

Page 46

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

vs. Indictment No. 199103042-

ADNAN SYED,

Defendant.

REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS
(Trial on the merits)

Baltimore, Maryland

December, 10, 1999

BEFORE:

HONORABLE WILLIAM QUARLES, Associate Judge
(and a jury)

APPEARANCES:

For the State:

KEVIN URICK, ESQ.
KATHLEEN MURPHY, ESQ.

For the Defendant:

CRISTINA GUTIERREZ, ESQ.

RECORDED BY: VIDEOTAPE

TRANSCRIBED BY:

Christopher W. Metcalf
Official Court Reporter
507 Courthouse West
Baltimore, Maryland 21202

1

Page 3

1 would call Young Lee at this time.

2 THE COURT: Okay.

3 MR. URICK: If we may have the Court's

4 permission to get him.

5 THE COURT: Ladies and gentlemen, you'll also

6 notice I left you note pads, each of you has a note

7 pad. If you would on the first sheet of the note pad

8 just put your juror number. I'm talking about the

9 juror numbers you'll have the rest of the trial which

10 is juror number one, two, three, four, alternate one,

11 two, three, four, five. These are to help you remember

12 the evidence.

13 Again, your notes are not evidence, they're just

14 memory aids for you. Please don't get so involved in

15 note taking that you miss the testimony. Your most

16 important thing to do here is to hear and see the

17 testimony, to look at the witnesses, to hear and see

18 the evidence.

19 So this is sort of a crib sheet you can make for

20 yourself for your deliberations, but don't get so

21 involved in taking notes that you miss the trial

22 itself, that's the most important thing to do. Thank

23 you. If at any time you can not hear if you'll just

24 raise your hand or cup your ear and I'll know that

25 you're having trouble hearing. I know the acoustics

Page 2

1 PROCEEDINGS

2 (12:09 p.m.)

3 THE COURT: Same seats as yesterday. Good

4 afternoon, ladies and gentlemen, thank you for being

5 prompt. I've talked to some employers and if any of

6 you need me to talk to others please let me know.

7 Again, if you'll communicate individually with respect

8 to your individual employment situations I have assured

9 those employers I've talked to as I assure you that we

10 will do everything possible to make sure this case is

11 tried well and as quickly as possible. Obviously, you

12 don't want to spend any more time here than you have

13 to, no one does. On the other hand, you realize the

14 importance of this matter and you know that if or some

15 family member of yours was on trial you would not want

16 the jury to rush through it. You would want them to

17 take the time and do a proper job here, so I know you

18 are all aware of the importance of this to everyone

19 concerned. I know you are making a sacrifice, I

20 appreciate that sacrifice, the parties appreciate the

21 sacrifice. I just want you to know that we'll do

22 everything possible to recognize the value of your time

23 and to make sure that we don't waste any of your time.

24 Mr. Urick.

25 MR. URICK: Thank you, Your Honor. The State

Page 4

1 are not the greatest.

2 Also, if you need water or something during the

3 trial just make a little sign to me and I'll see that

4 the clerks get you water as well. Please call your

5 first witness. Ms. Murphy is going to handle this one,

6 Your Honor.

7 MS. MURPHY: If I may, Your Honor.

8 THE COURT: Ms. Murphy.

9 MS. MURPHY: Thank you, Your Honor. At this

10 time the State will call Ms. Young Lee.

11 THE COURT: Mr. Young Lee, please come up to

12 the witness stand.

13 MS. MURPHY: May I approach the stand, Your

14 Honor to -- never mind. Thank you, Mr. Clerk.

15 THE CLERK: Please step around. Would you

16 raise your right hand please.

17 YOUNG LEE,

18 a witness produced on call of the State, having first

19 been duly sworn, was examined and testified as follows:

20 THE CLERK: You may be seated. Keep your

21 voice up for the record. Please state your name.

22 MR. LEE: My name is Young Lee.

23 THE CLERK: And your home address?

24 MR. LEE: [REDACTED]

25 THE COURT: Thank you. Ms. Murphy.

1 MS. MURPHY: Thank you, Your Honor.
 2 DIRECT EXAMINATION
 3 BY MS. MURPHY:
 4 Q Good afternoon, Mr. Lee.
 5 MR. LEE:
 6 A Good afternoon.
 7 Q Mr. Lee, how old are you?
 8 A I am 17 years old.
 9 Q And do you attend school?
 10 A Yes, I attend Milford Mill Academy.
 11 Q Do you know Hae Min Lee?
 12 A Yes.
 13 Q How do you know her?
 14 A She's my sister.
 15 Q And in January of 1999 were you living with
 16 your sister, Ms. Lee?
 17 A Yes.
 18 Q How long had you lived with your sister?
 19 A My whole life.
 20 Q Who else was living at the house at that
 21 time?
 22 A My grandfather, my grandmother and my two
 23 cousins.
 24 Q Was your sister attending school at that
 25 time?

1 A Yes, she was attending Woodlawn High School.
 2 Q What if anything happened in January of 1999
 3 regarding your sister?
 4 A She was -- she was missing.
 5 Q I'm going to ask you to remember back to
 6 January the 13th of that year. Do you remember what
 7 happened that day?
 8 A Yes, I do. At first we knew something was
 9 wrong when we got a call from my cousin's teacher
 10 asking us to pick her up from school. This was strange
 11 because it was my sister's job to pick her up from
 12 school and drop her off at home and that's about it.
 13 That was strange, so we knew something was wrong.
 14 Q How old was the cousin that she was suppose
 15 to pick up?
 16 A I believe she was five or six, something like
 17 that.
 18 Q Where were you at that point in time?
 19 A I was at home.
 20 Q What time did you get home?
 21 A Around 2:30.
 22 Q And that was a school day?
 23 A Yes.
 24 Q Do you know about what time you received a
 25 phone call that Hae had not picked up your cousins?

1 A Around 3:30.
 2 Q What if anything happened next?
 3 A Then after a while I called my sister's work
 4 place, her best friend [REDACTED] and I called the school,
 5 but I was unable to get reach to her.
 6 Q Where was you sister working at that point?
 7 A At Lens Crafters in Owings Mills.
 8 Q After you made those phone calls what
 9 happened?
 10 A After a while my mom was real worried and
 11 asked me to call the police.
 12 Q And did you do that?
 13 A Yes I did.
 14 Q What happened when you called the police?
 15 A After awhile Officer Adcock showed up, he
 16 took the report and left.
 17 MS. MURPHY: May I approach the witness, Your
 18 Honor?
 19 THE COURT: Yes, you may.
 20 BY MS. MURPHY:
 21 Q Mr. Lee, I'm going to show you what's been
 22 marked as State's Exhibit One.
 23 (State's Exhibit No. 1 is
 24 marked for identification.)
 25 Q Do you recognize this photograph?

1 MR. LEE:
 2 A Yes, I do.
 3 Q What does it show?
 4 A My sister and I believe it's the Junior Prom.
 5 Q And that's an accurate representation of your
 6 sister?
 7 A Yes it is.
 8 Q At that time?
 9 A Um-hum.
 10 Q Thank you.
 11 MS. MURPHY: Your Honor, I'd asked that
 12 State's Exhibit One be moved at this time.
 13 THE COURT: Without objection State's One is
 14 admitted.
 15 (State's Exhibit No. 1, photo
 16 previously marked for
 17 identification was received
 18 into evidence.)
 19 MS. MURPHY: May I publish it to the jurors,
 20 Your Honor?
 21 THE COURT: Yes, you may.
 22 BY MS. MURPHY:
 23 Q Mr. Lee, after you called the police can you
 24 remember what happened next?
 25 MR. LEE:

1 A After I called the police and that's why he
2 came over to our house took a report and call some
3 people.

4 THE COURT: Mr. Lee, if you could be just a
5 little louder.

6 MR. LEE: Okay.

7 THE COURT: And if you'll lean forward.

8 Unfortunately, the chair doesn't move.

9 MR. LEE: Okay.

10 THE COURT: If you'll lean forward and talk
11 right into the microphone.

12 MR. LEE: The police showed up to our house
13 and he took a report and he called the same places that
14 I called before he showed up.

15 BY MS. MURPHY:

16 Q Did you make any other efforts to contact
17 acquaintances of your sister?

18 MR. LEE:

19 A My grandmother brought down the diary that my
20 sister writes in and then I was looking for a phone
21 number, then I found a phone number, then I called that
22 number.

23 MS. MURPHY: May I approach, Your Honor?

24 THE COURT: Yes.

25 BY MS. MURPHY:

1 A Yes.

2 Q Why do you recognize it?

3 A That's the page where I got the phone number
4 from.

5 Q Can you please read that number for the
6 ladies and gentlemen?

7 A [REDACTED]

8 Q Thank you. Who did you believe you were
9 calling?

10 A I believe I was calling Adnan.

11 Q And did you know who Adnan was at that time?

12 A Yes. She -- he -- he use to be my sister's
13 new boyfriend.

14 Q Why did you think that was Don's phone
15 number.

16 A Because there was his name all over the page.

17 Q What happened when you called the number?

18 A When I called the number I asked, may I speak
19 to Don, but after speaking to the person, the receiver
20 I knew it was Adnan.

