

1  
2 IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND  
3  
4 STATE OF MARYLAND  
5  
6 VERSUS INDICTMENT NOS. 199103042, 43, 45, 46  
7  
8 ADNAN SYED  
9  
10 / FEBRUARY 17, 2000  
11  
12 REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS  
13  
14 BEFORE:  
15 THE HONORABLE WANDA HEARD, JUDGE  
16 AND A JURY  
17  
18 APPEARANCES  
19 ON BEHALF OF THE STATE:  
20 KEVIN URICK, ESQUIRE  
21 KATHLEEN MURPHY, ESQUIRE  
22 ASSISTANT STATE'S ATTORNEYS  
23  
24 ON BEHALF OF THE DEFENDANT:  
25 M. CRISTINA GUTIERREZ, ESQUIRE  
26  
27 RECORDED BY: VIDEO TAPE  
28  
29 TRANSCRIBED BY:  
30 Diane R. Walker  
31 Official Court Reporter

1 PROCEEDINGS  
2 THE COURT: I want to say good morning to  
3 counsel. I also want to say I appreciate you all  
4 being here promptly and as soon as Mr. Syed gets up  
5 here we'll get under way.  
6 MS. GUTIERREZ: We were all here a little  
7 early, can we get some extra credit to save up?  
8 THE COURT: Extra brownie points, yes.  
9 MS. GUTIERREZ: We might need them later.  
10 THE COURT: You never know, you never know,  
11 if not this trial.  
12 MS. GUTIERREZ: I was here at quarter after  
13 nine. Mr. Urick was already here.  
14 THE COURT: All right. Well, if not on  
15 this trial, there will be another one. Very good.  
16 Counsel, please be seated. Deputy Church, if you  
17 could bring the jury in. Please be seated. I  
18 received information that Detective Ritz is back in  
19 town and is available, and also Ms. Benaroya has just  
20 confirmed that she's cleared her docket or whatever  
21 she had on her schedule for one o'clock on the 18th  
22 and she will be here, as well.  
23 MS. GUTIERREZ: Thank you, Your Honor.  
24 THE COURT: She calls in every morning at  
25 9:30 just to reiterate and she did so this morning as

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1 per our agreement.  
2 (Whereupon, the jury entered the courtroom,  
3 after which the following proceedings ensued:)  
4 THE COURT: I want to thank everyone for  
5 being here promptly so that we could resume this  
6 case. I also want to thank everyone for any extra  
7 effort. We've been able to resolve some matters in  
8 terms of my docket for today. So I'm happy with the  
9 fact that we can get under way. With that said, I  
10 need Ms. [REDACTED] if you will kindly stand, raise your  
11 right hand, new day, new tape and we need to have you  
12 sworn in so the record reflects that you have taken  
13 the oath.  
14 DEBORAH [REDACTED]  
15 a witness produced on call of the State, having first  
16 been duly sworn, according to law, was examined and  
17 testified as follows:  
18 THE CLERK: You can have a seat. Please  
19 keep your voice up. State your name into the  
20 record.  
21 THE WITNESS: Debbie [REDACTED]  
22 [REDACTED] Baltimore, Maryland 21207.  
23 THE COURT: I believe we had resolved or  
24 completed the questioning by the State and at this  
25 point we have cross examination by Ms. Gutierrez.

1 were at the police headquarters.  
 2 MS. GUTIERREZ: Yes, Judge, I know. I'll  
 3 get there.  
 4 THE COURT: And MacGillivray was beckoning  
 5 for her to come in the door.  
 6 MS. GUTIERREZ: Yes.  
 7 THE COURT: That's where we stopped off.  
 8 So if we go back, you know, I don't want you to be  
 9 upset if I sustain any objections to repeat  
 10 testimony.  
 11 MS. GUTIERREZ: No, Judge, that's fine.  
 12 THE COURT: All right.  
 13 Q Anyway when you rolled down the window you  
 14 weren't required to take any oath, were you?  
 15 A No.  
 16 Q And when you went down to police  
 17 headquarters that night on Friday February 26th when  
 18 you were accompanied by Kristi Vinson, you weren't  
 19 required to take any oath when Detective MacGillivray  
 20 brought you to another place than the lobby?  
 21 A No.  
 22 Q And the following day when you showed up in  
 23 the late afternoon with the lawyer and with your  
 24 mother, or your mother came along because she wanted  
 25 to come along, you weren't required to take any oath,

1 were you?  
 2 A No.  
 3 Q Now on Friday the 26th when Detective  
 4 MacGillivray took you from Ms. Vinson or from the  
 5 place where the two of you were that you thought was  
 6 a lobby or looked like a lobby, nobody else was  
 7 there?  
 8 A There was other people that worked there.  
 9 Q People that worked there meaning worked for  
 10 the Police Department?  
 11 A Yes.  
 12 Q But nobody else was with you?  
 13 A No.  
 14 Q No lawyer?  
 15 A No.  
 16 Q Not your mother?  
 17 A No.  
 18 Q Ms. Vinson stayed in the lobby?  
 19 A Yes.  
 20 Q And you didn't bring or arrange to bring  
 21 anybody else, right?  
 22 A No.  
 23 Q And on that night when you got to the place  
 24 was it a room?  
 25 A Yes.

1 Q Where you spoke to Detective MacGillivray,  
 2 did he have a tape recorder with him?  
 3 A No, not that I could see.  
 4 Q Not that you could see?  
 5 A Right.  
 6 Q And did he ever ask your permission to tape  
 7 record what you said to him?  
 8 A No, not that night.  
 9 Q And did you observe that he took notes of  
 10 what you said?  
 11 A Yes.  
 12 Q And did he ask your permission to do so?  
 13 A No.  
 14 Q He identified himself as a Homicide  
 15 detective before he started talking to you, did he  
 16 not?  
 17 A Yes, back at my house.  
 18 Q And you believed him when he said that  
 19 that's what he was, didn't you?  
 20 A Yea, he had I.D.  
 21 Q And before he started asking you questions,  
 22 he identified that the subject of the inquiry was the  
 23 death of Hae Min Lee?  
 24 A No.  
 25 Q At some point, did he?

1 A I don't remember.  
 2 Q And at some point you came to understand  
 3 that, did you not?  
 4 A Yes.  
 5 Q That night? On the 26th you came to  
 6 understand that what he was investigating was the  
 7 death of Hae Min Lee?  
 8 A He was a Homicide detective and he asked me  
 9 questions about Hae Min Lee so, yes.  
 10 Q Okay. And he took notes throughout the  
 11 time he questioned you, did he not?  
 12 A Yes.  
 13 Q And he had questioned you about the events  
 14 of January 13th, did he not?  
 15 A Yes.  
 16 Q And he questioned you about phone calls  
 17 that day, did he not?  
 18 A Yes.  
 19 Q And, in fact, he had records of phone calls  
 20 that day, did he not?  
 21 A Yes.  
 22 Q And, in fact, it was him telling you,  
 23 showing you these records, that triggered you into  
 24 the 13th?  
 25 A Right.

1 Q Was it not? Because you didn't  
2 independently remember that that was the day?  
3 A Right.  
4 Q Or what day of the week it was?  
5 A Right.  
6 Q And it was only by him drawing your  
7 attention through the records that you understood  
8 that he was asking about the date of January 13th?  
9 A Right.  
10 Q You had no independent recollection of what  
11 day these things occurred?  
12 A No, I didn't know.  
13 Q And Jay calling you on any day would not  
14 have been an unusual event?  
15 A Right.  
16 Q And when Jay called you, as he invariably  
17 did almost everyday, you, of course, would not have  
18 known where he was just by the act of calling you?  
19 A Right.  
20 Q Unless he told you where he was, right?  
21 A Right.  
22 Q And then you would be dependent upon the  
23 truth of what he said?  
24 A Well, I would know where he's calling from  
25 because I have caller I.D. So most of the time I

1 would know where he's calling from.  
2 Q So at home you would know where he was  
3 calling from?  
4 A Right.  
5 Q Well, what you would get from caller I.D.  
6 is a phone number, right?  
7 A And a name.  
8 Q And a name that it was registered to?  
9 A Yes.  
10 Q And even if it was a cell phone?  
11 A It would just say Maryland.  
12 Q It would say?  
13 A Maryland. Maryland.  
14 Q Maryland?  
15 A Yes.  
16 Q The state?  
17 A Yes.  
18 Q Right? It wouldn't give you a name?  
19 A No.  
20 Q And it wouldn't give you a location?  
21 A No.  
22 Q And if it was a number with which you were  
23 not familiar, you, of course, would have no way of  
24 knowing where that phone was?  
25 A Right.

1 Q Right. Where it was being used to call  
2 you?  
3 A Right.  
4 Q And you really of your own knowledge would  
5 have no way of knowing whether it was a land line or  
6 a cell line, would you?  
7 A If it's a -- I mean, yea, I can tell on the  
8 caller I.D., a Maryland phone. It's only a cell  
9 phone that comes up that way.  
10 Q So your belief is that you could tell by  
11 your caller I.D.?  
12 A Right, yep.  
13 Q Is that right?  
14 A Yes.  
15 Q And do you have caller I.D. at work?  
16 A No.  
17 Q And do you have a cell phone?  
18 A No.  
19 Q And do you have a pager?  
20 A Not right now.  
21 Q No. But you did then?  
22 A Yes.  
23 Q Yes. And on your pager if somebody tried  
24 to reach you on your pager, can you answer, or could  
25 you answer it?

1 A By calling back?  
2 Q On the phone.  
3 A No.  
4 Q No. You'd have to call them back, right?  
5 A Right.  
6 Q And so if someone tried to page you, they  
7 could leave a message, right?  
8 A Yes.  
9 Q And then at some point later you could get  
10 that message, right?  
11 A Right.  
12 Q And do you have caller I.D. that gives you  
13 an idea where a person called from when they left you  
14 a pager message?  
15 A No.  
16 Q No. And what they actually showed you was  
17 what appeared to be phone records?  
18 A He didn't show me anything that night.  
19 Q But he told you?  
20 A Yes.  
21 Q And he told you that they had records that  
22 involved your phone number?  
23 A Right.  
24 Q Right? And your pager number?  
25 A Right.

1 Q And did you then explain to Detective  
2 MacGillivray on that night, Friday night on the tape  
3 recorder -- and the tape recorder was not on, right?  
4 A Right.  
5 Q Or at least that you saw, right?  
6 A Right.  
7 Q But he was taping us -- did he explain to  
8 you where those records came from?  
9 A No.  
10 Q Or whose phone they were?  
11 A Whose phone?  
12 Q That the records --  
13 A No.  
14 Q -- belonged to? No. And on that night did  
15 you explain to them that you spoke to Jay Wilds  
16 almost everyday?  
17 A Probably, yes.  
18 Q And did you ever explain to them that you  
19 had no idea, unless you checked, where he would be  
20 when he would be calling?  
21 A What?  
22 Q Well, what I've just asked you, unless he  
23 told you you might be able to get a number off of  
24 your land line, right?  
25 A Right.

1 Q And at the time you didn't have a cell  
2 phone, right?  
3 A Right.  
4 Q But you had a pager, right?  
5 A Yes.  
6 Q And off the pager you could only get the  
7 message?  
8 A Right.  
9 Q You didn't have a caller I.D.?  
10 A No, if they leave a message --  
11 Q Not on the pager?  
12 A Right.  
13 Q So it would be only be if the person  
14 calling you left a number that they were calling  
15 from, not expecting to leave a number that you should  
16 call back, would you know anything about the number  
17 from which the person was calling, right?  
18 A Right.  
19 Q And you weren't asked about all of that  
20 that night, were you?  
21 A No.  
22 Q And you didn't volunteer that information,  
23 did you?  
24 A No.  
25 Q And when they directed your attention to

1 the 13th and indicated that your phone number was  
2 implicated on records from that day, that's the only  
3 thing that focused your attention on the 13th, was it  
4 not?  
5 A Yes.  
6 Q But you didn't independently recall that  
7 date?  
8 A No.  
9 Q And to your knowledge, you were aware on  
10 that day that your friend, your very, very good  
11 friend Jay Wilds didn't own a car, right?  
12 A No, my friend Jay did not own a car.  
13 Q And that he often borrowed other people's  
14 cars?  
15 A Yes.  
16 Q And some of which cars you knew, right?  
17 A Right.  
18 Q But of some which cars you didn't know?  
19 A Right.  
20 Q And you described for us on Friday that you  
21 -- I mean, yesterday that you remembered the cell  
22 phone because he put it on the table in your house,  
23 correct?  
24 A Right.  
25 Q And you didn't know he was calling from the

1 cell phone until you saw that, did you?  
2 A Right.  
3 Q And that wasn't the only time he had  
4 somebody else's cell phone, was it?  
5 A I don't know.  
6 Q He could have?  
7 A Sure.  
8 MS. MURPHY: Objection.  
9 MS. GUTIERREZ: The issue of --  
10 THE COURT: Well, go ahead. Sustain the  
11 objection as to what could have happened.  
12 Q The issue of what phone he might have been  
13 calling from had really never come up to you, had it?  
14 A No.  
15 Q It had never had any importance to you to  
16 establish?  
17 A No.  
18 Q And as far as you were concerned on that  
19 date, did the fact that he called you on the cell  
20 phone make any difference to you?  
21 A No.  
22 Q It really wasn't an important matter to  
23 you, was it?  
24 A No.  
25 Q And when he came to your house that day you



1 were already there, were you not?  
 2 A I think so, yes. I can't quite remember.  
 3 Q So maybe you were there and maybe you  
 4 weren't there?  
 5 A Right.  
 6 Q When you spoke to Detective MacGillivray on  
 7 Friday the 26th you told him that you were already  
 8 there that day before he got there, were you not?  
 9 A Yes.  
 10 Q Yes. And when you spoke to him on the next  
 11 day, I think sometime after four or right before four  
 12 in the afternoon, you were asked that question, were  
 13 you not?  
 14 A Yes.  
 15 Q And you recall that you told them that --  
 16 by them it was more than Detective MacGillivray there  
 17 that second day, wasn't it?  
 18 A Yes.  
 19 Q And that included Detective MacGillivray,  
 20 did it not?  
 21 A Yes.  
 22 Q It included another police officer by the  
 23 name of Sergeant Lehmann?  
 24 A Yes.  
 25 Q And was Detective Ritz there?

1 A Yes.  
 2 Q Yes. And your lawyer was there?  
 3 A Yes.  
 4 Q And was present throughout all of the time  
 5 he asked you questions, right?  
 6 A Yes.  
 7 Q And your mother was there the whole time,  
 8 was she not?  
 9 A Yes.  
 10 Q Were there other police officers or  
 11 detectives?  
 12 A No, not in the room.  
 13 Q All right. And unlike the day before when  
 14 Detective MacGillivray brought you into the room by  
 15 yourself, he did ask you about a tape recorder, did  
 16 he not?  
 17 A Yes.  
 18 Q And the tape recorder was visible, was it  
 19 not?  
 20 A Yes.  
 21 Q And you could see it, could you not?  
 22 A Yes.  
 23 Q And he asked your permission if he could  
 24 tape it, could he not?  
 25 A Yes.

1 Q But you didn't have to raise your hand and  
 2 take an oath like you did this morning?  
 3 A Right.  
 4 Q Or like you did yesterday?  
 5 A Right.  
 6 Q Okay. And it was with your permission that  
 7 the tape recorder was on the entire time, was it not?  
 8 A Yes.  
 9 Q Except for a short little break when  
 10 everybody went to use the facilities and get coffee  
 11 or drinks?  
 12 A Right.  
 13 Q Is that right? And so that everything you  
 14 said to them that night was tape recorded?  
 15 A To my knowledge, yes.  
 16 Q Okay. Or to at least what you observed,  
 17 right?  
 18 A Right.  
 19 Q And you, of, course assumed that it was one  
 20 of these little hand held tape recorders?  
 21 A No, it was a larger one.  
 22 Q It was a larger one. Was it a reel to reel  
 23 or did it have a cassette?  
 24 A A cassette.  
 25 Q A cassette. And you could see the cassette

1 moving, could you not?  
 2 A I didn't look at it.  
 3 Q But when they told you they were turning it  
 4 on you assumed that it was on?  
 5 A Yes.  
 6 Q And when they asked you about your day you  
 7 told them what you knew, did you not?  
 8 A Yes.  
 9 Q And what you told them was that you got to  
 10 your house first that day?  
 11 A Okay.  
 12 Q Is that okay meaning yes?  
 13 A Yes.  
 14 Q Okay. And that Jay arrived afterwards?  
 15 A Yes.  
 16 Q And that day after Detective MacGillivray  
 17 took you in the room, how long did that questioning  
 18 take place?  
 19 A Awhile. Like maybe about an hour.  
 20 Q And during that hour the only questions  
 21 that were discussed were questions about January 13th  
 22 and things that occurred afterwards related to that?  
 23 A Yes.  
 24 Q Isn't that right? There was no other  
 25 topic?

1 A No.  
 2 Q On the table?  
 3 A No.  
 4 Q You all didn't talk about anything else?  
 5 A Not on the tape.  
 6 Q So all of the questions that you were asked  
 7 related to what you knew about the death of Hae Min  
 8 Lee?  
 9 A Yes.  
 10 Q And about the involvement of Jay Wilds?  
 11 A Yes.  
 12 Q And about any involvement you might have?  
 13 A About my day, yes.  
 14 Q Yes. And what you might know?  
 15 A Right.  
 16 Q And during that time you've told us  
 17 yesterday you lied to them?  
 18 A Yes.  
 19 Q About certain things?  
 20 A Not on the tape, not that I remember. I  
 21 remember things differently now.  
 22 Q Well, wasn't there a tape on --  
 23 MS. MURPHY: Objection.  
 24 THE COURT: Overruled.  
 25 Q There wasn't a tape on Friday night, right?

1 A Right.  
 2 Q So however you lied to them is not caught  
 3 on tape?  
 4 A Right.  
 5 Q It would only be caught if they wrote it  
 6 down in their notes, in Detective MacGillivray's  
 7 notes, right?  
 8 A Right.  
 9 Q Did Detective Ritz come into the room?  
 10 A No.  
 11 Q Not on Friday night?  
 12 A No.  
 13 Q So it was just you and Detective  
 14 MacGillivray, correct?  
 15 A Yes.  
 16 Q And did you lie to them about what you did  
 17 in the day?  
 18 A No.  
 19 Q Did you lie to them about anything Jay may  
 20 have said to you?  
 21 A No.  
 22 Q Did you lie about the order in which events  
 23 occurred?  
 24 A Perhaps. I can't remember them exactly  
 25 anymore. I don't know.

1 Q You can't remember exactly what lie you  
 2 told them when you --  
 3 A No, I can't remember in what order the  
 4 events occurred so --  
 5 Q Well, if you told --  
 6 MS. MURPHY: Objection.  
 7 THE COURT: Wait one moment, Ms. -- So go  
 8 ahead you can finish your answer.  
 9 THE WITNESS: So I don't remember exactly  
 10 in what order the events occurred. So I don't know  
 11 if I lied to them about what happened that day.  
 12 Q Well, yesterday you told us that you knew  
 13 that you lied?  
 14 A Yea, I did lie to them about what I knew.  
 15 Q And what you knew about these events all  
 16 came from Jay Wilds?  
 17 A Yes.  
 18 Q And what you observed with your interaction  
 19 with Jay Wilds that day?  
 20 A Right.  
 21 Q And the next couple days?  
 22 A Right.  
 23 Q And at any other occasion between that day  
 24 the 13th and the 27th, it's actually the 26th, that  
 25 Friday night when you were in that room with

1 Detective MacGillivray; is that right?  
 2 A Right.  
 3 Q And you didn't mention Jay Wilds' name, did  
 4 you?  
 5 A Yes, I did.  
 6 Q On Friday night?  
 7 A Yes, I did.  
 8 Q And did you give his address?  
 9 A Probably the road he lives on, yes.  
 10 Q The road he lives on?  
 11 A Where he works at.  
 12 Q Because you didn't know his exact address?  
 13 A Right.  
 14 Q Your very, very good friend you didn't know  
 15 his exact address?  
 16 A Right.  
 17 MS. MURPHY: Objection.  
 18 A Right, I don't know the number.  
 19 THE COURT: Overruled.  
 20 Q And did you mention Kristi Vinson, your  
 21 friend's name?  
 22 A I don't remember.  
 23 Q Did you advise them that the woman sitting  
 24 out in the lobby may have knowledge about the same  
 25 events?

1 A I don't know.  
 2 Q Or may be able to back up your story?  
 3 A No.  
 4 Q No. And the police never went out to talk  
 5 to Kristi Vinson, did they?  
 6 A No.  
 7 Q Did they even ask who she was?  
 8 A No.  
 9 Q And you didn't volunteer it, did you?  
 10 A No.  
 11 Q And Ms. Vinson stayed in the lobby the  
 12 whole time, did she not?  
 13 A Yes.  
 14 Q And then took you home?  
 15 A Yes, no took me to her house.  
 16 Q Took you to her house?  
 17 A Yes.  
 18 Q Which is where you were planning to go when  
 19 you were parked in your car parallel to the road, is  
 20 that right?  
 21 A Right.  
 22 Q And to your knowledge, you said you could  
 23 see to where she was, could you not?  
 24 A Not while I was in the room. The door was  
 25 shut.

