

1 MS. MURPHY: Objection.
 2 THE COURT: Sustained.
 3 BY MS. GUTIERREZ:
 4 Q. Did you ever get angry with Jay when he
 5 returned?
 6 A. Not when he returned, no.
 7 Q. Did you tell him you were angry?
 8 A. I asked him what was going on, but I wasn't
 9 angry. I didn't tell them that I was angry, no.
 10 Q. Okay. When you asked them what was going on,
 11 what was going on then was when Jen and Jay returned, and
 12 they were acting strange, was it not?
 13 A. Yes.
 14 Q. Thank you.
 15 MS. GUTIERREZ: I have nothing further.
 16 THE COURT: Any redirect?
 17 MS. MURPHY: I'll be brief, Your Honor.
 18 REDIRECT EXAMINATION
 19 BY MS. MURPHY:
 20 Q. To clarify, Ms. Vinson, the only person who
 21 called you, meaning your apartment, was Jennifer
 22 Pusateri?
 23 A. That's correct.
 24 Q. Do you know who called the defendant?
 25 A. No.

1 thing was kind of unsavory. I didn't appreciate it. I
 2 found it very disrespectful.
 3 Q. When you found out that Homicide detectives
 4 wanted to talk to you, what was the first thing you
 5 thought?
 6 MS. GUTIERREZ: Objection.
 7 THE COURT: Sustained.
 8 BY MS. MURPHY:
 9 Q. Why did you think homicide detectives wanted to
 10 talk to you?
 11 MS. GUTIERREZ: Objection.
 12 THE COURT: Sustained.
 13 MS. MURPHY: I have nothing further, Your
 14 Honor.
 15 THE COURT: Recross?
 16 MS. GUTIERREZ: No, Your Honor.
 17 THE COURT: Praise God.
 18 You are excused.
 19 THE WITNESS: Thank you.
 20 (The witness was excused.)
 21 THE COURT: Call your next witness.
 22 (Pause.)
 23 THE COURT: Ladies and gentlemen, we are going
 24 to take our afternoon recess now, and we'll be out until
 25 4:00 p.m. You may return to the jury room.

1 Q. And that call was made to his cell phone; is
 2 that right?
 3 A. That's correct.
 4 Q. And also to clarify, in your cross-examination,
 5 when reference was made to the young man whose name you
 6 never got, you are referring to the defendant, Adnan
 7 Syed?
 8 A. That's correct.
 9 Q. Do you know if the defendant received any call
 10 -- any other calls on his cell phone while you were
 11 talking to Jennifer, or while he was outside?
 12 A. It's a possibility that when I was in the back,
 13 he could have received a phone call. I'm not sure about
 14 when he was outside.
 15 Q. Okay. Are you still friends with Jennifer
 16 Pusateri?
 17 A. Yes.
 18 Q. Good friends?
 19 A. Uh-huh. Yes.
 20 Q. How about Jay Wilds?
 21 A. Not so much good friends. I would say
 22 acquaintances.
 23 Q. Why would you say that?
 24 A. Because of what happened that night. He
 25 brought someone to my house who I would say, the whole

1 (Pause.)
 2 THE COURT: Counsel, be in place at 4:00.
 3 (Brief recess.)
 4 (The jury was not present upon reconvening.)
 5 THE COURT: Counsel, may we bring the jury
 6 down?
 7 MS. GUTIERREZ: Just one minute, Judge.
 8 (Pause.)
 9 THE COURT: Ms. Gutierrez, ready?
 10 MS. GUTIERREZ: Yes, Your Honor. We're ready.
 11 MS. MURPHY: Yes, Your Honor.
 12 THE COURT: Thank you.
 13 (Pause.)
 14 (The jury returned to the courtroom.)
 15 THE COURT: State, call your next witness.
 16 State call your next witness.
 17 MR. URICK: The State would call Jay Wilds at
 18 this time.
 19 THE CLERK: Sir, will you please raise your
 20 right hand?
 21 Whereupon,
 22 JAY WILDS,
 23 a witness produced on call of the State, having first
 24 been duly sworn, was examined and testified as follows:
 25 THE CLERK: Sir, you may lower your hand. You

1 may be seated. Would you please state your name, address
 2 for the record and please spell your last name?
 3 THE WITNESS: Jay W. Wilds.
 4 THE CLERK: You need to speak directly into the
 5 microphone.
 6 THE WITNESS: My name is Jay W. Wilds. I
 7 reside at 4 [REDACTED]
 8 Maryland.
 9 THE COURT: How do you spell your first name?
 10 THE WITNESS: Jay, J-A-Y.
 11 THE COURT: Okay.
 12 THE WITNESS: My last name is W-I-L-D-S.
 13 THE COURT: State?
 14 MR. URICK: Thank you, Your Honor. At this
 15 time, if I may approach the witness and show him what's
 16 been marked for identification as State's Exhibit 35.
 17 There's a typo on my --
 18 THE COURT: Yes.
 19 MR. URICK: -- sheet. The sheet said two
 20 "34's." This is the second one. I'd ask the Court to
 21 change it to 35.
 22 THE COURT: Yes. Very good.
 23 DIRECT EXAMINATION
 24 BY MR. URICK:
 25 Q. Mr. Wilds, would you take a few seconds and

1 look that through, if you would, please?
 2 (Pause.)
 3 THE COURT: Are you familiar with that
 4 document, Mr. Wilds?
 5 THE WITNESS: Yes, sir.
 6 THE COURT: What is it?
 7 THE WITNESS: It's the agreement that I have
 8 with the State's Attorney's office.
 9 THE COURT: Okay. Thank you.
 10 MR. URICK: I would offer State's Exhibit
 11 Number 35, the plea agreement of Jay Wilds in this case.
 12 THE COURT: Without objection, State's 35 is
 13 admitted.
 14 (State's Exhibit No. 35,
 15 previously marked for
 16 identification, was
 17 received in evidence.)
 18 MR. URICK: If I may approach the witness?
 19 THE COURT: Yes.
 20 MR. URICK: Give this to the Clerk, and enter
 21 it into evidence.
 22 BY MR. URICK:
 23 Q. Mr. Wilds, if you would, tell the ladies and
 24 gentlemen of the jury in your own words what the plea
 25 agreement was?

1 A. The plea agreement was just that basically a
 2 sentence cap that I can only be sentenced to the maximum
 3 sentencing for my part as long as I told the truth and
 4 nothing but the truth.
 5 THE COURT: Keep your voice up and please talk
 6 directly into the microphone, sir.
 7 THE WITNESS: Yes. I'm sorry.
 8 BY MR. URICK:
 9 Q. And you've entered a plea to being an accessory
 10 after the fact to murder in this case, have you not?
 11 A. Yes, sir.
 12 Q. Now, do you know the defendant in this case?
 13 A. Yes, I do.
 14 Q. How do you know him?
 15 A. Acquaintances, friends.
 16 Q. Now, how old are you today?
 17 A. I am 19 today.
 18 Q. And where did you go to high school?
 19 A. Woodlawn.
 20 Q. What curriculum did you take at Woodlawn High
 21 School?
 22 A. I was basic curriculum, specialized in tech.
 23 Q. And when did you graduate from Woodlawn High
 24 School?
 25 A. '98.

