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- (2) A. No. There was two student managers but Hae was the only one who knew how to keep score because she had kept score for previous years.
- (3) Q. Okay. And so her failing to show was something unusual?
- (4) A. Yes.
- (5) Q. Is that correct?
- (6) A. Uh-huh.
- (7) Q. But her having to go pick up a cousin -- a young cousin was also something unusual, as far as you knew?
- (8) A. On that particular day, yes.
- (9) Q. Okay. Now let me ask you -- to you -- you said that to your knowledge, you thought the relationship started when they were sophomores?
- (10) A. It was towards the end of that season -- year.
- (11) Q. Okay. The day that we're talking about is January 13th of 1999, correct?
- (12) This year, but last winter? Eleven months ago.
- (13) A. They were seeing each other before then. They were friends.
- (14) Q. Okay. But is it, to your knowledge --
- (15) A. When they actually started dating?
- (16) Q. Yes.
- (17) A. I know it had to be a long time before junior prom because --
- (18) Q. They went to the junior prom together?
- (19) A. No, they didn't go together.
- (20) Q. Okay. But --
- (21) A. They met at the junior prom.
- (22) Q. Okay. And it became clear to everybody that they were becoming an item, did it not?
- (23)

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- (2) A. Yes.
- (3) Q. Okay. Not just --
- (4) A. Everybody knew that they were an item before the junior prom.
- (5) Q. But it wasn't out there?
- (6) A. What do you mean by that?
- (7) Q. Well you said they didn't go together at the junior prom.
- (8) A. No, because she said to me point blank she was not allowed to go with him to the prom --
- (9) Q. By her family?
- (10) A. By her family.
- (11) Q. And that was her mother?
- (12) A. Yes.
- (13) Q. And she said that to you?
- (14) A. Yes.
- (15) Q. So if they went to the junior prom together, they did so in violation of her family's rules?
- (16) A. Right.
- (17) Q. It may also have been in violation of Adnan Syed's family and culture rules?
- (18) A. Probably.
- (19) Q. Probably, but you never found that out?
- (20) A. No.
- (21) Q. Did you go to the junior prom?
- (22) A. Yes, I did.
- (23) Q. Okay. And were you aware that, at the junior prom, they were pretty much together?
- (24)

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- (2) A. They were together.
- (3) Q. Okay. No mistake about it?
- (4) A. They took pictures together.
- (5) Q. Okay. And the junior prom would have occurred in May of 1998, is that correct?
- (6) A. Yes.
- (7) Q. Okay.
- (8) A. May or April, I'm not sure.
- (9) Q. May or -- whenever it was -- May or April. So at least by that point or shortly before, Adnan Syed and Hae Lee were an item?
- (10) A. Yes.
- (11) Q. And to your knowledge, an item against her family's wishes?
- (12) A. Yes.
- (13) Q. Not just, later, his family's wishes?
- (14) A. Yes.
- (15) MS. GUTIERREZ: Thank you. I have nothing further.
- (16) THE COURT: Redirect?
- (17) MS. MURPHY: No, your Honor.
- (18) THE COURT: May the witness be excused?
- (19) MS. MURPHY: Yes, your Honor.
- (20) THE COURT: Thank you, ma'am, for coming in.
- (21) MR. URICK: With the court's permission, I'll get the next witness. At this time, the State will call Donald Cliendienst to the stand.
- (22) DONALD CLIENDIENST
- (23) a witness produced on call the by the Plaintiff, having been duly sworn according to law.
- (24)

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- (2) was examined and testified as follows:
- (3) CLERK: State your name and address for the record.
- (4) MR. CLIENDIENST: Donald Cliendienst.
- (5) THE COURT: Please lean forward and speak into the microphone.
- (6) MR. CLIENDIENST: Donald Cliendienst [REDACTED]
- (7)
- (8) CLERK: Spell your last name, sir.
- (9) MR. CLIENDIENST: C-L-I-E-N-D-I-E-N-S-T.
- (10) DIRECT EXAMINATION
- (11) BY MR. URICK:
- (12) Q. Good afternoon, Mr. Cliendienst. What is your date of birth?
- (13) A. [REDACTED] 78.
- (14) Q. Now drawing your attention back to 1998. Did there come a time you came to know one Hae Min Lee?
- (15) A. Yes, sir.
- (16) Q. How did you come to know her?
- (17) A. We met at work and began seeing each other -- going out to movies and things.
- (18) Q. About when did -- where were you working at that time?
- (19) A. Lens Crafters in Owings Mills.
- (20) Q. And when did you start working there?
- (21) A. Some where in the middle of October.
- (22) Q. And when did Ms. Lee start working there?
- (23) A. Not really sure. Some time around the same time.
- (24) Q. And did you ever have occasion -- or did you ever have occasion to see the
- (25)

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(2) Defendant in this case?

(3) A. Yes, sir.

(4) Q. How did you come to see him?

(5) A. He came in the store occasionally and (Indiscernible) one night after work

(6) when it was snowing out.

(7) Q. Now after you and Hae Min Lee started -- strike that When you say he

(8) would come to the store occasionally, why would he come to the store?

(9) A. To see her.

(10) Q. And did there come a time when you became aware that she'd broken up

(11) with him?

(12) A. When she told me.

(13) Q. And did you start dating her after that?

(14) A. Yes, sir.

(15) Q. After you started dating her, did you see the Defendant again?

(16) A. Yes, I do believe so.

(17) Q. I think that's the occasion you referred to when it was snowing?

(18) A. When it was snowing, yes.

(19) Q. Please tell the ladies and the gentlemen of the jury what happened on that

(20) occasion.

(21) A. We were just speaking -- talking about, you know cars and such things

(22) Then when she was walking out, he said "well, I just wanted to check you out and make

(23) sure you were a nice guy."

(24) Q. Did she bring him to the store on that occasion to meet you?

(25) A. No, she did not.

(26) Q. Did she ever bring him to meet you?

(27)

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(2) A. No, she did not.

(3) Q. Now where were you when you first saw him that occasion?

(4) A. I believe I was walking up to my car and he was -- and he drove up.

(5) Q. What did he do as he drove up?

(6) A. (Indiscernible) pulled up along side of my car, got out, and started talking to

(7) me.

(8) Q. And this was after you had started dating Hae Lee?

(9) A. Yes.

(10) MR. URICK: At this time, we'd offer, pursuant to stipulation, the

(11) certified business documents of Lens Crafters Corporation as State's exhibit 29

(12) THE COURT: State's 29 is admitted pursuant to the agreement.

(13) (Certified business documents of Lens Crafters Corporation received into evidence

(14) as State's Exhibit No. 29)

(15) MR. URICK: Approach the witness with the court's permission.

(16) Q. Take a look at the second item. The item that's attached to that. Now

(17) drawing your attention to January 13th of 1999 -- the day Hae Min Lee disappeared --

(18) what were you doing that day?

(19) A. I was filling in at another store on my day off.

(20) Q. And which store was that?

(21) A. It was the Hunt Valley store.

(22) Q. And do you remember what hours you worked that day?

(23) A. I worked open till six o'clock.

(24) Q. And the item which has been admitted into evidence now that you're holding

(25) -- can you identify that?

(26) A. Yes, that would be the computer printout for -- while I was at the store for

(27)

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(2) that day.

(3) Q. In essence it's a computer time card, is it not?

(4) A. Yes.

(5) Q. Does it indicate what hours you were working in the store that day?

(6) A. Yes, sir.

(7) Q. Please read them off.

(8) A. Punched in at 9:02 a.m., punched for lunch at 1:10 and back in at 1:42 and

(9) punching back out at 6 o'clock.

(10) MR. URICK: May the document be published to the jury at this time?

(11) THE COURT: Yes.

(12) Q. If you could hand it to the lady at your right, please. How did you become

(13) aware that Ms. Lee was missing?

(14) A. When I got home from work, my lab manager had called me up and asked

(15) me if I knew where she was at and that's how I found out.

(16) Q. What time would that have been?

(17) A. About seven o'clock.

(18) MR. URICK: Witness for the defense.

(19) THE COURT: Cross?

(20) CROSS EXAMINATION

(21) BY MS. GUTIERREZ:

(22) Q. You testified, Mr. Clendens, that the incident in the snow -- you

(23) were just referring to the snowing outside on that particular day?

(24) A. Yes.

(25) Q. And that's was at the Owings Mills Mall?

(26) A. Yes.

(27)

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(2) Q. Which is where the Lens Crafters store was located where both you and Hae

(3) Lee worked. Is that correct?

(4) A. Yes, ma'am.

(5) Q. And on this particular day, whatever day it was, it was snowing, correct?

(6) A. Yes.

(7) Q. And it was after you and Hae had already started dating?

(8) A. Yes, ma'am.

(9) Q. Okay. That day that you started dating occurred when?

(10) A. I'm not really sure when we started. It just --

(11) Q. Was it before or after the New Year of 1999?

(12) A. It depends on how you define dating. If you define going out a couple times,

(13) having dinner, maybe seeing a movie -- it was before. If you say officially when I asked

(14) her out, it was on the New Year.

(15) Q. That was, in fact, on New Year's Day, was it not?

(16) A. (Nods head yes.)

(17) Q. And you're aware that Hae Lee kept a diary, are you not?

(18) A. I am now.

(19) Q. You. You are now as a result of this case, correct?

(20) A. Yes.

(21) Q. And you've been made aware, sir, that Hae Lee defines your first date as

(22) occurring on January the 1st of 1999. Is that correct?

(23) A. Yes.

(24) Q. And was she correct in that?

(25) A. Yes, ma'am.

(26) Q. Yes. Okay. Now the snowing day that you described at the Owings Mills

(27)

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Mall when you saw Adnan Syed. Did that occur before or after January 1st?

(13) A. I really not sure. I believe it was after.
(14) Q. So it could've occurred before or after?
(15) A. I believe it was after.
(16) Q. You believe it was after. So it occurred some time between January 1st when
(17) you had a date with her, correct?
(18) A. Yes.
(19) Q. It didn't occur on that date, did it?
(20) A. No.
(21) Q. You. You would've remembered if you met her old boyfriend driving
(22) around Owings Mills Malls on the very date you were about have your official first date
(23) with your new girlfriend, would you have not?
(24) A. Yes.
(25) Q. Okay. So you believe it occurred after and obviously it occurred some time
(26) before her body was recovered on the 9th of February, correct?
(27) A. Yes.
(28) Q. But other than that you have no recollection of exactly when?
(29) A. I couldn't be sure, no.
(30) Q. You. You remember, Mr. Cliendienst, of the day that you saw him driving
(31) up, he was driving Hae Lee's car, was he not?
(32) A. Yes, ma'am.
(33) Q. And Hae Lee was in her car, was she not?
(34) A. Not at that point, no.
(35) Q. Okay. So you saw him driving her car which you recognized to be her car
(36) correct?
(37)

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A. Yes.
(13) Q. And you recognized him to be -- you knew him to be her then old boyfriend.
(14) correct?
(15) A. Yes.
(16) Q. Because you had met him on other occasions, correct?
(17) A. Well she had also said she was still friends with him.
(18) Q. Okay. And you believed her, did you not?
(19) A. Yes, ma'am.
(20) Q. And that didn't upset you as you began this new relationship, did it?
(21) A. No, ma'am.
(22) Q. And when you say he said to you that he was -- after you were talking about
(23) cars -- that he came to check you out. He had met you before at Lens Crafters correct?
(24) A. Yes, ma'am.
(25) Q. Because he had come up to see his girlfriend while she was working correct?
(26) A. Yes, ma'am.
(27) Q. Okay. And there'd been nothing unusual about any of those occasions had
(28) there?
(29) A. No.
(30) Q. You. You had met him but not engaged in any prolonged conversation?
(31) A. No, ma'am.
(32) Q. Now on the day that you saw him driving up, was it in the parking garage or
(33) in the -- just the parking lot?
(34) A. Just the parking lot.
(35) Q. Is that correct? And when you saw him in her car, did you know that she
(36) had been in a slight mishap of an accident?
(37)

