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Attorneys for the State

**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,

vs.

CHAD GUY DAYBELL,

Defendant.

Case No. CR22-21-1623

**MOTION TO CONTINUE APRIL 19,
2022, HEARING**

The State of Idaho, by and through the Fremont County Prosecuting Attorney's Office hereby moves the Court to continue the hearing on the State's Motion for the Court to Allow Additional Evidence & Follow Idaho Code §19-1816 by Transporting a Jury currently set for Tuesday, April 19, 2022, at 9:00 a.m., based on the following:

On April 11, 2022, the Court issued an order involving Co-defendant Lori Vallow-Daybell, finding her competent and fit to proceed to trial. Both Defendants are properly joined and to be tried together in one trial. The State has consistently taken the position that both Defendants have a right to be heard on matters affecting their rights. The Defendant Lori Vallow-Daybell's case will no longer be stayed; consequently, she and her attorney will need time to prepare on the above-referenced motion and the case itself (including obtaining mandatory co-counsel as the Defendant Lori Vallow-Daybell has been found indigent.) A change of venue and potential transportation of the jury to Fremont County directly impacts both Defendants equally. The Defendant Vallow-Daybell

has the right to have her opinions on these issues heard prior to any final decision of the Court.

Further, judicial economy is best served by the Court conducting one hearing with both Defendants stating their positions and confronting witnesses rather than holding possibly two separate hearings with the same witnesses on the same legal concepts.

Wherefore, the State respectfully requests a continuance of approximately 30 days for a hearing on the State's Motion for the Court to Allow Additional Evidence & Follow Idaho Code §19-1816 by Transporting a Jury scheduled on April 19th, 2022, and for leave for an expediated hearing on the State's continuance request.

DATED this 12th day of April 2022.

/s/Lindsey A. Blake

Lindsey A. Blake

Prosecuting Attorney for Fremont County

/s/Rob H. Wood

Rob H. Wood

Prosecuting Attorney for Madison County

CERTIFICATE

I HEREBY CERTIFY that on this 12th day of April, 2022, that a copy of the foregoing Motion to Continue was served as follows:

John Prior
john@jpriorlaw.com

- Overnight Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve
- Email

Jim Archibald
jimarchibald@gmail.com

- Overnight Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve
- Email

By: /s/ Jodi L. Thurber _____