

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT**

STATE OF IDAHO

Plaintiff,

v.

CHAD GUY DAYBELL,

Defendant.

Case No. CR22-21-1623

**ORDER DENYING STATE'S
MOTION TO CONTINUE**

The Defendant filed a motion to change venue on July 21, 2021. The State opposed the motion. After a hearing, on October 8, 2021 the Court granted the motion and ordered the trial in this case to be transferred to Ada County. The Idaho Supreme Court entered an Order on October 21, 2021, affirming the order of this Court to transfer the case to Ada County "for purposes of trial only."

On November 3, 2021, the State filed a motion asking the Court to allow the State to present additional evidence on the issue of transporting a jury from Ada County to Fremont County. Specifically, the State argued that the cost of transporting a jury to Fremont County is significantly less burdensome than the cost of trying the case in Ada County. On November 8, 2021, the Defendant opposed the motion, arguing it was as a motion for reconsideration. A hearing on the State's Motion was initially set for December 2, 2021. It was then continued at the request of the State to March 18, 2022. A week before that hearing, the State again sought to continue the hearing on its Motion, filing a Motion to Continue on March 11. The Court agreed to a short continuance and scheduled the hearing for April 19, 2022 (now the third time the matter has been scheduled).

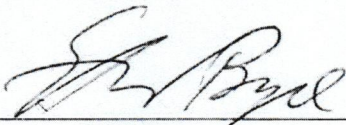
On April 12, 2022, again one week before the hearing, the State filed yet another Motion to Continue the hearing set for April 19, 2022, citing a concern that co-defendant Lori Norene

Vallow Daybell “has the right to have her opinions on these issues heard...” Thereafter, the Defendant in this case filed an objection, wherein counsel for the Defendant represents that co-defendant Lori Norene Vallow Daybell’s counsel does not wish to have the matter continued.

It has been over six months since the Court ruled on this issue in its October 8, 2021 Memorandum Decision and Order. The Supreme Court has authorized the transfer of trial for Daybell’s case. The Motion to Continue the April 19, 2022 hearing is DENIED.

IT IS SO ORDERED.

Dated this 13 day of April, 2022.


Steven W. Boyce
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of April, 2022, the foregoing Order was entered and a true and correct copy was served upon the parties listed below by mailing, with the correct postage thereon, or by causing the same to be delivered to their courthouse boxes; by causing the same to be hand-delivered, by facsimile, or by e-mail.

Parties Served:

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Clerk of the District Court
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by Becky Harnagel
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