

<p>TWELFTH JUDICIAL DISTRICT GRAND JURY Alamosa County Courthouse 8955 Independence Way Alamosa, Colorado 81101</p>	<p><input type="checkbox"/> COURT USE ONLY <input type="checkbox"/></p>
<p>THE PEOPLE OF THE STATE OF COLORADO vs. BARRY MORPHEW Defendant</p>	
<p>Anne E. Kelly Twelfth Judicial District District Attorney, # 38885 Frederick H. Johnson Special Deputy District Attorney, #42479 Office Of The District Attorney 426 San Juan Avenue Alamosa, CO 81101 Phone Number: 719-589-3691</p>	<p>Case No: 24CR 2025CR 128 Div: C Courtroom: C</p>
<p>TWELFTH JUDICIAL DISTRICT GRAND JURY INDICTMENT</p>	

CHARGE:

COUNT 1: MURDER IN THE FIRST DEGREE, C.R.S. 18-3-102(1)(a) (F1)

Of the 2024-2025 term of the Twelfth Judicial District Grand Jury in the year 2025, the 2024-2025 Grand Jurors chosen, selected and sworn in the name, and by the authority of the People of the State of Colorado, upon their oaths, present the following described acts, all done contrary to the form of statutes in such case made and provided, and against the peace and dignity of the People of the State of Colorado, as stated in the count attached hereto:

Anne E. Kelly, District Attorney for the Twelfth Judicial District, of the State of Colorado, in the name and by the authority of the People of the State of Colorado, informs the court of the following offense committed, or triable, in the Twelfth Judicial District of Colorado:

COUNT 1-MURDER IN THE FIRST DEGREE (AFTER DELIBERATION) (F1)

On or about May 9 to May 10, 2020, in or triable in the State of Colorado, BARRY MORPHEW unlawfully, feloniously, after deliberation, and with the intent to cause the death of a person other than himself, caused the death of Suzanne Morpew; in violation of section 18-3-102(1)(a), C.R.S.

Probable Cause for Count 1 is as follows:

At 5:46pm on May 10, 2020, Mother's Day Sunday, Suzanne Morpew was reported missing to police by her neighbor. The last known person to see her alive was her husband, Barry Morpew.

Investigators responded to the Morpew residence at 19057 Puma Path near Salida, Colorado to investigate the missing person report. The house was locked, and Suzanne Morpew was not home. Her vehicle was in the garage, her [REDACTED] vehicle was in the garage, there were no signs of forced entry, and her bike was missing. Later that evening, her bike was located down a hillside off a dirt road between her house and Highway 50. The bike was located less than a mile from the Morpew home. On May 14, 2020, her bike helmet was located 10 meters off the side of Highway 50, approximately 1.52 miles west of the Morpew home and approximately .84 miles west of where her bike was located.

Barry Morpew was interviewed and told police that he set his alarm and woke up at 4:30am on May 10, 2020. He told police that he left at 5:00am on May 10, 2020 for a pre-planned work trip in Broomfield, Colorado. According to Barry Morpew, Suzanne Morpew was still asleep in bed when he left the house at 5:00am on May 10, 2020. He told police she planned to ride her bike that day. Barry Morpew stated that upon arriving in Broomfield that morning, he checked into a hotel before leaving shortly after for the jobsite. He told police that he received a call around 5:00pm on May 10, 2020 from his neighbors while physically at the Broomfield jobsite. The neighbors told Barry Morpew that his daughters were concerned because they could not reach Suzanne all day. Barry instructed the neighbors to check the house and specifically to look for her bike, the neighbors reported to Barry that neither Suzanne nor the bike were at the house, and Barry then instructed them to call the sheriff.

Police interviewed one of Barry's employees scheduled to assist him with the Broomfield job. The employee told law enforcement that the employee and Barry were not planning to leave for Broomfield until the evening hours of May 10, 2020. They were supposed to drive together. Instead, Barry left without telling the employee. Barry called the employee at approximately 11:18am and informed that employee that he had left without them. When the employee arrived in Broomfield on Sunday evening, the employee noticed that Barry Morpew had failed to bring the proper tools with him for the job and the necessary materials for the job had not yet arrived at the job site.

