

Vallow-Daybell Trial and other Miscellaneous Case Information

LORI VALLOW TRIAL DAILY SUMMARIES (Most are notes by Nate Eaton, EIN)

April 3, 2023 – New trial date originally set for the combined trial of Chad Daybell and Lori Vallow as established in a status hearing on December 8, 2022. However, Judge Steven Boyce severed the cases on 2 March 2023. Judge Boyce apparently didn't agree with the attorney's delay proposed for some time in October 2023. However, many believed that the motion filed by Chad Daybell's attorney, John Prior, on December 23, 2022 for a continuance would be granted. After the severance, the trial date was then set for just Lori Vallow and the taxpayers will be paying twice the cost for these trial expenses and both will likely be held in Ada County, Idaho.

April 3-7, 2023 – It took the entire first week to select a jury of 12 with 6 alternates.

April 10, 2023 – Monday - First day of actual trial before the selected jury. After opening arguments, two key witnesses testified, **Kay Vallow Woodcock, JJ's grandmother**; and **Brandon Boudreaux, Melani Boudreaux Palowski's ex-husband**. Key moments: it was confirmed that the autopsy reports of Tammy Daybell's death showed she was killed "at the hands of another" and died "by asphyxiation". Also, that DNA evidence from Tylee Ryan was found on a shovel and a pickaxe located in Chad Daybell's barn. Brandon Boudreaux testified about his relationship with the family, particularly with Charles Vallow and the kids. He also testified about being shot at by a jeep that matched the description of Tylee Ryan's jeep, registered to Charles Vallow. The defense tried to object as to relevance, but Judge Boyce, after some review and delay, over-ruled the objection with some conditions to the prosecutor. Boudreaux also testified as to being the person asked to verify JJ Vallow's body. Audio recording of the testimonies was made available to the media later that evening, as no cameras are present in the courtroom by Judge Boyce's previous order.

April 11, 2023 – Tuesday - **Detective Ray Hermosillo, Detective for the Rexburg ID Police Department** testified. New revelations were that items found in Lori Vallow's garage in Rexburg included a lot of ammo, camouflage clothing, gun magazines, and silencers, also an active passport belonging to Alex Cox. During the trial many photos were shared from the burial site at Chad's property including that of the children. Early on she showed little emotion, but soon after her attorney's wanted a break so that they could speak with her in private in a hallway outside of the courtroom. Lori wanted to be excused from a portion of the trial in the afternoon. The prosecutions objected. Judge Boyce considered what the law allowed and denied Lori from leaving the courtroom. Lori showed no reaction to the judge's ruling. Other information shared earlier was the lease document Lori signed for her storage unit, she signed as "Lori Ryan".

April 12, 2023 – Wednesday – Trial continues with Thomas cross-examining Rexburg P.D. Detective Ray Hermosillo. Lindsey Blake was not present due to a death in her family. Today's trial was suspended after the mid-morning recess due to "unforeseen

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circumstances” which may have had to do with Lindsey Blake’s family issue. The trial will resume on Thursday. Also, it was noted that there would be no trial held on Monday.

April 13, 2023 – Thursday – Trial continues with testimony by **Melanie Gibb**. She shares much of the same information that was brought out in her testimony at the Preliminary or Probable Cause hearing with Judge Faren Eddins in Fremont County ID in early August of 2020. There was new information today as well. Defense attorney, John Thomas, attempted to have her testimony stricken due to supposed new information, but Lindsey Blake argued that the information was not new. Judge Boyce denied the motion to strike, stating to Thomas, “You’re asking me to tell the jury to disregard everything they’ve heard today?” Thomas said he made his objection two days ago and “the court struck me down”. Boyce said after reviewing case law, the objection is unfounded and the motion to strike the testimony is denied. Melanie was asked to explain what she knew about various doctrines of Chad and Lori, such as “multiple mortal probations”, “zombies”, and their “light and dark scale” that Chad created. Following Melanie’s testimony, **Chandler AZ Police Detective Nathan Duncan** took the stand. He talks about the police response to Charles Vallow’s homicide investigation. Duncan testified that Charles would have already been on the floor before the second bullet was fired. Thomas objected to a PowerPoint being shown from the Chandler Police Department, because they hadn’t yet seen it. The defense was given overnight to review it and the judge would decide if it could be shown on Friday. There was also discussion about Chad’s “Patriarchal Blessing” that he gave to Alex, and a 15-minute audio recording of Chad’s droning voice was played. Chad cited it as being “The Church of the Firstborn.”

April 14, 2023 – Friday – Trial continues with the testimony of Detective Nathan Duncan of the Chandler AZ Police Department. The defense stated that they had no objection to showing the PowerPoint that they were able to review from yesterday. The slides showed emails from several sources: 1) sent from Charles Vallow’s email account to Chad Daybell. Duncan read the email that purports to be from Charles, saying he is ready to work on a book with Chad. The email came with another name attached to it, but the IP address came back to an account linked to Lori Vallow. Duncan said there was no evidence the email came from Charles. Charles had discovered the email at the end of June 29, 2019, and forwarded it to Adam Cox, Lori’s other brother. Duncan reads a text message Charles sent to Lori confronting her about the affair with Chad and tells her, “Just so you know, I have Tammy Daybell’s email address. I will send a copy of my email you sent. Tammy will know what you’re up to. You better explain. Duncan says Charles sent two emails to Tammy—one to her personal address and one to her work address. Duncan read the email Charles sent to Tammy saying he had disturbing evidence about her husband and his wife. Duncan reads another text from Charles to Lori: “You accused me of infidelity, but it’s you who has been having an affair.” He also wrote: “The fact that you continue to go to the temple after all you’ve done shocks me. There really is something wrong with you.” Duncan says Lori was not always responsive to Charles’ texts and emails. On July 1, 2019, Charles to Lori: “I’m going to Idaho to first to see Tammy Daybell.” Lori to Charles: “She won’t listen to you. She is my friend.” Charles then asks why Lori sent a “BS email” about a book he wants ghostwritten.” Duncan then reads emails between Charles and Adam sent before Charles was killed on July 11, 2019. Duncan next reads messages Lori sent to Alex in March 2019

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talking about getting rid of “Ned”—the evil spirit/zombie they said had invaded Charles’ body. Several other text or emails were also read.

Lindsey Blake asked to admit another exhibit, messages from Zulema Pastenes, talking about Charles being taken over by evil spirits, this time named “Hiplos”.

Duncan reads another email sent from “Karen Walker”---the account attached to Lori Vallow—in April 2019 to Chad Daybell asking him to come and speak to a youth group in Houston Texas. The sender stresses urgency of responding and coming to Houston. Lindsey Blake had no further questions, and defense attorneys had no questions at all for cross-examination. They did object to the submission of the presentations but claiming they had already objected and been turned down, but wanted it for the record (*probably so they can claim a technicality, allowing for a future appeal*).

Zulema Pastenes also testified today with some damaging testimony. Lori evidently stared at her throughout the testimony, often shaking her head. Zulema said that Alex stated he felt like a scapegoat and that both Lori and Chad taught him that “zombies” had to be destroyed by burning or by being bound.

April 18, 2023 – Tuesday – The trial continues after 3-days off. Zulema Pastenes continues to be cross-examined by John Thomas. Amazingly she couldn’t remember the date that she and Alex got married. She was however very clear on how Alex would do whatever Lori or Chad told him to do. She related about Chad telling Alex to quit his job and move to Rexburg and trying to get Zulema to move as well; and about Alex not being able to decide anything unless he first spoke with Chad or Lori. She related information Chad stated in “blessings” given to her and to Alex. Several text messages and emails Zulema had received from Lori or Chad were discussed. Rachel Smith with the prosecution followed up with further questions and clarifications. **Colby Ryan, Lori’ son**, testified next with some bombshell information from a recorded phone call between himself and Lori while she was behind bars. At one point when court was starting a break, Colby glanced over at Lori and quickly turned away shaking his head. In the afternoon two witnesses (**Special Agent Mark Saari with the Social Security Administration** and also **Rexburg Police Detective Chuck Kunsaitis**) discussed a lot on the finances and bank documents of Lori and Chad and the Social Security shenanigans played by them. It was revealed that Alex Cox purchased 46 guns and ammunition. Side note: Prior to the trial while everyone was assembled waiting for the days, events to start, it was discovered that a woman was kicked out for allegedly taking a photo, according to Jim Archibald, Lori’s attorney. When the Judge came into the court room, he said he was aware of the problem and ordered the woman removed from the courtroom. The woman turned out to be Lori Hellis, who is technically media because she is writing a book on the case. She is a former Family Law and former defense attorney, who the Judge is aware of. On a podcast that evening called “Harvard Lawyer Lee” Lori Hellis was her guest and she told what had happened. Evidently, she was only doing a “tweet”, not taking a photo and had the bailiff look at her phone’s photo gallery to prove it. He was satisfied until another official approached and told her the Judge had ordered her removed. Hellis is scheduled to meet with Judge Boyce in the morning, hopeful of getting it sorted out and readmitted.

April 19, 2023 – Wednesday – Testimony continues regarding the financial documents for Chad Daybell and Lori Vallow. Testimony continues from Rexburg Police Detective, Chuck

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Kunsaitis. He was followed by **FBI Forensic Accountant Mike Douglass** who was questioned about bank accounts shared by Lori and Tylee. He also reviewed a timeline Douglass calls “the grand theft timeline”. After lunch **Scott Cowden, a firefighter** with the Chandler AZ FD testifies. Archibald objects to the witness testifying saying that his client is not on trial in Idaho for anything that happened in Arizona. Boyce overrules the objection. Cowden testified of performing CPR on Charles Vallow after he arrived. He also indicated that it didn’t appear that any CPR had been previously administered (as Alex claimed to have done). **Detective Ariel Werther, a detective with the Chandler AZ PD** assigned to the robbery/homicide division, is the next witness. Archibald objects to the witness for the same reason and is overruled by Boyce once again. Werther created a PowerPoint which was admitted as an exhibit. He discussed the timeline put together of Lori’s travel the morning immediately following the killing of Charles Vallow. Archibald wishes to cross-examine Werther. His questions are insignificant. The next witness is **Detective Sandra Ynclan with the Chandler PD**. Archibald objects once again to the witness and is overruled once again by Boyce. She first spoke with Lori and Tylee at the scene and later had them transported by the care/crisis response van. She testified that she was present when Lori was informed by a sergeant that Charles was dead, “She didn’t have much of a reaction.....She appeared calm, very non-emotional, was kind of hanging out and having general conversations. She was not really upset and at one point she was laughing.” Ynclan was assigned to do follow-up extensive interviews with Lori and Tylee at the police station. She said “[Lori] was almost nonchalant about the conversation.” She recounted Lori telling her what happened the morning of the shooting. Lindsey Blake asked Ynclan if arrests are normally made on the day an investigation begins. Ynclan responds, “Generally, no. It depends on the totality of the investigation.” Next witness is **April Raymond, a very good friend with Lori Daybell** in Hawaii. An issue was discussed outside of the presence of the jury because Raymond received a Facebook message showing an interview Justin Lum did with Lori Daybell’s cousin. Raymond said she watched about 2 minutes of the interview and turned it off. She says the story had nothing to do with the case or interviews. Raymond said she read some of the comments on the story. Witnesses were told to not watch any stories or read anything about the trial. Archibald asks her about the comments she read, and she said that in general it was about the LDS Church’s influence on the trial. Archibald asks if she has been contacted by reporters about doing interviews. She says she has given them the directive from the prosecutor’s office that she cannot participate in any interviews at this time without the promise of any future interviews. Boyce says there is no evidence that April Raymond violated the exclusionary rules and that she can remain on the stand. Lori has been looking at Raymond, but a reporter noted that he hadn’t seen Raymond look at Lori even once. Rachel Smith asks about April relationship with Lori in Hawaii. April tells about meeting with Lori and about meeting Melanie Gibb. Lori tried to convince April that Lori was there to “gather” her as one of the 144,000 and other weird beliefs. She had noticeably changed her belief structure and April rejected what she was being told.

April 20, 2023 – Thursday – First witness was **Chandler AZ Police Sgt. Nathan Moffat**. Once again, Archibald objects to the witness and is overruled. Moffat gives his account of the investigation the morning Charles Vallow was killed. Moffat said that when he and Detective Ynclan drove back to the house with Alex, Tylee, and Lori the ride was “bizarre—

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to say the least.” And that their conversation was lighthearted, conversational, and “very different”. Next witness is **Sydney Schenk**, who was a **student at BYU-I** who placed a job listing on a website about being a **nanny**. Lori replied to her listing indicating she needed help with her son. Lori interviewed her and hired her to watch JJ. Lori told Schenk that Charles had “died of a heart attack”. Schenk said she never saw Tylee. Lori also told her to give JJ a certain medicine to help JJ sleep if he needed to be calmed down. Lori told Schenk that JJ would be gone for a month to be with his grandma but left her to feel that she still would have the job for the next few months when he returned. When she hadn’t heard from Lori after a month, she reached out to Lori by texts messages but never got answers back. Schenk never saw JJ after September 19. **Josh Wilson, the principal at Kennedy Elementary** where JJ was enrolled. The school received an email from Lori on Sept. 24 saying that JJ was being removed from school because she was sending him to Louisiana to be with his grandparents. Wilson called Lori to tell her that once he was enrolled in school in Louisiana to have that school contact Kennedy Elementary so his records could be forwarded. Lori then told him that they weren’t moving him to Louisiana but would be homeschooling him. Next witness, **Wynn Hill, Dean of Students at BYU-I**. Hill had been contacted by police to check their records for a Tylee Ryan, Tylee Cox, or Tylee Vallow with DOB of September 24, 2002. Hill checked the system on Feb. 28, 2020. Tylee never applied or was a student at BYU-I.

David Warwick, husband of Melanie Gibb, was the next witness. He was one of the last people to see JJ alive. An issue was raised concerning the exclusionary rule regarding Warwick. Warwick now lives in Utah and Gibb lives in Arizona and says they have a “distant’ relationship. Warwick had evidently listened to about 45 minutes of Melanie’s testimony from the previous week. Smith indicated that Warwick immediately told prosecutors about this. The questioning is being done without the jury present. Boyce will decide if Warwick will be allowed to testify. Archibald argues that Warwick has violated court rules. Rachel Smith counters with the court should consider whether any harm has been done to his testimony and that there wasn’t willful misconduct. Judge Boyce rules that he will be allowed to testify, and the jurors are brought in. Warwick talks about meeting Chad and Lori. He talks about trying to relate to JJ, but that he pretty much ignored him. Warwick talked about some of the religious ideas Chad shared with him, particularly that of the gathering of the 144,000. He said he told Chad that he didn’t believe something like that would come from people other than the prophet. Rachel Smith said that the trial is moving much faster than they expected and proposed that they take Friday off. The defense and Judge Boyce agreed to resume on Monday. **Fremont County Sheriff’s office Detective Bruce Mattingly** was next to testify. He said he took the electronic items seized from Chad’s house to the FBI Forensic Laboratory. Next up, FBI Intelligence Analyst Benjamin Dean from the Salt Lake City Field Office. Dean was asked to review two BlueRay discs containing evidence from Chad’s house. Some of it contained text messages from Chad to Tammy telling her about shooting the racoon in the yard as was shared in the preliminary hearing. Next witness was **Rexburg Police Detective Sgt. David Stubbs** who speaks about various exhibits which include cell phone records, hotel receipts, business documents and life insurance information. He also spoke about some of the observations made when he was doing surveillance of Chad and Lori together. He also spoke about his visit with Lt. Ball when they went to visit Lori at her apartment. Smith asks to play the body camera footage for the jurors showing the strange encounter the officers had with her. Stubbs found it

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interesting that Lori referred to Chad as her “brother’s friend”. Stubbs had seen Lori and Chad holding hands when under surveillance. Another video was shown after the afternoon break showing the Video made by Stubbs when they exercised search warrants on the apartments.

April 24, 2023 – Monday – Stubbs continues his testimony from Thursday. Rexburg Detective Dave Hope was in the courtroom as was Summer Shiflet, who will likely testify sometime this week. It was noted by the media that Summer Shiflet and her family sat on rows reserved for the prosecution---not the defense. She has been deemed as “Tylee’s representative” from the famiy. Stubbs mostly goes over phone records from the myriad of phones used by Chad, Lori, and Alex. Stubbs also noted that in the apartment used by Melani Boudreaux Pawlowski they found a binder full of several credit cards belonging to Melani and her ex-husband Brandon. Stubbs also indicated that when officers found Lori in Hawaii, 10 devices were found inside their rental car and were seized. Stubbs says all of the Rexburg apartments appeared to be abandoned “in haste”. Rachel Smith introduces a USB hard drive containing Chad Daybell’s internet search history. Thomas objects to admitting the drive, but Boyce overrules the objection. Chad’s Google searches included: On September 8, Chad searched “Wind direction” for the next day, which was the day Chad would supposedly kill a racoon and burn the limbs. It said it would be “south-southwest”. Other searches by Chad included: “possessed”, and “how to remove the rear seat of my Jeep Wrangler”. A YouTube video for this was accessed. Also, a search for wedding dresses in Kauai. This was being searched on the same day as Tammy’s funeral on Oct. 22. Thomas cross-examined, but mostly asked about Detective Stubbs’ training related to cell phone and electronic data gathering. Searches of Lori Vallow’s email account included “malachite wedding rings” were also found. Attempted purchases as early as August 25, 2019. Photos of their wedding in Hawaii were shown. These included photos of the rings. **Nicole Heideman with the FBI** was next to testify and says she was asked to investigate the Google searches on Chad’s Gmail account and the “lollytime” account. Lindsey Blake asks to admit printouts from a PowerPoint presentation, which contains a summary of “relevant” search findings from the accounts. Thomas does not object to admitting the presentation. The first slide of the presentation shows search activity in the chad.daybell@gmail.com email account from Oct. 1, 2018, thru Nov. 28, 2019. Searches include: “Ned Schneider Louisiana obituary 1997”. “Star sign, are cancer and leo compatible”, “sign, taurus and leo compatible”. “Malachite, ebay malachite jewelry”, “hiplos”, “when you surprise someone with accusations”, “ssw wind”, “what is the definition of ssw wind”, “rhode island area code”. The next slide included searches for: “malachite”, “gerber life policy, life insurance for children—the Grow-Up Plan”. “Phoenix pet service”, “craigslist, sell service dog”, “Little Angels Service Dogs”, Service Dogs for Sale, Offerings Phoenix”, “wedding bands made of malachite”, “Kennedy Elementary Rexburg Idaho phone number”, “how to get the back seat out of my jeep wrangler”, “Jeep Wrangler JK Rear Seat Removal How to DIY – YouTube”, “gilbert az news”, “wedding dresses, wedding dresses in Kauai”. Heideman says investigators determined Chad Daybell had nine phone numbers between Oct. 2018 and Jan. 2020. Lori had six. Alex Cox had six. One number attributed to Chad was listed on flight records, a Hawaii lease agreement and other documents. This number was saved as “Bishop Shumway” in the “lori4style” account. It was saved as “Dad” in Seth Daybell’s

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phone. A second phone number associated to Chad was saved in the “lori4style” iCloud account as “Melani 2”. A third phone number was activated when the second phone number expired. It was saved in the “lori4style” account as “Jamie”. The 4th phone number associated to Chad was saved as “bubby” in the “lollytime” iCloud account. It was activated from July 1, 2019 thru Oct. 2019. This phone called the mortuary in Arizona after Charles died. Lori also texted Allegiant Air confirmation to this phone. Lori also texted this phone “birthday kisses all over” and was saved as “Bishop Shumway” in the “lori4style” account. The 4th number was only in contact with one of Lori’s numbers and one of Alex’s numbers. It was saved in Lori’s iCloud account as “Bishop Miller”. Chad texted this number saying he would call from a 401-area code, which is Rhode Island. The next slide shows two more phone numbers used after the homicides. One was associated to “Raphael” as Chad and “James and Elena” as Chad and Lori. On Dec. 4, 2019, Chad sent a group text to his kids saying, “Hi, this is Dad.” This number was saved as “Raphael” in Zulema’s phone. Another phone number shows a text on Dec. 14, 2019, to his children that says, “Hi, this is Chad.” The number was used by Chad and Lori, according to Ian Pawlowski, Melani’s current husband.

Heideman now showing the cell phones attributed to Lori Vallow. The first phone number was connected to Allegiant Air records, Delta Flight records and was the contact number on a Hawaii wedding quote request. The next phone number was subscribed to Lori Vallow from Feb. 4, 2019 – Jan. 2020. It was associated with 3 of Lori’s iCloud/Gmail accounts. It was listed as a shipping address in Rexburg for Charles Vallow’s Amazon account. It was also listed as a contact number on the Hawaii wedding request. Lori gave the 3rd number to Chandler police after Charles was killed. It was associated with Premier Financial Services (Charles Vallow’s business). It was also listed as a contact on the Hawaii wedding quote request).

The next slide shows Alex Cox’s cell phone attribution. The first number was provided by Alex to Chandler police as they were investigating Charles Vallow’s homicide. It was tied to Alex’s email accounts and listed on Allegiant flight records.

The second phone number attributed to Alex had no subscriber name, but it was active from Sept. to Dec. 2019. The third phone number was tied to a Samsung Galaxy phone found in Alex’s apartment. There was no subscriber name, but it was associated with Alex’s email address. It was saved as “Spencer’s wife” in Lori’s iCloud account.

In the afternoon, Lindsey Blake asks to admit another PowerPoint presentation. Thomas objects to admitting some of the pages in the exhibit. Boyce overrules the objection after Blake asks some additional questions of Heideman to explain why it’s relevant. Two documents were found in the “lori4style” iCloud account. One was titled “Seven Archangels” and the second was “Presiding Council of Archangels”. In the first document, there was discussion of Malachite, Raphael, and James. “Tuesday” was mentioned—Chad and Lori were married on a Tuesday. In the second document, the names Elena and Lili were mentioned. The color green and Tuesday were mentioned. Chad and Lori both conducted Google searches for Malachite in May 2019. On Aug. 14, 2019, Lori tried to purchase two glow-in-the-dark Malachite rings from Etsy. The shipping address was to Lori’s home in Chandler. The manufacturer was unable to fill the order. Lori tried to order two more rings on Aug 25 and have them shipped to Rexburg, but her credit card was declined. Lori tried again to purchase a ring on Oct. 2, 2019, thru Charles Vallow’s Amazon account. Another ring was purchased that day thru an online jewelry store. Size 11.5 was

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originally ordered. That ring was returned and repurchased as a size 11 on Oct. 4, 2019. Tammy Daybell was pronounced dead on Oct. 19. After she died, the size 11 ring was returned and a size 10 was purchased. There is no evidence the size 10 was returned. Next, the court viewed a text from Chad to Lori on July 13, 2019—two days after Charles' death. The message says, "Concerning the two weeks. BYU-Idaho's graduation is July 23. Adam is getting his bachelor's and Leah and Joe are getting their associate's. They are all walking in the same commencement ceremony. I feel like she will be gone by then, but I will still have the hoopla to deal with. So, I believe that is why the Lord is making me wait." Adam and Joe are Chad's sons-in-law. Leah is his daughter. On July 22, 2019, Chad and Lori texted each other regarding Kauai and "the plan". Chad texted Lori "love you" and said he was going to see "The Other Side of Heaven 2" with his son. Lori responds, "I love you." Chad responds, "Not as much as I love you." Lori tells Chad he will love the scenery as it's very similar to Hawaii. Chad responds, "Hopefully we can be there soon." Heideman says wedding records indicated Lori wanted to marry Chad on Nov. 5, 2019. That is the day they were married, and they exchanged rings. Blake moves to admit another PowerPoint presentation. Thomas objects to the exhibit and asks for a sidebar outside the presence of the jury. Sidebar is over and Thomas voices the objection in front of the jury. Thomas says the dates of deaths for JJ, Tylee, and Tammy are in the exhibit, but the state has not proven they died on those dates. Boyce tells the jury that the presentation is a demonstrative exhibit--not evidence. This exhibit shows dates Chad and Lori visited the LDS temple together before their marriage. In 2018: Nov. 16. In 2019: Apr. 3, Apr. 27, Sept. 7, Sept. 17, Sept. 28, and a visit in October. They visited temples in Idaho, Texas, and Arizona. Their temple recommend cards were scanned within seconds of each other at the temples except in one instance that was 20 minutes apart. The day before Tylee died, Lori and Chad visited the Idaho Falls Temple, according to Heideman. JJ died around Sept. 22 or 23. Chad and Lori visited the Rexburg Temple on Oct. 29---10 days after Tami died.

On cross examination, Thomas asks Heideman why she thought Ned Schneider was an important flag while she was doing the search. He asks if she did any further research to find out the significance of the terms. She says it was a cursory search to aid the investigation. Thomas asks Heideman why she flagged the term "Tuesday". She said she thought it was significant because Chad and Lori were married on a Tuesday. He says that Tylee and JJ died on Mondays and Tammy died on a Saturday—inferring that if Tuesday was so significant, more things would have been done on Tuesdays. Thomas asks Heideman about the 7 temple trips Chad and Lori took together. He asks if they went in a group. Heideman says she doesn't know—she just checked on Chad's and Lori's attendance. Thomas asks how the temple visits relate to the days of the deaths and what the significance is. Heideman says she simply put a timeline together and that she couldn't say what the purpose of their visits were.

Next up: prosecution calls Nick Ballance, who is part of the **FBI Cellular Analysis Survey Team** (CAST). Rob Woods is questioning Balance. Mostly discussed were the call detail records maintained by cell phone providers and what information they include. They discuss cell towers and how phones work with various towers. Ballance says CAST uses other tools to track a phone besides cell phone records, like Google location tracking. Ballance prepared a report detailing 30 cellular phone records and multiple Google accounts associated with Lori Vallow. The cell records Ballance received were several hundred thousand lines. Wood asks to admit an exhibit summarizing Ballance's report.

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Thomas objects and says the exhibit is not complete. He wants to see the entire 101-page report rather than just a summary. Wood says prosecutors can provide the defense with the entire report, but Boyce overrules the objection stating that summaries are allowed. Ballance makes it clear that his mapping involves the phone, not a person. He is tracking a device, not an individual.

Next the court hears about the homerjmaximus account belonging to Alex Cox. Ballance says on Sept. 9, 2019, between 12 and 5 a.m., 3 locations associated to the account were repeated northwest of Lori Vallow's Rexburg apartment. Ballance says between Aug. 1 and Oct. 31, the homerjmaximus account registered at Lori Vallow's apartment a handful of times. On the morning of Sept. 9, Ballance says there was a lot of communication on devices linked to Chad and Alex. There was also text communication between Chad and Lori from 8:15 a.m. to 9:06 a.m. on Sept. 9. Ballance also describes with a map and laser pointer Alex Cox's movement on the morning of Sept. 9.

