

MOTION IN LIMINE TO EXCLUDE TESTIMONY OF SHARON WATTS

Defendant, Adnan Masud Syed, by and through his attorney, M. Cristina Gutierrez, moves this court to exclude any and all testimony of Sharon Watts containing her opinions or conclusions of a psychological or psychiatric nature. In support of this motion, the defendant offers the following:

1. The defendant, Adnan Syed, has been charged with first degree murder in the death of Hae Min Lee.
2. The original trial in this matter ended in a mistrial after the testimony of all but two of the State's witnesses.
3. Sharon Watts, a school nurse at the Woodlawn High School, testified for the State at the original trial.
4. Ms. Watts testified that she saw the defendant when he was brought to her by others shortly after learning that Hae Lee's body had been found.
5. In her direct testimony, Ms. Watts stated her observations of Adnan Syed, including her opinion that Mr. Syed "appeared" to be in a catatonic state. Additionally, Ms. Watts offered her opinion that the defendant was "faking" this condition.

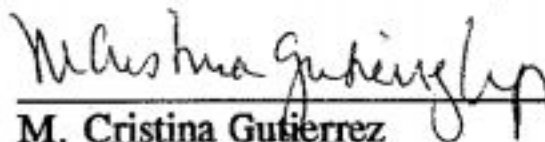
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6. Ms. Watts is a certified nurse, she has *not* been qualified as an expert in the areas of psychiatry or psychology or in any expertise such as would qualify her to make or opine a diagnosis of a specific mental state or condition.
7. As such, Ms. Watts is not qualified to offer her diagnosis or opinion that the defendant was malingering by faking a catatonic state.

WHEREFORE, for the foregoing reasons the Defendant hereby requests:

- (a) that the testimony of Sharon Watts be excluded to the degree it offers opinions or conclusions regarding the psychiatric or psychological condition or lack thereof of the defendant; and
- (b) for any further relief that justice may require.

Respectfully submitted,


M. Cristina Gutierrez