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10 Attorney for MRS. LORI VALLOW

11 **IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT STATE**  
12 **OF IDAHO COUNTY OF FREMONT**

13 STATE OF IDAHO,  
14 Plaintiff

CASE NO. CR22-21-1624

15 Vs.

**DECLARED MOTION TO COMPEL**

16 CHAD GUY DAYBELL and  
17 LORI NORENE VALLOW  
18 AKA LORI NORENE DAYBELL

**NOTICE OF TRANSFER OF DISCOVERY  
DOCUMENTS**

19 COMES NOW DEFENDANT LORI NORENE VALLOW (DAYBELL), by and through her attorney of  
20 Record, Mark L. Means of Means Law Office, PLLC, and pursuant to Idaho Criminal Rule 16. Discovery  
21 and Inspection subsection (f) and move this Court for an order compelling and granting sanctions against  
22 the state, the State to provide full and complete responses to said DEFENDANT’s Specific Request of  
23 Discovery Pursuant to Idaho Criminal Rule 16 which was served upon the State on or about May 27,  
24 2021.<sup>1</sup> Subject to said rule, the State had an obligation to provide full and complete written response  
25 within fourteen (14) days from date of service. State provided the attached responses which are wholly  
26 inadequate and state compliance in July 2021. No extension was requested by the State nor granted by  
this office.<sup>2</sup>

ICR 16 (f)(2) states failure to comply with ICR 16(f) “...constitutes a waiver of any objection to  
the requests and is grounds for the imposition of sanctions by the Court.”<sup>3</sup>

<sup>1</sup> Please see previously filed and Granted Motion to Compel.

<sup>2</sup> Prosecution has conducted press conference stating their working on the case for over a year, told Ms. Summer Shiflet they were bringing murder charges back in Oct. 2020. Now they requests more time for discovery.

<sup>3</sup> See ICR 16 Subsection (f). Furthermore, the reminder to the Court that responses to this Discovery Requests (subject to the First Motion to Compel)

**WHEREFORE said DEFENDANT request this Court order the following:**

1. Defendant requests a hearing on this matter as soon as the Court is available.
2. That Defendant further provides notice of reservation of rights regarding this matter including but not limited to requests for dismissal, brady violation motion, sanctions, etc.
3. PLAINTIFF be ordered to provide full and complete responses in an expedited manner (no more than 7 days).
4. PLAINTIFF be imposed with sanctions by this Court for costs, fees, and other appropriate sanctions including as the Court seems fit, but not limited to a dismissal of this matter.

**NOTICE is provided that Monday, June 21, 2021, at 10:00 a.m. counsel for Defendant will be present at Fremont County Prosecutor's office to provide a hard drive for transfer of discovery records, etc.**

**That I Certify (or declare) under penalty of perjury pursuant to the Law of the State of Idaho that the foregoing is true and correct.**

DATED this 18 day of June 2021.

*M.L. Means*

\_\_\_\_\_  
Mark L. Means  
Advocate for Mrs. Lori Norene Daybell

\_\_\_\_\_  
were required prior to the hearing to disqualify the special prosecutor and were blatantly ignored by said Prosecutor to further obstruct evidence of misconduct.

1 CERTIFICATE OF SERVICE: I hereby certify that the above aforementioned document  
2 was served as identified below DATED this 27 day of June 2021.

3 Lindsey A. Blake  
4 Office of the Fremont County  
5 Prosecuting Attorney  
6 22 W. 1<sup>st</sup>. N.  
7 St. Anthony, ID 83445  
8 Telephone: 208.624.4418  
9 Service email: [prosecutor@co.fremont.id.us](mailto:prosecutor@co.fremont.id.us)

x \_\_\_\_\_ Email

DATED this 27 day of June 2021.

9 By Mark L. Means  
10 Mark L. Means  
11 Attorney

1 Mr. Mark L. Means (ISB 7530)  
2 Means Law and Mediation  
3 Means – Law  
4 429 SW 5<sup>th</sup> Ave. Suite 110  
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9 Icourt: [icourtlaw@gmail.com](mailto:icourtlaw@gmail.com)  
10 Attorney for MRS. LORI VALLOW

11 **IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT**  
12 **STATE OF IDAHO COUNTY OF FREMONT**

13 STATE OF IDAHO,  
14 Plaintiff

CASE NO. CR22-21-1624

15 Vs.

**CERTIFICATE OF SERVICE RE: REQUEST FOR  
DISCOVERY**

16 CHAD GUY DAYBELL and  
17 LORI NORENE VALLOW  
18 AKA LORI NORENE DAYBELL

19 CERTIFICATE OF SERVICE: I hereby certify that the above aforementioned document was  
20 served as identified below DATED this 27 day of May 2021.