April 25, 2023 – Tuesday - FBI analyst Nick Ballance was back on the stand first thing. He tracked cell phones belonging to Chad Daybell, Lori Vallow and Alex Cox. Between 11:42 and 11:47 a.m. on Sept. 9, the phone attributed to the homerjmaximus (Alex's) account was in the vicinity of Chad Daybell's home, Ballance says. Ballance explains there was a lot of cell phone activity between Chad, Lori and Alex shortly after the phone attributed to the homerjmaximus account left Chad's property the morning of Sept. 9. Ballance now explains cell phone activity on Sept. 23 between 3:59 a.m. until 8:34 a.m. Chad sent numerous text messages to Lori. Cell phone records show Chad made a call to Alex on Sept. 23 at 9:25 a.m. Chad also called Lori three times between 9:30 and 9:35 a.m. on the same date. Police believe JJ was killed Sept. 22 – Sept. 23. Jurors are shown a map of Alex Cox's supposed movements on the morning of Sept. 23. It shows his device was headed north on U.S. Highway 20. The account registered to homerjmaximus was on Chad Daybell's property from 9:55 a.m. – 10:12 a.m. on Sept. 23. It was tracked near a small pond on Daybell's property, in the center of the property and in a "close proximity to where JJ Vallow was located," Ballance says. Ballance explains the homerjmaximus Google account history between 10:12 a.m. – 10:20 a.m. on the same morning. It was on Chad's property at 10:12 a.m. but eight minutes later, the phone has left the property and is south in the Rexburg area. Alex (or a phone attributed to him) had a 545-second phone call with Lori Vallow (or a phone attributed to her) that morning during this time frame. Tammy Daybell died on Oct. 19, 2019. Chad sent a text message at 9:57 a.m. to Lori Vallow: "Gonna stop by the store right now to get that other number working. Hopefully won't take long." He sent a second message at 10:26 a.m.: "I will call right now from a 401 number." At 10:27 a.m., a 401 number calls Lori Vallow. The 401 number is attributed to Chad Daybell. Oct. 9, 2019, is the same day Tammy Daybell reported a masked man with a paintball gun tried to shoot her in her driveway. The homerjmaximus was tracked to Lori's Rexburg apartment on the afternoon of Oct. 9. He then moved to his apartment. Around 2:42 p.m., the account/device starts to move toward Idaho Falls. It is tracked at or near Sportsman's Warehouse in Idaho Falls at 3:17 p.m. Beginning around 4:47 p.m., the Google account history shows the device near the area of the Daybell home, according to Ballance. It is there until 4:56 p.m. Ballance says he can not determine the exact route Alex took to get to the Daybell home but at 4:58 p.m., GPS data locates Alex on the same road where Chad lives. Less than 10 minutes later, Alex is on a Sugar City road. By 5:16 p.m., GPS data shows Alex's phone was back in the area

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of his Rexburg apartment and it remains at his residence. Numerous text messages were exchanged that night between Chad, Lori and Alex between 5:28 p.m. and 10:31 p.m. Ballance says Chad texted Alex six times that night. The first message was sent at 7:30 p.m. The last message was sent at 10:29 p.m. Ballance now talking about cell phone activity on Oct. 18, 2019 – the day before Tammy died. Alex’s cell phone was at his Rexburg apartment. Between 1:56 p.m. and 8:54 p.m., text messages were exchanged between Chad, Lori and Alex. There was also a call that was 2,956 seconds (over 49 minutes) between Chad and Lori. Once the 401 number was activated, Ballance says there was “heavy interactions” between Chad, Lori and Alex. A phone attributed to Alex Cox was located at a church near Chad Daybell’s home around 10:07 p.m. on Oct. 18, according to Ballance. Chad told investigators that Tammy died in her sleep early on Oct. 19. Three text messages were sent to Lori Vallow – one at 11:34 p.m. and two at 11:35 p.m. Ballance says he is not able to look at the content of those messages. Alex Cox’s phone traveled south from the area of Chad’s home around 11:54 p.m. At 12:09 a.m., the phone is north of Idaho Falls. Tammy Daybell’s funeral was held Oct. 22 in Springville, Utah. Chad received three text messages from Lori that day. He also responded to at least one text message. Ballance says two incoming messages were received on Tylee’s phone in Hawaii on Dec. 15, 2019. Police believe she had been dead for over three months. Wood has no further questions for Ballance. John Thomas will be conducting cross-examination. Thomas begins by asking Ballance about his background and how he became an FBI special agent. Thomas asks more questions about Ballance’s background. The agent says the Daybell case is one of his first as a member of CAST – Cellular Analyst Survey Team. Ballance details the training he received. After the morning break. Thomas asks Ballance to describe how “drive-testing” works. Ballance says they get in a car with a piece of equipment that is constantly taking measurements of radio frequencies. They then input the data into a computer program and map things out in relation to cell towers. Ballance says it took the CAST team about a week to map out Rexburg, St. Anthony and Sugar City. Thomas referencing the presentation the prosecutors displayed. “Great charts if you know what you’re doing and know what you’re looking at, but for the layperson like me, it’s a little difficult.” Thomas asks if Ballance can, with certainty, say that a particular phone was at an exact location on the Daybell property. Ballance says there is no 100% certainty – but estimations. Thomas asks why some text messages can be read or retrieved later, but other messages can’t. Ballance says it depends on which records are maintained by individual cell phone carriers. He says at the time of the investigation, Verizon was the only carrier that kept text messages for three to seven days. The other carriers did not keep records. Ballance says he has no GPS locations on Lori or Chad – just Alex Cox. Thomas asks about Oct. 19, and Ballance confirms Lori’s phone was in Hawaii that day. Thomas has no further questions. Wood has further questions and asks Ballance if it’s possible to turn GPS data off on one’s phone. Ballance says it is – you can opt out of GPS tracking. Wood has nothing further. At about 11:00 a.m. **Summer Shiflet, Lori’s sister**, is called to the stand. Spencer Rammell is doing the questioning. Lori looks at Summer and smiles as her sister takes the stand. Judge Boyce notes that Summer is here representing Tylee, so she is allowed to observe other witness testimony. She was in the courtroom yesterday and today. Summer says she played an active role in the lives of JJ and Tylee. She learned they were missing in December 2019. Summer was not in contact with Lori at the time and did not know where she was. Summer wipes away tears as she speaks. Rammell asks Summer if she spoke with Lori about the missing kids. Summer says they

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spoke in February 2020. "I don't remember the exact wording, but she basically told me she knew where they were, and they were safe." Summer says she believed Lori and thought the kids were ok. "I felt lied to and my trust in my sister was broken," Summer says when she learned the children were dead. Rammell now mentions the video call on June 24, 2020. She received a request from Lori to call her. Rammell now admits the phone call. Rammell asks to play the call for the jury. Summer is crying on the stand and wiping away tears. From the call: "How are you?" Lori asks. Summer responds, "Not good," as she is sobbing. "I don't know what to say. I'm willing to listen if you want to talk to me," Summer says. Lori says she doesn't know what anybody knows and doesn't know anything. Lori says she hasn't talked to anybody. "I know they found Tylee buried in a pet cemetery and JJ buried in Chad's backyard, and we don't understand how that happened," Summer says sobbing. She can barely breathe. "You didn't tell us. We are devastated." Summer asks Lori if she knew they were there. Lori says, "I can't talk about it." Summer says she doesn't know what to say, and the "kids were thrown away like garbage. ... It's too painful." Lori quietly responds, "Do you think I let that happen?" Summer responds, "Yes, I do." Summer: "You went off to Hawaii and were dancing on the beach as the kids were on the ground?!?! You had to know they were there! I don't understand! They were just little kids! I don't understand!" "Lori, if you let this happen to them and put them in the ground like a piece of trash, I don't know you. ... We would have taken them!" Summer is now screaming at Lori. "You cut me and Mom off for four months! Now we find out this out, and you expect me to just keep going with zero explanation, and you expect me to just keep believing without ever having a question?" Lori says everyone sees what's on TV. Summer responds, "This has NOTHING to do with what's on TV." She screams at Lori about how she defended her on TV and asks for Lori to tell her the truth. Lori says, "I would love to." Summer screams at Lori that she never called to tell her Alex died or that her kids are gone. "You don't think that will cause pain throughout our entire family?!" Lori says, "You don't think I'm in pain?" Summer responds, "No, I don't. You were dancing on the beach, having a great time! You got wedding pictures while your kids are in the ground?" Lori says, "Nobody knows." Summer says, "Nobody knows except you and the Lord? There is nothing in the scriptures that is godly about hurting a child! They deserve a proper burial with family that loves them in the least!" People in the courtroom are crying as this call is being played. Lori is looking down. Lori: "Nobody in the world knows what I've been through. You've only seen what's on TV." Summer: "So I'm deceived? Everyone in the world is deceived?" Lori responds, "Nobody has seen me crying on the floor." Summer asks about the photos on the beach. "You don't think your mother and your sister deserve to know that your children are gone?! Why didn't you call to tell us this?" "There is NOTHING okay about this. NOTHING," Summer says. Lori responds, "Nothing about this is OK, Summer." Summer says, "I am telling you because I love you with all my heart, please consider that Chad has lied and been deceived, and you have been deceived, and this is not what you think it is. There is nothing OK about killing children. Nothing. And even if you didn't kill them and Alex didn't kill them and Chad didn't kill them, you threw them away like garbage! In a pet cemetery!" Summer is sobbing and can barely breathe. "They were innocent, and they were loved," Summer says. "Come up with an explanation publicly!" The call cuts off. Rammell has no further questions for Summer. Sniffing is heard in the courtroom. Jim Archibald will cross-examine Summer. Archibald begins by saying, "I'm sorry you had to relive that." Archibald asks

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Summer about her siblings and their family life growing up. Summer recalls Lori getting married when she was 18. Summer was 16. The first marriage did not last long. Archibald asks about Lori's second marriage, which lasted "longer than the first but not that long," Summer says. Summer recalls Lori's third marriage to Joseph Ryan. Summer got married in 2000 and lived in a separate state, so she wasn't as close with Lori during that time. Summer says Lori protected her kids from Joe Ryan. Archibald references the call where Summer tells Lori she would never do anything to hurt her children. Summer says that's because of the way she saw Lori with her kids. Archibald asks if Summer was involved in her sister's life when Charles and Lori had separated. Summer says yes. She was not aware of Charles filing for divorce until it came out in the media. Summer thought they had reconciled. Archibald asks Summer to describe Tylee. "I would describe her as beautiful and witty and very talented in a lot of different ways." Archibald asks if Tylee had health problems. Summer says she had pancreatitis – swelling of the pancreas. Archibald asks to describe Lori and Tylee's relationship. "Tylee had a little sassy streak in her, but I always felt Lori was very patient with her. Lori loved her and Tylee loved her mom." Summer says she was never concerned for the safety of Tylee around Lori. Archibald: "Would you ever imagine her sister wanting to kill her kids?" Summer (through tears): "No." Archibald: "Would you ever imagine your sister wanting to conspire to kill her kids?" Summer (through tears): "No." Summer says in late 2018, Lori and Alex both brought up multiple lives and multiple creations to Summer. It was a new teaching and was not consistent with their religious teachings. "It was new to me," Summer says. Before 2018, Lori never told Summer that she had been someone else in another life. In late 2018, Lori told Summer about her previous lives and Summer "wanted to believe her," but it didn't make sense. Summer doesn't recall Lori ever using "zombie," but Lori did tell her about her ability to cast out evil spirits. Lori also told Summer about light and dark scales. Summer had never heard this terminology before. Archibald asks Summer if she was concerned about the new religious beliefs. She responds, "Of course. I care about my sister, but I don't really know what to think about it." Summer now describes Alex as fun and hilarious but sometimes crude. Most weekends, he was at her house playing with her kids. Alex suffered a brain injury as a teenager, and Summer believes it affected him. "He seemed stuck in making teenage decisions. He got in his car accident when he was 16 and made decisions like a 16-year-old most of his life." Archibald asks Summer if she is in touch with Colby. She is. Archibald says Colby testified that Lori changed after she met Chad. Summer agrees. Archibald has no further questions. Rammell has more questions for Summer. He asks her to recall that on the phone call, Lori told Summer the kids "were safe." "Ms. Shiflet, she lied to you about them being safe," Rammell says. "I believe so. Yes," Summer says. Rammell has no further questions for Summer. Lori maintained a steady demeanor during Summer's testimony. The next witness is **Rick Schmitt, a retired Rexburg police detective**. Schmitt works at Brigham Young University-Idaho in the Public Safety Department. He retired from the Rexburg Police Department two years ago after 21 years of service. Schmitt helped investigate the missing kids. On Nov. 4, 2019, he arrived at work and learned detectives were surveilling a gray Jeep Wrangler. He went to help. On Dec. 17, he was assigned to go with other detectives to Springville, Utah, to interview family members of Chad and Tammy Daybell. Rachel Smith is questioning Schmitt. He investigated some changes in Tylee's Venmo account. On Jan. 8, 2020, he received video footage from the Fremont County Sheriff's Office that showed the entrance of Yellowstone National Park on Sept. 8, 2019. "I

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was looking for a blue Nissan Rogue, a Silver Ford pickup or a gray Jeep Wrangler.” Schmitt saw one that looked like the silver pickup truck. Schmitt obtained more video from Yellowstone National Park. He found video of Alex, Lori, JJ, and Tylee visiting the park on Sept. 8 at the gate. On Feb. 2, 2020, Schmitt went with Rexburg detective Chuck Kunsaitis to Self Storage Plus after the owner released surveillance video to EastIdahoNews.com. Police obtained the video and noticed many days where Chad, Lori and Alex visited the storage facility. Schmitt details the trips Lori, Chad and Alex took to the storage unit in early October 2019. Schmitt says on Oct. 2, 2019, Lori and Chad visited the storage facility in the blue Nissan Rogue. They got a spare tire and a car seat out of the Nissan Rogue and put it in the storage unit. The seat looked like it was a rear seat from the Jeep Wrangler. Schmitt says Alex Cox was not in the video. On Oct. 3, 2019, Schmitt says Lori and Alex returned in the blue Nissan Rogue. They took the spare tire and the seat from the storage unit and put it back in the car. After lunch break Rachel Smith continued questioning Detective Rick Schmitt who says during one visit to the storage facility, Alex Cox took a bunch of totes along with a long rifle case. On Oct. 22, 2019, Schmitt says Alex took a gun storage case and a tote out of the storage unit and put it in his pickup truck. On Oct. 28, 2019, he took four gun storage cases and put them in his pickup truck. Chad was with Alex on this visit. In January 2020, Schmitt went to the Unified Sportsman Club to see if Alex had visited. Smith asks to admit an exhibit showing records of when Alex had signed into the club. Smith shows the sign-in sheet on the courtroom’s big screen. Schmitt says Alex signed in under different names: Alex Cox, Alex and C. Quint. Alex’s license plate on his vehicle was C.P.Quint. The first day Alex signed into the club was Oct. 6, 2019. On Oct. 7, C. Quint signed in at 12:20 p.m. On Oct. 8, C. Quint signed into the club at 11 a.m. On Oct. 12, C. Quint signed in at 3 p.m. On Oct. 13, C. Quint signed in at 1 p.m. On Oct. 15, C. Quint signed in at 8 a.m. Schmitt says an Alex Cox also signed in on Sept. 3, 2019, but there is no paper record showing that. At the club, people go out and shoot their firearms for target practice, Schmitt says. As police searched Chad Daybell’s house on June 9, 2020, Schmitt was assigned to keep an eye on Chad in case he left the property. “At one point in time when the search dogs were on the scene, Chad got out of his vehicle that was parked in the driveway in front of his house. They were searching the area where JJ’s remains were found and Chad was facing toward that direction.” Lt. Ron Ball and Det. Ray Hermosillo then came over to talk with Chad. “At some point in time, Chad went back into his house. He came out with a backpack and got into his vehicle. He sat there in his vehicle and then drove across the street to his daughter’s house. After some time, Chad came out of Emma’s house, got in his vehicle and started going south on 1900 East in Fremont County.” Chad was eventually stopped and arrested. After Chad was arrested, Schmitt and another officer transferred Chad to the Fremont County Jail. They released him and then Schmitt went back to his house. Schmitt was assigned to help search the firepit and pet cemetery areas. Schmitt says he found teeth, burnt pieces of bone and burnt human flesh. Schmitt says some of the dirt was pretty hard and it appeared somebody put concrete or cement in the ground. A backhoe was called in and eventually officers found a melted green bucket that contained Tylee’s remains. Smith has no further questions for Schmitt. John Thomas will cross-examine. Thomas asks Schmitt about the storage unit surveillance videos. Schmitt says he reviewed some of them about a month ago. Thomas asks who runs the sportsman’s club and how people check in. The secretary told Schmitt people check in on your honor – nobody monitors it and there’s a box to put your money in. Thomas tells Schmitt he’s just

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making an assumption that C. Quint is Alex Cox. Schmitt says that's correct. He asks Schmitt if he followed up to ask if anyone saw Alex there. Schmitt says he did not. Thomas asks where Schmitt was specifically when he found the teeth and burned flesh. Schmitt says it was in the firepit area. Thomas has no further questions. Smith has no re-direct. Schmitt is released from the witness stand. The next witness is **Steve Daniels, a Special Agent with the FBI**. Wood is questioning Daniels, who has worked for the FBI for 25 years. Daniels works on the FBI Evidence Response Team – the ERT. The group gets 80 hours of training in Quantico, Virginia on how to process crime scenes and execute search warrants. Advanced trainings are offered, and Daniels has participated in the human remains recovery course. The ERT was asked to help come up with a search strategy to execute a search warrant on June 9 and 10, 2020 at Chad Daybell's property. They were looking for human remains and other evidence of crime. Police arrived at Daybell's property on June 9, 2020. They prepared for about a week and eight ERT members were tasked with a role before they got to the house. For example, one was a photographer, and one created a crime-scene log-in sheet. Daniels did an initial walk-thru of the scene and priority areas were noted. Two ERT members were assigned to assess the firepit area. Based on the cell phone data, the team has mapped out areas to look on the property including the pet cemetery. Another area of interest was the pond. Daniels said they wanted to look at the entire 3-4 acres – sheds, outbuildings – everything needed to be searched. Daniels says 500-700 photos were taken on Chad Daybell's property the day they served the search warrant. Daniels says a FARO scanner was used at the scene. This is a high-tech laser scanner. A total station tool was also on the scene. Many of the jurors are taking notes as Daniels speaks. Daniels says a drone was also used during the search. Wood asks to admit an exhibit Daniels compiled of photos and evidence. Thomas has some questions for Daniels before the exhibit it admitted. Thomas has no objection to the exhibit. We are now shown a satellite map image showing the Rexburg/St. Anthony area. Key locations are marked – Lori's apartment, Chad's property, the Salem Church (where police staged), Walmart, BYU-Idaho. We now see an overhead image of Chad Daybell's property. Daniels points out the firepit, burial sites of the children, outbuildings and other key spots on the property. A photo of the front of Chad's house is now shown. The next picture is an image from an upper-bedroom window where you can see JJ's burial site. From the same window, another photo shows that you can also see the area where Tylee was buried. The next photo shows the view from another window inside the house looking out onto the property. We now see a photo showing some impressions or changes to the ground of the pet cemetery. Daniels says once he noticed the changes, he had a team start processing the area. A photo of the firepit is on the screen. The next photo shows progress as crews begin to process the firepit area. Dirt is sifted through with rakes and shovels. Sifters with mesh screens are also brought in to catch any potential evidence piece – “potential bones, jewelry, or anything else that could be significant,” Daniels says. Daniels says bone fragments, organic material and miscellaneous pieces of cloth and fabric were collected from the firepit. The next image shows the fire pit as it's getting “cleaned up.” Daniels says the smell was “overpowering” and a soil sample was taken from the firepit for testing later. Daniels says a necklace chain was found inside the firepit and processed as evidence. A silver charm was also found near the firepit. The total station tool mapped out sites where the bodies were buried. The information was used to measure distances on the property. After the afternoon recess Daniels shows an image of the pet cemetery. In front of a dog

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statue were some “disturbed areas” where Daniels thought human remains could be. Hand tools were used before a backhoe and tractor were brought in to help dig. We now see an image of a piece of bone found in the dirt. “With the size of the bone being found...I could also smell an odor I could associate with human remains decomposing so between this bone being found and a second bone being found, the decision was then made not to use the tractor anymore,” Daniels says. Police then switched back to hand tools. The next image shows some bricks uncovered by the tractor. This ends up being Tylee’s gravesite. At the time, police were not aware this was where she was buried but the odor continually got stronger and stronger. We now see a photo showing “the first pieces of Tylee” that officers uncovered. At this point, they were unsure what they had found but it was a “bigger bone.” On the screen is a photo of the bigger white bone found at the burial site. “At this point, we didn’t know if this was animal or human. We were trying to excavate it and get it out of the ground,” Daniels says. An anthropologist was on the scene. The next photo shows pieces of Tylee’s remains, recovered from the ground at the end of the day on June 9. “At that point, we established a new perimeter around her burial site and came up with a better excavation plan,” Daniels says. The remains were placed on a blue tarp. Summer Shiflet is wiping tears from her eyes as these photos are shown. She is looking down and her eyes are closed. Lori is looking down. The next photo is a close-up view of the pieces identified as Tylee. “You can see the bigger bones sticking out of the ground,” Daniels says. He says her remains were “melted together” in the ground. The remains were placed in a body bag, given to the coroner and removed from the scene. We now see a photo of what the burial site looked like after the remains were out of the ground. Crews continued their search on June 10. Blue tarps were placed on the ground, and a “sifting operation” was set up to find more possible remains in the ground, Daniels says. We now see a photo of “a mass of a human – dismembered, melted” and a green bucket with part of a skull. “It took a while for us as investigators to figure out what happened here – what is this,” Daniels says. “We want to show how these remains were buried so we can show the story of what happened here,” Daniels says. Lori continues to look down while taking notes on a yellow pad. The next photo is Tylee’s skull next to a melted bucket. Daniels says the team tried to lift the remains out of the ground, but they all fell apart. They were able to collect them and put them in a body bag. The anthropologist and coroner separated the remains so an inventory could be done on what parts they had. “How many pieces are we still looking for, or do we think we have everything we need to take?” Daniels says. Now we see the body pieces placed on the coroner’s body bag. Daniels was unsure if this was one person or two, so he asked for an inventory on the parts. Daniels says after all the human remains were collected, a backhoe dug deeper and wider into the burial sites. “This was especially important on JJ’s burial. His was the first burial we found, and we wanted to make sure Tylee’s remains weren’t in the same area.” Wood asks Daniels if police searched the shed and barn on Chad’s property. Daniels says yes. We now see a photo of the garage door open on the shed. Next image is the interior of the shed. “Knowing that we are dealing with a burial, one of the things we are interested in is tools,” Daniels says. There were some tools hanging or leaning on the wall in the shed. We now see an image of a pick-ax and some shovels that were seized as evidence. They are leaning against the wall next to a green bucket and two white buckets. We see a close-up photo of the pick-ax, and there is some material on the blade portion. A close-up image of two shovels shows “how dirty they were – could potentially be ash or other things on the shovel,” Daniels says. Other items, including bush clippers, some saws

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and an ax, were seized from the garage. We see a photo of these items. Some bricks found on the side of the shed were also seized. The bricks were similar to those found at Tylee's burial site. We are now being shown photos of the pond area where JJ was found. There is taller grass around the burial site and Daniels observed a raised berm with less grass and vegetation than the surrounding area. Daniels is describing how police went layer by layer to remove the ground near the pond. "At this point we honestly didn't know if this was a burial or not," Daniels says. We now see a photo showing three big rocks that were found once officers removed some of the soil. "This is screaming to me as a team leader that something is odd. Something shouldn't be here," Daniels says. Boyce calls for a brief sidebar. I have not seen Lori look up for the past hour. She continues to write in a yellow notepad with her back toward the gallery. At 3:28 p.m. Boyce says we will conclude with testimony for today and continue tomorrow.

April 26, 2023 – Wednesday – Madison County Prosecuting Attorney will continue questioning FBI Special Agent Steve Daniels. We now see an exhibit on the screen showing an overhead view of Chad Daybell's property. Daniels is discussing burial site #1 – the site where JJ's remains were found near a tree in the yard. Daniels describes a raised berm at the burial site with shorter grass on top compared to longer grass in the surrounding area. Once police discovered the potential burial site, they removed the vegetation layer by layer. A photo is now on the screen showing the large rocks that were found at the burial site. "This was a good indication that this was a burial due to the precise manner the rocks were placed," Daniels says. Now we see boards that were found below the rocks. Daniels says it looks like they were strategically placed. "I've probably excavated approximately 5-7 burials. Out of all of those burials, this is the most precise — somebody's taken the most effort to bury these remains," Daniels says. Daniels says you would place planks and rocks to prevent wildlife from finding the human remains. "If they scattered the human remains, a neighbor or someone else could discover them so the grave isn't as hidden," Daniels says. He also says once human remains decompose, there is a sinking in the soil. "If there's a berm to it, it will level out over time." . Once the planks are removed, we see a black piece of plastic. At this point, Daniels took his hand and brushed aside the soil from the black plastic. "I made an oval shape in the ground and it has the feel of a human skull. That's what I presume it is," he says. Daniels took a razor blade and cut into the black plastic bag. "It's tight to whatever is inside. I had to pull that black plastic bag off and make a razor blade cut to the bag." Under the black plastic bag is a white plastic bag. Daniels cuts the white plastic bag and human hair starts coming out with the razor blade into his hands. "That's the point we decide these are human remains. This becomes burial site #1 and it is JJ's burial site," Daniels says. The next photo shows a wider shot of the burial site. The team needed to carefully sift through the dirt. They divided the grave in half – grid a for the top part of the body and grid b for the lower. Daniels says multiple tools were being used – shovels, rakes, metal trowels, wooden tools for flesh or organic materials, clay-molding tools, tongue depressors for skeletal remains and more. The next photo shows duct tape on the black plastic bags. Daniels says duct tape can contain good forensic evidence, so they wanted to be very careful. We see another photo of a complete black plastic bag with duct tape on it. The next photo shows decomposition that was leaking out of the plastic bag. Samples were taken of the decomposition. The following photo shows burial material laid out on a plastic tarp next to a blue tent area. Another picture shows a wide shot of the backhoe next to JJ's

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burial site. "Once we found JJ's remains, we knew Tylee was around here somewhere. Was Tylee buried underneath JJ? We had to be very careful." Nothing else was found in burial site #1. Wood asks to admit an exhibit containing ERT (Emergency Response Team) photos taken June 9-10. These photos were just shown to the court. Wood wants them admitted so the jury can review them later rather than having to view the interactive presentation we just witnessed. Thomas objects and says it's cumulative to admit them again. Boyce is concerned that the photos would be admitted twice but believes they would assist the jury so he allows the admission. Wood asks to admit another exhibit containing more photos from the crime scene. Thomas objects that the pictures are cumulative – they were shown in the interactive presentation, but Wood wants the jury to have hard copies of the pictures. Boyce overrules the objection and lets the photos in. Wood asks to admit another exhibit. Again – more photos that were in the presentation. Thomas again objects based on the fact the pictures were already admitted in the presentation. Boyce overrules the objection and allows the photos in. Wood asks to admit another exhibit. Once again – more photos from the presentation. Thomas again objects based on the fact the pictures were already admitted in the presentation. Boyce overrules the objection and the photos are admitted as evidence. And we have another exhibit that Wood wants entered into evidence. More photos from the crime scene. Thomas objects based on previous reasons. Boyce overrules and lets the pictures in. Wood asks Daniels to contrast the differences between JJ and Tylee's burial sites. He says there was a big difference – JJ's remains were all intact, wrapped in plastic bags and very coordinated with rocks and wooden planks. Tylee's burial site was just "a mass of organic material" that fell apart when the team went to uncover it. "Such a big contrast for us as a team going from JJ's – how precise everything was placed – versus Tylee's melted, charred, mass – how that was placed in that burial." Wood has no further questions for Daniels. John Thomas will be cross-examining him. Thomas asks Daniels about his experience and him being to 5-7 burials over the years. Daniels has always been in the Salt Lake City division which covers Utah, Idaho and Montana. Thomas asks Daniels about his first uncover of a burial. Daniels says he would have to look it up. Thomas asks for clarification on the 5-7 burials. Daniels says some were individual burials, others had more than one burial. Daniels believes he has processed another burial scene in Idaho on the Fort Hall Reservation. Daniels says he probably shouldn't talk about specific cases. Thomas says it goes to his credibility. Daniels responds that he's been on cases in Missoula and other cases involving human remains in firepits. Thomas asks about the grid system the law enforcement team set up on the property. Thomas asks if the dirt area outside of the firepit was sifted. Daniels says he would need to ask his other team members to be sure. Thomas responds, "We've had about three years to prepare for this. This didn't come up over the past three years?" Daniels says he will need to check with his colleagues. Thomas asks Daniels if he has met with other senior team leaders in other parts of the country to discuss this case. He says no but in preparation for the search warrant, Daniels did talk with the Evidence Response Team in Virginia. Thomas has no further questions for Daniels and Wood is done with his questions too. Next witness up is **Dr. Garth Warren**. **Warren** is dressed in a dark suit with a gray shirt and tie. Wood will question Warren, who is a **forensic pathologist**. "A forensic pathologist is a medical doctor who tries to determine how people die," he says. Warren has been licensed to practice in Idaho for six years. He practiced in Colorado for five years. He attended the University of Health Sciences Center in Portland, Oregon and did a general pathology residency with a two-year

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fellowship in neuropathology. He also did a one-year fellowship in forensic pathology. Warren works **for the Ada County Coroner**. Warren investigates homicides, suicides, accidents and there is an entire team that investigates these deaths. He says his job is to determine why people die. The Ada County Coroner's Office has a contract with Madison and Fremont Counties to conduct autopsies. Warren performs 200-250 autopsies a year. He believes he's conducted 1,200-1,500 cases in Idaho. Wood asks Warren what pathology involves. Warren says it's the study of disease and explains what some of his job involves. Warren is a member of the American Board of Pathology and serves on other boards. He details the tests he had to pass in order to practice pathology. Warren says cases that fall under the medical examiner/coroner's office are typically not-natural deaths. Tests are done to come up with a cause and manner of death. "That's my ultimate job - to determine the cause and manner of death" he says. Cause of death is what causes you to die - heart attack, car crash, gunshot wound, etc. Manner of death deals more with circumstances surrounding the death and there are typically five options - natural, accident, suicide, homicide and undetermined. Wood asks Warren what an unattended death is. Warren says the death is unattended by a clinician. If somebody dies in the hospital, that's an attended death. Someone who dies outside of the hospital without a doctor is an unattended death. Warren says typically the body is received in a body bag. The bag is typically sealed. He opens the body bag and observes the scene as is - what were they wearing, any evidence of medical intervention, etc. The clothes are then removed, and evidence is gathered if needed. A head-to-toe exam is performed - hair, eye color, ears, fingernails are all described. Warren looks for anything that could determine cause of death. Warren then cuts into the body, collects urine, blood, eye fluid and other things are collected from the body. Organs are inspected and weighed. Warren says he has conducted autopsies on over 200 bodies. Warren conducted the autopsy on JJ Vallow on June 11, 2020 at the Ada County Morgue. The autopsy took about four hours. Warren says JJ died of asphyxia by plastic bag over the head and duct tape over the mouth. Bound with duct tape, bruising on the arms and abrasion to the neck. Warren says they received JJ's body in a body bag. He opened it up and it was wrapped in plastic. "Right from the beginning there were some things that obviously jumped out. There was a white plastic bag over JJ's head wrapped around his face multiple times with duct tape all the way down to the neck. The forearms and the hands were bound with duct tape and the ankles were found with duct tape. JJ was wearing a red pajama top, red pajama bottoms and black socks. Another quite obvious thing is the body was in a sense of decomposition. There was dirt and mold on the tops and bottoms. You could tell even with the clothing on that the body was in a state of decomposition by the color of the skin." The clothes were removed and submitted to law enforcement. A single cut was made on the duct tape and given to law enforcement. The plastic bag was given to the law enforcement. All of the fingernails were cut and given to law enforcement. Oral, anal and penile swaps were conducted in case there was a sexual crime involved. A portion of the rib, bone, hair and two molars were taken out of JJ's mouth for DNA purposes. JJ's body was in a state of decomposition. Warren describes the graphic details of the state of JJ's body. Warren found a scratch-like abrasion on the left side of JJ's neck. There was also bruises on the left arm and a hemorrhage on the right thumbnail. "There were also other areas that were concerning or suspicious - bruising on the ankles that may have been associated with the duct tape." Many members of the jury are taking detailed notes as Warren speaks. Lori is taking notes and looking up at the witness. There was no sign of

