

ADNAN SYED VS. STATE OF MARYLAND  
October 25, 2012 BEFORE JUDGE MARTIN P. WELCH

ADNAN SYED \* IN THE  
Petitioner \* CIRCUIT COURT  
V. \* FOR  
STATE OF MARYLAND \* BALTIMORE CITY,  
Respondent \* STATE OF MARYLAND  
\* 199103042-046 and  
\* Post-Conviction No. 10432

\* \* \* \* \*

TRANSCRIPT OF OFFICIAL PROCEEDINGS  
(Post-Conviction)

BEFORE: THE HONORABLE MARTIN P. WELCH, Judge

HEARING DATE: October 25, 2012

APPEARANCES:

For the Petitioner: Justin Brown, Esquire  
For the Respondent: Kathleen Murphy, Esquire

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1 (Whereupon, Defense's  
2 Exhibit No. 5 was admitted  
3 into evidence.)

4 (Pause.)

5 THE COURT: And if I didn't say it then, this  
6 would be admitted then as Defendant's -- or Petitioner's  
7 Exhibit No. 5, I'm sorry.

8 MR. BROWN: Thank you, Your Honor. And with  
9 that taken care of, I would call Adnan Syed.

10 THE COURT: If you'll take the witness stand,  
11 please.

12 ADNAN SYED

13 (A witness produced on call by the Petitioner, first  
14 having been duly sworn according to law, testifies as  
15 follows:)

16 CLERK: I ask that you speak directly into the  
17 mic. State your name for the record.

18 THE WITNESS: My name is Adnan Syed.

19 DIRECT EXAMINATION

20 BY MR. BROWN:

21 Q Good morning, Mr. Syed.

22 A Good morning.

23 Q And, again, please make sure -- if I may  
24 pull that even closer to him. Well, I guess that's as  
25 good as it gets. Mr. Syed, where are you currently

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1 it was very important for me to be able to recount exactly  
2 what happened that day. And, when I received these  
3 letters, it kind of fortified the memory that I had of  
4 after school that day. School ended at 2:15, that after  
5 school that day, I went to the public library. And I  
6 stayed there between approximately 2:40 to 3:00, and then  
7 I went to track practice. So, these letters essentially,  
8 they verify in my mind what my memory was of that day.

9 Q Were you surprised to receive these  
10 letters?

11 A I was surprised to received these letters.  
12 And in them, she stressed several things to me. She  
13 stressed number one, that she was very clear and concise  
14 about remembering that day. And she was very emphatic  
15 about being able to help me out. She was emphatic about,  
16 she provided me with her phone number, her, I believe, her  
17 mother or her grandmother's phone number. She requested  
18 me to ask my attorney to contact her, so that she could  
19 come forward with this information. And, I mean, she --  
20 and, I guess, what surprised me in a sense was that, she  
21 wrote me back to back. And she told me that she also took  
22 it upon herself to visit my family and she spoke to my  
23 mother. And, you know, she expressed these things to my  
24 mother. So, yeah.

25 Q And all that's in those letters?

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1 A All of this contained in these letters.

2 Q If I could turn your attention to Exhibit  
3 No. 6, is there a mention of someone named, Justin Adger?

4 A Oh, yes, sir. There is.

5 Q Is that the same Justin Adger who you  
6 mentioned before in your testimony?

7 A Yes.

8 Q And, again, who is Justin Adger?

9 A He was a friend of mine, that I had known  
10 since middle school.

11 Q And just to be absolutely clear, did those  
12 letters come to you before the trial or after the trial?

13 A I received these letters within the first  
14 week of being arrested. So that was way prior before the  
15 trial.

16 Q And did you solicit these letters in any  
17 way?

18 A Not at all.

19 Q Is what she said, in these letters about  
20 January 13th true?

21 A I -- it's absolutely true. She -- one of  
22 the things that really stuck out in my mind, was that she  
23 stated that she spoke to the librarian who stated that  
24 they had security cameras. And one of the things that she  
25 mentioned was that, that's something that we should look

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1 at, trying to secure those or retrieve the security camera

2 Q Tell me, and not what these letters say,  
3 but tell me what your own recollection is from that date  
4 of January 13th, with regard to Asia McClane?

5 A I would say my -- well, my recollection is  
6 --

7 THE COURT: And, I'm sorry, January 13th is the  
8 date of the letter or?

9 MR. BROWN: Your Honor, that's the date when Ms.  
10 McClane ran into Mr. Syed at the library. It's the date  
11 when the murder took place.

12 THE COURT: Okay.

13 THE WITNESS: I was in the library and Asia  
14 McClane, she came over and there were two other guys with  
15 her. And she introduced them as her boyfriend and her  
16 boyfriend's best friend. So, we sat, and we talked for a  
17 little while about different things, like, college and  
18 what's going on in high school. You know, things like  
19 that. And, I would say the two things particularly that  
20 really stuck out in my mind, and she did mention them --  
21 excuse me, she did mention them -- excuse me. The one  
22 thing that stuck out in mind was the fact that, there were  
23 two snow days immediately after this day. And she  
24 mentioned that in the letter. And, so, that would be  
25 January 14th and 15th. We didn't have school those two

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1 days. And that stuck out in my mind was because, when I  
2 met her boyfriend, I had put in my head that, well, when I  
3 see Justin tomorrow in school, you know, I'm just going to  
4 let him know, you know, I met Asia's boyfriend. He seemed  
5 like a pretty nice guy. 'Cause I just felt like that was  
6 something, you know, he -- you know, he may want to know.  
7 But I didn't have a chance to tell him this until the  
8 following Monday because we had two snow days.

9 Q Do you recall what you were doing at the  
10 library at that time?

11 A I'm fairly certain that I was accessing my  
12 e-mail from the library.

13 Q Okay. And why, why had you not told anyone  
14 this before about the library?

15 A Well, prior to me being arrested, I had  
16 absolutely no idea that I would need to -- have to recount  
17 every single aspect of my day that day. I didn't know  
18 that I was going to be charged with her murder. I had  
19 absolutely nothing to do with her murder. So, up until  
20 the day I was arrested, in my conversations with the  
21 detectives or with anyone for that matter, I never went  
22 into great extent or felt the need to, because I didn't  
23 believe I needed to provide an alibi. I didn't know that  
24 I was going to be charged with her murder.

25 Q And is it correct that, to the best of your

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1 recollection, the victim's body was not found until nearly  
2 a month later, after this date, this January 13th date?

3 A I believe it was February 9th, 1999.

4 Q And is it correct that you were arrested on  
5 February 28th, 1999?

6 A Yes.

7 Q And after receiving the letters from Ms.  
8 McClane, did you notify Cristina Gutierrez?

9 A I immediately notified her.

10 Q How did you notify her?

11 A Well, it would have been, the next time  
12 that I saw her on a visit, I showed her the two letters  
13 and she read them. And I asked her, could she please do  
14 two things, contact Asia McClane, and try to go to the  
15 library to retrieve whatever security footage was there.

16 Q And do you recall whether this conversation  
17 with Ms. Gutierrez took place prior to the start of the  
18 trial?

19 A It took place very much prior to the start  
20 of the first trial.

21 Q Do you -- we mentioned this name before.  
22 I'm gong to run it by you again, Ali Cornedor. Do you  
23 recall who he was?

24 A Yes. He was one of Ms. Gutierrez's law --  
25 I don't know. He was a lawyer, I think. So, I don't know