

IN THE COURT OF SPECIAL APPEALS
FOR THE STATE OF MARYLAND

STATE OF MARYLAND

v.

Case No. 5B00351587

ADNAN SYED
Defendant

MOTION TO SUPPLEMENT THE RECORD

1. On April 14, 1999, I filed an application to this court for leave to appeal a denial of a writ of habeas corpus on behalf of 17-year-old Adnan Syed.
2. On April 23, 1999, I received a copy of a letter that Assistant State Attorney Vickie Wash had sent to the Honorable David B. Mitchell. Judge Mitchell had been the presiding judge at the habeas hearing in this matter. I attach Ms. Wash's letter hereto.
3. At the habeas hearing which was held on March 31, 1999 in Baltimore Circuit Court, Ms. Wash vigorously opposed the defense application for bail by arguing that Mr. Syed presented a risk of flight. Ms. Wash relied extensively upon statements she attributed to a senior legal advisor who worked in the Office of International Affairs, which she explained "is a segment of the Justice Department." (p.19, court transcript).
4. According to Ms. Wash, the senior legal advisor indicated that Mr. Syed fit "a pattern in the United States of America where young Pakistan males have been jilted, have committed murder and have fled to Pakistan and we have been unable to extradite them back." *Id.* Ms. Wash also stated that this official had referred to a pending Chicago case "where the factual pattern is frighteningly similar. Again, it is a young Pakistan male who was jilted by his girlfriend who fled the country and they have had no success" (*Id.*)
5. In Ms. Wash's letter to Judge David B. Mitchell, she admitted that neither statement was accurate. Ms. Wash explained that she had "misconstrued" the conversation with the senior legal advisor. Indeed, there is no "pattern", or a "frighteningly similar" Chicago case.
6. Moreover, Ms. Wash persists in confusing Mr. Syed's nationality as "Pakastani", even though he was born an American citizen, has lived his entire life in Baltimore, and has always been a United States citizen.

7. I ask that you supplement the previously served application in this matter, and consider Ms. Wash's clarifications in ruling upon the defense contention that a reasonable bail be set.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas L. Colbert". The signature is written in a cursive, flowing style.

Douglas L. Colbert, Esq.

cc: Office of the Attorney General, Criminal Appeals Bureau
Cristina M. Gutierrez, Esq.