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(1) the courtroom. Keep an open mind throughout the trial and at the end of the evidence I  
 (2) will explain to you the law that applies to this case. Again, you must completely disregard  
 (3) any newspaper, television or radio reports that you may have read, seen or heard  
 (4) concerning this case. Those reports are not evidence and you must not be influenced in  
 (5) any manner about the case from that publicity. So don't watch or listen to any television  
 (6) or radio broadcast. Don't read anything from any source about this case, about crime in  
 (7) general, about criminal sentencing. If anything occurs contrary to these instructions,  
 (8) please write me a note as soon as possible. And again, don't discuss anything that you  
 (9) write in the note to me with any members of the jury. Again, don't discuss the case with  
 (10) anyone -- other jurors, courtroom personnel, friends and relatives, spectators and  
 (11) reporters. No discussion at all. Avoid all contact with the parties, witnesses and lawyers.  
 (12) If anyone tries to discuss this case with you or anything questionable happens, please write  
 (13) me a note as soon as possible and, again, don't discuss it with any of your jurors --  
 (14) members. For the next few weeks, we're going to try to create a little vacuum for you  
 (15) and we want you to focus, again, on this trial for the next few weeks and not to let  
 (16) anything in that might affect your decision other than what you see and hear actually inside  
 (17) this courtroom. Does the State have an opening statement?  
 (18) MR. URICK: Yes it does, your Honor.  
 (19) THE COURT: Yes, sir.  
 (20) MR. URICK: May it please the court -- counsel, Madam forelady,  
 (21) ladies and gentlemen of the jury, good afternoon.  
 (22) JURY: Good afternoon.  
 (23) (OPENING STATEMENT BY MR. URICK)  
 (24) MR. URICK: As Judge Quarles told you, my name is Kevin Unck. My  
 (25) co-counsel's name is Kathleen Murphy. We're assistant State's attorneys. We're hired by  
 (26)

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(1) Patricia Jessamee (phonetically), the State's attorney for Baltimore City to prosecute  
 (2) criminal cases in Baltimore City. We're 2 of approximately 140 attorneys who appear  
 (3) every day in the various criminal courts in Baltimore City trying cases. On behalf of Mrs  
 (4) Jessamee and the State's Attorney's Office, I want to thank you for the process you've  
 (5) gone through -- some of you for two days -- of being selected for this jury and the  
 (6) process that you're going to go through during the course of this trial. We appreciate the  
 (7) fact that you come in to do this civic duty and we want to thank you in advance. We  
 (8) would also like to remind you, as the Judge has and will, that this is going to be a rather  
 (9) long trial that's due based on the evidence and I would ask you to listen very carefully to  
 (10) all of it and make your decision at the end of this case. At this point, I get to give you an  
 (11) opening statement which is sort of like a preview of coming -- sort of coming attraction  
 (12) that you see at the movie where you see a couple minute trailer of what the movie itself is  
 (13) going to be. You're going to hear a lot of evidence in this case and it's all going to boil  
 (14) down to very simple evidence. On January 13 of this year, which was a Wednesday, a  
 (15) Baltimore -- a University of Baltimore -- I believe she was -- student by the name of  
 (16) Jennifer Pusateri went to call a friend of hers by the name of Jay Wilds. This call occurred  
 (17) at approximately 7:06 or 7:09 in the evening. Jay had paged her a short time before and  
 (18) she was returning the page. The number that he had left for her to call was this number --  
 (19) (443) 253-9023. That number was the number to a cell phone. The Defendant's cell  
 (20) phone, in this case, Jenn Pusateri called that number. The Defendant answered. She  
 (21) asked for her friend, Jay. The Defendant said "he can't come to the phone right now  
 (22) We're busy. He'll call you back." And hung up. At the time that that call was made, the  
 (23) Defendant was standing in Lincoln Park burying the body of his girlfriend, Hae Min Lee.  
 (24) You're going to hear how Hae Min Lee and the Defendant were students together at  
 (25) Woodlawn High School. They had been for years. They're in the honor program  
 (26)