1 Q Oh, the door was shut. If the door was  
 2 open, you could see the lobby, right?  
 3 A Probably, yes.  
 4 Q But you didn't stop and talk to Kristi  
 5 Vinson, did you?  
 6 A When?  
 7 Q Friday night during the time you were in  
 8 the room with the detectives?  
 9 A No, we didn't stop, no, not to talk.  
 10 Q And you never asked to go speak to Kristi  
 11 Vinson, did you?  
 12 A No.  
 13 Q And to your knowledge Detectives  
 14 MacGillivray or Ritz didn't go do that, did they?  
 15 A Right.  
 16 Q They never excused themselves, did they?  
 17 A No.  
 18 Q They stayed in the room the whole time?  
 19 A Just MacGillivray, yes.  
 20 Q MacGillivray. And you; is that right?  
 21 A Yes.  
 22 Q And you answered all of his questions, did  
 23 you not?  
 24 A Yes.  
 25 Q And did you tell him you didn't remember

1 certain things?  
 2 A Yes.  
 3 Q And you knew at the time from the  
 4 conversation and the questions that they had not  
 5 spoken to your good friend Jay Wilds, did you not?  
 6 A Yes.  
 7 Q Did they tell you that?  
 8 A No.  
 9 Q No. But you could tell by what questions  
 10 they asked you?  
 11 A I assumed that, yes.  
 12 Q And did you tell them everything that Jay  
 13 had said?  
 14 A No.  
 15 Q No. And did you tell them anything that  
 16 Jay said?  
 17 A About what? Just anything, yes. I told  
 18 them that --  
 19 Q About these events?  
 20 A I told them that Jay said go down and see  
 21 him.  
 22 Q Because you had spoken to Jay before you  
 23 had gone down to see them that night, had you not?  
 24 A Yes.  
 25 Q And that was after they had identified

1 themselves as cops outside of your house; is that  
 2 right?  
 3 A Yes.  
 4 Q And then on February 26th did you own a  
 5 cell phone?  
 6 A No.  
 7 Q Did your friend Kristi Vinson have a cell  
 8 phone with her?  
 9 A I don't know.  
 10 Q You didn't use her cell phone that night,  
 11 did you?  
 12 A I don't know.  
 13 Q But you reached your friend Jay Wilds?  
 14 A Yes.  
 15 Q By telephone or in person?  
 16 A The night that the police came, in person.  
 17 Q In person. That's when you went to take  
 18 his dinner?  
 19 A Yes.  
 20 Q And you told him that detectives that had  
 21 identified themselves as homicides detectives had  
 22 just been at your house?  
 23 A Yes.  
 24 Q And you asked him what to do, did you not?  
 25 MS. MURPHY: Objection.

1 THE COURT: Overruled.  
 2 A Yes.  
 3 THE COURT: Did you ask him what to do?  
 4 Q You asked him what to do, did you not?  
 5 A Yes.  
 6 Q About the fact that the detectives wanted  
 7 to talk to you, right?  
 8 A Right.  
 9 Q Because prior to that day your very, very  
 10 good friend Jay Wilds had asked you to keep it all to  
 11 yourself, had he not?  
 12 A Yes, my friend Jay said that.  
 13 Q Jay said that. And you had kept it to  
 14 yourself, had you not?  
 15 A Not completely, no.  
 16 Q You hadn't called the police?  
 17 A No.  
 18 Q To tell them what you knew?  
 19 A No.  
 20 Q Although later the next day you told them  
 21 that you really thought about that, did you not?  
 22 A Yes.  
 23 Q You thought about ways to do that  
 24 anonymously is what you told them?  
 25 A Yes.

1 Q And you thought about ways to do that up  
 2 front, did you not?  
 3 A I know how to do it up front.  
 4 Q But you told them that you thought about  
 5 doing it?  
 6 A I thought about it.  
 7 Q Did you not?  
 8 A Yes.  
 9 Q Even though your friend Jay Wilds had asked  
 10 you to keep quiet about the whole thing?  
 11 A Right.  
 12 Q And on Friday night all you said to the  
 13 police about Jay Wilds was go see him?  
 14 A Yes.  
 15 Q And did you tell them that you had gone to  
 16 speak to your friend Jay Wilds before coming down to  
 17 see them?  
 18 A No.  
 19 Q And you, of course, did not let them know  
 20 while you were still at your house that you might  
 21 come down?  
 22 A Right.  
 23 Q And you hadn't made an appointment?  
 24 A No.  
 25 Q And you hadn't indicated to them that

1 although they requested to speak to you that day that  
 2 you, in fact, were going to show up, did you?  
 3 A No.  
 4 Q And at the video store you all stayed in  
 5 the video store?  
 6 A For a moment.  
 7 Q And you spoke to Jay Wilds inside that  
 8 store?  
 9 A Yes.  
 10 Q And how long did that take?  
 11 A About five to ten minutes.  
 12 Q And did Kristi Vinson come in the store  
 13 with you?  
 14 A Yes.  
 15 Q And she was present when you spoke to Jay  
 16 Wilds?  
 17 A Yes.  
 18 Q And Kristi Vinson had heard the police ask  
 19 to speak to you, right?  
 20 A Right.  
 21 Q And you, of course, rode over with Kristi  
 22 Vinson in the car because it was her car and she  
 23 drove, right?  
 24 A Right.  
 25 Q And did you tell her what your concerns

1 were?  
 2 A Yes.  
 3 Q And that they concerned your mutual friend  
 4 Jay Wilds?  
 5 A Yes.  
 6 Q And so she was present during the  
 7 conversation you had with Jay Wilds in which he said  
 8 tell them to come by and see me?  
 9 A Right.  
 10 Q Okay. And did she participate in that  
 11 conversation?  
 12 A No.  
 13 Q Did she have anything to offer?  
 14 A No.  
 15 Q Did she have any questions to ask?  
 16 A Yes.  
 17 Q It was a pretty serious matter for you, was  
 18 it not, Ms. Pusateri, the police requesting to see  
 19 you?  
 20 A Yes.  
 21 Q About events that your very, very good  
 22 friend had asked you to be quiet about?  
 23 A Yes.  
 24 Q And it was pretty scary, was it not?  
 25 A A little bit.



1 Q Jay Wilds thought it was a good idea for  
 2 you to go to talk to the police, did he not?  
 3 A Yes.  
 4 Q Because you really went to him to ask for  
 5 his permission, did you not?  
 6 A No, not permission.  
 7 Q You had promised to keep quiet, had you  
 8 not?  
 9 A Yes.  
 10 Q And you had assured him before that day  
 11 that you would do so?  
 12 A Yes.  
 13 Q And he knew that?  
 14 A Yes.  
 15 Q And you had done so, had you not?  
 16 A I told a few friends, a friend.  
 17 Q And those two friends were?  
 18 A Nicole and Josh.  
 19 Q And Nicole is a friend from?  
 20 A Work.  
 21 Q And that's at Garland's?  
 22 A Yes.  
 23 Q That's where you also work?  
 24 A Yes.  
 25 Q Garland's is a garden shop?

1 A Yes.  
 2 Q At Ingleside Road, below -- I guess right  
 3 before Ingleside meets Johnnycake Road?  
 4 A Yes.  
 5 Q Yes. And you had worked there for a long  
 6 time?  
 7 A Yes.  
 8 Q And Nicole wasn't also a mutual friend of  
 9 Jay's, was she?  
 10 A She has hung out with Jay before but --  
 11 Q Because he's hung out with you?  
 12 A Right.  
 13 Q So she's met him through you, right?  
 14 A Yes.  
 15 Q So you would call her sort of a mutual  
 16 friend?  
 17 A Yes.  
 18 Q It wouldn't be unusual for the three of you  
 19 to hang out together?  
 20 A More than just the three of us.  
 21 Q Okay. Along with other people?  
 22 A Yes.  
 23 Q And that the hanging out together included  
 24 socializing, did it not?  
 25 A Yes.

1 Q And did Nicole, was she also a mutual  
 2 friend of Ms. Vinson?  
 3 A Yes.  
 4 Q And Ms. Vinson also hung out with the three  
 5 of you and others, did she not?  
 6 A Yes.  
 7 Q And it was not unusual for your mutual  
 8 friends to hang out at Kristi Vinson's, was it?  
 9 A No.  
 10 Q Another place that you all hung out  
 11 together was a place named Champs?  
 12 A Yes.  
 13 Q That's like a bar restaurant?  
 14 A Yes.  
 15 Q And you've hung out there with Jay, had you  
 16 not?  
 17 A Yes.  
 18 Q And with Ms. Vinson?  
 19 A Yes.  
 20 Q With Nicole?  
 21 A Yes.  
 22 Q Yes. And Ms. Vinson's house is a place  
 23 that you and Jay and other friends hang out  
 24 regularly, do you not?  
 25 A It was, yes.

1 Q It was. It's no longer?  
 2 A No.  
 3 Q She is no longer a friend?  
 4 A Yes, she's still a friend.  
 5 Q But you no longer hang out there?  
 6 A Not as much, no.  
 7 Q Back then in January of 1999 it would  
 8 regularly occur when you hung out at Ms. Vinson's  
 9 that everyone would smoke weed, would they not?  
 10 A Sometimes, yes.  
 11 Q Sometimes yes. That would not be an  
 12 unusual occurrence?  
 13 A No.  
 14 Q And people knew that it was okay to smoke  
 15 weed at her house?  
 16 A Sure, it was fine.  
 17 Q Now, the other person that you told --  
 18 incidentally, did you tell Nicole that Jay told you  
 19 that he was involved in the murder of Hae Lee?  
 20 A No.  
 21 Q Or that he was involved in the burial of  
 22 Hae Lee?  
 23 A No.  
 24 Q Or in hiding any evidence relating to  
 25 either of those events?

1 A No, Jay never told me any of that. So I  
 2 never told Nicole that.  
 3 Q You never told. All you really told Nicole  
 4 was that you knew that Hac Min Lee was dead?  
 5 A Yes.  
 6 Q And another thing that Jay had told you was  
 7 that he didn't know where the body was?  
 8 A Right.  
 9 Q That he had been asked by Adnan to help  
 10 bury the body, right?  
 11 A Right.  
 12 Q But that he had adamantly refused to do  
 13 so?  
 14 A Right.  
 15 Q And another thing was that you spoke to  
 16 Detective MacGillivray first on Friday the 26th and  
 17 then also on the tape on the 27th you said and  
 18 explained that one of the reasons why you couldn't go  
 19 to the police was that you didn't think you had  
 20 enough information?  
 21 A Right.  
 22 Q Was that right?  
 23 A Yes.  
 24 Q Those were your words, were they not?  
 25 A Yes.

1 Q And that the lack of information included  
 2 that, well, we meaning Jay and I, we didn't even know  
 3 where the body was, right?  
 4 A Right.  
 5 Q Because you were sure that he didn't know  
 6 where the body was?  
 7 A Right.  
 8 Q Because that's what he told you?  
 9 A Yes.  
 10 Q Isn't that right?  
 11 A (Indicating.)  
 12 Q The only -- is that a yes?  
 13 A Yes.  
 14 Q And the only information that he gave you  
 15 was what he says Adnan said; is that right?  
 16 A What he says Adnan said about what?  
 17 Q About those events?  
 18 A And about when he was there with Adnan.  
 19 Q Okay. But what he said happened while he  
 20 was there didn't include the burial of the body?  
 21 A Right.  
 22 Q Right. What Jay told you is that he had no  
 23 idea where the body was buried, right?  
 24 A Right.  
 25 Q And that was the critical piece of

1 information that was lacking that prevented you from  
 2 going to the police?  
 3 A Right.  
 4 Q Even though you thought about it?  
 5 A Right.  
 6 Q And you told that to Detective MacGillivray  
 7 on Friday night, the 26th of February?  
 8 A I don't remember. I told him on the 27th.  
 9 Q You did tell them on the 27th; is that  
 10 right?  
 11 A (Indicating.)  
 12 Q And when Jay told you that he didn't know  
 13 where the body was buried you believed him, did you  
 14 not?  
 15 A Yes.  
 16 Q Now, during the tape recording of your  
 17 statement on the 27th the police kept referring to  
 18 the person whom -- although you knew you did not  
 19 consider yourself to be a close friend of, was the  
 20 man we now as Adnan Syed, do you remember that?  
 21 A Yes.  
 22 Q And throughout the statement that you made  
 23 to Detective MacGillivray while the tape recorder was  
 24 on, both you, Detective MacGillivray, Sergeant  
 25 Lehmann, and Detective Ritz referred to that person

1 by the name of Adenar, did you all not?  
 2 A I called him Adnan.  
 3 Q You called him Adnan?  
 4 A Yes.  
 5 Q But they called him Adenar, did they not?  
 6 A I don't remember, I guess.  
 7 Q And would you be surprised to know that the  
 8 transcript for everybody says that you all called him  
 9 Adenar?  
 10 A No, I saw that. I saw that.  
 11 Q You saw that. Because you've looked at the  
 12 transcript of what you said?  
 13 A Yes.  
 14 Q On more than one occasion?  
 15 A Yes.  
 16 Q Before testifying today?  
 17 A No.  
 18 Q You haven't looked at it before you  
 19 testified today?  
 20 A No, not today. I haven't had time.  
 21 Q I didn't say today. Before you testified  
 22 today?  
 23 A Oh, before?  
 24 Q Yes.  
 25 A Yes.

1 Q On more than one occasion?  
 2 A Yes.  
 3 Q On other days?  
 4 A Yes.  
 5 Q In order to prepare for your testimony?  
 6 A To make sure that what was transcribed was  
 7 what I said.  
 8 Q Okay. And you had an opportunity to review  
 9 the transcript, did you not?  
 10 A Yes.  
 11 Q And did you make any changes to the  
 12 transcript?  
 13 A On my copy.  
 14 Q On your copy?  
 15 A Yes.  
 16 Q Were there things that were wrong?  
 17 A No.  
 18 Q And did you look at the tape? Did you  
 19 listen to the tape?  
 20 A No.  
 21 Q Did you ask for the tape?  
 22 A No.  
 23 Q And did you do anything about whatever  
 24 errors you may have found?  
 25 A No.

1 Q And you were provided a copy of the  
 2 transcript of what you said on the 27th by?  
 3 A My lawyer.  
 4 Q Your lawyer. Is that because that person  
 5 has remained your lawyer, right?  
 6 A My what?  
 7 Q That person that appeared with you on the  
 8 27th has remained your lawyer, correct?  
 9 A Right.  
 10 Q So you've reviewed this transcript with  
 11 your lawyer?  
 12 A No, he just sent me a copy.  
 13 MS. MURPHY: Objection.  
 14 THE COURT: Overruled.  
 15 Q He sent you a copy?  
 16 A Yes.  
 17 Q And did you know what the purpose was?  
 18 A I guess there was a little note that said  
 19 please read over.  
 20 Q And you did so?  
 21 A Yes.  
 22 Q And you had some sessions where you  
 23 discussed what you would say?  
 24 A With my lawyer.  
 25 Q Did you not?

1 A Discussions about what I would say.  
 2 Q Today and yesterday?  
 3 MS. MURPHY: Objection.  
 4 THE COURT: Wait a minute, I'm not sure I  
 5 understand the question. So if you would --  
 6 MS. GUTIERREZ: I will rephrase it.  
 7 THE COURT: Thank you.  
 8 Q Ms. Pusateri, you had some preparation  
 9 sessions in regard to your testimony, have you not?  
 10 A No, I wouldn't call them preparation  
 11 sessions. There was questions asked.  
 12 Q And was that over the telephone or in  
 13 person?  
 14 A Both.  
 15 Q Both. And was that with Ms. Murphy?  
 16 A Yes.  
 17 Q And Mr. Urick?  
 18 A Yes.  
 19 Q Other than the two times that you've spoken  
 20 about, have you spoken with Detectives MacGillivray,  
 21 Ritz, or Lehmann on any other occasion?  
 22 A Yes.  
 23 Q Yes. And was that also in relationship to  
 24 preparing for your testimony in this trial?  
 25 A Yes.

1 Q Yes. And now going back to the 26th of  
 2 February, did they ask you questions or did you just  
 3 volunteer information?  
 4 A They asked questions.  
 5 Q They asked specific questions, did they  
 6 not?  
 7 A Yes.  
 8 Q And you answered all of their questions?  
 9 A Both nights?  
 10 Q I'm just talking about the 26th?  
 11 A The 26th, no.  
 12 Q No. You refused to answer some questions,  
 13 did you not?  
 14 A I kind of half answered them, yes.  
 15 Q And then, in fact, did you inquire of them  
 16 might you not be entitled to a lawyer?  
 17 A No, I did not ask.  
 18 Q Did you tell them you were going to get a  
 19 lawyer?  
 20 A No.  
 21 Q And who stopped the session that Friday  
 22 night?  
 23 A MacGillivray.  
 24 Q MacGillivray stopped?  
 25 A Yes.

1 Q MacGillivray indicated to you that he  
2 thought you were not being quite as forthcoming as  
3 you should, did he not?  
4 A By his gestures but not directly.  
5 Q But you understood that, did you not?  
6 A I knew that I knew more than what I was  
7 saying, so I knew that I was lying to him about that.  
8 Q You could tell by what you observed that he  
9 thought you were lying, too, did he not?  
10 A Because of something that I had said  
11 earlier in our questioning that led him to believe  
12 that I knew more than what I was telling.  
13 Q Okay. And what was the thing that you  
14 said?  
15 A I had said that she had been strangled.  
16 Q She meaning Hae Min Lee?  
17 A Yes.  
18 Q At that point did they ask you if you had  
19 strangled her?  
20 A No.  
21 Q And did they ask you how you knew she was  
22 strangled?  
23 A Yes.  
24 Q And did you tell them, oh, my good friend,  
25 my very good friend Jay told me?

1 A No.  
2 Q No. And --  
3 A Because of his reaction I told him.  
4 Q Pretty visceral, wasn't it?  
5 MS. MURPHY: Objection.  
6 THE COURT: Overruled -- sustained. I'm  
7 sustaining it only to the extent that the witness may  
8 finish her answer before the next question. Will you  
9 finish your answer.  
10 THE WITNESS: Yes.  
11 THE COURT: You were saying?  
12 THE WITNESS: Because --  
13 THE COURT: Only because I said earlier in  
14 the conversation that she was strangled and he?  
15 THE WITNESS: Yea, the way that he reacted  
16 when he was asking me how did I know that she was  
17 strangled because that information was never released  
18 by the police.  
19 Q And you could see his reaction on that,  
20 could you not?  
21 A Yes, he said that.  
22 Q But you could also see his reaction, could  
23 you not?  
24 A Sure.  
25 Q And now up until that point, Ms. Pusateri,

1 you had gone down there of your own consent, right?  
2 A Right.  
3 Q Based on the advice of your very, very good  
4 friend Jay Wilds who felt that that would be a good  
5 idea, right?  
6 A My friend Jay, yes.  
7 Q Well, he is your very, very good friend, is  
8 he not?  
9 A He's my friend.  
10 Q Well, that night they asked you about what  
11 that relationship was, did they not?  
12 A Yes.  
13 Q And they asked you to describe exactly what  
14 the relationship was, did they not?  
15 A Yes.  
16 Q And they seemed very interested in what  
17 that relationship was, did they not?  
18 A Yes.  
19 Q In fact, they asked you were you girlfriend  
20 and boyfriend, did they not?  
21 A Yes.  
22 Q You answered their question. Do you recall  
23 this? Sergeant Lehmann said how would you describe  
24 your relationship with Jay, and you answered Jay, I'd  
25 say we're very close, very close, do you recall that?

1 A Uh-huh.  
2 Q Is that a yes?  
3 A Yes.  
4 Q And Sergeant Lehmann went on to say  
5 boyfriend girlfriend type, did he not?  
6 A Yes.  
7 Q And you recall him asking that, do you not?  
8 A Yes.  
9 Q And you answered no, not like, you know --  
10 well, not really, but I mean we're close like I love  
11 Jay as a friend. I mean with all my heart. Jay is,  
12 like I trust Jay with my life?  
13 A Not anymore.  
14 Q But then that's what you told Sergeant  
15 Lehmann?  
16 A That's what I said, but it was a bit of a  
17 -- it's not really like that.  
18 Q It's not really like that?  
19 A No.  
20 Q That wasn't really like that then?  
21 A No.  
22 Q But that's how you described it when  
23 Sergeant Lehmann asked you?  
24 A Yes.  
25 Q And that was while the tape recorder was



1 on, was it not?  
 2 A Yes.  
 3 Q That was on the occasion on late Saturday,  
 4 February 27th in the late afternoon after which Jay  
 5 sort of told you it was okay to tell them, to send  
 6 them in his way?  
 7 A Right.  
 8 Q And you, of course, took that as a pass on  
 9 his earlier request that you keep it all to yourself?  
 10 A Right.  
 11 Q Right? According to the permission your  
 12 good friend had given you, you could now tell them  
 13 what he had earlier said keep to yourself?  
 14 MS. MURPHY: Objection.  
 15 THE COURT: Overruled. Can you answer  
 16 that?  
 17 THE WITNESS: Yes, I didn't ask Jay for  
 18 permission to speak to anyone. So I went on my own.  
 19 It had nothing to do with -- I did ask Jay what I  
 20 should do, but I did not ask permission to do  
 21 anything and what he said had no -- no thing on what  
 22 I was going to do.  
 23 Q What he said about it's okay to send them  
 24 to him had no bearing on your decision to go down and  
 25 talk to the police?

