, and the country. For months, law enforcement carefully kept confidential the details of the ongoing investigation. In late December and to the surprise of the public, Bryan C. Kohberger was arrested and charged with the murders. At a press conference announcing the arrest, the authorities declined to provide much information about their investigation, instead deferring to the release of the probable cause affidavit. To this day, the public’s knowledge about Mr. Kohberger’s prosecution is largely limited to court filings and speculation on the internet.

Although there is no history of extrajudicial statements that could prejudice Mr. Kohberger’s right to a fair trial, his attorney and the prosecutor stipulated to a gag order “prohibiting attorneys, investigators, and law enforcement personnel from making any extrajudicial statement, written or oral, concerning this case, other than a quotation from or reference to, without comment, the public records of the Court in this case.” Declaration of Wendy J. Olson (“Olson Decl.”), Ex. A.¹ The parties submitted no evidence that Mr. Kohberger would be prejudiced absent the requested order. The stipulation merely said: “As this Court is aware, this case involves matters that have received a great deal of publicity.” *Id.* That same day and without

¹ Petitioners’ knowledge of the proceedings is limited to what the Idaho Judicial Branch has posted at <https://coi.isc.idaho.gov/>.

a hearing, the District Court issued the requested order. Olson Decl., Ex. B. The District Court did not make any factual findings in its order. *Id.*

Fifteen days later, the District Court, on its own and again without a hearing, issued an amended gag order. Olson Decl., Ex. C. Unlike the original gag order, the amended gag order at least notes: “There is balance between protecting the right to fair trial for all parties involved and the right to free expression as afforded under both the United States and Idaho Constitutions. To preserve the right to fair trial some curtailment of the dissemination of information in this case is necessary and authorized under the law.” *Id.* Although the District Court is correct that there is a balance between the right to a fair trial and the right to free speech, the District Court made no factual findings to support its conclusion that a gag order was necessary in this case. In addition, the District Court (again, on its own and without a hearing) expanded the scope of its gag order to include: “The attorneys for any interested party in this case, including the prosecuting attorney, defense attorney, and any attorney representing a witness, victim, or victim’s family, as well as the parties to the above-entitled action, including but not limited to investigators, law enforcement personal, and agents for the prosecuting attorney or defense attorney[.]” *Id.*

The gag order has restrained Petitioners’ rights to gather and publish information about this newsworthy matter. Each Petitioner is aware that either it or another media company within the coalition have been affected by the gag order as follows:

- A victim’s family wants to speak with the press about Mr. Kohberger’s prosecution, but they feel bound by the gag order. Olson Decl., Ex. D.
- A Washington agency has requested declaratory relief to determine whether, consistent with the gag order, it can produce 911 tapes in response to public records requests. Olson Decl., Ex. E.

- Major Christopher Paris of the Pennsylvania State Police told reporter Chris Ingalls that he could not answer whether police had launched any review of unsolved cases that could be linked to Mr. Kohberger because of the gag order.
- Moscow Mayor Art Bettge told reporter Erica Zucco that the city attorney advised he could not answer questions about the overall community healing in Moscow because of the gag order.
- Journalist Taylor Mirfendereski's public records requests were denied by the Latah County's Sheriff's Office, Moscow Police Department, Pullman Police Department, and Washington State Police Department because of the gag order.
- The Moscow Police Department issued a press release that: "Due to this court order, the Moscow Police Department will no longer be communicating with the public or the media regarding this case." Olson Decl., Ex. F.
- Gary Jenkins, Chief of Police at Washington State University, and Matt Young, Communication Coordinator for the City of Pullman, told reporter Morgan Romero that they could not answer whether Mr. Kohberger applied for a graduate assistant research position with the Pullman Police Department because of the gag order.
- The Moscow Police Department refused to advise a reporter from the Idaho Statesman how many cellphone towers are in the area near where the murders occurred, the size of Mr. Kohberger's cell, the size of the Moscow jail, and the nature of Mr. Kohberger's meals because of the gag order.
- Law&Crime reporter Angenette Levy was denied access to Kohberger's booking video from the Latah County Sheriff's Office because of the "court's non-dissemination order".

As explained further in the accompanying memorandum, the Court should apply strict scrutiny to the amended gag order. The amended gag order fails under that standard because there is no evidence that pretrial publicity will prejudice Mr. Kohberger's right to a fair trial or that less restrictive methods could not prevent or cure any prejudice. In any event, the amended gag order fails under any standard because the District Court failed to take any evidence, make any factual findings, or consider any alternatives short of a gag order.