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A. Yes. She told me when she came in.
(13) Q. You. You knew it from her, correct?
(14) A. Yes.
(15) Q. Because the two of you had worked the same time on that day correct?
(16) A. Yes, ma'am.
(17) Q. When you came out from the time -- and she got off earlier than you?
(18) A. I got off before she did.
(19) Q. You. You got off before she did.
(20) THE COURT: Please keep your voice up, Mr. Cliendienst
(21) MR. CLIENDIENST: Sorry.
(22) Q. After you saw Mr. Syed driving up in her car, you noticed Hae, did you not?
(23) A. After we had been (inaudible) and talking for about five, ten minutes
(24) Q. Okay. Then Hae was there, was she not?
(25) A. Yes.
(26) Q. And it became apparent that Adnan was driving Hae's car at her request. So
(27) it not?
(28) A. Yes.
(29) Q. Based on both your conversation with her, correct?
(30) A. Yes.
(31) Q. And based on your conversation with him, correct?
(32) A. Yes.
(33) Q. And there was nothing unpleasant or hostile about your conversation with
(34) Adnan, was there?
(35) A. Not really.
(36) Q. Even when he said he was there to sort of check you out and make sure you
(37)

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were a nice guy. Is that correct?
(13) A. Yes.
(14) Q. That was consistent with everything Hae, your new girlfriend, had told her
(15) about Adnan, her ex-boyfriend, but still her friend. Is that correct?
(16) A. Yes.
(17) Q. And it was made clear to you by your conversation both with Hae Lee and
(18) with Adnan that he was there at her request, was it not?
(19) A. Yes.
(20) Q. Because when she had this little accident, she was concerned about the safety
(21) of her car, was she not?
(22) A. Yes.
(23) Q. And didn't know whether or not to drive it from the parking lot where she'd
(24) ended up coming to or to leave it there and arrange to have it towed. Isn't that correct?
(25) A. Yes.
(26) Q. And so from work where she had reported, it became clear to you that she
(27) had called her old boyfriend but still her friend to come help her deal with the car. Is that
(28) correct?
(29) A. Yes, ma'am.
(30) Q. She hadn't asked you to deal with it, correct?
(31) A. (Shakes head no.)
(32) Q. And your belief, however, is that this day occurred after your first date?
(33) A. Yes.
(34) Q. After your first date on January 1st, would it be fair to say that you and Hae
(35) became an item?
(36) A. Could you define what you mean by that?
(37)

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BSA

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XMAX(14)

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(2)

(3) Q. Well did you consider yourself exclusively her boyfriend?

(4) A. No.

(5) Q. Okay. So you didn't expect exclusivity from her, is that correct?

(6) A. (Indiscernible)

(7) Q. And she should not, thereafter -- immediately after that first date, expect exclusivity from you?

(8) A. (Inaudible)

(9) THE COURT: Keep your voice up, sir.

(10) MR. CLIENDIENST: Sorry.

(11) Q. And some time after the first date, but before the day she was noted as missing, did your relationship with her change?

(12) A. No.

(13) Q. So on the day that she was missing, you would've considered her your girlfriend or not?

(14) A. Yes.

(15) Q. But not your exclusive girlfriend?

(16) A. No.

(17) Q. You. You didn't love her?

(18) A. On a level, yes.

(19) Q. On a level. But you had professed undying love for her, had you?

(20) A. No.

(21) Q. And you still didn't expect exclusivity from her, correct?

(22) A. Correct.

(23) Q. So it would not have bothered you if she had other boyfriends, correct?

(24) A. Correct.

(25)

(26)

(27)

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(2)

(3) Q. And you would expect it not to bother her if you had other boyfriends, is that correct?

(4) A. Correct.

(5) Q. Now, Mr. Cliendienst -- am I saying it correctly?

(6) A. Yes.