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(1) Woodlawn, as many of your probably know, is a magnet school where the honors  
 (2) program students go. They met there. They'd known each other for awhile. In their  
 (3) junior year, they began going together, and both of them loved each other very much and  
 (4) both sacrificed for the other. The Defendant sacrificed things that were very dear to him --  
 (5) his religious values and the way that his family looked at him. The Defendant is a  
 (6) Moslem. In that faith, premarital -- dating is not allowed and premarital sex is absolutely  
 (7) forbidden. He had to sacrifice those values to go with Hae Min Lee. His family -- which  
 (8) was a Moslem family -- wanted him to live by Moslem values, and he sacrificed there too.  
 (9) In essence, he made his life a lie so that he could have this woman and it caused problems  
 (10) for him. You will hear how, at the homecoming dance in their senior year in fall of 1998  
 (11) the Defendant went to the homecoming with his girlfriend, Hae Lee. The Defendant's  
 (12) parents appeared -- and you're going to hear from Lynette Woodley, the principal at  
 (13) Woodlawn, about how the parents of the Defendant pulled him out of the dance and were  
 (14) creating such a scene that she had to ask them to separate -- to break it up because they  
 (15) were causing a lot of disturbance. You're going to hear from Hae Lee that she was very  
 (16) very aware of the problems that this was causing for the Defendant. We're going to  
 (17) include here her diary in which in her own words she will tell you -- you're going to get a  
 (18) lot more but it's going to run something like this, which is from her diary. This is  
 (19) approximately July 16th of 1998 continued at 12 p.m. "He went to Texas with his father  
 (20) for some Moslem convention thing. He called me on the 17th, Friday, twice at 1:30 and at  
 (21) 8:30 p.m. with calling cards. Isn't he sweet? I keep crying over the phone because I miss  
 (22) him so much. Then he went into a whole explanation of the purpose of the trip to Dallas.  
 (23) He told me that his religion means life to him and he hates it when he sees someone  
 (24) purposely going against it. He tried to remain a faithful Moslem all his life, but he fell in  
 (25) love with me which is a great sin. But he told me there is no way he will ever leave me.  
 (26)

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(1) because he can't imagine a life without me. Then he said that one day he would have to  
 (2) choose between me and his religion. This is exactly what Sawik (phonetically) was talking  
 (3) about. I love him so much and when it comes down to choosing, I'm going to let him go  
 (4) his own way. If you have to deny yourself a part of you for love then that's not good. I  
 (5) really couldn't care less since my religion means shit to me but to him, his religion guides  
 (6) his life. It's the world to him and I hate the fact that I'm the cause of a sin no matter what  
 (7) he says." The Defendant sacrificed -- made a lie of his life. But Hae Lee sacrificed too.  
 (8) She loved the Defendant so much that she saw it was wrong for him to be in this  
 (9) relationship with her and she sacrificed. She loved him so much she was willing to let him  
 (10) go because that was best for him and it was not easy for her. Shortly after the  
 (11) homecoming dance, they broke up one time. She was in love. She couldn't stay away  
 (12) from him. They got back together. She finally got her strength together towards this  
 (13) November/December and broke it off for good, started a new life for herself, started  
 (14) dating a new person at that time. But still deeply loved the Defendant, but sacrificed the  
 (15) selfish love that she felt -- the need to be with him -- for the unselfish love of doing what  
 (16) was best for him -- letting him go. The Defendant did not realize the sacrifice that she  
 (17) made -- did not realize that what she had done was an act of love. The Defendant got  
 (18) caught up in his honor. The facts will show that at that point he felt betrayed, publicly  
 (19) humiliated, and enraged. He set out to kill Hae Min Lee. You're going to hear from Jay  
 (20) Wilds who knew the Defendant because his girlfriend, Stephanie McPherson, went to  
 (21) school with the Defendant and Hae Lee, and occasionally they double dated. You're  
 (22) going to hear how the night before, the Defendant called him, said let's go shopping or I  
 (23) want you to take my car tomorrow. So the next morning, the Defendant skips out of  
 (24) school, meets up with Jay Wilds, gives him the car, and at that time says I'm going to kill  
 (25) Hae. Jay -- thinking this is just male posing -- said yeah, yeah, yeah, took the car left  
 (26)

