

**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 TO GRAND JURY FOR PROBABLE CAUSE DETERMINATION AS TO ALLEGED AGGRAVATING FACTORS ("Aggravating Factors"). 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, 2021, a Fremont County Grand Jury returned an INDICTMENT charging Vallow Daybell with the commission of several crimes including First Degree Murder and Conspiracy to Commit First Degree Murder.²

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

On July 12, 2022, Vallow Daybell filed a MOTION TO REMAND TO GRAND JURY FOR PROBABLE CAUSE DETERMINATION AS TO ALLEGED AGGRAVATING FACTORS. The State filed objection to the motion on August 10, 2022. On August 16, 2022, the Court held a hearing where

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

² INDICTMENT. May 24, 2021.

