

DISTRICT COURT, ALAMOSA COUNTY, COLORADO, 8955 Independence Way Alamosa, CO 81101	DATE FILED September 21, 2026 12:22 PM
THE PEOPLE OF THE STATE OF COLORADO, Plaintiff, v. BARRY LEE MORPHEW, Defendant.	
<i>For the defendant Barry Morphey:</i> JANE FISHER-BYRIALSEN, #49133 FISHER & BYRIALSEN, PLLC 4600 S. Syracuse Street, 9th Floor Denver, CO 80237 (202)256-5664 Jane@fblaw.org DAVID BELLER, #35767 RECHT KORNFELD, P.C. 1600 Stout Street, Suite 1400 Denver, CO 80202 (303)573-1900 david@rklawpc.com	Case Number: 25CR128 Division C
[D-059] UNOPPOSED MOTION FOR A ONE-WEEK EXTENSION OF TIME TO FILE RESPONSE TO PEOPLE’S NOTICE OF INTENT TO INTRODUCE EVIDENCE PURSUANT TO RULE 404(b)	

Mr. Barry Morphey, by and through undersigned counsel, requests that this Court allow him additional time to file a Response to the People’s Notice of Intent to Introduce Evidence Pursuant to Rule 404(b), to and including October 1, 2026 and in support of said request states as follows:

1. The prosecution filed their Notice of Intent to Introduce Evidence Pursuant to Rule 404(b) on June 22, 2026.

2. Pursuant to one previous extension Mr. Morphew's response is due September 24, 2026.
3. Mr. Morphew's counsel are in need of additional time to prepare a response because of intervening matters that arose in this case that required counsel to divert their attention away from the CRE 404(b) response. In addition, counsel still work to overcome the same barriers they identified in their request for a continuance of trial and in the previous request for an extension of time in which to file the response to the CRE 404(b) notice.
4. Mr. Morphew's counsel have consulted with opposing counsel and they have advised they do not oppose the relief requested herein.
5. Granting an extension will not prejudice the prosecution. This case is approximately ten months away from trial.

WHEREFORE, Defendant respectfully requests an extension of time up to and including October 1, 2026 to file his Response to the prosecution's Notice of Intent to Introduce Evidence pursuant to Rule 404(b).

RESPECTFULLY SUBMITTED this 21st day of September 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 September 21, 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