DISTRICT COURT, ALAMOSA COUNTY, COLORADO Court Address: 8955 INDEPENDENCE WAY, ALAMOSA, CO, 81101	
THE PEOPLE OF THE STATE OF COLORADO v. **Defendant(s)** BARRY MORPHEW	DATE FILED November 3, 2026 4:03 PM ⚠ **COURT USE ONLY** ⚠ Case Number: 2025CR128 Division: C Courtroom:

Order Taking No Action on Defendant's Motion [D-40]

The Defendant asks this Court to exclude the out of court statements attributed to Suzanne Morphew for which the "prosecution is expected to seek introduction." *Motion [D-40]* at ¶ 3. He argues that introduction of any of Ms. Morphew's statements would violate his right to confrontation under the Sixth and Fourteenth Amendments to the federal constitution and Article II, section 16 of the Colorado constitution or that the statements would violate the prohibition on introducing hearsay pursuant to the Rules of Evidence.

However, the Defendant did not provide me with the specific statements attributed to Ms. Morphew he anticipates the prosecution may seek to introduce. He merely requested a blanket prohibition. Without knowing the specific statements about which the Defendant is concerned and the time, place, and circumstances of those statements having been made, I cannot determine if the specific statement is admissible, if it is barred by *Crawford v. Washington* (541 U.S. 36 (2004)), if it is inadmissible because it is hearsay, or if an exception to hearsay applies. Therefore, I take no action on the Defendant's Motion D-40.

Issue Date: 11/3/2026



AMANDA CLAIRE HOPKINS
District Court Judge