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disease. Warren made incisions on the heart and lungs. All the organs were still there and well-defined, Warren says. "All of the organs showed decomposition changes, but I did not see any trauma to the internal organs or evidence of overt natural disease to any of the organs." Warren did not observe any rib fractures. He did not see anything unusual in the lungs. There was no blood or urine due to the state of decomposition, so a sample of JJ's liver was sent for a toxicology. Full-body x-rays were also performed but they did not show any overt fractures or abnormalities. The toxicology report shows low levels of ethanol (alcohol), a drug called GHB (gamma-hydroxybutyric acid), caffeine and theobromine (pardon the spellings) that can be found in cocoa and tea. Wood asks Warren to characterize the amounts of GHB found in JJ Vallow. He says, "inconclusive." GHB can be found in tissues including livers postmortem and "there's really no way for me to tell for sure whether this is just a naturally occurring product in the body that was there or if JJ was given GHB. I can't say one way or another based on the levels." Larry and Kay Woodcock are not in the courtroom this morning. They were aware what would be discussed today. Judge Boyce is back on the bench but court staff are working out some audio issues. Warren is back on the stand and Rod Wood continues to question. Wood asks to admit photos of the autopsy. There are around three dozen photos taken during the autopsy that Wood asks to admit as evidence. Thomas objects and asks the court to exclude them because they are unnecessarily prejudicial. Wood responds, "There are photographs of what actually happened. What actually transpired during the autopsy? There's no better evidence to explain the autopsy process than by these and Dr. Warren's testimony. They are true and they are accurate." Boyce overrules the objection and photos will be admitted. Thomas asks to have the photos shown in black-and-white. Wood objects and says that's not the reality. Boyce calls for a sidebar. White noise is played in the courtroom. The defense does not want these photos shown. . All of the attorneys have left the courtroom with the judge. Lori sits at the defense table with her back toward the spectators. Her side can be observed by jurors who sit directly across from her. Lori is writing in the yellow notebook. Boyce is back on the bench. He says he has considered the evidence and made a decision that it would be inappropriate for many of the photos to be publicly demonstrated due to their graphic nature. Boyce is also concerned that the photos on the big screen would "blow them up." So the images will be shown on the monitors in front of the jurors and at the defense and prosecution table. Spectators in the courtroom and overflow areas will not see the photos. Jurors, the defense (including Lori) and prosecution will see the photos. Wood says he did not take a position on the ruling and left it to the discretion of the court. Warren describes the first photo as JJ in a black sealed body bag. A red seal is on sealing the zipper of the body bag and a ruler is apparently on the photos with the case number listed on it. Lori is looking at the screen. Thomas raises a concern that people sitting behind prosecutors can see their screen. Boyce asks Madison County Deputy Prosecuting Attorney Spencer Rammell to stand behind the screen so he can block the public from viewing the monitor. Boyce jokes, "I knew having you on the prosecution would come in handy at some point." Change of plans. The prosecutors turned the monitor around and moved their chairs so they now face the audience and there's no way for anyone in the audience to see the screen. Wood now asks for another sidebar. The next image is a red body lock after it's been cut by the forensic team and removed. The next image is a photo after the sealed body bag is open. "At that point, we opened that bag and peel back some of the duct tape. Then we handed over that black bag to law enforcement as

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evidence,” Warren says. The next photo is the first view of JJ after they opened the black plastic bag. Warren says there is a white plastic bag over the head wrapped multiple times with duct tape. The next image is a photo of the white bag over the head and the duct tape over the head. Warren continues to describe the autopsy photos and the extent of the decomposition fluid. “You can see a small portion of his arm, his left upper arm, and you can see it’s in a state of decomposition. It has a tan, leathery appearance with skin slippage.” The next photo is the lower half of the body showing JJ’s pajama pants. The next picture shows the lower half of JJ’s body. His ankles are bound with duct tape. The juror who was not looking at the screen is now crying and wiping her eyes with a tissue. The next image shows duct tape covering JJ’s mouth from jawline to jawline. Lori just glanced at the screen and then looked away. “We carefully removed the plastic bag and the duct tape from JJ’s head,” Warren says while describing the photo. There is decomposed tissue and fluid shown in this photo. Warren now describes a photo of the strip of duct tape covering JJ’s mouth. “JJ’s face is in a state of decomposition...It’s green in discoloration and there is skin slippage.” The next photo is a strip of duct tape that covered JJ’s mouth. It was submitted to police as evidence. The next photo shows JJ’s hands wrapped multiple times with duct tape. Most of the jurors are looking at their monitors and showing little emotion – but the one I referenced earlier is looking at the witness, at the ceiling, at the prosecutor or looking down. Warren says the next photo shows a “large band of duct tape” that was removed from JJ’s arms and given to law enforcement. The next image is the same duct tape taken from a different angle to show the inside of the duct tape. “You can see the decomposition staining on large portions of the duct tape.” The next photo is a close-up of the duct tape around JJ’s wrists. “It appeared it had been wrapped around one wrist and then the other wrist had been laid on top of it and then it was wrapped around the other wrist separately.” More images are shown of duct tape found wrapped around JJ’s wrists. Now Warren describes the diaper that JJ was wearing when he was buried. There is decomposition fluid and sluffed-off tissue on the diaper. The next photo is of JJ’s face. “We always get a photograph of the decedent’s face and at the time it helped us with a preliminary identification based on photos I and everyone else in the room had seen. This did look like JJ,” Warren explains. The next photo is of JJ’s upper body including his face and arms. It shows the state of decomposition he was in and on his chest there is a green/tan skin discoloration. I have only seen Lori look at the screen once briefly during the presentation of the photos. Warren describes another photo showing JJ’s lower half – his legs and his feet. The next picture is of JJ face down. “We always get photographs of a decedent laying face down so we can better evaluate the back. This simply shows there is decomposition involving the back and the shoulders.” Wood asks about white spots that are apparently on JJ’s side. Warren said they are likely salt minerals that are part of the decomposition process. The next image shows JJ’s lower half from the back down. The next image is of JJ’s arm highlighted with a ruler. There is some discoloration that could be associated to bruising. Lori appears to be crying. She is wiping her eyes with tissues and will not look at the screen. The next image shows bruising on JJ’s arm. The next image is a portion of JJ’s right upper arm where there was hemorrhaging, which Warren says is consistent with bruising. Warren describes a photo of the left side of JJ’s neck. “There are a couple of things you can see. One – you can see a slight or faint impression of where the duct tape was around the neck. You can see multiple brown to light brown abrasions – some with a small amount of red hemorrhage – that was scattered on the left side of the neck.” Warren says

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there appears to be scratch-like abrasions on JJ's neck. Warren describes a photo that shows bright red bruising under JJ's fingernails. "It essentially means there has been trauma to that area and blood vessels have been broken. It's essentially caused a bruise." Exhibit 176JJ is a photo of JJ's lower body and possible bruising, Warren says. Wood is finished with the exhibits. Boyce says the victims will be allowed to view the exhibits if they would like in another setting. Prosecutors are re-adjusting their seats to get the monitors and seats back to normal. The feeling in the courtroom is very heavy. Even though the audience did not see the photos, we heard the description and could tell at least one juror was affected by them. Wood asks Warren if the bruises on JJ's body were from before or after he died. Warren says they were premortem because when someone dies, there is no circulation so bodies can't bruise. Wood asks if the bruises on the neck could be decomposition. Warren does think so. Wood now asks if Warren was involved in the autopsy of Tylee Ryan. It started on the same day as JJ's - June 11, 2020. Tylee's autopsy was done after JJ's. "This autopsy was different. The vast majority of the time when I perform an autopsy, I get an entire body and there's a process we go through. Tylee's case was different. Her remains were received in three separate sealed bags. Two of the bags were black body bags and the third was a large brown paper bag that was sealed. Within that contacted five other paper bags within it. So I essentially received Tylee's remains in multiple different bags," Warren says. Warren says Tylee's autopsy took about a week. All of the remains were x-rayed. "We were looking for anything. Bullets, a portion of a knife, any other foreign debris that we could collect as evidence," Warren says. No projectiles or portions of weapons were found. "Essentially what we saw was a collection of bones along with other debris. A lot of mud and dirt." There was no blood or urine to send for a toxicology but Warren says you can send skeletal muscle. He cut into the skeletal muscle and "got the best tissue" he could. He sent that in for a toxicology report. The report came back positive for ibuprofen, a common decompositional product, carboxyhemoglobin and iron. Carboxyhemoglobin in a fire is often released along with multiple other cases. "If that is breathed in and the person is alive, you'll get a high carboxyhemoglobin level. That's why we did the test. In this particular case, the carboxyhemoglobin level came back extremely low. There is no evidence to support that Tylee was alive when she was burned." Warren was able to find Tylee's heart connected to her right and left lung, one kidney, a few small segments of bowel, a portion of a liver and small fragments of brain matter. "These organs had severe decomposition, significant burning artifacts, they were charred and shrunk. Presumably the rest of the organs burned away or were never found." Warren was able to identify Tylee's pelvis with her femur, portions of her skull including the area where her eyeball would be and portions where her teeth would have been. Multiple long bones and rib fragments were also identified. "There weren't nice clean bones. These were bones that had significant artifact secondary to the fire. They were blackened and charred," Warren says. Warren determined Tylee's cause of death as homicide by unspecified means. "The cause of death was by homicide but I just can't pinpoint exactly what that was." Wood begins after lunch break by asking Warren about homicide by unspecified means. "There are specific guidelines and criteria used dealing with the cause of death. 1. It has to be objectively suspicious circumstances - dismembered body, body is burned, body is buried out of site - and others. This case clearly fits number one. 2. No findings at autopsy to explain the death." Warren says he found no drugs or substances to explain the decedents' deaths. Tylee's case met all the qualifications to determine she died by homicide by

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unspecified means. "This is a homicide, I just can't tell you exactly why." Warren reviewed Tylee's medical records. She had anxiety, ovarian cysts, pancreatitis and some other minor health issues. Wood asks if anything in her medical history would cause a reason for her death. Warren responds, "No. Not in my opinion." Warren collected multiple pieces of soft tissue, skeletal muscle (what he thought was liver) and other organs for potential DNA analysis. "You can use blood and tissue samples to get DNA from those sources." The remains were three bags. In bag #2, there was a single strand of hair. That was submitted to law enforcement. A melted green bucket was also found in bag #2. It was also given to the police for evidence. John Thomas objects that the photos are too prejudicial and should not be admitted. Boyce says he has considered the objection and overrules the objection. "But there are some photographs in here, not all of them, in order to minimize the inflammatory effect should not be shown on the large projector screen," Boyce says. Warren asks if photos were taken during Tylee's autopsy. He says yes. Wood asks to admit over 30 photographs as evidence. It appears members of the public will see some of the photos – but not the most graphic. The jurors will see every photo on the screens in front of them. The judge, defense (including Lori) and prosecutors will see all of the pictures. We are shown the first photo. Wood asks Warren to describe it. "The remains came in three separate bags. This is labeled 1 of 3, and you can see there's a red seal through the zippers of the bag. The seal is to preserve evidence," he responds. The next image is a close-up shot of the red lock on the body bag with Tylee's case number written on the lock. The next image shows inside two brown paper bags inside the body bag after the seal was broken. One bag is labeled, "burial site?" and the other bag is not labeled. We will not be shown the next few images. Lori can look at them, but her head has remained down with her back to the monitor. Configurations are made so those sitting behind the prosecution's table cannot see their monitor. This photo shows charred remains with clumps of mud, dirt, soft tissue and bone that were inside the body bag. The next image shows what was in the "comingled clump of charred tissue." Warren says on the far left is a "sacrum with decomposed tissue with black and charring." The right and left hip bones are in the remains with part of a femur. There are also fragments of small bowel found within the comingled remains. The photo also shows some small bones and cartilage. All of the skeletal remains were sent to the FBI for testing. The next image is still bag 1 of 3. This shows charred and decomposed soft tissue. "On the right are blackened chunks of material determined to be clumps of mud, ash and rock." Still on bag 1 of 3. The next image shows what was in the paper bag labeled "burial site?" There are multiple charred pieces of bone and other debris. The next image shows close-ups of Tylee's body parts, bones and other artifacts. There is also charred ash, dirt, twigs and rock. The next image shows bag 2 of 3 – how it was received as a suspected female. The next image is the lock on the body bag showing that it was intact. The next image shows what Warren found once the bag was broken open. "There are large masses and clumps of – it's hard to tell – but there are clumps of tissue, you can feel the bone...on the largest mass of comingled tissue there is some green discoloration." The green is from the bucket found with the remains. The next image is from bag 2 of 3. There are more charred remains, along with brown paper bags. One is sealed with tape. The next image shows Tylee's skull, and where her eyeballs would be. There is charring and dirt on the skull. Warren describes a large fragment of her cranium. There are teeth – blackened and charred – but there were still some teeth intact. The next image shows Tylee's heart right in the middle of the picture, and on both sides of the heart are her right and left lung. They

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were still attached to each other. “The heart and the lungs are both significantly shrunken, they’re disrupted, they’re burned, they’ve fallen apart.” Warren describes the next photo, which shows a close-up of Tylee’s charred heart. “There is decomposition and it’s falling apart.” Tylee’s lungs were significantly shrunken and were like a “hard sponge.” One kidney was identified. Warren is now describing that photo. The kidney was charred. The next image is bag 2 of 3 after it’s been cleaned up. The organs have been removed but all the bones remain. Warren describes a scapula, long bones and multiple rib fragments. There is also a sternum and black, charred bones that are unrecognizable. The next photo is multiple charred pieces of bone, unrecognizable bones, small bones likely from Tylee’s hands or feet. These were all in a brown paper bag. We are moving on to bag 3 of 3. Warren says inside this bag were five smaller paper envelopes. Boyce says from this point forward, the photos can be projected on the big screen so we will get to see them. Boyce says the victims will have an opportunity to view the photographic evidence if they wish. We now see a photo of a small paper bag on the screen. Warren says small fragments of unidentifiable charred bones were found inside this bag. The next photo is another small bag sealed and labeled “firepit B.” Small fragments of charred, unrecognizable bone was inside this bag. The next photo shows a bag that contained small pieces of unrecognizable bones. The following picture shows another paper bag that contained more small, charred, crumbling, unrecognizable bones. The final photo shows another small bag labeled “suspected organic matter.” There were small charred pieces of soft tissue in the bag. Wood has no further questions for Warren. John Thomas will now cross-examine the forensic pathologist. Thomas asks Warren about his medical degree and where he went for his undergraduate work. Warren responds that he went to Stanford. Warren explains that he completed three different fellowships as part of his training. Thomas asks if the Ada County Coroner’s Office is independent of law enforcement. Warren says his office works with them but not for them. Thomas asks Warren what his training is regarding evidence collection. Warren says during one fellowship, he was trained on how to get nail swabs, fingernail clippings, getting clothing off body, etc. Thomas asks who is in the room when autopsies are done. Warren says during this case, he had three technicians helping him. Rob Wood, two Rexburg police detectives, the Fremont County coroner and a Fremont County detective were also there. Thomas asks if an officer or prosecutor is telling Warren what to collect. He responds, “It’s a team approach. There are typical things we always get. If we can, we always try to get fingernail swabs, hand swabs, oral swabs. ... Sometimes, law enforcement will ask for specific things.” Thomas asks if the autopsy was recorded. Warren says no. They do not video or audio record autopsies. Thomas asks what he remembers about JJ and Tylee’s autopsies. Warren remembers collecting fingernails, the bag the body came in and the duct tape. He does not remember specific conversations with anyone from that day about the evidence being collected. Warren says before JJ’s autopsy, he held a briefing with Rexburg police, Fremont County sheriff detectives and an FBI agent. Warren was given a timeline of the case from when the kids disappeared to when they were found. Thomas asks if Warren collected inside JJ’s sinuses. Warren says no. Thomas asks Warren how he came to the conclusion that JJ was smothered with a plastic bag. “He was found with a plastic bag over his head, it was tight, and there were signs of a struggle,” Warren says. Warren: “You find zero reason for them to be dead, then it’s reasonable to conclude that it was the cause of death.” *Thomas asks why Warren didn’t swab JJ’s nasal cavity. Warren says he would never do that in these types of circumstances. Thomas says, “I’m*

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going based on things I've seen in movies." Warren responds, "That's scary." After a feisty back and forth over why Warren didn't swab JJ's nasal cavities for evidence of plastic bag fibers, Thomas says they will just have to disagree about why it wasn't done. Warren says it's never done with a plastic bag over the head. "You're not breathing in plastic, you're breathing in air and that's why you die. There's no air."

Thomas asks about the bruises found on JJ's body and if they looked fresh. Warren says the bruises could have been from within hours before JJ died. Thomas has no further questions, and Warren is released from the witness stand. Thomas says Dr. Warren may be recalled, so they ask Boyce to keep him under subpoena. He is excused as a witness for today. **Dr. Angi Christensen, a forensic anthropologist for the FBI in Quantico, Virginia** is the next witness called by the state. Rachel Smith is questioning Dr. Christensen. She has worked there since 2004. Christensen describes her credentials and training. "Forensic anthropology is a specialized area that includes the analysis of skeletal remains." Christensen says a medical examiner would refer skeletal remains to a forensic anthropologist if they wanted a more in-depth exam. She says generally the exam will begin with a visual assessment of the bones and could progress to looking at bones under a microscope or using X-rays. The Ada County Coroner requested help from Christensen. Christensen did the initial visual assessment, measured the bones, looked at some items with a microscope and did a CT scan of the bones. Christensen examined around 100 bones belonging to Tylee Ryan. Christensen said all major parts of the skeleton were represented when she did the assessment. Christensen said when she received the remains, they were "fragmented in nature," and a lot of them were burned. Three bones had sharp edges that were likely impacted by a tool. Christensen asks if she can refer to her notes. Smith asks permission from the judge. The defense is reviewing the notes before permitting them in. Lori is whispering with her attorneys. They have no problem with the notes, and the bailiff gives them to Dr. Christensen. Christensen says at least one bone was bent or hinged. Christensen says there was evidence the bones were subjected to thermal damage. Burning changes the color of the bone to tan, black and eventually white. Christensen says she documented her findings in a report, and photographs were taken and placed in her exam notes. Smith asks to admit a report as evidence. Thomas is questioning Christensen about the validity of photos in her presentation. The photos are admitted into evidence. Christensen says there was one bone that had "carnivore activity" — some sort of mammal had chewed on it. The first photo is shown on the big screen. It shows portions of Tylee's left and right femur. On the backside of these bones is where Christensen found the carnivore activity. We now see a picture of a human skeleton, and Christensen shows where the femur is on the body. She points to the legs. The next photo shows three parts of Tylee's skull. On the right side of the face and upper jaw bone, there is a blackened area that was altered from heat. Lori continues to look down — not at the screen showing her daughter's bones. Christensen also points out thermal damage to the jaw bone. Christensen has experience in bone trauma. She says there is blunt trauma, sharp trauma and high-velocity trauma. Christensen identified sharp trauma on three of Tylee's bones — the left and right hip bones and the back of the pelvis. Something with a "small service area" caused trauma to these bones, Christensen says. She is not sure what tool was used to cause the trauma. The next exhibit is a photo that shows the sharp alterations on the bones. Christensen says there were five areas of sharp trauma on the left hip bone, and they were not the result of disease process. Christensen says an "external force" was imposed on the

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bone. She has experience looking at bodies that have been dismembered. “Typically sharp trauma in dismemberment cases appear around joints,” she says. Christensen says the images we are seeing are not consistent with dismemberment because they are not near joints. “The purpose of dismemberment is to break the body into smaller pieces. In this case, all of the sharp traumas are in the area of the pelvic region.” You can see evidence of the sharp trauma in some bones on both sides – meaning the instrument went all the way through. We now see images of a CT scan Christensen performed. She points out areas of sharp trauma on the bones in the pubic region. Smith has one more set of close-ups of sharp trauma for today. There are four photos on the screen. Court is adjourned for the day.

April 27, 2023 – Thursday – 8 witnesses testified today, including several technical forensic experts, starting with the continuing questioning of Dr. Angi Christensen followed by others involved in the autopsies or lab testing on both JJ and Tylee were on the stand today. They include: **Douglas Halepaska with the FBI, David Sincerbeaux an analytical chemist in the ISP lab, Rylene Nowlin with the Idaho State Police, Tara Martinez, an ISP employee, and Chuck Kunsaitis** was called back to the stand as well. Cross examination of most all of today’s witnesses continued to be brief from John Thomas of the defense. He continues to pretty much only question the expert’s training and expertise. *He looked a bit foolish yesterday, in my opinion, when cross-examining the main pathologist, Dr. Garth Warren, doing the autopsies. He had questioned Warren not swabbing JJ’s nostrils and Warren said it would never be done in a case of plastic bag over the head suffocation. Thomas had made the stupid comment about that he had learned that from watching crime movies, and Warren responded with “that’s scary”. Thomas replied with, “that’s scary?”. Then Thomas said “well, we’ll just have to disagree on that.” Rob Wood objected saying, “that’s not a question.” Boyce sustained it and Thomas weakly rephrased it into a question, something like, “can we just disagree on that?”* The defense opted to not release the witness, requiring him to make himself available for recall by the defense, rendering him unable to follow or discuss the case. In my opinion, Thomas did this out of spite for Warren making him look bad by comparing his “movie watching expertise” to a clear expert in pathology. The last witness was **Tammy’s sister, Samantha Gwilliam**. She testified Tammy was in perfect health when she visited with her two weeks prior to her death. She was in a clogging class and was training to run in a local race (5K?)

April 28, 2023 – Friday – Court resumes, but as scheduled previously, ended early today at 1:00 p.m. without a lunch break. Testimony continued with Samantha Gwilliam, Tammy’s sister. Several other witnesses testify regarding the death of Tammy Daybell, including testimonies by **Deputy Colter Cannon, Helena Kaaiakamanu, Christina West, Alyssa Greenhalgh, Cammy Willmore, Brenda Dye, Spencer Cook, and Kelsey Harris**. Friends of Tammy testified to her apparent good health in the days leading up to her death. People who exercised with her and others who worked with her, all testifying contrary to Chad’s statements of her have failing health.

May 1, 2023 – Monday – The trial continues with testimony from **Keeley Coleman, Senior DNA Analyst at Bode Technology in Virginia**. Coleman has processed thousands of DNA samples as an analyst and has participated 20 times in proficiency testing. Wood asks

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several technical questions about DNA testing. They discuss the May 2022 receipt of DNA profiles from Lori, Tylee, and Melanie Gibb. She also received items of evidence including a hair attached to an adhesive. The tests concluded that the hair sample had the DNA proof of it being from Lori Vallow. John Thomas now cross-examined Coleman asking about her educational background and the standards Bode must follow to be an accredited agency. Thomas asks her some technical questions about DNA samples. Rick Wright is next to testify. Wright worked as an FBI special agent for 24 years before becoming a contract special investigator. He was assigned early on to the case of the missing kids, Tylee and JJ. He met with Ian Pawlowski. Ian was asked to consensually record conversations he was a party to. Ian agreed and recorded some conversations he had with Melani P., Lori, Alex, and Chad. The recordings belong to the Rexburg Police Department. There were discussions about following Alex Cox's cell phone data from about September 1 through the times Alex was pinpointed on Chad Daybell's property around September 8 and again around September 23. There was also discussion about Chad Daybell's text to Tammy talking about shooting the racoon and burying it in their pet cemetery. Next testimony was from **Erik Christensen, the chief medical examiner for the State of Utah**, who explains his background in forensic pathology. Thomas objects and says Utah procedures don't matter in this case. Judge Boyce overrules the objection. Christensen has performed around 7,200 autopsies in his career. Christensen performed Tammy Daybell's autopsy. He talks about the bruises found on Tammy's arms being at a time close to her death. Graphic images were shown with the monitors being turned away from the gallery. After trial today, Larry Woodcock was interviewed outside by the media. He feels strongly that the hair of Lori Vallow's found on the duct tape was "a nail in the coffin" in his opinion. He said it, "ties it with a bow" that conspiracy was involved in the killing of the children. There are various internet sleuths that are of the opinion that the hair could have been "transferred" rather than proving that Lori was there at the time of the murders. However, Scott Reisch the attorney on the "Crime Talk" YouTube channel couldn't believe the Defense didn't even bring that up in their cross-examinations. He said that perhaps they may do it later. Larry is also of the opinion that there will likely be more bombshells tomorrow. He inferred that perhaps the prosecution was saving the best for last.

May 2, 2023 – Tuesday – Testimony continues from Utah Medical Examiner, Dr. Erik Christensen, continued. As usual, cross-examination by John Thomas begins with him questioning his educational background and questions about pathology and asks why the frothy foam found in Tammy's mouth wasn't tested. The doctor answered with, "I don't know what testing [that] would do." Then Thomas pushes back, and Dr. Christensen explained that there are better ways to test from autopsy like tissues or blood. Thomas asked about seizures. Christensen answers that there was nothing abnormal from x-rays, and that it was "unlikely Tammy had suffered any seizures." Later he said that her brain was thoroughly inspected by a brain specialist doctor, but said it is "possible" something was missed. Thomas asked about the possibility of overdosing on supplements like vitamins or natural medications found in Tammy's house. Christensen responded with, "it's possible to overdose on anything." Thomas asked about testing for overdosing on essential oils and Christensen responded that he was unaware of any test for that. Next to testify was **Fremont County Sheriff's Office Detective Bruce Mattingly**. More discussion on Tammy's health and medical records. Also, about the investigation in the attempted

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shooting of Oct. 9. More discussion about insurance benefits paid out to Chad Daybell in the amount of \$430,000. Next to testify was **Alice Gilbert, a friend and neighbor to Tammy and the Ward Relief Society President** serving with Tammy who was her 1st counselor. She recalled the day of Tammy's death and interaction with the Daybell kids, particularly Emma. Emma had called Alice at 7:00 a.m. and Chad took the phone and told Alice not to tell anyone and to wait for an hour. Alice said she needed to call the Bishop and Chad told her not to call him---but she did anyway. She went to the house at about 8:30 a.m. All the kids but Mark were there, and they appeared stunned. Chad did not appear stunned. Chad told her the funeral would be in 3 days in Utah. Alice said that seemed quick and asked if they had previously planned for the funeral and Chad answered "no". She also thought it was odd that Chad had asked the kids to go through Tammy's things that day. Alice went to the funeral in Utah on that Tuesday but did not attend the memorial in Rexburg on Wednesday. The R.S. Presidency and Bishop took a meal to Chad's house that evening. Chad was there and said he would be moving out because he couldn't be there. He said he was moving to the condo of a "friend" who was seldom there. He called the friend "he". A few days later Alice visited Emma and Garth again. Emma was crying, she missed her mom and said that Chad "didn't want anything to do with her or her siblings." A week after Tammy's death Alice called Chad and asked if she and her husband could come to visit Chad. He said, "No" --- but he would come out to see them, which he did. She asked him how he was doing, and he said, "Actually, I'm doing very good." He then said he had met the woman he was going to marry. She and her husband were in shock. Alice asked Chad her name and Chad didn't want to say, but eventually said it was Lori Vallow. The Gilberts work in the temple on Tuesday nights and on a Tuesday soon after saw and talked with Chad and met Lori briefly at the temple with Melani, Lori's niece. Alice said it was very awkward. Soon after, Chad brought Lori over to the Gilbert's house to meet Lori. This was the week of October 26. They were quite affectionate with one another and acted more like teenagers. He had his arm around her and the other arm over her legs. They were laughing and giggling. She and her husband were embarrassed by it. Lori told Alice she had been married before but that her husband died of a heart attack. Chad told Alice Lori had recently lost a daughter. Chad told them he would be going to Hawaii to help a friend write a book. He also told her he and Lori would be getting married but didn't know exactly when. After they returned from Hawaii, he and Lori stopped by to visit the Gilberts and they showed them their wedding photos. She was shocked to learn they had married so quickly. After, Lori was arrested in Hawaii, Chad stopped by the Gilberts and asked if he could live in one of their spare bedrooms because his house was so crowded. They said they couldn't because their daughter was coming home to live with them. Later Chad came again asking them if they could put their house up for bond. They said they would think about it. The next day Chad texted them and told them he had already arranged for a bondswoman to come over to talk with them. Alice later confronted Chad about the fact he told her Lori's daughter and died. Chad denied telling her that. Chad said something about Tylee not liking him and her referred to her in the past tense. Alice also recalled overhearing Chad tell someone "They think I killed my wife." Archibald cross-examines and asks some mundane questions about people she knew in "Preparing A People" and other thing. The next witness is **Alice's husband, Todd Gilbert**. Todd recanted some of the same behavior his wife testified to. Archibald cross examines asking Todd questions about Chad's books and how he felt about them. Todd said, "they were kind of interesting. They were based on fiction mixed with

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some of the visions he had seen.” He also asked Todd about conferences of “Preparing A People” he’s attended or podcasts he had listened to. After Todd testimony, the defense wanted to show a lengthy podcast exhibit. The prosecution vehemently objected more than once and were overruled by Judge Boyce who allowed 40-minutes of the lengthy podcast be shown. Archibald said it would help the jurors understand better their religious beliefs. The podcast, recorded in November of 2018, included Melanie Gibb, Jason Mow, Thor Furuseth, Zulema Pastenes, and Lori Vallow. Archibald asked if the podcast would be considered mainstream LDS beliefs. Todd responded, “Probably most of it, but not all of it.” His story appears to align with that of his wife’s.

