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DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
STATE OF IDAHO, TETON COUNTY

<p>STATE OF IDAHO, Plaintiff, v. JEREMY ALBERT BEST, Defendant.</p>	<p>Case No. CR41-23-0877</p> <p>NOTICE OF INTENT TO SEEK DEATH PENALTY</p>
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The State of Idaho, by and through the Teton County Office of the Prosecuting Attorney, hereby notifies the Court and the Defendant pursuant to Idaho Code § 18-4004A that the State will seek the death penalty against Jeremy Albert Best in this case in the event of the Defendant's conviction for any of the three counts of First Degree Murder charged in the Indictment.

The State has reviewed all available evidence, and given the Defense the opportunity to provide any mitigating evidence known to the Defense. The State has received no such evidence, and found no mitigating circumstances that are sufficiently compelling to render imposition of the death penalty unjust in this case.

The State intends to prove one or more of the following statutory aggravating circumstances as the basis for seeking the death penalty under Idaho Code § 19-2515(9):

1. At the time the murder of Kali Jean Best was committed, the Defendant also committed another murder. (Idaho Code § 19-2515(9)(b)); and/or
2. At the time the murder of the unborn fetus carried by Kali Jean Best was committed, the Defendant also committed another murder. (Idaho Code § 19-2515(9)(b)); and/or
3. At the time the murder of Zeke Gregory Best was committed, the Defendant also committed another murder. (Idaho Code § 19-2515(9)(b)); and/or
4. The murder of Zeke Gregory Best was especially heinous, atrocious or cruel, manifesting exceptional depravity. (Idaho Code § 19-2515(9)(e)); and/or
5. The murder of Kali Jean Best was especially heinous, atrocious or cruel, manifesting exceptional depravity. (Idaho Code § 19-2515(9)(e)); and/or
6. The murder of the unborn fetus carried by Kali Jean Best was especially heinous, atrocious or cruel, manifesting exceptional depravity. (Idaho Code § 19-2515(9)(e)); and/or
7. By the murder of Kali Jean Best, or circumstances surrounding its commission, the Defendant exhibited utter disregard for human life. (Idaho Code § 19-2515(9)(f)); and/or
8. By the murder of the unborn fetus carried by Kali Jean Best, or circumstances surrounding its commission, the Defendant exhibited utter disregard for human life. (Idaho Code § 19-2515(9)(f)); and/or
9. By the murder of Zeke Gregory Best, or circumstances surrounding its commission, the Defendant exhibited utter disregard for human life. (Idaho Code § 19-2515(9)(f)); and/or
10. The Defendant, by his conduct, whether such conduct was before, during or after the commission of the murders of Kali Jean Best, her unborn fetus, and Zeke Gregory Best, has exhibited a propensity to commit murder, which will probably constitute a continuing threat to society. (Idaho Code § 19-2515(9)(i)).

Further, the State's evidence supporting the imposition of the death penalty will include evidence concerning the victims, their uniqueness, the impact that the deaths of the victims have had on their family and the resultant loss to the community.

DATED February 28, 2024

OFFICE OF THE TETON COUNTY
PROSECUTING ATTORNEY

/s/ Bailey Smith
By: Bailey A. Smith

Counsel for the State of Idaho

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date set forth below, a true and correct copy of the foregoing was caused to be filed electronically via File & Serve with automated service to the following:

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Dated: February 28, 2024

/s/Stephanie Egbert _____