

LAWRENCE G. WASDEN
Attorney General
State of Idaho

COLLEEN ZAHN
Deputy Attorney General
Chief, Criminal Law Division

KRISTINA M. SCHINDELE, ISB No. 6090
Deputy Attorney General
Special Prosecuting Attorney
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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON

STATE OF IDAHO,)
)
Plaintiff,)
)
vs.)
)
LORI NORENE VALLOW,)
AKA LORI NORENE DAYBELL,)
)
Defendants.)

Case No. CR33-20-0302

**AFFIDAVIT OF KRISTINA M.
SCHINDELE IN SUPPORT OF
MOTION TO QUASH**

That your affiant, Kristina M. Schindele, having been first duly sworn upon oath subject to the penalty of perjury, depose and state as follows:

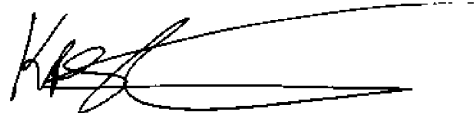
- 1) That I am employed as a deputy attorney general in the special prosecutions section of the Idaho Office of the Attorney General, Criminal Division.
- 2) That my duties include reviewing criminal investigations, making charging decisions and prosecuting cases as assigned. I am one of the attorneys assigned to handle the conflict case involving Tammy Daybell referred to this Office by the Fremont County Prosecuting Attorney. In the course of that assignment, I have received and reviewed the documents received by this Office in this matter to date.

- 3) I have reviewed the subpoena sought by Plaintiff and served on the Office of the Attorney General on April 21, 2020. That subpoena is attached hereto as Exhibit A.
- 4) This Office has been asked to assist law enforcement in the on-going investigation concerning Tammy Daybell, review the completed investigation, make charging decisions and handle the prosecution, if any is warranted. The agreement letter between this Office and the Fremont County Prosecuting Attorney is attached hereto as Exhibit B. Several law enforcement agencies are directly involved in the investigation into the circumstances surrounding Tammy Daybell, including Rexburg Police Department, Fremont County Sheriff's Office, Federal Bureau of Investigation and out-of-state law enforcement agencies. The investigation remains on-going. To date, this Office has not received the completed investigation. Rather, this Office has received one succinct summary related to the investigation as well as drafts of some legal process that has yet to be finalized. All of the documents in the possession of this Office contain confidential, privileged information.

Further your affiant sayeth naught.

Pursuant to Idaho Code § 9-1406, 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 1st day of May 2020.



Kristina M. Schindele

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on this 1st day of May 2020, I caused to be served a true and correct copy of the foregoing Affidavit of Kristina M. Schindele in Support of Motion to Quash Subpoena to the following persons by the following means:

Mark Means
Means Law Office, PLLC
429 SW 5th Avenue, Suite 110
Meridian, Idaho 83642
mlm@means-law.com
icourtlaw@gmail.com

U.S. Mail Postage Prepaid
 Hand Delivered
 iCourt electronic service
 email

Madison County Prosecuting Attorney
ATTN: Rob Wood
159 E. Main Street
P.O. Box 350
Rexburg, Idaho 83440
rwood@co.madison.id.us

U.S. Mail Postage Prepaid
 Hand Delivered
 iCourt electronic service

/s/ Kristina M. Schindele
Kristina M. Schindele
Deputy Attorney General

EXHIBIT A

**OFFICE OF THE
ATTORNEY GENERAL**
INTERNAL RECORD RECEIPT

This document was received by:

Signature 

Name Sherman F. Furey III

Date 4/21/2020

Time 12:44 p.m.

Name(s) of person(s) delivering document:



1 Mark L. Means (ISB 7530)
2 MEANS LAW and MEDIATION
3 Means Law Office, PLLC
4 429 SW 5th Ave. Suite 110
5 Meridian, ID 83642
6 Telephone: 208.794.3111
7 Facsimile: 1.866.228.3429
8 Email: mlm@means-law.com
9 lcourt Email: lcourtlaw@gmail.com
10 Website: www.means-law.com
11 Attorney for LORI NORENE DAYBELL VALLOW

7 **IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF**
8 **THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON**

9 STATE OF IDAHO,
10 PLAINTIFF

11 Vs.

12 LORI NORENE VALLOW,
13 AKA LORI NORENE DAYBELL
14 DEFENDANT

Case No: CR 33-20-0302

SUBPOENA DUCES TECUM

(State of Idaho Office of Attorney General)

