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PEOPLE OF THE STATE OF COLORADO v. BARRY MORPHEW AKA: Barry Morphey Defendant	DATE FILED March 24, 2026 11:10 AM ▲ COURT USE ONLY ▲
Anne E. Kelly, District Attorney Office of the District Attorney 601 Main Street Alamosa, CO 81101 Phone Number: (719) 589-3691 Attorney Reg. 38885	Case No. D0022025CR000128 Div: D Ctrm:
PEOPLE’S UNOPPOSED MOTION FOR AUTHORIZATION TO RELEASE GRAND JURY TRANSCRIPTS AND EXHIBITS	

Anne Kelly, District Attorney in and for the Twelfth Judicial District, State of Colorado, respectfully pursuant to Rule 6.9 of the Colorado Rules of Criminal Procedure, hereby move this Honorable Court for an order authorizing the release of Grand Jury transcripts and exhibits to: [REDACTED]

1. The 2024-2025 Twelfth Judicial District Grand Jury authorized an investigation into the death of Suzanne Morphey.
2. During the course of the grand jury investigation, witnesses testified and exhibits were presented to the grand jury. [REDACTED] was one of those witnesses.
3. The grand jury returned a true bill for Murder in the First Degree. The indictment was presented to the court by the prosecutors under instructions of the grand jury pursuant to Rule 6.6(a). The indictment was venued in Alamosa.
4. [REDACTED] is now requesting a copy of [REDACTED] transcript so that [REDACTED] can prepare for a meeting with the defense in the case and to prepare for future testimony generally.
5. Rule 6.4 of the Colorado Rules of Criminal Procedure, pertaining to the reporting of grand jury proceedings, provides that, “[t]he reporter’s notes and any transcripts which may be prepared shall be preserved, sealed, and filed with the court. No release or destruction of the notes or transcripts shall occur without prior court approval”.
6. Rule 6.9(a) of the Colorado Rules of Criminal Procedure provides that, “[u]pon application by the prosecutor, the court, for good cause, may enter an order to furnish to the prosecutor transcripts of grand jury testimony, minutes, reports, or exhibits relating to them”.
7. Rule 6.9(c) of the Colorado Rules of Criminal Procedure provides, in relevant part, that an order to furnish transcripts of grand jury testimony and exhibits shall specify the person or persons who may be granted access to such materials upon release.

8. Rule 6.9(c) also provides, “[such] order shall also provide that the release of such material shall not be made by the clerk of the court until the filing of an oath of affirmation of the acceptance by the person receiving such material of the restrictions and limitations which are specified by the court under this paragraph.”
9. The People ask that the Court specify it is granting witness [REDACTED] a copy of the transcript of [REDACTED] own testimony and any related exhibits. Prior to receiving the transcripts, [REDACTED] would sign the appropriate oath of affirmation.
10. The People have conferred with defense counsel and they do not object to the limited release of [REDACTED] grand jury testimony to [REDACTED] [REDACTED] as requested.

WHEREFORE, the People respectfully request that this Honorable Court issue an Order authorizing the release of the Grand Jury transcripts related to the Suzanne Mophew death investigation, specifically of [REDACTED]’s testimony, to [REDACTED]

Dated March 24, 2026

Anne E Kelly
District Attorney

/s/
Anne E Kelly, 38885

OATH OF AFFIRMATION

I, [REDACTED], being of sound mind and lawful age do swear and affirm that upon acceptance of the grand jury transcripts, I will comply with any limitations and restrictions imposed by the court.

Subscribed and sworn before me this _____ day of _____, _____.

My Commission Expires
Notary Public

[REDACTED]

CERTIFICATE OF SERVICE

I certify that on this 24th day of March, 2026, a true and correct copy of the foregoing People's Unopposed Motion for Authorization to Release Grand Jury Transcripts and Exhibits was served via Colorado Courts E-Filing on all parties who appear of record and have entered their appearances herein according to Colorado Courts E-Filing.

By: /s/ Desiree Cortez