May 3, 2023 – Wednesday – Prosecutors call **Audrey Barattiero** who lives in Missouri and was a **friend of Lori’s**. They met at a conference in November 2018. Fremont County Prosecuting Tawnya Rawlings is questioning her. Her next contact with Lori was in February 2019. Chad had asked Audrey to be Lori’s friend as she needed a friend. “Someone to uplift” her. Audrey spoke with Lori every few weeks on the phone. She said they mostly talked of “spiritual things---not as much about things going on in personal lives.” They saw each other again in the summer of 2019 at a spiritual-based conference event in Utah. Audrey was living at the time in Utah at the time of the conference. Lori stayed in a hotel. Audrey spent time with Lori, Zulema, Melanie Gibb, and some other women she didn’t know. At the end of being at the event Lori had brought up wanting to work on her husband. Attorney Rawlings asked what that meant. She said, “Sometime close to that time when I had seen her again, all of a sudden---out of the blue, she brought up all of this stuff about zombies and people being possessed. I hadn’t heard of that before and had no basis for that. That’s why she brought that up because that was something she was doing herself. Audrey says she was uncomfortable with what Lori was saying. Lor had first told Audrey about this on the phone a few weeks earlier and then again at the conference. “She brought up saying she wanted to work on trying to get a negative spirit out of Charles. Everyone started holding hands and I didn’t know what they were doing. I thought maybe there was going to be a group prayer or something so they all held hands so I joined hands as well thinking there would be a prayer. Then she started talking and said she was going to try and get a spirit out of Charles.” Lori said things like, “knives and fire and weapons.” Audrey didn’t say anything when it was her turn in the group. She left afterward because she didn’t feel comfortable. She kept in touch with Lori on the phone. Audrey said she first met Chad at a conference in St. George. She has read 3 of Chad’s books. Two months after she met him at the conference in 2018, Chad reached out to her on Facebook. Audrey responded and asked him some questions about his books. Chad and Audrey then started to talk on the phone. She began chatting with Lori on the phone about religious things and spiritual experiences. Audrey remembers talking to Lori about her move to Rexburg. “A few times in the fall, I asked her how her daughter was doing. When I stayed in her house in November 2018, I met her daughter for a few minutes so in the fall of 2019, I asked her, once in a while, “How’s Tylee doing?” because she was at college. Lori said, “She doesn’t talk to me much these days.” Audrey met JJ once and met Tammy once. Chad spoke to Audrey about Tammy and said he had a near-death experience years before when he was told by a deceased relative that Tammy would pass away before she turned 50. This was around the end of January 2019 or February 2019. Chad told Audrey he felt he would get married again. He didn’t tell Audrey for a while who he would marry but eventually said Lori.

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Audrey said Chad told her he had spoken to Tammy about his vision, plan to get re-married. Chad told Audrey he had been Methuselah and the apostle James. Chad had been married during the time he was James the apostle. Lori's name was Alaina. Audrey moved to Missouri and in October 2019, Lori asked if she had her niece Melani could come to see Church historical sites. "They said they had some free time and had never seen them before. Audrey met up with Melani and Lori. They went to the temple and Adam-ondi-Ahman. Lori and Melani also went to Liberty Jail. Audrey says Lori told her when someone has become a zombie they are possessed and "need to be taken out". Chad had an idea that if someone was light or dark it was based on whether they were predominantly good or bad. Lori told Audrey her husband was dark and later on said JJ and Tylee were dark. She also said Tammy was dark. Lori said one or two of Melani's children were also dark. When Melani and Lori were in Missouri they invited Audrey to stay in their hotel room so she didn't have to drive home. Audrey did and that night, Lori said Tammy had a spirit in her that needed to be taken out. "I told her I did not want to help and did not want to participate. She (long pause and Audrey starts to cry) highly pressured me saying you're supposed to be my friend, you're supposed to help me. I reiterated I didn't want to and she kept on. "Audrey said later in the night, she said a prayer. "I said a prayer to Heavenly Father. I don't know what's going on. If there is something going on with Tammy and it needs to be taken out, I ask for Thee to help her. I asked that she would be able to feel the love of God and I ended the prayer. Audrey said if getting rid of dark spirits didn't work, Lori would come up with another idea---another spirit got in, we need to try again, etc. "It just kept going and going and going." Rawlings then asks Audrey if she remembers getting a text from Lori saying they had done a lot of work but it didn't work and another got in (speaking about zombies). Lori asks Audrey if she had any suggestions to help, it would be appreciated. Audrey didn't know why Lori was asking her for guidance. Lori said Tammy spirit was in a cage or jail and it needed to be freed because "some person has overtaken her body." Audrey: "When I heard Chad Daybell say something to the effect of why is the body still alive or something like that, I realized that they must have taken things even further. They didn't intend for the person to be helped—they didn't want the person to live". Toward the later end of October 2019, Audrey went to Hawaii. Melani and Lori picked her up. They all stayed in a hotel. Rawlings asks Audrey what she recalls about her stay in Hawaii. "It's very uncomfortable", Audrey says. She said Lori told Audrey Melani was going through a very hard time and Melani needed a friend. Audrey said she could be a friend. Audrey is crying. "Shortly after getting there, Lori told me Tammy had passed away. I asked her when and she said it had been about a week. I asked how she passed away. She said in her sleep." While in Hawaii, they went on bike rides and spent time at the beach. Audrey says Lori's behavior was different. Some moments she was irritated with Melani, other times she was swinging and laughing. "At that time, she seemed agitated or snippy." Audrey said Lori often got phone calls and she would leave for a long time. Audrey would stay with Melani to keep her happy. Audrey was starting to get uncomfortable and said she was going to go home. Lori said she was going to leave. Melani said she wasn't ready to go and didn't want to stay alone. So Audrey stayed with her. Lori bought a ticket to go to Idaho on a Wednesday. Audrey then left with Melani on Sunday and flew with her to Idaho so Melani wouldn't be alone. Audrey said she would pay her condolences in person to Garth because "I knew he had been very close to his mom." Audrey stayed in Lori's apartment in Rexburg. Chad and Lori were kissing and hugging. He often came back late at night to stay at the

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apartment. Melani stayed in one of Lori's rooms. While in Rexburg Audrey, Chad, Lori, and Melani went to the Rexburg Temple. Jim Archibald now cross-examines. Through his questioning she acknowledged that she had spent times with Lori in 5 different states: Arizona, Utah, Idaho, Hawaii, and Missouri and that she is 34 years old and single, and she works remotely for a customer service job. Archibald asks about Chad's books and the Preparing A People conferences. He asks about the concept of casting out evil spirits. She tries to explain herself as to why she didn't call authorities about Charles being in danger of if she ever called Church Headquarters. She said, "No". He asks her if she ever thought Chad was a 'weirdo' leading her astray. She said, "At that time I thought he was someone who could help me understand." He asked if she believed Chad when he told her he had been Methuselah. She said she believed that Chad had been an apostle of Jesus in a prior life. Chad told her he had lived "multiple" lives over millions of years. Archibald said, "He was regenerating as all these great people, right?" He asks, "Chad never said he was a 'loser' in the 1700's - he was always someone great, someone cool." Chad told Audrey he had been Jesus's brother in a prior life. Chad was married to Lori, who was name Alaina, and they walked in Palestine with Jesus. Chad told Audrey she was married to Jesus. Her name was Joanna at the time. She said she thought it could be true because she trusted Chad. Archibald asks if Audrey ever thought to call the police about Charles or Tammy being in danger. She says not until she decided to dissolve the friendship. Rawlings follows up with asking Audrey to clarify that the castings took place in Lori's hotel rooms. Lori organized them, Lori picked the target---it was all under direction of Lori. Audrey says she terminated the friendship with Lori in October 2019 after praying about it. She was in Lori's house and Audrey told her she was going upstairs and pack her bags. Audrey: "I asked her the question, 'Is there anything weird going on that I don't know about? And she said, 'What do you mean?' and I said, 'I don't know anything.' Audrey continued, "As soon as I turned to go upstairs, she started laughing---like if you were laughing at someone. She said, "You're so naïve and too trusting. You're like a little child. You think the world is all unicorns and rainbows. You go around helping people and serving them. Well I've got new for you. Not everyone can be so kind." Then she threatened to kill me. She said she would cut me up and wasn't in the mental place to do it but could get herself in placed to do it. There would be blood and bleach and something about trash bags. She would bury me in a place nobody would ever find me." Archibald now questions Audrey reminding her she is under oath to tell the whole truth. Archibald said none of this testimony came in during the Grand Jury proceedings. "Nothing of this sort was talked about. You want the jury to believe that you just didn't make this last crap up?" Audrey replies, "I did not make it up." Audrey says she did not ever mention this before because she was scared. Archibald forcefully pushes Audrey that this never came up in previous testimony and she stands by her claims. He has nothing further. Rawlings asks if she can ask one more question. Boyce says no. After morning break, next witness is **Fremont County Sgt. Vince Kaaiakamanu**, who has previously testified but is now back on the witness stand. Kaaiakamanu says he reviewed an email Tammy Daybell sent to her son, Mark. Thomas objects to the exhibit. Boyce reviews the exhibits before making a ruling and overrules the objection allowing the email in. It's Tammy's account of being approached in her driveway by someone carrying a rifle that she thought was a paintball gun. She said the gun repeatedly fired but nothing came out. Lindsey Blake now asks to admit a PowerPoint exhibit. Thomas objects saying it's improper to have the detective read from a summary. Blake counters with "expecting the

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detective to memorize the entire thing would not be possible.” Boyce overrules the objection allowing the presentation as a demonstrative exhibit. Kaaiakamanu says some of the searches stood out to him. Oct. 1, 2019, Alex searched for directions to Mesa AZ from Gallup NM. That same night he searched for a specific address on Phelps Street in Gilbert AZ. This is where Brand Boudreaux was living. On Oct. 2, he searched for directions on how to get to the same address. On Oct. 9, Alex also searched for several different AR-15 uppers, muzzle energy of 6.5 grendel and Frogg Togg sizing for pants. The detective says he believes Alex was trying to figure out where to stand to have an accurate shot at Tammy Daybell. On Oct. 8 Alex had searched for: 6.5 grendel drop from 100 yards to 200 yards. 6.5 grendel drop from 100 yards to 300 yards. On Oct. 10 there were several searches about AR-15, using it in cold weather and how to use it. He also did a YouTube search on shooting an AR-15 at -30 degrees. The detective says it was 26 degrees in Fremont County on this particular day. On Oct. 12, 2019, there were several other Google searches performed regarding guns, firearms, and ammunition. There was also a search about a Dodge Dakota. The Daybells had a 2004 Dodge Dakota. The searches were in relation to shooting through a vehicle. The final witness called today is **Ian Pawlowski, Melani’s current husband**. Prior to that an issue arose which Boyce needed to address about the exclusionary rule. Archibald says Melani Pawlowski listened to testimony and read stories about the trial. “We believe that Ian Pawlowski has violated the rule because he’s talked to his wife. His wife Melani has admitted she violated the exclusionary rule. We would ask the court to conduct an inquiry and if they violated the rule, they be excluded.” Blake says Ian has not violated the exclusionary rule and you can’t dismiss him just because his wife may have violated the exclusionary rule. Boyce is having Ian brought in for questioning to see if he violated the rule. Blake says the state may call Melani P. but they ask Boyce to take that up as a separate issue. All witnesses were told not to listen to any witness testimony or read/watch the trial. Pawlowski is here with his attorney Garrett Smith from Arizona. Ian says his wife has not listened to any witness testimony but after her ex-husband Brandon Beaudreaux testified, Melani looked up some headlines. Ian says he has seen headlines but has not read or watched anything. Archibald now questioning Ian. Archibald asks if Ian was in the same meeting when Melani met with an FBI agent and Lindsey Blake. Ian says no. Ian says he and Melani arrived in Idaho on Monday from Arizona. Ian says he and Melani have talked about the case. “Melani made a statement to the statement and officer ‘the nail is already in Lori’s coffin,’” Archibald says – asking if Ian overheard Melani says hi. Ian says he did not hear it and they have never said anything like this to each other. Archibald asks why Ian brought an attorney with him. Ian says this is a complicated matter and he wanted one here with him. The attorney also represented Zumela Pastenes. Ian says his attorney has not told him one thing about Zulema’s testimony. Ian says he didn’t ask and Smith never told him. Archibald: “You’re claiming you don’t know anything about this case because you haven’t listened to anything since it started five weeks ago,” Ian: “Correct.” Archibald has nothing further. Blake asks Ian to clarify again that he has not read or watched anything about the trial. He says he has not. Boyce determined Ian has not violated the exclusionary rule so he is allowed to testify. The jurors will be brought in. Ian says he met Lori briefly right after he started to date Melani between Nov. 20-25, 2019. Melani is Lori’s niece. Ian traveled to Arizona for Thanksgiving in 2019. Ian met Chad the first time he met Lori at the apartment next to Melani’s in Rexburg. There was not much discussion the first time they met. Ian said Lori and Melani had a close, supportive relationship. “Was it so close that you

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went to Lori and Chad first before asking Melani to marry you?” Ian says yes. Ian spoke with Lori less than a dozen times. Even fewer interactions with Chad. “At some point in those conversations, did Lori talk to you about her purported beliefs?” Blake asks, specifying religious beliefs. Ian: “She discussed beliefs about possession, about locking Satan away – those are the two that stand out the most.” Ian says Melani was present for all the conversations he had with Lori. Lori brought up castings. Whenever Chad was present, Ian says Lori did most of the talking and Chad acted as a support to what Lori was saying. Blake asks about multiple probations and creations. Ian doesn’t recall anything specifically about that from her. After Ian returned to Rexburg following Thanksgiving 2019, Chad and Lori were gone. “When you met her, did you ever see JJ Vallow? Tylee Ryan?” Ian says no. Lori never said anything about where the kids were. Ian says he saw backpacks and luggage in Lori’s apartment that looked like they were for kids. Ian says Lori never mentioned JJ or Tylee. Ian says he’s LDS and a large part of his belief is faith in revelation and the church is a living thing. “You have to maintain an open mind when new things come. If I was going to learn something new it would either be through one of the Lord’s servants or I would receive the revelation directly.” Ian says at that point in his life, he had been through a rough divorce and was trying to rebuild himself. He was open to hearing other teachings. Ian says after a few days, he was not on board with what Lori was saying. He had a problem with the rankings of people being light and dark and who was good versus evil. The first time Ian heard about the light and dark system was from Melani, who had heard it from Chad. Lori then referred to it in conversations but never directly explained, Ian says. Lori told Ian that Det. Hermosillo and Det. Hope of Rexburg Police were zombies and dark. Ian: “The point where it really turned for me was the morning after I married Melani. Melani dumped everything on me and shared everything. We were staying at the Bellagio in Las Vegas and my two children were with me. The next morning I got up and my daughter was gone. She was gone for about 15 minutes. She was nowhere. Finally, I hear some giggling from behind the curtain. After hearing everything I had from the night before, that was terrifying. At that point I decided I wasn’t going to give this a chance, I’m not going to mess with it.” Ian was worried for his safety, the safety of his children and his ex-wife’s safety. On Dec. 5, less than a week after he married Melani, Ian went to Rexburg police. “They asked me to listen and observe and report back. They also asked me to make recordings for them.” Blake: “In those recordings, did Chad or Lori ever confess to a crime?” Ian says no. The recordings contain the religious beliefs Chad and Lori had, according to Ian. Lori and Chad told Ian to cooperate as little as possible with law enforcement. “There was an arrogant, flippant attitude toward law enforcement.” Chad was pushing them to get out of town. “Chad had a more serious tone, Lori had a lighthearted attitude toward cooperating with law enforcement.” Ian says Melani looked to Chad and Lori as mother and father figures. Melani was open to religious beliefs and told Ian, “This is what they’re saying. What do you think?” Ian says Melani was “absolutely” closer to Lori over Chad. Blake has no further questions. John Thomas will be doing cross-examination. Thomas says his cross-examination was focused on the recordings Ian did for law enforcement, and because they weren’t played, he wants them retrieved so he can hear them. Blake asks for a sidebar. Boyce says the defense intends to use the recordings, and they need to be prepared. Court is dismissed for the day. *(IMO If Melani isn’t allowed to testify, it will show her spiteful and deluded ways in knowing she can get out of testifying if she talks about the trial and admits to it. I understand it’s supposedly equal to contempt of*

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court to do this. *This tells me a lot about her as a despicable individual.*) Lindsey Blake asks Ian questions about his relationship with Chad and Lori and about when and how he met them. He was also asked about the recordings he agreed to make in conversations with Melani by LE covertly. The questioning of Pawlowski should conclude tomorrow morning.

May 4, 2023 – Thursday, 8:30 a.m. The trial continues with John Thomas cross-examination of Ian Pawlowski. It was made known the ‘Mustard’ Melani Pawlowski will not be allowed to testify because she violated the exclusionary rule and watched and read information on previous testimony. *(She is a Master Manipulator like her auntie Lori, in my opinion. Why this Judge continues to allow these women to manipulate the system with Lori’s earlier malingering and Mustard Melani’s attempt to get out of testifying is beyond me. Hopefully she’ll have some consequence for her actions which were obviously done on purpose.)* Jim Archibald arguing for the defense. He says he asked for Ian to be dismissed completely and not testify at all. “Since he was allowed to testify, he has said he was a “snitch” – a secret recording at the direction of law enforcement. Mr. Pawlowski has testified so far that he dated Melani Boudreaux for a couple of weeks, got married in Vegas and then contacted law enforcement a week later and, at the direction of law enforcement, he became a snitch.” Archibald says he reviewed the recordings last night and they have already been admitted as discovery. They are also listed on the state’s witness and exhibit list. “The recording we would like to play this morning is from Ian Pawlowski – recording #9 on Dec. 12 or 13. It’s a conversation secretly recorded by Ian Pawlowski. His new wife Melani is talking on the phone with Chad Daybell and Lori Daybell and they are discussing several issues – the death of Alex, the religious issues, a blessing from Chad and I’ll remind the court these religious issues are charged by the state as an overt act. That this conspiracy my client is being accused of is due in part to religious issues – religious beliefs.” Archibald says there are several hours-worth of tape. This particular recording is about 55-minutes, and he wants permission from the court to play the recording. The recording is the best evidence. It contains statements of the religious issues as alleged by the state. It contains the actual statements. We don’t believe a couple of statements (Mr. Pawlowski) has made about the summary are a fair and accurate summary of what happened here so we would prefer the best evidence which is the recording itself,” Archibald says. Blake now arguing for the state. She says it’s objectionable to refer to Ian as a “snitch.” She says he was trying to help the police locate missing children. “He was asked about making the recordings but prior he was asked about some of the religious teachings that Lori had or taught to him.” Blake argues the recordings are hearsay as there are multiple people talking on the recordings. “I do believe these would contain potentially self-serving statements – not in the sense she knew she was being recorded but in the sense the defense would use them for the truth of the matter. If they aren’t going to be used for the truth of the matter, we get into the fact of whether they are relevant.” Blake continues: “I want to be very clear. Religious beliefs are not an overt act as charged by the state. What the state has charged is the defendants espoused religious beliefs to control others. There’s been no overt act that they actually held or believed these things.” Blake opposes having the recordings brought in. Archibald responds that the statements of co-conspirators are not hearsay, so Chad’s and Alex’s statements on the recording would not be hearsay. He says the state has alleged “unknown conspirators” so Melani Pawlowski could be included in that. He says because of this, the recording should be admitted. Boyce says the recordings constitute hearsay and cannot be

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admitted. He says if, on cross-examination, the witness contradicts what he said on the recordings, it could open the door to having them played. Ian Pawlowski is brought into the courtroom. His attorney, Garrett Smith, also enters and sits on the front row of the audience section. Thomas will cross-examine Ian. Thomas reiterates that Ian asked Chad and Lori Daybell for permission before he proposed to Melani. Ian says Melani's mom passed away when she was young. Thomas asks about "castings". Ian says: "There were references to it during phone calls that I heard. My understanding is with casting you are trying to expel a possession or "bug" type of possession where something would crawl into your ear or brain. During casting you would pray to force the possession out of the body." Ian says he recorded the conversations with his new wife for two weeks. Only he and the FBI knew, he says. On Dec. 12, 2019, Alex Cox died. It was a significant day for Melani as Alex was her uncle. Ian remembers having a phone call with Chad and Lori the day or the day after but doesn't remember the specifics. Ian recalls the day Alex died. Lori told Melani to "go to a place of safety" so she went to Ian's apartment and then went to the temple. Ian recorded the entire conversation Melani had with Chad and Lori. Ian says the purpose of making the recordings was to get anything he could to help find Tylee and JJ. Ian says there were nine recordings. "I've heard bits and pieces of them. I haven't ever listened to them all the way through." Ian says he's never listened to them with law enforcement. The last time he listened was when he was summoned to the grand jury for Lori. He says he heard about 10 minutes total. The snippets Ian heard included conversations with Melani, Alex, Lori and Chad. One time Melani was sick and on the call Lori said, "She folded Satan up like a taco and locked him in a box in Antarctica." Ian said spiritual attacks were coming for the next two weeks and then things would calm down. Ian gave Melani a blessing when Alex died. Thomas is asking about a blessing from Chad and Lori. "Blessings were flying around like flies," Ian says. "Blessings of comfort, to remove dark spirits. When I called Chad to ask for Melani's hand in marriage, he gave me a blessing to shield me from darkness." Ian says there's no shortage of people in Melani's life who will take advantage of her. Thomas asks if Lori was taking advantage of Melani. Ian believes she was. Thomas asks how Lori has manipulated Melani specifically. "In the two weeks I was meeting with them, there were a lot of things that came about where Lori wasn't exactly being truthful with Melani. She was telling her that Brandon is dark, that law enforcement officers Melani should have been cooperating with were dark beings when, in reality, these officers were trying to find two missing children and what happened with the shooting of Brandon Boudreaux." Thomas says based on Ian's purported lack of knowledge about what was recorded on Dec. 12/13, he asks Boyce to allow Ian to listen to the recording. Boyce said he is denying the request to play the recording at this time. Thomas continues questioning Ian. Zulema called Melani and told her that Alex had died. Melani then called Lori and Chad. Ian recorded the call. He said he was trying to record as many calls as he could without looking suspicious. Melani was distraught when Alex died. She was crying and felt like she had been attacked by spiritual demons. She had been told by Chad and Lori that there was going to be a spiritual attack that day. With Alex dying, that confirmed it. I have no clue how Chad and Lori knew there was going to a spiritual attack that day. Then Alex died," Ian says, "There's reality and then there's layers of spiritual explanation that were laid over reality." Chad and Lori gave Melani a blessing over the phone after Alex died "but I don't believe a spiritual attack killed Alex." Thomas asks if he recalls Chad and Lori saying they would put shields of light around Melani after Alex died. Ian says that sounds like something they would say but doesn't

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specifically recall. On the nine recordings, Ian says there are a “handful” of blessings done over the phone. Ian was brought into the blessings. Thomas asks if Ian ever remembers putting hands on Melani’s head for a blessing while Lori and Chad were on the phone. He says he doesn’t recall, but if Thomas told him it happened, he would believe him. Thomas has no further questions. Blake has no re-direct questions. Ian is released from the stand. Thomas asks that Ian remain under subpoena as they may call him during their case. “Given the posture of Mr. Pawlowski, we believe it’s unlikely he come back should we need him to come back so we ask that he not be released from the subpoena.” Blake wants him dismissed from the subpoena. Ian leaves the stand. The next witness is **Taylor Ballard** who works as a **health insurance broker in Rexburg**. Chad Daybell was a client. Ballard met with Chad on Oct. 31, 2019. He came in and asked about obtaining health insurance effective Nov. 1. The health insurance he had expired the day before because his wife’s policy was over after she died. Chad asked for insurance for him and some of his adult children. Chad said he got married on Nov. 5. He said his new wife was incarcerated and he was really worried about something happening to her. Ballard said she didn’t qualify to enroll because it was outside of the 60-day window from the marriage date. Chad said they had moved from Hawaii. Moving into a new state is a qualifying event. Chad asked about dental coverage for himself, Lori and Mark. “He wrote on a sticky note Lori Ryan Daybell” when asked what his new wife’s name was. Ballard asked if there were any children that needed to be insured. Chad said no. Rawlings has no further questions. Thomas now cross-examining Ballard. He asks Ballard what Chad’s income was when he went into the insurance. Chad told her that his income without his wife was \$20,000. Ballard says, “Chad told me they wouldn’t have any income, but Health and Welfare interfaced \$30,000.” Thomas has no further questions. Rawlings has no re-direct. The witness is released. **Angela Yancey** is the next witness. Rawlings will question Yancey. Yancey worked at **Sugar-Salem School District as the payroll and benefits administrator**. Tammy Daybell made a change to her life insurance plan in September 2019. Rawlings shows an insurance form on the big screen. “This is a change form to her voluntary life insurance,” Yancey says. Chad visited Yancey the Monday morning after Tammy died two days previous. Over her career, Yancey has helped employee families about 15 times with life insurance. In her experience, it was unusual for Chad to come that soon to claim the life insurance. Yancey explained a life claim could not be submitted until they had a death certificate. Chad responded, “That’s ok. I’ve already ordered eight of them.” Yancey had never heard of someone ordering eight. At the most, she has heard three. Chad returned on Oct. 25, but Yancey was out of town, so Chad was told to come back on Oct. 30. Chad returned on Oct. 30 with a beneficiary statement. Yancey completed a form, attached the death certificate and all of the information was sent to the life insurance policy. Again – the total amount paid out for the claim was \$130,000 – the maximum amount that could be requested for an employee in Tammy’s position. Rawlings had no further questions. John Thomas will cross-examine. Thomas asks if Chad and Tammy came in together to fill out the beneficiary form before Tammy died. Yancey says not to her knowledge. Thomas goes over the history of Tammy’s life insurance plan with the school district. The next witness is **Detective Colin Nesbitt with the Kauai Police Department**. Rachel Smith will be questioning him. He says on Jan. 25, 2020, he was assisting Rexburg Police in serving a legal document to Lori Vallow. “They all flew over to Hawaii to whatever their investigation was in the matter. They asked for assistance in helping locate and serve Lori Vallow.” Police located Lori at a

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condo in Princeville. She was in the pool area with Chad. Nesbitt went with another detective and lieutenant to serve the papers to Lori. They gave her a copy of the papers and officers asked if she had any questions. The interaction was recorded and given to the Rexburg Police Department. Smith will now play the bodycam video for the jury. The video shows Chad and Lori lying on chairs by the pool. They are both in swimming suits. The officer hands Lori the paperwork and says, "Do you have any questions regarding that?" Chad sits up and leans over. Lori says she doesn't have any questions and the officers leave. In the courtroom, Lori stared intently at the monitor on their table as the video was played. The paperwork was served on Jan. 25, 2020. Nesbitt was then assigned with a team to serve a search warrant on Chad and Lori's vehicle at the condo on Jan. 26, 2020. When officers went to execute the warrant, they were found driving the vehicle 30 minutes from Princeville. Police initiated a traffic stop. Lori was driving. Officers gave her the search warrant and allowed her to take items she might need from the car like cash or medicine. Nesbitt says they looked through her purse and saw a credit card with the name of Tylee Ryan. The name stood out to Nesbitt because he knew Tylee was missing. Evidence was bagged and tagged. Photos were taken during the search warrant execution. Smith asks to admit 26 photos from the search. A photo shows the items that were found inside the bag. There are personal documents, folders and a book called "Visions of Glory." The next photo is of a phone that police seized. Another image is of a cell phone. The next image is also a phone with the initials JJ written in red on the case. Another photo is the front of a tablet. Also, a photo shows some of the personal papers police seized. On the left side of the photo is Charles Vallow's death certificate. There were roughly 14-15 copies of the death certificate, Nesbitt says. The document on the left side of the photo shows the condo complex where Chad and Lori were staying. The next photo shows JJ Vallow's birth certificate and another copy of Charles Vallow's death certificate. Next is a photo showing JJ Vallow and Tylee Ryan's social security cards. This image also shows a receipt from the Madison School District with JJ Vallow's name on it. We also see a birth certificate for Tylee Ryan. There is another birth certificate for JJ Vallow. We now see Lori's lease agreement for her Rexburg apartment. We now see a written copy of a patriarchal blessing Chad gave to Alex Cox. There's also a photo of a backpack. The next photo is an envelope with money. This was found inside the backpack. The next image shows a document that has Lori Vallow's name on it with blue sticky notes all over the page. Nesbitt says he doesn't know what any of the sticky notes mean. One of the sticky notes says "Hiplos." The word on another sticky note says "Brandon." The word below Brandon says "ANGO." Nesbitt can't see the sticky notes very clear on the screen. He is handed a hard copy of the exhibit. On the bottom sticky note, it says "Gladius." The next photo shows a Macbook laptop and an HP laptop that were seized in the black backpack. The next photo shows the back of the HP laptop. Smith asks Nesbitt if he participated in the search of Lori and Chad's condo. He says he did. There was no evidence that children were there. Smith has no further questions. Kauai Police Department Detective Colin Nesbitt is back on the stand next. John Thomas will be conducting cross-examination. Thomas asks Nesbitt what he was looking for when he served the warrant on Lori's car. He said to look for signs of the missing kids. Thomas pulls up the photo showing the driver's side of the SUV. He asks Nesbitt to describe what he sees in the photo. The detective says he mainly sees Lori's purse. "You were looking for evidence of the kids. Did you collect any trace evidence in the car?" Thomas asks. Nesbitt says he did not. Thomas shows the photo of Tylee's credit card and asks if there was any