(7) Q. Cliendienst. You. You were asked to review records that revealed that you worked at Lens Crafters but at another store on the day of January 13th. Is that correct?

(8) A. Yes, ma'am.

(9) Q. Okay. Were you ever asked to review your records of where and when you worked on the 14th?

(10) A. No, ma'am.

(11) Q. Or the 15th?

(12) A. No, ma'am.

(13) Q. The 16th?

(14) A. No, ma'am.

(15) Q. The 17th?

(16) A. (Shakes head no.)

(17) Q. The 18th?

(18) A. (Shakes head no.)

(19) Q. On any other day other than the 13th?

(20) A. No, ma'am.

(21) Q. And were you ever asked to provide your whereabouts on other day other than the 13th?

(22) A. No, ma'am.

(23) Q. Now after you left Hunt Valley Mall -- you live in Bel Air, correct?

(24)

(25)

(26)

(27)

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(2)

(3) A. Yes, ma'am.

(4) Q. And that's the same place where you lived back then?

(5) A. Yes, ma'am.

(6) Q. Or some place different? Is that at your parents' home?

(7) A. (Indiscernible)

(8) Q. And did after you began dating -- non-exclusive dating relationship with Hae Lee on January the 1st, did there come a time when Hae Lee spent the night at your house?

(9) A. No, ma'am.

(10) Q. Would there come a time when she stayed there very late?

(11) A. Yes, ma'am.

(12) Q. And were you aware of whether or not -- very late meaning through the middle of the night?

(13) A. Eleven o'clock.

(14) Q. Okay. And did you consider that to be late?

(15) A. No, I don't think so.

(16) Q. You. You knew that Hae Lee was a high school student, did you not?

(17) A. Yes, ma'am.

(18) Q. And at the time you were 20?

(19) A. Yes.

(20) Q. You. You just turned 21 a couple months ago, correct?

(21) A. (Shakes head yes.)

(22) Q. So back in January, you were 20 already. Is that correct?

(23) A. Yes, ma'am.

(24) Q. You. You knew that she was 18 years old?

(25) A. Yes, ma'am.

(26)

(27)

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(2)

(3) Q. And that she was a senior in high school, correct?

(4) A. Yes, ma'am.

(5) Q. In addition to working. Is that correct?

(6) A. Yes.

(7) Q. You. You worked full time at Lens Crafters?

(8) A. Yes, ma'am.

(9) Q. She worked part time, correct?

(10) A. Yes.

(11) Q. And from the time you knew her, she had her own car, did she not?

(12) A. Yes, ma'am.

(13) Q. The car that you knew to have been in an accident on whatever day the accident happened after January the 1st, correct?

(14) A. Yes, ma'am.

(15) Q. And that she had access to that car every day, correct?

(16) A. Yes, ma'am.

(17) Q. Did you ever drive that car?

(18) A. No, ma'am, I did not.

(19) Q. And are you aware that there was a day, after your first date date -- recorded as January 1st -- in which she got into trouble for staying so late at your house?

(20) A. No, ma'am.

(21) Q. No. And, sir, did you ever go to her house to meet her parents?

(22) A. No, ma'am.

(23) Q. Did you ever meet her grandparents?

(24) A. No.

(25) Q. Did you ever meet her brother?

(26)

(27)

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(2) A. Only after she had been - -

(3) Q. After she passed?

(4) A. Yes.

(5) Q. Okay. But prior to that, Hae never asked her to go meet her mother?

(6) A. She had asked me to? Could be.

(7) Q. But it hadn't happened?

(8) A. Not yet.

(9) Q. And the relationship hadn't quite progressed to something exclusive, correct?

(10) A. Correct.

(11) Q. Did you think it was going to?

(12) A. Yes, ma'am.

(13) Q. Okay. And to your knowledge, based on your interaction with Hae, did she believe it was going to?

(14) A. Yes, ma'am.

(15) Q. Okay. And that was the state of your relationship with her on the 13th. Is that correct?

(16) A. Yes, ma'am.

(17) Q. Okay. Now up until the 13th, you were called that evening by your manager at the Owings Mills store, correct?