21 Q Okay. Now, who is Adnan?

22 A Him right there.

23 Q Indicating for the record the Defendant, Your
24 Honor.

25 THE COURT: The record will indicate that.

1 Q Mr. Lee, I'll show you what's been premarked
2 as State's Exhibit Two.

3 (State's Exhibit No. 2 marked
4 for identification.)

5 Q If you can take a look at that and let the
6 ladies and gentlemen of the jury know do you recognize
7 that item?

8 MR. LEE:

9 A Yes I do.

10 Q What is it?

11 A It's my sister's diary.

12 Q And where had you seen that before?

13 A In the room.

14 Q Thank you. Your Honor, at this time I would
15 ask that State's Exhibit Two be moved.

16 THE COURT: Without objection State's Two is
17 admitted.

18 (State's Exhibit No. 2, previously
19 marked for identification, was
20 received into evidence.)

21 BY MS. MURPHY:

22 Q Mr. Lee, I'll ask you to refer to this
23 particular page which has been marked in the diary. Do
24 you recognize that page?

25 MR. LEE:

1 BY MS. MURPHY:

2 Q How did you know it was the Defendant Adnan?

3 MR. LEE:

4 A I recognized his voice and he recognized
5 mine.

6 Q Do you remember what the conversation was
7 about?

8 A It was about my sister. If he knew like
9 where she could be.

10 Q Do you recall what he said about that?

11 A He said, no.

12 Q Was there any other conversation beyond that?

13 A No, that's about it.

14 Q How long do you think that conversation took?
15 Was it long, was it short?

16 A It was very -- it was short.

17 Q Did you know who the Defendant was prior to
18 January 13th?

19 A Yes, I did.

20 Q How did you know who he was?

21 A I knew him because my sister use to talk to
22 him on the phone and I just knew that -- and I knew he
23 was the boyfriend, use to be boyfriend of my sister.

24 Q Did you ever speak to him on the phone?

25 A Yes.

1 Q Under what circumstances?

2 A When he use to call my house I use to pick up
3 the phone first and he would ask for my sister.

4 Q Had you ever met the Defendant in person?

5 A Yes, I did.

6 Q When was that?

7 A Once in my store, in my mom's old store and
8 once in the mall.

9 Q Was your sister with the Defendant on those
10 occasions?

11 A No, no she wasn't.

12 Q To your knowledge did the Defendant ever call
13 your home after that day when you called him?

14 A No.

15 MS. MURPHY: Your Honor, at this time the
16 State would ask to move as State's Exhibit 31, the
17 certified business records of AT&T showing the
18 Defendant's cell phone records for January the 13th.

19 THE COURT: Without objection State's 31 is
20 admitted.

21 (State's Exhibit No. 31 was
22 admitted into evidence.)

23
24 MR. URICK: A copy for you and a copy for the
25 Court. My apologies for not getting it in sooner.

1 MS. MURPHY: Your Honor, with the Court's
2 indulgence we would like to provide the jurors with
3 copies of what's been premarked as State's Exhibit 34
4 since the writing is small.

5 THE COURT: What is State's 34?

6 MS. MURPHY: It is a compilation, Your Honor
7 of the Defendant's phone records along with additional
8 information to be provided throughout the trial.

9 THE COURT: Is it a shell st this point? Is
10 it blank?

11 MS. MURPHY: It is. The parts of it are
12 blank, Your Honor.

13 THE COURT: Okay. Ladies and gentlemen, the
14 State is handing out now State's Exhibit 34 which is
15 going to be an exhibit that you will fill in as you go
16 along with bits of information.

17 MS. MURPHY: Thank you, Your Honor.

18 THE COURT: Do you have copies for the Court?

19 MS. MURPHY: I do, Your Honor. There's extra
20 copies.

21 THE COURT: Can I have one? Perhaps you can
22 intercept one and pass it up.

23 MS. MURPHY: May I steal one of those? Thank
24 you, Your Honor.

25 THE COURT: Sure.

1 MS. MURPHY: Your Honor, may we move the
2 easel into place?

3 THE COURT: Yes.

4 BY MS. MURPHY:

5 Q Mr. Lee, I'll show you what to be premarked
6 as State's Exhibit 34.

7 (State's Exhibit No. 34, is
8 premarked for identification.)

9 Q This is a blow-up showing the Defendant's
10 cell phone records for January the 13th. Do you
11 recognize any of the phone numbers listed on this page?

