

DISTRICT COURT ALAMOSA COUNTY, COLORADO 8955 Independence Way; Alamosa, CO 81101 Plaintiff(s): THE PEOPLE OF THE STATE OF COLORADO v. Defendant(s): BARRY MORPHEW	DATE FILED August 7, 2026 2:46 PM ▲ ▲ COURT USE ONLY
	Case Number: 2025CR128 Division: C
FIRST AMENDED OMNIBUS ORDER	

The following represents my **ORDER** pertaining to pre-trial procedural matters pursuant to Colorado Rule of Criminal Procedure 16(IV)(c). Each of these deadlines are hard deadlines unless constitutional, statutory, or good cause reasons exist for exceeding the deadline:

1. Mr. Morpew was indicted by the Grand Jury on one count of murder in the first degree pursuant to C.R.S. § 18-3-102(1)(a), a class one felony.

2. **He entered a plea of not guilty on January 12, 2026. Speedy trial would have run on July 10, 2026; however, Mr. Morpew agreed to toll speedy trial through January 31, 2027. Mr. Morpew then moved to continue the trial set to begin on October 13, 2026. The parties agreed to set trial to begin on July 19, 2027. Mr. Morpew was re-advised of his constitutional right to a speedy trail and made a knowing, intelligent, and voluntary waiver of that right.**

3. **Speedy trial now expires on July 19, 2027.**

4. Any motions filed pursuant to Colorado Rule of Criminal Procedure Rule 12(b) shall be filed no later than 11:59 p.m. on February 2, 2026. Responses to the same shall be filed no later than 11:59 p.m. on February 17, 2026. Replies are due no later than 11:59 p.m. on February 24, 2026.

5. **All other motions, excluding motions *in limine*, shall be filed no later than 11:59 p.m. on November 2, 2026. Responses shall be filed by 11:59 p.m. on January 4, 2027. Replies shall be filed by 11:59 p.m. on January 25, 2027.**

6. Motions filed after these dates will be denied unless they address constitutional issues, are statutorily permitted/required to be filed at a later date, or other good cause is shown for late filing.
7. The prosecution is to file notice, pursuant to Colorado Rule of Evidence 404(b), of any other acts evidence it wishes to introduce at trial against the defendant no later than June 15, 2026 (120 days prior to trial). Notice shall include a specific evidentiary hypothesis for each other act/purpose under which the prosecution seeks to introduce this evidence and an analysis pursuant to *People v. Spoto*. **The defense shall file any response to the prosecution's notice no later than September 24, 2026. Any reply shall be filed by October 15, 2026 -- after which I will set a hearing.**
8. A hearing on motions lasting five days will begin at 9:00 a.m. on Monday, July 6, 2026. Parties shall be present in person unless excused by the Court. If any motion pursuant to Rule Crim. P 12(b) is filed, it shall be heard first. Additional time may be set aside for motions as needed.
9. The parties will advise me of any request to continue no later than one week prior to any motion hearing. If no notice is given by that time, I will only accept a dismissal of the case, or an entry of plea, or the hearing will go forward as scheduled.
10. The prosecution will complete discovery no later than thirty-five (35) days prior to trial. At a minimum, the prosecution will disclose to the defense all materials within its possession or control (including that held by any law enforcement agency that regularly reports to, or has reported to the prosecution in connection with this case) that constitute the following:
 - a. Police, arrest and crime or offense reports, including the statements of all witnesses. This should include, but not be limited to any vest cam, dash cam, or other recordings made by law enforcement in connection with the case;
 - b. Any books, papers, documents, photographs, or other tangible objects held as evidence in connection with the case;
 - c. Any record of prior criminal convictions of the accused, any co-defendant, or any person the prosecuting attorney intends on calling as a witness at trial;
 - d. All tapes and transcripts of any electronic surveillance of conversations involving the accused, any codefendant or witness in the case (See ¶ a, above.)
 - e. A written list of any names and addresses of the witnesses then known to the district attorney whom he or she intends on calling at trial;
 - f. Any written or recorded statements of the accused or of a codefendant, and the substance of any oral statements made to the police or prosecution by the accused or by a codefendant, if the trial is to be a joint one;

- g. Any material or information which tends to negate the guilt of the accused as to the offense charged (including impeachment material/information) or would tend to reduce the punishment therefore.
11. The defense will file any objections to or motions for sanctions concerning discovery no later than twenty-one (21) days prior to trial.
12. **As to the Defendant's request in his motion [D-17] *Motion to Require Notice of Statements by Mr. Morpew That the Prosecution Seek[s] to Introduce at Trial*, the parties are ordered to meet and confer about what redactions will be made to any video or audio interviews any party wishes to play in front of the Jury and either present the agreed upon redacted interview(s) as a prepared exhibit or, if there is not an agreement, file each party's respective version of the redactions and the arguments therefore. The filing(s) shall be made no later than 11:59 p.m. on June 14, 2027.**
13. The prosecution will disclose all material pertaining to any experts it intends on calling at trial no later than sixty (60) days prior to trial. This should include, at a minimum, the following:
- a. The name, address, phone number, **and area of expertise** of the proposed expert;
 - b. The resume, curriculum vitae, or other explanation of the proposed expert's experience in the field including, if available, any publications by the proposed expert **and, pursuant to my Order concerning Defendant's motion [D-20] Motion to Supplement This Court's Omnibus Order Regarding Expert Witness Disclosures, a list of the cases in which he or she has previously been called to testify (in their area of expertise) whether or not he or she was permitted to opine as an expert;**
 - c. Any reports or statements of the expert made in connection with the particular case, including the results of any physical or mental examinations and of scientific tests, experiments, or comparisons;
 - d. The underlying facts or data supporting the proposed expert's opinion;
 - e. If no report has been prepared by the proposed expert, a written summary of the expert's testimony describing his or her opinion and the bases and reasons therefor, including the results of physical mental examinations and of scientific tests, experiments, or comparisons, **and the name of the author of the summary.**
14. The defense will file any objections to the proposed expert's testimony no later than thirty-five (35) days prior to trial.

15. The defense will disclose all material pertaining to any experts it intends on calling at trial no later than sixty (60) days prior to trial. This should include, at a minimum, the following:
- a. The name, address, phone number, **and area of expertise** of the proposed expert;
 - b. The resume, curriculum vitae, or other explanation of the proposed expert's experience in the field including, if available, any publications by the proposed expert **and, pursuant to my Order concerning Defendant's motion [D-20] Motion to Supplement This Court's Omnibus Order Regarding Expert Witness Disclosures, a list of the cases in which he or she has previously been called to testify (in their area of expertise) whether or not he or she was permitted to opine as an expert;**
 - c. Any reports or statements of the expert made in connection with the particular case, including the results of any physical or mental examinations and of scientific tests, experiments, or comparisons;
 - d. The underlying facts or data supporting the proposed expert's opinion;
 - e. If no report has been prepared by the proposed expert, a written summary of the expert's testimony describing his or her opinion and the bases and reasons therefor, including the results of physical mental examinations and of scientific tests, experiments, or comparisons, **and the name of the author of the summary.**
16. The prosecution will file any objections to the proposed expert's testimony no later than thirty-five (35) days prior to trial.
17. Pursuant to the prosecution's motion *[P-2] People's Motion for Notice and Pretrial Ruling Regarding Any Alternate Suspect Evidence*, the defense shall disclose the names and addresses of any individual whom they believe is an alternate suspect in this matter or, where the name is not available, then a sufficient description including the location in discovery where that information may be found and where the address is not available, other contact or location information known by the defense to allow the prosecution to conduct an investigation into alleged alternate suspects. The defense shall make its disclosure no later than 11:59 p.m. on June 21, 2027 unless that date is used to recognize the Juneteenth holiday. In that case, the deadline will be extended until the same time on June 22, 2027.
18. The prosecution shall file any objections to the alternate suspect evidence by 11:59 p.m. on July 6, 2027. No replies will be accepted.
19. All witnesses for either party's case-in-chief will be endorsed no later than thirty-five (35) days prior to trial. Rebuttal witnesses are not required to be disclosed but doing

so is highly encouraged. **Known rebuttal witnesses shall be subject to the sequestration order.**

20. A six-week trial is set to begin on **July 19, 2027 at 9:00 a.m.** All parties shall be present in-person unless excused by the Court.

21. The parties will do the following no later than twenty-eight (28) days prior to trial:

- a. Advise that a plea has been reached;
- b. Request a continuance of the trial (**The parties were advised that it would take an extraordinarily high level of good cause to continue this matter further**);
- c. File a motion to dismiss the case.

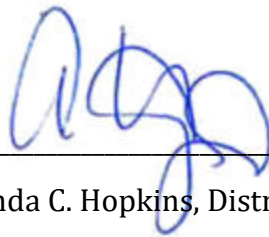
After this date, the trial will go forward as scheduled. If the deadline falls on the weekend or falls on a holiday, the deadline will be extended to the next day the Court is open.

22. Any persons with disabilities needing to request accommodations to attend and/or participate in court should contact the ADA Coordinator, Gaynell Elliott, at (719) 589-9661 or gaynell.elliott@judicial.state.co.us. You may also contact the Clerk of the Court or speak to the Judge handling your matter.

23. This matter is next set on **September 17, 2026 at 1:00 p.m.** for a Status Conference. Parties may appear virtually using Webex Conferencing.

SO ORDERED THIS 7th DAY OF AUGUST, 2026.

By:



Amanda C. Hopkins, District Court Judge