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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 DISMISS THE
GRAND JURY INDICTMENT**

16 LORI NORENE VALLOW
17 AKA LORI NORENE DAYBELL

18 COMES NOW DEFENDANT Mrs. Lori Norene Daybell and moves this Court to dismiss the Ex
19 Parte Grand Jury Indictment. On or about March 8, 2021, this Court, pursuant to Idaho Code 18-
20 211 and 18-212 issued an order to Stay legal proceedings regarding said Defendant. Said Order
21 from the Court stated, "Pursuant to 18-211—212, this case was stayed from further proceedings
22 pending a determination of the issue of Defendant's competency."¹

23 The Order for Stay regarding all proceedings against the Defendant was provided/served
24 on Counsel for Defendant and the State/Prosecution in this matter on or about 3/8/21.

25 Despite this personal knowledge/notice to the State, the State ignored said order and
26 acted in violation of this order and organized, conducted, cause to occur a legal proceedings

¹ See Order of this Court entitled "Order Staying Case" Case Number: Cr 22-20-838.

1 against said Defendant. There is no plausible argument regarding this blatant violation of the
2 Court's Order to Stay.

3 The supercilious actions taken by the State/Prosecution in direct violation/contempt of this
4 Court's previous Order(s) to Stay warrant the issues of a dismissal of the above case and sanctions
5 to be issued against said State/Prosecution.
6

7 Wherefore, Defendant rightfully requests this matter be dismissed forthwith and
8 sanctions, costs, fees be issued against the State/Prosecution.

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

11 DATED this 9 day of August 2021.

12 By Mark L. Means
13 Mark L. Means
14 Attorney
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1 CERTIFICATE OF SERVICE: I hereby certify that the above document was served as
2 identified below DATED this 9 day of August 2021.

3 Lindsey A. Blake
4 Office of the Fremont County
Prosecuting Attorney
5 22 W. 1st. N.
6 St. Anthony, ID 83445
Telephone: 208.624.4418
7 Service email: prosecutor@co.fremont.id.us

x _____ Email

8 DATED this 9 day of August 2021.

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