1 Q. When did you first meet or see the defendant?
 2 A. We never hung out personally until my senior
 3 year.
 4 Q. And how did you start hanging out at that time?
 5 A. My girlfriend introduced us. She told us that
 6 -- she told me that he would be a good friend for me.
 7 Q. And your girlfriend is whom?
 8 A. Stephanie McPherson.
 9 Q. Okay. Now, drawing your attention to January
 10 12th of 1999, this year, --
 11 A. Yes.
 12 Q. -- what were you doing that day?
 13 A. It was my birthday. I was partying.
 14 Q. And did you have occasion to see the defendant
 15 on that day?
 16 A. No, I did not.
 17 Q. Did you have occasion to talk to him on that
 18 day?
 19 A. Yes, I did.
 20 Q. And how did that come about?
 21 A. I received a phone call in the evening.
 22 Q. And what did that phone call consist of?
 23 A. He was just asking what was I doing the next
 24 day, what had I done that evening.
 25 THE COURT: Could you lean back a little back a

<p style="text-align: right;">Page 187</p> <p>1 little bit from the microphone just a little bit.</p> <p>2 THE WITNESS: What I had done that evening,</p> <p>3 what I'd be doing the next day, that's all.</p> <p>4 BY MR. URICK:</p> <p>5 Q. And was it unusual for him to call you?</p> <p>6 A. A little, but not out of the ordinary.</p> <p>7 Q. And what, if anything, did he say concerning</p> <p>8 the next day?</p> <p>9 A. He just asked me would I like to join him. He</p> <p>10 asked me -- asked me what I'd been doing. The next day</p> <p>11 was my girlfriend's birthday, the 13th. Her birthday</p> <p>12 follows mine. I told him I was going to the mall and</p> <p>13 shop, and he told me he'd give me a lift.</p> <p>14 Q. At this time I'm going to give you a copy of</p> <p>15 what's been marked for identification as State's Exhibit</p> <p>16 34. I'd like you to hold onto it for just a second.</p> <p>17 (Pause.)</p> <p>18 BY MR. URICK:</p> <p>19 Q. Starting at the bottom -- well, of the</p> <p>20 document, you'll notice the numbers start at the 34 and</p> <p>21 work their way up.</p> <p>22 A. Yes.</p> <p>23 Q. Look at Number 32. Do you recognize that</p> <p>24 number?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 189</p> <p>1 at that time?</p> <p>2 A. That he would be at my house in an hour to pick</p> <p>3 me up.</p> <p>4 Q. And what happened next?</p> <p>5 A. I showered. I dressed and then he was at my</p> <p>6 house in about an hour to pick me up.</p> <p>7 Q. And what was he driving, if you remember?</p> <p>8 A. His Accord. I don't remember what year. It's</p> <p>9 a tan car, a tan Honda Accord.</p> <p>10 Q. And what, if anything, did he say when he saw</p> <p>11 you?</p> <p>12 A. Nothing. He asked me was I ready and we left.</p> <p>13 I got in his car. We drove to the mall.</p> <p>14 Q. And what, if anything, occurred there?</p> <p>15 A. We shopped, myself and girlfriend.</p> <p>16 Q. And were you talking with the defendant during</p> <p>17 this time?</p> <p>18 A. Yes.</p> <p>19 Q. What, if anything, did he -- you say to him or</p> <p>20 did he say to you?</p> <p>21 A. We discussed the --</p> <p>22 MS. GUTIERREZ: Objection.</p> <p>23 THE COURT: Basis.</p> <p>24 MS. GUTIERREZ: Relevancy, about what.</p> <p>25 THE COURT: Okay. Overruled.</p>
<p style="text-align: right;">Page 188</p> <p>1 Q. Whose number is that?</p> <p>2 A. That's my phone number.</p> <p>3 Q. And what -- read it out for the jury, if you</p> <p>4 would, please?</p> <p>5 A. Pardon me?</p> <p>6 Q. Please read it aloud, the number?</p> <p>7 A. Oh. 410-██████████</p> <p>8 Q. Now, if you will, look at the top of the page,</p> <p>9 the very top. Do you see where it says "call date"?</p> <p>10 A. Yes.</p> <p>11 Q. And it says January 13th, 1999?</p> <p>12 A. Pardon me?</p> <p>13 Q. It says January 13th, 1999?</p> <p>14 A. Yeah.</p> <p>15 Q. Now, if you go back down to that line you just</p> <p>16 looked at, 32 --</p> <p>17 A. Yes.</p> <p>18 Q. -- in the fourth column it says the time that</p> <p>19 that call was made. Do you see that time?</p> <p>20 A. Yes.</p> <p>21 Q. What was that time?</p> <p>22 A. 10:45.</p> <p>23 Q. And what is the length of the call?</p> <p>24 A. 28 seconds.</p> <p>25 Q. What, if anything, did the defendant say to you</p>	<p style="text-align: right;">Page 190</p> <p>1 BY MR. URICK:</p> <p>2 Q. You may answer the question.</p> <p>3 A. We discussed relationships, how me and Steph</p> <p>4 were doing, how him and his girlfriend were doing, just</p> <p>5 basic relationship talk -- how long we'd been together,</p> <p>6 problems with her parents, stuff like that.</p> <p>7 Q. And what, if anything, did he say?</p> <p>8 A. He said he was having problems in his own</p> <p>9 relationships, that he was upset, him and his girlfriend</p> <p>10 were splitting up. He began -- I wouldn't call it</p> <p>11 outraged, but emotional, just felt he didn't, -- I guess</p> <p>12 a little angry that things had went the way they were.</p> <p>13 He referred to her as "that bitch," said he was</p> <p>14 going to kill her, but I didn't take it in the text of</p> <p>15 the conversation for what it was.</p> <p>16 Q. How many times did he say that?</p> <p>17 A. Just once.</p> <p>18 Q. What, if anything, happened next?</p> <p>19 A. We left. Oh, wait. No. I'm sorry. We went</p> <p>20 to the food court. We bought drinks. Then we left the</p> <p>21 mall. He asked me to do him a favor. He said, "If I let</p> <p>22 you hold my car, can you pick me up later?"</p> <p>23 I said, "Fine."</p> <p>24 And then he asked me was I going home, and I</p> <p>25 told him no, so then he drove himself back to school. He</p>

1 parked out in back of the school and walked up the steps,
2 went back to school.
3 I left there. I was going to Westview Mall,
4 but I decided to stop and get my friend Mark Pusateri. I
5 was at Mark Pusateri's house.
6 Q. Now, let's refer back to the paper. If you'd
7 look at Line 31?
8 A. Yes.
9 Q. Do you recognize that number?
10 A. Yes.
11 Q. Whose number is that?
12 A. That's Mark Pusateri's number on there.
13 Q. And Mark Pusateri, does he have any family
14 members?
15 A. Yes, Jen Pusateri. He's Jen Pusateri's
16 brother.
17 Q. Okay. Now, do you recall that -- that
18 telephone call? Do you know who made that?
19 A. I do not recall that phone call. That may have
20 been me checking to see if Mark was home.
21 Q. And if you look at both that Line 30, that's
22 the same number?
23 A. Pardon me? Line 30? Yes, it is.
24 Q. The one below it said 12:07, the one above it
25 said 12:41?

