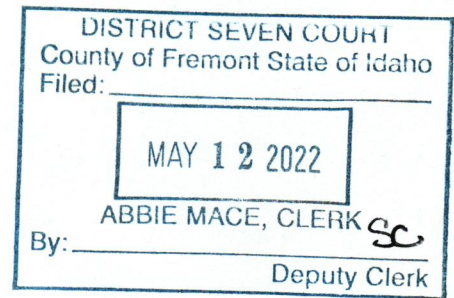


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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

STATE OF IDAHO, Plaintiff, vs. CHAD GUY DAYBELL, Defendants.	CASE NO. CR22-21-1623 MOTION TO SEAL STATE'S OBJECTION AND MOTION TO STRIKE
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Pursuant to Idaho Court Administrative Rule 32(i), the State of Idaho respectfully requests that this Court limit potentially unduly prejudicial publicity by sealing the State's Objection and Motion to Strike, filed in response to Defendant Daybell's Motion to Disqualify Prosecuting Attorney; Motion to Disqualify Out of State Prosecutor; Motion to Dismiss Special Prosecutor; and Motion for Disclosure of Rachel Smith's Cases.

Further, I.C.A.R. 32 (i)(1) authorizes the Court to seal matters or hearings when the interest in privacy outweighs the preference for public disclosure. I.C.A.R. 32(i)(1) outlines:

Any person or the court on its own motion may move to disclose, redact, seal or unseal a part or all of the records in any judicial proceeding. The court shall hold a hearing on the motion after the moving party gives notice of the hearing to all parties to the judicial proceeding and any other interested party designated by the court. The court may order that the record immediately be redacted or sealed pending the hearing if the court finds that doing so may be necessary to prevent harm to any person or persons. In ruling on whether specific records should be disclosed,

Motion to Seal State's Motion 1

redacted or sealed by order of the court, the court shall determine and make a finding of fact as to whether the interest in privacy or public disclosure predominates. If the court redacts or seals records to protect predominating privacy interests, it must fashion the least restrictive exception from disclosure consistent with privacy interests.

Under I.C.A.R. 32(i)(2) “a court may enter an order redacting or sealing records....” Further, I.C.A.R.(i)(2)(e) provides that a court may seal an order if “...it is necessary to temporarily seal or redact the documents or materials to preserve the right to a fair trial...”

The State’s Objection and Defendant Daybell’s Motions contain information that is highly personal in nature and outweighs the preference of public disclosure and is in response to sealed motions.

Wherefore the State respectfully requests that this Court grant and Order the State’s Motion to Seal the Objection and Motion to Strike.

DATED this 12th day of May, 2022.

/s/Rob Wood
Rob Wood
Prosecuting Attorney

/s/Lindsey A. Blake
Lindsey A. Blake
Prosecuting Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th of May, 2022, that a copy of the foregoing MOTION TO SEAL was served as follows:

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BY: /s/ Jodi L. Thurber