As a result, with each passing day, the gag order irreparably harms Petitioners by suppressing their rights under the First Amendment of the United States Constitution and Article I, Section 9 of the Idaho Constitution. This Court should promptly stop any future irreparable harm by vacating or nullifying the amended gag order.

DATED: February 14, 2023

STOEL RIVES LLP

/s/ Wendy J. Olson

Wendy J. Olson

Cory M. Carone

Attorneys for Petitioners

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/14/23

Signature: [Signature]

Name: Brian Barrett

Title: Assoc. Gen. Counsel

Company: The Associated Press

State of New York
County of New York

)
)
)

This verification was acknowledged before me on February 14, 2023, by Brian Barrett, on behalf of The Associated Press

[Signature]
Notary Public

My commission expires: _____

CLAUDETH HAYLETT
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01HA6181234
Qualified in Kings County
Commission Expires March 22, 2024

Certificate Filed in
New York County

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: February 9, 2023

Signature: John Daniel Shelley

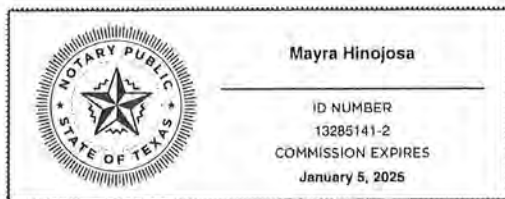
Name: John Daniel Shelley

Title: President and CEO

Company: Radio Television Digital News Association

State of Texas)
)
County of Hidalgo)

This verification was acknowledged before me on February 9, 2023, by
John Daniel Shelley, on behalf of Mayra Hinojosa,



Notarized online using audio-video communication

Mayra Hinojosa
Notary Public

My commission expires: 01/05/2025

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/14/23

Signature: *Valerie Koonce*

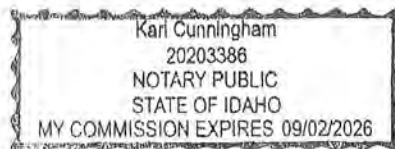
Name: VALERIE KOONCE

Title: GM

Company: Sinclair-Boise

State of Idaho

County of Ada



This verification was acknowledged before me on February 14, 2023, by Kari Cunningham on behalf of _____.

Kari Cunningham
Notary Public

My commission expires: 9/2/26

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: February 10, 2023

Signature: _____

Name: Chadd Cripe

Title: Editor

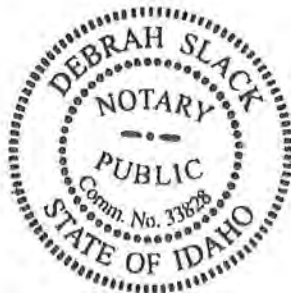
Company: The McClatchy Company, LLC,
dba The Idaho Statesman

State of Idaho)

County of Ada)

This verification was acknowledged before me on February 10, 2023, by

Chadd Cripe, on behalf of The McClatchy Company, LLC



Debrah Slack
Notary Public
Residing at Meridian, ID
My commission expires: 4-14-24

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: Feb. 13, 2023

Signature:

Christina E. Lords

Name:

Christina E. Lords

Title:

Editor

Company:

Idaho Capital Sun

State of Idaho

County of Ada

)
)
)

This verification was acknowledged before me on February 13, 2023, by Leslie Stanitz, on behalf of Christina Lords.



Leslie Stanitz
Notary Public

My commission expires: 01/12/2028

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/13/23

Signature: Lynn Jacobson
Name: Lynn Jacobson
Title: Managing Editor
Company: The Seattle Times

State of Washington)

)
County of King)

This verification was acknowledged before me on February __, 2023, by
_____, on behalf of _____.

Notary Public

My commission expires: _____

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/9/2023

Signature: _____

Name: Chris Moeser

Title: Associate General Counsel

Company: TEGNA Inc.

State of VIRGINIA)

County of FAIRFAX)

This verification was acknowledged before me on February 9, 2023, by CHRIS MOESER, on behalf of TEGNA, INC.



Notary Public: _____

My commission expires: 12.31.2025

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/9/23.

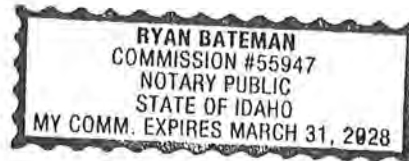
Signature: [Handwritten Signature]

Name: Nate Sunderland

Title: Managing Editor

Company: East Idaho News, .com

State of Idaho
County of Bonner



This verification was acknowledged before me on February 9, 2023, by NATE SUNDERLAND, on behalf of EAST IDAHO NEWS.