21 Lindsey A. Blake  
22 Office of the Fremont County  
23 Prosecuting Attorney  
24 22 W. 1<sup>st</sup>. N.  
25 Telephone: 208.624.4418  
26 Service email: [prosecutor@co.fremont.id.us](mailto:prosecutor@co.fremont.id.us)

x \_\_\_\_\_ Email

DATED this 27 day of May 2021.

*M.L. Means*

Mark L. Means, Attorney  
ADVOCATE for Mrs. Lori Norene Daybell

1 Mr. Mark L. Means (ISB 7530)  
2 Means Law and Mediation  
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10 Attorney for MRS. LORI VALLOW

11 **IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT**  
12 **STATE OF IDAHO COUNTY OF FREMONT**

13 STATE OF IDAHO,  
14 Plaintiff

CASE NO. CR22-21-1624

15 Vs.

**REQUEST FOR DISCOVERY**

16 CHAD GUY DAYBELL and  
17 LORI NORENE VALLOW  
18 AKA LORI NORENE DAYBELL

19 PLEASE TAKE NOTICE that the undersigned, pursuant to Rule 16 of the Idaho Criminal  
20 Rules requests Discovery and inspection and copies of the following information, evidence, and  
21 materials:

- 22 (a) **Mandatory Disclosure of Evidence and Material by the Prosecution.** Any material or  
23 information in the prosecuting attorney's possession or control, or that later comes  
24 into the prosecuting attorney's possession or control, that tends to negate the guilt of  
25 the accused as to the offense(s) charged or that would tend to reduce the  
26 punishment for the offense(s). Including material and information in the possession  
or control of members of prosecuting attorney's staff and of any others who have  
participated in the investigation (formally or informally) or evaluation of the case who  
either regularly report, or have reported in that case, to the office of the prosecuting  
attorney. Also, the general nature of evidence of other crimes, wrongs, or acts, it  
intends to introduce at trial as required by Rule 404(b) of the Idaho Rules of Evidence.

- (1) The defendant through her counsel hereby makes written request to  
the prosecuting attorney to inspect and copy or photograph and

1 provide copies to defense counsel of the following:

2 (A) any written or recorded statements (tangible or intangible) made by  
3 the Defendant Lori Norene Vallow (Daybell) (hereafter referred to as  
4 Defendant) in the possession, custody or control of the state, the  
5 existence of which is known or is available to the prosecuting  
6 attorney by the exercise of due diligence;

7 (B) the substance of any relevant, oral/verbal statement made by the  
8 defendant, whether before or after arrest, to a peace officer,  
9 prosecuting attorney, witness, material witness, and or agent of  
10 the prosecuting attorney; and

11 (C) or if applicable the recorded testimony of the defendant(s) before a  
12 grand jury that relates to the offense charged.

13 (2) The Defendant through her counsel hereby makes written request of the  
14 prosecuting attorney to inspect and copy or photograph and provide  
15 copies

16 (A) any written or recorded statements of a defendant; if any  
17 (B) the substance of any relevant oral statement(tangible or intangible)  
18 made by any defendant and or co-defendant(s), whether before or  
19 after arrest, in response to interrogation by any person known by the  
20 defendant to be any peace officer or agent of the prosecuting  
21 attorney.

22 (3) Please furnish the defendant a copy of the defendant prior criminal record, if  
23 any, if it is then or may become available to the prosecuting attorney.

24 (4) *Documents and Tangible Objects.* Defendant through her counsel hereby  
25 makes written request of the prosecuting attorney to inspect and copy or  
26 photograph and provide copies

(A) books,  
(B) papers,  
(C) documents,  
(D) photographs, videos, screen shots, and the like,  
(E) tangible objects,

- 1 (F) Communication(s) (tangible/intangible)  
2 (G) buildings or places, or copies or portions of them, that are in the  
3 possession, custody or control of the prosecuting attorney or his agents  
4 and that:  
5 (A) are material to the preparation of the defense,  
6 (B) are intended for use by the prosecutor as evidence at trial, or  
7 (C) were obtained from the defendant or belong to the defendant.

8 (5) *Reports of Examinations and Tests.* Written request is hereby made to the  
9 prosecuting attorney to inspect and provide copies and copy any results or  
10 reports of physical or mental examinations, and of scientific tests or  
11 experiments, made in connection with the case, that are in the possession,  
12 custody or control of the prosecuting attorney or the existence of which is  
13 known or is available to the prosecuting attorney by the exercise of due  
14 diligence.