1 A. Yes. Yes, I see that.
2 Q. Did you eventually go over to the Pusateri's?
3 A. Yes.
4 Q. What did you do there?
5 A. We played video games for about a half an hour.
6 After that we left, went to the mall. We weren't there
7 very long. They didn't have anything I needed. We
8 returned back. Then I received a phone call on the cell
9 phone he had left me.
10 Q. Who was that phone call from?
11 A. Mr. Syed.
12 Q. What, if anything, did he say?
13 A. Just asked had I been away or if the cell had
14 been turned off.
15 Q. And what, if anything, happened next?
16 A. Me and Mark went back downstairs. We played
17 video games for like almost another hour. His sister
18 came in and I got another phone call from him.
19 Q. What did he say at that time?
20 A. He said he was leaving school and wanted me --
21 he wanted me to pick him up in about a half an hour.
22 Q. And what did you do?
23 A. I waited a half an hour and he didn't call, so
24 I left.
25 Q. And what, if anything, happened next?

1 A. I proceeded to check Jama's house. I can't
2 remember the exact address. He lives off of Crockett
3 Road. I went to his residence and knocked on his door.
4 He wasn't in.
5 I began to leave to go home, and I received
6 another phone call from Mr. Syed.
7 Q. Let me back you up. Before you dropped --
8 before the defendant drove himself back up to the school,
9 did you have occasion to go into the city with him?
10 A. Not as of yet.
11 Q. Now, -- okay. You knock on that one door and
12 the person's not home. What, if anything, happens next?
13 A. I received a phone call. It's Mr. Syed. He's
14 at Best Buy. He tells me to come pick him up, that he'd
15 be on the left-hand side of the building next to the pay
16 phone.
17 Q. And what did you do?
18 A. I went to Best Buy to pick him up.
19 Q. And what, if anything, happened there?
20 A. He was standing there. He had on a kind of -- it
21 was kind of strange. He had on a pair of red wool gloves
22 without their palms and he motioned for me to follow him
23 to the right of the building next to the Beltway.
24 Q. And what, if anything, happened next?
25 A. I followed him. He pointed for me to park next

1 to a gray car. I parked next to the vehicle. He went
2 around. He took the keys out of the ignition. I exited
3 the vehicle and lit a cigarette.
4 He -- he asked me was I ready for this several
5 times. And then he opened the trunk and Hae was already
6 in there.
7 Q. Did you know her?
8 A. I wouldn't call us friends. We were
9 acquaintances. I had a biology class with her.
10 Q. And were you able to recognize the person in
11 the trunk?
12 A. I knew it was her. I mean I didn't see her
13 face. She was laying face down, but I -- pretty much
14 knew it was her.
15 Q. What, if anything, did you see at that point?
16 A. Her shoes were off. I mean -- I mean that's
17 about it. It was just -- her -- she was just laying
18 there. She looked kind of blue and her shoes were off.
19 Q. What, if anything, did the defendant say at
20 that point?
21 A. He didn't say anything. He just instructed me
22 to follow him, closed the trunk, got back in the -- in
23 her car. I got back in his vehicle and he just told me
24 to follow him. He drove to the end of the 70 Park and
25 Ride.

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<p>1 Q. And what, if anything, happened there?</p> <p>2 A. He exited the vehicle, went around to the back,</p> <p>3 grabbed some articles out of the backseat and trunk,</p> <p>4 closed her trunk. He came to his trunk, placed some</p> <p>5 articles in his trunk and he got into the driver's seat</p> <p>6 of his car.</p> <p>7 Q. And what, if anything, happened then?</p> <p>8 A. We then went to Patrick Furlew's house.</p> <p>9 Q. Now, if you will, look at the exhibit that I</p> <p>10 gave you. Do you see -- look at Line 23.</p> <p>11 A. Yes.</p> <p>12 Q. Do you recognize -- do you recognize that</p> <p>13 number?</p> <p>14 A. Yes.</p> <p>15 Q. Whose number is that?</p> <p>16 A. Mr. Furlew.</p> <p>17 MS. GUTIERREZ: I'm sorry. Whose?</p> <p>18 THE WITNESS: Mr. Furlew.</p> <p>19 BY MR. URICK:</p> <p>20 Q. And that's -- read the number, if you would,</p> <p>21 please?</p> <p>22 A. [REDACTED]</p> <p>23 Q. And the last name is spelled F-U-R-L-E-W?</p> <p>24 A. I believe. I'm not sure of that.</p> <p>25 Q. Now, if you would for a second, look at the</p>	<p>1 Q. What did you do at that point?</p> <p>2 A. We left and we went to West Forest Park.</p> <p>3 Q. And look above that, Line 22?</p> <p>4 A. Yes.</p> <p>5 Q. Do you recognize that number?</p> <p>6 A. Yes.</p> <p>7 Q. What number is that?</p> <p>8 A. That's Miss Pusateri's number.</p> <p>9 Q. Do you remember that call?</p> <p>10 A. No, I do not.</p> <p>11 Q. Now, you say you went to West Forest Park?</p> <p>12 A. Yes.</p> <p>13 Q. What did you do there?</p> <p>14 A. We purchased marijuana.</p> <p>15 Q. What you say "we," who do you mean?</p> <p>16 A. Me and Mr. Syed.</p> <p>17 Q. Where did the money come for to do that -- from</p> <p>18 to do that?</p> <p>19 A. I believe I had five bucks. Mr. Syed had 15.</p> <p>20 Q. And what did -- if anything, did you do at that</p> <p>21 point?</p> <p>22 A. I got out of the car. We purchased marijuana.</p> <p>23 I got back in the vehicle. We rode to the gas station, I</p> <p>24 believe to get blunt. And we rode around and we smoked.</p> <p>25 Q. And was he saying anything during this time?</p>
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<p>1 Line 26 which is down a few?</p> <p>2 A. Yes.</p> <p>3 Q. Do you recognize that number?</p> <p>4 A. Yes.</p> <p>5 Q. Whose number is that?</p> <p>6 A. Miss Pusateri.</p> <p>7 Q. Do you remember that call which is listed as</p> <p>8 3:21?</p> <p>9 A. Yes.</p> <p>10 Q. What was that call about? Who made that call?</p> <p>11 A. I did. I was placing a call to see if she knew</p> <p>12 where Mr. Furlew was. He wasn't home.</p> <p>13 Q. And now, Mr. Furlew is who?</p> <p>14 A. Patrick.</p> <p>15 Q. And what, if any, were you going to see him</p> <p>16 for?</p> <p>17 A. Buy marijuana.</p> <p>18 Q. Why were you going to do that?</p> <p>19 A. I was shaken. I wanted to smoke.</p> <p>20 Q. And who was with you at that time?</p> <p>21 A. Mr. Syed.</p> <p>22 Q. And 9:23 is Mr. Patrick Furlew's number?</p> <p>23 A. Yes.</p> <p>24 Q. Did anyone answer?</p> <p>25 A. No.</p>	<p>1 Were you having any conversations?</p> <p>2 A. Yeah. He began telling me about the incident</p> <p>3 like really, basically what happened. He said that -- he</p> <p>4 told me that he had got into her -- her car by asking her</p> <p>5 for -- sorry -- by asking her for a ride. He said that</p> <p>6 his car was broke.</p> <p>7 He told me that he had tried to talk to her.</p> <p>8 They had some kind of conversation and that what -- what</p> <p>9 -- what had set him off was that she had -- he had said,</p> <p>10 "How can you treat me like that," and she told him that</p> <p>11 he'd get over it.</p> <p>12 And he said that's when he began to strangle</p> <p>13 her. He said there was a small struggle and she kicked</p> <p>14 off the signal on the driver's side of the car. He said</p> <p>15 she was trying to say something.</p> <p>16 I asked him how did he get her into the trunk</p> <p>17 and he just said he carried her around. He said, "People</p> <p>18 think they are hard. I killed somebody with my bare</p> <p>19 hands," just a lot of -- I don't know. It wasn't really</p> <p>20 a conversation. That was about all we talked about.</p> <p>21 I kind of deadened the conversation by changing</p> <p>22 the topic.</p> <p>23 Q. After you smoked the marijuana, what, if</p> <p>24 anything, did the two of you do?</p> <p>25 THE COURT: Move back a little bit, please, and</p>

