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

14 STATE OF IDAHO,
15 PLAINTIFF

16 Case No: CR22-20-0838
17 CR22-20-0755

18 Vs.

19 **DECLARED MOTION TO SHOW CAUSE RE:**
20 **CONTEMPT FOR FAILURE TO COMPLY WITH**
21 **LAWFULLY SERVED SUBPOENA**

22 LORI NORENE VALLOW,
23 AKA LORI NORENE DAYBELL
24 DEFENDANT

25 COMES NOW THE DEFENDANT, Mrs. Lori Norene Daybell, and move this Court, pursuant
26 to Idaho Criminal Rule 17, and all other applicable rules, laws, and or statutes, to order Mrs.
Heather Daybell (hereafter H. Daybell) to show cause as to why she should not be held in
contempt for failure to comply with a lawfully served subpoena.¹

To date, H. Daybell has refused to provide the communications between H. Daybell and
state witness Mrs. Melanie Gibb. These communications are believed to be of the utmost
importance and relevant to this matter as Mrs. Melanie Gibb is the State's witness of priority.

¹ See attached filed Affidavit of Service and Subpoena.

DECLARED MOTION TO SHOW CAUSE RE: CONTEMPT FOR FAILURE TO COMPLY WITH
LAWFULLY SERVED SUBPOENA 1

1 Ms. Gibb has refused to comply with the lawfully served subpoena as evident in the Motion to
2 Show Cause filed previously in this case against Mrs. Gibb.

3 H. Daybell was lawfully served with the attached subpoena as illustrated by attached
4 proof of service of said affidavit. H. Daybell has chosen to ignore the rules of law and as such
5 should be ordered by this Court to show cause as to why she should not be held in Contempt.
6

7 Defendant further moves this Court for an award of fees, costs, and sanctions as
8 allowed by law in address this contempt behavior by Sheriff Henry.

9 **That I Certify (or Declare) under penalty of perjury pursuant to the Law of the State of Idaho**
10 **that the foregoing is true and correct**

11
12 DATED this 30 day of June 2021.

13 *M.L. Means*

14 _____
15 Mark L. Means
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1 **CERTIFICATE OF SERVICE**

2 The undersigned certifies that on this 30 day of June 2021, I caused a true
3 and correct copy of the FOREGOING document to be forwarded by the method(s) indicated
4 below, to the following:

5 MADISON COUNTY PROSECUTOR'S OFFICE x_____ Efile
6 159 E. Main St.
7 P.O. Box 350
8 Rexburg, ID 83440
9 Email: mcpo@co.madison.id.us
10 Telephone: 2083567768
11 Facsimile: 2083567839

12 Attorney John Prior x_____ Efile
13 Email: john@jpriorlaw.com

14 DATED this 30 day of June 2021.

15 By *M.L. Means*
16 Mr. Mark L. Means

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10 Website: www.means-law.com
11 Attorney for LORI NORENE (DAYBELL) VALLOW

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

14 STATE OF IDAHO,
15 PLAINTIFF

Case No: CR22-20-0838

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SUBPOENA DUCES TECUM

17 LORI NORENE VALLOW AKA LORI NORENE
18 DAYBELL
19 DEFENDANT
20 DOB: 1973

21 **THE STATE OF IDAHO TO:**

22 HEATHER DAYBELL
23 271 Fort Henry Loop
24 Rexburg, ID 83440
25 (208) 390-8657

26 **YOU ARE HEREBY COMMANDED** to produce or permit inspection and copying of the
following documents or objects, including electronically stored information at the place,
date and time specified below:

