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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 wadded 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. Urlick 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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(1) right on the far side of Security Square Mall. If you went on the top of Security Square  
(2) Mall, there's a road that borders -- it is Rolling Road. And if you follow Rolling Road  
(3) over and under 695, you'd take a left on Johnnycake Road. And shortly after you'd take a  
(4) left, you'd have to take another left and you would be essentially following 695. And  
(5) there on the right hand side on a huge track of land that's barely visible -- if you didn't  
(6) know it was there, you'd go right past it. It is edged by pure residential neighborhoods on  
(7) one side and by 695 on the other, but if you happen to know where it is. You go in, it is  
(8) fenced and the mosque is in there which is a building. And recently, much later than  
(9) Adnan's majority -- he's now 18 -- there is an addition to the mosque which is a building  
(10) of worship. Islam is a religion. In the United States, there are less than 10 million  
(11) Moslems. But in our United States, we recognize all religions with the same belief and  
(12) protection. On the rest of the world, Islam is a major religious force for people in many  
(13) different countries -- Arabic, Asian -- but all over the world Moslems live. It is a  
(14) monophystic (phonetically) meaning they believe in a single god and they believe in a way  
(15) of life. And most of their value system is not very different than those of the other major  
(16) religions of the world. They're based on the Judaic ethic or the Christian ethic. One god --  
(17) belief about the quality of life -- that your life is beyond yourself and your life is beyond  
(18) your own self gratification and satisfaction. That you are to -- to do good deeds, think  
(19) good thoughts, live a good life, speak to those and care for those less fortunate. And one  
(20) of the marks of Islam all over the world -- across countries, across races -- is that they  
(21) pray five times a day. They operate on a different calendar year than the Gregorian  
(22) calendar of most Christian religions or the Judaic calendar which doesn't recognize --  
(23) other than as a dividing point -- the birth of Christ that is the basis of most Christian  
(24) calendars. And in the Islamic calendar, which runs approximately 12 months -- but on a  
(25) different system -- there is one month that the Islamic calendar use as a sacred month of

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(1) renewal and discipline, and a call to the faithful Islamic to come together and do certain  
(2) things to remind them of the discipline of their faith. It is a month called Ramadan. It's  
(3) first day this year, in the Christian calendar that our City and State and Nation follow, it  
(4) starts today. It is a holy month that puts on Islamic, wherever they are, special  
(5) obligations. It requires people to fast and, unlike Christian fasting, it forbids the faithful to  
(6) not only not eat but to not drink, not pass water, to teach themselves for a month the  
(7) discipline required to live a good life. Well just like others of other faiths came to this  
(8) shore, and they bring their language, and their customs, and their religion, and their  
(9) tenants, and the values of life. So did the Moslems of Pakistan. Many hundreds of  
(10) families of which came long before 18 years ago when Adnan was born. They settled  
(11) here, and they took over a mosque that has been in existence for a long time, and they  
(12) took it over as a community. And they strained to teach their children their Pakistani  
(13) customs, their Pakistani language dialects, a way of life, a way of food, a way of growing  
(14) up, a way of striving for things. Just like every other group of immigrants. They followed  
(15) the law. They sent their children to public schools. Today next to the mosque building at  
(16) the Islamic Society off of Johnnycake Road, in addition to the house of worship where the  
(17) faithful of Islam gather -- and particularly during Ramadan -- five times a day to pray  
(18) according to the book of their religion -- the Cunn (phonetically) -- to pray and open  
(19) their souls and their hearts to the discipline of the words of Mohammed, they now have a  
(20) school and in that school they seek to send their children and they seek as a community to  
(21) have all of their children go. And just like everything else in life, they've had to struggle  
(22) to raise the money to build a school, to fund it, to have educated and certified teachers  
(23) there so that they might teach their children what they need to grow and flower as  
(24) members of this society consistent with their Islamic beliefs. Adnan and his older brother  
(25) and his younger brother, like many of the hundreds and hundreds of families, however, did

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(1) not have that to take advantage of. He went to public school through the primary years,  
(2) then the middle years, and ended up at Woodlawn. And just like you must know from your  
(3) own knowledge and study of history, every immigrant group who has come to these  
(4) shores has struggled to assimilate, to learn how to function day to day to learn a new  
(5) language, to learn different ways of looking at things, to learn a different culture, different  
(6) things to eat, different ways to buy, different economies on all levels. And wanted -- and  
(7) have always wanted over generations -- better lives for their children. That's why they  
(8) came. Their young children, as you might expect -- just like many other immigrant  
(9) communities -- learned quicker than the adults. The adults related to each other as adults  
(10) through the mosque some times several times a day. Most of the Pakistani Moslems were  
(11) well educated and skilled, and they brought that. And they wanted their children not  
(12) assimilated because, as strict Muslims, they believed that the Islamic faith meant that they  
(13) should transfer that to their children so that their children would grow up with the same  
(14) abiding faith that they, for generations, have lived their lives by. In the very same way,  
(15) every parent transfers to their children their beliefs about how life should be lived. That's  
(16) important. What value is as to certain things -- how do you grow up, what do you look  
(17) for, with whom do you mate. Now Islam is a very strict religion about certain things. But  
(18) make no mistake, there is not a religion that is recognized or practiced on these shores  
(19) that does not stand for the same things. There is not a single active religion that condones  
(20) as a matter of (indiscernible) sex between unmarried under age children. But for  
(21) generations of human beings, a millennia back and more millennia since then, young  
(22) people have ended up pushing the bars of life further and further. Young people have  
(23) always gone beyond their parents. Some become and some remain as strict as their  
(24) parents were. Some embrace those parental values, and religion, and styles of life. But  
(25) not all do. And there's nothing different about the impact of that flow of knowledge, and

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(1) behavior, and choice of lifestyles in this community -- the Pakistani Islamic community --  
(2) that has ever happened anywhere in this City, in this Nation -- among Catholics, among  
(3) Jews, among Eastern Europeans, among Italians, among Greeks. Notwithstanding  
(4) parents' attempts to keep their ethnic, religious, moral, cultural lives alive for their  
(5) children. Because of what modern life is, children of all places, particularly in public  
(6) schools, have mixed with each other. Children end up in different places, often times, than  
(7) their parents. The hope of the mosque in building the school is to prevent the impact on  
(8) their children in what they view as the outside world, and every year they add a grade so  
(9) that there is a fundamental Islamic school system where they can keep their children away  
(10) from the evilness of a world that they interact with but they know does violence  
(11) (inaudible). That is a world that Adnan Syed came from. And that friction certainly  
(12) caused him friction. Now Adnan -- and you will learn this from everyone -- his friends,  
(13) from the teacher, from the friends of Hae Lee herself. Adnan was a young man who was  
(14) liked by everyone. He was a leader. He was a scholar. He was an athlete. He was a  
(15) leader when he was in junior high. Everybody wanted to be Adnan's friend. He was  
(16) outspoken. He was smart. He was quick. He was disciplined. And he viewed himself up  
(17) until the middle -- a little past the middle -- of his junior year as a strict, fundamental  
(18) Moslem, as a good Moslem. And in his way of life, and his family culture, and in the  
(19) culture of the mosque where he went every day almost every day of his life until he was  
(20) accused of this murder. In his junior year at Woodlawn, most of his class from middle  
(21) school went with him -- he went into Woodlawn and because he was a scholar, he was in  
(22) the gifted and talented program. And those kids, who came from not just from his middle  
(23) school -- Johnnycake -- but other middle schools. Woodlawn is a big, big high school in  
(24) Baltimore County. He had classes with other gifted and talented students. Now one of  
(25) the persons with whom he attended class in middle school is a girl by the name of

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(1) Stephanie McPherson and she was also a scholar and an athlete. One of the things you  
(2) will learn when you look at this group of Woodlawn kids, Hae Min Lee, whose murder  
(3) brings us here -- Adnan, Stephanie, others' names that you will learn -- it is among the  
(4) most diverse group of kids you would ever meet or see anywhere -- racially, culturally,  
(5) languages, religion. But those divisions, that divide adults and have always divided adults  
(6) everywhere, didn't seem to impact on the kids. The kids grew up with that diversity and  
(7) never questioned it. And they based their ability to make friends that would last a lifetime  
(8) based on how they saw and interacted with other people. Stephanie McPherson, who also  
(9) ended up at Woodlawn, and Adnan -- notwithstanding their differences of race --  
(10) Stephanie McPherson is an African American girl -- their differences of gender, their  
(11) differences of religion -- they became among the closest of friends and, in fact, junior year  
(12) and the junior prom, Adnan was elected the prince of the group and Stephanie McPherson  
(13) was elected the princess. No surprise to anybody. Everybody in that school -- teachers  
(14) and students alike -- like them both. They were both gifted and talented, bright,  
(15) disciplined, young people who did the right thing, who did their homework, who engaged  
(16) in class whatever it be -- calculus or physics or English lit. They were bright, exciting,  
(17) young people. Their teachers thought so. They thought as much of each other. Up until  
(18) the middle of junior year, Adnan viewed himself as a strict Moslem although he -- like  
(19) most of the young people from the mosque with whom he saw and interacted every day at  
(20) the mosque at the nightly prayers because the mosque, like most good religions, know that  
(21) they must keep their young people close. So they had things at the mosque for young  
(22) people to do. They had athletic leagues. They had basketball courts. They had young  
(23) people's activities that went on every night to involve the young people like Adnan in their  
(24) activities. And up until the time he was a junior, Adnan regarded himself as a strictly,  
(25) fundamental Moslem and unlike the rest of his crowd, he didn't believe in things like  
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(1) girl -- she had reported them as if they were major difficulties and so nobody was  
(2) surprised on the 13th. Except that on the 13th, within minutes of her not showing up at a  
(3) place where she was expected, not only did her family report her missing, but the  
(4) Baltimore County Police opened up -- something they've never done before -- an  
(5) immediate investigation as to a missing persons that there (inaudible). And among things  
(6) that were done that very evening was that Hae Min Lee's younger brother -- I believe it's  
(7) her younger brother -- Young Lee read her diary. And you will see all the entries in her  
(8) diary -- and this should give you pause. It is a sad thing to have to read the diary of  
(9) the young person whose life has been snuffed out. But in that diary on the next to last  
(10) page entered -- the last entry is on January 12th and on January 12th, she talks about how  
(11) she is in love with a boy, or rather a man, of a name of Don. And on the page before the  
(12) last entry, she writes on the page over and over and over again, like teenage girls are wont  
(13) to do, his name -- Don, Don, Don, Don -- a hundred times or more on a single page.  
(14) And at the top of that page is written in her handwriting a number. And that number turns  
(15) out to be Adnan's cell phone. Several days before the day that Hae Min Lee disappeared  
(16) Adnan Syed asked one of the elders in the church to assist him in getting a cell phone.  
(17) And you will hear from that elder that he had done that with other young men and one of  
(18) the reasons is that, because they were under 18, they really couldn't get it themselves and  
(19) for many of them, like Adnan, their parents didn't deal on a day to day basis with daily  
(20) Baltimore life. They wouldn't go and didn't go because their lives didn't connect with  
(21) malls or cell phones stores or those things. And many young men in the mosque would  
(22) turn to other elders who had more regular dealings with real life and understood better  
(23) sometimes the needs of young growing men who were really torn about the call of their  
(24) religion, and the strictness of it, and what they learned every day from going to high  
(25) school with other young Americans who came from different places but who they had  
(26)

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(1) dating. If he were to date anybody, it would have been Stephanie but she was his best  
(2) friend and accepted. He viewed himself as a strict, fundamental Moslem, so they never  
(3) dated. And all the other girls would look at Adnan and he was cute, and liked, but he was  
(4) off limits to everybody because he was a Moslem. And because they'd existed around him  
(5) all of his life, nobody challenged him. They accepted that's what he was, that's what he  
(6) did, that's what his life was about and they never pushed. In junior year, back to  
(7) Woodlawn came a young woman who you will see was also a gifted and talented scholar  
(8) athlete. She was Hae Min Lee. She is of Korean extraction and although her religion did  
(9) not play a daily basis impact on her life in the way that Adnan's did, she grew up -- her  
(10) formative years -- in Korea and then came to this country. And her mother, with whom  
(11) she lived, tried to be pretty strict with her and tried to insist, if she was going to date, that  
(12) Hae Min Lee had to bring her dates home. She had to meet the boy, know from whence  
(13) he came, as most good mothers would do and want (inaudible). Hae Min Lee was a little  
(14) bit more connected with main stream culture and when she came back -- she was here and  
(15) then left. She and her mother went to California where they lived with a man that Hae  
(16) Min Lee called her dad although he was not. And when Hae Min Lee disappeared on  
(17) January 13th, most people thought that that was where she went, to be with the person she  
(18) referred to as her dad. And why was that? Because she had talked about it. She had  
(19) talked about her deteriorating relationship with her mother and had always said she would  
(20) go off and live with her father. It turns out, afterwards, that all those thought that was her  
(21) father in California were wrong. He wasn't. There's no blood relationship at all. But she  
(22) had grown up with him and thought of him as her father. She wasn't intending to delude  
(23) anyone. But the first thought that came in everyone's mind that knew Hae Lee was she  
(24) left to go to her dad's. That's what she had said. She had reported to teachers and  
(25) friends alike different difficulties, perhaps in retrospect minor difficulties, but to a teenage  
(26)

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(1) known and interacted with for a decade of their whole lives. And several days before  
(2) Adnan had gotten the phone, it turns out -- and you will hear -- that mostly Adnan, who  
(3) previously had a pager, wanted the cell phone because he wanted the cell phone because  
(4) he wanted an easier way to connect with young girls. Adnan, as you will hear -- not all  
(5) but many, at least, some young men of the mosque notwithstanding their heart felt  
(6) commitment to Islamic tenance and their clear understanding that their parents did not  
(7) approve and their clear understanding that they were not to date, that dating -- any  
(8) unchaperoned visitation between girls and boys was not permitted. Although there was no  
(9) prohibition between a Moslem marrying someone from another faith. But there were  
(10) prescribed rituals to men and women, and the postponement of dating -- of the dating  
(11) ritual that really is an enormous phenomena of America -- not to any other cultural in the  
(12) world -- as to how young people -- boys and girls -- awaken to each other and date --  
(13) what ever that means -- earlier and earlier, and how it's more and more important at a  
(14) younger and younger age. You'll hear from most of the young men of the mosque that  
(15) Adnan fit into the same category. He was a later bloomer than any of them. Most of the  
(16) young men his age -- not all, but many -- had already succumbed and had decided on  
(17) their own. Whether it is right or wrong it not up to you and this jury but your knowing it  
(18) is important. Adnan was a late bloomer and came to it late. But that he began to do what  
(19) most of the other young men in the mosque did, they sort of secretly dated. All of a  
(20) sudden they discovered girls. They discovered sexual urges. They discovered sex. And  
(21) they all sought to engage in it. And because their lives were for a great deal -- again not  
(22) all, but most -- lived outside of their parents' scrutiny any time they were outside of the  
(23) mosque, even though they were there almost every single night participating in the prayers  
(24) of the community or participating in the activities of the young people. Most of the ones  
(25) you'll here about pertain to the young men because in Islam, the men and the women are  
(26)

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separated and kept separate except for certain prescribed activities. That's what they believe in. Again, it's not your call to decide whether that's right or wrong. In the middle of junior year which would have been the spring of 1998, Hae Lee -- who had come back from California into this group of gifted, exciting, young people -- came in right at the time when Adnan succumbed to what were to him natural urges. And he and Hae Lee sort of hit it off. Unlike Adnan, Hae Lee had already -- like most of the young people who surrounded these two -- unlike Adnan who was still a virgin and had never engaged in sexual activity. Very unusual for a 17 year old boy from a major metropolitan area. No matter what we think of it, it's what our young people do and it's not very different what young people have always done. Perhaps some of you when you were that age. Adnan responded to Hae Lee. She was a beautiful, and exciting, and bright, and disciplined, young girl. And they could only conduct their relationship in secret. Not just because of Adnan's religion but because of her own strict mother who would not allow her to date randomly or anyone. So they did. But of course the only people to whom it was a secret were Adnan's parents and Hae Lee's family. Everyone else knew it. All the kids in school every day -- they saw each other every single day. Five GT classes a day and they passed love notes to each other, and Hae Lee --

THE COURT: How much longer will you be, Ms. Gutierrez?

MS. GUTIERREZ: Another 15, 20 minutes, Judge.

THE COURT: Fifteen at most.

MS. GUTIERREZ: Thank you. And Hae Min Lee would pass notes and pass around her diary. Everybody read her diary. She didn't write in it every day, as you'll see. The one notation that is missing -- Mr. Unck referred to -- was this homecoming dance that occurred in the fall. In the spring -- and there is no mention of this homecoming dance or what happened at it. You. You will hear about it. It was an

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important event for both of them. But not so important to a young girl who recorded all other of her feelings of undying love for Adnan, and who recorded all the troubles young people have when their breaking their own vows to their own family. Not just Adnan, herself. Her lying to her family. From the spring -- the junior prom where they went together and, you'll see from the pictures, they made a beautiful couple. They were both beautiful, exciting young people. You'll follow that throughout the summer they remained each other's best friends. Everyone around them would know their ups and downs. You'll see from her diary how very jealous Hae Lee was. The least little thing she would regard as Adnan flirting with someone else or paying attention to someone else. She was a jealous young girl who, when she couldn't handle it, would do something that she refers to a recess in their relationship for hours, for days, for weeks -- let's take a recess. I insist on a recess. You. You know exactly what the word means. Let's take a break. It would be arbitrary and capricious, and you'll see from the diary just how arbitrary and capricious she was. But she proclaimed her love for Adnan. And it continued notwithstanding the pressures as it began to get out, as most things can't be hidden get out. And Adnan's parents and family became concerned that he broke his trust with Moslem, and that they would have to intervene. And they attempted to intervene by reminding him and doing in the Moslem faith what is called advising him, reminding him of his obligations as a Moslem because that's how fundamental Islam is handled and treated in this country. Notwithstanding (inaudible) Islamic societies elsewhere. In America, it's evolved (inaudible). Throughout the fall, Hae Min Lee and Adnan went back and forth -- break up, back together. You'll see from her diary, even as she's beginning to respond to a man -- not a child -- by the name of Donald Cliendienst that she wrestles with herself because she's really not prepared to give him up. You. You will hear in this trial that on the day that she disappeared and the few days thereafter, that everyone who was asked on that day

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or within the next week all described yes they broke up, that they were good with it, that they loved each other, that everybody knew that Adnan knew of her new lover -- because that's what he was -- had met him, had been up to there, and that teachers even described the two of them as the best of friends. Adnan wasn't asked until later -- the first time he was really asked about what he did on the 13th of January was on the 25th of January and there was a follow up call on the 25th of January, Hae Min Lee's body had not been found. On the 25th, he was called by a Baltimore County detective in a follow up to the missing persons investigation and he said oh yeah, I remember, the next two days were snow days -- which you'll hear they were -- the 14th and 15th were snow days. And you'll hear that the following Monday was a scheduled holiday. It's Martin Luther King's birthday. And he said -- when asked what he did that afternoon, he said I went to track. Now at track, they don't keep -- there is no sign in on a daily basis of what students go and because then, just like it would be now (inaudible) months run, it is a little bit different this year -- the 13th was at the tail end -- it's the high holy days. Something we would apply to the month of Ramadan from (inaudible). And on the 14th of January, Adnan along with a handful of other young men, some of whom also went to Woodlawn, led a prayer in the holy month of Ramadan. It was a big deal for the young men to lead the congregation in prayer and so for the days prior to that Adnan, as one of the young men leading the prayer, practiced and recalled that, and recalled that that afternoon, 15 minutes after school ended up until past dark -- because he ran for the indoor track team -- went to track practice, although he could have been excused because, as Moslem, the regulations of the school would have been to excuse his participation because he was fasting from water and food from sunrise to sunset as a good Moslem (inaudible). You. You will hear that Adnan's first recollection (inaudible) and you will hear that he was a disciplined athlete who seldom missed and at the next meet of the Woodlawn indoor track team.

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medaled in his relay. He wasn't just a sometimes athlete. He practiced. He didn't take advantage of the excuse that he could've used because that was the first and only time he was asked to focus on it. And others who might remember all of his whereabouts also were not asked until much, much later. But what they will be able to tell you is that they would have noticed his absence. They didn't (inaudible) because it was Ramadan at the general prayer that was conducted at the mosque every single day of the entire month of Ramadan which went (inaudible). The only person who puts Adnan (inaudible) doing anything, burying her body, being at (indiscernible) as a person by the name of Jay Wilds. Jay Wilds went to Woodlawn High School several years before Adnan and before Hae, but he hung out. He was different. And Adnan, and Hae, and Stephanie, and other names you will hear -- Aisha, and Terry, and Chaud -- he was different than they were. He wasn't a scholar. He wasn't an athlete. He wasn't disciplined or serious about anything. But for some reason late in the junior year of Adnan, Hae and Stephanie, Jay Wilds took up with Stephanie.

THE COURT: Five minutes, Ms. Gutierrez.