<p style="text-align: right;">Page 199</p> <p>1 talk louder.</p> <p>2 THE WITNESS: Okay. He decided that it was</p> <p>3 time for him to go to track practice so then I drove him</p> <p>4 to the front of the school. He left the telephone in the</p> <p>5 car, exited the car, and walked into Woodlawn High</p> <p>6 School.</p> <p>7 BY MR. URICK:</p> <p>8 Q. What did you do at that point?</p> <p>9 A. I left and went to my friend Christine's house.</p> <p>10 Q. And what, if anything, happened next?</p> <p>11 A. I sat there. I smoked, they didn't. They</p> <p>12 watched television. I was debating with myself what to</p> <p>13 do. He called, asked me to come get him from school.</p> <p>14 Q. What you say "he," who did you mean?</p> <p>15 A. Adnan.</p> <p>16 Q. And what, if anything, happened next?</p> <p>17 A. Picked him up from school. We went back to</p> <p>18 Miss -- Christine's house.</p> <p>19 Q. What you say Christine, do you know her last</p> <p>20 name?</p> <p>21 A. No, I do not.</p> <p>22 Q. How did you know her?</p> <p>23 A. She was a friend of Miss Pusateri's.</p> <p>24 Q. And how long would you have known Christine at</p> <p>25 that point?</p>	<p style="text-align: right;">Page 201</p> <p>1 Towards the end of the conversation, he began</p> <p>2 walking down the steps and out of the building. I didn't</p> <p>3 hear the end of the conversation.</p> <p>4 Q. And what, if anything, did you do at that</p> <p>5 point?</p> <p>6 A. I followed him. We left out, he hung of the</p> <p>7 phone, we went to the car. He told me we had to leave</p> <p>8 now. He took off his gloves and threw them in the trash</p> <p>9 can, got into his car and we drove back to my house.</p> <p>10 Q. What, if anything, did you do there?</p> <p>11 A. I was going in the house, and he had said to</p> <p>12 me, "I need you to help me."</p> <p>13 And I said, "Help you do what?"</p> <p>14 And he said, "Get rid of her."</p> <p>15 And I said, "No."</p> <p>16 And then he -- we was standing on my front</p> <p>17 porch and he picked up two shovels and he handed me one</p> <p>18 of them and said, "I know what you do. I know how you do</p> <p>19 it," referring to my past and I'd just been --</p> <p>20 Q. When you say referring to your past, what do</p> <p>21 you think he meant?</p> <p>22 A. Pardon me.</p> <p>23 Q. When you say "referring to my past," how did</p> <p>24 you --</p> <p>25 A. The sale of marijuana. I was living in my</p>
<p style="text-align: right;">Page 200</p> <p>1 A. Probably about six months.</p> <p>2 Q. How well did you know her?</p> <p>3 A. Very well.</p> <p>4 Q. When you got there, what, if anything,</p> <p>5 happened?</p> <p>6 A. We were all sitting there. He received a phone</p> <p>7 call from Hae.</p> <p>8 Q. When you say he, who do you mean?</p> <p>9 A. Adnan. From Hae's parent's on a cell phone.</p> <p>10 They were asking about her whereabouts. He told them she</p> <p>11 didn't -- he didn't know where they -- where she was.</p> <p>12 Q. How do you know he got that call?</p> <p>13 A. I was sitting right next to him. He said,</p> <p>14 "Hae, you know, I don't know where she is." I heard the</p> <p>15 conversation going on, all the answers. And then he</p> <p>16 received another phone call. I believe it was Hae's</p> <p>17 family again, but it was a wrong number or something like</p> <p>18 that.</p> <p>19 And then he received a phone call from the</p> <p>20 police officer.</p> <p>21 Q. And did you hear that conversation?</p> <p>22 A. I heard part of that conversation. Towards the</p> <p>23 end, he was just telling them "No," he didn't know where</p> <p>24 she was, he hadn't seen her, and places to try to look</p> <p>25 for her.</p>	<p style="text-align: right;">Page 202</p> <p>1 grandmother's house. I really didn't want to get her in</p> <p>2 any kind of trouble.</p> <p>3 Q. Okay. What, if anything, happened next?</p> <p>4 A. We both got into his car and placed the shovels</p> <p>5 in the backseat of his car. We drove back to the 70 Park</p> <p>6 and Ride, and he told me to -- I was real sketchy then.</p> <p>7 I mean I was antsy, so he told me to go wait for him at</p> <p>8 the McDonald's on Security Boulevard.</p> <p>9 I went there. I parked there. I sat there for</p> <p>10 a couple minutes, he showed up. I followed him. We</p> <p>11 drove all -- all around Dogwood Road, back behind Dogwood</p> <p>12 Station.</p> <p>13 Q. What vehicle were you driving at that point?</p> <p>14 A. His -- his car.</p> <p>15 Q. What vehicle was he driving?</p> <p>16 A. Hae's car.</p> <p>17 Q. Please continue?</p> <p>18 A. Drove around for a long while and then we ended</p> <p>19 up somewhere in the woods. And I slowed down and he went</p> <p>20 to the top of the street and made a right and he parked</p> <p>21 Hae's car by some houses, and he got back in the car I</p> <p>22 was driving and he said, "We're going to go back down</p> <p>23 there."</p> <p>24 And we went back down to this like a -- it</p> <p>25 wasn't even really a viewpoint on the road. It was just</p>