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trace evidence on or near the card. Nesbitt says he does not know. There are hairs in the photo and Thomas says, "If you were looking for a child, isn't that something you would try and collect?" Nesbitt says yes – but he did not collect them in this case. Thomas shows the photo of an envelope full of money. Nesbitt says there was between \$5,000-\$5,500 in the envelope. Thomas has no further questions. Smith will re-direct. Nesbitt said he never saw any evidence that children were with Chad and Lori. Smith has no further questions and Nesbitt is released to return to Hawaii. The next witness is **Officer Ryan Pillar with the Gilbert Police Department** since Feb. 2007. Thomas objects to having Pillar on the stand based on Idaho Rule 404b. Boyce overrules the objection. Pillar recalls that on Oct. 2, 2019, he was in a meeting with other detectives when they learned of a shooting. Pillar and his unit went out to the scene. Police had put up yellow tape. There was a black Tesla registered to Brandon Boudreaux. Brandon was at the scene. Pillar was assigned to the primary investigator. Pillar interviewed Brandon. Brandon said he left his home with four kids that morning. He dropped three off at home and took the last child to Melani's house. Brandon then went to the gym. "After he returned home, he was shot at and then we conducted a canvas of the area. We spoke with neighbors, collected Ring footage and ultimately confirmed that there was a Jeep that was idling in front of Mr. Boudreaux's residence for approximately 1.5 hours." The wheel that was normally attached to the back of a Jeep Wrangler was gone, according to witnesses. The back window cannot open all the way if the wheel is there, Pillar says. Ring footage shows and witnesses reported a gunshot at 9:14 a.m. A bullet hole was found in the front driver's side door of the Tesla. Some of the projective fragments were recovered. There were shards of glass in the road where Brandon was shot at, Pillar says. There was no evidence that Brandon had any enemies, but Pillar learned Brandon was going through a divorce with his wife Melani. Pillar also learned that Melani's aunt, Lori Vallow, and her brother, Alex Cox, were involved in a shooting that previous July (the shooting of Charles Vallow). Pillar spoke with Chandler Police, the agency investigating Charles Vallow's shooting. They learned a gray Jeep was at the scene of that shooting. Pillar checked a license plate reader system on the Jeep. It captured the Jeep traveling southbound on I-15 in Idaho Falls on Oct. 1, then it was captured in Arizona and then again back in Idaho Falls on Oct. 3. "The license plate reader runs specifically off the license plate number itself," Pillar says. After receiving the license plate reader information, Pillar reached out to the Fremont County Sheriff's Office and the Rexburg Police Department. Pillar became aware of Tammy Daybell's death and police assumed the Jeep was in Fremont County/Rexburg. Pillar spoke with the coroner in Fremont County to find out how death investigations work in the county – particularly Tammy Daybell's death. Pillar wanted to find the Jeep and the suspect – Alex Cox. Pillar completed cell tower/cell phone search warrants and one of the phones Alex was using was parked near Brandon's residence during the time of the shooting and then left the area shortly thereafter for Idaho. After talking with Chandler Police about their homicide and the attempted homicide in Gilbert, the FBI was contacted. The focus then turned to finding JJ and Tylee. Pillar describes how Rexburg police went to the apartment complex to try and find JJ and Tylee. "They were successful in contacting Alex, Chad and Lori but were unsuccessful in locating the children," Pillar says. Pillar shares how police were told that JJ was with Melanie Gibb in Gilbert. Pillar and his detective partner went to two homes where Melanie Gibb lived. She was not at either location. Pillar tried to call Gibb. She didn't answer, but she called him back and said she was not in Arizona. Pillar set up pole cameras outside Gibb's house that

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recorded all activity. In November and December 2019, none of the law enforcement agencies were able to find any evidence of the kids. They spoke with Colby Ryan and he didn't know where the kids were. The investigation into the shooting continued. The rest of his vehicle was processed for evidence. Pillar and a few other detectives flew to Rexburg to process the Jeep after it had been seized. Photos, biological evidence and gunshot residue evidence was collected. The gunshot residue was collected at the back of the Jeep. On Nov. 26, police conducted a welfare check on the children in Rexburg. That night Melanie Gibb called Pillar. On Nov. 27, police conducted an extensive search of the properties where Melani, Alex and Lori were living. Pillar received data on Tylee Ryan's phone. It was used in Arizona and Idaho but in December, it showed up in Hawaii. It also popped up in Missouri for a brief time. Pillar says Brandon and Melani had a life insurance policy that each of them would need to sign in order to cancel the policy. The policy was still active at the time of the shooting and if Brandon had died, Melani would have received over \$200,000. Melani also received a payout from the divorce proceedings. Pillar says there were several Venmo exchanges made between Lori, Chad, Alex and Melani. There were also text messages talking about cash exchanges. Smith has no further questions. Thomas says all of the testimony today should be exempt because of Idaho rule 404b. He has no questions. The defense objected to having Pillar say how much money Melani received after the divorce settlement. Boyce sustained the objection. I've learned Melani received \$300,000. Pillar is dismissed from the stand. The state has no further witnesses today.

May 5, 2023 – Friday – **FBI Special Agent Doug Hart** to testify. There is the exhibit former FBI agent Doug Hart used during his testimony. Rachel Smith says with the amended exhibit, headers have been removed along with any slides that could border on argument. The timeline has also been removed. "It is simply representative text in summary from the iCloud. It was cut and pasted directly from what's already been admitted. The lori4style and lollytime documents have already come in. These items are already in evidence." Smith: "These texts are the defendant's own words and her conversations with her co-conspirators. The probative value of this significant evidence is unparalleled, and Agent Hart has spent hundreds of hours reviewing the iCloud. To ease his testimony and make it easier for the jury, he prepared this summary. Using this summary will aid the jury in questions and making an ultimate decision on this case." John Thomas arguing against the exhibit. Says the defense received the presentation last night around 8 p.m. He lists several pages that he says contain "numerous impermissible hearsay statements from witnesses who have testified already or witnesses who have not been called." Thomas says this is "far outside what Mr. Hart can testify too." Smith says the entirety of the lollytime and lori4style iCloud accounts have been placed on thumb drives "to ease any concerns the defense may have." She says the defense received all of these documents in August 2021. Boyce says after reviewing the exhibit, it can be admitted assuming Hart lays an adequate foundation before showing it to the jury. Thomas asks if he can be heard on a motion to reconsider. He says 14 pages contain hearsay from other people who have not testified – Melani Pawlowski and others. He is asking the pages be removed. Smith says they are not hearsay but rather conversations from the defendant. Boyce says he has not made a determination on whether the information on the pages is hearsay. "To the extent there is any hearsay in there, it may not be permissible but the defense would be allowed to cross-examine on those issues." Boyce will allow the exhibit to go forward. Jurors will remain outside of the

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courtroom while defense argues that Hart violated the exclusionary rule. Hart is being brought into the courtroom to answer how much involvement he has had with witnesses during the trial. Lori's attorneys do not think he should be able to testify. Hart is one of the prosecutors main witnesses. Defense objects to pages 2, 5, 7, 15, 43, 46, 72, 73, 75, 80, 81, 82, 83, 84 of the exhibit and says hearsay is contained on each of those pages. Hart is being brought into the courtroom. Boyce needs to have a brief consultation with his staff and leaves the courtroom. The judge is back. He explains the court has an order in place that prohibits witnesses from reviewing testimony from other witnesses during the trial. Rachel Smith will question Hart. He is a retired FBI agent and now serves at the Canyon County Sheriff's Office Chief Deputy. Smith asks Hart if he has reviewed or read any witness testimony. He says no. She asks if Hart has been part of pre-trial preparation with prosecutors. He says yes but has had no involvement after witnesses testified. Hart says he has not spoken with other witnesses about their testimony and has not read or watched any news stories about the trial. "I have obeyed that order rigorously." Archibald questioning Hart on behalf of the defense. He asks if, as part of Hart's job, he reviewed the statements of FBI employees made in the trial. Hart says no. Archibald asks if he coordinated with anyone about what FBI witnesses would say. "Over the past three years, I have met with our FBI analysts, accountants, and reviewed reports but I have not discussed their testimonies in any way." Archibald asks if Hart has communicated with the FBI agent who has been sitting in the courtroom for most of the trial. Hart says no. Archibald asks if prosecutors have relayed any information to Hart about what witnesses have said. Hart says no and on a number of occasions, he's been asked to leave the room. Hart says he has not spoken with local police about witnesses. Archibald is done questioning. Boyce says there has been no violation of the exclusionary rule and Hart will testify. Jurors are being brought in. Jurors are in their seats. As a reminder, there are 10 men and eight women on this jury. Twelve jurors and six alternates. They do not know what position they will play (juror vs. alternate) until it's time for deliberations. Hart worked as an FBI Special Agent from Sept. 1995-2022. He explains he attended the FBI Academy. His first assignment was in Hawaii investigating drugs, conspiracy, homicides. Hart then spent seven years at the Nez Perce Reservation investigating violent crimes. He then transferred to the Boise FBI office and supervised the violent crime task force. Following seven years in this capacity, he was promoted to be the supervisory senior registered agent in 34 counties in southern Idaho. Smith asks Hart about the training he received to be an FBI agent. He talks about his original training when he began in law enforcement and explains other special training. "As an Indian country agent, you attend a special crime scene seminar that encompasses a lot of different aspects of crime scene management and investigation. Part of that training was the identification and location of clandestine gravesites. This means someone has buried a body where they don't want it to be found." Hart explains that when you exhume a body, it has to be done very carefully. Over the years, Hart has been involved in 20-30 homicide investigations. He has helped investigate over 50 crimes against children. Several of them have involved missing or abducted children. "The FBI has taken the stance that when a child goes missing, our capabilities coupled with local and state investigators need to be brought to bear immediately so we can seek the best outcome in locating and recovering those children," Hart says. "If a child is going to be killed, they are typically killed within 24 hours of being abducted so you have a very small window in which to respond and utilize all the tools and resources with our partners to locate the child," Hart says. Smith asks to

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admit two exhibits – one is the entirety of Lori’s lollytime iCloud account. The other is Lori’s lori4style iCloud account. Each exhibit is on its own thumb drive. The bailiff takes the thumb drives to the witness stand. Hart’s initials are on the thumb drives. He prepared the thumb drives and copied them from the business records obtained from Apple. Thomas objects to having the exhibits admitted due to multiple cases of hearsay in the documents. Smith says it’s communication from the defendant and is relevant to the case. Boyce overrules the objection and says because these are the accounts of the defendant and her statements, they are not subject to the hearsay exclusion. Thomas asks the court to provide them with copies of the exhibits. “We don’t have time to go through 100,000 pages of documents right now but would like to go over them this weekend.” Smith says they were already provided in discovery back in August 2021. Thomas says his concern is the state will introduce something the defense may or may not have. He wants to know exactly what’s on the thumb drives. Boyce says he will allow copies of each thumb drive to be made and provided to the defense. Rob Wood is assisting Smith with the technical aspects of the exhibit. He is preparing the presentation while Smith continues to question Hart. Hart worked as the FBI Behavioral Analysis Coordinator in Idaho for approximately 13 years. He was responsible for getting additional training in behavior analysis when needed in different cases. Hart says there is a special unit in the FBI called CARD – the Child Abduction Rapid Deployment team. “They come and help the investigators ensure all the appropriate steps are being taken. Collectively the unit has responded to over 160 child abductions in the United States in the past 20-plus years. They are the world’s foremost experts in those types of cases.” Hart got involved in the Daybell case on Nov. 27, 2019 when Rexburg police contacted him. The CARD team was contacted but not called in. “We knew very quickly that Lori Vallow lied when the welfare check was conducted and due to the span of time that had taken place (since JJ and Tylee disappeared), it didn’t fall under the parameters of a CARD deployment for those things done in the aftermath of a child going missing.” The FBI Behavioral Analysis Unit was also consulted on the case. Cell phone records, business records, tips, leads, everything was followed up on. Hart was the supervisor over the investigation for the FBI. He was not in charge of the case (the local agencies were) but he was in charge of the FBI role. Hart’s primary role was to be the investigator on the case. He lives in Boise but he traveled multiple times to Rexburg every month. “Due to the complexity of the case and the fact two children were missing, I felt it was important to play an active role given my background. Moreso than my supervisory role, I played an investigator role in the case.” Hart interviewed witnesses and was present when the search warrant was served at Chad’s house on June 9. His biggest role was to examine Lori’s two iCloud accounts. It was important to look at the accounts “because of the value of information that’s contained in the cloud storage.” “In this instance we have a large volume of direct communication between Lori Vallow and others in this case. We have a number of emails and notes and recordings that were discovered during the review and analysis of the iCloud account,” he says. On June 9, 2020, the FBI Evidence Response Team was present to oversee the search of Chad’s property. Due to the size of the property, other FBI agents were asked to help. The first thing law enforcement did was walk the property to look for evidence. As they were walking the property, they located JJ’s grave. “When you’re looking for a clandestine grave, there are certain tell-tell signs that you want to find. If a grave has been dug, the vegetation around where the digging took place is slightly different than the vegetation around the ground. Typically, you’ll see a mound of

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dirt where the grave has been dug or you'll see a depression in the earth where the person has been buried." Hart noticed a mound of dirt and changes to vegetation in the area. He felt the ground with his hand and it was different. Smith asks to show photos of the site where JJ was found. We see an image that shows, from a distance, a spot on the property that is yellow. The rest of the area around the spot is green. The spot stuck out to Hart. A new photo shows a closer view of the yellow spot where the vegetation isn't growing as well. JJ's remains were found in this area. Hart felt the ground with his hands and had a probe (a rod with a point) with him. "If hard, undisturbed ground exists, it doesn't go in. If you've dug the earth up, it goes in considerably easier." Hart attempted to put the probe in the ground but it did not go in. "Ultimately we understood why the probe didn't go in. Once we lifted the sod away, we saw a board and rocks were placed on top of JJ's body." The probe was hitting the rocks and board. We see an image of the rocks that were placed on top of the boards that were on JJ's body. Hart helped exhume JJ's grave and body. He also helped recover Tylee's remains. We are back to the iCloud accounts. Hart says he has several years of experience in analyzing voluminous amounts of records. He has personally worked with Apple iCloud accounts and records. "Whatever is on your smartphone is in the iCloud. It's more than a mirror - it's a storage device of the activity of your phone. It contains your contacts, your messages, your cookies, your streams (data has been deleted but not overwritten), it contains images, videos, the list goes on and on." Hart says you can delete something from your phone to increase the storage on your phone but if your phone is backed up in the cloud, it still exists in the cloud. "Carved strings" are data have been deleted from the iCloud but not overwritten. "It's bits and pieces of messages and communication. They don't make a whole lot of sense. The carved strings weren't really of any value to us in the investigation." Hart says with each section of the iCloud, you can apply filters. You can use a "capture time" filter. He did this often in the lori4style account. The earliest records on this account go back to December 2000. For this case, Hart started with data from Oct. 26, 2018 - the day Chad met Lori at a Preparing a People conference in St. George. Smith asks Hart about viewing Lori's iCloud accounts through Cellebrite. Cellebrite is a digital intelligence company that provides tools for federal, state, and local law enforcement to collect, review, analyze and manage digital data, according to their website. We see an image on the screen that shows the Cellebrite dashboard with menu items showing different categories of what was found in the iCloud. Over 13,000 text messages along with images, voicemails, etc. Lollytime has far less files than lori4style. Lollytime was created in April 2019. Lori4style was first used in December 2000. Hart says he followed a "very methodical" process in searching the iCloud accounts. "My process was to open up a compartment and examine the data in there. If there was something that was pertinent or relevant, I would make a document of that." Smith asks Hart how many records of data were on the iCloud. He says he doesn't have an exact number but his best estimate is 130,000-150,000 records. Hart applied a date filter starting Oct. 26, 2018 through November 2019 on lori4style. There were approximately 4,500 text messages. Hart read every text. Then went to each category (voicemail, photos, etc.) and did the same thing. The program was able to retrieve the contents of the message, who it was sent to, who sent it, the date and time. Hart says every single text Lori sent was not relevant to the investigation. He says there were thousands of "normal, everyday" type of texts that had no bearing on the case. If a message was relevant, he would flag it. Lori is chatting with her attorneys while the FBI agent speaks about these messages. She's also

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taking notes on her yellow pad. Hart's initial review of the iCloud account began before the children were found. He believes it has taken him well over 200 hours to go through all the records. Hart discovered leads in the messages, such as Lori and Chad saying they wanted to get married and lead a life together. "There were several communications regarding JJ and Tylee that were relevant to their deaths. They discussed their deaths. After the affair began, there began to be communication regarding the deaths of Charles Vallow, Tammy Daybell, JJ Vallow and Tylee Ryan." Hart says Chad and Lori used the word "obstacles" to describe JJ, Tylee, Charles and Tammy. Hart also found financial information along with information regarding the relationship between Alex Cox and Lori and Chad. Hart says there was communication and direct references to a large life insurance policy possessed by Charles Vallow as well as social security payments attributed to JJ Vallow and Tylee Ryan. "There were a number of communications between Alex Cox and Lori Vallow deemed to be pertinent to the investigation and it was clear there was a relationship between Alex Cox and Chad Daybell as well," Hart says. "Those relationships were important because those individuals were ultimately charged with the alleged crimes." Hart describes how he pulled information from Cellebrite into the summary Powerpoint. He cut and pasted each message from the program into the presentation, so the words/letters were not altered. Smith asks to admit the summary Powerpoint presentation. Thomas objects. Boyce overrules the objection. The first slide is a line in the contact section of lori4style. It was saved under the name of Bishop Shumway on Oct. 28, 2018. The phone number was the known cell number for Chad Daybell. Chad and Lori met at a Preparing a People seminar on Oct. 26, 2018. The conference ended on Oct. 28. This was the first known electronic contact between the two, Hart says. The next slide shows a text string between Lori and Audrey Barattiero on Jan. 23, 2019. Lori: "Hi Audrey, this is Lori. I would love to talk with you sometime. Text me or call me. I'm excited to be able to talk with you about what we both know." Response: "Hi Lori. Guess you talked to Chad. Haha. Did he tell you I have a crazy work schedule? I'll have to play it by ear but I would know until about 9:30 p.m. The same for tomorrow." Lori responds: "He did. That's ok. No pressure. I just think it's fun to talk to someone who knows what's really going on :)" Audrey responds: "So what times usually work for you? I usually talk to him on my lunch breaks on Mondays or Tuesday, Sunday afternoons I can talk." Hart says Chad told Audrey he was going to marry Lori and he wanted Audrey to act as the liaison between him and Lori until Tammy died. We now see text messages between Lori and Alex from March 20, 2019. Lori tells Alex she is finding out "some great stuff" about him and she was going to the temple to do some sealings. Alex responds, "Ok. hurry up please." Lori responds, "Going to check everything with my source tonight to make sure I get this all right but it's really good. We can talk about it tomorrow hopefully." Hart says Chad acted as a religious leader and this is an instance where Lori communicated to her brother regarding things she's learning about him from "her source" Chad, Hart believes. Hart says Alex and Melanie Boudreaux would solicit Lori to find out religious information from Chad. Lori's position was "right next to Chad Daybell. The two of them were in elevated positions and others would seek their counsel and advice as if related to alleged revelations and visions and so forth." On March 26, 2019, we now see text messages between Alex and Lori. Alex: "Correct. Charles body is alive." Alex: "What did u learn?" Lori: "A lot! Still working on it. Will call u later." Smith asks Hart what "still working on it" means. Hart says he saw very frequent usage of that particular term. "We are working on things." That is a direct reference to the belief they were in a battle against zombies and

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dark entities so when they talked a bout working on something, they were referencing their efforts, Hart says. Next we see a slide of Melani Boudreaux to Lori on the evening of July 9, 2019. Lori: "They have an elaborate plan I'll call you soon." Melani: "I could take all the babies with and drive? And take our stuff." Lori: "U can't go at all. We both need to stay here to defend ourselves." Lori: "It's coming to a head! This week will change everything." Charles Vallow was killed July 11. Smith asks Hart what "it's coming to a head" means to him." He responds, "It's a reference to the marriage between Lori Vallow and Charles Vallow ..." Thomas objects and asks to have it stricken from the record. Boyce grants the objection. Hart now says he learned from Lori's own words that her marriage had deteriorated. Hart says there were messages that indicated Lori wanted Charles Vallow out of her life as her husband. The next slide shows a text from Lori to Alex on July 9. Lori says: "Getting sleepy. So I'm going to need you to stay close to me for the next couple days. Mel too. She can't go to Utah. They are planking (sic) some kind of intervention but want Mel out of the way so I'm left alone. I need to come get the stuff at your house tomorrow and secure it. Lots to do. Thank you for standing by me. It's all coming to a head this week. I will be like Nephi I am told. And so will you" Lori texts Melani the next day: "Al is here. Charles says he will come over in the morning." Smith asks about the statement about Nephi and asks what Nephi is. Hart responds that it's the name of an ancient prophet whose life is documented in The Book of Mormon. "That book of scripture spans from 600 BC to 400 AD and Nephi is one of the first prophets documented in that particular book." Smith asks about the historical significance of Nephi. Hart says the primary example is when Nephi was commanded to slay Laban. "Laban was in possession of records that Nephi and his family wanted to possess before they left Jerusalem. Nephi was commanded by God to slay Laban to obtain these records," Hart says. Thomas has objected several times during this portion of testimony about Nephi. Says testimony is vague and outside the scope. Boyce has overruled the objections. The next slide shows a chat between Lori Vallow, Cole Vallow and Zach Vallow – Charles Vallow's sons. This is when she told them their dad was dead. Rather than trying to type them all, [you can read them as they appeared here](#). The next slide shows messages between Chad, Lori and Melani on the night of July 13, 2019. Chad to Lori: "I will check with All Bloomer and husband." Lori to Chad: "Good idea." Chad to Lori: "Aly Bloomer is 4.1 dark. Her cop husband is 3 dark. I suppose Brandon doesn't know yet about the discovered Charles texts?" Lori to Melani: "Aly Bloomer's husband 3 (dark emoji)." Aly Bloomer was a friend of Brandon Boudreaux. Hart says Brandon had brought Aly and her husband to the house to talk with Melani. They were then identified as dark. We now see a text from Chad to Lori on July 13 at 11:06 p.m. We saw this text earlier in the trial. Chad told Lori about BYU-Idaho's graduation on the 23rd. "I feel she will be gone by then but I will still have that hoopla to deal with because a lot of family is coming" and will stay for July 24th. On July 14, Chad to Lori: "Good morning my most beautiful Lili. Thanks for joining me in the shower this morning. Wow. Getting ready to leave for my meetings. Does noon your time look like a time we could talk? I love you so immensely that the whole universe knows it. And very soon the people on this little blue globe will know it too." Hart said investigators repeatedly heard that Chad told multiple people his wife Tammy was going to die. These messages were sent three months before her death. Lori responded to the shower text: "Morning sunshine. sure. Call me if you get a chance." Lori and Chad both had multiple names for each other. Chad was called James and Raphael. Lori was called Lily and Elaina. Hart says Chad was not physically with Lori when he sent the shower text. She

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was in Arizona, he was in Idaho. Hart says they often implied they had been with each other when it was not physically possible. Chad texted Lori on July 14, 2019: "I love you so much! You are my greatest desire and my best friend. Now on with the story." Chad then goes on to text "The James and Elaina story." You can read the romance novel to his "goddess lover" [here](#). Hart continues to read the romance novel that Chad sent to Lori via text message. He's not reading the entire novel, just the portions he believes are relevant to the case. The next slide shows messages sent the evening of July 14, 2019. Chad to Lori: "Hanging in there, but really missing you too! Please find out the name of Mel's campout in Utah. I have no intention of going, but I feel it is our avenue to get together, whether she is still here or not." Lori: "Zion's family camp. Mel speaks Wednesday night and Dave speaks Thursday night. Shelly M is their main speaker...eye roll." Chad: "Well, that should work for me to get away though. I spoke at it two years ago which is when I first met Mel. What time do you fly out tomorrow?" Chad: "My trip to speak at the camp July 24-26 has been approved and is now on the calendar." Message on July 14. Chad to Lori: "I need so badly to just gently kiss you...for hours." Chad: "It would likely lead to other activities." Lori to Chad: "Likely or Luckily?" Chad to Lori: "It would likely lead to nakedness." Hart now reads the text messages between Zach and Cole Vallow where they confronted her three days after Charles was killed. They demand answers about what happened to their dad and if JJ is safe. You can read that text [here](#). Lori was not responding to Charles' sons, but was busy texting Chad and Melani B. Hart says he found no signs of regret or sorrow in any of the text messages following Charles' death. Adjourned.