12 MR. LEE:

13 A Yes, I do.

14 Q Which number or numbers would that be?

15 A Thirty three and 34.

16 Q Are you referring to the bottom two phone
17 numbers?

18 A Yes.

19 Q And how do you recognize those numbers?

20 A That's the phone number of my house.

21 Q Thank you.

22 THE COURT: Which is the phone number of the
23 house?

24 MR. LEE: [REDACTED]

25 THE COURT: Thank you very much.

1 MS. MURPHY: Thank you, Your Honor.

2 THE COURT: There is some missing in the back
3 row. Do we have everyone out? Entire back row is
4 missing it looks like or is number twelve just not
5 sharing? Okay. Everybody got a copy?

6 JURORS: Yes.

7 MS. MURPHY: Thank you, Your Honor.

8 THE COURT: Very good.

9 BY MS. MURPHY:

10 Q So, Mr. Lee, so we can be clear you've
11 identified Number 33 and 34 to be the number of your
12 home residence?

13 MR. LEE:

14 A Yes.

15 Q Thank you. Mr. Lee, I will know show you
16 what's been premarked as State's Exhibit 13.

17 (State's Exhibit No. 13, was
18 premarked for identification.)

19 Q It's three photographs. Do you
20 recognize the item or items shown in these photographs?

21 A Yes, I do.

22 Q Beginning with the photograph on the left of
23 the page. Can you describe what that shows?

24 A That shows a T-shirt shoved into the --
25 between the seats.

1 Q Seats of what if you know?
 2 A My sister's car.
 3 Q Okay. And what do the other two photos show?
 4 A The blood stains on the T-shirt.
 5 Q Okay.
 6 MS. GUTIERREZ: Objection. Move to strike.
 7 THE COURT: What's the basis?
 8 MS. GUTIERREZ: This witness is not qualified
 9 to identify blood stains.
 10 THE COURT: Okay. Overruled.
 11 BY MS. MURPHY:
 12 Q Now, the item you've described you've
 13 referred to as a T-shirt.
 14 MR. LEE:
 15 A Um-hum.
 16 Q Do you recognize that shirt?
 17 A Yes, I do.
 18 Q How do you recognize it?
 19 A That is my T-shirt.
 20 Q Do these photographs fairly and accurately
 21 represent the way your T-shirt looked?
 22 A Yes, it does.
 23 Q Okay. Now, you did mention stains on the
 24 shirt. Were they on the shirt when you last saw it?
 25 A No.

1 Q So, aside from those stains does the shirt
 2 fairly depict your shirt?
 3 A Yes.
 4 MS. MURPHY: Your Honor, at this time I would
 5 ask to move State's Exhibit 13.
 6 THE COURT: Without objection State's 13 is
 7 admitted.
 8 (State's Exhibit No. 13, previously
 9 marked for identification is
 10 received into evidence.)
 11 MS. MURPHY: Your Honor, would you like me to
 12 publish this to the jurors now or would you like to
 13 wait?
 14 THE COURT: Well, can we just perhaps roll a
 15 bit, keep going?
 16 BY MS. MURPHY:
 17 Q When had you last seen that shirt, Mr. Lee?
 18 MR. LEE:
 19 A For a long time. I didn't see it for a long
 20 time.
 21 THE COURT: Ms. Gutierrez, perhaps the State
 22 will move the easel back so you don't block alternate
 23 number three from the witness. I don't mind your
 24 watching what's going on, but just don't block the
 25 alternate.

1 MS. GUTIERREZ: Well, I won't stand there if
 2 they're not going to use the easel, but they haven't
 3 seem to indicate --
 4 THE COURT: Are you done with the easel?
 5 MS. MURPHY: For the time being, Your Honor.
 6 THE COURT: Very good. Lets get rid of the
 7 easel so that Ms. Gutierrez is not blocked from the
 8 jury as well.
 9 MS. GUTIERREZ: Thank you, Your Honor.
 10 BY MS. MURPHY:
 11 Q Mr. Lee, do you remember when you last saw
 12 that shirt?
 13 MR. LEE:
 14 A No, I don't.
 15 Q And who's possession was the shirt that you
 16 know of?
 17 A She, my sister.
 18 Q Okay. Did she wear the shirt?
 19 A No, she didn't.
 20 Q Do you know why she had the shirt?
 21 A She use to have the shirt to like wipe off
 22 windshields in her car.
 23 Q Do you know where she kept the shirt?
 24 A The bottom -- the bottom part of the door.
 25 Q The door of what?

