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Attorneys for Defendant

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR FREMONT COUNTY

<p>STATE OF IDAHO,  Plaintiff,  vs.  LORI VALLOW DAYBELL,  Defendant.</p>	<p><b>Case No. CR22-21-1624</b>  <b>RESPONSE TO STATE'S MOTION TO CONTINUE</b></p>
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Comes now the Defendant, through her attorneys, and responds to the State's Motion to Continue, as follows:

1. Defendant has been incarcerated and hospitalized for over two years since her arrest on February 20, 2020.

2. She has reviewed with counsel the Court's orders regarding the joining of her case with her husband Chad Daybell's case for purposes of a jury trial. She has reviewed with counsel the Court's order denying Chad Daybell's request for separate trials. She has instructed her attorneys not to file a request for a separate trial.
3. Although in custody for over two years, Lori Vallow Daybell was just arraigned on this indictment on April 19, 2022. She had previously hired private counsel when arrested in 2020, but was found to be indigent prior to her hospitalization in 2021.
4. Pursuant to the recently amended Rule 44.3, Idaho Criminal Rules, the trial court did not and could not authorize the spending of public funds for a defense team until she was arraigned. A fully-funded defense team, at public expense, was approved at her arraignment on April 19, 2022. As the need arises, other experts may be hired for the defense.
5. She has met several times with her defense team, currently consisting of lead counsel, co-counsel, a mitigation specialist, and an investigator. She understands that her defense team is spending a considerable amount of time going through the mountain of discovery in this case in order to get ready for trial. She understands that the defense team is in the process of identifying and interviewing witnesses for the trial and for the potential sentencing if there is a conviction. She understands the heightened scrutiny in a potential death penalty case.
6. Lori Vallow Daybell's mental health is extremely complex and fragile, and she has the potential to be hospitalized again in the near future. None of the experts employed by the Court and the State of Idaho Department of Health and Welfare claim she is malingering or making up her mental illness. She understands that she will undergo

further mental health testing, as a neuropsychologist approved for the defense team will be meeting with her next month.

7. She understands her right to a speedy trial, and does not want to waive that right. If the Court moves her trial from October 11, 2022, to January 9, 2023, she understands that will give her defense team more time to get ready.

Dated: May 12, 2022

/s/ Jim Archibald  
R. James Archibald, Esq.

/s/ John Thomas  
John Thomas, Esq.

#### CERTIFICATE OF SERVICE

I hereby certify that on this day I served a true and correct copy of the foregoing document on the following by the method of delivery indicated:

Lindsey A. Blake, Esq. Efile and serve

Robert H. Wood, Esq. Efile and serve

John Prior, Esq. Efile and serve

Dated: May 12, 2022

/s/ Jim Archibald  
R. James Archibald, Esq.