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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**

<p>STATE OF IDAHO,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>LORI NORENE VALLOW AKA LORI NORENE DAYBELL,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No.: CR22-21-1624</p> <p>RESPONSE TO DEFENDANT’S NOTICE OF ALIBI</p>
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The State of Idaho, by and through the Fremont County Prosecutor’s Office provides the following response to Defendant Lori Vallow Daybell’s Notice of Alibi which is more than 10 days before trial commencement.

The Defendant was indicted in the above captioned case on May 25, 2021. The State filed a Request for Discovery on June 15, 2021 in which it requested in Request No. 4 “A written notice of defendant’s intention to offer a defense alibi, stating the specific place or places at which the defendant claims to have been at the time of the alleged offense and the names and addresses of the witnesses upon whom she intends to rely to establish such alibi.” Idaho Code 19-519 requires the Defendant respond to such a request within 10 days. However, the Defendant’s case was stayed at the time the request was served and her timeframe to respond did not start until the stay in her case was lifted on April 11, 2022, and she was subsequently arraigned on April 19, 2022. The Defendant did not provide her Notice of an Alibi to the State until January 5, 2023.

The State explains all previously disclosed evidence establishes the Defendant's participation in the charged crimes of murder, conspiracy, and grand theft. As alibi does not apply to a conspiracy charge the alibi disclosure is misplaced as to those charges. An alibi is similarly misplaced in charges where the Defendant is charged with murder as a principal. Further, the State intends to call the named, and previously disclosed, witnesses or admit the following, previously disclosed evidence in its case in chief and in rebuttal to refute the Defendant's claim of alibi:

Melanie Gibb

Melanie Pawlowski

David Warwick

Apple business records

Google business records

Shawn Derrick

Blue Sky Property business records

Zulema Pastenes

Ron Ball

David Stubbs

Ray Hermosillo

DATED this day of March 22, 2023.

/s/ Lindsey A. Blake

Lindsey A. Blake  
Fremont County Prosecuting Attorney

/s/ Rob H. Wood

Rob H. Wood  
Madison County Prosecuting Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22<sup>nd</sup> day of March, 2023, that a copy of the foregoing RESPONSE TO DEFENDANT’S NOTICE OF ALIBI was served as follows:

R. James Archibald  
Attorney for Defendant  
1493 North 1070 East  
Shelly, Idaho 83274  
[jimarchibald21@gmail.com](mailto:jimarchibald21@gmail.com)

- U.S. First Class Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve

Email

John Kenneth Thomas  
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- U.S. First Class Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve

Email



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By: PAT SMITH, Legal Secretary