1 Q Not very close friends?  
 2 A We're good friends, friends.  
 3 Q Less friends than you described to Sergeant  
 4 Lehmann?  
 5 A Yes.  
 6 Q So when you told Sergeant Lehmann that you  
 7 trusted Jay with your life you didn't mean it?  
 8 A In certain situations.  
 9 Q So that wasn't entirely accurate?  
 10 A Not a hundred percent.  
 11 Q And so was that a lie?  
 12 A It wasn't the truth.  
 13 Q It was not the truth?  
 14 A Right.  
 15 Q But it wasn't quite a lie?  
 16 A Right.  
 17 Q Was it like a half lie?  
 18 A I guess, yes, an exaggeration.  
 19 Q An exaggeration of what really was?  
 20 A Right.  
 21 Q So back in January of 1999, although it  
 22 would not have been unusual to see and/or to speak  
 23 Jay almost on a daily basis?  
 24 A Right.  
 25 Q You weren't quite as good of friends as you

1 A Right.  
 2 Q On Friday night the 26th?  
 3 A Right.  
 4 Q And you just went on your own?  
 5 A Well, after I spoke to him I went.  
 6 Q Now, when you spoke to them again on the  
 7 26th, they asked you to describe your relationship  
 8 with Jay, did they not?  
 9 A Yes.  
 10 Q And did you do so?  
 11 A Yes.  
 12 Q Did you lie about that?  
 13 A No.  
 14 Q No. But now you're telling us what you  
 15 said to Sergeant Lehmann not really, was not really  
 16 the way it was?  
 17 A Right.  
 18 Q Right.  
 19 A We're just friends.  
 20 Q That he wasn't really --  
 21 A We're just friends, me and Jay.  
 22 Q Just friends?  
 23 A Just friends.  
 24 Q Not very close friends.  
 25 A No, home boys, whatever.

1 had intimated?  
 2 A As it may have appeared, right.  
 3 Q As you made it appear to Sergeant Lehmann?  
 4 A Right.  
 5 Q Had Jay suggested to you that you do that?  
 6 A No.  
 7 Q And was there anything important to you  
 8 about portraying your relationship with Jay to  
 9 Detectives MacGillivray, Ritz, and Lehmann, or anyone  
 10 else who was there, including your lawyer?  
 11 A No.  
 12 Q No. You didn't have any hidden motive to  
 13 declare Jay a better friend than he actually was?  
 14 A No.  
 15 Q But you did so anyway?  
 16 A It's just -- I just believe that what you  
 17 all are reading into when I say very close friend is  
 18 more than what I really meant.  
 19 Q Well, Ms. Pusateri, you answered my  
 20 question and you recalled saying those words to  
 21 Sergeant Lehmann, did you not?  
 22 A Right.  
 23 Q And this is the time the tape is on, right?  
 24 A Right.  
 25 Q And your lawyer's there, right?

1 A Right.  
 2 Q And your mother's there?  
 3 A Right.  
 4 Q Right? Isn't that right?  
 5 A Yes.  
 6 Q And you were doing this consensually, were  
 7 you not?  
 8 A Yes.  
 9 Q You weren't being forced, were you?  
 10 A No.  
 11 Q And you hadn't been threatened, had you?  
 12 A No.  
 13 Q And you hadn't been charged with any crime,  
 14 had you?  
 15 A No.  
 16 Q But you chose to exaggerate your  
 17 relationship with Jay?  
 18 A Yes.  
 19 Q And did you feel, Ms. Pusateri, that they  
 20 were trying to make more out of your relationship  
 21 than there really was?  
 22 A What?  
 23 Q Did you feel then on the 27th of February  
 24 with your lawyer there, with your mother there, that  
 25 someone was trying to make more out of your

1 Q And what was that?  
 2 A Everyone's a suspect and no one's a  
 3 suspect.  
 4 Q Everyone you thought included you, did it  
 5 not?  
 6 A Sure.  
 7 Q And before then you weren't scared?  
 8 A No.  
 9 Q No. Nothing scary about going down on a  
 10 Friday night to Police Headquarters to be asked about  
 11 a murder?  
 12 A Yes.  
 13 Q So you were scared or do you remember?  
 14 A Once the police came to my house, yes, but  
 15 before then, no.  
 16 Q So you were still scared when you went down  
 17 and spoke to Detective MacGillivray?  
 18 A Yes.  
 19 Q And is that why you lied or told a half  
 20 truth?  
 21 A Yes.  
 22 Q Yes. And when Detective MacGillivray ended  
 23 the conversation, had he asked you all of the  
 24 questions he wanted?  
 25 A I don't know.

1 relationship with Jay than there really was?  
 2 A No.  
 3 Q No. So you chose those words?  
 4 A Yes.  
 5 Q Nobody put them in your mouth?  
 6 A No.  
 7 Q And there wasn't any hidden agenda that you  
 8 could tell that somebody wanted to make more out of  
 9 it than there was?  
 10 A Right.  
 11 Q But you chose to make more out of it than  
 12 there was?  
 13 A Right.  
 14 Q Is that right? And at that point in time  
 15 you had corrected the lie or lies or half truths that  
 16 you had told them the day before?  
 17 A Yes.  
 18 Q On February 26th when you were in the room  
 19 with Detective MacGillivray, were you ever threatened  
 20 of being charged?  
 21 A No.  
 22 Q Were you afraid of being charged?  
 23 A Yes.  
 24 Q Yes. Because of something they said?  
 25 A The last thing he said when I left.

1 Q Well, you didn't end the interview?  
 2 A Right.  
 3 Q You were very willing to answer questions  
 4 he asked even though you elected to at least withhold  
 5 some of the truth?  
 6 A Right.  
 7 Q Is that right? You weren't the one who  
 8 said, oh, I have to go now, I have a very important  
 9 engagement?  
 10 A Right.  
 11 Q Right? And in that hour or so your friend  
 12 Kristi Vinson remained there?  
 13 A Yes.  
 14 Q And after -- and then you left?  
 15 A Yes.  
 16 Q And you went to her house?  
 17 A Yes.  
 18 Q Directly to her house?  
 19 A Yes.  
 20 Q And on the way home you spoke to your good  
 21 friend Kristi Vinson?  
 22 A Huh?  
 23 Q On the way home to her home you spoke to  
 24 her?  
 25 A Yes.

1 Q You spoke to her?  
 2 A Yes.  
 3 Q And I'm sure she had questions about what  
 4 you all were doing at the Police Headquarters in  
 5 Baltimore City Homicide on Friday night, did she not?  
 6 A Yea.  
 7 Q She wanted to know what questions they had?  
 8 A No, she just wanted to know what was going  
 9 on.  
 10 Q What was going on, but she didn't ask you  
 11 any questions about what the police asked you?  
 12 A No.  
 13 Q And what it concerned?  
 14 A She knew that it concerned Hae Lee.  
 15 Q Because of what she heard?  
 16 A Earlier.  
 17 Q Earlier while she was still in the car  
 18 right before you left?  
 19 A And because we talked.  
 20 Q And because?  
 21 A We talked on the way down to the police  
 22 station, right.  
 23 Q And on the way down did you tell her things  
 24 that she didn't appear to know?  
 25 A That she what?

1 Q Did not appear to know?  
 2 A Yes, that she did not know.  
 3 Q So you filled her in?  
 4 A Right, she didn't -- right.  
 5 Q About your mutual friend Jay?  
 6 A About the events that happened on the 13th.  
 7 Q And on the way down -- do you recall Ms.  
 8 Pusateri you answered me that until they focused your  
 9 attention on the 13th you wouldn't have remembered  
 10 what day?  
 11 A Right.  
 12 Q Right. So on the way down since you didn't  
 13 remember, you couldn't have said, by the way, Kristi  
 14 remember January 13th?  
 15 A Right, I didn't say the date.  
 16 Q You didn't say that, right?  
 17 A Right.  
 18 Q And you didn't focus her on the importance  
 19 of the 13th, right?  
 20 A Not the date.  
 21 Q And you didn't focus her on the importance  
 22 that she was in there somewhere as to things that  
 23 involved her on that same day, did you?  
 24 A I'm not sure what you asked.  
 25 Q Well, Ms. Pusateri, what you told us on

1 direct is that that date which you now remember is  
 2 the 13th, at the end of the evening after you said  
 3 you picked Jay up at the parking lot closest to Value  
 4 City in Westview; is that right?  
 5 A Yes.  
 6 Q And after you took Jay to the F & M off  
 7 Baltimore National Pike and went behind there and  
 8 went to the dumpster?  
 9 A Right.  
 10 Q Right. That ultimately you landed at  
 11 Kristi's house?  
 12 A No, we didn't -- no, I didn't take Jay to F  
 13 & M until the day after the 13th.  
 14 Q That's what you tell us now?  
 15 A That's what I've been saying from the  
 16 beginning.  
 17 Q And --  
 18 A The shovels --  
 19 Q At some point you told them --  
 20 THE COURT: I'm sorry, one moment. The  
 21 shovels?  
 22 THE WITNESS: The shovels were behind  
 23 Westview Mall parking lot. Then we went to Kristi's  
 24 the night of the 13th.  
 25 Q All right, on the night of the 13th, okay?

1 A Yes, we went back to Westview Mall, not F &  
 2 M.  
 3 Q After you went back to Westview Mall is  
 4 when you end up at Kristi's?  
 5 A That's when we went to UMBC and then  
 6 Kristi's.  
 7 Q You went to where?  
 8 A UMBC, my school.  
 9 Q That was a sorority party, right?  
 10 A My friend Mike's party.  
 11 Q It was Mike's birthday, right?  
 12 A Yea.  
 13 Q Right? And you felt obligated to go,  
 14 right?  
 15 A Right.  
 16 Q Because you liked to please your friends,  
 17 right?  
 18 A Right.  
 19 Q And you stayed there for about an hour with  
 20 your friend Jay?  
 21 A Yes.  
 22 Q And then you ended up at Kristi's, right?  
 23 A Yes.  
 24 Q And so you said that at that time Kristi's  
 25 boyfriend Jeff Johnson lived with her?

1 A He stayed there.  
2 Q Well, you used the term lived in the  
3 transcript, did you not?  
4 A Yes, but he didn't actually live there. It  
5 wasn't his residence.  
6 Q So that was like a half truth, too?  
7 A I mean it seems as if he lived there. He  
8 would stay there a lot, but it's not his residence.  
9 It's not his address, not where his mail is sent.  
10 Q And, in fact, that is Kristi's address,  
11 right?  
12 A Yes.  
13 Q And she was present on that occasion,  
14 right?  
15 A Yes.  
16 Q And Jeff, whether he lived there or stayed  
17 there or whatever you call it, he was present, right?  
18 A Yes.  
19 Q And you stayed there with Jay for a little  
20 bit of time, did you not?  
21 A Uh-huh.  
22 Q And is that a yes?  
23 A Oh, yes.  
24 Q And during that time you told Detective  
25 MacGillivray on the 27th while the tape was running

1 that you were acting pretty strange?  
2 A Yes.  
3 Q And that your friend Krista noticed how  
4 strange you were acting?  
5 A Yes.  
6 Q And that Jay was acting pretty strange?  
7 A Yes.  
8 Q And that your friend Krista noticed?  
9 A Kristi, but yes.  
10 Q Kristi noticed?  
11 A Yes.  
12 Q Is that right?  
13 A Yes.  
14 Q That's what you told them, right?  
15 A Yes.  
16 Q But on the 26th of February when you were  
17 riding down to the police station having spoken to  
18 Jay about whether or not you should go --  
19 A I didn't --  
20 Q -- you spoke to Krista, Kristi about these  
21 events, did you not?  
22 A Yes, I spoke to Kristi.  
23 Q Okay. But at that time you had no idea  
24 that the events occurred --  
25 A On the 13th.

1 Q -- on the 13th, right?  
2 A Right.  
3 Q So you couldn't have reminded her that, oh,  
4 you remember the night I was acting strange, could  
5 you of?  
6 A She asked me after the detectives spoke  
7 about Hae Lee at the car, she asked me if it had  
8 anything to do with the night that Adnan was at her  
9 house.  
10 Q You weren't there when Adnan was at her  
11 house?  
12 A Right.  
13 Q And you had not spoken to her about Adnan  
14 being there, had you?  
15 A Yes.  
16 Q You had?  
17 A I was on the phone with --  
18 Q You remember that date?  
19 A I was on the phone with her when Adnan was  
20 at the house.  
21 Q When Adnan was there?  
22 A Yes.  
23 Q And she told you he was there?  
24 A Yes.  
25 Q And she told you he acted strange?

1 A Yes.  
2 Q Okay. Later that evening when you got  
3 there with your friend Jay after having attended the  
4 sorority party, you had further conversations with  
5 her about that day?  
6 A No.  
7 Q No. Now, on the way down then was she the  
8 initiator of the conversation or were you? On the  
9 way down to the police station on Friday the 26th  
10 after leaving the porn store?  
11 A She asked me about -- she asked me if what  
12 the detective was talking about was when Adnan came  
13 over and then that's when I went to tell her about --  
14 Q Had the detectives --  
15 THE COURT: Wait a minute, I went to tell  
16 her about?  
17 THE WITNESS: That's when I went on to tell  
18 her about the -- about Jay's involvement and what  
19 happened to Hae Lee and what Jay had told me.  
20 Q All right. Now, as to Jay's involvement,  
21 according to what you told the detectives, what he  
22 had told you was that he had nothing to do with  
23 killing Hae Lee?  
24 A Right.  
25 Q Right? That he wasn't present, right?



1 A Right.  
 2 Q That he hadn't done anything ahead of time,  
 3 right?  
 4 A Right.  
 5 Q And that although he had been asked to help  
 6 bury the body he hadn't done a thing?  
 7 A Right.  
 8 Q And according to him as to what he told  
 9 you, he didn't have any involvement, right?  
 10 A Right, he just drove Adnan around and  
 11 picked him up and dropped him off at different  
 12 places.  
 13 Q But that he had nothing to do with killing  
 14 her or burying her, right?  
 15 A Right.  
 16 Q He didn't assist Adnan other than to drive  
 17 him around, right?  
 18 A Right.  
 19 Q But he had no knowledge of what happened to  
 20 Hae before it happened, right?  
 21 A Right.  
 22 Q But when asked to assist after he had  
 23 knowledge he had refused?  
 24 A Right.  
 25 Q And you told them that you believed him,

1 right?  
 2 A Yes.  
 3 Q And that he told you he had no idea where  
 4 the body was?  
 5 A Right.  
 6 Q Because he had refused --  
 7 MS. MURPHY: Objection.  
 8 Q Because he had told you he had refused to  
 9 help do anything with the body?  
 10 MS. MURPHY: Objection.  
 11 THE COURT: Sustained.  
 12 Q And what else did you talk about with your  
 13 friend Kristi Vinson --  
 14 MS. MURPHY: Objection.  
 15 Q -- on the way down?  
 16 THE COURT: Sustained.  
 17 Q On the way back over to her house did you  
 18 tell her what the detectives had asked you?  
 19 A No.  
 20 Q And did you tell her about what Jay had  
 21 said?  
 22 A I told her on the way down, not on the way  
 23 back.  
 24 Q On the way back. And was there any other  
 25 topic of conversation on the way back?

1 A Just normal conversation.  
 2 Q Unrelated to these events?  
 3 A Right.  
 4 Q And was your good friend Kristi Vinson  
 5 scared for you?  
 6 A Yes.  
 7 MS. MURPHY: Objection.  
 8 THE COURT: Overruled.  
 9 A Yes, we spoke.  
 10 THE COURT: Was she scared for you?  
 11 THE WITNESS: We spoke about the events  
 12 that occurred because I had told Kristi that I had  
 13 lied to the police, right, and she was concerned and  
 14 said that yea I should probably go get a lawyer in  
 15 the morning.  
 16 Q Get a lawyer?  
 17 A Right, because I had lied.  
 18 Q And that's what you discussed with her?  
 19 A Right.  
 20 Q Because you decided after you left, that if  
 21 you had lied you'd better get a lawyer?  
 22 A Right.  
 23 Q Because you were scared of the consequences  
 24 of lying, right?  
 25 A Right.

1 Q You weren't scared of the consequences of  
 2 being charged in these events?  
 3 A I didn't have anything to do with them.  
 4 Q And you were certain that the police  
 5 believed you?  
 6 A No.  
 7 Q As to that?  
 8 A No.  
 9 Q Were you not?  
 10 A No.  
 11 Q You said that you were scared in part  
 12 because of the last thing that Detective MacGillivray  
 13 said, right?  
 14 A Right.  
 15 Q His statement about everybody being a  
 16 suspect?  
 17 A Right.  
 18 Q You included yourself in that category, did  
 19 you not?  
 20 A Yes.  
 21 Q Did you express that fear to your good  
 22 friend Kristi Vinson?  
 23 A I couldn't hear you.  
 24 Q Did you express that fear to your good  
 25 friend Kristi Vinson?

1 A No, not like that.  
 2 Q In any way?  
 3 A I told her that I was scared because I had  
 4 lied. That's it.  
 5 Q Because you had lied?  
 6 A Right.  
 7 Q You didn't tell her you were also scared  
 8 because MacGillivray was considering everybody,  
 9 including you, a suspect in the homicide of Hae Min  
 10 Lee?  
 11 A Right.  
 12 Q And now when you left that office had you  
 13 made plans to speak to MacGillivray again?  
 14 A No.  
 15 Q Had you told him that you thought that  
 16 perhaps you should get a lawyer?  
 17 A No.  
 18 Q In order to speak to him?  
 19 A No.  
 20 Q Had you ever during that evening told him  
 21 -- well, did he ask you to use a tape recorder that  
 22 evening?  
 23 A No.  
 24 Q Did you ever tell him that you had some  
 25 difficulty in answering some of his questions?

1 in the afternoon you brought a lawyer with you?  
 2 MS. MURPHY: Objection.  
 3 THE COURT: Sustained.  
 4 Q Now, Ms. Pusateri, when you came down there  
 5 the second day, did you call Detective MacGillivray  
 6 and let him know you were coming?  
 7 MS. MURPHY: Objection.  
 8 THE COURT: Sustained. We've been over  
 9 this, Ms. Gutierrez. Please move on.  
 10 Q Prior to arriving, not the night of the  
 11 26th when you said you hadn't made an appointment,  
 12 did you make any arrangements for a specific time to  
 13 be there?  
 14 MS. MURPHY: Objection.  
 15 THE COURT: Sustained.  
 16 Q Now, when you arrived they asked your  
 17 permission to turn on the tape recorder, right?  
 18 MS. MURPHY: Objection.  
 19 THE COURT: Sustained.  
 20 Q When you began the statement they began  
 21 asking questions, did they not?  
 22 MS. MURPHY: Objection.  
 23 THE COURT: Overruled.  
 24 A Yes.  
 25 Q And they began asking questions by saying

1 A No.  
 2 Q Or that you hadn't told him the whole  
 3 truth?  
 4 A Did I ever tell him that?  
 5 Q Yes.  
 6 A No.  
 7 Q That you lied?  
 8 A No.  
 9 Q And there was no appointment set, was  
 10 there?  
 11 A No.  
 12 Q And there had been no discussion about a  
 13 lawyer?  
 14 A Right.  
 15 Q And he hadn't threatened you with being  
 16 charged --  
 17 MS. MURPHY: Objection.  
 18 THE COURT: Sustained.  
 19 Q When your friend Kristi Vinson discussed  
 20 with you and suggested it might be a good idea to go  
 21 get a lawyer you acted on that, did you not?  
 22 MS. MURPHY: Objection.  
 23 THE COURT: Sustained.  
 24 Q And when you arrived down at the police  
 25 station on February 27th sometime around four o'clock

1 that this office was currently investigating a  
 2 homicide, the victim's name is Hae Min Lee, she was  
 3 found missing on the 13th of January, now, what, if  
 4 anything, can you tell us about this event, did they  
 5 not?  
 6 A Yes.  
 7 Q They threw it back to you, did they not?  
 8 A Yes.  
 9 Q And you then told them in a very lengthy  
 10 way all that you knew, isn't that correct?  
 11 A Yes.  
 12 Q And you said that you heard all about the  
 13 event from an individual by the name of Jay, right?  
 14 A Right.  
 15 Q And that he had told you that at around  
 16 eight o'clock that evening that Adenar, Hae's  
 17 ex-boyfriend, had killed her, did you not?  
 18 A It was eight o'clock when I had found out,  
 19 not that it happened at eight o'clock but that it was  
 20 eight o'clock when Jay had told me about it.  
 21 Q But the transcript reads Jay told me around  
 22 eight o'clock that evening that Adenar, Hae's  
 23 ex-boyfriend, had killed her?  
 24 MS. MURPHY: Objection.  
 25 A Right.

1 Q Does it not?  
 2 THE COURT: Sustained.  
 3 Q And you told them about Adnan's car, right?  
 4 A Yes.  
 5 Q And that Jay had told you it was Adnan's  
 6 car, right?  
 7 A I don't remember.  
 8 Q You weren't friendly with Mr. Syed in  
 9 school, were you?  
 10 A No, we weren't good friends.  
 11 Q You barely knew him, did you not?  
 12 A So, so, enough to speak.  
 13 Q Had you ever gone on a social occasion with  
 14 him?  
 15 MS. MURPHY: Objection.  
 16 THE COURT: Overruled. I think her answer  
 17 was enough to speak. Your next question.  
 18 Q Had you ever gone on a social occasion with  
 19 him?  
 20 A No.  
 21 Q Had he ever visited your house?  
 22 A No.  
 23 Q Other than this day had he ever called your  
 24 house?  
 25 A No.

