

DISTRICT COURT, FREMONT COUNTY, COLORADO 136 Justice Center Rd Canon City, CO 81212 (719) 269-0100	DATE FILED: March 15, 2022 12:13 PM
<p>Plaintiff: The People of the State of Colorado,</p> <p>v.</p> <p>Defendant: Barry Lee Morphew.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> <p>Case No.: 2022CR47</p> <p>Div.: 1</p>
<p>ORDER RE: [D-47] MOTION FOR PRESERVATION OF JURY MATERIALS BEYOND THE STATUTORY THREE-YEAR PERIOD AND [D-51] MOTION TO ORDER THE JURY COMMISSIONER, CLERK, BAILIFF AND OTHER COURT PERSONNEL TO PRESERVE NOTES, EXCEL SHEETS, EMAILS, LOGS, AND OTHER MATERIAL RELATED TO HANDLING OF PROSPECTIVE JURORS' REQUESTS AND COMMUNICATIONS</p>	

THIS MATTER comes before the Court on Defendant's [D-47] and [D-51] filed on December 7, 2021. The People filed their responses on December 23, 2021. Defendant filed his replies on February 9, 2022. The Court and parties conducted a Jury Procedures Conference on March 10, 2022 wherein the Court heard additional arguments from the parties on both motions. The Court made a ruling on the record regarding both [D-47] and [D-51]. The Court reduces its oral ruling to writing and ORDERS as follows:

[D-47] and [D-51] are **GRANTED IN PART** and **DENIED IN PART**. The Court **ORDERS** only the following materials be kept as part of the record: (1) juror questionnaires¹; (2) notes, questions, and written or electronic communications from prospective and seated jurors after they respond to their jury summonses; (3) written communications from the jury commissioner about prospective jurors and seated jurors after they respond to their jury summonses; (4) the jury list containing the names of the prospective jurors summoned for this case; (5) the list of the prospective jurors who respond to their jury summonses; and (6) the summonses of the prospective jurors who respond to the courthouse.² The Court will not expand the jury materials preservation beyond the statutory three-year period as set forth in C.R.S. § 13-71-138.

SO ORDERED this March 15, 2022.

¹ C.R.S. § 13-71-115(2) states that "[t]he original completed questionnaires for all prospective jurors shall be sealed in an envelope and retained in the court's file but shall not constitute a public record."

² The Court will provide a copy of this Order to the jury commissioner.

BY THE COURT:

/s/Ramsey Lama
Ramsey Lama
District Court Judge