

☐ County Court ☐ District Court Alamosa County, State of Colorado 8955 Independence Way Alamosa, CO 81101	
PEOPLE OF THE STATE OF COLORADO v. BARRY MORPHEW AKA: Barry Morphew Defendant	DATE FILED June 18, 2026 5:54 PM ▲ COURT USE ONLY ▲
Anne E Kelly, District Attorney Fred Johnson, Special Deputy 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 RESPONSE TO DEFENDANT'S MOTION IN LIMINE REGARDING NARRATION OF VIDEOS [D-046]	

Anne Kelly, District Attorney in and for the Twelfth Judicial District, State of Colorado, respectfully responds to Defendant's Motion and states as follows:

The Defendant seeks pretrial rulings on matters that are more suitably resolved with contemporaneous objections. There is no bright line rule regarding a witness's ability to comment on videos or photographs. The Court *Vergari* addressed a specific set of facts and circumstances that may or may not present themselves at trial in this case. Questions regarding orientation, focus, relevance to the investigation and others asked during the airing of a video may be relevant and necessary depending upon a particular picture or a particular video. The Court cannot rule on the Defendant's blanked objections without actual evidentiary context. For that reason, the People request that the Court deny the Defendant's motion.

Dated June 18, 2026

Anne E Kelly
District Attorney

/s/ Anne Kelly
Anne E Kelly, 38885