1 Q Had you ever called him?  
 2 A No.  
 3 Q Had you ever met him with a group of others  
 4 to socialize?  
 5 A Only at school.  
 6 Q Only at school?  
 7 A Yea.  
 8 Q Physically at school?  
 9 A Yes.  
 10 Q And you were a year ahead of him?  
 11 A Yes.  
 12 Q Now, you knew that he was friends with  
 13 Stephanie, did you not?  
 14 A Yes.  
 15 Q And you knew Stephanie McPherson to be  
 16 Jay's good friend?  
 17 A Jay's girlfriend.  
 18 Q And you knew that from Jay, did you not?  
 19 A And Stephanie.  
 20 Q And you told us that independently you had  
 21 a relationship with Stephanie, did you not?  
 22 A In what?  
 23 Q Independently you had a relationship --  
 24 A Oh, yes.  
 25 Q -- with Stephanie, right?

1 A Yes.  
 2 Q Because of softball, was it?  
 3 A Yes.  
 4 Q Is that right?  
 5 A Yes.  
 6 Q And you said Stephanie wasn't really a  
 7 problem, did you not?  
 8 A Right.  
 9 Q And do you recall them asking you about  
 10 Stephanie?  
 11 A Yes.  
 12 Q And do you recall telling them you didn't  
 13 really like Stephanie?  
 14 A That we don't always see eye to eye on  
 15 everything.  
 16 Q You don't always see eye to eye?  
 17 A Right.  
 18 Q So with Stephanie your relationship was one  
 19 in which there were disagreements?  
 20 A Right.  
 21 Q And did some of those disagreements concern  
 22 Jay?  
 23 A No.  
 24 Q No. About other things?  
 25 A Yes.

1 Q But you knew from both Stephanie and from  
 2 Jay that Adnan Syed was very, very close with  
 3 Stephanie, did you not?  
 4 A From Jay, yes.  
 5 Q From Jay. And you didn't object to that,  
 6 did you?  
 7 A No.  
 8 Q No. That night while you were there you  
 9 answered all of their questions, did you not?  
 10 A Yes.  
 11 Q And they asked you questions about the  
 12 chronology of events, did they not?  
 13 A Yes.  
 14 Q And they asked you whether or not you were  
 15 at Stephanie's house, did you not?  
 16 A Yes.  
 17 Q And then you recalled that you thought you  
 18 had taken Jay there, did you not?  
 19 A Yes.  
 20 Q And that you stayed in the car?  
 21 A Yes.  
 22 Q While he went to visit his girlfriend?  
 23 A Yes.  
 24 Q It took about fifteen minutes?  
 25 A Yes.

1 Q And then you saw him go inside?  
 2 A Yes.  
 3 Q He didn't remain at the curb, did he?  
 4 A No.  
 5 Q He actually left your car, walked up, and  
 6 went inside her house?  
 7 A Yes.  
 8 Q You could see that?  
 9 A Yes.  
 10 Q But you didn't go in?  
 11 A No.  
 12 Q And you were also asked about that occasion  
 13 whether you saw a birthday present?  
 14 A Right.  
 15 Q And you said no?  
 16 A I don't remember seeing one.  
 17 Q That's what you told them, is that right?  
 18 A Yes.  
 19 Q And you had no further discussions with  
 20 Stephanie, did you?  
 21 A No.  
 22 Q Not about any of these events?  
 23 A Later or that night?  
 24 Q That night.  
 25 A Ever?

1 Q Yes.  
 2 A That night, no. Ever, yes.  
 3 Q Later?  
 4 A Yes.  
 5 Q Yes you had discussions with Stephanie?  
 6 A Yes, we have.  
 7 Q After the 13th?  
 8 A Yes.  
 9 Q When did those discussions take place?  
 10 A I don't know.  
 11 Q Would it have been in March?  
 12 A It could have been anywhere from now --  
 13 from March until today.  
 14 Q Until today. You don't know?  
 15 A No.  
 16 Q And where were you when those discussions  
 17 took place?  
 18 A I don't even remember.  
 19 Q And that was after Jay Wilds talked to the  
 20 police, was it not?  
 21 A Yes.  
 22 Q And that was during the time that Stephanie  
 23 was still Jay Wilds' girlfriend?  
 24 A Right.  
 25 Q Correct? Now, on that night you were asked

1 lots of questions to describe how Jay acted, were you  
 2 not?  
 3 A Yes.  
 4 Q In addition to what he said, right?  
 5 A Right.  
 6 Q And in addition to the chronology of  
 7 events; is that correct?  
 8 A Yes.  
 9 Q And you described for them that you saw him  
 10 first sometime after 1:30 or about 1:30 or 1:00  
 11 o'clock or on another occasion you said after 12:30.  
 12 You then stayed with him or he stayed with you at  
 13 your house up until the time when you left, right?  
 14 A Right.  
 15 Q And the time you left you pinned it about  
 16 3:45, did you not?  
 17 A Yes.  
 18 Q And you pinned that time because you had to  
 19 leave your house a little bit before 4:30?  
 20 A Right, around 4:15.  
 21 Q Because of your obligation to pick up your  
 22 parents, correct?  
 23 A Correct.  
 24 Q And that was your daily routine, correct?  
 25 A Correct.

1 Q So you were clear he arrived at your house  
 2 after you did, is that right?  
 3 A Right.  
 4 Q And left before you got --  
 5 A Yes.  
 6 Q And you described him during that time as  
 7 not being quite himself?  
 8 A Right.  
 9 Q Being upset?  
 10 A Just not himself.  
 11 Q Not himself. You had a hard time  
 12 describing it then, right?  
 13 A Right.  
 14 Q And you used words like well he was sort of  
 15 hyper?  
 16 A Right.  
 17 Q And that he was uptight?  
 18 A Right.  
 19 Q Is that right? But that he was not like he  
 20 normally is?  
 21 A Right.  
 22 Q In how he acted; is that right?  
 23 A Right.  
 24 Q And you told them that you formed an  
 25 opinion and when he left you had made plans to see



1 him again, correct?  
 2 A Correct.  
 3 Q In fact, you had a certain time?  
 4 A Sometime after six. I don't know if it was  
 5 specific.  
 6 Q But you told the police there was a certain  
 7 time, didn't you?  
 8 A I guess, yea.  
 9 Q And you had a certain place to meet, did  
 10 you not?  
 11 A Yes.  
 12 Q The place you were supposed to meet was the  
 13 park?  
 14 A Right, I didn't give that information until  
 15 after I spoke to Jeff on the phone when Adnan and Jay  
 16 were at Kristi's house.  
 17 Q And when you spoke to -- you spoke to Jeff  
 18 on the phone?  
 19 A I spoke to Jeff and Kristi.  
 20 Q And Kristi. Who first?  
 21 A Kristi.  
 22 Q And did you tell Kristi how concerned you  
 23 were about how odd your mutual friend Jay was?  
 24 A Yes, we were talking about it because she  
 25 thought that he was acting strange as well.

1 Q That Jay was acting strange?  
 2 A When they were at her house.  
 3 Q Okay. And strange, you understood that to  
 4 mean different than normal?  
 5 A Right.  
 6 Q And that confirmed what you had seen  
 7 earlier, right?  
 8 A Yes.  
 9 Q And during that, by the way, whatever that  
 10 period of time was 12:30 to 12:45 or 1:30 to 3:45,  
 11 you told them that you and he played video games, did  
 12 you not?  
 13 A Him and Mark and me.  
 14 Q Well, you never mentioned Mark in your  
 15 statement to Detective McGillivray on February 28th,  
 16 did you?  
 17 A They asked what we did, and I said we  
 18 played video games and with my dog, and we hung out,  
 19 meaning me, my brother, and Jay.  
 20 Q And you meant to include your brother,  
 21 right?  
 22 A Meaning we, yes.  
 23 Q But you never mentioned his name, did you?  
 24 A I had no reason to.  
 25 Q And you never mentioned that he was there?

1 A No reason to.  
 2 Q And you never mentioned that it was really  
 3 him and Jay playing the video games?  
 4 A We played video games.  
 5 Q Meaning you, Jay, and your brother Mark?  
 6 A Yes.  
 7 Q And you were then how old Ms. Pusateri?  
 8 A Nineteen.  
 9 Q And that was the day after your very good  
 10 friend's birthday, right?  
 11 A Yes.  
 12 Q And he was how old?  
 13 A He would have turned twenty, nineteen,  
 14 nineteen.  
 15 Q And your brother --  
 16 A No, I was eighteen at that time and Jay was  
 17 turning nineteen.  
 18 Q And your brother Mark was?  
 19 A Fifteen.  
 20 Q And his name never appears in the  
 21 transcript that you've reviewed of your tape recorded  
 22 statement that was obtained on the 28th, was it?  
 23 A Right.  
 24 Q Well, what does appear is your direct  
 25 observation that before Jay left he was not acting

1 normal?  
 2 A Right.  
 3 Q And that you had formed a conviction that  
 4 you were going to get out of him what was going on?  
 5 A No, my -- was not to get anything out of  
 6 Jay. I was going to ask him what was going on. If  
 7 he told me, he told me. If he didn't, he didn't.  
 8 Q Well, you told Detective MacGillivray that  
 9 you weren't letting him back in your car unless you  
 10 got answers to your concerns, did you not?  
 11 A Right.  
 12 Q That your good friend wasn't going to be  
 13 allowed to get back into the car that he had ridden  
 14 in many times, is that right?  
 15 A I was going to let him back in. That's  
 16 just what I told MacGillivray.  
 17 Q And was that a half truth?  
 18 A That's how I felt at the time but I really  
 19 wouldn't stick with that. I really wouldn't be like  
 20 you really can't get in the car if you really don't  
 21 tell me what's going on. I wouldn't be like that  
 22 with my very good friend Jay.  
 23 Q Now, at the time you're referring to, the  
 24 time you're speaking to Detective MacGillivray on  
 25 February 28th?

1 A February, I thought it was the 26th.  
 2 Q Oh, I'm sorry. Actually, it's the 27th  
 3 when the tape recorder was on?  
 4 A Right, the 27th.  
 5 Q So at the time you mean that's how you felt  
 6 then?  
 7 A The night of the 13th of January when I  
 8 spoke to Kristi on the phone I had decided, from what  
 9 she had told me how Jay and Adnan were acting at her  
 10 house, I had decided that it would be in my best  
 11 interests to find out what was going on before I  
 12 allowed Jay to get in the car and that's what I told  
 13 the detective on the 27th.  
 14 Q Well, in fact, you mentioned to the  
 15 detective when asked about that you were concerned  
 16 because you never knew with Jay?  
 17 A Right.  
 18 Q Did you not?  
 19 A Right.  
 20 Q You never knew what would have gone on,  
 21 right?  
 22 A Right.  
 23 Q You never knew what might be upsetting him?  
 24 A Right.  
 25 Q Or making him act abnormal?

1 A Right.  
 2 Q Now, you were one who back then had smoked  
 3 weed often with Jay, had you not?  
 4 A Yes.  
 5 Q And you could tell when he was high, could  
 6 you not?  
 7 A Yes.  
 8 Q And that night when the tape recorder was  
 9 on, you never said to Detective MacGillivray, oh, I  
 10 thought he was high by how he was acting, did you?  
 11 A No.  
 12 Q You never suggested that that might account  
 13 for what it was that was making him act not the  
 14 normal way he was?  
 15 A Weed wouldn't make him act like he was  
 16 acting.  
 17 Q Huh?  
 18 A I said weed wouldn't make him act like he  
 19 was acting. So it wasn't because he was high.  
 20 Q And you're saying that from experience,  
 21 correct?  
 22 A Yes.  
 23 Q Because you've observed him when he's high,  
 24 right?  
 25 A Yea.

1 Q So you could tell that day whether or not  
 2 he was high?  
 3 A I can't tell all of the time, no.  
 4 Q But generally you can?  
 5 A I don't examine him. I mean, I know that  
 6 he's high when I'm high because if we smoke together  
 7 then that's when I know.  
 8 Q You know --  
 9 A But if we haven't smoked together, then no  
 10 I couldn't tell you if he was high or not.  
 11 Q And you hadn't asked him if he was high?  
 12 A No.  
 13 Q You and he hadn't smoked in that time  
 14 period that early afternoon, had you?  
 15 A I don't know, probably not.  
 16 Q But maybe so?  
 17 A Maybe so.  
 18 Q But if you had, that wasn't what gave rise  
 19 to your concern, was it?  
 20 A No.  
 21 Q So even if he was high that wasn't the  
 22 thing that led you to tell, to tell Detective  
 23 MacGillivray that you never know with Jay, was it?  
 24 A Right.  
 25 Q Your remark that you never know with Jay

1 was based on your experience with him?  
 2 A Right.  
 3 Q What might upset him?  
 4 A Right.  
 5 Q What he might be involved with?  
 6 A What would upset him, I mean, yea, would he  
 7 be involved with.  
 8 Q Now, again, I'm asking you about the 28th  
 9 after --  
 10 A The 27th.  
 11 Q The 27th after the tape recorder was on,  
 12 they were asking again about the time between 1:30  
 13 and the 3:45 time that you say he left, right? You  
 14 told them that he had told you he was waiting for a  
 15 phone call, right?  
 16 A Right.  
 17 Q And you couldn't recall -- you recalled  
 18 that phone calls came in, right? Is that right?  
 19 A Yes.  
 20 Q But you couldn't tell whether those phone  
 21 calls came in on your land line, right?  
 22 A I don't remember.  
 23 Q Or the cell phone, right?  
 24 A Right.  
 25 Q So what you told them is that the calls

1 that you heard coming in could have come in either on  
 2 the land line, right?  
 3 A Right.  
 4 Q Or on the cell phone?  
 5 A Right.  
 6 Q Is that right?  
 7 A Right.  
 8 Q But that you back then on the 27th couldn't  
 9 remember which?  
 10 A Right.  
 11 Q Is that right? And they asked you did he  
 12 appear anxious or nervous waiting for that phone  
 13 call, did they not?  
 14 A Yes.  
 15 Q And you recall that you answered, hum, I  
 16 could tell, I could tell that there was something  
 17 wrong?  
 18 A Right.  
 19 Q Is that not right?  
 20 A That's right.  
 21 Q Clearly your sense was not that there was  
 22 something right that you didn't know about, right?  
 23 A Right.  
 24 Q But whatever it was that you didn't know  
 25 about that caused your good friend Jay to act

1 abnormal was something wrong; is that right?  
 2 A What I believed, yes.  
 3 Q And those were the words that you chose to  
 4 describe your friend's behavior back on September --  
 5 I mean, February 27th; is that right?  
 6 A Yes.  
 7 Q Now, they asked you a number of other  
 8 questions about that day and it included what  
 9 happened after the time you picked him up at a  
 10 location that you described as the Value City parking  
 11 lot on Westview Mall?  
 12 A Yes.  
 13 Q Now, Jay's house you said you know the road  
 14 it's on, right?  
 15 A Yes.  
 16 Q But not the number, right?  
 17 A Right.  
 18 Q But you know where the location is, right?  
 19 A Right.  
 20 Q You've been there before, have you not?  
 21 A Yes.  
 22 Q And Jay's house is not Westview Mall, is  
 23 it?  
 24 A No.  
 25 Q It's not inside of Westview Mall?

1 A No.  
 2 Q It's not off of the parking lot, is it?  
 3 A No.  
 4 Q And Value City is at one of the end of the  
 5 mall, is it not?  
 6 A Yes.  
 7 Q And where Value City is, right beyond the  
 8 end of it is the beginning of an underground parking  
 9 lot, right?  
 10 A Yes.  
 11 Q And that's where you told the police you  
 12 went that night?  
 13 A No, I told the police I was parked under a  
 14 light and it got transcribed wrong. I never said I  
 15 was parked underground because I didn't park  
 16 underground anything.  
 17 Q But you parked near Value City, did you  
 18 not?  
 19 A Under a light in front of Value City by  
 20 Westview Mall parking lot, yes.  
 21 Q So the transcriber made a mistake?  
 22 A Yes.  
 23 Q And that, of course, is one of the mistakes  
 24 that you observed?  
 25 A Yes.

1 Q And that you never brought to anybody's  
 2 attention?  
 3 A No.  
 4 Q In any event, where you were was in close  
 5 proximity to the Value City that is connected to  
 6 Westview Mall?  
 7 A Yes.  
 8 Q The mall that's off of Route 40/Baltimore  
 9 Baltimore National Pike?  
 10 A Right.  
 11 Q And that's where you picked?  
 12 A Jay up.  
 13 Q Jay up; is that right?  
 14 A Yes.  
 15 Q And that you got there first, right?  
 16 A Yes.  
 17 Q And you waited about fifteen minutes; is  
 18 that right?  
 19 A I don't believe it was quite fifteen  
 20 minutes. I don't know how long it was.  
 21 Q Not a long time?  
 22 A Right.  
 23 Q Right? And that ultimately Jay came up in  
 24 a car?  
 25 A Yes.

1 Q You were asked to remember and you really  
2 couldn't, in fact, you said something, I sort of want  
3 to say Adnan was driving but you really couldn't  
4 remember, could you?  
5 A Right.  
6 Q That that's where you picked him up?  
7 A Yes.  
8 Q And you described what he was wearing, did  
9 you not?  
10 A What I thought he could have been wearing  
11 but I really don't know.  
12 Q You really weren't sure?  
13 A Right.  
14 Q All you really did was describe what he  
15 wore a lot of, right?  
16 A Right.  
17 Q What you call dickey outfits?  
18 A Yep.  
19 Q And you described that he wore black pants;  
20 is that right?  
21 A Uh-huh.  
22 Q Not jeans?  
23 A Right.  
24 Q And you actually described the description  
25 of his outer coat?

1 A Yes.  
2 Q It was plaid?  
3 A From what I think, yea.  
4 Q Okay. And so you were just sort of  
5 guessing at it?  
6 A Yes.  
7 Q Because you really didn't notice his  
8 clothes?  
9 A Right.  
10 Q And they asked you if they appeared dirty,  
11 did they not?  
12 A Right.  
13 Q And you said well, I really don't know but  
14 I didn't notice anything, right?  
15 A Right.  
16 Q They even asked you if you saw dirt on his  
17 hands?  
18 A Right.  
19 Q And, again, you told them I didn't really  
20 notice?  
21 A Right, I didn't examine him.  
22 Q Now from that point -- and you were asked  
23 to describe his boots, were you not?  
24 A Yea.  
25 Q And you said they weren't really

1 Timberland's but they looked like Timberland's?  
2 A Right.  
3 Q And those were the boots you knew him to  
4 wear all of time?  
5 A Those are the boots that I remember seeing.  
6 Q Seeing?  
7 A Yea, I remember seeing them.  
8 Q That night?  
9 A You're saying like -- I remember them.  
10 Q Again, you didn't describe anything out of  
11 the ordinary?  
12 A Right.  
13 Q After you picked him up before you took him  
14 home for the last time sometime after midnight, which  
15 would be the 14th, right?  
16 A Right.  
17 Q Did you take him home?  
18 A Yes.  
19 Q Before then?  
20 A Oh, in between?  
21 Q Yes.  
22 A I don't think so, no.  
23 Q You don't think so. And you didn't  
24 describe doing so, did you?  
25 A No.

1 Q You described everything else you did,  
2 didn't you?  
3 A Yes.  
4 Q In fact, you described going places at  
5 Jay's direction, did you not?  
6 A Yes.  
7 Q And one of the places where you went was to  
8 a dumpster?  
9 A Yes.  
10 Q And you knew why you were going there, did  
11 you tell them that on the 28th?  
12 A On the 27th?  
13 Q On the 27th.  
14 A I told them we were going to the dumpster  
15 because Jay told me that he knew where the shovels  
16 were that Adnan used to bury the body.  
17 Q That Adnan used?  
18 A Right.  
19 Q Not Jay?  
20 A Right, that's what Jay told me.  
21 Q Jay never told you that he might have used  
22 the shovels?  
23 A Right, he told me he didn't.  
24 Q That he did not?  
25 A Right.



1 Q Affirmatively he told you that?  
 2 A He told me he didn't help bury the body so  
 3 I guess he wouldn't use a shovel.  
 4 Q And what he told you was that those were  
 5 the shovels and you connected them to Adnan, is that  
 6 right?  
 7 A Right.  
 8 Q But then he drove you to the place where he  
 9 told you the shovels were?  
 10 A I drove him, yes.  
 11 Q I'm sorry, you drove him, right? He told  
 12 you where to go, did he not?  
 13 A Yes.  
 14 Q And you took him there, right?  
 15 A Yes.  
 16 Q And on that day, on the 28th when you're  
 17 telling this, you were aware because you used the  
 18 same words to describe the relationship as Jay had,  
 19 that Jay and Adnan were mere acquaintances, did you  
 20 not?  
 21 A Yes.  
 22 Q That's how you described them, right?  
 23 A From my knowledge, yes.  
 24 Q From your knowledge. And you had pretty  
 25 good knowledge about Jay's time, did you not?

1 A Right.  
 2 Q You saw him sometimes everyday, right?  
 3 A Right.  
 4 Q And you had never hung out with him and  
 5 Adnan, right?  
 6 A Right.  
 7 Q And you knew that Adnan was not a close  
 8 friend?  
 9 A Right, of mine or Jay's, right.  
 10 Q And when Jay had told you about what he  
 11 says Adnan said, did he express concern about helping  
 12 conceal the crime to cover up for Adnan?  
 13 A How to help to cover up for Adnan?  
 14 Q Yes.  
 15 A No.  
 16 Q Did he express any concern?  
 17 A For Adnan?  
 18 Q About Adnan?  
 19 A No.  
 20 Q And did he express any sentiment that he  
 21 should help cover up this crime?  
 22 A No.  
 23 Q Now, when you went to the location that  
 24 location was back at Westview, right?  
 25 A Yes.