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<p>1 like a whole pull-off where you could park your car.</p> <p>2 Q. Do you know where you were at that point?</p> <p>3 A. I believe in Leakin Park.</p> <p>4 Q. Please continue?</p> <p>5 A. I followed him back in the woods a little more</p> <p>6 than 50 yards. He said, "That's good enough," started</p> <p>7 digging.</p> <p>8 Q. Did you help him dig?</p> <p>9 A. Yes.</p> <p>10 Q. Now, if you would, look at Line 12.</p> <p>11 A. Yeah.</p> <p>12 Q. Do you recognize that number?</p> <p>13 MS. GUTIERREZ: What number are you asking</p> <p>14 about?</p> <p>15 MR. URICK: Line 12.</p> <p>16 THE WITNESS: Yes.</p> <p>17 BY MR. URICK:</p> <p>18 Q. Whose number is that?</p> <p>19 A. That's -- it used to be Jen Pager.</p> <p>20 Q. And, please -- was that her pager on that date?</p> <p>21 A. Yes.</p> <p>22 Q. Please read it aloud?</p> <p>23 A. 390-0384.</p> <p>24 Q. Do you remember placing -- do you know who</p> <p>25 placed that page?</p>	<p>1 of the road. We went back up to the top of the hill</p> <p>2 where Hae's car was parked.</p> <p>3 At that time he asked me if I would help him</p> <p>4 because he said she was heavy and he didn't think he'd be</p> <p>5 able to get her out of the car. I told me I wasn't</p> <p>6 touching her or any of her possessions. He went back</p> <p>7 down the hill. He was gone for a long time by himself,</p> <p>8 drove her car back down. I waited for him.</p> <p>9 Q. What, if anything, happened next?</p> <p>10 A. He returned, parked her vehicle in the same</p> <p>11 spot, got back into his car, instructed me to drive back</p> <p>12 down to the spot.</p> <p>13 Q. What did you do?</p> <p>14 A. We both exited the vehicle. Once again he</p> <p>15 handed me a shovel and we walked back to where he had</p> <p>16 placed Hae's body in the -- in the shallow grave.</p> <p>17 She was lying face down, and he started</p> <p>18 throwing dirt on her.</p> <p>19 Q. Now, I'm going to show you what's in evidence</p> <p>20 as State's Exhibit 9 and ask you to look at this for a</p> <p>21 few moments?</p> <p>22 (Pause.)</p> <p>23 BY MR. URICK:</p> <p>24 Q. Have you had a chance to examine the exhibit?</p> <p>25 A. Yes.</p>
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<p>1 A. That was me. I did that while we were -- I was</p> <p>2 sitting in the car waiting for him. I was supposed to</p> <p>3 meet somebody at someplace at seven o'clock, so I paged</p> <p>4 him and told him I was probably going to be late.</p> <p>5 Q. Was this a numeric or a voice-mail pager?</p> <p>6 A. I believe it was voice mail.</p> <p>7 Q. About how long did it take to dig?</p> <p>8 A. Not very long at all. We received a phone call</p> <p>9 in the middle of digging. The phone call was for me. He</p> <p>10 just answered the phone and told them that I was busy at</p> <p>11 the time, hung the phone up.</p> <p>12 Q. When you say "he," who do you mean?</p> <p>13 A. Adnan.</p> <p>14 Q. Where were the two of you at that time?</p> <p>15 A. We were digging.</p> <p>16 Q. What, if anything, did you -- did you hear the</p> <p>17 phone ring?</p> <p>18 A. Yeah. That's -- that's it. He just answered,</p> <p>19 said "He's busy," and hung up the phone.</p> <p>20 Q. Did he say anything to you after that?</p> <p>21 A. A couple minutes later he said that was Jen.</p> <p>22 Q. What, if anything, happened next?</p> <p>23 A. We both went back to his vehicle. I was</p> <p>24 driving. He went to get in the passenger side. He threw</p> <p>25 up, got in the vehicle. We left the turnoff at the side</p>	<p>1 Q. Can you identify that?</p> <p>2 A. To the best of my knowledge, this is the place</p> <p>3 where Hae was buried.</p> <p>4 Q. And that shows the little turn-off?</p> <p>5 A. Yes.</p> <p>6 Q. Thank you. About how long did it take to cover</p> <p>7 the body with dirt?</p> <p>8 A. I don't -- I don't know. Not very long. I'm</p> <p>9 guessing 10, 20 minutes.</p> <p>10 Q. Who covered the body with dirt?</p> <p>11 A. I had started, but I couldn't throw dirt on her</p> <p>12 head, and I couldn't just -- I don't know.</p> <p>13 THE COURT: Try to keep your voice up, please.</p> <p>14 THE WITNESS: I'm sorry. I couldn't -- I</p> <p>15 couldn't -- I couldn't -- I couldn't -- I'd started. I --</p> <p>16 I couldn't. I sat down on a log. I smoked a cigarette.</p> <p>17 BY MR. URICK:</p> <p>18 Q. Who finished covering the body with dirt?</p> <p>19 A. Mr. Syed.</p> <p>20 Q. What, if anything, happened next?</p> <p>21 A. We both left, got back in his car.</p> <p>22 Q. Excuse me. Back up.</p> <p>23 A. Oh, I'm sorry.</p> <p>24 Q. While he was covering the body with dirt, where</p> <p>25 were you?</p>

1 A. I was sitting maybe ten feet away from him.
 2 Q. What were you sitting on?
 3 A. A log.
 4 Q. I am now going to show you what's in evidence
 5 as State's Exhibit 10 and ask you to just look at it for
 6 a just a few moments?
 7 (Pause.)
 8 BY MR. URICK:
 9 Q. Have you had a chance to examine it?
 10 A. Uh-huh.
 11 Q. Can you identify that today?
 12 A. Yeah.
 13 Q. What is that?
 14 A. That's where she was buried.
 15 Q. And is the log depicted in the picture is the
 16 one you were sitting on?
 17 A. Yeah, that log in the top right-hand picture.
 18 Q. What, if anything, happened next?
 19 A. We both began to walk back to his car. There
 20 was a jacket laying on the ground. He picked the jacket
 21 and just chucked it back in the woods.
 22 We got in her -- his car. We drove back up to
 23 her car and he got back into her car. Once again, I
 24 followed him. This time it was real short. We just
 25 drove down Route 40 somewhere.

1 I thought we were going to a strip. We didn't.
 2 We went to some parking lot like a -- in the center of
 3 all these houses. He got out of her car, brought a
 4 couple articles with him and he got back in his vehicle.
 5 Q. When you say he brought a couple of articles
 6 with him, what do you mean?
 7 A. I believe one was her wallet. I know there was
 8 some kind of bag. I don't know. He was carrying
 9 something else, but I don't recall what that was.
 10 Q. What, if anything, did he do with the wallet?
 11 A. Well, later as we were driving back out -- he
 12 was taking me home, we have --
 13 Q. When you say driving back up, what road?
 14 A. Oh. Route 40. He was taking me home. But as
 15 we passed Westview, he said he had to stop. He stopped,
 16 took out her wallet, was fingering through it, flipping
 17 through it. He showed me the prom picture and put it
 18 back in the wallet and threw all her belongings into the
 19 dumpster.
 20 Q. Now, I'd like you to look back at the exhibit?
 21 Look at Lines 8 and 9?
 22 A. Yes.
 23 Q. Do you recognize those numbers?
 24 A. Yes.
 25 Q. Whose numbers are those?

1 A. That's Miss Pusateri's pager number once more.
 2 MS. GUTIERREZ: What number is that you're
 3 marking?
 4 MR. URICK: 8 and 9.
 5 BY MR. URICK:
 6 Q. Just to focus you, did there come a time that
 7 -- sometime that day when he called a woman in Silver
 8 Spring?
 9 A. Yes. He asked me did I want to speak with her.
 10 I didn't know her.
 11 Q. Did you hear him talking?
 12 A. Pardon me?
 13 Q. Did you hear him talking on the phone?
 14 A. Yes.
 15 Q. What was he saying?
 16 A. Just small talk, just, "Hey, how you doing,
 17 what's up, what's going on?"
 18 Q. Did there come a time he turned to you?
 19 A. Yes.
 20 Q. What did he say?
 21 A. He just asked me would I like to speak with
 22 her.
 23 Q. What did you do?
 24 A. I may have said, "Hello," but I didn't have a
 25 conversation with her.

1 Q. Do you have any idea who you were talking with?
 2 A. No, I do not.
 3 Q. Now, drawing your attention to that exhibit,
 4 Lines 8 and 9, there are two calls to Jen Pusateri's
 5 pager at 8:04, 8:05?
 6 A. Yes.
 7 Q. Who made those?
 8 A. I did.
 9 Q. Do you remember what they were?
 10 A. I believe one was telling her -- or both may
 11 have been telling her to pick me up from the mall.
 12 Q. After those pages, what, if anything happened?
 13 A. Real quick Jen was there at the mall, the front
 14 of the mall entrance. I got out of his car, got into
 15 Jen's car. We left.
 16 Q. Now, what, if anything, happened to the
 17 shovels?
 18 A. I returned to them. I moved them, put them in
 19 a different dumpster.
 20 Q. You say you moved them. Moved them from where?
 21 A. From the dumpster they were in.
 22 Q. How did -- how had they gotten in the dumpster?
 23 A. We had placed them there.
 24 Q. When?
 25 A. At -- at the time he threw her wallet in the

1 dumpster, her other possessions.

2 Q. And after the wallet and the shovels were
3 thrown in the dumpster, what happened next?

4 A. That's when I placed the pages to Miss Pusateri
5 and then we went to the front of the building. I can't
6 remember whether she picked me up at the mall or my
7 house, but I know she picked me up and I paged her.

8 The first page was at the mall. The second
9 page was when I was leaving the mall to tell her that I
10 would be at home.

11 Q. Now, what happened next?

12 A. That's when me and Miss Pusateri returned to
13 the mall and moved the shovels.

14 Q. What, if anything, did you do with the shovels?

15 A. I wiped off the handles of them and threw them
16 in the dumpster.

17 Q. Why did you wipe them off?

18 A. I didn't want any involvement.

19 Q. After you did that, what, if anything, happened
20 next?

21 A. We returned to my house, changed my clothes,
22 put all my clothes into a plastic bag.

23 Q. What, if anything, did you tell Miss Pusateri?

24 A. I told her if I get locked up, if I go to jail,
25 that she's the one person that knows the truth, that I

1 didn't kill Hae.

2 Q. And what, if anything, did you tell her?

3 A. That she had been murdered, that Adnan had done
4 it. That was it. I didn't give her any details or
5 nothing like that.

6 Q. You go to back to your house. You did what
7 with your clothes?

8 A. I changed -- I changed them. I took the
9 clothes I had on. I put them in a plastic bag.

10 Q. And what, if anything, happened next?

11 A. We had went to the store to buy beads and when
12 we went to go purchase beads, I went around back and
13 threw my clothes in the dumpster.

14 Q. And what, if anything, happened next?

15 A. I left the -- I believe I spent the rest of the
16 evening at Christi's house.

17 Q. What, if anything, did you do there?

18 A. I smoked marijuana.

19 Q. Now, did you ever talk to the defendant again?

20 A. Yes. Two days later he showed up. I had my
21 girlfriend's car. I was working night shift at the time.
22 He had given her a ride from school to come get her car.
23 I was still asleep. They showed up and he had given my
24 girlfriend a ride to my house.

25 She went into the house, and he just said, you

1 know, "Me and Stephanie are friends," and just kind of
2 smiled at me.

3 Q. What, if anything, did you think he meant by
4 that?

5 A. That he could get to her at any time he needed
6 to.

7 Q. Did you have any further conversation with him
8 on that day?

9 A. No.

10 Q. Did you ever see him again?

11 A. Yeah, once more.

12 Q. What happened on that occasion?

13 A. He just asked me what the cops had asked me.

14 Q. How had you come to see him on that day?

15 A. I believe he stopped into my job.

16 Q. And where was your job at that time?

17 A. Washington Boulevard Adult Video Sales.

18 Q. And what was that job?

19 A. It's a porn store. They sell pornography.

20 Q. And why were you working in a pornography
21 store?

22 A. 7.50 an hour. All I had to do was hand out
23 quarters.

24 Q. Now, he came to your job. What, if anything,
25 did he say?

1 A. He just asked me had the cops talked to me,
2 what they had asked me, and that was it.

3 Q. Did he do anything else?

4 A. He asked for some of the money back. I wrote
5 him a check.

6 Q. What money was he referring to?

7 A. He had given me a hundred dollars for a -- he
8 wanted me to buy him an ounce.

9 Q. An ounce of what?

10 A. Marijuana.

11 Q. Now, there came a time when you did speak with
12 the police --

13 A. Yes.

14 Q. -- did there not? And you gave two recorded
15 statements; is that correct?

16 A. Yes.

17 Q. And I want to ask you some questions about that
18 just to focus you on three specific instances. In the
19 first statement, you told the officers that you had met
20 the defendant who had Hae's car at a strip on Edmonson?