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(1) Well after the day went by -- in the afternoon about 2:30, 2:40, he gets a page -- and he's  
 (2) got the Defendant's car, he's got the Defendant's cell phone. He gets a page to meet the  
 (3) Defendant at the Best Buy. He meets the Defendant there. The Defendant has Hae Min  
 (4) Lee's car and says look I did it, pops the trunk, there's the body of Hae Lee. At that  
 (5) point, Jay Wilds is totally shocked and stays in a state of shock. When the Defendant asks  
 (6) him to help him get rid of the body, he helps him. That's how later -- 7:06, 7:09, they're  
 (7) in Lincoln Park. You're going to see certain exhibits. One of the most important is this  
 (8) one which is the Defendant's cell phone records. These are the calls that were made to  
 (9) and from the Defendant's cell phone on January 13th of 1999. And you'll find out that  
 (10) calls that are dialed on the phone, they keep a record of the number that is dialed, but for  
 (11) incoming calls -- you probably have cell phones, you've probably seen this on your own  
 (12) records -- the numbers not (indiscernible), just the fact that it's incoming. Well we've got  
 (13) two calls at 7:09 and 7:16 -- both very brief ones. And with cell phones -- as you're  
 (14) probably aware -- they're made through radio waves where the companies put up towers  
 (15) -- communication towers -- that cover a certain geographic area. These are called cell  
 (16) sites. Most towers have three sides -- an A, B, C side. And a phone that is in a particular  
 (17) area will lock on to the tower that the -- that is dominating the cell site, and the call will  
 (18) go through there, and they can record the cell site. Both of these cell calls at 7:09 and  
 (19) 7:16 were made in L689B which is a cell site where the telephone communications pole is  
 (20) at 2121 Windsor Garden Lane. You're going to see another exhibit which is a map of cell  
 (21) sites and how they correspond to the City, and you're going to see that 689 -- the cell --  
 (22) covers Lincoln Park. That both of those calls were made from the Lincoln Park cell site.  
 (23) And you're going to hear how the body was buried and recovered from Lincoln Park.  
 (24) The Defendant answered his phone twice in Lincoln Park while he's burying the body  
 (25) You're going to hear that information. You're going to see the cell phone records.  
 (26)

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(1) You're going to see this map and have it explained to you. After they buried the body,  
 (2) they went over to Edgewood Road, which is off Edmondson a couple blocks in and a few  
 (3) blocks down -- it's a couple blocks from Wilkens. They left Hae Lee's car in an  
 (4) apartment complex parking lot there. Then they drove up Edmondson back to Woodlawn  
 (5) in the Defendant's car now. And you're going to see that there are two calls that  
 (6) immediately follow the Lincoln Park ones. One is L653A, one is L653C, and they have  
 (7) off a tower on North Apple Avenue and that's right here. You. You can actually follow  
 (8) the progress of the Defendant's car leaving Hae Lee's, going Edmondson Avenue. The  
 (9) earlier car being on the east side of the Apple Avenue tower. The later one being on the  
 (10) west side as they're driving on Edmondson back to Woodlawn. You're going to hear  
 (11) how in the car there was a map -- one of these ADC map books. Out of that map a page  
 (12) was torn. That page was the map of Lincoln Park -- the part of the City that included  
 (13) Lincoln Park. That map was recovered slightly waded up behind the driver's -- behind  
 (14) the passenger's -- in the rear seat floor behind the passenger's side. Exactly the place  
 (15) where someone who is sitting in the driver's seat using it to direct himself -- after he was  
 (16) through with it, would lean over -- naturally his arm would go behind the passenger seat --  
 (17) and put on the floor there. You're going to hear how the map that that page was torn  
 (18) out of has the Defendant's fingerprint on it. You're going to hear the testimony of Jay  
 (19) Wilds and you're going to see the cell phone information. At the end of this case, we're  
 (20) going to come back and be able to argue this for you and, at that time, I'm going to ask  
 (21) you to come back with a guilty finding for first degree premeditated murder by the  
 (22) Defendant of the victim, Hae Min Lee. Thank you very much.  
 (23) THE COURT: Ms. Gutierrez?  
 (24) (OPENING STATEMENT BY MS. GUTIERREZ)  
 (25) MS. GUTIERREZ: It was a grueling process by which all of you -- 17  
 (26)