1 Q And you went back there because you had  
 2 already left the Westview Mall parking lot, had you  
 3 not?  
 4 A Yes.  
 5 Q And he asked you to go back, right?  
 6 A Right.  
 7 Q And after he told you, oh, I know where the  
 8 shovels are that Adnan used, right?  
 9 A He didn't say it like that, no.  
 10 Q But he said that's why?  
 11 A He wanted me to take him to Westview Mall.  
 12 Q Is that right?  
 13 A Yes.  
 14 Q He said what?  
 15 A Why he wanted me to take him back to  
 16 Westview Mall.  
 17 Q Okay. And you did so, right?  
 18 A Yes.  
 19 Q And he got out of the car, did he not?  
 20 A Yes.  
 21 Q And he went to a dumpster, did he not?  
 22 A Yes.  
 23 Q You could see that from the car, could you  
 24 not?  
 25 A I saw him walk in the direction of the

1 dumpsters.  
 2 Q Was there anything else there other than  
 3 the dumpster?  
 4 A A fence, a wall maybe. I don't remember.  
 5 Q Did you watch him?  
 6 A No.  
 7 Q You never got out of the car, did you?  
 8 A No.  
 9 Q And he ultimately -- and he asked you to  
 10 keep a lookout, did he not?  
 11 A Yes.  
 12 Q In case somebody else came around the back,  
 13 right?  
 14 A Well, he didn't ask me to keep a lookout.  
 15 I guess -- well, maybe he asked, but I just would  
 16 because it's not where I should be.  
 17 Q And you knew that?  
 18 A Yea.  
 19 Q In the back of Westview?  
 20 A Right.  
 21 Q Right? While your friend went to a  
 22 dumpster, right?  
 23 A Right.  
 24 Q And you kept a lookout so that you could  
 25 warn him if anybody came around?

1 A I kept a lookout so I could move if  
2 security came.  
3 Q That you could move?  
4 A Yea.  
5 Q To protect yourself?  
6 A Yea.  
7 Q And you would have just taken off and left  
8 your friend there?  
9 A Probably not.  
10 Q But maybe?  
11 A Whatever had to happen.  
12 Q Now, he then -- could you see him getting  
13 near the dumpster that you could see?  
14 A Yes.  
15 Q Did he reach into the dumpster?  
16 A No.  
17 Q Did you see shovels?  
18 A No.  
19 Q Did you see him do anything?  
20 A No, I wasn't watching him.  
21 Q Well, were you aware from any source, your  
22 own observations or what you were told, that he was  
23 wiping off shovels?  
24 A That's why he wanted to go to the shovels  
25 was to wipe them off because he said the shovels were

1 his and he didn't want any of his old prints on the  
2 shovels.  
3 Q His old prints?  
4 A Right.  
5 Q So as far as what he said, he would not  
6 have touched the shovels that day?  
7 A Right. Well, I mean I guess giving them to  
8 Adnan he might have.  
9 Q Is that a guess?  
10 A He might have touched them.  
11 Q Is that a guess or is that something you  
12 remember he said?  
13 A Remember him saying what? I remember him  
14 saying that he wanted to wipe down the shovels to get  
15 his prints off.  
16 Q To get his, meaning Jay's prints off the  
17 shovel?  
18 A Right. Well, I just assumed -- he said he  
19 wanted to go wipe the shovels down because they were  
20 his shovels. That's what he said.  
21 Q And you assumed it was to wipe his prints  
22 off?  
23 A Right.  
24 Q Jay's prints off?  
25 A Right.

1 Q Not Adnan's prints off?  
2 A Right.  
3 Q Because you would not have seen him as  
4 doing something to protect his mere acquaintance  
5 Adnan?  
6 A Right.  
7 Q You made the assumption whatever prints  
8 that were there were old prints?  
9 A Sure.  
10 Q Because he had indicated to you that he  
11 didn't even touch the shovels that day?  
12 A Right.  
13 Q But he identified them as his shovels?  
14 A Right.  
15 Q Is that correct? And then after you did  
16 that -- and no security came by, right?  
17 A Right.  
18 Q So you never had to face that issue, right?  
19 A Right.  
20 Q And after he came back from the dumpster,  
21 did he?  
22 A Yes.  
23 Q And did he say, oh, yea, I got the prints?  
24 A No.  
25 Q And did he say he had wiped the shovels?

1 A No.  
2 Q Did he say he had found the shovels?  
3 A No.  
4 Q Did he appear less agitated than he  
5 appeared before?  
6 A No.  
7 Q And after that you then went to the  
8 sorority party?  
9 A Yes.  
10 Q That had been pre-planned, had it not?  
11 A Yes.  
12 Q It wasn't something that you found out  
13 about?  
14 A I knew about it probably that day. I don't  
15 know when I found out about it. It was Mike's  
16 party. It wasn't a sorority party.  
17 Q And Mike was a friend of yours, was he not?  
18 A Yes.  
19 Q Well, the word sorority is a word that you  
20 used while the tape was on, was it not?  
21 A The detectives thought -- yea, because some  
22 of my sorority sisters live in the apartment where  
23 the birthday party was for Mike.  
24 Q But you used the term sorority party, did  
25 you not?

1           A     No.

2           Q     Did he say he had found the shovels?

3           A     No.

4           Q     Did he appear less agitated than he

5     appeared before?

6           A     No.

7           Q     And after that you then went to the

8     sorority party?

9           A     Yes.

10          Q     That had been pre-planned, had it not?

11          A     Yes.

12          Q     It wasn't something that you found out

13     about?

14          A     I knew about it probably that day. I don't

15     know when I found out about it. It was Mike's

16     party. It wasn't a sorority party.

17          Q     And Mike was a friend of yours, was he not?

18          A     Yes.

19          Q     Well, the word sorority is a word that you

20     used while the tape was on, was it not?

21          A     The detectives thought -- yea, because some

22     of my sorority sisters live in the apartment where

23     the birthday party was for Mike.

24          Q     But you used the term sorority party, did

25     you not?

1           A     I don't know.

2           Q     If sorority was used it would have been  
3 from you, would it not?

4           A     Yes.

5           Q     And the occasion of the party was a  
6 birthday party for a friend of yours?

7           A     Yes.

8           Q     And had you planned to take along your  
9 friend Jay Wilds?

10          A     Yes.

11          Q     And so that was a pre-planned activity?

12          A     Yea.

13          Q     And you went there with him?

14          A     Yes.

15          Q     And he stayed in the car with you?

16          A     What?

17          Q     He stayed in the car with you?

18          A     With me, yes. He rode in the car with me  
19 to UMBC.

20          Q     And you didn't have any other detours?

21          A     No.

22          Q     You went to the party; is that right?

23          A     Yes.

24          Q     And UMBC is located off of Walker Avenue,  
25 is it not?



1 A Yes.

2 Q And off of exit 12 on 695?

3 A I don't know what exit it is.

4 Q You go there?

5 A I don't take the beltway.

6 Q I didn't ask you that. You go there --

7 MS. MURPHY: Objection.

8 Q -- don't you?

9 A Yes. Yes, I go there.

10 THE COURT: Sustained.

11 Q And he stayed with you during the time that

12 you were at the party, right?

13 A Yes.

14 Q He never disappeared somewhere else, did

15 he?

16 A Not that I remember, no.

17 Q And you never observed him in different

18 clothes than you saw him, when you first saw him at

19 the Value City?

20 A I don't remember if he went home and

21 changed his clothes. We did a lot of stuff between

22 then and there. I don't know.

23 Q You would have noticed if he changed his

24 clothes on you, wouldn't you of?

25 A Yea, but I don't remember.

1 Q You don't remember that he did so?  
2 A I don't know if he did.  
3 Q So maybe he did but you just didn't notice  
4 it?  
5 A I don't know.  
6 MS. MURPHY: Objection.  
7 THE COURT: Sustained.  
8 A I don't know.  
9 THE COURT: Move on.  
10 Q What were those many other things that you  
11 did that night?  
12 MS. MURPHY: Objection.  
13 THE COURT: Sustained.  
14 Q Did you go to another location with him  
15 other than Kristi Vinson's house?  
16 A Stephanie's house and UMBC. Westview Mall  
17 parking lot for the shovels, that's --  
18 Q That's it.  
19 Q That's all I remember. We might have went  
20 to Jay's house for him to change his clothes. I  
21 don't remember.  
22 Q On the 27th when you spoke while the tape  
23 recording was on, you never mentioned any other  
24 location, did you?  
25 A No.

1 Q You stayed at the sorority party, the party  
2 for Mike, Mike's birthday party, was at the place  
3 where your sorority sisters were, for more than an  
4 hour?

5 A About an hour, yes.

6 Q And there were a lot of people there?

7 A Not a lot, ten, fifteen.

8 Q You knew those people?

9 A Not all of them, no.

10 Q Did some of those people know Jay?

11 A Only through me.

12 Q Only through you. But knew him?

13 A They had met him before.

14 Q And what were the names of the people at  
15 the party?

16 A I don't know all of their names. I don't  
17 know who all was there.

18 Q Were you asked that by Detective  
19 MacGillivray or Sergeant Lehmann or Detective Ritz on  
20 the 27th?

21 A No.

22 Q No. You weren't asked to provide the names  
23 of any of the people at the party who would have been  
24 present at the same time you and Jay were there?

25 MS. MURPHY: Objection.

1 THE COURT: Sustained. She's answered the  
2 question already, no.

3 Q And have you ever been asked by anyone  
4 since that time to supply names?

5 A No.

6 Q And to your knowledge, has anybody else who  
7 was at the party ever been spoken to that you know  
8 of?

9 A Somebody told me they spoke -- someone at  
10 the party told me they spoke to some detective about  
11 something, but I don't know how truthful she is so,  
12 but from what she told me then, yes. Do I believe  
13 her? No.

14 Q And after the party you then left with Jay  
15 and went to Kristi Vinson's house, correct?

16 A Yes.

17 Q That was a pre-planned activity, was it  
18 not?

19 A Yes.

20 Q That's what you told Detective  
21 MacGillivray, wasn't it?

22 A Yes.

23 Q But you ended up getting there later than  
24 you had expected, correct?

25 A Right.



1 Q And the purpose of going there, was there a  
2 specific event?

3 A No.

4 Q Or a specific activity that you were going  
5 to do?

6 A No.

7 Q And when you got there both Jeff Johnson  
8 and Kristi Vinson were there?

9 A Yes.

10 Q And you stayed there for a little while,  
11 did you not?

12 A Yes.

13 Q And you told the detectives on the 27th  
14 that Kristi Vinson would have had to notice your  
15 being upset, right?

16 A Right.

17 Q And did you smoke weed while you were  
18 there?

19 A I don't know.

20 Q You could have?

21 A Could have.

22 Q You usually do?

23 A Sometimes, yes.

24 Q And when all of you are together?

25 A Sometimes, yes.

1 Q And when you do and whatever times you do,  
2 whose weed is it?

3 A Whoever brings it.

4 Q So that could include Jay?

5 A Sure.

6 Q Or you?

7 A Yes.

8 Q Or Krista?

9 A Yes.

10 Q Or Jeff?

11 A Well, Kristi and Jeff didn't really get it  
12 that much, no.

13 Q Now, you had a discussion with Jay after  
14 you went to the dumpster before you went to the  
15 party, did you ask Jay why he went to the dumpster or  
16 what he did?

17 A He told me when --

18 THE COURT: Sustained.

19 Q Did you continue to converse with him about  
20 what he had told you had happened that day?

21 A Yes.

22 Q And did he indicate to you that it had  
23 happened before he got to your house at 1:30 in the  
24 afternoon?

25 A That what had happened?

This blank page is a substitute for a missing page or pages from the transcript.

The missing page would be 111 in the 4-to-a-sheet system or 112 in the single page version.

For more information please see [this wiki page](#)

1 Q And did he ever indicate to you that he  
2 knew about it ahead of time?  
3 A No.  
4 Q Did you ask him after he left the dumpster,  
5 well, why were you upset before 1:30 in the  
6 afternoon?  
7 A No.  
8 Q No. And did you ask him any more questions  
9 about going -- about what he had said?  
10 A I didn't ask Jay any questions.  
11 Q Ever?  
12 A No, not really.  
13 Q After he told you whatever it was he told  
14 you, right?  
15 A Right.  
16 Q And when you got to Krista's and Jeff's,  
17 did you ask him any questions there?  
18 A No.  
19 Q Did you tell them what had happened?  
20 A No.  
21 Q And did you ever explain why you were  
22 acting so weird?  
23 A Not until after the 26th when the police  
24 came to my house when Kristi was there.  
25 Q Which was at least six weeks after the

1 night that you're saying that all of this occurred,  
2 right?  
3 A Right.  
4 Q And did they that night the 13th ask you  
5 directly why you were acting so weird?  
6 A No.  
7 Q Neither of them?  
8 A No.  
9 Q You stayed there for quite awhile; is that  
10 right?  
11 A Awhile.  
12 Q And then you left out and then you drove  
13 Jay home; is that right?  
14 A Yes.  
15 Q Is that right?  
16 A Yes.  
17 Q And you've told us that the next day you  
18 hooked back up with Jay?  
19 A Yes.  
20 Q And when you hooked up with him he had his  
21 boots?  
22 A Yes.  
23 Q You could see, right, the Timberland boots  
24 that you say you recall at some point him wearing?  
25 A Right.

1 Q And he had clothes with him, right?  
2 A Right.  
3 Q And you don't remember whether they were in  
4 a bag or not? In fact, you told the detective you  
5 weren't sure. You thought not because you could see  
6 that they were clothes; is that right?  
7 A Right.  
8 Q And that he had identified them as the  
9 clothes that he had on the night before; is that  
10 right?  
11 A I assumed they were the clothes he had on  
12 the night before. He didn't tell me.  
13 Q Based on what he said about them though,  
14 right?  
15 A He didn't tell me nothing about the  
16 clothes. I didn't ask him anything about the  
17 clothes.  
18 Q On the 14th when you picked him up he had  
19 those clothes with him, did he not?  
20 A Yes.  
21 Q Not on his body?  
22 A Right.  
23 Q He wasn't dressed in these clothes?  
24 A Right.  
25 Q He was dressed, right?

1 A Right.  
2 Q In different clothes than he had on the day  
3 before when you had seen him?  
4 A I don't remember what he wears.  
5 Q And you then went some place, did you not?  
6 A Yes.  
7 Q You went to a different dumpster than you  
8 had been the day before?  
9 A Right.  
10 Q Right. This dumpster was at least close to  
11 F & M?  
12 A Yes.  
13 Q And behind F & M?  
14 A Yes.  
15 Q And you once again parked close there, did  
16 you not?  
17 A Yes.  
18 Q And Jay got out?  
19 A Yes.  
20 Q And he threw the clothes and the boots in  
21 the dumpster, did he not?  
22 A Yes.  
23 Q The same dumpster? I mean, the boots and  
24 the clothes together in the same dumpster?  
25 A I think there was only one dumpster there



1 so yes.  
 2 Q And you watched him, did you not?  
 3 A Yes.  
 4 Q And once again you were on the lookout in  
 5 case somebody came around, right?  
 6 A I was just watching him. I mean, he had  
 7 trash.  
 8 Q I mean, you came back?  
 9 A It wasn't as big of a deal.  
 10 Q He had trash?  
 11 A I mean, he didn't have trash, but like it  
 12 wasn't late at night. It wasn't as big of a deal if  
 13 we were behind F & M as it was when we were behind  
 14 Westview Mall.  
 15 Q This is in broad daylight?  
 16 A It was daytime, yes.  
 17 Q And this was the 14th?  
 18 A Yes.  
 19 Q If those events occurred on the 13th,  
 20 right?  
 21 A Right.  
 22 Q But in any event, the day after the events  
 23 we talked about?  
 24 A Right.  
 25 Q And you drove to that dumpster because Jay

1 told you to do so or asked you to do so?  
 2 A Yea.  
 3 Q He picked out the dumpster?  
 4 A Yes.  
 5 Q You didn't?  
 6 A No.  
 7 Q You had no discussion about what was the  
 8 best place to conceal clothes that he had on?  
 9 A No, it was nothing about concealing  
 10 anything.  
 11 Q Up until this point he still maintained to  
 12 you that he had no idea where the body was?  
 13 A Right.  
 14 Q And he still maintained to you that he had  
 15 nothing to do with the burial of the body, although  
 16 he had been asked to do so?  
 17 A You mean up until today?  
 18 Q No, up until then this day?  
 19 A Right, right.  
 20 Q This day you were at the dumpster?  
 21 A Right, right, right, right.  
 22 Q He had still maintained the same thing,  
 23 right?  
 24 A Right.  
 25 Q And that he had nothing to do with the

1 killing of Hae Min Lee?  
 2 A Right.  
 3 Q And he indicated he had never been in her  
 4 car, right?  
 5 A I never asked. He never said that he was  
 6 not in the car, no.  
 7 Q And did you ask him why he had to hide the  
 8 clothes if he had nothing to do with it?  
 9 A No, I don't ask questions.  
 10 Q You did have a conversation with him about  
 11 his boots though, did you not?  
 12 A A conversation about the boots?  
 13 Q Yes.  
 14 A Hmm, I don't know.  
 15 Q Well, do you recall that you told Detective  
 16 MacGillivray about the boots, that he threw them away  
 17 because he didn't want any question of his  
 18 footprints?  
 19 A Right.  
 20 Q Footprints of his boots would show up in  
 21 Adnan's car?  
 22 A Dirt prints, anything. I'm saying he just  
 23 told me, the night of the 13th he told me that he was  
 24 going to get rid of his boots. That's all. I don't  
 25 ask questions.

1 Q On the 27th when you were asked questions  
 2 by Detectives MacGillivray, Sergeant Lehmann or  
 3 Detective Ritz, you recalled that he told you why he  
 4 wanted to get rid of his boots though, did you not?  
 5 A Right.  
 6 Q And you related to them that you did have a  
 7 conversation with Jay and he said he didn't want any  
 8 footprints of his boots found in Adnan's car, isn't  
 9 that right?  
 10 A Yea.  
 11 Q And did you tell them that you didn't ask  
 12 any questions of your good friend Jay Wilds?  
 13 A Yes.  
 14 Q Excuse me. And then after you then left  
 15 that dumpster with him?  
 16 A Yes.  
 17 Q And did you say, by the way, Jay, what are  
 18 you afraid of?  
 19 A No.  
 20 Q You didn't have anything to do with it,  
 21 right, did you?  
 22 A No, I didn't say that to him.  
 23 Q And you asked him no other questions?  
 24 A No.  
 25 Q And you had no other conversation regarding

1 why he had to throw away the clothes that he had on?

2 A No.

3 Q On a day in which he had told you he had  
4 done nothing wrong?

5 A No questions.

6 Q Now, you also were asked about and you  
7 described that Jay at some point had told you the  
8 events that Adnan had spoken about had started out at  
9 Best Buy, is that not correct?

10 A Yes.

11 Q And you told Detective MacGillivray that  
12 according to Jay, Jay wasn't there, right?

13 A Right.

14 Q That he had just been told that?

15 A Right.

16 Q Correct? And you described for Detective  
17 MacGillivray that you did have a subsequent  
18 conversation with Jay about a video camera on top of  
19 Best Buy, did you not?

20 A Right.

21 Q That you brought that to Jay's attention?

22 A Yes.

23 Q Correct?

24 A Yes.

25 Q And the conversation in which that took

1 A Right.

2 Q And Jay never mentioned the place down on  
3 Edmondson Avenue, did he?

4 A He said some places in the city.

5 Q In the city?

6 A Yes.

7 Q He never mentioned the city as the location  
8 of what Adnan said or where Adnan said the death of  
9 Hae Min Lee had occurred, did he?

10 A I don't know where Adnan said anything.

11 Q You only know what Jay told you?

12 A Right.

13 Q Is that right? And Jay told you on the  
14 13th that the location was the Best Buy?

15 A Yea.

16 Q And you knew where it was that he was  
17 talking about, did you not?

18 A I assumed that it was the Best Buy by  
19 Woodlawn.

20 Q By Woodlawn. Off of Security Boulevard?

21 A Security Boulevard, yes.

22 Q That faces Security Mall?

23 A Yes.

24 Q And you then brought up the camera to him?

25 A Yes.

1 place took place when?

2 A When Jay told me that he did it in Best Buy  
3 parking lot, the 13th, the night when I picked Jay up  
4 at Westview Mall.

5 Q And according to what Jay told you that  
6 camera should have been able to pick up what would  
7 have happened on the Best Buy?

8 A I brought up the camera. I'm not even sure  
9 if it was a camera out there but I think there is.

10 Q But you brought it up, right?

11 A Yes.

12 Q And you brought it up out of concern that  
13 the camera would have shown what happened; is that  
14 right?

15 A Right.

16 Q And according to what Jay told you what  
17 that would have shown would have been Adnan, correct?

18 A Jay told me that Adnan was going to get  
19 caught because he did it in Best Buy parking lot and  
20 that's all we even talked about Best Buy.

21 Q Well, you brought up the video camera,  
22 right?

23 A Right.

24 Q So there was more than what Jay said. You  
25 said, oh, there's a video camera there, right?

1 Q Did he respond to that?

2 MS. MURPHY: Objection.

3 A I don't remember.

4 THE COURT: Overruled.

5 A I don't remember.

6 Q You don't remember whether or not he  
7 responded?

8 A I don't know what he said.

9 Q That evening after he was -- did he tell  
10 you all of these things all at once or was it over a  
11 course of time?