Review of the cameras at the hotel and nearby businesses revealed that Barry Morphew was in the Broomfield area for approximately nine hours and forty-five minutes. Of those hours, he spent less than one-half hour at the jobsite. Instead, besides two brief visits to the jobsite area, electronic evidence and cameras from businesses showed him driving around to various locations and discarding unknown items in separate trashcans. Hotel footage then showed Barry Morphew arriving back at his hotel room and remaining inside the room from approximately 12:34pm to 5:55pm. Inconsistent with his statement to police, he was in the hotel and not at the jobsite when he received the call about his wife Suzanne Morphew being unresponsive and missing.

In early interviews with Barry Morphew, he told law enforcement that his marriage to Suzanne Morphew was “the best” and that the two had a “wonderful weekend” together. When Barry was asked whether Suzanne would say anything different about their relationship, Barry stated “no.” Barry Morphew’s statements about his marriage to Suzanne were inconsistent with other witness accounts and evidence located. Specifically, investigators learned that Suzanne confided in people that she was unhappy in the marriage in the weeks and months leading to her disappearance. She discussed plans to divorce Barry Morphew with her close friend. She maintained documented notes of problems in the relationship recovered from electronic devices and the physical search of the Morphew home. Suzanne Morphew had been having a secret affair with an old acquaintance who lived out of state. She communicated with him daily over LinkedIn and WhatsApp. Suzanne’s last known electronic message to anyone was to this person on May 9, 2020, at 2:11pm, just thirty-two minutes before Barry Morphew returned to the home that day.

An overall timeline of the week of Suzanne Morphew’s disappearance shows that the disappearance coincided with her daughter [REDACTED], the only other occupant of the Morphew residence, leaving on a pre-planned road trip out of state. Because of this, Suzanne Morphew and Barry Morphew expected to be alone at the residence starting on May 5, 2020 until either late in the day on May 10 or into May 11, 2020. Suzanne Morphew drove [REDACTED] to Gunnison, Colorado on May 5, 2020 to depart with her sister and friend on the planned road trip. After May 5, 2020, Barry Morphew and Suzanne Morphew were alone at the house. A forensic download of Barry Morphew’s cell phone revealed that Barry Morphew had deleted a text chain with Suzanne Morphew from which an image of a single text remained. A “screen shot” of this single text message was saved on Barry Morphew’s phone on May 6, 2020. That image revealed a text from Suzanne that stated: “I’m done. I could care less what you’re up to and have been for years. We just need to figure this out civilly.”

On May 11, 2020, authorities commenced a search of the Morphew residence that spanned several days. The state of the residence and vehicles showed no signs of a break-in or intruder. Even with no signs of a break-in or intruder, law enforcement collected items of potential evidence and DNA swabs. DNA analysis of the swabs collected produced several DNA profile mixtures consistent with what would be expected in the common areas of a home or a vehicle. The mixture profiles were processed through offender databases and were compared to the profiles of known individuals who may have been present in the vehicles or the residence. The results did not lead to any stranger or intruder suspects.

An expert in DNA analysis testified that law enforcement provided analysts with one of the partial profiles developed from the glovebox of Suzanne Morphew’s vehicle for further investigation using a “keyboard search.” This allowed for additional comparisons to profiles in more databases with less stringent quality control standards than the National DNA Index System for the limited purpose of creating possible investigative leads. That expert further testified that there were “matches” to outside databases nationwide. The term “match” used by DNA analysts does not mean “identical”. Rather, a “match” only means that there were other profiles that could not be excluded at the limited number of loci available from the partial profile for comparison. The expert explained that

she then compared the “matches” from those databases to the partial profile from the mixture on the glovebox and excluded those out of state profiles as not originating from the same contributor in all but three instances. Finally, the expert explained that just because the profiles from those databases “matched” at the limited loci available for comparison, it did not mean that any of the people from the out of state profiles were the same person that contributed the partial profile to the mixture on the glovebox. Law enforcement investigated those three partial “matches” obtained from three separate out of state sources and found no connection to the case.