May 8, 2023 – Monday – Trial continues into week 5 (week 6, if including the week of jury selection.) Judge Boyce is on the bench. He says prosecutors would like to sort out an issue with exhibits before the jury comes in. Fremont County Prosecuting Attorney Lindsey Blake says the witness after **Detective Hart** has an exhibit based on information and evidence provided to defense attorneys through discovery. Blake wants to know if the defense will object to the exhibits. Defense attorney Jim Archibald says he has reviewed the three proposed exhibits from Nicholas Edwards, the lead investigator at the Attorney General's Office. Archibald opposes the exhibits. "He picks and chooses from police reports and submits arguments that have not been admitted as evidence in this trial." Archibald says prosecutors are "picking and choosing what's important here" by asking witnesses to choose the most relevant parts of their testimony and submitting it in the exhibits. He says the presentation is improper, and defense attorneys have never received a report from Edwards. "For them to say this is a summary – a summary of the entire trial – that's for the state to put on during closing arguments not to call a witness to make their closing argument for them." Boyce says he shares some of the same concerns as the defense. "It seems to me witnesses are summarizing their testimony and reading it off the slides. I don't see how that's any different than reading out of a report," which Idaho rules don't allow. Boyce says the exhibits also appear as the "first bite of the apple" in closing arguments which witnesses should not be making – rather, the prosecution should. Blake says the information on the exhibits was identified in a March filing, so the defense should have been aware of it. Blake says Edwards' testimony and the exhibit will refute some of the claims defense attorneys have made thus far in the trial. Blake says the exhibit is not a summary of the entire trial, but it's a summary of the investigation conducted by Edwards. Part of the summary exhibit includes the James and Elena story – [the romance novel you](#)

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[can find here](#). Boyce pushes back that it's not a summary of the story – it's the entire story. He asks for the relevancy of publishing the entire story. Blake responds, "When investigators found it, they went through it and determined things that were occurring in real life were reflected in the story." She says it portrays the underlying motives of the case. The exhibit also includes a timeline, which Archibald opposes. He says it's cumulative, and there's nothing original in it. "The state is cherry-picking on this evidence. They have gone to Nick Edwards about the defense's position about holes in the investigation so this witness has crafted their exhibit to fill in what the defense has been stating over the course of this trial. That in and of itself tells the court what they've been doing here. This is not a summary – this is a closing argument for the state to put in through a witness what they believe to be relevant for the jury." Blake responds that the exhibit is from Edwards – not the prosecutors. "In no way did the state meet with him or tell him what to say. I take issue with the fact that's what is being presented on the record." Boyce says he will take the issue under advisement and review the exhibits. He will make a ruling before the witness takes the stand. Retired FBI Agent Doug Hart is now on the stand and jurors are being brought in. The first slide displayed on the big screen is a text message chat between Cole Vallow, Zach Vallow and Lori. Again – you can find the entire thread [here](#). The next message is from Chad to Lori on July 15, 2019. "I know you won't get this text for another hour or so, but my love for you is overflowing right now. I just want to hold you endlessly. You are my wonderful best friend that I can't live without! (two heart emojis)" Lori to Chad: "And yet...you are. So sad. Missing you! Just landed! Gotta get to work! (kiss lips emoji)." Hart says it was clear to investigators that the relationship between Chad and Lori was the driving force in the crimes alleged in this case. The next slide is from July 18, 2019. Lori to Chad: "I just got the letter from the insurance company saying that I am not the beneficiary. It's a spear thru my heart. Who do you think he changed it to?? Brandon?? Or probably Kay?? He left nothing for jji!" Chad to Lori: "Wow. That's terrible. There is no way to find out?" Lori to Chad: "I might be able to see when I get his computer on Sunday. I could check the emails I sent to the insurance company. It will show change of beneficiary. He must have done it recently." Chad tells Lori that there should be a paper trail, and this is another step to bringing down the Gadiantons – "especially Brandon." Lori responds that he (Charles) can change the life insurance at any time. Chad says, "It will be interesting if it got changed after he had two bullets in his chest." Lori responds that it can't be changed after the death date. Chad tells Lori that he thinks Kay is the beneficiary, and she was probably "freaking out" after Lori got "those computers." Smith asks Hart what Gadiantons mean. "The Gadiantons were a secret society from the Book of Mormon – a group of evil people. When the phrase is used, it identifies someone as being evil. In this case, Brandon Boudreaux." In the text exchange, Lori messages Chad and says she spoke with the insurance company. She learned Charles changed the life insurance policy in March 2019 so Kay would be the beneficiary. She says "I'll still get the 4000 a month from SS (Social Security)." On July 18, 2019, Chad texted Lori, "I have been instructed to focus my efforts on Hillary, so I will." Chad to Lori, "Ok. Find out her percentage for me and JJ." Chad to Lori, "She is at a 0.13. I turned up the pain to 10 and placed a spiritual virus in her. He is at 99.99. Raphael visited him and told him to follow Amy into the light. I also assured him that James would love and take care of his mommy, which he will with all of his heart and soul." Lori to Chad, "That is sweet! I miss you desperately." Hart says Hillary is the name of the entity/spirit that inhabited Tylee's body. Hart says there are three total conversations regarding the death percentages for JJ, Tylee

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and Tammy Daybell. Another occurs on July 30, and the third occurs on Aug. 10. “The closer an individual was to 100, the closer they were to their death.” JJ was at 99.99. Tylee was at 0.13. Hart also says the closer the number is to zero, the closer they are to death. So both children were very close to death, according to Chad’s scale. Now we see a text from July 18, 2019: “You are so adorable, beautiful, wonderful, heavenly, luscious and angelic. So many divine attributes rolled into one dynamic, desirable package. I want you even more desperately than you want me!” Lori responds, “Just grab me by the storm and I will follow you to the ends of the universe.” Chad asks, “When might that be?” Lori responds, “Wednesday evening, and then repeatedly and gloriously until Friday.” Chad replies, “And then what?” Lori says, “Back to crying and saying goodbye. Back to the box.” Chad to Lori, “This trip to Utah had a lot of finality to it. I was told extreme changes are coming to me and to Utah.” Hart: “The word ‘storm’ is the name they had given to Chad’s penis.” Women behind me in the courtroom just gasped. The context of the message is Chad and Lori were planning to meet up, according to Hart. We now see text messages from July 20, 2019, and Chad and Lori are talking about Melani Boudreaux’s children. (She is the niece of Lori, ex-wife of Brandon Boudreaux and is now Melani Pawlowski.) Lori to Chad: “What’s Blake’s percentage? He drew three crosses on the wall in his bedroom. We just finished painting over them. Like he was marking it for the dark side to find him.” Chad to Lori, “Blake is a 7. I took my sword of life and sliced his aura vertically in several places. You should be able to now rip and burn it. I also decreased his pain tolerance to 1 percent and greatly increased his pain. His desire to depart is at 80 percent.” Messages on July 21, 2019: Lori to Chad, “Found it. Ned gave all of it to Rhonda.” Chad to Lori: “Glad you found that out.” Lori to Chad: “It fits. Now she will try to take him. Thx for working on her. Work on me too. Reading all this stuff makes me sick.” Chad to Lori: “We will work hard on Rhonda when we are together. I will get her numbers as low as I can by Wednesday.” Lori to Chad: “Good. Let’s work on it hard.” Hart says Rhonda was the evil spirit that inhabited Kay Woodcock. This conversation came after Lori found out Kay received the life insurance money. Now we see the start of the James and Elena story sent from Chad to Lori on July 21, 2019, at 8:17 p.m. Chad went by James, Lori went by Elena. It begins with James and Elena visiting the temple and then returning to a hotel room for “additional romance on the couch.” “They calmed their nerves enough to give each other a blessing. As James placed his hands on her head, he connected with Elena’s true eternal self. He knew he was in the presence of an exalted goddess who had returned to earth to perform a special mission. This mission included being with him, and they would progress together as translated beings. The full plan wasn’t yet completely clear to him, but the immense power radiating from her confirmed his belief that she was among the greater women in the universe.” “They embraced following the blessings, and the emotions they felt were a mixture of eternal bliss and telestial desire. The sexual chemistry was undeniable, but the spiritual unity was a glorious bonus for them both. They had only known each other for three weeks...” Lori responds, “She loves it.” Chad responds with a long message about being sealed in the temple – their spirits and their bodies. Read it verbatim [here](#). Hart says the messages show Chad and Lori had a plan about how they would progress together. Hart says investigators obtained records from the LDS temple. “Those records showed Chad Daybell and Lori Vallow attended the Gilbert, Arizona Temple on Nov. 16, 2018.” This is eight months before Charles Vallow died and 11 months before Tammy Daybell passed away. In the courtroom, Lori has her head down and has been taking notes most of the morning. We now see

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messages from July 21. Lori to Chad: "It's making me so happy to read about our life that I am finally going to dance. Missing you and loving you from afar!!" Lori to Chad: "It was great. I feel free again. I love you more than ever and can't wait to be with you forever. I'm begging father and mother. That's my job tonight!" Chad to Lori, "I will be right beside you, begging you." All of these messages have multiple lip and/or heart emojis. Now we see a text exchange from July 22, 2019. This is when Chad texts Lori and says he's going to see 'The Other Side of Heaven' with his son and she says he will like it because the scenery looks like Kauai. "Hopefully we will be there some day soon together!" Lori texts Chad. He responds, "That is the plan! And my greatest desire!" After the movie, Chad texts, "I look forward to being on a tropical island with you." The next slide shows texts from July 23, 2019. Lori to Chad: "Good morning. Missing you. Didn't sleep much. Need you to check jj. Weird stuff happened in the middle of the night. It's like they distracted us with Blake." Lori then texts, "When you get home, Check Tylee. She is being super sweet and helpful and she cleaned her room. See if she got switched. Totally not her." Chad to Lori, "Yes. she was switched. Please let me know when you can talk, and I will explain it." Lori uses lots of hearts and lips emojis in her texts to Chad. On July 26, Lori sends Chad a text asking him to check JJ. "She said he was calm and he watched movies all day which he would never do." Chad responds, "It is still JJ. I'm told she is lying about him being calm and watching movies." Lori responds, "Mel knew. She called me. She felt the real Brighton (Melani Boudreax's child) last night and knew she was different. She was told I didn't want to tell her. She is taking it well and knows it is part of a big plan. She is amazing! Although I'm still pretty upset about it, I love you. Missing your kisses." That same day, Chad texts Lori. "I'm home. Missing you immensely and feeling very tired, but I had a splendid time with you, my love! I will text again soon." Chad then texts, "Tonight I figured out who I feel like. I'm a grown-up version of Harry Potter, who has to live with the Dudleys in his little space under the stairs. Every few weeks I get to escape and have amazing adventures with my Goddess lover, but then I have to return to my place under the stairs, feeling trapped. But I sense permanent freedom is coming!" Now we see a text message Lori received from Melani B. that Lori then sent to Chad. It talks about a message Melani received from "Father." It says he is pleased with her, and she has overcome all. "Things will be fast-paced and you are ready. I love you so much. God speed...Now don't mind if I speed things up a bit." Lori then sends Chad this: "That is a very nice message Mel B received. I won't mind at all if he speeds things up a bit!" Chad to Lori, "Yes, I miss holding you in my arms - caressing and kissing you." July 28 messages. Lori to Chad: "R u mad? Sad? What?" Chad to Lori, "I'm doing okay. Just no privacy here to hardly text, and I'm missing you immensely. I feel good about the trip." Lori to Chad: "I need a distraction while I'm waiting for you! I love you!" Chad to Lori: "Absolutely. I think you'll have a fun time!" Hart says Lori was going to take a trip while she was waiting for Chad. Lori went to California. Smith describes the next slide that displays the life insurance documents showing Kay Woodcock was the beneficiary. Lori sent Chad proof of the change of beneficiary. We don't see the slide because some personal information needs to be redacted. July 29 - Chad to Lori: "One question: Do you want me to cause pain yet to those two 3s you're riding with?" Lori to Chad: "Probably hold off on then till we arrive. This will be mistake to deal with. But I'll text you if they start acting up and we can zap them. Miserable not mistake." Chad to Lori, "Sounds great. Yes if they are going to act up, we'll at least give them a reason to scream. I love, cherish, treasure and adore you. The wonderful memories just keep coming back. you are mesmerizing. Raphael is one lucky

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guy.” Hart says Lori was on a trip with Melani B. and her two kids – referencing the two 3s in the car. Hart says JJ was present, he’s unsure about Tylee. “The references in hurting children and giving them a reason to scream are relevant,” Hart says when Smith asks why he included this slide in the presentation. Hart says he never saw any messages where Lori protested anyone getting hurt. Hart now reading a message Kay Woodcock sent to Lori begging her to allow JJ to attend his dad’s memorial service. “We miss him so much. I’ll leave in the morning to get him if you’d allow it. I’m begging you. Please.” Lori forwarded the message to Chad. Chad then responds, “Interesting message from Kay. She doesn’t seem inclined to want to share the money.” Lori responds that they are jerks, and she isn’t responding ever. Hart says there was never any sign that Lori ever communicated with Kay again. July 30. Chad to Lori: “I got the inspiration to go back to my original death percentages that helped us track Charles, Ned, etc. Tammy is very close. Her percentage has fallen steadily since Hiplos left. It is encouraging!” Lori responds: “What’s the percentage now? what about jjs too?” Chad to Lori: “Tammy is at 3. JJ is at 2. Both are being heavily shielded to stop intruders.” Next slide: Lori to Chad: “2 and 3 percent? Not zero?” Chad to Lori: “I will explain when we talk.” Lori responds: “Ok. Still feeling hot for you.” Chad to Lori: “Yes, we might need to release a little steam next time we meet. Anyway, this is the chart that checks what percentage mortals are still in their body. It worked for my friend’s wife who died, my neighbor, George Bush, Stan Lee, etc. I kind of forgot about it because we’ve been dealing with zombies and demonic entities. But this afternoon Tammy said she felt lightheaded, as if her body and spirit weren’t connected.” Hart says Lori Vallow initiated the inquiry about JJ Vallow’s death percentage. “She questioned why JJ’s percentage wasn’t at zero.” The next slide shows communication from July 30, 2019. Chad to Lori: “I believe Lilliliacious is a terrestrial word that encompasses our time together.” Lori to Chad: “Yes it does. Call me.” Lori to Chad: “I love you until then.” Chad to Lori: “Yes, until then I love you.” Chad to Lori: “No worries. Garth just arrived home. I absolutely adore you. We’re going to have a fabulous life together.” Smith asks Hart about the terms “telestial” and “terrestrial” used in the conversations. Telestial meant in reference to this world, Hart says. Terrestrial was in reference to a higher plane or an elevated place. The next slide shows messages on Aug. 1, 2019. Lori to an unlisted individual: “Panda was good. Just got jj to sleep. Going to try to take a bath. Ty yelled at me for 30 min. then took off in her car. Won’t answer me.” Unlisted individual to Lori: “That was expected.” Hart says there were “voluminous” communications between Charles and Lori about Tylee’s behavior. We now see two photos that were sent to Lori. One is of Chad standing next to a picture of Jesus. The other is a photo of Alex Cox standing next to the same picture of Jesus. The caption sent to Lori from Chad with the photos says, “Two exalted beings.” The next slide is messages from Aug. 7, 2019. Lori was with Melani B.’s children and send Chad this message: “I love you. taking braxy home now. I’ll check on her.” Lori to Chad: “She is asleep. She put a bunch of holes in the walls and doors. Definitely had demons helping her. Probably 1000.” Lori to Chad: “Mel wants us to come up there tomorrow but I said next Thursday to Sunday. What do you think?” Lori to Chad: “We r both so tired of taking care of demons. We are weary. Please ask the Lord to take them.” Lori sent Melani B. a text on Aug. 7. “We just had a big fight. Probably no go on next week.” Melani to Lori: “Are you ok?” Chad to Lori: “My heart is crushed. I will never stop loving you.” Melani to Lori: “I love you. If you need to talk at all just call me. I don’t sleep anyways. Hang in there baby. It was a hard day. Don’t let the dumb things here get to you. You know who you are. Praying for our hearts to

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be made full and for the lord to execute all things expeditiously.” Hart says this is the first instance of a fight between Lori and Chad in the iCloud. Same day, same text exchange. Chad to Lori: “Missing you. Heading to the girl’s funeral. Emma was her teacher and is one of the speakers. This is very difficult, but I will abide by your request to not talk. I hate causing you pain, because I love you more than ever.” Hours later, Chad to Lori: “You’re the best. I hope your day goes well. I adore you.” A few hours later, Chad to Lori: “Absolutely excruciating to be cut off from you. I love you.” Chad continues to text Lori, who is not responding. He then sends a text saying Lori has lost the protections he gave her and if she will at least respond with a thumbs up, he will work to restore the protections. She responds with, “I love you.” He says he will get to work getting things restored. “Grandpa Keith is here. I am supposed to warn you that you are unprotected. The angels are angry that you are ignoring me, but he says he isn’t allowed to. I’m honestly not trying to manipulate you to respond. I understand that you need your space. But they say you have cut me off, and the protection I built around your house is gone. I love you and don’t want you getting attacked. They said that if you at least give me a (thumbs up emoji), it will restore our protections,” Chad wrote. Grandpa Keith was deceased. On Aug. 9, 2019, Lori asks Chad to check Nathan Pacheco, a singer. “See what level he is. Is he light?” Lori to Chad: “Also Mark Stroud, Mel g. thinks he went dark but I think he’s light.” Chad responds that Pacheco is dark and Lori pushes back that she got he was light. Chad says they will go with Lori’s answer. “Why what’s wrong with your picker?” Lori says. “What about Mike Stroud? Seriously?” Chad says, “He’s done a great job infiltrating.” We now have five slides from Aug. 10. Lori to Chad: “Please check JJ. He just woke up saying crazy stuff and won’t go back to sleep. He is talking to Blake. It’s weird.” Chad to Lori: “JJ is still JJ. I am told his spirit recognizes Blake is evil and is unsettled by him.” Chad to Lori: “Hi my love. How is JJ now?” Lori to Chad: “He’s better. He was just up talking nonsense for like 2 hours last night. I’m sure they were bugging him. Is he at zero yet? I miss you.” Chad to Lori: “Yes, he’s at zero. He probably was partly through the veil, talking to people both light and dark.” Lori to Chad: “Maybe he was talking to the real Blake.” Chad to Lori: “Yes, that was the real Blake.” Lori to Chad: “Do you think there is a perfectly orchestrated plan to take the children? And we just have to wait for it to be carried out?” Lori to Chad: “I feel lost like I should be doing something to help.” Chad to Lori: “There is a plan being orchestrated for the children. I was shown last night but it has been taken from my mind of course.” Chad to Lori: “Cheek to cheek. Loin to loin. It isn’t very far away, my love.” Lori to Chad: “I wish I could see with you and be cheek to cheek.” Chad to Lori: “I seriously cannot stop crying, I was allowed to feel my own emotions I will experience as you sing to them, and the love, admiration and reverence I have for you are indescribable. Everything we do together is going to be spectacular.” Lori to Chad: “I can’t wait. Literally cannot wait. I have no patience. I want you now.” Hart says these texts were relevant to the investigation because they were about JJ’s death percentages and Chad Daybell responded. JJ’s percentage, at this point, was at zero. Lori to Chad: “Do u think there is a perfectly orchestrated plan to take the children? And we just have to wait for it to be carried out? What should I be doing?” Chad to Lori: “You are doing everything right, my love. The Lord told me, ‘She is on the right track.’ He said to just keep resolving the celestial issues so you are unencumbered and fully free.” Chad to Lori: “That actually feels good that JJ was talking to the real Blake. Getting close. When I was sitting across from him eating bacon, I sensed he was barely attached to his body.” We now see a photo of Lori in a yellow swimming suit on the beach. It was sent to Chad on Aug. 10,

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2019. The text says, "Surprises are waiting!!" That same day, Lori texts Chad: "Very good description of what just happened. Wish you were really here to experience this with me." Lori to Chad: "Thank you for being mine. Wish I could wake up and kiss your sweet tender lips for real. you are my everything." Hart says there were a lot of references to Chad and Lori "portaling" to each other so they could be together spiritually. The next text exchange is from Aug. 11, 2019. Chad to Lori: "I will join you! Partly why I am so sad is my Boise trip has turned into a trip with extended family. Not happy about it." Lori to Chad: "How much more of this can u take??" Chad to Lori: "They want to go to Craters of the Moon National Park. I can't take much more. So trapped." Lori to Chad: "R we supposed to wait forever?" Chad to Lori: "No, but the next two days will be torture. Thankfully I will be alone most of Wednesday and beyond." Lori to Chad: "Is that what He wants? For me to sit around waiting for you endlessly and you miserably wasting time? It just doesn't feel right." Chad to Lori: "I'm just so frustrated. I'm sorry, honey." Lori to Chad: "U can't just keep tearing my heart out. I really can't take it any more. I'm sorry." Lori goes on to say how disappointed she is that she didn't get to chat with Chad on his birthday and she tells him to go be with his wife and family. Chad responds, "Oh honey. That is so crushing. I feel so destroyed inside. You know my love for you is deep and real." He tells her he will leave her alone "as excruciating as it will be." Lori responds that he can't say nothing else matters because everything is before her. Chad responds, "The pain is unbearable." Lori to Chad: "I'm so alone without you. It's devastating!!" Chad to Lori: "I feel so alone too. We are surrounded by telestial relatives that are simply obstacles. I'm so sick of it!" Lori to Chad: "Me too!! What is that you really want?" Chad to Lori: "I want to be with you. That is my greatest hope and dream. I would happily join you tomorrow if it felt like heaven would not strike us down." "Their relationship is the driving force behind the crimes that are alleged in this case," Hart says. The last sighting of Tylee Ryan was Sept. 8, 2019. On Sept. 3, Alex texted Lori, "Wifi is in. Whatcha doin?" Lori to Alex, "Working on Z's. What did u decide on user name and password?" Alex to Lori: "Network name is anti-laman. Password is 2manykids." Lori to Alex: "Funny!!" Laman is a bad guy in the Book of Mormon. Alex to Lori: "And I can change it to whatever u want if you wanna change it. I am proud of you. No more Z's." Lori to Alex: "We r trying to get to the bottom of what we need to do to eliminate them completely. I'm sure you will be told also." Alex to Lori: "Excellent." Zs stands for zombies. Alex to Lori: "I am going to get lunch and probably go to the range to sight in my rifles." Lori to Chad: "Fun!! U need the practice." Alex to Lori: "I do." Lori to Alex: "Bad news on our brother!!" Lori to Alex: "Z." Alex asks when he became a zombie and it was "forced out I think." Lori tells Alex JJ is stronger and "fights them off everyday." Alex to Lori: "That's when he yells nooooo." Alex to Lori: "ok." Alex to Lori: "My lips are sealed." Lori to Alex: "Good boy. Learning more. I'll fill you in this afternoon." Now Hart says we are looking at the videos section on lori4style. He says there are many short videos found on the account. The first one we see was captured on Sept. 8, 2019 at 2:49 p.m. It's very short and shows JJ and Tylee hugging at Yellowstone with Alex behind them. Boyce is on the bench after lunch break. He says he's ready to rule on the exhibits that the next witness, Nick Edwards, has prepared. Prosecutors want them admitted for the jury to see. Boyce says he has multiple issues after going through the Edwards Powerpoint exhibit. "It appears to be a closing argument Powerpoint. There is editorialization in the Powerpoint." Boyce says one slide cites directly from the report of another officer. If an officer were on the stand, they would not be allowed to quote directly from a report. Boyce says another slide quotes directly

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from an interview Melanie Gibb gave before the trial. "There are simply too many issues from the way that PowerPoint was put together." Boyce says it's "prepackaged testimony" and not a summary. Boyce says the presentation has too many issues and he's not going to allow it in. "The witness can testify and can testify to any material facts he knows about but the Powerpoint itself is going to be disallowed based on what the court has reviewed." Boyce now ruling on whether the entire James and Elena romance story can be admitted. He says it's 35 slides worth of a long story that is "part fantasy. To read the entire story into the record and publish it likewise to the jury would create a waste of time. needlessly cumulative of evidence and may be too confusing to the jury at that point." Boyce says he will allow the story in its entirety to be submitted to the jury as an exhibit but won't allow for the entire thing to be read into the record. There are some slides after the story in the presentation that Boyce says he will not allow for several reasons. He says one slide has multiple photos and titles that are argumentative. He says another slide has highlighting on it and case law does not allow for emphasis on some parts versus others. So these slides will not be admitted. Boyce now ruling on a timeline that prosecutors want to be admitted. He says certain slides are highlighted in colors and they stand out. "I think it's improper to emphasize certain parts of evidence. That's for argument." Boyce asks to have editorial references and colors to be removed. Once those changes are made, he is fine to admit the timeline. Blake asks if some of the slides on the Edwards exhibit can be admitted as separate, individual slides. Boyce says he will consider it when the time comes. Jurors will now be brought in. The first slide we see this afternoon is between Sidney Woodbury from Care.com to Lori on Sept. 13, 2019. Sidney testified earlier in the trial. She writes to Lori that she's worked with autistic children in the past and thinks she would do great babysitting JJ. Lori responds that she will pay \$15 an hour and is flexible with time. Lori says she will need childcare every afternoon starting at 2:30 p.m. and then on Saturday. The last known sighting of Tylee Ryan was Sept. 8, 2019. Smith asks Hart if Tylee was a resource in helping care for JJ before she disappeared. Hart: "There were lots of texts in the iCloud related to Tylee helping to take care of JJ when Lori Vallow had errands to run or needed to be absent from the home for one reason or another." Lori had help from others to care for JJ in Arizona. Hart says after Lori moved to Rexburg, the only source of help he found for Lori was Sidney. The next slide shows the photo of JJ playing with a cup on the couch. It was taken Sept. 22 at 10:46 a.m. It's the last known video of JJ. It's very short - maybe 3-4 seconds. No other videos or photos were found in Lori's iCloud account after this day. On Sept. 24, Sidney texts Lori and asks if she is still ok with her coming over today. Lori responds that JJ's grandparents came and took him "to give me a break." "He won't be back until probably the end of October. I wish I had other work for you to do. You are such a darling girl. I understand if you need to get another job." Lori sends another message to Sidney. "I'm not sure when he will be back but I'm going to travel." Hart says there was no indication that JJ's grandparents visited Rexburg. On Oct. 3, Chad texts Lori: "Good night angel Lili. So excited to go on our date." Lori texts Alex the next day. "We are supposed to go on a real date tonight but we are discussing it. Perhaps an evening at home would be better so we are not out and about. I'll let you know. But u could come and sing with us after your shower." Chad to Lori the next day (Oct. 5): Hello, sweet angel. Big news about Tammy. Please let me know if you are awake and can talk." Chad then texts that Tammy "has been switched. Tammy is in Limbo, and a level 3 demonic entity named Viola is in her body. It happened at around 10 p.m. and was done by Tammy's sister Sam, who I always knew was

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3D but in terms of. “Sam is much like Brandon. She has been my biggest enemy over the years. She refuses to read my books and threw the biggest fit when we moved to Idaho. She has only visited us when the kids got married and always fled Idaho within hours like she was being burned. She’s definitely comparable to Brandon and Summer.” Chad to Lori: “Not fully sure of the timing for removal, but once her actions verify the differences, I don’t want to wait.” The next slide shows messages on Oct. 7, 2019. Lori to Melani B.: “I’m really feeling like we need to go to Missouri and work. Maybe we can fly there on Thursday and back on sat.” Lori to Melani B.: “American has a nonstop flight from Phx to Kansas City Thursday at 1pm. Then fly back on sat at 6:30 p.m. Audrey said we could stay with her but I told her we could get a hotel and she could stay with us. She will take us to all the amazing sights!” Melani to Lori: “What about Brandon not being able to take the kids to (Utah)? Does dad think I will need to be here.” Lori says, “Nope. U need to be unavailable. That is the schedule.” Melani to Lori: “Ok captain.” On Oct. 14, Audrey B. texts Lori and asks, “How did yesterday go? With you and C working?” Lori to Audrey, “Well we did a lot of work today. We got her out but a brand new one got in. So we are still working on it. Audrey any ideas you have would be greatly appreciated.” Audrey to Lori: “Ok (shocked face emoji).” Smith asks about the emoji on the last text. I described it as a shocked face emoji (hard to see from my seat) but on closer look, it does have an ‘x’ over each eye. Hart says it could mean death. This text was sent between the attempted shooting of Tammy and the day Tammy was killed. Now we see texts between Lori and Melani sent on Oct. 14. Lori to Melani: “Ya but until that agreement is signed by the judge it is all subject to change. That’s probably the reason for the delay.” Melani to Lori: “Is there a possibility he could go before I move?” Lori to Melani: “There’s always that possibility. We will work on it! Just have faith.” Melani tells Lori shd doesn’t recall the words “to get him out.” On Oct. 19, the day Tammy died, Lori receives a text from an unknown individual at 10:33 a.m. Lori was in Hawaii with Melani. “I’m not sure if you hear but Chad’s wide died last night.” Lori responds, “Oh my gosh. I did not hear that. I’m in Hawaii and it’s 6 a.m.” Lori then texts, “Do you know what happened?” Unknown responds, “Yes, she awoke in the night coughing, threw up, collapsed and passed away.” The night Tammy died, Chad texts Lori. “Not fun without you. Can u call me?” Lori responds, “How are you doing is the question?” Chad to Lori, “I’m hanging in there. My parents are staying here and we are still getting visitors, but I will call you soon.” The next slide is around midnight on Oct. 20, 2019. Chad to Lori: “Percentage in body – Holsor 24, Ukola 11, Grisome 14.” Chad to Lori, “Great job on lowering them. I loved talking with you. It is baby night so come get mt later.” The next morning – Chad to Lori, “Missing you so much. I can feel you in bed with me, though. Can’t wait to hold you tightly every day and night.” Lori to Chad, “I’m missing you more!! I need you desperately! I can’t wait!” Continuing...Lori to Chad: “Need you to hold me tight! That would be great. What about the idea of you coming here Thursday or Friday. Or do u want me to come home?” Chad to Lori, “Their apartment is haunted and we can’t clear the place. So they are looking to move anyway, and I have the perfect place for them. I need to be here to get sorting the financial stuff.” Chad asks Lori to look for a condo for them in Hawaii. Chad texts Lori, “I want to get going full steam on the Lili workout plan. Tighten the abs, get a full-body tam, grow my hair out. This could be really good for both of us.” Lori to Chad: “I love that plan.” Chad and Lori go back and forth over how much they miss each other and want to be with each other. Remember – this is the morning after Tammy died. Chad says, “I’m feeling sad, but it isn’t for the reason everyone thinks.” On Oct. 23, Lori texts Chad: “I had a bad dream about Al.

