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12 Attorney for LORI NORENE VALLOW (DAYBELL)

13 **IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF**
14 **THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON**

15 STATE OF IDAHO,
16 PLAINTIFF

Case No: CR 33-20-0302

17 Vs.

REQUEST FOR DISCOVERY

18 LORI NORENE VALLOW,
19 AKA LORI NORENE DAYBELL
20 DEFENDANT

21 PLEASE TAKE NOTICE that the undersigned, pursuant to Rule 16 of the Idaho Criminal
22 Rules (and all corresponding subsections) requests discovery and inspection of the following
23 information, evidence, and materials (whether format of requested are in tangible/intangible
24 format):

- 25 1. All records, documents, messages, emails, communications, calendars, text messages,
26 computer/electronic forensically obtained documents/records (or the like) related the
confiscated electronic devices of Mrs. Melani Pawlowski (formerly known as Melani
Boudreaux), Mr. Ian Pawlowski, and or Mr. Brandon Boudreaux.

- 1 2. All recordings, statements, communications, reports, records, statements,
2 communications, exhibits, evidence, data, notes, charts, videos, photographs or the like
3 regarding all interactions, discovery, or the like regarding Mrs. Melani Pawlowski
4 (formerly known as Melani Boudreaux), Mr. Ian Pawlowski, and or Mr. Brandon
5 Boudreaux.
6
- 7 3. All records, reports, notes, charts, communications, correspondence, exhibits, evidence,
8 data, recordings, deleted records, deletion (deleted) records, partial files, and the like
9 from the Madison county sheriff's department and or its agents regarding Defendant
10 Mrs. Lori (Daybell) Vallow and or the stated self-identified "...investigation"¹ and any
11 and all other recordings (deleted or not) of the above from the date of custody of Mrs.
12 Lori Vallow (Daybell) to present.
- 13 4. Detailed list identifying each and every person(s) employed with Madison County
14 Sheriff's Department and or its agents and Madison County Prosecutor's Office and or
15 its agents in regard to the above recordings/investigation including but not limited to
16 the following:
- 17 a. Full name and employee/badge number/identification employee number of
18 persons employed/associated with the Prosecutor's office/Sheriff's department
19 that were involved in any way whatsoever regarding and any all recordings of
20 the communications (and the like) of Mrs. Lori (Daybell) Vallow at any time while
21 in your custody² or supervision to present;
 - 22 b. Employment/Work Schedule for each and every Deputy/Agent of Madison
23 County Sheriff's Department/Prosecutor Office in regard to above requested
24 from the date of taking custody of Mrs. Lori (Daybell) Vallow to present;
- 25

26 ¹ See statement by Sheriff's Spokesperson identified as Deputy Isaac Payne
² February 20, 2020;

- 1 5. All communications³, whether be by email, text, facsimile, voicemail, US postage, or the
2 like, regarding Mrs. Lori (Daybell) Vallow by and or between the Madison County Sheriff
3 Department and or its agents/employees/Madison County Prosecutor's office (from
4 date of taking Mr. Lori (Daybell) Vallow into custody (Feb. 20, 2020) to present) and:
5 a. Any and all persons associated/employed with the Madison County Court;
6 b. Any and all persons associated with the Madison County Prosecutor's Office;
7 c. Any and all persons associated with the City of Rexburg (State of Idaho) Police
8 Department;
9 d. Any and all persons associated with Fremont County, State of Idaho;
10 e. Any and all persons associated with Fremont Prosecutor's Office (State of Idaho)
11 f. Any and all internal communications between/involving the Madison County
12 Sheriff's Department and its employees/agents, etc.);
13 g. Any and all persons associated with the legal representation of Mrs. Lori
14 (Daybell) Vallow;
15 h. And any and all investigative authorities/agencies/personnel;
16 6. All emails, records, memorandums, statements, voice mails, text, guidelines, directives,
17 photographs, videos, or the like regarding the public/attorney client communication
18 procedure associated with the Madison County Sheriff's Department and the Madison
19 County Detention Center and Covid-19 pandemic.
20 7. All emails, records, memorandums, statements, voice mails, text, guidelines, directives,
21 or the like regarding the public/attorney client communication procedure associated
22 with the Madison County Sheriff's Department and the Madison County Detention
23 Center pre-covid-19 pandemic.
24 8. Any and all documents, records, communications, emails, directives, instructions,
25 guidelines, etc. illustrating or associated in any way whatsoever with the preservation
26 and or deletion of recordings of communications between Mrs. Lori (Daybell) Vallow

³ Please note that all records and the like, are requested whether they be in tangible or intangible, formal or informal, personal, or professional emails, text, voicemails, phone records, etc., format.