[Handwritten Signature]
Notary Public

My commission expires: 3/31/2028

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/9/23

Signature: [Signature]
Name: Craig Clohessy
Title: managing editor
Company: Lewiston Tribune

State of Idaho)
County of Nez Perce)

This verification was acknowledged before me on February 9, 2023, by Teresamnitcy, on behalf of Nez Perce Co.



[Signature]
Notary Public
My commission expires: 1/23/28

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: February 9, 2023

Signature: _____

KB

Name: _____

Keith B Shipman

Title: _____

President: CEO

Company: _____

Washington State Association
of Broadcasters

State of Washington)

County of Spokane)

This verification was acknowledged before me on February 9th, 2023, by Alison J. Beck, on behalf of Keith B Shipman.



Alison J. Beck
Notary Public

My commission expires: July 14, 2026

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2-9-2023

Signature: _____

Name: Monte LaOrange

Title: Managing Editor

Company: Post Register

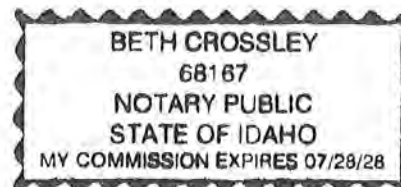
State of Idaho)

County of Bonneville)

This verification was acknowledged before me on February 9, 2023, by Monte LaOrange, on behalf of Post Register.

Beth Crossley
Notary Public

My commission expires: 7/28/28



Verification

I, on behalf of a party beneficially interested therein, hereby verify the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023.

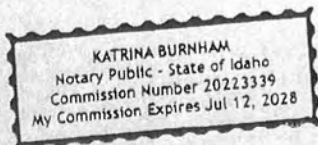
Dated: 2/10/23

Signature: Betsy Russell
Name: Betsy Russell
Title: President
Company: Idaho Press Club

State of Idaho)

County of Boundary)

This verification was acknowledged before me on February 10th 2023, by
Betsy Russell, on behalf of Idaho Press Club



Katrina Burnham
Katrina Burnham
Notary Public

My commission expires: 7/12/2028

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2-10-2023

Signature: Jennifer Swindell

Name: Jennifer Swindell

Title: CEO

Company: Idaho Education News

State of Idaho

County of Ada

This verification was acknowledged before me on February 10, 2023, by Jennifer Swindell, on behalf of Idaho Education News



[Signature]
Notary Public

My commission expires: 3/31/2024

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/9/23

Signature: _____

Name: Melissa Luck

Title: News Director

Company: KXLY-TV

State of Washington
County of Spokane

This verification was acknowledged before me on February 9, 2023, by Emily Mueller, on behalf of Melissa Luck.



Emily Mueller
Notary Public

My commission expires: 1/21/2024

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: February 9, 2023

Signature: 

Name: David M. Giles

Title: SVP, Deputy General Counsel

Company: Scripps Media, Inc., d/b/a KIVI-TV

State of Ohio

)

County of Hamilton


)

)

This verification was acknowledged before me on February 9, 2023, by David M. Giles, on behalf of Scripps Media, Inc., d/b/a KIVI-TV.



JULIE CORNWELL
Notary Public, State of Ohio
My Commission Expires
February 15, 2027


Notary Public

My commission expires: 2/15/2027

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2-9-2023

Signature: _____

Name: Steve Kiggins

Title: Editor

Company: Times-News

State of Idaho)

County of Twin Falls)

This verification was acknowledged before me on February 9, 2023, by

Steve Kiggins, on behalf of Times-News.




Notary Public

My commission expires: 9-4-26

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/9/2023

Signature: 

Name: DAVID McCRAW

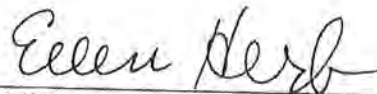
Title: SR. VICE PRESIDENT & Dep. Gen. Counsel

Company: The New York Times Company

State of New York

County of New York

This verification was acknowledged before me on February 9, 2023, by DAVID McCRAW, on behalf of THE NEW YORK TIMES CO.



Notary Public


My commission expires: April 2, 2023

ELLEN HERB
Notary Public, State of New York
No. 01HE6163785
Qualified in New York County
Commission Expires April 2, 2023

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/13/2023

Signature: 

Name: Donald L. Day

Title: Founder & Editor

Company: Day365 LLC, d/b/a BoiseDev

State of _____)
County of _____)

This verification was acknowledged before me on February __, 2023, by _____, on behalf of _____.

