

**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,

Defendant.

Case No. CR22-21-1623


**ORDER**

On February 23, 2023, the Court called for hearing Defendant Chad Guy Daybell's SECOND MOTION TO COMPEL, filed February 7, 2023. The State filed a response to the motion on February 16, 2023. For the reasons stated on the record during a hearing on March 2, 2023, the motion is DENIED. As to the recently discovered DNA evidence, counsel is instructed to work together to provide the DNA evidence to the Defendant for independent testing as indicated during the March 2, 2023 hearing.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of March, 2023.

3/3/2023 11:53:06 AM

  
Steven W. Boyce  
District Judge

## CERTIFICATE OF SERVICE

I hereby certify that on this 3 day of March, 2023, the foregoing Order was entered and a true and correct copy was served upon the parties listed below by mailing, with the correct postage thereon, or by causing the same to be delivered to their courthouse boxes; by causing the same to be hand-delivered, by facsimile, or by e-mail.

### Parties Served:

Lindsey Blake  
[prosecutor@co.fremont.id.us](mailto:prosecutor@co.fremont.id.us)

Robert H. Wood  
[mcpo@co.madison.id.us](mailto:mcpo@co.madison.id.us)

Rachel Smith  
[smithlawconsulting@outlook.com](mailto:smithlawconsulting@outlook.com)  
*Attorneys for State of Idaho*

John Prior  
[john@jpriorlaw.com](mailto:john@jpriorlaw.com)  
*Attorney for Defendant*

Clerk of the District Court  
Fremont County, Idaho

by   
Deputy Clerk