Law enforcement located a locked gun safe in the garage during the search of the Morphew residence. Inside that gun safe, law enforcement located a dart rifle, or tranquilizer rifle, positioned toward the front of the safe. Law enforcement also found packages of Pneu-Dart brand tranquilizer darts in the gun safe. The packages of darts included capped hypodermic needles inside of them which were designed to load the darts. Law enforcement found one of these needle caps in the dryer after the dryer’s contents were removed. Law enforcement also found men’s shorts among the contents of the dryer that were removed prior to finding the needle cap. The shorts appeared consistent with the shorts Barry Morphew was seen on video wearing on May 9, 2020, less than one hour before he returned to the Morphew residence. No tranquilizer formula was located during law enforcement’s search of the home and vehicles.

Police investigated numerous electronic devices and Suzanne Morphew’s social media accounts searching, among other things, for proof of life. That investigation revealed that Suzanne Morphew had not communicated electronically with any living person after 2:11pm on May 9, 2020. Her last possible activity on any account protected by password access was 3:08pm, over 24 hours prior to her being reported missing. Records showing her typical use of electronics and social media demonstrated that this was inconsistent with her typical pattern of life in the days leading up to her disappearance. Additionally, witnesses indicated they attempted to communicate with Suzanne Morphew throughout this timeframe but received no response from her. These witnesses indicated that her lack of response was out of the ordinary.

Barry Morphew’s electronic devices were also analyzed. A download of the infotainment system on Barry Morphew’s truck recovered telematics data showing the location and activity of his truck at certain times on May 9 and May 10, 2020. A download of Barry Morphew’s cell phone showed additional location information. Based on data from his cell phone, Barry Morphew returned to the Morphew residence at 2:43pm on May 9, 2020. The data did not show his phone or truck leaving the residence again until the morning of May 10, 2020.

The download of Barry Morphew’s cell phone registered events related to his phone. An expert forensic analyst determined that some of these events were in fact Barry Morphew’s phone being turned off during the timeframe of May 9 into May 10, 2020. Turning off a cellular device effectively disables its ability to record location information. Specifically, the forensic analyst noted that Barry Morphew’s phone download showed it was turned off at 2:47pm on May 9, 2020, only a few minutes after he arrived home at the residence where Suzanne Morphew sent her last electronic communication to anyone. At approximately 10:17pm on May 9, 2020, the phone was turned back on. Barry Morphew’s cell phone was again turned off at 4:32am on May 10, 2020, prior to him leaving the residence on his trip to Broomfield, CO, and was not turned on again until 5:37am when location information showed him on the road already in the area of Johnson Village, CO. Testimony established that the times Barry Morphew turned off his phone corresponded to periods of time of significance in the case where location information was consequently unavailable.

Similarly, further analysis of the information from Barry Morphew's infotainment system (the "telematics") in his truck showed an irregular gap in recorded activities. Specifically, from approximately 3:49am to approximately 8:10am on May 10, 2020 there is no recorded data registering on Barry's infotainment system. An indication of no truck activity from telematics is inconsistent with other facts developed from Barry Morphew's phone, surveillance footage and Barry Morphew's statements about his activities on May 10, 2020. Specifically, telematics data showed Barry Morphew arrive at his residence at 2:43pm on May 9, 2020. It then registered various other activities throughout the afternoon at the residence until it ceased at 9:52pm on May 9, 2020. The telematics data then showed activities resume from 3:25am to 3:49am on May 10, 2020 at a GPS location consistent with his driveway. Barry Morphew reported to law enforcement that he was asleep during that time frame. From 3:49am to 8:10am on May 10, 2020, the infotainment system or telematics did not register any data despite the fact that Barry Morphew's cell phone indicated the device was in Johnson's Village at 5:37am on that date and Barry reported being in his truck traveling to Broomfield at that time. When recorded telematics data became available again in the records from the infotainment system download at 8:10am on May 10, 2020, corresponding GPS coordinates showed that Barry Morphew had already arrived in the area of Broomfield, CO. This gap in registered data is inconsistent with the pattern of telematics data captured in the days and weeks leading up to this event.

