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

STATE OF IDAHO,

Plaintiff,

v.

CHAD GUY DAYBELL, and,  
LORI NORENE DAYBELL,

Defendant.

Case No.: CR22-20-0755

Case No.: CR22-20-0838

**RESPONSE TO SPECIFIC REQUEST  
OF DISCOVERY PURSUANT TO  
IDAHO CRIMINAL RULE 16**

COMES NOW, The State of Idaho, by and through the Madison County Prosecuting Attorney's Office as a Special Prosecutor in the above captioned case, and pursuant to Idaho Criminal Rule 16, hereby responds to the Defendant, Lori Norene Daybells' Specific Request of Discovery Pursuant to Idaho Criminal Rule 16 as follows:


The State objects to requests 1, 2, and 3 of the Defendant's special request on the following grounds:

1. The requests are outside the scope of Idaho Criminal Rule 16. Nothing in Rule 16 would require the disclosure of the requested information.
2. The requests would require the State to perform the Defense's investigation and collect evidence the Defense should collect itself.

The prosecutor does not have a general duty to collect evidence. State v. Bryant, 127 Idaho 24, 28, 896 P.2d 350, 354 (Ct. App. 1995). Nor is there a "constitutional requirement that the prosecution make a complete and detailed accounting to the defense of all police investigatory work on a case." Moore v. Illinois, 408 U.S. 786, 795, 92 S. Ct. 2562, 33 L. Ed. 2d 706 (1972); accord United States v. Bagley, 473 U.S. 667, 675, 105

S. Ct. 3375, 87 L. Ed. 2d 481 (1985) ("[T]he prosecutor is not required to deliver his entire file to defense counsel.").  
*Boehm*, 346 P.3d. at 317-318, 2105 Ida. App. 11, 3-4

DATED this 22nd day of March, 2021

  
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Rob H. Wood  
Special Prosecuting Attorney for Fremont County

CERTIFICATE

I HEREBY CERTIFY that on this 22 day of March, 2021, that a copy of the foregoing RESPONSE TO SPECIFIC REQUEST OF DISCOVERY PURSUANT TO IDAHO CRIMINAL RULE 16 was served as follows:

John Prior  
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By:   
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