1 A The driver seat.
 2 Q Did you ever see any stains on that shirt?
 3 A No, I didn't.
 4 MS. MURPHY: Court's indulgence please. May
 5 I approach the witness, Your Honor?
 6 THE COURT: Yes.
 7 BY MS. MURPHY:
 8 Q Mr. Lee, I'll show you what's been premarked
 9 for identification as State's Exhibit Twelve.
 10 (State's Exhibit No. 12, was
 11 marked for identification.)
 12 Q This is another series of photographs.
 13 MR. LEE:
 14 A Okay.
 15 Q And I'll ask you to look at three of these
 16 photographs. The two on the left side and the one on
 17 the bottom right. Do you recognize what those pictures
 18 show? I'm sorry. I'll ask you just to look at the
 19 bottom two photographs.
 20 A Yeah, yes. That's the car my sister drives.
 21 Q Okay. Are these pictures a fair and accurate
 22 depiction of your sister's car?
 23 A Yes, it is.
 24 Q Thank you. Mr. Lee, after January the 13th
 25 did you see your -- ever see you sister again?

1 A No, I didn't.
 2 Q Did you ever learn of her whereabouts?
 3 A No.
 4 MS. MURPHY: I have no other questions, Your
 5 Honor.
 6 THE COURT: Cross?
 7 MS. GUTIERREZ: Yes, Your Honor.
 8 CROSS EXAMINATION
 9 BY MS. GUTIERREZ:
 10 Q Mr. Lee, the diary that you identified,
 11 State's Exhibit 2. You knew that to be the diary that
 12 belonged to your sister before your grandmother brought
 13 it down that day, did you not?
 14 MR. LEE:
 15 A Yes.
 16 Q Okay. And you knew and can identify the
 17 handwriting in the diary as belonging exclusively to
 18 your sister, can you not?
 19 A Yes.
 20 Q Okay. And the handwriting that wrote out
 21 that number, [REDACTED], that is your sister Hae's
 22 handwriting, isn't it?
 23 A Probably is.
 24 Q Well, it looks like it, doesn't it?
 25 A Yes.

1 that number and you made the call did you realize that
 2 it was a cell phone?
 3 A No.
 4 Q Were you aware that prior to January 13th
 5 that your sister had for a long period of time
 6 communicated on a daily basis with the boy that you
 7 knew as Adnan?
 8 A Yes.
 9 Q Okay. And were you aware whether or not he
 10 had a cell phone?
 11 A No.
 12 Q As opposed to -- and when you spoke to him
 13 did you become aware that it was a cell phone?
 14 A No.
 15 Q Okay. And so when you read it and after you
 16 called that number you had no idea whether it was his
 17 home phone or at some other location?
 18 A Yes.
 19 Q But, prior to that date you had met him?
 20 A Yes.
 21 Q You knew who he was?
 22 A Um-hum.
 23 Q You knew he was your sister's boyfriend?
 24 A Um-hum.
 25 Q That had gone --

1 Q From your looking at it --
 2 THE COURT: Please keep your voice up, Mr.
 3 Lee.
 4 BY MS. GUTIERREZ:
 5 Q It looked like it, did it not?
 6 MR. LEE:
 7 A Yes.
 8 Q It looked like her handwriting back then on
 9 that day?
 10 A Yes.
 11 Q Is that correct?
 12 A Um-hum.
 13 Q On that day, on the 13th you knew that her
 14 then boyfriend, her current boyfriend was a man by the
 15 name of Don.
 16 A Yes.
 17 Q Did you not?
 18 A Yes.
 19 Q Okay. And that had been her recent new
 20 boyfriend?
 21 A Yes.
 22 Q Did your sister on the 13th of January of
 23 1999 or before that date have a cell phone of her own?
 24 A No.
 25 Q And prior to the 13th of January when you saw

1 THE COURT: I need you to say yes or no, sir.
 2 MR. LEE: Yes.
 3 THE COURT: We're making a recording of it.
 4 BY MS. GUTIERREZ:
 5 Q And that he had been her boyfriend for what,
 6 close to ten and a half, almost eleven months?
 7 MR. LEE:
 8 A I'm not sure.
 9 Q For a good while?
 10 A I'm not sure.
 11 Q Were you aware that they were boyfriend and
 12 girlfriend going back to their junior year at Woodlawn?
 13 A Yes.
 14 Q Your sister -- okay, yes. And your sister
 15 didn't hide that from you did she?
 16 A Well, she kind of did.
 17 Q She kind of did and she kind of hid that from
 18 the rest of your family too, did she not?
 19 A She did.
 20 MS. GUTIERREZ: Okay. Thank you. I have
 21 nothing further.
 22 THE COURT: Redirect?
 23 MS. MURPHY: No, Your Honor.
 24 THE COURT: May the witness be excused? You
 25 may step down, sir. Call your next witness.