Phone records for both Suzanne Morphew and Barry Morphew were analyzed by expert investigators. The FBI CAST team analyzed phone records for both Barry Morphew and Suzanne Morphew to determine location information and device usage related to their cell phones. In Suzanne Morphew's phone records, there was no indication of any user-initiated activity after the time Barry Morphew returned home at 2:43pm on May 9, 2020. Suzanne Morphew's cell phone device continued to connect through RTT data with the cell tower that services the Morphew home throughout the night of May 9 into the early morning of May 10, 2020. These automated data connections, however, were consistent with the tower reaching out to the phone to determine its location and not initiated by the user of the device. After 4:23am on May 10, 2020, Suzanne's phone ceased to connect at all, ever again. Just 8 minutes later, Barry Morphew's cell phone data showed his phone cease to connect starting at 4:31am, consistent with the cell phone download showing it powering off at 4:32am. Suzanne Morphew's cell phone never registered on any towers other than the tower consistent with the Morphew residence from the time Barry Morphew returned home around 2:43pm on May 9, 2020, to the time it ceased activity altogether at 4:23am on May 10, 2020. Despite searches for the device, Suzanne Morphew's cell phone was never found.

Police interviewed people that knew Barry Morphew prior to his move from Indiana to Colorado in 2018. These witnesses told law enforcement that Barry Morphew was a deer farmer in Indiana. Several individuals told law enforcement that Barry Morphew used a specific tranquilizer called "BAM" to sedate and transport deer on his deer farm. Barry Morphew admitted to using BAM in both Indiana and Colorado. Specifically, he admitted to using BAM in Colorado as recently as April of 2020, stating that at that time he had tranquilized a deer from the breezeway of the Morphew residence.

On September 22, 2023, human remains were found in and around a shallow clandestine grave in Saguache County, Colorado near Highway 17. The remains were found a few hundred feet down a dirt road off Highway 17. This location was less than an hour south of the Morphew residence by main highways. The remains were determined to be those of Suzanne Morphew. The majority of her bones were recovered. Many of the bones were significantly bleached. Along with Suzanne's bones, law enforcement recovered a cancer port and items of clothing, some of which were consistent with bike clothing Suzanne was known to wear. There was no visible perimortem trauma observed.

A board-certified forensic anthropologist, a botanist, and an entomologist all analyzed the remains and several observations were noted. There was a distinct lack of bug activity which was inconsistent with the remains having decomposed at that location. The clothing items lacked evidence of decomposition, which was inconsistent with Suzanne Morpew wearing the bike clothes at the time her body decomposed. Additionally, there was a lack of animal predation on the bones, there was only a very small amount of desiccated soft tissue found on a few of the bones, and there was no hair mass located. All these features would have been expected if this had been the original gravesite where decomposition occurred. The forensic anthropologist opined that based on these factors it was unlikely Suzanne decomposed from a fresh body to a skeleton at this location.

The El Paso County coroner's office conducted an autopsy. In addition to the standard toxicology testing, the coroner's office conducted additional toxicology testing at the request of law enforcement for the presence of a chemical mixture known as BAM - or the combination of Butorphanol, Azaperone and Medetomidine. The chief toxicologist tested Suzanne Morpew's bone marrow for the presence of BAM. All three of the individual chemicals that comprise BAM were present. Additionally, the metabolite for butorphanol was present. The presence of the butorphanol metabolite eliminated the possibility of postmortem BAM contamination. The metabolite's presence also indicated that her death was not immediate following BAM exposure because Suzanne Morpew's body had begun to metabolize the drug before she died. The coroner's office determined cause of death and manner of death as follows: "Homicide by unspecified means in the setting of butorphanol, azaperone, and medetomidine intoxication."

A pharmacologist and medical doctor testified about the toxicology testing done to determine the presence of BAM in Suzanne Morpew's remains, about the chemical compound itself, and about the possible effects of that compound in humans. The expert explained that the toxicology testing done by the coroner's office met scientific standards of reliability and accuracy. He further testified that BAM is a chemical mixture of three specific compounds used as a tool for sedating animals for medical treatment or movement. Back in 2020 and the years leading up to Suzanne Morpew's disappearance, BAM was sold by only one company in the United States and could only be obtained by prescription from a veterinarian. BAM must be administered into the bloodstream through intravenous or intramuscular injection to be effective as the skin and GI tract do not absorb it effectively. BAM does not cause sedation instantaneously but takes several minutes to take effect. BAM is designed not to be lethal and comes with reversal agents in the prescription kit. However, BAM is not FDA approved for any human use. For that reason, there are no scientific studies available that address the possible effects the compound would have on humans. The pharmacology expert testified that the compound would render the recipient wholly immobile, vulnerable, and unable to resist any constrictions to the recipient's ability to breath.

