

**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

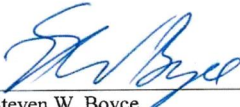
ORDER
Excluding Witnesses

On February 22, 2024, the Court, pursuant to Idaho Rule of Evidence 615(a), *sua sponte* ordered that witnesses in this matter shall be excluded from observing or listening to other witnesses' testimony during trial. This ORDER does not prohibit excluding any witness who also meets the definition of a crime victim under Article 1, Section 22 of the Idaho Constitution.

Both parties have raised concerns with the Court that there may be witnesses who would intentionally observe or listen to the proceedings in order to be excluded from testifying at trial. Upon consideration, the Court determines that the administration of justice is served by requiring Counsel to inform witnesses of this ORDER. Further, if after informing witnesses of this ORDER, Counsel has ongoing concerns that witnesses intend to violate this ORDER, Counsel is ordered to submit to the Court for *in-camera* review the name(s) of those witnesses. The Court may thereafter initiate proceedings as the Court deems necessary to ensure the right to a fair trial is upheld.

IT IS SO ORDERED.

Dated this 14 day of March, 2024.


Steven W. Boyce
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 14 day of March, 2024, 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.

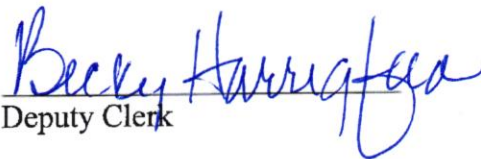
Parties Served:

Lindsey Blake
prosecutor@co.fremont.id.us
Robert H. Wood
mcpo@co.madison.id.us
Attorneys for State of Idaho

John Prior
john@jpriorlaw.com
Attorney for Defendant

Clerk of the District Court
Fremont County, Idaho

by


Deputy Clerk