15 (6) *State Witnesses.* Defendant hereby makes written request the  
16 prosecuting attorney to furnish to the defendant a written list of the  
17 names and addresses of all persons having knowledge of relevant facts  
18 who may or may not be called by the state as witnesses at the trial,  
19 together with any record of prior felony convictions of any of them, that  
20 is within the knowledge of the prosecuting attorney. Any and all  
21 statements made by the prosecution witnesses or prospective prosecution  
22 witnesses to the prosecuting attorney or the prosecuting attorney's agents  
23 or to any official involved in the investigation of the case.

24 (7) *Expert Witnesses.* Defendant through her counsel hereby makes written  
25 request of the prosecutor a written summary or report of any testimony  
26 that the state intends to introduce at trial or at a hearing pursuant to  
Rules 702, 703 or 705 of the Idaho Rules of Evidence to include and  
describe the witness's opinions, the facts and data for those opinions, and  
the witness's qualifications.

(8) *Police Reports.* Defendant through her counsel hereby requests the  
prosecuting attorney to furnish to the defendant counsel reports and  
memoranda (formal or informal) in possession of the prosecuting attorney  
that were made by a police officer or investigator in connection with the

1 investigation or prosecution of the case.

2 (9) *Digital Media Recordings (Audio and Video Files)*. Defendant through her  
3 counsel hereby requests the prosecuting attorney release to defendant's  
4 counsel digital media that may or may not contain protected information as  
5 defined by this Rule.

6 (10) *Any and all documents, records, communications,*

7 ***The right is hereby reserved to request further disclosure and this request is ongoing to***  
8 ***any further items identified in this request that comes into possession of the prosecuting***  
9 ***attorney or that he has knowledge thereof.*** Request is further made that you provide this  
10 discovery to our office within fifteen (14) days from the service hereof.

11 The right is hereby reserved to make a request for such other and additional discovery as  
12 may be determined at a later date to be necessary and required. Furthermore, this requests by  
13 no way intends to limit the duty of production owed by the Prosecution to produce all evidence,  
14 records, notes, charts, reports, photographs, videos, recordings, text, communications, emails,  
15 data, gps reports, financial records, or the like (tangible or intangible) to those identified above.

16 Pursuant to Rule 16 of the Idaho Criminal Rules, this request relates to information in the  
17 possession or control of members of the Prosecuting Attorney's Staff and to others who have  
18 participated in the investigations or evaluations of the case who either regularly report, or with  
19 reference to this particular case have reported, or aided the office of the Prosecuting Attorney.

20 DATED this 27 day of May 2021.

21 *M.L. Means*

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23 Mark L. Means, Attorney  
24 ADVOCATE for Mrs. Lori Norene Daybell



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CERTIFICATE OF SERVICE: I hereby certify that the above aforementioned document was served as identified below DATED this 27 day of May 2021.

Lindsey A. Blake  
Office of the Fremont County  
Prosecuting Attorney  
22 W. 1<sup>st</sup>. N.  
Telephone: 208.624.4418  
Service email: [prosecutor@co.fremont.id.us](mailto:prosecutor@co.fremont.id.us)

x \_\_\_\_\_ Email

DATED this 27 day of May 2021.

*M.L. Means*  
Mark L. Means, Attorney  
ADVOCATE for Mrs. Lori Norene Daybell

Lindsey A. Blake, ISB #7920  
Rob H. Wood ISB #8229  
OFFICE OF THE FREMONT COUNTY  
PROSECUTING ATTORNEY  
22 W. 1<sup>st</sup> N.  
St. Anthony, ID 83445  
Tel: 208-624-4418  
Email: [prosecutor@co.fremont.id.us](mailto:prosecutor@co.fremont.id.us)

*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**

STATE OF IDAHO,

Plaintiff,

v.

CHAD GUY DAYBELL AND LORI  
NORENE VALLOW AKA LORI NORENE  
DAYBELL,

Defendant.