MS. GUTIERREZ: Yes, your Honor. Stephanie was since gone on to college, like almost all these young people were expected to do. Jay and Stephanie became an item. And because they became an item, Jay was accepted by Stephanie's friends, like Adnan and Aisha and (inaudible) and everyone else. Now Jay was different from them not only in that he wasn't going on to college, he worked at PetSmart -- which will become important to you -- and he works at an adult video club -- it's a porn video club. He dealt a little bit of drugs on the side, and he'd deal drugs to some of these young people -- who, not surprisingly, in addition to experimenting with sex -- they were all late bloomers -- were experimenting with drugs. And Jay was accepted into the group. He also didn't have his own car -- not then, not now. But ordinarily on a daily basis, he'd

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(1) would borrow one of the kid's cars. Stephanie's his girlfriend, mostly she'd give him a  
(2) car. These were not rich kids, but they worked hard. Their parents worked hard. They  
(3) were thought to be deserving of it and many of them had their own cars. Adnan had his  
(4) own car. And on the 13th was not the first day Jay borrowed Adnan's car -- he'd  
(5) borrowed it before and he brought it back. But one thing you will notice from the list --  
(6) you'll hear witness testify to is that there are calls on that day, like the one that was  
(7) described to you from Jennifer Pusateri, that do not appear on any other day. There all  
(8) calls related to Jay Wilds. (Inaudible). They never called before. They never called after.  
(9) You. You can, from those cell phone records, understand that the cell phone was in the  
(10) car and Jay Wilds was in the car. But it is only Jay Wilds that puts Adnan in that car at the  
(11) same time. We hope to take you to Lincoln Park so that you can see with your own eyes  
(12) the desolation of Franklinton Road, and the distance and the difficulty of the terrain  
(13) that this Jay Wilds, apart from this group of kids, describes watching a burial 127 feet off  
(14) from the center of the road into terrain that, back then, was never ever ordinarily traveled  
(15) and could not be gotten to easily or readily.

(16) THE COURT: One minute, Ms. Gutierrez.  
(17) MS. GUTIERREZ: There is much else that I'd like to discuss with you  
(18) and it is not my choice to end now. I've spent the time with you on things that may not be  
(19) important because I think that they will become important. Judging a person's life and  
(20) who they are is one that you are called to do. When Hae Min Lee disappeared, no one  
(21) thought of Adnan. No one even suggested Adnan. Was he the former boyfriend? Yes.  
(22) All persons -- her family, her brother, all of their friends, all of the teachers describe yeah,  
(23) they'd had this hot and heavy thing, they were still friends, they still saw each other every  
(24) day. You'll hear that Adnan was in and out of Hae's car. She only had use of a car, not  
(25) every day.  
(26)

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(1) THE COURT: Please wrap up, Ms. Gutierrez.  
(2) MS. GUTIERREZ: He was in and out of her car on a daily basis for the  
(3) 10 months from the time they became lovers in early April up until the very end of  
(4) December. And all they got in her car (inaudible) hairs discovered on her body and the  
(5) discovery of her body is so bizarre, you will understand why the person that discovered it  
(6) was treated as a suspect in her murder both initially and for awhile. Because it doesn't  
(7) make any sense unless you are looking for something back there in the woods of Lincoln  
(8) Park (inaudible). All I can do is leave you with Adnan in your charge and ask you to live  
(9) up to your oath of listening with an open mind, presuming Adnan innocent of what he's  
(10) charged, and remembering what he has been and what he has (inaudible).

(11) THE COURT: Thank you. Ladies and gentlemen of the jury, we've  
(12) reached the end of our first day. I'll ask you to come in tomorrow afternoon between 1  
(13) and 1:30 and go to room 239 to get paid. Although you're writing that on that book,  
(14) please tear that sheet out because I'll ask you to leave the books here and the pencils here  
(15) Between 1 and 1:30 to get paid, and then afterwards come here and report to your jury  
(16) room upstairs. Now if you will go upstairs to the jury room until we release you, we will  
(17) see you tomorrow afternoon. Please return to your jury room. Upstairs, please. Please  
(18) go upstairs.

(19) (Jury was excused from the courtroom 17:44)

(20) THE COURT: Counsel, there will be a 30 minute limit on closing  
(21) arguments and, at the close of business on Monday, I will evaluate whether to impose a 45  
(22) minute limitation on examinations and cross examinations of witnesses. Good evening.  
(23) (Court and jury retired for the evening 17:45)  
(24)  
(25)  
(26)

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(2) vs. Adnan Syed, Case Nos. 199103042, 43, 45 and 46, heard in the Circuit Court for  
(3) Baltimore City, on December 10, 1999 were recorded by means of videotape  
(4) I hereby certify that the proceedings, transcribed by me to the best of my ability in  
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Sandra Miller, Transcriptionist

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