

**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.

LORI NORENE VALLOW aka LORI
NORENE VALLOW DAYBELL,

Defendants.

Case No. CR22-21-1624

**MEMORANDUM DECISION and
ORDER**

Pending before the Court is Defendant Lori Norene Vallow Daybell's ("Vallow Daybell") MOTION TO REMAND INDICTMENT TO GRAND JURY FOR FURTHER PROCEEDINGS. The State opposes the motion. On August 16, 2022, the Parties appeared before the Court to be heard and the Court took the matter under advisement. Having fully considered the record, all relevant legal authority, and the arguments presented, the Court renders the following decision and order.

I. FACTUAL AND PROCEDURAL BACKGROUND¹

On May 24, 2022, a Fremont County Grand Jury returned an INDICTMENT charging Vallow Daybell with the commission of several crimes. At issue are Counts 1 and 3 of the INDICTMENT. Count 1 of the Indictment is a charge of Conspiracy under I.C. § 18-1701. Count 3 of the INDICTMENT is also a charge of Conspiracy under I.C. § 18-1701.

On May 2, 2022, the State of Idaho filed a NOTICE OF INTENT TO SEEK DEATH PENALTY.

On July 12, 2022, Vallow Daybell filed the instant motion. The State filed an objection to the motion on August 10, 2022. On August 16, 2022, the Court held a hearing where the Parties presented argument to support their respective positions on the motion.

¹ The full factual background is not set forth herein but incorporated by reference to Case No. CR22-21-1624.

