

Lindsey A. Blake, ISB #7920
Rob H. Wood, ISB #8229
OFFICE OF THE FREMONT COUNTY
PROSECUTING ATTORNEY
22 W. 1st N.
St. Anthony, ID 83445
Tel: 208-624-4418
Email: prosecutor@co.fremont.id.us

Attorneys for the State

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

<p>STATE OF IDAHO,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>CHAD GUY DAYBELL AND LORI NORENE VALLOW DAYBELL,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No.: CR22-21-1623 Case No.: CR22-21-1624</p> <p>MOTION FOR CONSUMPTIVE TESTING OF FORENSIC EVIDENCE</p>
--	--

The State, by and through the Office of Prosecuting Attorney for Fremont County, hereby moves the Court for an Order allowing the State to consumptively test the following items:

1. Hairs on duct tape inside a body bag reported by Rexburg Police Department to have been used to transport the remains of JJ Vallow. This evidence is identified in Report Number 13 as Item 11.16.
2. Ridge detail on the adhesive side of tape reported by Rexburg Police Department to be associated with JJ Vallow's body as described above for trace/touch DNA.
3. Small dark spots on the handles of a shovel and pickaxe reported by Rexburg Police Department to have been recovered from a garage/barn. [The State does not intend to consume each of these spots, but to consume a sufficient amount to determine if they contain human DNA and/or any profile.] This evidence is identified in Report Number 10.

4. Swabs of tape areas associated with Items 11 and 13 evidence identified in Report Number 13.
5. Swabs reported by the Rexburg Police Department to be from Joshua J. Vallow's right hand fingernail(s) and reported to have been obtained during his autopsy. This evidence is identified in Report 13 as Item 1.

This Motion is supported by the attached Brief in Support of the Motion and by the attached affidavit of Rylene Nowlin. The State respectfully requests that a hearing be set for this motion to be heard.

DATED this 18th day of July, 2022.

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

/s/ Rob . Wood
Rob H. Wood
Madison County Prosecuting Attorney

CERTIFICATE

I HEREBY CERTIFY that on this 18th day of July, 2022, that a copy of the foregoing Motion was served as follows:

John Prior
Law Office of John Prior
429 SW 5th Street, Ste. 110
Meridian, Idaho 83462
john@jpriorlaw.com

- U.S. First Class Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve
- Email

R. James Archibald
Attorney for Defendant
1493 North 1070 East
Shelly, Idaho 83274
jimarchibald21@gmail.com

- U.S. First Class Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve
- Email

John Kenneth Thomas
Bonneville County Public Defender's Office
605 N. Capital Ave.
Idaho Falls, Idaho 83402
jthomasserve@co.bonneville.id.us

- U.S. First Class Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve
- Email

/s/ Jodi L. Thurber

By: