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11 **IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF**
12 **THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON**

13 STATE OF IDAHO,
14 PLAINTIFF

15 Vs.

16 LORI NORENE VALLOW,
17 AKA LORI NORENE DAYBELL
18 DEFENDANT

19 Case No: CR 33-20-0302

20 **DEFENDANT DISCOVERY RESPONSES TO**
21 **REQUEST FOR DISCOVERY**

22 REQUEST NO. 1: Copies of any and all books, papers, documents, photographs, tangible
23 objects or portions thereof, which are in the possession, custody or control of the Defendant, and
24 which the Defendant intends to introduce in evidence at the trial of this matter.

25 ANSWER: The Defendant has not made a final determination of any and all documents,
26 books, papers, photographs, tangible objects, or portions thereof that they intend to offer in the
trial of this matter. Any and all books, papers, documents, photographs, tangible objects or
portions thereof, known to the Defendant, are in the possession of the State through law
enforcement action. Defendant reserves the right to supplement this response upon complete
disclosure of all discovery in the possession of the State or their principals and law enforcement.

REQUEST NO. 2: Copies of any results or reports of physical or mental examinations
and of scientific tests or experiments made in connection with this particular case, within the
possession or control of the Defendant, which the Defendant intends to introduce in evidence at

1 the time of the trial, or which were prepared by a witness whom the Defendant intends to call at
2 the trial when the results or reports relate to the testimony of the witness.

3 ANSWER: Upon the State providing complete discovery the Defendant shall supplement
4 this response after opportunity to review said discovery. Defendant reserves the right to
5 supplement this response as the State has not provided all the Discovery in compliance with ICR
6 16. At the present time, Defendant is not in possession of any items requested in Request No. 2.

7 REQUEST NO. 3: Furnish the Prosecuting Attorney a list of the names, addresses and
8 telephone numbers of the witnesses the Defense intends to call at the trial in this matter.

9 ANSWER: Upon completion of all Discovery from the State to the Defense the Defendant
10 shall submit a list of all witnesses the Defendant intends to offer in the trial of this matter. The
11 Defendant reserves the right to call any and all witnesses identified in the discovery provided by
12 the State up to the present date. Including but not limited to law enforcement officers, witnesses,
13 and any and all persons identified in the discovery.

14 REQUEST NO. 4. Pursuant to Idaho Code A written notice of defendant's intention to
15 offer a defense alibi, stating the specific place or places at which the defendant claims to have been
16 at the time of the alleged offense and the names and addresses of the witnesses upon whom she
17 intends to rely to establish such alibi.

18 ANSWER: Objection. Upon the State providing the Defendant with all discovery in this
19 case pursuant to ICR 16, the Defendant shall provide an alibi defense, if applicable. At the present
20 time the State is requesting an alibi defense for 4-5 months of time without specifying the
21 approximate date of when these allegations supposedly took place. Defendant objects to this
22 request for an alibi defense as the State has made a vague allegation without providing any
23 discovery in order for the Defendant to comply with such request. Defendant reserves the right to
24 supplement with an alibi defense once the State complies with ICR 16.

25 REQUEST NO. 5: The names, addresses, telephone numbers and curriculum vitas of
26 any and all expert witnesses the defense intends to call at the trial or any other hearing, including
but not limited to hearings on bond reduction motions, motions to suppress, motions to dismiss, or
motions in limine, in the above-entitled case.

1 ANSWER: Defendant reserves the right to supplement and provide a list once the State
2 has complied with ICR 16.

3
4 REQUEST NO. 6: For each of the expert witnesses specified in Specific Request No. 5
5 and the response thereto, the prosecution requests Defendant provide the prosecution with:

- 6 A. The facts or data upon which said expert bases his or her opinion or
7 inference;
- 8 B. Any articles, reports, treatises, books, periodicals, or other documents used
9 or reviewed by the expert to help him or her formulate an opinion or upon
10 which he or she bases his or her opinion.
- 11 C. The substance of said expert's opinion or testimony.
- 12 D. Any reports, written memoranda or letters or other correspondence from
13 said experts, in which said expert expresses his or her opinion or finding.

14 ANSWER: None at this time.

15 REQUEST NO. 7: Pursuant to Idaho Code, Section 18-207, the State hereby requests
16 that Defendant notify the State within fourteen (14) days whether or not Defendant intends to raise
17 any issue of mental condition of the Defendant and to call expert witnesses concerning such issue
18 at either the trial or any other hearing, including but not limited to hearings on bond reduction
19 motions, motions to suppress, motions to dismiss, or motions in limine, in the above-entitled case.
20 In the event the defense intends to use such evidence, the State requests Defendant to fully comply
21 with Idaho Code, Section 18-207 and specifically requests that Defendant provide the State with
22 the name, address and telephone number of all expert witnesses the defense intends to call at any
23 trial or hearing as referred to above as well as a copy of any written report or written synopsis of
24 the findings of such expert. The State also requests the opportunity to take the deposition of such
25 experts. The State further requests access to the Defendant for the purpose of having the State's
26 experts conduct such examinations as are necessary.

 ANSWER: Objection request violates Defendant's Constitutional rights. Without waiving
said objection Defendant shall comply with I.C. 18-207 in the event a determination is made that
said section is applicable to this case.

1 DATED this 1 day of June 2020.

2 *MLMeans*
3 Mr. Mark L. Means

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 1 day of June 2020, I caused a true and correct copy of the FOREGOING document to be forwarded by the method(s) indicated below, to the following:

MADISON COUNTY PROSECUTING ATTORNEY

x Efile

Rob H. wood

159 E. Main St.

P.O. Box 350

Rexburg, ID 83440

Facsimile: 2083567839

Telephone: 2083567768

Email: rwood@co.madison.id.us

Court eService Email: mcpo@co.madison.id.us

DATED this 1 day of June 2020.

By

Mr. Mark L. Means

Mr. Mark L. Means