(18) A. Yes, ma'am.

(19) Q. Because the 13th was your ordinary day off. Is that correct?

(20) A. Yes, ma'am.

(21) Q. You always had - - did you have two days together or would they be scattered through the week?

(22) A. They would be scattered through the week.

(23)

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(2) Q. Do you remember what your other day off - - that day was a Wednesday. I believe, was it not?

(3) A. Yes, ma'am.

(4) Q. Okay. And do you remember what your other day off of that week was?

(5) A. I don't recall.

(6) Q. On that day, you didn't work at the regular store where you had met her at and worked with her at least the days she worked, correct?

(7) A. Yes, ma'am.

(8) Q. You. You were at the store more often than she was, correct?

(9) A. That's correct.

(10) Q. And on that day, on the 13th, you got off from Hunt Valley at six o'clock, correct?

(11) A. Yes, ma'am.

(12) Q. And Hunt Valley is closer - - is it closer to your home in Bel Air than the Owings Mills Mall?

(13) A. No, ma'am.

(14) Q. It's about the same distance?

(15) A. Yes, ma'am.

(16) Q. And did you proceed from the Hunt Valley Mall to home?

(17) A. Yes, ma'am.

(18) Q. Okay. And that would have been appropriate because you were home some time shortly after seven when you got the call from your manager, correct?

(19) A. Yes, ma'am.

(20) Q. And the call was to ask you if you knew where she was, correct?

(21) A. Yes, ma'am.

(22)

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(2) Q. And usually you did, did you not?

(3) A. Usually.

(4) Q. Usually. But that particular day you did not, correct?

(5) A. (Inaudible)

(6) Q. You. You knew, however, that she was supposed to show up at Len Crafters at six o'clock, correct?

(7) A. Five o'clock.

(8) Q. Five o'clock. And she was to work from five o'clock till close?

(9) A. Yes, ma'am.

(10) Q. And there was nothing unusual about her working on a day that you had off correct?

(11) A. Correct.

(12) Q. There would have also been nothing unusual about her working on a day that you worked. Is that correct?

(13) A. Correct.

(14) Q. And shortly thereafter, you were asked to account for your whereabouts on the 13th, correct?

(15) A. Yes, ma'am.

(16) Q. Is that correct? But not on any other day?

(17) A. No, ma'am.

(18) MS. GUTIERREZ: Thank you. I have nothing further.

(19) THE COURT: Redirect?

(20) MR. URICK: Nothing. Thank you.

(21) THE COURT: Very good. Thank you Mr. Clendienst. You. You are excused. Ladies and gentlemen, if you will return to your jury room. When you are

(22)

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(2) released for lunch, please be back in place at five minutes before two. Thank you.

(3) (Jury was excused from courtroom 12:27)

(4) THE COURT: Counsel, please be in place at two p.m.

(5) (Luncheon recess taken 12:28 - 14:00)

(6) (Court handles another matter 14:00 - 14:02)

(7) THE COURT: Counsel, may we bring the jury down?

(8) MR. URICK: State's prepared, your Honor.

(9) MS. GUTIERREZ: Yes, your Honor.

(10) THE COURT: Thank you.

(11) (Jury enters courtroom 14:02)

(12) THE COURT: Ladies and gentlemen, let me again thank you for being prompt. It permits us to get started promptly. I continue to get to know your various employers and, if any of you have trouble with your employer and I can help, I'd be glad to talk to them personally. State?

(13) MR. URICK: With the court's permission, we'll get our next witness.

(14) Thank you. At this time, the State would call Lynette Woodley to the stand.

(15) LYNETTE WOODLEY

(16) a witness produced on call by the Plaintiff, having been duly sworn according to law, was examined and testified as follows:

(17) CLERK: State your name and address for the record.

(18) MS. WOODLEY: Full name is Ira Lynette Woodley, [REDACTED]

(19)

(20) DIRECT EXAMINATION

(21) BY MR. URICK:

(22) Q. Good afternoon, Ms. Woodley. Where are you employed?

(23)