Notary Public

My commission expires: _____

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: February 9, 2023

Signature: A. Eisbrouch

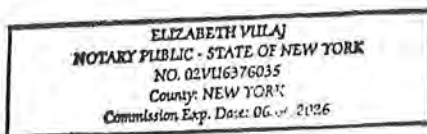
Name: Andrew Eisbrouch

Title: COO & General Counsel

Company: LawNewz, Inc.

State of New York)
County of New York)

This verification was acknowledged before me on February 9, 2023, by Andrew Eisbrouch, on behalf of LawNewz, Inc.



Elizabeth Villaj
Notary Public

My commission expires: 06/04/2026

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: February 9, 2023

Signature: _____



Name: David M. Giles

Title: SVP, Deputy General Counsel

Company: Court TV Media, LLC

State of Ohio

)

County of Hamilton

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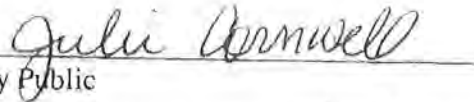
)

This verification was acknowledged before me on February 9, 2023, by David M. Giles, on behalf of Court TV Media, LLC.



JULIE CORNWELL
Notary Public, State of Ohio
My Commission Expires
February 15, 2027

Notary Public

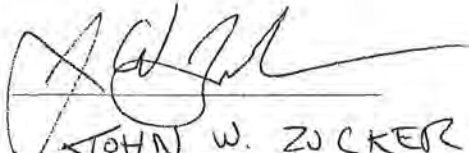


My commission expires: 2/15/2027

Verification

I, on behalf of a party beneficially interested therein, hereby verify the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023.

Dated: 2/17/23

Signature: 
Name: JOHN W. ZUCKER
Title: Deputy Chief Counsel
Company: ABC, Inc.

State of New York)
County of New York)

This verification was acknowledged before me on February 14th 2023, by John W. Zucker, on behalf of ABC, Inc.


Notary Public

My commission expires: _____

MARIA M. OCASIO
Notary Public, State of New York
No. 4973183
Qualified in Kings County
Commission Expires October 15, 2026

Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/13/23

Signature: _____

Name: _____

Title: _____

Company: _____

[Handwritten Signature]

Kalea Clark

Deputy General Counsel

WP Company LLC d/b/a

The Washington Post

State of _____

County of _____

District of

Columbia

)
)
)

This verification was acknowledged before me on February 13th, 2023, by

Kalea Clark, on behalf of The Washington Post

[Handwritten Signature]

Notary Public

My commission expires: 09/30/26



Verification

I, on behalf of a party beneficially interested therein, hereby verify that I have read the Petition for a Writ of Mandamus or a Writ of Prohibition and the Brief in Support of the Petition in Supreme Court Docket No. 50482-2023 and certify under penalty of perjury pursuant to the law of the State of Idaho that the aforementioned Petition and Brief are true and correct to the best of my knowledge, information, and belief.

Dated: 2/10/2023

Signature: Claire M. Regan
Name: Claire M. Regan
Title: President
Company: Society of Professional Journalists

State of NY)
County of Richmond)

This verification was acknowledged before me on February 10, 2023, by
Claire M. Regan on behalf of Society of professional Journalists

ANGELA M. SPECIALE
Notary Public - State of New York
No. 01SP6390180
Qualified in Richmond County
My Commission Expires: 04/08/2023

[Signature]
Notary Public

My commission expires: 04-08-2023

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day of February 2023, I served a true and correct copy of the within and foregoing **PETITION FOR A WRIT OF MANDAMUS OR A WRIT OF PROHIBITION** upon the following named parties by the method indicated below, and addressed to the following:

Second Judicial District of the State of Idaho,
County of Latah
Attn: Roland Gammill
Trial Court Administrator
Latah County Courthouse
P.O. Box 896
Lewiston, ID 83501
TCA2@co.nezperce.id.us

☐ Hand Delivered
☐ Mailed Postage Prepaid
☐ Via Facsimile
☐ U.S. Mail
☒ Via email
☐ Via iCourt efile & serve at:

Jason Slade Spillman
Legal Counsel
Administrative Office of the Courts
Idaho Supreme Court
P.O. Box 83720
Boise, ID 83720-0101
jspillman@idcourts.net

☐ Hand Delivered
☐ Mailed Postage Prepaid
☐ Via Facsimile
☐ U.S. Mail
☒ Via email
☐ Via iCourt efile & serve at:

/s/ Wendy J. Olson
Wendy J. Olson