

**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 Defendant's Motion
for Grand Jury Transcript

On September 28, 2022, the Defendant filed a MOTION FOR GRAND JURY TRANSCRIPT. On October 6, 2022, the State filed a RESPONSE TO DEFENDANTS' MOTIONS FOR GRAND JURY TRANSCRIPT, objecting to the motion. The Court heard the parties in argument on the motion on October 13, 2022.

During the hearing, the State indicated it did not object to Defendant having the transcript but asserted its position was to strictly adhere to the Secrecy and Confidentiality provisions of Idaho Criminal Rule 6.3. Also during the hearing, the Court conducted an on-record conference with counsel, at their request, in chambers, after which the Court found good cause to have the transcript prepared and reviewed. For the reasons stated on the record during the hearing, Defendant's motion is GRANTED.

The Court orders as follows:

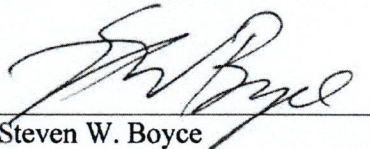
The Court Reporter is ordered to prepare the transcript at Defendant's expense.

The Court Reporter is further ordered to first deliver the transcript to the Court for *in camera* review in order to redact any information potentially or actually identifying grand jurors, if necessary. The Court will then authorize its distribution to the Counsel for Defendant, subject

to any redaction by the Court to comply with all statutes and Idaho Criminal Rules relating to the anonymity of grand jury proceedings.

IT IS SO ORDERED.

Dated this 14 day of October, 2022.


Steven W. Boyce
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of October, 2022, 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:

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Clerk of the District Court
Fremont County, Idaho

by Becky Harrington
Deputy Clerk