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(1) of you -- were chosen to sit in judgment of your fellow citizen. It is a process that has  
 (2) been evolving, unlike the rest of the world, for almost 700 years to end up with ordinary  
 (3) citizens who stand up before the very citizen whose charge they undertake. I don't think  
 (4) you for enduring that grueling process. It is your obligation as citizens whether you wish  
 (5) to be here or not. And it has been written that to sit as a juror is the highest of obligations  
 (6) that any of us can aspire to as citizens other than to live law abiding lives. As the Judge  
 (7) told you, throughout the trial and at the end of the trial he acts as an umpire. He will rule  
 (8) on objections. And at the end, before you are asked to decide, he will instruct you on  
 (9) what the law is around this case and these charges. The trial is not like a movie. So the  
 (10) little trailers that you might be used to that Mr. Urick referred to, not only should be of no  
 (11) help, you should put them out of your mind. Because this isn't a sales event trying to  
 (12) entice you to get you to come in and buy a ticket to see that movie. And they way that  
 (13) those trailers are designed to highlight certain things in them so that you will come and  
 (14) plunk down your money so that you can find out what the end of the movie is. A murder  
 (15) case and a murder trial are among the saddest things that can occur. A murder trial itself  
 (16) is about the grief that occurs when a fellow citizen is murdered -- whose life is snuffed  
 (17) out. All of it is ugly. One of the things that the Judge will at the end of the case -- and  
 (18) many of you were asked during the voir dire process. That word means in french means  
 (19) to speak the truth. You were asked to speak the truth. You took an oath to speak the  
 (20) truth. Every witness who comes in this courtroom will sit in that chair and take an oath to  
 (21) speak the truth. But you jurors were asked to speak the truth about your own lives and  
 (22) your own experiences, and what you know and what you heard about anything so that a  
 (23) fellow citizen, as the Judge will tell you, is presumed innocent -- is wrapped in a cloak of  
 (24) innocence that starts now and will remain unless -- not until -- the word is unless -- you  
 (25) are persuaded by a burden that's the highest in our country's laws to persuade you with  
 (26)

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(1) their evidence. That is their job -- their obligation to do -- is to persuade you of that. In  
 (2) addition to being very sad, you must by necessity learn some things about these young  
 (3) people that otherwise you might not care about. I speak to you about them because I  
 (4) believe they are important -- that you understand the context of these things. Adnan  
 (5) Masud Syed is an American citizen. He was born in this country like most American  
 (6) citizens. He happens to have been born of Pakistani extraction. His parents are American  
 (7) citizens by choice. For those of you -- you may or may not know some of the history of  
 (8) Pakistan, which is a country that was formed in the Arab world in the tip of the land mass  
 (9) called Asia. (Indiscernible) is in the northwest corner of what was once India. After India  
 (10) broke and got its independence from Great Britain after years of colonial rule. And  
 (11) Pakistan was formed because, within India, hundreds of years of settlements from Hindus  
 (12) and Moslems could not get along and subsequently Pakistan broke off. Those of you who  
 (13) are old enough -- not all of you are -- I barely remember the news reels of the Moslems  
 (14) going one way and the Hindus going the other trying to keep peace in a region that has  
 (15) not endured an abiding peace for more than 60 years. And at some point, many Pakistanis  
 (16) -- the bulk of whom were Moslem, but not all -- the bulk of whom were Moslem --  
 (17) many of them came to this country to seek peace and economic opportunity. They  
 (18) escaped their own country and escaped to opportunity for their children after decades of  
 (19) war. And they came to this country as immigrants much like over 300 years. Not all but  
 (20) many of our peoples' ancestors came as immigrants. They brought with them their  
 (21) religion -- Islam. They brought with them their own language in addition to the Arabic of  
 (22) Islam from their -- the dialect that was spoken by their people. And they brought their  
 (23) customs and way of life. And when they got here, most of them -- like all the rest of us --  
 (24) had children. And they formed communities as Moslems and as Pakistanis. They formed  
 (25) a community centered around a mosque that is called the Islamic Society. It is located  
 (26)

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