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

<p>STATE OF IDAHO, Plaintiff, vs. LORI VALLOW DAYBELL, Defendant.</p>	<p>Case No. CR22-21-1624</p> <p>MOTION TO CLARIFY VICTIM AND NOTICE OF HEARING</p>
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Comes now the Defendant, through her attorneys, and pursuant to the Constitution of the State of Idaho, Article 1, Section 22, and Idaho Code Section 19-5306, moves the Court to clarify the status of Vicki Hoban as a victim, as follows:

1. Tammy Daybell is a victim in this homicide case. When she died, she had a husband and five adult children. Her family members, as defined by the Idaho law, can assert

their rights as victims in this proceeding. These rights include the right to make a statement as a victim at a sentencing hearing. Neither her husband nor her five adult children have asserted their rights as victims.

2. After Tammy Daybell died, Tammy's mother Phyllis Douglas passed away. Phyllis Douglas would have qualified as a victim under Idaho law.
3. Vicki Hoban, sister of Phyllis Douglas and Tammy Daybell's aunt, petitioned the Court to represent the family of Tammy Daybell as a victim. The Court granted her request on July 19, 2023.
4. On July 21, 2023, the presentence report was received by the Court and counsel. In the report, victim impact statements were presented by Tammy Daybell's sister, Samantha Gwilliam, and Tammy Daybell's father, Ron Douglas. In his statement, Ron Douglas "writes on behalf of myself and my now deceased wife."
5. With Tammy's sister and father submitting letters to the Court, it is no longer necessary for the Court to designate a family representative for Tammy's mother. An aunt is not listed as a victim under Idaho law; therefore, the Court should not receive comments from Vicki Hoban as a victim.

Please take notice that this motion will be heard via zoom on Wednesday, July 26, 2023, at 9:30 a.m. The court clerk will send the zoom information to counsel.

Dated: July 23, 2023

/s/ Jim Archibald
R. James Archibald, Esq.

Dated: July 23, 2023

/s/ John Thomas
John Thomas, Esq.

Certificate of Service

I hereby certify that on this day I served a true and correct copy of this document on the following by the method of delivery indicated:

Lindsey Blake, Esq. efile and serve

Robert H. Wood, Esq. efile and serve

Dated: July 23, 2023

/s/ Jim Archibald
R. James Archibald, Esq.