12 A He told me a lot that night and we talked  
13 about it a couple of days afterwards. Information  
14 came out the whole time, I don't know.

15 Q And you don't remember when what came out,  
16 do you?

17 A What?

18 Q You don't remember when what came out?

19 A Right.

20 Q Now, at the end of that night before you  
21 dropped him off at his house was he acting normal  
22 then?

23 A At the end of the 13th?

24 Q Yes.

25 A No.

1 Q No. And on the 14th when you picked him up  
2 you picked him up at his house again, right?  
3 A Yes.  
4 Q Because he didn't have somebody else's car,  
5 right?  
6 A Right.  
7 Q And when you picked him up then was he  
8 acting normal?  
9 A No, not yet.  
10 Q No, not yet. At any time during the 14th  
11 did he start acting normal?  
12 A I mean, it was something that was on both  
13 of our minds for awhile. So, I mean, we didn't act  
14 as strange as on the night of the 13th, but I mean to  
15 say that we were normal, no.  
16 Q That took some time, right?  
17 A Right.  
18 Q And did you see him again on the 15th?  
19 A I don't know, probably so.  
20 Q That's a guess?  
21 A Yes.  
22 Q And on the 16th?  
23 A Probably so.  
24 Q Now, after those events there were other  
25 occasions when and you Jay discussed these things,

1 right?  
2 A Right.  
3 Q One of those occasions that you told  
4 Detective MacGillivray about was an occasion in which  
5 you were in Champs, correct?  
6 A Right.  
7 Q And Jay was there, correct?  
8 A Correct.  
9 Q And you described for Detective  
10 MacGillivray that somehow on the news it then came  
11 out that Hae was missing; is that right?  
12 A Right.  
13 Q And you described that that upset you, did  
14 you not?  
15 A Yes.  
16 Q And that that upset Jay?  
17 A Yes.  
18 Q And Detective MacGillivray said, but you  
19 already she was dead according to you, didn't you?  
20 A Yea.  
21 Q And he was surprised that event upset you,  
22 wasn't he?  
23 A It wasn't upsetting. It was like reality,  
24 I guess. A shock more so, like I don't know, you  
25 know.

1 Q Because starting on the 13th there really  
2 wasn't reality that hit you?  
3 A Right. I mean, when Jay first told me I  
4 didn't even really believe him at first.  
5 Q You didn't believe it had happened?  
6 A Right.  
7 Q And you didn't conduct any independent  
8 investigation, right?  
9 A No.  
10 Q And nobody had spoken to you or brought it  
11 up to you, other than you and Jay, up until the time  
12 you first saw Detective MacGillivray and Ritz --  
13 A Right.  
14 Q -- on the street on the 26th, right?  
15 A Well, I had heard that she hadn't been in  
16 school.  
17 Q And so you just didn't believe these  
18 things?  
19 A Well, I mean -- I wasn't --  
20 Q That didn't surprise you though, did it?  
21 MS. MURPHY: Objection.  
22 THE COURT: Sustained. One second. You  
23 may finish your answer. Were you finished with your  
24 answer?  
25 THE WITNESS: Yes.

1 THE COURT: All right, your next question.  
2 Q The fact that your friend, your very good  
3 friend about whom you've commented, you never know  
4 about with Jay, that he would tell you something that  
5 wasn't true was not a surprise to you, was it?  
6 A Oh. Yea, he would usually tell the truth.  
7 I really don't have reason to doubt.  
8 Q Well, you said you didn't believe it?  
9 A Well, not completely. It's not something  
10 that I would hear everyday and be like, you know what  
11 I mean. It was shocking.  
12 Q After you heard from whatever source you  
13 heard it from that Hae wasn't in school, did you go  
14 confront your friend Jay and say, by the way, why did  
15 you tell me that horrible story that upset me so that  
16 your friend told you that he had killed someone?  
17 A Did I? No.  
18 Q Did you ever have a conversation akin to  
19 that?  
20 A No.  
21 Q Did you ever go to your good friend Jay and  
22 say, hey, I've heard that Hae's alive, so why did you  
23 need to go to the dumpster about the shovels?  
24 A No, because I never heard that. So I never  
25 went to him and said that.

1 Q You just told us that you heard that Hae  
2 was in school?  
3 A Hadn't been in school.  
4 Q Had not been in school?  
5 A Had not been in school.  
6 Q So it really wasn't a surprise to you at  
7 all when that night at Champs it came out on the news  
8 that Hae was missing?  
9 A Not like a surprise, more like a scare. I  
10 don't know what that means like now the police are  
11 involved, you know what I mean.  
12 Q And the police being involved made things  
13 different?  
14 A Yes.  
15 Q For you?  
16 A Yes.  
17 Q And for Jay?  
18 A Sure.  
19 Q You described that as a scare?  
20 A Yes.  
21 Q On the day that you went to the police with  
22 your good friend Kristi Vinson on the 26th of  
23 February, after you left did you speak to your good  
24 friend Jay?  
25 A I couldn't even hear what you said.

1 Q On the 26th of February when you went down  
2 to police headquarters when your friend Kristi Vinson  
3 drove you, after you left that evening or the early  
4 morning hours of the 27th, did you speak to your  
5 friend Jay?  
6 A I don't know.  
7 MS. MURPHY: Objection.  
8 THE COURT: Sustained.  
9 Q And did you have an occasion to tell him  
10 what had occurred while the police were questioning  
11 you?  
12 MS. MURPHY: Objection.  
13 THE COURT: Sustained.  
14 Q On the 27th after you left -- there came a  
15 time when you left, right?  
16 A Uh-huh, yes.  
17 Q That night, that Saturday night?  
18 A When I left the police station, yes.  
19 Q At that time did you speak to your friend  
20 Jay?  
21 MS. MURPHY: Objection.  
22 THE COURT: Sustained.  
23 Q Did you telephone him?  
24 MS. MURPHY: Objection.  
25 THE COURT: Sustained.

1 Q Did you go to the porn store?  
2 MS. MURPHY: Objection.  
3 THE COURT: Sustained.  
4 Q Did you know, based on your conversations  
5 on the 27th, that the police were going to speak to  
6 Jay?  
7 A No.  
8 Q Did you tell them what Jay said?  
9 MS. MURPHY: Objection.  
10 THE COURT: Sustained.  
11 Q Did you tell them that Jay said that he  
12 said just send them, meaning the police, to him?  
13 MS. MURPHY: Objection.  
14 THE COURT: Sustained.  
15 Q Did you on the 27th give his phone number?  
16 MS. MURPHY: Objection.  
17 THE COURT: Sustained.  
18 Q Did you give them his address?  
19 MS. MURPHY: Objection.  
20 THE COURT: Ms. Gutierrez, sustained.  
21 Q Did you give them his whole name?  
22 MS. MURPHY: Objection.  
23 THE COURT: Sustained.  
24 Q The park that you described, there is a  
25 park that you and Jay go to often?

1 A Sometimes, yes.  
2 Q Is that Gilston Park?  
3 A Gilston.  
4 Q And how do you spell that?  
5 A G-i-l-s-t-o-n.  
6 Q And is that located off of Crosby and  
7 Chesworth?  
8 A I believe so, yes.  
9 Q Is that a park that you go at times with  
10 your friend Jay and your dog?  
11 A Yes.  
12 Q And its location if you can describe it  
13 from the intersection of Rolling Road and Route  
14 40/Baltimore National Pike?  
15 A Yes.  
16 Q Can you describe that for us? Where is it  
17 in relationship to that intersection?  
18 A Right on Rolling Road and a right, I guess  
19 it's Chesworth. I don't know the name of it.  
20 Q If you made a right would that take you  
21 more towards Security Mall?  
22 A Yes.  
23 Q In that direction?  
24 A Yes.  
25 Q And then after you go on Rolling Road, then



1 you take another right; is that right?  
 2 A Right.  
 3 Q And that was the location -- was that a  
 4 location you visited with Jay on the 13th?  
 5 A No.  
 6 Q No. And was that a location that you  
 7 visited with Jay the day before these events --  
 8 A I don't know.  
 9 Q -- the 12th? You don't know?  
 10 A Uh-uh.  
 11 Q Was there an occasion when you visited  
 12 Gilston Park with your good friend Jay on the 12th or  
 13 any other day before the 13th in which he told you  
 14 that he believed Adnan was going to kill his  
 15 girlfriend?  
 16 A No.  
 17 Q And since that didn't happen, of course,  
 18 you never mentioned that to the detectives?  
 19 A Right.  
 20 Q If it had happened you, of course, would  
 21 have done so?  
 22 A If they -- yes.  
 23 Q You had no advanced notice --  
 24 A No.  
 25 Q -- that these events would have happened?

1 A No.  
 2 Q And if you had had advanced notice, would  
 3 you have done anything different on the 13th?  
 4 MS. MURPHY: Objection.  
 5 THE COURT: Sustained.  
 6 Q You told us in direct that in regard to  
 7 meeting up with Jay you could not quite understand  
 8 what the message was about where it was to meet him  
 9 or where you were to pick him up?  
 10 A Right.  
 11 Q And that's why you made an attempt to call  
 12 him?  
 13 A Right.  
 14 Q Did your lack of being able to understand,  
 15 is that related to that his message wasn't  
 16 understandable?  
 17 A No, he sounded clear. It was just there  
 18 was a -- Jay never told me to pick him up at Gilston  
 19 Park. I got that message from Jeff.  
 20 Q From Jeff Johnson?  
 21 A Right.  
 22 Q The boyfriend of Kristi Vinson?  
 23 A Right.  
 24 Q And did you get that message while you were  
 25 talking to --

1 A While I was speaking to Jeff, Jeff told me  
 2 to go to Gilston Park that Jay -- when Jay and Adnan  
 3 were at his house, Jay had told him that I was  
 4 supposed to pick Jay up at Gilston Park.  
 5 Q Okay.  
 6 A But that was not -- right.  
 7 Q That conversation with Jeff took place at a  
 8 time when Jay was not there?  
 9 A Right, Jay was out in a car in front of  
 10 Kristi's house.  
 11 Q Out in a car and had already left there,  
 12 right?  
 13 A They sat in the car for awhile. That's  
 14 what they told me on the phone.  
 15 Q That's what they meaning Krista --  
 16 A And Jeff.  
 17 Q And Jeff, right?  
 18 A Yes.  
 19 Q Because on that occasion you didn't speak  
 20 to Jay?  
 21 A I might have spoke to Jay before he left  
 22 out of the house. I don't remember.  
 23 Q When he left out of your house about 3:45,  
 24 you didn't know exactly where he was going, did you?  
 25 A No.

1 Q He didn't tell you where he was going, did  
 2 he?  
 3 A No.  
 4 Q But the two of you were supposed to hook up  
 5 --  
 6 A Later.  
 7 Q -- later; is that right?  
 8 A Yes.  
 9 Q Sometime after six?  
 10 A Yes.  
 11 Q Right? And six o'clock would be when,  
 12 according to your routine that you told us about, you  
 13 would really just be returning from picking up your  
 14 parents from their respective work places?  
 15 A Right.  
 16 Q But that you didn't have a firm place to  
 17 meet Jay; is that right?  
 18 A Right.  
 19 Q But you called Kristi's house looking for  
 20 him, didn't you?  
 21 A No, I called Kristi's house just to talk to  
 22 Kristi.  
 23 Q But Jeff gave you a message from Jay?  
 24 A Uh-huh.  
 25 Q That message wasn't clear to you?



1 A No, I understood what Jeff was saying but  
 2 then when Jay called and left a message on my pager  
 3 there was some conflicting things. I didn't  
 4 understand it. So I felt it necessary to try and  
 5 contact Jay.  
 6 Q Well, in regard to Jay's message was it  
 7 garbled?  
 8 A I don't know. I don't remember.  
 9 Q But it didn't make sense to you?  
 10 A Right.  
 11 Q It conflicted with other information you  
 12 had?  
 13 A There was some confusion so I felt it  
 14 necessary to call the cell phone. I don't know what  
 15 it was from.  
 16 Q Did you know at the time that you got the  
 17 message whether or not Jay had smoked weed while he  
 18 was at Krista's house?  
 19 A No, I did not know.  
 20 Q And did you know whether or not Jay was  
 21 high?  
 22 A No, I did not know.  
 23 Q After he left you?  
 24 A No.  
 25 Q And back at Westview where you tell us that

1 you picked up Jay and he was riding in the car with  
 2 Adnan --  
 3 A Yes.  
 4 Q -- you were asked to describe Adnan's  
 5 behavior, were you not?  
 6 A Yes.  
 7 Q And you told Detective MacGillivray on the  
 8 28th that he acted just normal, didn't he?  
 9 A Sure.  
 10 Q Sure --  
 11 A Yes.  
 12 Q -- does that mean yes that's what you told  
 13 him?  
 14 A Yes.  
 15 Q You chose the word normal, did you not?  
 16 A Yes.  
 17 Q And by normal you meant just the way you  
 18 had always seen him act before?  
 19 A Right.  
 20 Q You were asked how he was dressed, were you  
 21 not?  
 22 A Yes.  
 23 Q And you described that he always dresses  
 24 nice?  
 25 A Usually, yes.

1 Q Usually. Every time you had seen him?  
 2 A Yes.  
 3 Q And you didn't describe that there was  
 4 anything out of the ordinary in how he appeared to  
 5 you, right?  
 6 A Right.  
 7 Q Not in how he acted?  
 8 A No.  
 9 Q Not in how he was dressed?  
 10 A No.  
 11 Q You didn't observe or express that you  
 12 observed any dirt on him?  
 13 A I didn't see him that well to see if there  
 14 was dirt. I didn't observe any dirt, right.  
 15 Q They asked you about that, didn't they?  
 16 A Yes.  
 17 Q All right. And you were also asked about  
 18 every detail that you could remember about what Jay  
 19 said?  
 20 A Right.  
 21 Q Right. And one of the details you  
 22 described was that Jay made a reference to going down  
 23 into the city?  
 24 A Uh-huh, yes.  
 25 Q Now, Ms. Pusateri, are you familiar with

1 the term strip?  
 2 A Yes.  
 3 Q And that means a place where you buy drugs?  
 4 A Yes.  
 5 Q Does it not?  
 6 A It can.  
 7 Q And that's a term that has come up in  
 8 conversation between you and Jay, has it not?  
 9 A Yes.  
 10 Q He refers to strips all of the time, does  
 11 he not?  
 12 A Yes.  
 13 Q And strips are sort of not necessarily  
 14 fixed locations, they might be moving where one would  
 15 know where to get drugs?  
 16 A Right.  
 17 Q Including marijuana?  
 18 A Right.  
 19 Q Including other drugs?  
 20 A Right.  
 21 Q And you were asked by Detective  
 22 MacGillivray about what Jay had said about what  
 23 locations in the city, did you not?  
 24 A Yes.  
 25 Q And the only thing that you remembered was

1 that he said that when he dropped him, meaning Adnan  
 2 off, that it was at a different broad's house. He  
 3 said a different chick's house, right?  
 4 A Right.  
 5 Q Because that's what you remembered Jay said  
 6 to you?  
 7 A Right.  
 8 Q And you also told them that another thing  
 9 that Jay said is that he was downtown with Adnan?  
 10 A Yes.  
 11 Q Did he not?  
 12 A Yes.  
 13 Q Those were your words, right?  
 14 A Yes.  
 15 Q That you told Detective MacGillivary?  
 16 A Yes.  
 17 Q In answer to his questions; is that right?  
 18 A Yes.  
 19 Q On the day that you saw on television, the  
 20 day that you were at Champs when you heard the news  
 21 that Hae Min Lee was missing, you had a conversation  
 22 with Jay about what do we do, did you not?  
 23 A Yes.  
 24 Q Those were Jay's words to you in Champs?  
 25 A Yes.

1 Q Regarding that it was now out in public  
 2 that Hae Min Lee was missing?  
 3 A Right.  
 4 Q Is that right? And at that time you were  
 5 still under the impression from Jay that he had  
 6 nothing to do with killing Hae, right?  
 7 A Yes.  
 8 Q And nothing to do with the burial of Hae,  
 9 right?  
 10 A Yes.  
 11 Q After you told the detectives that on the  
 12 28th while the tape recorder was running, they asked  
 13 you why that was such a surprise to you, was it not?  
 14 A Yes.  
 15 Q And then they asked you again are you sure  
 16 he told you that he didn't know where the body was,  
 17 did you not?  
 18 A I don't know. I guess so, yes.  
 19 Q And then -- well, you remember talking to  
 20 them about these events, did you not?  
 21 A Yes.  
 22 Q And you then told them that if he knew  
 23 where the body was that he would have told you?  
 24 A Yes.  
 25 Q That was your belief then, right?

1 A Yes.  
 2 Q Was that an exaggeration?  
 3 A No.  
 4 Q Was that a half truth?  
 5 A No.  
 6 Q Back then you believed that anything that  
 7 he knew he would have shared with you?  
 8 A Right.  
 9 Q Is that right? Now, Ms. Pusateri, would it  
 10 surprise you to know that Jay knew where the body was  
 11 according to him but that he didn't tell you?  
 12 MS. MURPHY: Objection.  
 13 THE COURT: Overruled. Would it surprise  
 14 you?  
 15 THE WITNESS: No.  
 16 Q Would there be anything that would surprise  
 17 you about Jay?  
 18 A No.  
 19 Q About anything he said?  
 20 A No.  
 21 Q Not about anything he did?  
 22 A No.  
 23 MS. MURPHY: Objection.  
 24 THE COURT: Sustained.  
 25 Q Then they asked you about -- I forgot to

1 ask you this. You said you spoke to others about it  
 2 and you talked about Nicole, right? Right?  
 3 A Yes.  
 4 Q There was another person about which you  
 5 spoke?  
 6 A Yes.  
 7 Q And that person, was that Josh?  
 8 A Yes.  
 9 Q Okay. And Josh's last name is?  
 10 A Jones.  
 11 Q Jones. Joshua Jones. Is that someone you  
 12 know from school?  
 13 A No.  
 14 Q Is that someone who knows Jay?  
 15 A Yes.  
 16 Q Yes. He's met him before?  
 17 A Yes.  
 18 Q He'd know who he was?  
 19 A Yes.  
 20 Q And, in fact, you told Detective  
 21 MacGillivary that on the night which is a separate  
 22 night when you found out the body had been found,  
 23 right?  
 24 A Right.  
 25 Q You had a conversation with Josh about

1 that, did you not?  
 2 A Josh was in the car when I was talking  
 3 about it, yes.  
 4 Q Okay. And so you did have a conversation  
 5 with him?  
 6 A Yes.  
 7 Q You knew about Leakin Park, did you not?  
 8 A Yes.  
 9 Q In fact, you told Detective MacGillivray, I  
 10 mean dead bodies always gets dumped in Leakin Park --  
 11 A Yea.  
 12 Q -- did you not?  
 13 A Yes.  
 14 Q And you told them that Josh had heard your  
 15 conversations about those other things?  
 16 A Yes.  
 17 Q And you were asked for his full name?  
 18 A Yes.  
 19 Q And his phone number?  
 20 A Yes.  
 21 Q Yes. And you gave that to them, did you  
 22 not?  
 23 A Yes.  
 24 Q You were asked about what you thought of  
 25 the whole thing about Jay throwing away all of his

1 clothes and going back to the dumpster to do  
 2 something with the shovel, were you not?  
 3 MS. MURPHY: Objection.  
 4 THE COURT: Sustained.  
 5 Q And were you asked about what you observed?  
 6 MS. MURPHY: Objection.  
 7 THE COURT: Sustained.  
 8 Q In that conversation you were asked about  
 9 whether or not you thought Jay would lie, were you  
 10 not?  
 11 MS. MURPHY: Objection.  
 12 THE COURT: Sustained.  
 13 Q And you were asked about what, if anything,  
 14 Jay would have told you --  
 15 MS. MURPHY: Objection.  
 16 Q -- were you not?  
 17 THE COURT: Sustained.  
 18 Q You were asked about Jay and money, were  
 19 you not?  
 20 THE COURT: And I'm sorry, money?  
 21 MS. GUTIERREZ: Money.  
 22 A I don't remember, yes.  
 23 Q Weren't you asked about whether or not Jay  
 24 had told you --  
 25 A Oh, yes.

1 Q -- that he was paid money?  
 2 A Yes, yes.  
 3 Q By Adnan?  
 4 A Yea.  
 5 Q Is that right?  
 6 A Yes.  
 7 Q In fact, you sort of laughed, didn't you?  
 8 A Yea.  
 9 Q Because you told them unless Adnan paid Jay  
 10 a good sum of money you didn't see him helping?  
 11 A Right.  
 12 Q Right. And you also told them that you  
 13 didn't think that Jay would lie to you at all?  
 14 A Right.  
 15 Q Didn't you? Because that was your belief  
 16 then?  
 17 A Right.  
 18 Q Although that wasn't really the whole  
 19 truth?  
 20 MS. MURPHY: Objection.  
 21 THE COURT: Sustained.  
 22 Q Were you ever asked if you knew a person by  
 23 the name of Alonso Sellers?  
 24 A No.  
 25 Q Or the stepson of Alonso Sellers?