15
16 **THE STATE OF IDAHO TO:**
17 **State of Idaho**
18 **Office of Attorney General**
19 **Criminal Law Division**
20 **700 W. Jefferson Street Ste. 210**
21 **P.O. Box 83720**
22 **Boise, ID 83720-0010**

23 YOU ARE HEREBY COMMANDED to produce or permit inspection and copying of the
24 following documents or objects, including electronically stored information at the place, date
25 and time specified below:
26

1 STATE OF IDAHO: Prosecutor for Fremont County, State of Idaho the entire file (books,
2 papers, documents, communications, correspondence, or other objects tangible/intangible)
3 and its contents (whether tangible or intangible) in regards to the investigation of "**Chad**
4 **Daybell, Lori Daybell/Conspiracy, Attempted Murder, Murder**" as identified in the
5 correspondence/letter from the State of Idaho Office of Attorney General Lawrence G. Wasden
6 dated April 9, 2020.

7 **By way of this subpoena we seek the following records (whether tangible or**
8 **intangible):**

- 9 1. All records, reports, notes, charts, communications, correspondence, exhibits,
10 evidence, data, and the like from the above prosecutorial office and or its agents
11 regarding the investigation of "**Chad Daybell, Lori Daybell/Conspiracy, Attempted**
12 **Murder, Murder**" as identified in the correspondence/letter from the State of Idaho
13 Office of Attorney General Lawrence G. Wasden dated April 9, 2020.¹
- 14 2. All communications (tangible/intangible, whether formal or informal, personal or
15 professional obtain within scope of employment/position or personally
16 obtained/created) recordings, electronic mail(s), text messages, online/internet
17 communications ("chat", blogs, podcasts, internet postings, or the like) transcripts,
18 voicemails, or the like in regards to the above investigation between:
- 19 a. Fremont Prosecutor and or its Agents;
 - 20 b. Fremont Prosecutor and or its Agents and the State of Idaho Office of
21 Attorney General;
 - 22 c. Officers/Deputies/Agents and Fremont Prosecutor or other Investigative
23 Authorities (Federal Bureau of Investigation (FBI), State of Idaho Office of
24 Attorney General, Madison County (State of Idaho) Prosecutor's office,

25 ¹ Term "Agent(s)" include but not limited to: Officers of the State of Idaho,
26 County of Fremont, City officials, employees, or the like associated with
Fremont County, employees/elected personal of prosecutorial office of
Freemont County, City of Rexburg, private investigators associated with above
investigation, deputies, sheriff, sheriff's department(s), any and all
investigative personnel, and or the like.

1 Madison County State of Idaho, Rexburg Police, Madison County Sheriff's
2 department, Fremont Sheriff's department, etc.);²

3 d. Persons of interests, witnesses, (or the like) and/or Chad Daybell and or Lori
4 Daybell and or associated with this "investigation";

- 5 3. All photographs, recordings, videos, screen shots, or the like related to said
6 "investigation";
- 7 4. Statements, or the like, of Lori Daybell (Vallow) and or Chad Daybell, or any other
8 person(s) related to the above investigation;
- 9 5. Materials, objections, documents, records, etc. regarding the above "investigation"
10 related to proposed prosecution/investigation and or in preparation of the defense
11 of said "investigation";
- 12 6. All reports, examinations and or tests (including but not limited to physical or
13 mental examinations, scientific tests or experiments, autopsies, etc.) related to Mr.
14 Chad Day Bell, Mrs. Lori Daybell (Vallow), and or the deceased Tami Daybell. This
15 request includes but not limited to results of said testing/examinations, all testing
16 documentation/records or the like, expert/professional opinions, recommendations,
17 reports, data, supporting/unsupporting records/documents, results, etc.;
- 18 7. All computer/electronic records, or the like (digital media unredacted/redacted)
19 associated with any confiscated electronic device from or in regard to said
20 "investigation" taken from the possession and or home of Mr. Chad Daybell and
21 Mrs. Lori Daybell (Vallow). "Home" hereby identified as *202 North 1900 East,*
22 *Rexburg, Idaho 83440;*
- 23 8. Any and all records, tangible/intangible related to/in reference to the above said
24 investigation of "...Chad Daybell, Lori Daybell/Conspiracy, Attempted Murder,
25 Murder";

26

² Not subject to ICR 16 (g) (B). If any materials, records or the like are withheld, please identify such correspondence, or the like, and grounds for withholding said records.