1 and her Attorney Mark L. Means (any other persons associated with Mrs. Lori (Daybell)
2 Vallow legal representation; *This includes all communications and or the like between*
3 *any person(s), agency, or the like, and or that includes/incorporates the Madison County*
4 *Sheriff Department or its agents/Madison County Prosecutor’s office in said*
5 *communications, whether that be by legal or illegal means/manner;*

6 9. Any and all recordings, exhibits, records, memorandums, directives, emails, voice mails,
7 communications, statements, telephone conversations, text messages, or the like
8 regarding Mrs. Lori (Daybell) Vallow and or between Mrs. Lori (Daybell) Vallow and any
9 and any other person(s) from date of taking custody (Feb. 20, 2020) of Mrs. Lori
10 (Daybell) Vallow to present;

11 10. Any and all dates, records, emails, instructions, directives, recordings, communications,
12 employment records (illustrating what person(s) (by name) were engaged in
13 employment with Madison County Prosecutor’s Office at the time of recording or
14 involved with any and all recordings deletion/preservation of communications of Mrs.
15 Lori (Daybell) Vallow) and or the like in regards to communications/statements or the
16 like of Mrs. Lori (Daybell) Vallow from date of custody (Feb. 20, 2020) to present;

17 11. All computer/electronic records/emails/communications, etc., or the like (digital media
18 unredacted/redacted) associated with any and all communications (or the like) or
19 incarceration (Feb. 20, 2020) of Mrs. Lori (Daybell) Vallow and said “investigation” (as
20 identified above);

21 12. Any records, documents, exhibits, etc. related to or intended for use and or discovered
22 by the Madison County Sheriff Department/Madison County Prosecutor’s Office to
23 allege/prove innocents and or to attempt to show/illustrate “accidentally” recording
24 any and all communications or the like between legal counsel for Mrs. Lori (Daybell)
25 Vallow and Mrs. Lori (Daybell) Vallow from February 20, 2020 to present.

26 13. Any and all written/verbal statements of Madison County Sheriff Department/Madison
County Prosecutor’s Office or its agents, and or person(s) of knowledge and the like

1 regarding any and all recordings of Mrs. Lori Vallow (Daybell) while incarcerated in the
2 Madison County Detention Center to present.

3
4 14. All affidavits and or statements issued, created, drafted, written, stated by any and all
5 police agencies investigating or involved in the above matter regarding any and all
6 recordings of Mrs. Lori Vallow (Daybell) while incarcerated in the Madison County
7 Detention Center to present.

8
9 15. Police/investigating entity's: emails, text messages, voice messages, records, telephone
10 call/text records, or the like to any persons contacted/communicated with regarding the
11 above case, whether on police issued communication device(s) or personal device(s)
12 (for example: computer, cellular phone, text device, etc.) from Jan. 2019 to present or
13 before said date if such communication occurred regarding any and all recordings of
14 Mrs. Lori Vallow (Daybell) while incarcerated in the Madison County Detention Center
15 to present.

16
17 16. Copy of any and all contact/communications (emails, text, facsimiles, telephone
18 records, call logs, text logs, or the like) between investigating entity, police, deputy, or
19 the like and persons identified in these requests regarding any and all recordings of Mrs.
20 Lori Vallow (Daybell) while incarcerated in the Madison County Detention Center to
21 present.

22
23 17. Furthermore, any and all records, recordings, documents, written evidence,
24 photographs, videos, records, reports, text, emails, financials, computer
25 stored/obtained records, computer forensic report of any and all electronic devices
26

1 related to persons of interests⁴ or defendant, or investigation related to persons of
2 interests or defendant;

3 The right is reserved to requests further disclosure by Order of the Court if necessary
4 and upon motion.
5

6 The undersigned further requests that you provide discovery to our office within fifteen
7 (15) days from the service thereof.

8 The right is hereby resolved to make a request for such other and additional discovery
9 as may be determined at a later date to be necessary and or required.
10

11 These requests are ongoing and require timely supplementation by the Prosecution in
12 this matter.

13 Pursuant to Rule 16 of the Idaho Criminal Rules, this requests relates to information in
14 the possession or control of members of the prosecuting attorney's staff and to others who
15 have participated in the investigation or evaluations of the case who either regularly report, or
16 with reference to this particular case have reported, to the office of the Prosecuting Attorney.
17

18 ***** Please note that all above requests include requests for tangible/intangible
19 exhibits/evidence/records, etc., of the above requested. *****

20 DATED this 28 day of April 2020.

21  _____

22 Mr. Mark L. Means
23

24 _____
25 4 Include but not limited to: Mr. Adam Cox, Mr. Charles Vallow, Mr. Alex cox,
26 Mrs. Tami Daybell, Mrs. Ethel K. Vallow, Mr. Larry Woodcock, Mr. Brandon
Boudreaux, Mrs. Melani Pawlowski (FKA Melani Boudreaux), Mrs. Melanie Gibbs,
Mrs. Christina Atwood, Mr. Jack Daybell, Mrs. Shelia Daybell, Mr. Jason
Gwilliam, Mrs. Samantha Gwilliam, Mrs. Summer Shiflet, Mrs. Ruth Mortensen,
Detective Hope of the Rexburg police, Mrs. Heather Daybell, Mr. Matt Daybell

CERTIFICATE OF SERVICE

The undersigned certifies that on this 28 day of April 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
159 E. Main St.
P.O. Box 350
Rexburg, ID 83440
Email: mcpo@madison.id.us

x Efile

DATED this 28 day of April 2020.

By



Mr. Mark L. Means