

☐ County Court ☒ District Court Alamosa County, State of Colorado 8955 Independence Way Alamosa, CO 81101	DATE FILED September 3, 2026 5:29 PM ▲ COURT USE ONLY ▲
PEOPLE OF THE STATE OF COLORADO v. BARRY MORPHEW AKA: Barry Morphew Defendant	
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:
VERIFIED APPLICATION PURSUANT TO C.R.S. § 16-4-109(4), REQUEST FOR WARRANT FOR DEFENDANT'S ARREST, AND MOTION TO MODIFY DEFENDANT'S BOND	

Anne Kelly, District Attorney in and for the Twelfth Judicial District, State of Colorado, respectfully file this Motion to Modify Bond in the Defendant's case.

The People are in receipt of GPS data from RMS for the Defendant on August 28, 2026, and it indicates he drove to Denver International Airport while given permission only for a "work" exception from his bond condition not to leave his home.

The People have no information that he was working at DIA and have inquired of his attorneys. His attorney indicated he is not working at DIA but that it is possible he was picking up his daughter. Regardless, of the reason, to go to the airport for any purpose other than work constitutes a breach of his bond.

Obviously, regardless of his purpose, this also presents an extreme flight risk. After reviewing only this single day of GPS data it appears the Defendant was using his work exception for things other than work, in violation of his bond..

A screenshot of the GPS points provided by RMS is attached as People's Exhibit 1. It has been redacted to the pertinent timeframes pursuant to the Court's instructions at a previous hearing.

RMS has further provided the parties and the Court with a video showing that Defendant drove from home to DIA around 10am, arriving there around 11:45am, and then leaving the airport immediately. He is in areas of hotels and a mall at various points in the day, before he is in the area of the alleged crash at 8th and Colorado. He then returns home.

Pursuant to C.R.S. § 16-4-109(1), "[u]pon application by the district attorney... the court before which the proceeding is pending may increase or decrease the financial conditions of a bond, may require

additional security for a bond... or may alter any other condition of the bond.”

C.R.S. § 16-4-109(3) states, “[r]easonable notice of application for modification of a bond by the district attorney shall be given to the defendant, except as provided in subsection (4) of this section.”

C.R.S. § 16-4-109(4)(a) states, “upon verified application by the district attorney... stating facts or circumstances constituting a breach or threatened breach of any of the conditions of the bond, the court may issue a warrant commanding any peace officer to bring the defendant without unnecessary delay before the court for a hearing on the matters set forth in the application. . . . At the conclusion of the hearing, the court may enter an order authorized by subsection (1) of this section.”

WHEREFORE, the People respectfully request this Court to issue a warrant for Defendant’s arrest pursuant to C.R.S. § 16-4-109(4), hold a hearing on the allegations noted in this Motion upon Defendant’s arrest, and following that hearing, modify Defendant’s bond as detailed in this Motion.

Dated September 3, 2026

Anne E Kelly
District Attorney

/s/ Fred Johnson
Fred Johnson, 42479
Special Deputy District Attorney

I swear/affirm that I have read the foregoing application/motion and that the statements set forth therein are true and correct to the best of my knowledge

By: /s/ Fred Johnson
Fred Johnson
Special Deputy District Attorney
Registration No. 42479

Subscribed and affirmed, or sworn to before me in the County of Boulder, State of Colorado, this 02 day of September, 2026

My Commission Expires: October 24, 2028

Notary Public:

Jennifer Langfield



IT IS SO ORDERED. Done this _____ day of _____, _____.

Judge