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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. 1st. N.
Telephone: 208.624.4418
Service email: 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