

JOHN PRIOR
ATTORNEY AT LAW
ISB #5344
429 SW 5th Avenue #110
Meridian, ID 83642
(208) 465-9839 Telephone
Email john@jpriorlaw.com
Attorney for Defendant

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT**

THE STATE OF IDAHO,)	CASE NO. CR22-20-0755
)	
Plaintiff,)	
)	REQUEST FOR DISCOVERY
vs.)	
)	
CHAD GUY DAYBELL)	
Defendant.)	
_____)	

PLEASE TAKE NOTICE that the undersigned, pursuant to Rule 16 of the Idaho Criminal Rules requests Discovery and inspection and copies of the following information, evidence and materials:

(a) **Mandatory Disclosure of Evidence and Material by the Prosecution.** Any material or information in the prosecuting attorney's possession or control, or that later comes into the prosecuting attorney's possession or control, that tends to negate the guilt of the accused as to the offense charged or that would tend to reduce the punishment for the offense. Including material and information in the possession or control of members of prosecuting attorney's staff and of any others who have participated in the investigation or evaluation of the case who either regularly report, or have reported in that case, to the office of the prosecuting attorney. Also, the general nature of evidence of other crimes, wrongs, or acts, it intends to introduce at trial as required by Rule 404(b) of the Idaho Rules of Evidence.

- (1) The defendant through his counsel hereby makes written request to the prosecuting attorney to inspect and copy or photograph and provide copies to defense counsel
 - (A) any relevant written or recorded statements made by the defendant in the possession, custody or control of the state, the existence of which is known or is available to the prosecuting attorney by the exercise of due diligence;
 - (B) the substance of any relevant, oral statement made by the defendant, whether before or after arrest, to a peace officer, prosecuting attorney or agent of the prosecuting attorney; and

(C) or if applicable the recorded testimony of the defendant before a grand jury that
REQUEST FOR DISCOVERY

relates to the offense charged.

The Defendant through his counsel hereby makes written request of the prosecuting attorney to inspect and copy or photograph and provide copies

- (D) any written or recorded statements of a co-defendant if any
 - (E) the substance of any relevant oral statement made by any co-defendant, whether before or after arrest, in response to interrogation by any person known by the co-defendant to be a peace officer or agent of the prosecuting attorney.
- (2) Please furnish the defendant copy of the defendant's prior criminal record, if any, if it is then or may become available to the prosecuting attorney.
- (3) *Documents and Tangible Objects.* Defendant through his counsel hereby makes written request of the prosecuting attorney to inspect and copy or photograph and provide copies
- (A) books,
 - (B) papers,
 - (C) documents,
 - (D) photographs,
 - (E) tangible objects,
 - (F) buildings or places,
- or copies or portions of them, that are in the possession, custody or control of the prosecuting attorney or his agents and that:
- (A) are material to the preparation of the defense,
 - (B) are intended for use by the prosecutor as evidence at trial, or
 - (C) were obtained from the defendant or belong to the defendant.
- (4) *Reports of Examinations and Tests.* Written request is hereby made to the prosecuting attorney to inspect and provide copies and copy any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with the case, that are in the possession, custody or control of the prosecuting attorney or the existence of which is known or is available to the prosecuting attorney by the exercise of due diligence.
- (5) *State Witnesses.* Defendant hereby makes written request the prosecuting attorney to furnish to the defendant a written list of the names and addresses of all persons having knowledge of relevant facts who may be called by the state as witnesses at the trial, together with any record of prior felony convictions of any of them, that is within the

knowledge of the prosecuting attorney. Any statements made by the prosecution witnesses or prospective prosecution witnesses to the prosecuting attorney or the prosecuting attorney's agents or to any official involved in the investigation of the case.

Expert Witnesses. Defendant through his counsel hereby makes written request of the prosecutor a written summary or report of any testimony that the state intends to introduce at trial or at a hearing pursuant to Rules 702, 703 or 705 of the Idaho Rules of Evidence to include and describe the witness's opinions, the facts and data for those opinions, and the witness's qualifications.

Police Reports. Defendant through his counsel hereby requests the prosecuting attorney to furnish to the defendant's counsel reports and memoranda in possession of the prosecuting attorney that were made by a police officer or investigator in connection with the investigation or prosecution of the case.

- (6) *Digital Media Recordings (Audio and Video Files).* Defendant through his counsel hereby requests the prosecuting attorney release to defendant's counsel digital media that may or may not contain protected information as defined by this Rule.

The right is hereby reserved to request further disclosure and this request is ongoing to any further items identified in this request that comes into possession of the prosecuting attorney or that he has knowledge thereof. Request is further made that you provide this discovery to our office within fifteen (14) days from the service hereof.

The right is hereby reserved to make a request for such other and additional discovery as may be determined at a later date to be necessary and required.

Pursuant to Rule 16 of the Idaho Criminal Rules, this request relates to information in the possession or control of members of the Prosecuting Attorney's Staff and to others who have participated in the investigations or evaluations of the case who either regularly report, or with reference to this particular case have reported, or aided the office of the Prosecuting Attorney.

DATED this 12th day of June, 2020



JOHN PRIOR
Attorney for Defendant

CERTIFICATE OF SERVICE: This certifies that a true and correct copy of the above and foregoing instrument was delivered to the office of the FREMONT COUNTY SPECIAL PROSECUTING ATTORNEY by odyssey court efilng to mcpo.madison.id.us

DATED this 12th of June, 2020



JOHN PRIOR