Case No.: CR22-21-1623

Case No.: CR22-21-1624

**DISCOVERY DISCLOSURE**

COMES NOW, The State of Idaho, by and through the Fremont County Prosecuting Attorney's Office and pursuant to Idaho Criminal Rule 16, hereby notifies the Defendant of the following:

1) **STATEMENT OF THE DEFENDANT:**

The substance of any statements made by the Defendant are contained in the reports of law enforcement that were provided to the Defendant Lori Daybell in Madison County Case CR33-20-302, and to both Defendants in Fremont County Cases CR22-20-838 and CR22-20-755. The State will provide the Defendant with another copy of said reports and with any further reports of law enforcement received by the State. The recordings of the officers' body and/or dash cameras, interview recordings and Defendant's jail phone calls and visits, all of which have either previously been provided or will be provided by July 15, 2021.

2) STATEMENT OF CO-DEFENDANT:

The substance of any statements made by the Co-Defendant are contained in the reports of law enforcement that were provided to the Defendant Lori Daybell in Madison County Case CR33-20-302, and to both Defendants in Fremont County Cases CR22-20-838 and CR22-20-755. The State will provide the Defendants with another copy of said reports and with any further reports of law enforcement received by the State. The recordings of the officers' body and/or dash cameras, interview recordings and Defendant's jail phone calls and visits, all of which have either previously been provided or will be provided by July 15, 2021.

3) DEFENDANTS' PRIOR RECORDS:

Defendants' prior records have either previously been provided or will be provided by July 15, 2021.

4) DOCUMENTS AND TANGIBLE OBJECTS

Defense counsel can inspect and copy or photograph the items or material described in Idaho Criminal Rule 16(b)(4) by simply making prior arrangements with the Fremont County Prosecutor's Office, the Madison County Prosecutor's Office, or the Law Enforcement Agency holding such items or evidence;

5) REPORTS OF EXAMINATION AND TESTS

- a) The substance of any examinations and tests are contained in the discovery disclosures that were provided to the Defendant Lori Daybell in Madison County Case CR33-20-302, and to both Defendants in Fremont County Cases CR22-20-838 and CR22-20-755. The State will provide the Defendants with another copy of said examinations and reports and with any further reports of law enforcement received by the State. The recordings of the officers' body and/or dash cameras, interview recordings and Defendant's jail phone calls and visits, all of which have either previously been provided or will be provided by July 15, 2021.

6) STATE'S WITNESSES:

- a) The State incorporates any witness lists that were provided to the Defendant Lori Daybell in Madison County Case CR33-20-302, and to both Defendants in Fremont County Cases CR22-20-838 and CR22-20-755. The State will provide the Defendants with another copy of said lists supplemented with any other witnesses the State intends to call by July 15, 2021. The State reserves the right to supplement said witness list as any new information is provided to the State.

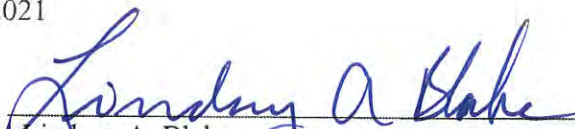
7) EXPERT WITNESSES

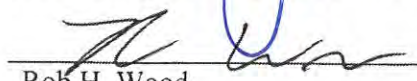
- a) The State incorporates any expert witness lists that were provided to the Defendant Lori Daybell in Madison County Case CR33-20-302, and to both Defendants in Fremont County Cases CR22-20-838 and CR22-20-755. The State will provide the Defendants with another copy of said lists supplemented with any other witnesses the State intends to call by July 15, 2021. The State reserves the right to supplement said witness list as any new information is provided to the State.

8) POLICE REPORTS

- a) Law Enforcement Reports have been provided to the Defendant Lori Daybell in Madison County Case CR33-20-302, and to both Defendants in Fremont County Cases CR22-20-838 and CR22-20-755. The State will provide the Defendants with another copy of said reports and with any further reports of law enforcement received by the State. The recordings of the officers' body and/or dash cameras, interview recordings and Defendant's jail phone calls and visits, all of which have either previously been provided or will be provided by July 15, 2021.

DATED this 10<sup>th</sup> day of June, 2021

  
\_\_\_\_\_  
Lindsey A. Blake  
Prosecuting Attorney for Fremont County

  
\_\_\_\_\_  
Rob H. Wood  
Prosecuting Attorney for Madison County

CERTIFICATE

I HEREBY CERTIFY that on this 10<sup>th</sup> day of June, 2021, that a copy of the foregoing DISCOVERY DISCLOSURE was served as follows:

John Prior  
john@jpriorlaw.com

U.S. Mail  
Hand Delivered  
Courthouse Box  
Facsimile:  
File & Serve  
Email

Mark Means  
meanslawoffice@gmail.com

U.S. Mail  
Hand Delivered  
Courthouse Box  
Facsimile:  
File & Serve  
Email

By: Pat Smith