21 A. Yes.

22 Q. In your second statement, you said you met him
23 at the Best Buy, and which Best Buy is that?

24 A. The one on Security Boulevard.

25 Q. And is that in the State of Maryland?

<p style="text-align: right;">Page 215</p> <p>1 A. Yes.</p> <p>2 Q. Why was -- why the difference between the two</p> <p>3 statements?</p> <p>4 A. Really there was no reason. I just felt more</p> <p>5 comfortable if the cops had returned me to a place I feel</p> <p>6 comfortable in.</p> <p>7 Q. Now, the second thing, you said at the time</p> <p>8 that the call came -- in the first statement, you said at</p> <p>9 the time the call came from the police officer, you and</p> <p>10 the defendant were at a McDonald's?</p> <p>11 A. Right.</p> <p>12 Q. In the second statement you said you and the</p> <p>13 defendant were at Christina Vinson's.</p> <p>14 A. Yes.</p> <p>15 Q. Why the difference between the two statements?</p> <p>16 A. Her father is a police officer and I didn't</p> <p>17 want to get her in trouble.</p> <p>18 Q. Third thing, in your first statement, you made</p> <p>19 no mention of meeting up with Jen or saying anything to</p> <p>20 her afterwards. In your second statement, you did. Why</p> <p>21 did you not mention Jennifer in the first statement?</p> <p>22 A. I didn't her to have to be questioned by the</p> <p>23 police.</p> <p>24 Q. Are you a drug dealer?</p> <p>25 A. No. I am presently not -- have any involvement</p>	<p style="text-align: right;">Page 217</p> <p>1 for no reason. A week before that, I was accosted out of</p> <p>2 my house and I had to lay on the ground for positive ID</p> <p>3 or whatever. I just didn't think the cops would be</p> <p>4 kindly with me coming in and telling them something like</p> <p>5 that.</p> <p>6 MR. URICK: May I have the Court's indulgence?</p> <p>7 (Pause.)</p> <p>8 BY MR. URICK:</p> <p>9 Q. On the 13th, when did the defendant give you</p> <p>10 the phone?</p> <p>11 A. I believe I received the phone when I -- we</p> <p>12 returned to his high school.</p> <p>13 Q. When did you give it back to him?</p> <p>14 A. I believe after I picked him up, but I placed</p> <p>15 two calls on it afterwards, after I picked him up from</p> <p>16 school.</p> <p>17 Q. Did you have occasion to ask him for it back so</p> <p>18 you could use it?</p> <p>19 A. Yes.</p> <p>20 Q. And did you, in fact, use it?</p> <p>21 A. Yes.</p> <p>22 Q. And did you return it to him after using it?</p> <p>23 A. Yes.</p> <p>24 Q. Did you see him use it in your presence?</p> <p>25 A. One time when I was driving behind him, I seen</p>
<p style="text-align: right;">Page 216</p> <p>1 with anything like that.</p> <p>2 Q. Did you ever have any involvement of any sort</p> <p>3 with cocaine?</p> <p>4 A. No.</p> <p>5 Q. Heroin?</p> <p>6 A. No.</p> <p>7 Q. Marijuana?</p> <p>8 A. Yes.</p> <p>9 Q. Have you procured marijuana for your friends?</p> <p>10 A. Yes.</p> <p>11 Q. Did you ever procure marijuana for the</p> <p>12 defendant?</p> <p>13 A. Yes.</p> <p>14 Q. Why do you think the defendant asked you to</p> <p>15 help him?</p> <p>16 MS. GUTIERREZ: Objection.</p> <p>17 THE COURT: Sustained.</p> <p>18 BY MR. URICK:</p> <p>19 Q. Why did you do what you did on that day?</p> <p>20 A. My personal reasons?</p> <p>21 Q. Yes.</p> <p>22 A. In the beginning, I was confused and then I was</p> <p>23 just scared.</p> <p>24 Q. Why were you scared?</p> <p>25 A. Well, two months before, I had been arrested</p>	<p style="text-align: right;">Page 218</p> <p>1 him placing a phone call.</p> <p>2 Q. Did the defendant say why he wanted to go to</p> <p>3 the track practice?</p> <p>4 A. So people would see him.</p> <p>5 Q. What do you believe he meant by that?</p> <p>6 A. An alibi, I guess.</p> <p>7 Q. When you were at Christina's, how was the</p> <p>8 defendant acting?</p> <p>9 A. When he first got there, he instantaneously</p> <p>10 laid down and went to sleep and he woke up and he wasn't</p> <p>11 watching TV. Everyone else was watching television. He</p> <p>12 was just sitting in the corner rubbing his head.</p> <p>13 And then he received phone calls and that was</p> <p>14 -- that was it.</p> <p>15 Q. Did you ever get into Hae Lee's car that night?</p> <p>16 A. No, I did not.</p> <p>17 Q. Did you have occasion that night to stop by</p> <p>18 your girlfriend Stephanie's house?</p> <p>19 A. Yes, I did.</p> <p>20 Q. When was that?</p> <p>21 A. I believe around 8:00 in the evening. I had to</p> <p>22 drop her presents off there. Her birthday -- it was her</p> <p>23 birthday, the 13th.</p> <p>24 Q. How soon would it have been after you met up</p> <p>25 with Jen Pusateri?</p>

