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ISB No. 6428

Attorney for Appellant

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,

Plaintiff-Respondent

v.

LORI NORENE VALLOW a/k/a LORI
NORENE DAYBELL,

Defendant-Appellant.

Case No. 51091-2023

Fremont County Case CR22-21-1624

**UNCONTESTED SECOND MOTION
FOR EXTENSION OF TIME**

COMES NOW the Appellant, by and through her counsel, and moves the Court for an order extending the time in which to file the Appellant's opening brief for 35 days, until September 19, 2024. This motion is based on the declaration of counsel, which is attached and incorporated.

DATED this 15th day of August 2024.

/s/ Craig H. Durham
Craig H. Durham
Attorney for Appellant

DECLARATION OF COUNSEL

I, Craig H. Durham, under penalty of perjury depose and say:

1. Appellant's brief is due on or before August 15, 2023.
2. One previous extension of time has been granted.
3. Counsel respectfully requests additional time in which to complete the opening brief. This is a lengthy and complex case with an extensive and voluminous record on appeal. It began as a capital case below and proceeded as such until close to trial. After a weeks-long jury trial, Ms. Vallow Daybell was found guilty of two counts of first-degree murder, conspiracy to commit murder, criminal conspiracy, and grand theft. The district court sentenced her to multiple fixed life sentences with no possibility of parole. The Clerk's Record is over 2,000 pages, and the transcripts are over 5,000 pages. Counsel has started his review of the record and the potential issues in the case but needs additional time. The court reporter and the clerk of the district court received extensions of time to complete the record on appeal, and counsel needs additional time to review the voluminous record and prepare the appellate brief.
4. The undersigned has contacted counsel for the State, who does not object to the extension of time.

Per Idaho Code § 9-1406, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on this 15th day of August, 2024.

/s/ Craig H. Durham
Craig H. Durham

CERTIFICATE OF UNCONTESTED MOTION

The undersigned does hereby certify that he has contacted opposing counsel and is authorized to represent that opposing counsel has no objection to this motion.

Dated and certified this 15th day of August 2024.

/s/ Craig H. Durham
Craig H. Durham

CERTIFICATE OF SERVICE

A copy of this Motion for Extension of Time has been served on the following persons on August 15, 2024, via efilng and serve to:

KEN JORGENSEN
ecf@ag.idaho.gov

/s/ Craig H. Durham
Craig H. Durham