

<p>DISTRICT COURT, ALAMOSA COUNTY, COLORADO, 8955 Independence Way Alamosa, CO 81101</p> <hr/> <p>THE PEOPLE OF THE STATE OF COLORADO Plaintiff,</p> <p>v.</p> <p>BARRY LEE MORPHEW, Defendant.</p>	<p style="text-align: right;">DATE FILED June 22, 2026 4:21 PM</p> <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>JANE FISHER-BYRIALSEN, #49133 FISHER &amp; BYRIALSEN, PLLC 4600 S. Syracuse Street, 9<sup>th</sup> Floor Denver, CO 80237 (202)256-5664 <a href="mailto:Jane@fblaw.org">Jane@fblaw.org</a></p> <p>DAVID BELLER, #35767 RECHT KORNFELD, P.C. 1600 Stout Street, Suite 1400 Denver, CO 80202 (303)573-1900 Fax: (303) 446-9400 <a href="mailto:david@rklawpc.com">david@rklawpc.com</a></p>	<p>Case Number: 25 CR 128</p>
<p><b>[D-039] REPLY - TO MOTION TO EXCLUDE ANY WITNESS’S COMMENTS OR BELIEFS THAT MR. MORPHEW LOOKED OR LOOKS GUILTY</b></p>	

Mr. Morphew provides the following Reply to the prosecution’s response to his motion to preclude inadmissible testimony about the witness’s (or some other person’s) comments on veracity or credibility, such as Mr. Morphew “looked” or “looks” guilty, suspicious, or untruthful, or similar comments.

Because the prosecution does not object, this Court should enter the order and prohibit the evidence described in Mr. Morphew’s Motion.

This Court should enter an Order prohibiting the prosecution from presenting any testimony, opinions, or statements from a witness similar to statements that amount to comments on veracity or credibility, including (as examples) he or she believed or believes that Mr. Morphew “looked guilty,” “looks guilty,” “looked untruthful,” or “looked suspicious” or “looked like he is hiding something.”

Respectfully submitted this 22nd day of June, 2026.

**FISHER & BYRIALSEN, PLLC**

/s/ Jane Fisher-Byrialsen  
Jane Fisher-Byrialsen, #49133

**RECHT & KORNFELD, P.C.**

/s/ David Beller  
David Beller, #35767

**Certificate of Service**

I hereby certify that on June 22, 2026, I caused the foregoing to be filed with the Alamosa County District Court and a copy of the same to be served on the Alamosa County District Attorney's office via CCE-File Service.

/s/ Abby Clement  
Paralegal at Fisher & Byrialsen PLLC