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11 ADVOCATE 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

16 Vs.

17 LORI NORENE VALLOW AKA LORI NORENE  
18 DAYBELL,  
19 DEFENDANT

20 DOB: 1973

Case No: CR22-20-0838

**DEFENDANT'S RESPONSES TO DISCOVERY  
REQUEST**

21 COMES NOW DEFENDANT by and through her Attorney of Record, Mark L. Means of Means Law Office,  
22 PLLC and state in response to the State's Discovery Requests as follows:

23 **REQUEST NO. 1:** Copies of any and all books, papers, documents, photographs, tangible  
24 objects or portions thereof, which are in the possession, custody or control of the Defendant, and  
25 which the Defendant intends to introduce in evidence at the trial of this matter.

26 **ANSWER:** The Defendant has not made a final determination of any and all documents,  
books, papers, photographs, tangible objects, or portions thereof that they intend to offer in the  
trial of this matter. Any and all books, papers, documents, photographs, tangible objects or  
portions thereof, known to the Defendant, are in the possession of the State through law  
enforcement action. Defendant reserves the right to supplement this response upon complete

1 disclosure of all discovery in the possession of the State or their principals and law enforcement.  
2 Discovery if ongoing.

3  
4 REQUEST NO. 2: Copies of any results or reports of physical or mental examinations  
5 and of scientific tests or experiments made in connection with this particular case, within the  
6 possession or control of the Defendant, which the Defendant intends to introduce in evidence at  
7 the time of the trial, or which were prepared by a witness whom the Defendant intends to call at  
8 the trial when the results or reports relate to the testimony of the witness.

9 ANSWER: Upon the State providing complete discovery the Defendant shall supplement  
10 this response after opportunity to review said discovery. Defendant reserves the right to  
11 supplement this response as the State has not provided all the Discovery in compliance with ICR  
12 16. At the present time, Defendant is not in possession of any items requested in Request No. 2.  
13 Discovery is ongoing.

14 REQUEST NO. 3: Furnish the Prosecuting Attorney a list of the names, addresses and  
15 telephone numbers of the witnesses the Defense intends to call at the trial in this matter.

16 ANSWER: Upon completion of all Discovery from the State to the Defense the Defendant  
17 shall submit a list of all witnesses the Defendant intends to offer in the trial of this matter. The  
18 Defendant reserves the right to call any and all witnesses identified in the discovery provided by  
19 the State up to the present date and or identified at any time throughout discovery process by the  
20 State. Including but not limited to law enforcement officers, witnesses, and any and all persons  
21 identified in the discovery.

22 REQUEST NO. 4. A written notice of defendant's intention to offer a defense alibi, stating  
23 the specific place or places at which the defendant claims to have been at the time of the alleged  
24 offense and the names and addresses of the witnesses upon whom she intends to rely to establish  
25 such alibi.

26 ANSWER: Objection. Upon the State providing the Defendant with all discovery in this  
case pursuant to ICR 16, the Defendant shall provide an alibi defense, etc., if applicable. At the  
present time the State is requesting an alibi defense for significant periods of time without  
specifying the approximate date of when these allegations supposedly took place. Defendant

1 objects to this request for an alibi defense as the State has made a vague allegation without  
2 providing any discovery in order for the Defendant to comply with such request. Defendant  
3 reserves the right to supplement with an alibi defense once the State complies with ICR 16.

4 REQUEST NO. 5: The names, addresses, telephone numbers and curriculum vitas of  
5 any and all expert witnesses the defense intends to call at the trial or any other hearing, including  
6 but not limited to hearings on bond reduction motions, motions to suppress, motions to dismiss, or  
7 motions in limine, in the above-entitled case.

8 ANSWER: Defendant reserves the right to supplement and provide a list once the State  
9 has complied with ICR 16.

10 REQUEST NO. 6: For each of the expert witnesses specified in Specific Request No. 5  
11 and the response thereto, the prosecution requests Defendant provide the prosecution with:

- 12 A. The facts or data upon which said expert bases his or her opinion or  
13 inference;
- 14 B. Any articles, reports, treatises, books, periodicals, or other documents used  
15 or reviewed by the expert to help him or her formulate an opinion or upon  
16 which he or she bases his or her opinion.
- 17 C. The substance of said expert's opinion or testimony.
- 18 D. Any reports, written memoranda or letters or other correspondence from  
19 said experts, in which said expert expresses his or her opinion or finding.

20 ANSWER: None at this time.

21 REQUEST NO. 7: Pursuant to Idaho Code, Section 18-207, the State hereby requests  
22 that Defendant notify the State within fourteen (14) days whether or not Defendant intends to raise  
23 any issue of mental condition of the Defendant and to call expert witnesses concerning such issue  
24 at either the trial or any other hearing, including but not limited to hearings on bond reduction  
25 motions, motions to suppress, motions to dismiss, or motions in limine, in the above-entitled case.  
26 In the event the defense intends to use such evidence, the State requests Defendant to fully comply  
with Idaho Code, Section 18-207 and specifically requests that Defendant provide the State with  
the name, address and telephone number of all expert witnesses the defense intends to call at any

1 trial or hearing as referred to above as well as a copy of any written report or written synopsis of  
2 the findings of such expert. The State also requests the opportunity to take the deposition of such  
3 experts. The State further requests access to the Defendant for the purpose of having the State's  
4 experts conduct such examinations as are necessary.

5 ANSWER: Objection request violates Defendant's Constitutional rights. Without waiving  
6 said objection Defendant shall comply with I.C. 18-207 in the event a determination is made that  
7 said section is applicable to this case.

8 DATED this 26<sup>th</sup> of August 2020

9 //ss// Mark Means signed electronically

10 Mark L. Means

11 ADVOCATE for the DEFENDANT

**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 26 day of August 2020, I caused a true and correct copy of the FOREGOING document to be forwarded by the method(s) indicated below, to the following:

MADISON COUNTY PROSECUTING ATTORNEY  
159 E. Main St.  
P.O. Box 350  
Rexburg, ID 83440  
Email: [mcpo@madison.id.us](mailto:mcpo@madison.id.us)

x  Efile

DATED this 26<sup>th</sup> of August 2020

//ss// Mark Means signed electronically

Mark L. Means

ADVOCATE for the DEFENDANT