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Make sure he is still him and protect him.” Lori to Chad: “He would be the one they use to get to us both. All this alone time is not good for him.” Chad to Lori, “I will try to reach out to him later today.” Chad says: “I just cleared all of Al’s weapons, curses and cords, and filled him with malachite healing balm. I also put angels around him.” On another message, a text says, “Alex cox multiple creation 4th creation exalted 9 times sibling to me 2 times on 4th creation and became eternal companions after 4th creation. His mission is to help Lori.” Hart says there was evidence on Lori’s iCloud that Alex believed his mission was to help Lori. The next slide shows a message from Lori to Melani B. on Nov. 16. “Will you do this job if your whole family turns against you?? That is what the Lord has asked of us! Our glories will be worth it and they will all shrink on our presence. It will be a sad day for those who chose to oppose us when we work for the Lord and are His valiant warriors. Be strong my little one!! We will be gone in a few.” Hart says he found hundreds of videos on the iCloud account. Smith now asks to admit a written copy of the patriarchal blessing Chad gave to Alex. Smith asks Hart if he knows what a patriarchal blessing is and who has the authority to give the blessings. He says they are blessings given to LDS members, and they give them guidance and direction. He says within each geographic stake within the church, one person is called to administer the blessings to people living in the area. Hart says Chad Daybell was not authorized by the church to give patriarchal blessings. Smith asks Hart if any part of the patriarchal blessing Chad gave to Alex stood out. He reads the part where it says Alex was a warrior and chosen to do important things. At one point, Chad said, “Well done. Thy soul is cleansed. All is well...You will be a powerful servant. I bless you with the knowledge that you will now move forward with physical action and spiritual power that will be bestowed upon you.” Alex died two weeks later. Hart says there were “several” messages of planning for the future on the iCloud accounts. Smith asks about deleted items on the iCloud – specifically about Kay Woodcock. Hart doesn’t know about deleted items but says, “There were messages from Kay Woodcock to Lori Vallow about wanting to FaceTime JJ and bring JJ to his father’s memorial service.” Hart says there were a lot of messages about the day-to-day activities of JJ and Tylee prior to September 2019. After Sept. 8, there was no evidence of Tylee on the iCloud. After Sept. 23, there was nothing on the iCloud about JJ. Hart says there were two messages about a divorce between Lori and Charles on the iCloud account. One was from Lori’s bishop, saying Charles was going to serve Lori with divorce papers. The other was from Charles about the divorce. Smith asks if there was any evidence that Lori searched for a divorce attorney. He says no. Smith asks Hart about the messages he found about JJ, Tylee and Tammy being dark. She asks if he ever saw an objection to them being dark. He says no. Smith: “From November 2019 until June 2020, did the FBI and law enforcement ever stop looking for JJ and Tylee?” Hart: “No.” Smith: “Did you ever see any evidence that JJ Vallow was alive after September 2019?” Hart: “No.” Smith: “Did you ever see any evidence that Lori was looking for him or trying to help him after Sept. 22, 2019?” Hart: “No.” Smith has no further questions. John Thomas will be cross-examining Hart. Thomas asks about the patriarchal blessing. He asks how Hart learned that Chad did not have the authority to perform the blessings. Hart says he did not contact anyone in LDS leadership about it. Hart says he knew Chad’s calling in the church was the ward clerk – not the patriarch. “Based on the totality of the investigation, to my knowledge. Chad Daybell is not a patriarch.” Thomas asks about the hundreds of videos on Lori’s iCloud accounts. He says there were lots of videos of Lori singing with her children, playing on the beach and acting like a mother does with her children. Hart says

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that's correct. Thomas asks about the relationship between Audrey and Chad. Hart says Audrey looked up to Chad as a spiritual leader. Thomas says, "Chad had a number of women he communicated with through text." Hart says, "A small number." Thomas lists off Melanie Gibb, Melani Boudreaux, Zulema Pastenes. Thomas says, "There was a number of women in the group. Chad was the leader of the group." Hart responds, "Along with Lori, correct." Hart says there were "normal mom-type" texts on Lori's accounts – going to doctor appointments, getting food, grocery shopping, paying bills, etc. "As a whole, isn't it true Lori was, for all intents and purposes, a pretty good mother?" Hart: "With the exception of what happened to her children, yes." Thomas asks Hart what Lori's prior WiFi passwords were. Hart doesn't know. Thomas says, "Would it surprise you to know that Lori's password is 5kids4ever?" Hart says that's possible but he doesn't recall seeing it in the iCloud. Thomas asks if it's possible Lori was busy doing other things and Alex couldn't remember the 5kids4ever, so he went with 2manykids. Smith objects and says the question calls for speculation. Boyce sustains it. Thomas asks Hart if he knows who Nathan Pacheco is. Hart does not. Thomas says he is a fairly famous religious singer. Thomas asks Hart if he would be surprised to leave that Lori had a crush on Pacheco. Hart says he has no knowledge of that. Thomas says they could have been joking because Lori had a crush on Pacheco. She could have thought he was light, and Chad could have thought he was dark. Thomas asks Hart if he ever saw any reference to Ira and Ralph on the iCloud. Hart says Ira was another entity that was in Charles Vallow's body. Ralph is the name of another entity, but Hart doesn't remember who he was attached to. Thomas asks Hart if he's ever watched 'Romancing the Stone' and says the names could have come from the movie. Thomas asks Hart if he did any research on the names. Hart says no. Thomas asks Hart what happened when a person's number reaches zero. Hart says they are ready for death. Thomas says, "Isn't it your understanding that you don't really have an understanding about what was going on here with the percentages/light/dark scale?" Hart responds, "I don't agree." He says Tylee and JJ and Tammy and Charles all ended up dead and had bad numbers on the scale. Thomas says couldn't this be more like Dungeons and Dragons and playing with dice. Hart: "Absent the people killed, yes." As Thomas cross-examines, Lori leans forward with her arms on the table. She is looking back and forth between her attorney and the witness. Thomas references the text Chad sent to Lori about changing coming to Utah. Thomas asks what type of changes were coming to Utah. Hart says he has no idea. Thomas asks if he looked into this. Hart says these were Chad Daybell's revelations. Thomas asks if this was all fantasy. Hart responds, "Now everything was fantasy." Melani B. frequently referred to Chad Daybell as "dad" or "her father," according to Hart. Thomas reads the text about Chad needing to release steam and the chart Chad referenced. Hart says nobody in law enforcement could ever find the chart. Thomas says it was fantasy then. Hart says, "I don't know if it was that or if it just didn't attach to the message." Thomas asks Hart about Chad Daybell manipulating people. Hart says he did manipulate people including Lori. Thomas has no further questions. Smith asking questions on re-direct. She asks if Lori ever manipulated Chad or others. Hart says yes. Smith asks of all the other women Chad communicated with had their children dead or buried in Daybell's backyard. Hart says none. Smith says nothing further. Hart is dismissed from the witness stand. No further witnesses will be called today.

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May 9, 2023 – Tuesday – Attorneys left the courtroom and are meeting with Judge Boyce. There seem to be a lot more people at the courthouse today – especially members of the media. The audience gallery is full in the courtroom and many people watching in overflow rooms. A phone just went off and the bailiff is asking who it was. Nobody is fessing up. Larry Woodcock says, “Someone’s phone went off. I’m gonna take it!” Many people laugh. Attorneys just walked into the courtroom. Lori is writing on her yellow notepad. Defense attorney Jim Archibald has said the defense team would not decide whether Lori will take the stand and testify until the prosecution rests. Prosecutors call **FBI analyst Nicole Heideman** to the stand. Fremont County Prosecuting Attorney Lindsey Blake will be questioning her. Heideman testified earlier in the trial. Blake is asking her about the James and Elena love story found on the iCloud. Heideman was tasked with organizing the entire James and Elena love story. She put it into a PowerPoint presentation. Blake asks to admit the PowerPoint. On another note, Judge Boyce has issued a response to media requests about carrying the verdict live when it’s time. He says the court will stream it live. We will then stream it live on EastIdahoNews.com. Defense attorney John Thomas objects to having the PowerPoint admitted. Boyce says he will allow the exhibit in with instruction to the jurors that the title is demonstrative and not evidence. Blake questioning Heideman about the story. “In the James and Elena story, it begins on Oct. 26 and there are multiple images on Oct. 26 of Chad and Lori at a conference in St. George, Utah. Chad Daybell was a speaker at the conference.” In case you’re lost, Chad referred to himself as James, and Lori was referred to as Elena. Blake shows the jury and courtroom a photo of Chad surrounded by Lori and other women at the conference. In the James and Elena story, James Google searches Elena. Heideman says that’s consistent with Chad Googling Lori. “In the story, James authored a story. Chad also authored a story,” Heideman says. Chad and Lori went to the temple on Nov. 16 or 17, according to temple records. In the story, James and Elena went to the temple in mid-November. In the story, James stayed at Elena’s house during the conference. In real life, Chad stayed at Lori’s house during the conference. Blake asks Heideman if there were similarities to travel between Elena in the story and Lori in real life. Elena traveled to James’ hometown in the story, and Lori traveled to Idaho Falls (about 30 minutes from Rexburg). In the story, James traveled to Arizona to do a podcast with Elena and her friends. Chad traveled in January 2019 to Arizona (based on flight records), and a podcast was posted online that same month “along the lines of Chad Daybell participates in a podcast about his life experiences with Lori,” Heideman says. Blake has asked a few times if there were descriptions of intimate interactions between James and Elena in the story. Heideman says yes. Blake asks to admit messages found on the iCloud account. Thomas is reviewing the documents before they are admitted. Thomas says he renews his previous objections to having the messages admitted. Boyce overrules the objection and will allow the exhibits in. The first message Blake displays was from Lori to “bubby” – Chad Daybell – on Aug. 9, 2019. “That is pretty incredible. Fire emoji. Fire emoji. Fire emoji. Fire emoji. The fire is definitely burning. I miss you way too much. You have to stop or I might explode.” Next message from Lori to Chad: “The intensity of each encounter in my mind. One greater than the last. Fire emoji. Fire emoji. Especially this last one. I’ve never loved you more. It just keeps growing.” Next message – Chad to Lori: “I completely agree. We were definitely in new territory in your bedroom.” Chad to Lori: “Elena’s magic hand has gripped the storm. Barely able to breathe as intense waves wash over them.” Lori to Chad: “Yes she did!” Chad to Lori: “I love you Elena. What a wonderful chemistry we share. Fire emoji. Fire

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emoji.” Lori to Chad: “I love you more. That’s so hot. I need you now more than ever. Heart emoji. Heart emoji.” Chad to Lori: “You are amazing. Please save that segment. I want to read it with you naked and relive it all.” The witness was talking so fast that Nate missed the first message Chad sent to Lori. It was about intertwined bodies, breathing heavy and spending intimate time together. There will now be a potential objection by the defense that needs to be taken up outside of the presence of the jury. Jurors are leaving the courtroom. Blake asks for a recess so prosecutors can confer as a team. As we wait for the recess to end, a woman on our row tells Nate her dog’s name is Storm, and this trial has forever ruined it. (See notes from yesterday.) During the break, Lori is chatting with the defense investigator and looking at a laptop as her attorneys stand behind her. Boyce is back on the bench. Blake says prosecutors will not be admitting the exhibit and she is done questioning the witness. Thomas has no questions for Heideman. She is released from the witness stand. **Attorney General Investigator Nicholas Edwards** called to the stand. Lindsey Blake will question him. Edwards is currently deployed with the United States Army. When he’s not on military orders, he is the lead investigator at the Idaho AG’s office. He has worked since 2019 at the Attorney General’s Office. He previously worked at the Pocatello Police Department. Edwards describes where he went to school, his training background and law enforcement experience. The AG’s office was asked to assist in the investigation of Tammy Daybell’s death in April 2020. When Edwards became involved, he was aware FBI, Rexburg, Madison County and police in Arizona were investigating two missing children and the death of Charles Vallow. Edwards learned Tammy was married to Chad Daybell and they were raised in Utah. They had five children and moved to Fremont County, Idaho in 2015. Edwards learned Tammy worked at an elementary school as a librarian and technology specialist. Edwards learned Chad and Tammy were married. Edwards later learned Chad married Lori. Edwards learned Lori was the connection between Alex Cox and Chad Daybell. Edwards learned Charles and Lori initiated a divorce in February 2019. There were never any divorce proceedings between Tammy and Chad, Edwards says. Edwards says he reviewed messages that showed Chad urged Tammy to take a trip to Utah to see her parents just weeks before Tammy died. Blake asks to admit an exhibit containing messages related to Edwards’ investigation. The defense does not object to the exhibit. The first message we see is from Chad to Lori on Oct. 3, 2019. “Good night, angel Lili. So excited to go on our date! Fire emoji.” On Oct. 4, 2019, Chad wrote to Lori at 4:20 a.m.: “Dreaming of caressing you in your bed. I adore you and shollow (sic) you. Heart emoji.” On Oct. 4, Chad urged Tammy to visit her family in Utah. The attempted shooting of Tammy happened on Oct. 9, 2019. She was killed 10 days later. Edwards reviewed the homerjmaximus account linked to Alex Cox. He says the device visited Sportsman Warehouse on the day of the attempted shooting. Edwards never found any connection between Alex and Tammy. Blake asks to admit another exhibit that Edwards created. Thomas objects, says the presentation is cumulative and a rehash of things that have already been said by other people. Blake argues it’s not cumulative. Boyce says the exhibit will be allowed in as a demonstrative exhibit, not as evidence. here are some technical issues, so we aren’t able to see the exhibit. Edwards will describe what is on it. Between 9:12 a.m. and 2:28 a.m. on Oct. 9-10, there were 90 calls between Alex, Chad, Zulema and Lori. Chad and Alex were texting each other all day, and their devices were together in the afternoon. Four messages between Alex and Chad were sent the night of Oct. 9. Edwards says there were significantly more calls during this timeframe compared to other days.

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Blake asks for a brief sidebar. Now morning recess. We are back from the break. Lori was passionately speaking with her attorneys for a few minutes during the recess. Edwards is likely the prosecution's last witness. Jim Archibald tells me Lori still has not decided if she will be taking the stand or not. We now see a slide showing a breakdown of the 90 calls between Alex, Chad, Lori and Zulema on Oct. 9 and 10. Chad and Alex were communicating between 8:28 p.m. and 9:29 p.m. the night of Oct. 9. This would have been during and right after the time Tammy Daybell was shot at. Blake now shows a photo of the front of Chad's house. We now see an overhead image of the Daybell property. Edwards learned Tammy usually parked along the long driveway at the back of the property. She would often enter through the back door. On the night of the shooting, she parked in the front of the house. This was different from her usual pattern. Blake shows an image of the Grendel AR gun. Edwards has used AR rifles in the military and in law enforcement. He is a certified sniper and has completed long-distance sniper courses. Edwards says a paintball gun was originally reported in Tammy's shooting. He says a paintball gun and AR could resemble each other if the base of the weapon looks similar, and the hopper (where you feed the paintballs) could be mistaken for a scope. Blake asks about the email Tammy sent to her son Mark. During his investigation, Edwards says he spoke with neighbors about paintball guns. They did not own any paintball guns. Blake asks Edwards if he did additional follow-up after the shooting. He says he spoke with many people in the area and reviewed reports. Edwards found on the homerjmaximus account that a search has been done for a Grendel drop – meaning the searcher was trying to figure out what adjustments needed to be made on the scope to hit your target. Scopes were recovered in Lori's garage. Blake asks to admit a timeline from 2019 that Edwards created. Thomas objects to the exhibit but Boyce allows it in for demonstrative purposes – not as evidence. The first slide shows a timeline of Oct. 9, 2019 from 5 p.m. – 12:28 a.m. The attempted shooting occurred around 9:15 p.m. There are lots of calls and texts along with a casting that Zulema and Lori performed that day. As Fremont County deputies are on scene, there are texts between Alex and Lori, Chad and Alex and Chad and Lori. At 10:42 p.m., the deputy leaves. There is then a 38-minute phone call between Alex and Zulema. The next morning there are messages between Alex and Zulema. The casting was being done the night of the attempted shooting. On Oct. 9, homerjmaximus searched for how to clean an AR and searched for what a Grendel AR might do through a Dodge Dakota. The Daybells owned a Dodge Dakota. Blake asks to admit another exhibit. It shows the timeline of events on Oct. 18-19. Thomas objects to the timeline and asks Lori was not anywhere in the area, so she has nothing to do with it. Lori was in Hawaii on Oct. 18 to 19. It shows text messages and location activity between 6:13 p.m. and 12:35 a.m. There are texts between Lori and Chad, Alex and Chad and Alex and Lori. The night Tammy died, her phone is active and playing games at 10:22 p.m. At 11:28 p.m., a jpeg is deleted from her phone. There are then texts between Chad and Lori. At 11:46 p.m., Alex is leaving the LDS church parking lot near Chad's house. Alex calls Lori and then talks from 11:53 p.m. -12:09 a.m. Lori texts Zulema at 12:10 a.m. Chad texts Lori at 12:35 a.m. Now we see a slide showing the messages between Chad and Lori on the morning of Oct. 20. L to C: "I am missing you more. I need you desperately. I can't wait." L to C: "Need you to hold me tight. That would be great. What about the idea of you coming here. or do you want me to come there." C to L: "The apartment is haunted. I need to be here to sort out the financials. Please come home Thursday so we can spend the night together. I seriously want you to look for a condo for us there that we can return to at the

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first of the month.” L to C: “I know exactly where we should be. I don’t care where we are as long as we’re together.” Chad and Lori discuss the “Lili” workout plan that was mentioned yesterday. They go back and forth about being lovesick and consumed with each other. Chad to Lori: “I am feeling sad but it isn’t for the reason everyone thinks.” On Oct. 20, L to C: “What’s on your agenda today?” C to L: “Need to meet with the mortuary today. I hope to be able to talk after I can get my parents to go home.” They then exchange messages over the next few days about missing each other and craving each other with heart emojis. Edwards says Tammy had two life insurance policies, and they both paid out. Chad Daybell was the recipient. Edwards says Chad and Lori got married on Nov. 5, 2019. Edwards was involved in the search at Daybell’s property on June 9, 2020. Edwards was assigned to search under a tree on the north side of the property. We now see a photo of the ground where JJ’s body was found buried. Edwards says he was instructed to slowly and methodically look for a designated spot where they believed a body might be. He could tell the contour of the earth was different, and the grass had been disturbed in the form of a rectangle. Edwards talks about finding the rocks under the dirt. Under the rocks were some boards, and exposed on his right was “what appeared to be the shape of a head in a black bag.” Edwards used his hands to sift through and dig in the dirt. Edwards says the FBI lead agent cut a hole in the black bag and the white bag, which exposed brown hair. “My experience after that was a flood of emotion that we found him and thoughts of my own son, who is the same age.” Blake has no further questions. Thomas will cross-examine Edwards. Thomas asks how he’s doing and starts to review his professional background. He says before he was a police officer, he worked campus security at ISU while a student. Thomas asks which universities Edwards attended for his degrees. Thomas now asking about the timeline exhibit and the text messages between Alex, Chad and Zulema. He asks what the texts were about. “I don’t know what all of them were about. We don’t have the content for some of them,” Edwards says. Thomas: “They could have been talking about going to lunch or going to dinner or any number of things.” Edwards: “Correct.” Thomas asks Edwards if he spoke with the specific kid Tammy mentioned in her email to her son. Edwards says he didn’t know who the child was – there was no name. Edwards says he spoke with the Prices next door. Thomas asks Edwards if he actually handled the AR firearm. “It’s a lot heavier than your average paintball gun,” Thomas says. Edwards: “It is.” Thomas the timelines and asks for clarification on some of the points. He talks about Alex arriving at the LDS church near Chad’s house and asks about geofencing. Edwards says he isn’t sure about geofencing and got his information from the CAST report. Thomas asks for a sidebar. Thomas back at the stand and says he has no further questions. Blake has follow-up questions. She asks if other investigators prepared data that Edwards then reviewed. He says yes. Blake: “If a firearm jams or misfires, would there be any kind of a sound?” Edwards says a number of things could happen. Blake asks if he found Alex Cox’s device at or near the residence on Oct. 9, 2019. He says yes. Blake has no further questions, and Edwards is released from the witness stand. Blake asks for a sidebar. All the attorneys leave the courtroom with the judge. Lori turns her back to the audience and writes on her notepad. Many jurors are standing up and chatting with each other. Crazy to think that six weeks ago, none of them knew each other, and now they’ve spent every weekday together since April 10 listening to 61 witnesses, countless exhibits, graphic details and more. Attorneys are back, and Boyce is on the bench. He says we are breaking for lunch until 12:40 p.m., but some issues need to be taken up outside the presence of the jury. Jurors are dismissed. We will see what those

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issues are after lunch. Nate Eaton is told **Lori Vallow Daybell will not testify** in her trial. Back in the courtroom. Boyce is on the bench and attorneys are at their tables. Boyce has some questions on the exhibits and wants to be sure everything has been admitted properly. Before jurors are brought in, Blake says there is a clerical error in the indictment. She would like to get it corrected and submit an amended indictment to the court. The defense and Boyce are not aware of the error. Boyce asks prosecutors to discuss the error with defense attorneys and then bring forth a motion. Boyce leaves the courtroom and we are in recess while the attorneys discuss the clerical mistake. All of the attorneys have left the courtroom. Lori asked John Thomas something and he responded, "Just stay here." The defense attorneys and prosecutors are back at their tables. Boyce is on the bench. "The state is preparing to rest but has brought up two issues. One issue is to argue an amendment or alteration to the indictment in the case." Rob Wood says the state wants to amend some clerical errors. On two of the counts, 3a and 4a were inadvertently mismarked. Archibald asked for a copy of the amended indictment. "The indictment that was filed here and signed by a grand jury foreman on May 25, 2021 – two years ago. It has not been amended for two years. We have requested the amendment as her defense team. That's been denied and now the state is asking to amend it two years later and Idaho code indicates an amendment of an indictment cannot be amended...so by changing the code sections of the statutes, their proposal is to change the code sections from grand theft with intent to deprive another to grand theft by depiction. These are different charges. They are not just mere clerical errors." Archibald says this is a big deal, and he is concerned about making the change. "This does affect the substantial rights of my clients, and if that's the case, this error is fatal." Wood says Lori was charged with grand theft by deception and argues there was an error in the indictment with the lettering ... so it says grand theft with intent to deprive another rather than deception. You can read the indictment [here](#). Boyce says Idaho law allows minor changes to the indictment before the state rests, but he's annoyed. "The timing is sort of unbelievable for the number of prosecutors who have worked this case for so long. It's not something that came up ... until the end of the trial. This is the kind of motion that clearly the court doesn't like having all of our jurors sitting around waiting for us. This could have been done by motion at any point before now." Boyce does permit a change to the word "month" when it was listed as "months" in the indictment. "Because the language of the indictment does include deception in the caption and in the charging language (rather than in the citation, where the error was made), the court would find the indictment may be amended." Boyce permits changes to the indictment and asks the state to prepare it before jurors go in for deliberations. Jurors are being brought in. Lindsey Blake says there are no more witnesses. "The state rests." Archibald says the defense would like to make a motion outside the presence of the jury. A sidebar is being held. Boyce says at this stage of the proceedings, it is common to have time for administrative matters. A motion will now be argued outside of the presence of the jury. Jurors will then be brought back in when it is done, and Boyce will announce the schedule moving forward "depending on where things land this afternoon." Archibald: "Rule 29 provides for a mechanism for the court to review the evidence that's been submitted and determine if there's been sufficient evidence on each count to proceed to the jury. Under Rule 29, we are asking the court to review the evidence and determine if there is sufficient evidence on each count, including overt acts, to submit the matter to the jury." "If the court needs time to review the evidence, we are not opposed to the court taking time. While the

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court reviews it, I will ask for a break so me, my co-counsel and investigator can meet with my client to decide how she wants to proceed with a defense. I will ask for a 15 minute recess to go to a secure location so we can have an open discussion about my client's right to proceed." Lindsey Blake says they have presented evidence to support all elements of the indictment, and the case is ready to be submitted to the jury at the close of the defense's arguments. She asks Boyce to deny the Rule 29 motion. Archibald: "If we do not present any evidence, then that issue would be moot in any event." Idaho Rule 29 is the Motion for Judgment of Acquittal. *(Dream on!)* Archibald is asking Boyce to consider this after reviewing all the evidence. You can read about the rule [here](#). Boyce says everyone needs to leave the courtroom except Lori and her defense team so they can meet privately. There are around 75-100 people waiting outside the courtroom to see what the defense team will say once the doors open up. Nate reports: "WE are back in the courtroom. When I walked in, Lori had a big smile on her face." Boyce is on the bench. He says he has taken Rule 29 under advisement. Archibald says, "We don't believe the state has proved its case so the defense will rest." Boyce tells Lori she has the right to exercise her 5th amendment right and cannot be compelled to testify. He asks if it's her decision to not testify. "Yes, your honor." she says. Jurors will be dismissed for the day. Tomorrow Boyce will meet with the defense and prosecutors to work on jury instructions. Closing arguments will be heard Thursday morning. Jurors are back in the courtroom. Boyce asks Archibald to advise the jurors how they are proceeding. "After consulting with my client, we don't believe the state has proven its case so the defense rests." *(Yeah, right!)* A few jurors write things down. Boyce says the evidence portion of the trial is over. "There will be a jury instruction conference with counsel tomorrow." He says they will be excused tomorrow and resume on Thursday with closing arguments. Jurors have just left the courtroom. Boyce asks the parties to make themselves available tomorrow. They will meet informally and then there will be formal hearings. Unclear what time proceedings will be held. *(Desperate defense IMO. They got nothing!)*. The prosecution had a total of 60 witnesses.

May 10, 2023 – Wednesday – Procedural day only. Jury instruction conference with counsel.

May 11, 2023 – Thursday – Closing arguments today and jury deliberations started late in the afternoon. On the last day of testimony (May 9, 2023) Judge Boyce issued a response to the multiple media requests that the verdict would be broadcast live by the court's camera when it's time. At 8:58 a.m. jurors walk in carrying their notebooks and water bottles. Judge Boyce begins with jury instruction #4 – the defendant is presumed to be innocent and the state has the burden to prove her guilty. She is never required to prove her innocence and never has to produce any evidence at all. The state must prove the alleged crime beyond a reasonable doubt. "If there is a reasonable doubt, you must find the defendant not guilty." He reads from rule #5 that the defendant has a right not to testify. Rule #11 – "You have not heard all the evidence in the case. My duty is to instruct you as to the law. You must follow all the rules as I explain them to you. You may not follow some and ignore others. Even if you do not understand or disagree, you must follow them." Boyce: "The lawyers are not witnesses. What they say is not evidence. If the facts as you remember them differ from what you the lawyers say, go with what you remember." The jurors have written instructions in front of them and are following along as Boyce reads them. They seem

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focused and not distracted. Lori is also following along on her paper copy. Boyce lists off the exhibit numbers that were admitted as demonstrations rather than evidence. Boyce says jurors should consider the qualifications and credentials of the testimony of each witness. He explains what conspiracy to commit murder is – “an agreement by two or more persons to commit first-degree murder. They may not agree on every detail. It may be shown by evidence of an oral or written agreement.” He explains what murder is. Boyce explains what malice is and what “to obtain property” means. “An owner of property is any person who has a right to possession of such property superior to the right of the defendant.” Boyce lists out specific allegations in the charges and says if they have been proven beyond a reasonable doubt, “you must find the defendant guilty.” If they have not been proven beyond a reasonable doubt, “you must find the defendant not guilty.” On jury instruction #30. He lists out the allegations and says the state must have proven each element of the alleged crime in order to find Lori guilty. Jury instruction #31. Boyce explains that in order for Lori to be found guilty of first-degree murder, the state must prove each allegation listed in the indictment. Once the jury begins deliberating, they will have access to all witness testimony and all the evidence — including the 130,000-150,000 items found on Lori’s iCloud account. There are 18 jurors here – 12 will be picked as the actual jurors, the others as alternates. Boyce continues to read instructions and stresses the jury can only find Lori guilty on each charge if the state has proven beyond a reasonable doubt that the allegations were indeed committed. Jury instruction #33. “There are different forms of theft depending on how the theft was committed. Lori Daybell is charged in Count 7 with the theft of Social Security funds.” Boyce: “In this case, you will return a verdict consisting of a series of questions. Although the questions on the verdict form are self-explanatory, I am required to read them to you:

Question 1: Is Lori not guilty or guilty of conspiracy to commit first degree murder of Tylee Ryan?

Question 2: Is Lori not guilty or guilty of first degree murder of Tylee Ryan?

Question 3: Is Lori not guilty or guilty of conspiracy to commit first degree murder of JJ Vallow?

Question 4: Is Lori not guilty or guilty of first degree murder of JJ Vallow?

Question 5: Is Lori not guilty or guilty of conspiracy to commit first degree murder of Tammy Daybell?

Question 6: Is Lori not guilty or guilty of grand theft?

