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September 2, 2022

Justice Gregory W. Moeller  
Idaho Supreme Court  
PO Box 83720  
Boise, Idaho 83720

Dear Justice Moeller:

I am writing to you because you are the head of the Media committee for the court. As I understand it, the Idaho Supreme Court either has or had a Media and Court Conflicts Resolution Panel that was also known as the Fire-Brigade. Unfortunately, I have not discovered how one refers a matter to this panel, so I am contacting you directly.

I am a retired criminal defense lawyer, licensed and inactive in Oregon and Arizona. I am an author under contract with a publisher to write a book about the Lori Vallow and Chad Daybell cases. The case numbers are CR22-20-0755, CR22-21-1623, CR22-20-0838, and CR22-21-1624. The case is assigned to your Fremont County District Court successor, Judge Stephen Boyce. I have been covering this case since the beginning, and I have recently found information that I find very troubling.

Since the cases began in March 2020, Judge Boyce has ordered what is, in my experience, an unusual number of documents sealed. The number of sealed documents led me to research the criteria for sealing documents in Idaho cases. I discovered that Judge Boyce had not followed the procedures set out in ICAR 32. He did not hold a hearing after notifying parties and interested parties and did not make written findings.

As a media member, I filed motions on July 30, 2022, to unseal the documents. I filed a motion to intervene in the case to challenge the sealed documents. Judge Boyce denied

my motions on August 18, 2022, finding that my motion to intervene was not a proper filing in Idaho. I revised the motions and refiled them on August 24, 2022. I purposely omitted my home mailing address in my motion and sent it to the court in a separate letter. The court didn't accept that and rejected my filings the same day pursuant to ICR 2.3(a)(4). I then rented a mailbox and refiled the documents on Friday, August 25, 2022. The motions remained in the Fremont County court's Odyssey e-file inbox "under review" for seven days before they were returned late on Friday afternoon for an error in the document footer. It's clear that the court has instructed the clerk to comb the documents for any mistakes and is playing games to avoid hearing the motions. I have now refiled my motions for the fourth time.

As I am sure you know, the Daybell case has garnered international attention. I write a popular blog about the legal issues in the case and have appeared on two popular YouTube true crime programs discussing the case. People interested in the case know me, so after I filed motions to unseal the documents, I was contacted by an internet detective. This person is an avid internet researcher and gave me some troubling information.

Early in the case, the internet detective researched all the people involved and found some social media posts that bothered them. It seems that several people close to the case, including the judges, the prosecutors, and law enforcement officers, were posting inappropriate comments online. The internet detective, who wishes to remain anonymous, documented their findings and sent copies to both the prosecution and the defense. Judge Boyce and Judge Eddins, prosecutors, and law enforcement may have been in a county employee Facebook group. It's difficult to substantiate since they have all scrubbed their social media accounts.

Mr. Daybell's attorney, John Prior, filed motions based on the information. First, he asked to dismiss the indictments because of irregularities in the grand jury. I speculate that at least one of the jurors must have seen the information in the Facebook group posts. Judge Boyce denied the defense motion. Next, Mr. Prior filed a motion to dismiss the case and/or to disqualify all three prosecutors. Judge Boyce also denied those motions. Mr. Prior then sought leave to file an interlocutory appeal of the decision. Today, the court held a hearing on that motion. The hearing was, of course, closed to the public. All motions, hearings, documents, and information associated with those motions have been sealed. I understand Judge Boyce has also issued a secret sealed gag order in the case. This level of secrecy is alarming and likely illegal.

The first amendment protects press access to criminal matters to ensure that the government is doing its job properly. That transparency ensures that the defendants receive a fair trial, and the victims' families can be assured justice has been served. It is



impossible to fully explore the extent of the possible prejudice to the defendants in this case because of the level of secrecy. Yet, each time Judge Boyce seals another document, he claims he is doing so to protect the defendant's right to a fair trial.

In fact, it appears Judge Boyce has engaged in a systematic coverup of the possible misconduct of the prosecutors, law enforcement, himself, and his judicial colleague. As recently as August 25, 2022, he entered another order, reaffirming the sealing of all the documents relating to the misconduct, doubling down.

In the meantime, my motion to unseal the documents is repeatedly rejected so that Judge Boyce does not have to rule on them and risk opening the documents.

While the pretrial social media posts were ill-advised, possibly prejudicial, and in violation of RPC 3.6, it is the systematic coverup of the information that is most troubling.

Yesterday, Ms. Vallow's attorneys filed a motion to exclude cameras from the courtroom for future court proceedings. Unfortunately, that motion has the potential to further limit the access of the press to the proceedings.

Your honor, I sincerely hope I am wrong. But as a former officer of the court myself and a lifelong advocate for the rule of law and the Constitution, I can't sit by and watch these government officials subvert justice. I hope you can assist me in bringing this conspiracy of silence into the open.

Sincerely,

/s/

Lori A.G. Hellis, JD

Cc: Judge Stephen Boyce, Fremont County Court  
Judge Jon Shindurling, Seventh Judicial District Administrative Judge  
Rob Wood, Madison County Prosecutor  
Lindsey Blake, Fremont County Prosecutor  
John Prior, Attorney for Chad Daybell  
Jim Archibald, Attorney for Lori Vallow Daybell  
John Thomas, Attorney for Lori Vallow Daybell