<p style="text-align: right;">Page 219</p> <p>1 A. Probably immediately because she's not allowed 2 to come to the door and have visitors too late. It was a 3 school night, I believe. 4 MR. URICK: May I have the Court's indulgence? 5 (Pause.) 6 MR. URICK: No further questions. 7 THE COURT: Are you done with the chart? 8 MR. URICK: Yes. 9 THE COURT: Are you going to be using the 10 chart, Ms. Gutierrez? 11 MS. GUTIERREZ: No, Your Honor. 12 THE COURT: Cross? 13 MS. GUTIERREZ: Judge, we would ask for an 14 overnight recess. Notwithstanding our request for the 15 last five months, we only received 120 pages of the prior 16 statements and the tapes. 17 During lunch I was able to listen to portions 18 of one of the tapes. I have not reviewed fully either of 19 the statements. I can certainly start, but I would ask 20 for a recess overnight to fully prepare. 21 THE COURT: Okay. Counsel, please approach. 22 (Counsel and the defendant approached the 23 bench, and the following ensued:) 24 THE COURT: Do you have another witness 25 tonight?</p>	<p style="text-align: right;">Page 221</p> <p>1 THE JURY: What time in the morning? 2 THE COURT: Oh. If you'll be here tomorrow 3 morning between 9:00 and 9:15 for the pay, please be 4 your seats at 9:00 -- in your room upstairs at 9:30. 5 Thank you. 6 (The jury was excused from the courtroom.) 7 THE COURT: Counsel, we've managed to waste an 8 hour and a half today. 9 Now, in the future, you will have the entire 10 day planned. If you knew, because you dumped the 11 discovery on her late today, she was going to ask, 12 reasonably anticipated ask for a recess, which is 13 appropriately, you should have had another witness. 14 I'm trying to get this case concluded within my 15 vacation time and the jurors' vacation time and other 16 scheduling. 17 But you can't just take -- can't arrogate to 18 yourselves my trial day. 19 MR. URICK: My apologies to the Court. 20 Your Honor, can we -- 21 THE COURT: Be in place tomorrow at 9:30. 22 Yes? 23 MR. URICK: If I may ask the Court. We 24 anticipate that we could probably finish in the morning. 25 We have one witness, Dr. Rodriguez, who's an Army</p>
<p style="text-align: right;">Page 220</p> <p>1 MR. URICK: No. We anticipated either 2 cross-examination or this witness' direct taking up to 3 about 5:30. Even though we gave the statements this 4 morning before Court started, not at lunchtime, we 5 anticipated the defense would ask for a continuance, so 6 we did not ask any of the witnesses to show up. 7 THE COURT: Would you let me in on it the next 8 time you all plan on scheduling my day? 9 MR. URICK: I apologize to the Court. I -- I 10 thought -- my initial statement at the beginning that 11 I -- 12 THE COURT: Step back. 13 MR. URICK: -- try to do this as -- 14 THE COURT: Step back. 15 (Counsel and the defendant returned to the 16 trial tables, and the following ensued:) 17 THE COURT: Ladies and gentlemen, if you would 18 return to your jury assembly room, when you are 19 discharged for the day, as always, go home, have good 20 evenings with your families. 21 Please do not discuss the trial with anyone, 22 either among yourselves or anyone else. Avoid all crime 23 stories and don't do any investigation on your own. 24 Good night, ladies and gentlemen. Please 25 return to your jury room.</p>	<p style="text-align: right;">Page 222</p> <p>1 forensic pathologist. He's agreed to do a local -- he's 2 going to help the Medical Examiner's Office on a matter. 3 He had planned to do it in the morning and come 4 here at 2:00 o'clock. He could come in the morning and 5 reschedule that. I don't know if we would fill up the 6 morning with the other witnesses. Should I have him come 7 in and we'll bring him on after Mr. Wilds so we could 8 probably finish in the morning? 9 THE COURT: Yes, yes. Now, after Mr. Wilds and 10 after the doctor, who do you have left? 11 MR. URICK: We have two other witnesses. 12 THE COURT: How long are they? 13 MR. URICK: I anticipate potentially an hour on 14 each of them. 15 THE COURT: What are they? 16 MR. URICK: We have Jennifer Pusateri. 17 THE COURT: Okay. 18 MR. URICK: And we have a representative of the 19 AT&T Wireless Company. 20 THE COURT: Why do we need that? 21 MR. URICK: He prepared the map. 22 THE COURT: There's no way of getting -- is 23 there no way that we can get around an hour of testimony 24 of some guy who prepared the map? 25 MS. GUTIERREZ: I'd sure like to, Judge, but</p>

1 there's been no request and no proposal.
 2 THE COURT: Would you talk to Ms. Gutierrez,
 3 who's been reasonable, and make some effort to --
 4 MS. GUTIERREZ: I agreed to every other request
 5 for stipulations.
 6 THE COURT: -- to make some effort to see if we
 7 can cut out this needless hour and at least at that point
 8 you don't owe me but a half an hour, Mr. Urick, if you're
 9 able to do that.
 10 MR. URICK: Your Honor, it's more than that.
 11 He has to explain the system to them, explain how a cell
 12 site operates, how we can locate a call within a cell
 13 site and verify that certain locations, in fact, would be
 14 within certain cell sites and would lock onto that cell
 15 site.
 16 He's a very important witness for that reason.
 17 I don't believe we would get a stipulation as to all
 18 that.
 19 THE COURT: Very good. Well, the State will be
 20 finishing its case tomorrow, in any event; is that
 21 correct?
 22 MR. URICK: I would say it's very likely it
 23 would finish in the morning, early afternoon at the
 24 latest.
 25 THE COURT: Well, obviously you can't finish

1 THE COURT: That's not going to happen. I
 2 can't afford to take --
 3 MS. GUTIERREZ: No, I understand, but we do
 4 need several-- we need a little bit of time in order to
 5 prepare it so I'd like to --
 6 THE COURT: Feel free to do your videotaping.
 7 MS. GUTIERREZ: We don't think that's going to
 8 be sufficient, Judge. We do have some videotaping, but
 9 it doesn't -- I don't believe that it brings to the -- we
 10 are prepared to prepare it for Friday. I believe I can
 11 make arrangements. I will try.
 12 THE COURT: As long you're ready to start your
 13 case on Thursday morning.
 14 MS. GUTIERREZ: Yes.
 15 THE COURT: Somehow.
 16 MS. GUTIERREZ: Okay. I'll even have some
 17 witnesses available tomorrow just in case.
 18 THE COURT: Just in some fashion.
 19 MS. GUTIERREZ: That's fine.
 20 THE COURT: Just be ready to start your case on
 21 Thursday.
 22 MS. GUTIERREZ: That's fine.
 23 THE COURT: Anything else, counsel?
 24 Good night. See you tomorrow at 9:30.
 25 (The trial recessed at 4:49 p.m.)

1 in the morning. You've got her cross of Mr. Wilds that's
 2 going to take some time, and you've got a physician and
 3 you've got two other hour long witnesses.
 4 MR. URICK: Should I ask the physician --
 5 THE COURT: So you're not going to finish in
 6 the morning.
 7 MR. URICK: Should I ask the physician to come
 8 at 2:00?
 9 THE COURT: If you want the physician to be
 10 your last witness, ask the witness to come in at 2:00,
 11 but have the phone person and Ms. Pusateri on standby so
 12 that we don't waste the jury's time.
 13 MR. URICK: We already told both of them to be
 14 here at 9:30.
 15 THE COURT: Good.
 16 MR. URICK: So they are present. So if we
 17 finish a little bit early, we wouldn't get to the doctor
 18 until two o'clock, with the Court's permission.
 19 THE COURT: As long as we don't have another
 20 day where I lose almost two hours, effectively, of trial
 21 time.
 22 Anything else, counsel?
 23 MS. GUTIERREZ: Judge, we'll have some
 24 witnesses together for tomorrow, but if the Court
 25 recalls, we did move for a viewing.

REPORTER'S CERTIFICATE

I, Charles F. Madden, an Official Court

Reporter of the Circuit Court for Baltimore City, do

hereby certify that the proceedings in the matter of

State of Maryland versus Adnan Massud Syed, Indictment

Numbers 199103042-46 in the Circuit Court for Baltimore

City, on December 14, 1999, before the Honorable William

D. Quarles, Associate Judge, and a jury were recorded by
 videotape.

I further certify that the page numbers 1
 through 225 constitute the official transcript of the
 proceedings as transcribed by me from said videotape to
 the within typewritten matter to the best of my ability.

In Witness Whereof, I have affixed my signature
 this 11th day of February, 2001.

Charles F. Madden
 Official Court Reporter