Boyce says all the exhibits will be in the jury room except the firearms. They can be viewed if requested with assistance from the bailiff. Boyce reads a rule that says the jury will appoint a foreman. The duty of the foreman is to make sure everyone is heard from. “The verdict can’t be arrived at by chance.” He says the jury cannot reveal to anyone else their verdict until the judge asks for it. We are on the last instruction. Boyce again reminds the jury that the arguments of the attorneys are not evidence. He says the attitudes and demeanor of the jurors at the beginning of deliberations are very important. “You are not advocates – you are judges.” He reminds them of the importance of “the declaration of the truth.” Boyce is done reading the jury instructions. Rob Wood will give closing arguments on behalf of the prosecution. Wood asks for a brief sidebar. White noise is played in the courtroom. 9:58 a.m. after a morning break, Madison County Prosecuting Attorney Rob Wood will present closing arguments on behalf of the state. Fremont County Prosecuting Attorney Lindsey Blake gave opening statements in the case a month ago. Wood: “Money,

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power and sex. Beginning in October 2018, Lori Vallow and Chad Daybell set in a motion of events. Along the way, they included her brother Alex Cox to participate in a conspiracy unencumbered and free of obstacles. This plan was driven by Lori Vallow's desire for and use of money, power and sex. And this plan must end today in the verdicts you render in this trial." A photo of Tylee Ryan is shown on the screen. "She was burned and buried in Chad Daybell's backyard. What was left of her body they dumped in a green bucket and buried in a pet cemetery on top of a piece of her skull. Tylee was gone and buried and out of the way, but Lori Vallow kept collecting Tylee's money." Wood: "Lori never reported that Tylee was missing. She lied to multiple people. She had to keep her body hidden so she could keep getting the money." We now see a photo of JJ Vallow on the screen. "JJ's voice was silenced forever by a strip of duct tape placed across his mouth. A white plastic bag was placed over his head where it was secured tightly with duct tape wrapped around and around from his forehead to his neck. The evidence says he struggled and we'll never know how long he fought before they wrapped tape around his wrists and ankles. He stopped breathing, his heart stopped beating and he died. It was a brutal, horrific murder of a 7-year old boy with special needs." Wood: "Just like Tylee, Lori never reported that JJ was missing or dead. She kept collecting the money. She lied to multiple people and even asked a friend to lie to the police about JJ's location. Just like Tylee, after JJ was murdered, she kept collecting the money." A picture of Tammy Daybell is now on the screen. Wood: "A loving mother of five and school librarian was murdered in her own home. She was asphyxiated in her own home. The evidence is clear that Lori, Chad and Alex conspired to murder Tammy. Acting together, they caused her death. Her death occurred just a little over a week after a masked gunman attempted to shoot her as she entered her home after a night of church activity ... Lori was conveniently gone for both the attempted murder and the successful murder. Those trips were not coincidences. And just like Tylee and JJ, there was money to be gained from Tammy's death. \$430,000 worth of life insurance and Lori wasted no time to benefit from that money." We now see wedding photos of Chad and Lori on the beach. Wood: "They were freed from the obstacles of their kids and wife. They were dancing on the beach...You have seen plenty of evidence of the affair that took place after they met." Wood is now walking the jury through a timeline "that tells the truth" as it is displayed on the screen. Wood: "Lori Vallow is the one who ties this all together." He talks about the attempted shooting of Brandon B., Rexburg police getting a call looking for JJ, the investigation into the missing kids, Tammy's body being exhumed, the kids being found. Wood talks about Idaho law and this being a "crime of agreement." "Did Lori agree to have Tylee killed and steal that money? Did she intend for those events to actually happen? And did any of the conspirators perform an overt act in furtherance of that agreement?" Wood: "When it comes to conspiracy, you need to ask yourself, 'Who murdered these people? Did Lori intend for it to happen and was one of these overt acts accomplished in furtherance of the conspiracy? You only need to find one overt act. The state has met its burden for each overt act - you only need to find one." Wood now talking about the Tylee murder charge. "Did Lori aid and abetted in that murder? Did she encourage the murder? Under the law, if you find Lori aided, abetted, advised or counseled in the murder of Tylee, you must convict her." Wood says the same must be done with JJ's murder. Wood talks about Tammy's conspiracy charge. Asks jurors if Lori was involved. He talks about the grand theft. He tells the jurors to read the instructions carefully and they will find "the state has met its burden beyond a reasonable doubt." Wood: "A reasonable doubt is based on reason and common

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sense. Use your reason and your common sense as you deliberate. Malice is one of those words that may mean something in the real world versus in court. Follow the jury instruction. Malice can be expressed where someone says they want it to happen, or it can be implied. You will find express and implied malice in this case. There is an abundance of malice.” Wood: “Aiding and abetting is just the same as pulling the trigger. Overt acts – on a conspiracy you must find at least one overt act beyond a reasonable doubt. Overt acts in and of themselves don’t need to be illegal but if it’s an act done in furtherance of conspiracy, then it is an overt act and makes it part of the crime.” Wood: “To be clear, nobody here has been charged for their religious beliefs. They have been charged for using those religious beliefs to justify murder.” Many jurors taking notes, others looking at Wood as he gives his argument. Wood: “They couldn’t kill the kids in Arizona where they had friends and family. Moving to Rexburg was the catalyst for these murders. They had to hide Tylee and JJ. They had to go somewhere nobody knew them. Moving to Rexburg was the catalyst for these murders and then Alex followed.” Wood lists off overt acts he says Lori used to further conspiracy and grand theft. She never reported her kids missing, she changed bank accounts to get Social Security benefits from her kids, burner phones, etc. “All these steps were taken to further their conspiracy.” Wood mentions the text messages about Tammy being in limbo and being possessed by a zombie. Wood explains how Alex visited gun ranges, went to Sportsman’s Warehouse and then was located at the church near Chad’s house on the night Tammy died. “These are all overt acts and steps taken to get to murder.” Lori is looking at Wood as he is speaking. Wood reviews the digital evidence including all the searches on the homerjmaximus account (Alex Cox’s account). On the screen is a list of searches Alex did about prepping an AR in the cold, shooting through a Dodge Dakota (the same vehicle Tammy and Chad owned) and how to drill baffles to make a suppressor. Wood talks about Chad Daybell searching SSW winds on Sept. 8. “The next day he knows he will be burning Tylee Ryan in his firepit and he needs to know which way the wind will be blowing. This is the only time he searches wind direction.” Wood shows the searches on the lollytime4ever account and Lori Vallow Google searches. “The day Tammy Daybell is being buried, Lori is looking up wedding dresses in Hawaii. Her boyfriend’s wife is being buried that day and she’s already looking for wedding dresses.” Wood reads the “raccoon text” from Chad Daybell to Tammy Daybell on Sept. 9. “This text is where Chad Daybell told us where to find Tylee Ryan.” Wood: “Tylee Ryan was seen in Yellowstone National Park and then was never seen again. But she turned up in Chad Daybell’s pet cemetery.” Wood references the James and Elena story – “this was all a plan for them to be together without obstacles. Obstacles was the word they used.” Wood says this all revolves around money and reminds the jury of Colby Ryan’s testimony. “Every two to three months, Lori would tell him we are out of money. It was a concern for her.” Wood shows the Google location history of Alex Cox and a map that lays out his cell phone activity the early morning of Sept. 9, 2019. We see the map of Alex’s movements from the morning of Sept. 9 and the GPS hits off his phone. There is a hit at the burn pit on Chad’s property, another hit right by where Tylee was buried and another hit at the gate to the property. We now see a slide after Tylee was buried. Wood: “They’ve done the deed. They burned Tylee. They dismembered and buried her.” Wood reminds the jury of Melanie Gibb’s and David Warwick’s testimony. Lori told them JJ was a zombie and acting out. On the morning of Sept. 23, David asks about JJ. Lori tells him he was climbing up the cabinets and refrigerator, so she sent him with Alex Cox. “An overt act. Alex Cox took possession of JJ that

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morning.” Wood now shows where Alex was that morning – in his apartment then on his way to Chad’s house “with JJ Vallow in tow.” “No matter how many tips police followed up on, they never found JJ. They never found Tylee except here – where Alex’s phone was pinged by GPS,” Wood says pointing to Chad’s backyard. Alex spent 17 minutes at Chad’s house that day. “That grave was not dug in 17 minutes. It was premeditated, planned.” Wood talks about Chad getting his burner phone on Oct. 9 – the day Tammy was shot at. Alex is at his sister’s house and then goes to Sportsman’s Warehouse. “You can follow his phone as he scopes out the property.” Wood shows a timeline of digital data from that day. Fifteen texts between Alex and Chad in a short amount of time. “What ties Alex to Chad? Lori Vallow.” Wood now talking about the night Tammy died – “the night Tammy was murdered.” He shows a timeline showing the digital activity from that night between Alex and Chad and Tammy. An image is deleted from Tammy’s phone that night. Alex calls Lori at 11:53 pm. Lori is in Hawaii “on purpose – not a coincidence,” Wood says. An overhead image of Chad Daybell’s property is shown on the screen. Wood explains a warrant was served on the property June 9, 2020. “Multiple officers testified to you of watching Chad Daybell in that car looking over his shoulder to the location of where Tylee Ryan was buried. You heard a phone call from that morning from Chad saying, ‘They’re searching the property.’ You can hear the fear and guilty in both of their voices. They know what’s about to happen.” Wood shows the firepit where Tylee was found. He shows an image of a chain and a jewelry charm found in the debris “being worn by Tylee Ryan.” “You sat satellite footage that same day of the disturbance in the ground. You saw how law enforcement found a dog and a cat (in the ground). They found what they thought might be human bones and they continued to dig. And this is what they found. This is what was left of Tylee Ryan. Charred flesh. Dismembered.” An image of Tylee’s remains are on the screen. Wood shows a chunk of concrete found in the ground “sitting on top of Tylee’s skull.” He says they also found pieces of Tylee “here – in the shed.” A photo of the shed is shown on the screen. We see a pickaxe that was taken to the Idaho State Lab and there was Tylee’s DNA in the eye of the pickaxe. We see a photo of the shovel that was tested for DNA. “There was blood on the handle, and it matched to Tylee Ryan.” Wood shows a photo of the grassy area where JJ’s body was buried. We now see a photo of the rocks and boards that were lying on top of JJ. “You heard the testimony of multiple officers about the smell emanating. And how they found what was a human head. Look at this grave. This was prepared in advance. This was a premeditated murder. You heard testimony that Lori Vallow handed JJ off to Alex Cox.” Wood: “Tylee, JJ and Tammy can’t tell us what happened. But their bodies do.” Wood now shows the images of Tylee’s bones on the screen. He points to images and marks that show signs of stabbing. We now see a graphic photo of JJ Vallow’s body wrapped in tape. “They did this to a boy with special needs.” We now see Tammy’s autopsy photo. “There was nothing in her body that would have killed her. She had bruises on her arms that the ME stated were consistent with restraint. JJ had bruises on his arms, too.” Wood: “We talk about money, power, sex. Lori learned a lesson with Charles Vallow. She learned how to get money before the deaths. Within a week, she’s already talking about the Social Security she’s going to get. It was planned. “We see a history timeline of when Tylee received Social Security money and when Lori switched accounts.” Wood: “Get the money and then commit the murder.” He says she made sure to make arrangements to get money before JJ’s death as well. Wood explains the amount you need to find for grand theft is \$1,000. “If you find Lori Vallow collected \$1,000 that was not intended for her, you must find her guilty of

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grand theft.” We now see a slide that says ‘Money: The benefits of Murder.’ The next slide says “Power.” Wood: “It does not matter what they believed. It matters what they did. They can believe whatever they want. But when they use that to justify homicide, that changes. They used religion as a tool to manipulate others. Lori manipulated Alex Cox through religion. She manipulated Chad through emotional and sexual control. They manipulated their friends.” Wood displays text messages showing the “grooming” of Alex Cox. “Lori Vallow is telling Alex Cox what to do. You never see Alex tell her what to do — she is always telling him what to do.” Wood references one message where Alex says, “My lips are sealed” and Lori responds, “Good boy.” Alex’s wife Zulema Pastenses testified that Alex believed “all of it.” Wood: “The only reason religion matters is because it’s the tool they used to manipulate others. Who is the common thread here? Lori Vallow.” We now see a slide that says “Sex: Affair.” Text messages are displayed on the screen about kissing for hours, being cheek to cheek. “Lori uses sex to manipulate Chad and Chad seeks confirmation from Lori repeatedly.” The next slide says, “Sex: Obstacles to a Future Together.” Wood points out that when Chad spoke about Tylee and JJ being close to death (their death numbers), Lori responded with, “‘That is sweet. I miss you desperately.’ There is no doubt she wants these children gone. She is encouraging their murder. She wants these children gone.” Wood: “This isn’t fantasy. Those children were found dead in real life in Chad Daybell’s backyard.” We now see a slide of text messages from Lori to Chad. After Charles was shot in the chest, Chad texts Lori, “Tammy is close. JJ is at a 2.” This was July 30, 2019. “On July 30, she’s already planning for JJ to go the same way as Charles. To be murdered.” The conversation goes into sexual text messages right after Chad and Lori were texting about the deaths of their spouses and the kids. Lori asks Chad if JJ is at zero yet. “She can’t wait (for JJ to die),” Wood says. Wood references Lori’s text to Chad in Aug. 2019. “I feel lost. Like I should be doing something to help,” referring to the deaths of the kids. Wood: “Not, ‘I’m worried about the kids’ but ‘I should do something to help’ get them closer to their deaths.” Lori uses sex to get Chad to do what she wants him to, Wood says. Wood: “Lori never says, ‘Maybe we shouldn’t kill our relatives.’ There’s never a hesitation.” He references the Wifi password Alex set up “2manykids.” Lori responds, “Funny.” Wood: “It would be funny if her kids were still alive and maybe a little rambunctious. But her kids are dead. Wood references the message Chad sent that said their spouses were “obstacles.” Chad sent a message to Lori on Oct. 5 asking for Lori to “seek a confirmation.” Wood now shows a slide documenting that Lori was in Missouri at the time of the attempted shooting. He shows a text from Lori to Melani B. telling her she can’t go out of town and Melani responds, “Ok Captain.” Wood says: “Lori was in charge. She was in command.” Wood: “Ladies and gentlemen, you have your instructions. You are going to go back and deliberate. Read them carefully. Consider all the evidence. Look at all the facts. Look at the timeline. Charles Vallow, Tylee Ryan, JJ, Tammy. All within a short time frame. How are they tied together? Who could have killed those people? We have Lori Vallow, Chad Daybell, Alex Cox. Who had motive to kill those people? Lori Vallow and Chad Daybell. Who benefits from these murders? Lori Vallow gets Tylee’s money, she gets JJ’s money. Chad and Lori get Tammy’s money. What does your reason and common sense tell you? You’ve seen what happened to her children, what happened to Tammy. She never reported the children missing. She lied and she lied and she lied about where they were and while she lied, she kept collecting the money.” Wood: “What does justice for these victims require? It requires a conviction on every count.” Photos of JJ and Tylee and Tammy are on the screen. “You must convict her.”

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Wood is done. The court takes a recess before Archibald gives closing arguments. At 11:40 a.m. the bailiff just came to get the attorneys and said Boyce wants to meet with them in chambers. They all leave as Lori turns her back to the crowd. Boyce is back on the bench. Archibald will now present his closing argument. He also is standing directly in front of the jury, like Wood, rather than at the lectern. Archibald: "Thank you for your service. you have a tough job. We talked about this almost seven weeks ago when we met. We talked about the case being difficult. You were asked if you could be fair and impartial and reserve judgment until the end. We're getting close to the end. You were asked to be patient and attentive while putting your life on hold. Again - thank you." Archibald thanks the prosecutors and says, "We're small-town lawyers. We're not from Boise. We're called opposing counsel but we do respect each other. We respect the jobs we have to do." Archibald says he does not have a Powerpoint. Archibald: "Who is Lori Vallow? What happened? Where did it happen? When did it happen? Why did it happen? That's what you've been asked to figure out. That's what you need to be convinced of beyond a reasonable doubt." Lori was born in California, turns 50 next month, got married right out of high school. Got divorced, went to beauty school, got married and divorced again. "She worked hard as a single mother." Archibald explains about Lori marrying and divorcing Joseph Ryan. "The kids needed protecting from Joseph Ryan." Now he talks about Charles Vallow and their marriage. "You heard JJ had medical issues when he was born and Charles and Lori were a good fit for him. They loved him and they cared for him. Then the story about Lori Vallow changes dramatically in October 2018." "Who is Chad Daybell?" Archibald asks. Lori read some of his books and Archibald explains all about the religious teachings, the 144,000, evil spirits, light and dark ratings, zombies, Jesus being in the temple - "quite a remarkable change in Lori from people who knew her. What the heck is going on? How can this be?" Archibald goes on to say, "One year after meeting Chad, four people are dead." Archibald reminds jurors they shouldn't consider Charles' death in this case as Lori is not facing charges here in Idaho for the death. Archibald: "I talked to you weeks ago about paying attention to who does what. Pay attention to burden of proof. We don't have to provide any witnesses or evidence and my client doesn't have to testify. You can't hold that against us." Archibald: "Pretty soon six of you are going to have to get bumped. And that's too bad. The judge is going to pick numbers out of a hat to see who stays and who goes. I think the thought was during a long trial, someone was going to get sick or have issues at home or a death in the family - something is going to happen that some of you are not going to show up. All of you showed up. To you alternates, thanks again for your service and I'm sorry you won't get to deliberate with your fellow jurors." Archibald: "You've been able to see my client. You've been able to see the evil glares she gets from the audience. You've been able to see the witnesses and the evidence. You've been able to hear my client six times during this trial." He then lists the pieces of evidence (the phone calls, body camera footage, the podcast). Archibald says he respects the state's argument that this is about money, sex and power. But he says Charles Vallow was making \$400,000-500,000. He says that Lori was receiving far less in Social Security money after Charles' death. So what is the point of the death? Then she moves on to Chad "who can't sell enough stupid books about the end of the world" so Tammy has to support him. "So Lori wanted to ditch Charles who makes \$400-500,000 a year and go to Chad who makes \$30,000 a year and she wanted to do that for money?" Now Archibald talks about power. "In the year Chad convinced her she was a goddess; how many converts did Lori have?"

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Zero. A big fat zero. How many converts did Chad have? I count six. Melanie, Audrey, etc.” Archibald says, “This great cause of saving the world and gathering up the 144,000, Chad got six and Lori got zero. Doing some simple math, Chad has 143,994 people left to gather before Jesus comes. At the rate of six people a year, that will take Chad 24,000 years to get this army assembled. The math is ridiculous.” Archibald now talking about sex. “People have sex outside of marriage every day.” He compared the physical attractiveness between Chad and Charles. Archibald says it wasn’t about sex. “She’s reading his books during a hard time in her life and this guy is telling her she’s a goddess...and by the way, we’ve already been married in previous life so it’s not really cheating. And we were best friends with Jesus and Jesus approves so everything is ok. That’s quite the pickup line by Chad to Lori and it worked. Pretty scary that the pickup line from Chad to Lori worked.” Archibald says there’s no doubt the children are dead but did Lori do it? “You’ve heard 60 witnesses and seen hundreds of exhibits. County police, local police, state police, federal police – a lot of resources. I want to review some of these with you.” Archibald says the first witness was Kay Woodcock. She described Charles and Lori as the all-American family. She trusted her brother and she trusted Lori. They each had two kids and then adopted one together. Kay said something changed in late 2018/early 2019. Brandon B. then testified and said Charles and Lori were great. “I loved that family like my own.” But then “all of the end of the world talk ramped up and things got weird.” Archibald recalls Officer Ray Heromosillo’s testimony. He testified that Chad Daybell, when the police showed up, called his lawyer. “And what’s Chad doing? He’s outside looking over his shoulder then he sped away and got arrested. So when Chad was looking over his shoulder, what’s that inference? That Chad knew what was in his backyard. He knew that time was short for him.” Archibald says on the jail phone call from Chad, Lori did not know the kids were in the backyard. “Chad knew but does she know that Chad and Alex stuffed her kids in Chad’s backyard? Go listen to it again and you make your determination.” Archibald goes on to describe the “weird religious babble that really does not make sense.” “In America, you can believe how you want but you can’t go killing people so what are they talking about? What is all this religious talk?” Archibald tells the jurors to listen to the call from Melanie Gibb where Lori says the kids are safe and happy. “Does she know Chad and Alex were out in the backyard together? remember all the GPS data? Lot’s not there. Lori’s not in the backyard when Chad and Alex are. She’s not coming and going from Chad’s property on those days. She’s not there. They are calling and texting her. Are they texting about today’s the day we are going to kill some people? We don’t know that. Maybe they were texting about running an errand – ‘Do you want a real Coke or a Diet Coke?’ Archibald: “Look for the lack of evidence of who’s doing what.” He brings up Chad’s blessing to Alex. “To me it’s craziness. Opening the portals of time, third creation, fourth creation, great warriors, exaltation but came back in the fifth creation. What in the heck is Chad talking about? He’s the leader of his new church. He calls himself a patriarch. Just goofy stuff.” Archibald references Colby’s testimony where he said Lori was a good mom. He mentions the phone call from Colby to Lori and says “it was so painful.” Archibald gets choked up. “It’s just so painful.” Archibald talking about April Ryan’s testimony of Lori trying to recruit her to join the 144,000. April declined to join in. Archibald talks about Lori hiring a babysitter to watch JJ. “If Lori has all these plans to kill her kid, why hire a babysitter and bring her over and introduce her and why check JJ into school? You’re going to kill your kid next week. Why do that? Because Lori didn’t have a plan. The state wants you to think that this was Lori’s plan to kill her kids.” Archibald says

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on Lori's rental application for her Rexburg home, she listed JJ and Tylee as her kids. "Why tell everyone you had two kids? Why enroll them in school? Why hire a babysitter? The only thing that makes sense to me if she didn't have a plan. She wanted to be with Chad. They were obviously having an affair. Chad told her all the time about life and dark things but there was no plan by Lori to kill her kids." Archibald says Lori lied to protect Chad – her lover, her eternal in how many worlds companion. "How can someone have that much control over you? We've heard how reason and common sense go out the windows sometimes when religious principles are involved," Archibald says. "They say she's cunningly coming up with a plan to knock off all these people. Why not go get insurance policies on the kids? She didn't go get an insurance policy on the kids. Does that tell you she wasn't planning to kill her kids or she would have gotten policies," Archibald says. Archibald references Summer Shiflet's testimony and the phone call. "I have supported you your whole life. Chad has lied to you. Chad has deceived you," Archibald quotes. Then he says Alex was a 16-year-old stuck in an adult body because of a car accident. Archibald quotes Summer' Shiflet's testimony of Lori being a good mom, getting along with Tylee and Lori never agreeing to kill her kids. Archibald talks about the photos that "I'm sure are burned into your brain" — the autopsy photos — before transitioning to the hair found on the duct tape wrapped around JJ's body. "Is that a smoking gun? No, not at all. Why not? Because decomposition fluid was also in that bag, the pajamas were also in that bag, kids socks were also in that bag, a kid's blanket was also in that bag. To say Lori is a killer because they found a piece of her hair on duct tape, that's not true. I would hope all of you who are mothers – I hope your hair is somewhere on your kid's pajamas, socks or blanket." Archibald brings up Tammy's death. "That death is up in the air. Was she even murdered? Was it a natural death? To believe she was murdered, Chad is so smooth that he convinced a county coroner, a deputy coroner, and a police officer that it was all natural causes and convinced his kids. Remember the kids showed up, 'Oh my. What happened to Mom.' Chad convinced them all – Sorry kids, mom died in her sleep. Ok dad. You're being asked to convict Lori on killing Tammy when Lori's in Hawaii. You're being asked to convict Lori on killing Tammy when it isn't even a homicide." Archibald talks about the prophecy Chad told the neighbors about – that Tammy would die before she was 50. "Wouldn't Tammy also know about this prophecy? Couldn't that be why she increased her life insurance? Tammy was still with Chad even though he was so nutty. She stood by him even as they went bankrupt as he was trying to sell his stupid books. So her prophetic husband who said, 'Dear wife, you're going to die next year' – could that cause her to increase her life insurance? Prove to me that that's false." Archibald brings up Audrey's testimony and says he thought she was "making up stuff." What did we learn about her? "That she was married to Jesus, that kind of cool. That I'll follow you to five different states even though I didn't really follow you." Archibald apologizes to the jury for getting a little "excited" with Audrey because he didn't believe her. "You have to sort through that and decide what is credible and not credible with these witnesses. What is real and what is imaginary?" Archibald says Lori kept asking Chad what was happening "because Chad's been to heaven and he knows." He brings up the fact that Chad would change percentage ratings for people because "he's making it up as he goes. He can't remember if it's zero percent when people die or 100 percent when people die." Archibald: "What's going on in Chad's brain? You and I wouldn't believe it – but some people do. Some people follow religious leaders when others don't. Was it proven who killed Tylee? No – but Alex and Chad were in the backyard. Chad had

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said, 'Tylee doesn't like me.' I'm guessing Chad and Alex on Tylee. Did they prove that Lori conspired? Of the 15,000 texts they have in evidence, show me one from Lori that says, 'So when are you killing Tylee?'" Archibald: "Was it proven who killed JJ? No but Chad got in a scratch fight with JJ the day before. Maybe those were the scratches on JJ's neck. Alex was only at the gravesite for JJ for 17 minutes. That's not enough time to find a board, find rocks and line them up. I'm guessing Alex had help from Chad. Of the 15,000 texts you have in evidence, show me one where Lori is part of that conspiracy. 'When are you killing JJ by the way? There is no such text.'" Archibald: "Why can't people escape religious leaders? Why can't Lori escape and get back to her good mom life? Lori is not a leader in Chad's new church – the Church of the Fireborn. Lori so wants to testify of Jesus. She wants to tell the world how much she loves Jesus. She wants to tell you she personally met him on more than one occasion. But is Lori a leader or a follower of Chad? She so wants to be a leader but she's not leading anyone. She's following Chad. She thinks Chad is following Jesus but he's not. He's unfortunately being led by the storm – not the first guy to be led by the storm." Archibald: "People who follow Jesus do good things. They are respectful, kind, serve others...'If someone wants you to walk a mile, walk two miles with them (Archibald gets choked up). Treat people like you want to be treated. Judge people like you want to be judged. Since you're a sinner, be kind and forgiving of sinners. That's the Jesus we know. That's the Jesus that Lori knew. That's the Jesus Lori taught her children about. That's the Jesus Lori knew until she met Chad Daybell." Archibald: "No one here thinks Lori actually killed anyone. That's why she's being charged with conspiracy. So they want you to be convinced that she's part of this plan – that there's a specific plan to kill. If you find her guilty, will that bring the kids back? Nope. If you find her not guilty, will that bring the kids back? Nope. You can't be concerned about that. You need to be concerned with following the law and the lack of evidence." Archibald: "If there is anything we've learned about a storm, you hide from a storm. You seek shelter from a storm. Lori spent her whole life protecting her children. Thank you again." Archibald is done. Wood will have a rebuttal after lunch. Back in 45 minutes. We are back in the courtroom. Lori has her back to the crowd and appears to be wiping tears from her face. John Thomas is close to her and has his arm on the back of her chair. She does not appear to be happy. Jim Archibald has joined Lori and John at the table. It appears they are trying to cheer her up. The prosecutors are at their table. Rob Wood will give a rebuttal. Boyce is on the bench. Jurors are being brought in. Wood: "Ladies and gentlemen, the state has met its burden beyond a reasonable doubt. Reason and common sense. The evidence in this case is clear. The evidence in this case points to one common thread and that thread is Lori Vallow. The defense says she's not a killer. She is a killer. Lori is the connection to the deaths. What connection does Chad Daybell have to Charles Vallow? Lori. Why did we talk about Charles Vallow? The motive. The defense says the math doesn't add up. The defense didn't give you all the numbers." Wood: "When Lori wants something, she finds a way to make it happen. She learned her lesson with Charles when she didn't get the money so she waited until after the money hit her back before she killed Tylee. You heard evidence multiple times – she called Tylee dark. She learned her lesson and with JJ, she waited until after the money hit her bank to kill Tylee. When the whole world is out looking for your kids, does a good mom dance on the beach in Hawaii? No. Does a good mom bury her children in her ground and go bury a recent widower? No." Wood: "She knew her children were dead because she helped plan it. She knew her children were dead because she encouraged it." Wood: "Lori was tired of the

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obstacles. She was tired of JJ. She didn't want to deal with him so she found someone else who could and they buried him in the ground." A graphic is shown on the screen that says "Lies Lori told - tell is what REALLY happened." There are 14 circles with statements in each circle - from Tylee Ryan attending BYU-Idaho to Charles Vallow dying of a heart attack to telling Melanie Gibb that JJ was with Kay. Wood: "Remember the last thing Summer testified to you? Her own sister? When she was asked if Lori had been honest with her about the kids? Her response was Lori had lied. Lori lied to cover her crimes. Repeatedly. Does a good mom jet off to Hawaii when the rest of the world is looking for her kids?" Wood: "The innocent don't need to lie. The guilty lie." A slide is on the screen that says "show you the evidence." Wood tells jurors to listen to the jail phone call from Chad to Lori: "You will hear the guilt and the fear in her voice because she and Chad both know what the police are going to find." He tell them to watch the body camera footage when she and Chad are chilling by the pool. Wood pushes back on the defense that Lori's hair could have been on the sock, pajamas or in the bag. He says the hair was not in those places - it was on duct tape surrounding the plastic bag. "Lori knew exactly what was going on. Wood mentions the storm text. "What does Chad say? 'Grab me by the storm and I will follow you to the end of the universe!' Not, 'Follow me, Lori.' Don't let Lori pin this all on one other person." Wood: "When Chad Daybell is texting her about going into the light, we all know what that means. And what does she say? 'Let's not kill kids' - no, she says, 'That is sweet.' Lori's own words hold her words against her. Think about the times she says she has no more patience." Wood shows slides of texts between the two about death percentages and romantic texts. Wood: "When Chad says the kids are 2 or 3 percent, she's upset it's not zero. The defense says there's no text about killing the kids. (Wood now quotes) 'Do you think there's a perfectly orchestrated plan to take the children?'" Photos of Tammy, Tylee and JJ are on the screen. Wood: "If she didn't intend for their children to die, what mother doesn't go report that they are missing or dead? It makes no sense to say she is a good mom when she's not reporting the deaths of her children or that her children are missing. She intended the deaths. You have the evidence. You must convict her." Wood: "When Lori would tell her friend (Zulema) that nothing she did in this life counted for her, that she could do whatever she wanted, she made a little motion. (he taps the podium and raises his hand and says, 'Doesn't count for me'). Well make it count for Lori Vallow that Tylee Ryan will never go to college. That her remains were buried and put in a bucket. Make it count for Lori Vallow that JJ Vallow, a boy with special needs, had a plastic bag over his head and fought for his life. And make it count for Lori that Tammy Daybell had to die so Lori could get to that money. Ladies and gentlemen, reason and common sense. Reason and common sense. You must convict her." Wood's arguments are over. Boyce addresses the jury and says only 12 of them will deliberate. The clerk will draw six numbers of who the alternates are. These people will go home and be dismissed but need to be reachable should they need to be recalled. Boyce tells them they still cannot discuss the case until it's over. They can't talk to the media or anyone else until they've been notified that a verdict has been reached. Boyce sincerely thanks them and now the clerk will draw six random numbers assigned to the juror seat numbers. The following jurors will go home: 18, 1, 2, 17, 3, 7. All the jurors leave the courtroom and now the remaining jurors will come back in to be sworn in for deliberations. Seven men and five women remain on the jury. Two bailiffs are being sworn in to watch over the jury, keep communication from getting to them and make sure they will be secure. Boyce tells the jury the case is now in their hands. Jurors walk out of the

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courtroom. Lori is whispering to her attorneys. Boyce asks attorneys on both sides for their contact information in case something comes up. "With that, we will be adjourned until we hear back from the jury." Jim Archibald is leaving the courtroom, but Larry Woodcock grabbed his hand and is shaking it like they are old friends. Larry has told me in the past he knows the attorneys are doing their job and respects them. Around 50-75 people are mingling in the courtroom. Jurors have left every day at 3:30 p.m. during the trial. Not today. They are still deliberating. Lori's defense attorneys remain in the courtroom, but the prosecution team left shortly after the jury did. The jury went out to start deliberations, but were excused to go home after dinner at about 7:00 p.m.

May 12, 2023 – It was announced that the verdict would be read at about 12:45 p.m. Lori Vallow found guilty on all 6 charges. The jury only deliberated about 7 hours over the afternoon of May 11 and the morning of May 12. Unanimous verdict on all counts. Lori was emotionless when the verdict was read. Sentencing likely won't happen for about 3 months, likely in August. The Woodcocks and also several from the Law Enforcement involved were cheered outside the courthouse when they left. Lori leered at the jury and otherwise showed no emotion.

May 12, 2023 – NBC Dateline changes programming to broadcast a 2-hour follow-up on the Lori Vallow story after today's events. Interviews with Nate Eaton of East Idaho News is included in an interview with Keith Morrison along with file footage from earlier episodes and a summary of the trial was also added to the footage.