1 A Who?  
 2 Q The stepson of Alonso Sellers?  
 3 A No.  
 4 Q Were you ever shown a picture of the person  
 5 who found the body?  
 6 A No.  
 7 Q Were you ever asked if you knew the person  
 8 who found the body?  
 9 A No.  
 10 Q You never went to the Super Fresh, did you,  
 11 with Jay on the 13th?  
 12 A Not that I remember, no.  
 13 Q Long before today you've been asked to  
 14 remember those events, right?  
 15 MS. MURPHY: Objection.  
 16 THE COURT: Sustained.  
 17 Q At the time that you were on the recorder  
 18 on the 27th of February you didn't volunteer anything  
 19 about the Super Fresh, did you?  
 20 A No.  
 21 Q And you didn't go to another dumpster that  
 22 you haven't spoken to us about?  
 23 A No.  
 24 Q You told us on the record that when you  
 25 spoke with Jay before you went down to speak with

1 them on the 26th that he told you it's okay to send  
 2 them to him, right?  
 3 MS. MURPHY: Objection.  
 4 THE COURT: Sustained.  
 5 Q You also told us that he told you to go  
 6 down there and tell them enough to keep me, meaning  
 7 Jay Wilds, out of trouble?  
 8 A Not meaning Jay Wilds, me meaning myself.  
 9 Q Tell them enough to keep you Jen Pusateri  
 10 out of trouble?  
 11 A Right.  
 12 Q So your lies, although they included lying  
 13 about Jay, were designed to help you?  
 14 MS. MURPHY: Objection.  
 15 THE COURT: Overruled.  
 16 A The only thing I lied about was what I  
 17 knew. Detective MacGillivray asked me -- after I had  
 18 told her -- after I told him that I knew that the  
 19 body was strangled, he asked me did I know anything  
 20 else. I told him no and that is the only lie. It  
 21 had nothing to do to protect myself. I mean, yea, to  
 22 protect -- yea, I told him no.  
 23 Q To protect yourself?  
 24 A Right, so I didn't have to be involved.  
 25 Q Wasn't it also designed to protect your

1 very good friend Jay?  
 2 A I wasn't thinking about Jay at that time,  
 3 no.  
 4 Q You were only thinking about yourself?  
 5 A Yea.  
 6 MS. GUTIERREZ: That's all.  
 7 THE COURT: Do you have any brief questions  
 8 or are you going to be awhile?  
 9 MS. MURPHY: I have a few. I can probably  
 10 do it in about ten minutes worth if you want to take  
 11 a break or whatever.  
 12 THE COURT: At this time we would normally  
 13 take an hour lunch break until two o'clock. So I  
 14 suggest that we do that at this time. It is one and  
 15 we've been sitting for sometime. I'm going to ask  
 16 that ladies and gentlemen you put your note pads --  
 17 MR. URICK: May we approach before we  
 18 break?  
 19 THE COURT: I know what you're going to say  
 20 that there is a scheduling problem.  
 21 MR. URICK: Yes, which we brought to the  
 22 Court's attention Friday.  
 23 THE COURT: It has already been brought to  
 24 my attention and there's nothing we can do about it.  
 25 We are now at one o'clock and if there are -- is a

1 scheduling problem you will have to accommodate  
 2 whatever that problem is because we're going to take  
 3 a lunch break until two o'clock.  
 4 And at two o'clock we're going to come back  
 5 and we're going to resume with this witness. I'm  
 6 assuming the scheduling problem was something that  
 7 Ms. Murphy brought to my attention before we started  
 8 today and there's nothing I can do about that because  
 9 we're going to take a luncheon recess until two  
 10 o'clock.  
 11 My staff and I have been going since early  
 12 this morning to resolve our docket and I think it's  
 13 getting to be inhuman for me, inhumane for me to make  
 14 them go beyond an hour. I mean, beyond one o'clock  
 15 at this time and the jury has been sitting. So we  
 16 are going to take a luncheon recess until two  
 17 o'clock.  
 18 Ladies and gentlemen, I'm going to try to  
 19 start this case just as close to two o'clock. In  
 20 fact, be advised that I will be sitting on this bench  
 21 at two o'clock. Now, I don't know where everyone  
 22 else is going to be at two o'clock, but I'm going to  
 23 be sitting right here at two o'clock and at that time  
 24 I know that I'm going to turn on that little button  
 25 and it will record who else is present at two o'clock

1 when I am here at two o'clock.  
 2 And with that said, ladies and gentlemen,  
 3 I'm going to ask that you have a wonderful lunch and  
 4 ask that you be back just a moment or two before two  
 5 o'clock because at that time I would like to start  
 6 this case again.  
 7 Leave your notepads face down. Please do  
 8 not discuss the testimony that you have heard today  
 9 and please be advised that I would like to go until  
 10 4:45 because at 5:00 o'clock I do have another  
 11 hearing and I'm going to ask that you return to the  
 12 jury room and as soon as we are ready to go at two  
 13 o'clock, we will resume this case. Have a wonderful  
 14 lunch. I will see you back at two o'clock.  
 15 Ms. Pusateri, let me advise you that you  
 16 are still a witness. You're on the stand and I know  
 17 there have been some scheduling difficulties but  
 18 there's nothing the Court could do and I have no idea  
 19 what time we're going to finish with you today. It  
 20 could be good news for you. It could be bad news but  
 21 I do not know. With that said, I must tell you you  
 22 are ordered to be back here at two o'clock at which  
 23 time you are welcome to come into the courtroom and  
 24 have a seat on that witness stand so that I will know  
 25 at least you're here and we will resume.



1 You cannot discuss your testimony with the  
2 State or the defense or with anyone else because you  
3 are still a sequestered witness. Do you understand?  
4 THE WITNESS: Yes.  
5 THE COURT: Very well. You are excused to  
6 lunch until two o'clock.  
7 MS. MURPHY: With regard to the scheduling  
8 problem, Your Honor, would the Court be willing to  
9 assist us in perhaps making a phone call so that  
10 someone does not suffer --  
11 THE COURT: Yes, Ms. Pusateri, if you would  
12 like me to make a phone call to your professor or  
13 anyone else regarding any exam you may have --  
14 THE WITNESS: Yes.  
15 THE COURT: -- you let me know when you  
16 need me to make that call. I will tell you I will  
17 recess court to make the call or I will make the call  
18 over my lunch break.  
19 THE WITNESS: Yes, if you would do that.  
20 THE COURT: If you go around to Judge  
21 Gordy's chambers, Cindy is seated there. She is the  
22 the secretary. You can give her the name and the  
23 information or if you'd like there's a pad and pen  
24 right at the end of this table.  
25 THE WITNESS: I have to go get the

1 information. It's in my car.  
2 THE COURT: If you will return to that  
3 room, can you remember this, room 343?  
4 THE WITNESS: 343.  
5 THE COURT: That is my chambers. That's on  
6 the third floor.  
7 THE WITNESS: With the information.  
8 THE COURT: With the information I'll be  
9 there.  
10 THE WITNESS: Yes.  
11 THE COURT: Very well.  
12 MS. MURPHY: Thank you very much, Your  
13 Honor.  
14 THE COURT: This Court stands in recess  
15 then until 2:00 o'clock and, Officer Gilmore, I am  
16 going to advise you that I will be here at two  
17 o'clock and if you bring Mr. Syed here at two  
18 o'clock, that would make me very happy. This Court  
19 will stand in recess then until two o'clock.  
20 (Whereupon the Court recessed, following  
21 which the proceedings in this matter resumed:)  
22 THE COURT: We're on the record now.  
23 MS. GUTIERREZ: Judge, I am going to object  
24 to the predistribution to the jury prior to Ms.  
25 Murphy beginning the redirect of this witness.

1 THE COURT: You don't mind making this  
2 objection outside the presence of your client?  
3 MS. GUTIERREZ: No, Your Honor.  
4 THE COURT: Who is on his way --  
5 MS. GUTIERREZ: Yes.  
6 THE COURT: -- here?  
7 MS. GUTIERREZ: Yes. We discussed this  
8 before. There may be evidentiary issues that I raise  
9 outside of his presence. He has consented to that.  
10 I will note that they want predistribution of State's  
11 Exhibit 34 which is --  
12 THE COURT: Well, actually it's not State's  
13 Exhibit 34. It is a blank copy of the --  
14 MS. GUTIERREZ: Right.  
15 THE COURT: Because State's Exhibit 34 is  
16 is in evidence and it has writing on it.  
17 MS. GUTIERREZ: Yes, but they want  
18 distributed blank copies that the jurors may or may  
19 not have notes on them --  
20 THE COURT: Right exactly.  
21 MS. GUTIERREZ: I believe they numbered  
22 them. It has been distributed to them on occasions  
23 when both the State has used that exhibit --  
24 THE COURT: Exactly.  
25 MS. GUTIERREZ: -- and we've used that

1 exhibit. I would object to it on the scope grounds  
2 of the cross examination of this witness. I will  
3 note that I asked no questions using this exhibit. I  
4 remember I asked some questions related to did she  
5 have a cell phone and most of the questions that I  
6 asked were related to did -- you know, when she saw  
7 the cell phone which were covered on direct, but I  
8 don't believe that there's any question that I asked  
9 that related to this. So I would not want it  
10 presumptively given to the jurors by it being passed  
11 out that there's something important there and then,  
12 in fact, if the scope objection is granted the jurors  
13 getting the mistaken misleading impression that  
14 something is being hidden from them since I haven't  
15 heard anything. Those are my grounds for objection.  
16 THE COURT: Ms. Murphy.  
17 MS. MURPHY: Your Honor, the reason for  
18 using this exhibit at this point would be to clarify  
19 some points that were brought up on cross examination  
20 regarding pages to Ms. Pusateri and whether the calls  
21 came to her house or to her pager and the use of the  
22 caller I.D. Because the witness is present, I'm not  
23 going to proffer what I believe she would say but I  
24 think the use of the exhibit will help make it  
25 clear. I do believe this issue was raised on cross



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9 that related to this. So I would not want it  
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11 out that there's something important there and then,  
12 in fact, if the scope objection is granted the jurors  
13 getting the mistaken misleading impression that  
14 something is being hidden from them since I haven't  
15 heard anything. Those are my grounds for objection.

16 THE COURT: Ms. Murphy.

17 MS. MURPHY: Your Honor, the reason for  
18 using this exhibit at this point would be to clarify  
19 some points that were brought up on cross examination  
20 regarding pages to Ms. Pusateri and whether the calls  
21 came to her house or to her pager and the use of the  
22 caller I.D. Because the witness is present, I'm not  
23 going to proffer what I believe she would say but I  
24 think the use of the exhibit will help make it  
25 clear. I do believe this issue was raised on cross

1 examination and I believe the State should have the  
2 ability to clarify it in the ways available to it.

3 THE COURT: Ms. Gutierrez.

4 MS. GUTIERREZ: Judge, she testified she  
5 wasn't shown. She was just told about records.  
6 There's no evidence establishing that this is an  
7 exhibit that she in any way shared or viewed records  
8 or reviewed anything. I think it's an improper use  
9 of the exhibit. I believe it's misleading. I also  
10 believe it is still beyond the scope.

11 THE COURT: I do have an inquiry. Has this  
12 witness seen that exhibit before?

13 MS. MURPHY: I believe the witness has seen  
14 the State's --

15 THE COURT: Blank version.

16 MS. MURPHY: Blank version when we  
17 discussed identification of various phone numbers.

18 THE COURT: Okay. And if I'm not mistaken  
19 State's Exhibit number 34 is a composite of a number  
20 of other exhibits which through the course of the  
21 trial have been identified, correct?

22 MS. MURPHY: That's correct.

23 THE COURT: And there are specific lines of  
24 State's Exhibit number 34 that you're going to direct  
25 her attention to?

1 MS. MURPHY: Yes, Your Honor.

2 THE COURT: Relative to this witness?

3 MS. MURPHY: Yes, and relative to the cross  
4 examination.

5 THE COURT: Okay. I will allow it but I  
6 will not allow the distribution of the exhibit  
7 because I would say at this point the notes that the  
8 jurors may have made on the exhibit at this point are  
9 not going to be relevant to any questions you're  
10 going to ask because you're not going to ask her to  
11 add anything to the exhibit, correct?

12 MS. MURPHY: Correct.

13 THE COURT: And you're just going to say do  
14 you recognize any numbers, correct? I mean in --

15 MS. MURPHY: May I make reference to the  
16 time of day it is?

17 THE COURT: Right. You may ask those kinds  
18 of questions.

19 MS. MURPHY: As long as the jury is  
20 oriented to generally what I'm talking about, that  
21 would be fine, Your Honor. I mean, as to time and  
22 call number that would probably be sufficient and I  
23 don't intend to spend a lot of time on this point  
24 anyway and that's why I suggested that we go ahead  
25 and pass them out just so as not to spend a lot of

1 time.

2 THE COURT: All right, I see your point. I  
3 will allow you to distribute the exhibit. I'm going  
4 to overrule your objection, but I am going to limit  
5 the State only to the extent that the questions are  
6 directly related to this witness and numbers she can  
7 identify by specific lines.

8 MS. GUTIERREZ: Well then Judge I would ask  
9 that they not be predistributed. That they only be  
10 distributed at that point where she --

11 THE COURT: That's fine.

12 MS. GUTIERREZ: -- she gets there and  
13 establishes that.

14 THE COURT: I have no problem with that.  
15 It's just a time thing, but if the defense is just  
16 saying for the point of the question coming about,  
17 the timing of the distribution of papers I have no  
18 problem with that and I ask the State to just  
19 distribute it at the particular time and, Ms. Murphy,  
20 I appreciate your attempt to be more efficient and  
21 it's noted.

22 MS. MURPHY: Your Honor, I plan to start  
23 with that issue and that was --

24 THE COURT: Well, we'll do it as they come  
25 in.

1 MS. MURPHY: All right.

2 THE COURT: Or as you start your first  
3 question.

4 MS. MURPHY: Thank you.

5 THE COURT: Whatever. But we will do that  
6 and at this point as soon as Mr. Syed gets here, we  
7 will be able to start. I would also ask Mr. White, I  
8 am directing Mr. White where it says alternate number  
9 one her notes in the right hand corner, would you put  
10 a six under there, juror number six on the top in the  
11 event we have a --

12 THE CLERK: She changed hers yesterday.

13 THE COURT: She did change it? Okay, good.  
14 She changed it herself. Sometimes I don't get Mr.  
15 White as the clerk and he is very diligent in making  
16 sure that mistakes like that don't happen. What I  
17 don't want is for juror number six to get old juror  
18 number six's notes because again these exhibits were  
19 used only for the purpose of assisting them to follow  
20 along with the testimony.

21 MS. GUTIERREZ: Judge, since we're waiting  
22 I thought I would bring this up. I understand from  
23 what you said that Ms. Benaroya would be calling your  
24 chambers every morning.

25 THE COURT: Yes.



1 MS. GUTIERREZ: I haven't heard -- I can't  
2 quite tell, but it appears clear to me that the  
3 State's case is going to take us through tomorrow. I  
4 do have some out of town witnesses that we had to  
5 fuzzle. So I want to be prepared for Friday.

6 THE COURT: You want her Friday?

7 MS. GUTIERREZ: That would be fine, and you  
8 know but since she's here based on your assertion  
9 that they have four witnesses and who the other three  
10 witnesses are, I think we have a shot at finishing  
11 them on Thursday. If not, in the morning on Friday.  
12 So I would ask that Ms. Benaroya, whom I've been  
13 unable to reach, I've left messages, be available on  
14 Friday afternoon.

15 THE COURT: Okay.

16 MS. GUTIERREZ: Because some of my  
17 witnesses are coming from out of town on a holiday, I  
18 have arranged for them to arrive on Tuesday or to be  
19 available for Tuesday.

20 THE COURT: Okay.

21 MS. GUTIERREZ: And so I need to have my  
22 available witnesses to be around and Ms. Benaroya  
23 would be someone I intend to call.

24 THE COURT: All right, very well. I will  
25 have her available Friday afternoon; is that

1 correct?

2 MS. GUTIERREZ: Yes, I think that's  
3 correct. I do have some other --

4 THE COURT: If I tell her one o'clock?

5 MS. GUTIERREZ: Yes, I think that's fine.

6 THE COURT: All right, Mr. White, can you  
7 call my chambers and tell my secretary to advise Ms.  
8 Benaroya when she calls tomorrow morning to be here  
9 Friday at one o'clock. That her testimony would be  
10 needed Friday at one o'clock.

11 And did you get the information that you  
12 needed from Ms. Benaroya about the date?

13 MS. GUTIERREZ: No, Judge. I have made  
14 efforts to call her.

15 THE COURT: Ask Ms. --

16 MS. GUTIERREZ: As I told you my last  
17 conversation with her was that if she couldn't reach  
18 me to leave just the date with your chambers.

19 THE COURT: Ask Ms. McCoy if she has  
20 received any messages from Ms. Benaroya that she  
21 should bring them to my -- to the courtroom right  
22 now, yesterday or today. Any messages that she has  
23 received from Ms. Benaroya from yesterday or from  
24 today she needs to bring them to this courtroom now.  
25 Thank you, Mr. White. Thank you very much Deputy

1 Sheriff for refilling our water cooler and if you  
2 could bring the jury out.

3 (Whereupon, the jury entered the courtroom,  
4 after which the following proceedings ensued:)

5 THE COURT: Please be advised that the  
6 scheduling problem with the witness has been  
7 alleviated and so you may proceed. At this time I  
8 would remind Ms. Pusateri you are still under oath.  
9 Welcome the jury back from lunch. Ms. Murphy, the  
10 witness is with you for redirect.

11 MS. MURPHY: Thank you, Your Honor.

12 REDIRECT EXAMINATION

13 BY MS. MURPHY

14 Q Ms. Pusateri, you stated your address is  
15 1208 McAdoo Avenue?

16 A Yes.

17 Q Can you describe generally where that is?

18 A Off of Baltimore National Pike between  
19 Johnnycake Road and Cooks Lane, close to Garland's  
20 off of Ingleside Avenue.

21 Q Close to, I'm sorry?

22 A Close to Garland's around Ingleside.

23 MS. MURPHY: Your Honor, at this time I  
24 would ask if the jurors' copies of State's Exhibit 34  
25 could be distributed.

This blank page is a substitute for a missing page or pages from the transcript.

The missing page would be 163 in the 4-to-a-sheet system or 164 in the single page version.

For more information please see [this wiki page](#)

1 A That's Jay's number.  
 2 Q Okay. And 31?  
 3 A That's my home number.  
 4 Q Okay. And any others?  
 5 A 30, 26, they're both home. 23, that's a  
 6 friend of mine and Jay's.  
 7 Q Okay. And who is that?  
 8 A Patrice.  
 9 Q And any others?  
 10 A 12.  
 11 Q And what number is that?  
 12 A My pager.  
 13 Q Okay.  
 14 A And that's it.  
 15 Q Okay. I'll ask you to look at call number  
 16 22?  
 17 A Yes.  
 18 Q Is that call familiar?  
 19 A Yes.  
 20 Q And what is that?  
 21 A That's to my house.  
 22 Q Okay. And how about calls 8 and 9?  
 23 MS. GUTIERREZ: I'm going to object. These  
 24 are leading questions. She has already identified  
 25 the numbers that she knows.

1 THE COURT: All right, sustained as to the  
 2 leading nature of the question, but you can reword  
 3 the question if you would like.  
 4 Q Were there any other numbers, Ms. Pusateri,  
 5 that you recognize?  
 6 A Starting with which one?  
 7 MS. GUTIERREZ: Objection.  
 8 THE COURT: The question is do you  
 9 recognize any others and if you recognize any others  
 10 then you have to indicate to her what they are? You  
 11 don't get to ask her questions.  
 12 THE WITNESS: All right.  
 13 THE COURT: Okay.  
 14 THE WITNESS: Well 23, 22, right? 12, 9,  
 15 8.  
 16 THE COURT: You're using the numbers on the  
 17 far left to identify the line?  
 18 THE WITNESS: Yes.  
 19 THE COURT: Okay.  
 20 Q Now, you said 9 and 8. What are those  
 21 numbers?  
 22 A That's my pager.  
 23 Q Now, going back to when Ms. Gutierrez asked  
 24 you about the times on January 13th when Jay Wilds  
 25 paged you?

1 A Uh-huh.  
 2 Q Where were you when you received those  
 3 pages?  
 4 A Depending on the time I was either at my  
 5 house, in the car picking up my parents, or at work.  
 6 Q On any other day besides January the 13th  
 7 had you ever received a page to the cell phone number  
 8 that you called on that day?  
 9 A No.  
 10 MS. MURPHY: Your Honor, I'm finished with  
 11 those exhibits at this point if the Court would like  
 12 to --  
 13 THE COURT: Ladies and gentlemen, if you  
 14 will pass the exhibits back. Ms. Gutierrez, do you  
 15 think or anticipate that you'll need them?  
 16 MS. GUTIERREZ: No.  
 17 THE COURT: Pass them back.  
 18 MS. GUTIERREZ: Well, actually yes.  
 19 THE COURT: All right. Well, why don't you  
 20 still pass them back to the end and we'll give them  
 21 back to you. Just rest them in that chair, that's  
 22 fine. Pass them up to the front. There's an empty  
 23 chair next to alternate number three. He can let  
 24 them sit there and if we need them back we can  
 25 redistribute them. Thank you very much. Your next

1 question, Ms. Murphy.  
 2 MS. MURPHY: Thank you, Your Honor.  
 3 Q Ms. Pusateri, does your friendship with Jay  
 4 Wilds remain the same after January the 13th?  
 5 A Pretty much.  
 6 Q When you described on cross examination  
 7 that you exaggerated the relationship, can you  
 8 explain that?  
 9 A Just -- like it's just when everyone refers  
 10 to him as my very, very close friend, I don't really  
 11 feel that that's correct. So I guess when I  
 12 exaggerated I meant that he's not necessarily my  
 13 very, very, very close friend. He's just a good  
 14 friend of mine and that's it.  
 15 Q Were your words to the police an  
 16 exaggeration?  
 17 A No, not exactly. It was just an  
 18 explanation to the police.  
 19 Q So is it fair to say that your description  
 20 that Ms. Gutierrez read to you of your relationship  
 21 with Mr. Wilds is pretty accurate?  
 22 A Pretty accurate. We're good friends.  
 23 Q But he's not your boyfriend?  
 24 A No.  
 25 Q Never has been?



