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The Denver Post**Murder suspect not guilty as jury believes 2 witnesses framed him**

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George Lane Denver Post Staff Writer

BRIGHTON - A jury apparently agreed with a murder defendant who claimed he was framed for the killing of a drug dealer, issuing a "not guilty" verdict in an Adams County District Court yesterday.

Keith Phelps, 25, was found not guilty of two first-degree murder counts, as well as charges of attempted first-degree murder and first-degree aggravated robbery. However, he was found guilty of conspiracy to possess cocaine and conspiracy to commit aggravated robbery. He maintained that two key witnesses were framing him. Earlier in the trial, District Judge Thomas Ensor ordered those witnesses arrested and jailed after they finished testifying.

The jury members didn't know about the witnesses' arrests, but apparently believed the defense.

"I think this is first time in my career where two witnesses were thrown in jail and my client basically was freed," said lead defense attorney **Jim Castle** yesterday.

Blaine Hunnicutt and Reggie Williams, the two 21-year-old witnesses who were ordered jailed, testified in the trial that Phelps was sitting in back seat of the car being driven by Hunnicutt when their plan to steal cocaine from Obed Chavez-Ortiz ended with the drug dealer being mortally wounded by blasts from a shotgun.

The two witnesses, who are college students and cousins, said the shotgun belonged to Hunnicutt, but was fired by Phelps. Williams also told the jury that he pushed Chavez-Ortiz out of the car after they got his drugs and either he or Hunnicutt shouted for Phelps to "blast him," when the drug dealer tried to hold onto the moving car.

Hunnicutt testified that dealing drugs was a fad and that carrying a shotgun was "the thing to do."

In the plea bargain prior to the start of Phelps trial, murder charges against the two cousins were dropped. They were allowed to plead guilty to accessory to first-degree murder, robbery and drug charges and they were released from jail on low bail bonds.

The jury wasn't aware, but after their testimonies, Williams was arrested on the witness stand last Thursday and a warrant was issued for Hunnicutt, who had testified the day before. Ensor said their plea bargains wouldn't be affected, but he ordered them held on \$250,000 bonds each.

"I think it gives everyone a lesson on letting people off in murder cases to be witnesses," **Castle** said. "Jurors don't listen to those kind of witnesses very often. I think that was a critical factor in the case."

Adams County District Attorney Bob Grant was surprised by the verdict. "I think that we had some evidentiary rulings from the court that kept out some evidence that was pretty critical," he said. "But that's why we have a jury system. They had all the facts that we were able to give them and they made a decision. I live by those decision." Phelps was held in the Adams County Jail without the possibility of bond, but Ensor set his bond at \$10,000 after the verdicts.

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