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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,

Defendant.

Case No. CR22-21-1623

STATE'S RESPONSE TO  
DEFENDANT'S MOTION FOR  
CAMERAS LIVE STREAMING IN  
THE COURTROOM

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The State of Idaho hereby files this Response to Defendant's request for Cameras Live Streaming in the Courtroom. The State requests the Court deny without hearing Defendant Chad Daybell's request filed September 29, 2022, for the following reasons:

Defendant Lori Vallow Daybell filed a request for exclusion of cameras from the Courtroom on August 30, 2022. A copy was provided to Counsel for Chad Daybell. The State concurred with Defendant Vallow Daybell's request. A copy was provided to Counsel for Defendant Daybell. The Court set the matter for hearing on September 15, 2022. All parties were provided notice.

Counsel for multiple media outlets filed a response to Defendant Vallow Daybell's State's Response to Defendant's Motion for Cameras Live Streaming in the Courtroom

motion and served it on all parties – including Counsel for Defendant Chad Daybell. The Court received additional motions from both the State and “Interested Persons” represented by Attorney Steven J. Wright. Further, the State inquired through Court Staff in Fremont County via email if Defendant Chad Daybell and his Counsel would be attending the hearing on September 15, 2022. In response that inquiry Mr. Prior replied, “Mr. Daybell and I will not be in attendance.” Counsel for Defendant Chad Daybell replied to all parties explaining that neither he nor his client wished to appear for the September 15<sup>th</sup> hearing regarding cameras in the courtroom.

This Court held argument on the exact issue raised by Defendant Daybell’s untimely motion on September 15, 2022. Nothing was filed by Defendant Daybell after the hearing. The Court issued its MEMORANDUM DECISION AND ORDER PROHIBITING VIDEO AND PHOTOGRAPHIC COVERAGE on September 23, 2022. Codefendant through counsel filed a MOTION TO CLARIFY MEDIA IN THE COURTROOM on August 30, 2022, and Defendant’s counsel was provided a courtesy copy of that motion.

There is no question both Defendant Daybell and his counsel, Mr. Prior, were aware of the motion filed by his Codefendant. The Defendant had the opportunity to object to the motion and make argument to the Court, on September 15, at a hearing set to argue the same issue. The Court allowed argument in support and against Codefendant’s motion from a range of interested parties at the hearing on September 15, 2022. Now, after the Court has spent valuable time and resources clarifying the exact issue at hand, Defendant Daybell vaguely requests “an opportunity to assert additional reasons for opening the proceeding to public access.” (Defendant’s Motion pg. 2) The Defendant had an opportunity to “assert additional reasons” at the hearing on

State’s Response to Defendant’s Motion for Cameras Live Streaming in the Courtroom

September 15, 2022, and chose not to attend. In the State's view to reopen argument is a waste of Court time and resources.

Therefore, the State respectfully requests Defendant Chad Daybell's motion be denied without hearing as he and his Counsel have waived any objection to Ms. Vallow Daybell's Motion and waived any right to be heard; and further, find Defendant Daybell has plead no additional evidence which would undermine the Court's previous decision.

RESPECTFULLY SUBMITTED this 6<sup>th</sup> day of October, 2022.

/s/Lindsey A. Blake  
Lindsey A. Blake  
Prosecuting Attorney

/s/Rob H. Wood  
Rob H. Wood  
Prosecuting Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6<sup>th</sup> day of October, 2022, that a copy of the foregoing Response was hand delivered, emailed, faxed or mailed to the following party as indicated:

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By:   
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Tiffany Mecham