Records were obtained for BAM prescriptions related to Barry Morpew. Records were also obtained for BAM prescriptions for all persons within the counties and adjacent counties to where the Morpews lived and where Suzanne Morpew's remains were located. Those records showed that Barry Morpew obtained and filled several prescriptions for BAM while living in Indiana. Barry Morpew's last purchase of BAM by prescription was in March of 2018. Barry obtained multiple kits that each contained multiple doses just a few months before the Morpews moved to Colorado. Records further showed that no other private citizens or private businesses in any of the surrounding counties had purchased BAM prescriptions from 2017-2020. Colorado Parks and Wildlife and the National Park Service were the only entities that received prescriptions of BAM in those counties from 2017 through 2020. Investigators learned that each of these government entities enforce tight regulations to monitor the BAM prescriptions' storage and use. None of the BAM from those agencies was unaccounted for

Ultimately, the prescription records show that when Suzanne Morpew disappeared, only one private citizen living in that entire area of the state had access to BAM: Barry Morpew.

All offenses against the peace and dignity of the people of the State of Colorado.

AS TO COUNT ONE:

TRUE BILL _____

NO TRUE BILL _____

I, [REDACTED] Foreperson of the Twelfth Judicial District Grand Jury, do hereby swear and affirm that each and every True Bill returned in this Indictment by the 2024-2025 Twelfth Judicial District Grand Jury was arrived at after deliberation and with the assent and agreement to the existence of probable cause by at least nine members of 2024-2025 Twelfth Judicial District Grand Jury.

[REDACTED]

FOREPERSON

Subscribed and sworn to before me in the City and County of Alamosa, State of Colorado, this 18 Day of July, 2025.

[REDACTED]

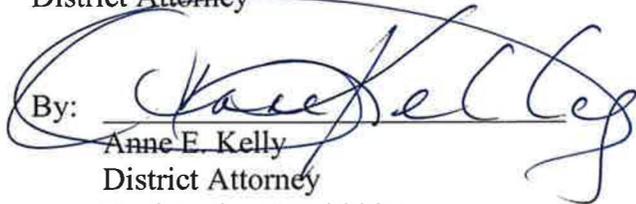
[REDACTED]

NOTARY PUBLIC

My commission expires: 8/3/2027

Respectfully submitted and approved for filing this ____ Day of June 2025.

ANNE E. KELLY
District Attorney

By: 

Anne E. Kelly
District Attorney
Registration No. 38885
Twelfth Judicial District Attorney's Office
426 San Juan Avenue
Alamosa, CO 81101

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

Court orders this Indictment returned and warrant to issue.

DEFENDANT INFORMATION

BARRY MORPHEW AKA "LEE MOORE"

DOB: 10-17-1967

Race: W

Gender: M

Height: 5'10"

Weight: 195

Hair: blond

Eye: blue

Birthplace: Indiana

Tattoo:

Arresting Agency:

Arresting ORI:

Other Number:

Offense Agency: Saguache County Sheriff's Office

Offense ORI:

Arrest #:

Agency Case #: 230482

Date of Arrest:

BAC: _____

CCIC#: _____

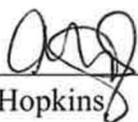
NCIC #: [REDACTED]

SID#: [REDACTED]

BOND IS HEREBY SET IN THE FOLLOWING AMOUNT: #3 million
cash only
CONDITIONS: no leaving state of CO, GPS unit,
surrender of passport, compliance w/ mandatory prot. order.
EXTRADITION: NATIONWIDE EXTRADITION AUTHORIZED CA

THE COURT FURTHER ORDERS THE INDICTMENT BE SEALED UNTIL THE ARREST OF THE DEFENDANT AT WHICH TIME THE INDICTMENT SHALL NO LONGER BE SEALED.

BY THE COURT:



Amanda Hopkins
Chief Judge
Twelfth Judicial District
State of Colorado