1 A No.  
 2 Q Now, you also testified on cross  
 3 examination that you didn't know the date January  
 4 13th apart from any other day until the detectives  
 5 pointed that day out?  
 6 A Right.  
 7 Q When you woke up that morning did you know  
 8 someone was going to tell you about a murder?  
 9 A No.  
 10 Q So is it fair to say that you weren't  
 11 really keeping track of time as the day went by?  
 12 A Yes.  
 13 Q Is it fair to say most of your frame of  
 14 reference comes from your daily schedule?  
 15 A Yes.  
 16 Q And you testified earlier that you don't  
 17 really know what time Jay got there?  
 18 A Right.  
 19 Q Do you recall also telling the police that  
 20 Jay left anywhere between 2:30 and 4:15?  
 21 A Yes.  
 22 Q And you simply aren't sure when?  
 23 A Not exactly, no.  
 24 Q You were also asked on cross examination  
 25 whether what you know all came from Jay?

1 A Right.  
 2 Q Is it true that when you returned that page  
 3 to Mr. Wilds you heard the person you describe answer  
 4 that phone with your own ears?  
 5 A Yes.  
 6 Q It wasn't something Jay Wilds told you  
 7 about?  
 8 A No.  
 9 Q Was the voice clear?  
 10 A Yes.  
 11 Q Can you describe that voice?  
 12 A It was a male's voice, like an older male,  
 13 not like a young kid or nothing like that but not  
 14 like a --  
 15 Q What do you mean by older?  
 16 A Like he had a deeper voice than if he was  
 17 younger.  
 18 Q Well, older and younger are relative  
 19 terms. Can you --  
 20 A I don't know. I would say someone that I  
 21 would like normally talk to around my age.  
 22 Q Anything else about that voice?  
 23 A Not distinctly, no.  
 24 Q Are you certain that it was not Jay Wilds?  
 25 A Yes.

1 Q How is that?  
 2 A Because I speak to Jay on the phone on a  
 3 normal basis and I know what his voice sounds like on  
 4 the phone.  
 5 Q Now, when Jay came to your house on January  
 6 13th you saw the car he was driving with your own  
 7 eyes; is that right?  
 8 A Yes.  
 9 Q And when picked Jay up at Westview Mall  
 10 that night you saw that with your own eyes also?  
 11 A Yes.  
 12 Q And you saw the defendant with Jay Wilds?  
 13 A Yes.  
 14 Q With your own eyes?  
 15 A Yes.  
 16 Q And that wasn't something told to you?  
 17 A No.  
 18 Q Where was the defendant when you saw him?  
 19 A In the car.  
 20 Q Can you say whether that car was the same  
 21 car Jay was driving earlier?  
 22 A Yes, it was.  
 23 Q How long did that meeting last?  
 24 A Not long at all, five, ten minutes.  
 25 Q But are you certain that it was the

1 defendant you saw driving it?  
 2 A Yes.  
 3 Q You testified a little bit on cross  
 4 examination about a conversation you had with Kristi  
 5 and Jeff?  
 6 A Yes.  
 7 Q When Jay and Adnan were at their apartment?  
 8 A Yes.  
 9 Q Can you tell the the ladies and gentlemen  
 10 about that conversation?  
 11 A Yea, I just called Kristi just to talk to  
 12 her.  
 13 Q About what time was that, if you know?  
 14 A Oh, it would probably be between 6:30 and  
 15 7:00 because I had just eaten dinner. So after I had  
 16 eaten dinner, it had to be around 6:30, 7:00  
 17 o'clock. I remember Kristi was watching Judge Judy  
 18 and I think that comes on around 6:30. So we were  
 19 just talking on the phone.  
 20 She had asked me who this guy was that Jay  
 21 had brought into her house. She had told me that he  
 22 had mentioned something about how to get rid of a  
 23 high and he just kind of like came in and laid down  
 24 on her floor and she didn't understand what was wrong  
 25 with him and he was acting kind of weird and then he

1 got on a cell phone talking about the police or  
2 something like that she said to me. She said what is  
3 this guy talking about because Kristi was paranoid a  
4 little bit about some of the activity that was going  
5 on in her house, you know, smoking weed or whatever.  
6 So she didn't really appreciate anyone in her house  
7 on the phone talking about the police. So she was  
8 concerned about that. She wanted to know who this  
9 guy was.

10 Q Did you know who it was?

11 A No, I didn't know like -- I mean, I'm  
12 saying I told her that it was probably Adnan because  
13 Jay had told me that he was with Adnan earlier that  
14 day. So I just assumed. I'm saying like Kristi gave  
15 me a description of the guy that was in her house and  
16 I just was like, oh, it must be Adnan.

17 Q Were you under the impression this was  
18 happening right about the time you talked to her?

19 A Yea, I'm saying she said that it was  
20 happening at the time that I was talking to her. She  
21 was telling me what was going on in the room while I  
22 was on the phone with her, and then she said that  
23 while me and her were still on the phone Jay and  
24 Adnan just kind of got up and just like left out of  
25 the house very abruptly. I'm thinking that Jay left

1 his cigarettes and something else there, I believe  
2 she had told me. So she thought that they were  
3 coming back in the house. Then she also said that  
4 for a moment there was a car sitting out front of the  
5 house with people in it, but you know that it -- what  
6 she thought was that they had went out of her  
7 apartment.

8 MS. GUTIERREZ: Objection to what she  
9 thought.

10 THE COURT: Sustained.

11 Q When you spoke to Kristi on the night of  
12 the 26th --

13 A Uh-huh.

14 Q -- when the Homicide detectives first  
15 approached you, did she make reference to that night?

16 A Kristi?

17 Q Kristi Vinson.

18 A Meaning?

19 MS. GUTIERREZ: The 26th, I would object on  
20 hearsay grounds.

21 THE COURT: Can you restate your question.

22 Q You were asked on cross examination whether  
23 Kristina questioned you about the detectives coming  
24 to you? What did Kristina ask you?

25 MS. GUTIERREZ: Objection.

1 THE COURT: On what date?

2 MS. MURPHY: On the 26th.

3 THE COURT: Are you objecting to that?

4 MS. GUTIERREZ: Yes.

5 THE COURT: Sustained.

6 MS. MURPHY: Nothing further, Your Honor.

7 THE COURT: Thank you very much. Any  
8 recross?

9 MS. GUTIERREZ: Yes, Judge, and I would ask  
10 that these copies be handed out again.

11 THE COURT: If the alternate would be so  
12 kind as to just pass the pile back and if the jurors  
13 would take the one that represents the number of the  
14 copy of exhibit number 34 where you have been making  
15 your notes.

16 RECROSS EXAMINATION

17 BY MS. GUTIERREZ

18 Q Ms. Pusateri, the cell phone that you saw  
19 sitting on the coffee table you had never seen  
20 before, did you?

21 A No.

22 Q And you had no knowledge from yourself and  
23 your own personal knowledge whose phone it was --

24 MS. MURPHY: Objection.

25 Q -- did you?

1 MS. MURPHY: As to scope.

2 THE COURT: Overruled.

3 Q Did you?

4 A No.

5 Q No. And when you were asked to look at --  
6 let us look down to line 34, that number 744-2609.  
7 that's your phone, right?

8 A At number 31, yes.

9 Q Is that right? That's your phone?

10 A That's my home line, my parents' phone.

11 Q A land line --

12 A They pay the bills.

13 Q -- is it not?

14 A Yes.

15 Q It's not a cell phone?

16 A No.

17 Q Is it? It's what we call a hard line; is  
18 that right?

19 A Sure.

20 Q And this chart -- and you've identified it,  
21 that call was made at 12:07?

22 A Yes.

23 Q And at 21 seconds?

24 A Yes.

25 Q The next line. That means that if you look

1 up at the top of the call the duration, so that phone  
2 call was for 21 seconds; is that right?

3 A Right.

4 Q From this chart you can't tell who was at  
5 your address?

6 A No one answered the phone. There was a  
7 message left.

8 Q Okay. But you can't tell, ma'am, from this  
9 chart if anybody was home?

10 MS. MURPHY: Objection.

11 Q Can you?

12 A From the chart, no.

13 Q No.

14 THE COURT: The objection is overruled.

15 Q And you can't tell if someone was home who  
16 might have answered it, can you?

17 A Not from the chart, no.

18 Q Not from the chart. And it doesn't tell  
19 you if that 21 seconds represents a phone call, does  
20 it?

21 A No.

22 Q That was actually received by someone?

23 A Right.

24 Q In which people actually talked?

25 A Right.

1 Q And if they actually talked, who they were?

2 A Right.

3 Q And the next line if you go up on 30, that  
4 is also that same hard line that's in 31, is it not?

5 A Yes.

6 Q And under the duration column it says one  
7 minute and 21 seconds, right?

8 A Yes.

9 Q And you don't know where that one minute  
10 and 21 seconds information came from, do you?

11 A Where it came from?

12 Q Yes, ma'am.

13 A No.

14 Q You didn't provide that information, did  
15 you?

16 A No.

17 Q And as you told us you weren't asked to  
18 ever look at phone records, were you?

19 A No.

20 Q Not yours?

21 A No.

22 Q Not anyone's?

23 A No.

24 Q You were never asked even to produce your  
25 own phone records, were you?

1 A No.

2 Q Right. And once again you can't tell from  
3 any information on that chart whether anybody  
4 answered the phone, could you?

5 A Not from the chart.

6 Q Not from the chart. And you, of course,  
7 from the chart can't tell if anybody was at your home  
8 when that phone rang, can you?

9 A Not from the chart, but I know I was there.

10 Q But you can't tell from the chart?

11 A Not from the chart.

12 Q No. Now, ma'am, on line 26 that's again  
13 the hard line, is it not?

14 A Yes.

15 Q And that indicates a duration of --

16 A 42 seconds.

17 Q 42 seconds?

18 A Yes.

19 Q And you didn't provide that information,  
20 did you?

21 A No.

22 Q And you don't know where that information  
23 came from, do you?

24 A No.

25 Q And once again that's your land line,

1 right?

2 A Yes.

3 Q And nothing in the chart indicates who was  
4 home, does it?

5 A No.

6 Q And if it was answered who answered it?

7 A Right.

8 Q And if the call was made who made it?

9 A Right.

10 Q And if you go up again you identified line  
11 23 as a number that you recognized, right?

12 A Yes.

13 Q And you identified it as the number of  
14 Patrice Furlow?

15 A Yes.

16 Q There's also Patrick Furlow, is there not?

17 A Yes.

18 Q And Patrick Furlow is somebody that you and  
19 Jay know, is it not?

20 A Yes.

21 Q And that is a person from whom you and Jay  
22 get weed, is it not?

23 A No, not anymore.

24 Q Do you recall that day, this day, the 13th,  
25 that this chart appears to indicate some things

1 happened as a day when you were at all concerned  
 2 about getting weed?  
 3 A What? Was I worried about getting weed on  
 4 that day?  
 5 Q On that day, do you recall that?  
 6 A No, I don't know if I was trying to get  
 7 weed or not.  
 8 Q And that's not something that you ever  
 9 mentioned to Detective MacGillivray?  
 10 A No.  
 11 Q Either at the time that he took notes on  
 12 the Friday night or on the Saturday night in the tape  
 13 recorded statement, right?  
 14 A Right.  
 15 Q And you also -- you don't recall that you  
 16 got lots of calls from Jay in regard to tracking down  
 17 some weed?  
 18 A No, Jay wouldn't call me to get any weed.  
 19 Q Because he knew how to get it on his own?  
 20 A Right.  
 21 Q And he knew how to get in touch with the  
 22 people that you knew that he got weed from, right?  
 23 A Right.  
 24 Q And he wouldn't call you to track them  
 25 down?

1 A No.  
 2 Q And he wouldn't call you to track down  
 3 Patrice Furlow?  
 4 A No.  
 5 Q Or Patrick Furlow?  
 6 A No.  
 7 Q And if he said that he did, then he  
 8 wouldn't be telling the truth would he?  
 9 A I don't know.  
 10 Q You don't know, okay. Now, if you'd move  
 11 up again on line 22. That's again the land line,  
 12 right?  
 13 A Yes.  
 14 Q And the duration says 28 seconds, right?  
 15 A Yes.  
 16 Q And it says that the call time was 4:12,  
 17 does it not?  
 18 A Yes.  
 19 Q Now, that was as close as it gets to the  
 20 time that you always every work day leave to go get  
 21 your parents?  
 22 A Right.  
 23 Q Is it not? Is that not right?  
 24 A Right.  
 25 Q And this chart doesn't tell you if you were

1 there, does it?  
 2 A No.  
 3 Q And it doesn't tell you if you answered  
 4 that phone, does it?  
 5 A No.  
 6 Q And it doesn't tell you if anybody answered  
 7 that phone, does it?  
 8 A Right.  
 9 Q Ms. Pusateri, if you would go back up to  
 10 12, 9, and 8. That number 390-0384, that's your  
 11 pager number, right?  
 12 A Right.  
 13 Q And that's the pager as distinct from the  
 14 land line in your home, right?  
 15 A Right.  
 16 Q That's the pager that you can't answer and  
 17 speak to, right?  
 18 A Right.  
 19 Q It has no phone mechanism --  
 20 A No.  
 21 Q -- attached to it, does it?  
 22 A No.  
 23 Q All you can do is leave a message on that  
 24 pager?  
 25 MS. MURPHY: Objection.

1 Q Isn't that right?  
 2 THE COURT: Sustained.  
 3 Q Ms. Pusateri, you've told us that you had  
 4 made plans with Jay Wilds to meet up with him  
 5 sometime after six, right?  
 6 A Right.  
 7 Q And that you, even though you had this  
 8 confusion about the message and where it was you were  
 9 going to pick him up or hook up with him, you, in  
 10 essence, waited at your house until you got through  
 11 and got that stuff settled, right?  
 12 A Right.  
 13 Q Until you got the alternate information  
 14 that you would pick him up at Value City, right?  
 15 A Right.  
 16 Q And so you would have been available from  
 17 the time you returned from picking up your parents at  
 18 your home, right?  
 19 A Yes.  
 20 Q And available on your land line, right?  
 21 A Yes.  
 22 Q And if someone knew that that's where you  
 23 were that's where they would have called you, would  
 24 they have not?  
 25 A No.



1 Q They would have called you on your pager?  
 2 A Very often I get pages instead of land line  
 3 phone calls, yes.  
 4 Q All of the phone calls made up to the time  
 5 when you went to pick up your parents, every single  
 6 one of them that involves you was made on the hard  
 7 line, was it not?  
 8 A Yea.  
 9 Q Okay. And the three telephone calls, one  
 10 was made at seven o'clock if you look at 1 and 12?  
 11 A Yes.  
 12 Q For 23 seconds?  
 13 A Yes.  
 14 Q This chart can't tell you where you were  
 15 when that pager was made --  
 16 A Right.  
 17 Q -- can it? And it can't tell you on line  
 18 nine, the phone call that lasted for 32 seconds,  
 19 where you were, right?  
 20 A Right.  
 21 Q Or the call on line 8 the pager for 13  
 22 seconds, it can't tell us where you were, right?  
 23 A Right.  
 24 Q But all of those times 8:05, 8:04, and 7:00  
 25 o'clock were all times from what you just told us

1 THE COURT: Sustained.  
 2 Q Did he tell you that after the 13th?  
 3 A That's just how it is.  
 4 Q That's just how it is?  
 5 A It's never been said.  
 6 Q Now, some of the calls that you've been  
 7 asked about you told us you remember came from Jay,  
 8 right?  
 9 A Right.  
 10 Q Including the calls on the residence number  
 11 that occurred before four o'clock, right?  
 12 A Right.  
 13 Q You recall talking to Kristi while Judge  
 14 Judy was on?  
 15 A Right.  
 16 Q And that's something that you watch?  
 17 A Uh-huh.  
 18 Q And were you watching it at the time that  
 19 you talked to Kristi?  
 20 A I don't remember.  
 21 Q You don't remember that?  
 22 A No.  
 23 Q You heard Judge Judy on her phone?  
 24 A We were talking about what was going on  
 25 with Judge Judy, yea.

1 today were times when you were at your house, right?  
 2 A Right.  
 3 Q Waiting to go pick up Jay, right?  
 4 A I was getting ready waiting for him to call  
 5 me so I could find out when we were going to go out.  
 6 Q To call you?  
 7 A Right, get in touch with me, let me know  
 8 how --  
 9 Q You hadn't told him --  
 10 A Get in touch with me.  
 11 Q -- don't call me on my land line, had you?  
 12 A No.  
 13 Q You hadn't told him only reach me on my  
 14 pager because you won't know where I am, had you?  
 15 A He wouldn't know where I was at. So if he  
 16 wanted to get in touch with me, he would rather page  
 17 me than use the land line.  
 18 Q That's what he would rather do?  
 19 A Right.  
 20 Q And did he tell you that on the 13th?  
 21 A No, but that's how it always is.  
 22 Q Did he tell you that on the 13th?  
 23 A Not on the 13th.  
 24 MS. MURPHY: Objection.  
 25 Q Did he tell you that after the 13th?

1 Q Oh, and she mentioned, oh, Judge Judy is  
 2 on?  
 3 A Yea.  
 4 Q Okay. Your recollection is that Judge Judy  
 5 came on about 6:30 then?  
 6 A I think so, 6:30.  
 7 Q 6:30 to 7:00?  
 8 A I think it comes on like twice. I think  
 9 6:30 to 7:00 and maybe 7:00 to 7:30 or 7:30 to 8:00  
 10 or somewhere in between there.  
 11 Q So the phone call could have been about  
 12 either one of those times?  
 13 A No, the phone call was between 6:30 and  
 14 7:00.  
 15 Q And you're sure about that?  
 16 A Yea.  
 17 Q Now, the conversation with Kristi was  
 18 independent of anything that had happened with Jay?  
 19 A Yes.  
 20 Q You weren't looking for Jay?  
 21 A No.  
 22 Q And you weren't so concerned about your  
 23 friend's abnormal behavior that you asked her about  
 24 that, did you?  
 25 A She told me about his behavior.



1 Q Well, I thought you said she told you about  
2 Adnan's behavior?  
3 A She told me about both of their behavior.  
4 Q And she described it as abnormal?  
5 A Yes.  
6 Q And weird?  
7 A Yes.  
8 Q And did she specifically describe what it  
9 was they did that made her describe it as abnormal?  
10 A Yes.  
11 Q And did she say he was high?  
12 A She said that he asked how to get rid of a  
13 high so --  
14 Q Did she say that he was high, that she  
15 observed that?  
16 A No, I don't think so.  
17 Q Now, the meeting that Ms. Murphy asked you  
18 about when she was asking you about the time at Value  
19 City in Westview Mall, Adnan, did he get out of the  
20 car?  
21 A I don't think so, no.  
22 Q Did he wait while Jay got into your car?  
23 A I don't know.  
24 Q And did you hold a major conversation  
25 through your window to him?

1 A We spoke. He said hey what's up.  
2 Q He said hey what's up?  
3 A Yea, I said hey, what's up.  
4 Q And you spoke back?  
5 A Yea.  
6 Q You didn't say to him, oh, what's up is  
7 that our friend is really acting weird, did you?  
8 A No.  
9 Q And there wasn't any information conveyed,  
10 was there?  
11 A No.  
12 Q It was really just a greeting, wasn't it?  
13 A That's exactly what it was.  
14 Q It isn't what you would call a meeting,  
15 would it?  
16 A No.  
17 Q You didn't meet with him?  
18 A No.  
19 Q And he answered you or you answered him  
20 when he said what's up?  
21 A Yea.  
22 Q And did you give him any information?  
23 A Information, no.  
24 Q Did you just answer like hi nothing's up?  
25 MS. MURPHY: Objection.

1 THE COURT: Sustained.  
2 Q In your answer to him did you convey any  
3 information?  
4 MS. MURPHY: Objection.  
5 THE COURT: Sustained.  
6 Q About what was up?  
7 MS. MURPHY: Objection.  
8 THE COURT: Sustained.  
9 Q And that's the meeting that you answered  
10 Ms. Murphy took five to ten minutes?  
11 A I'm saying in all of the time between Jay  
12 getting out of the car and coming in and getting in  
13 my car we were probably in the parking lot in the  
14 spot for about five minutes, yes.  
15 Q The whole thing took five minutes?  
16 A Yes.  
17 Q Not just that little part where he said hey  
18 what's up?  
19 A Right.  
20 Q Whether or not you answered?  
21 A What?  
22 Q Whether or not you answered him?  
23 A I answered him.  
24 MS. MURPHY: Objection.  
25 THE COURT: Sustained.

1 Q Now, whatever time Jay left your house in  
2 the early afternoon and you would agree you told the  
3 detectives several different things, did you not?  
4 A Several different times, yes.  
5 Q Several different times about what time he  
6 left, right?  
7 A Yes.  
8 Q But whatever time he left he came after you  
9 got home, right?  
10 A Yes.  
11 Q And during that time you personally  
12 observed him, did you not?  
13 A Yes.  
14 Q And during the time that you observed him  
15 it was your conclusion that he was not acting normal  
16 based on what you observed?  
17 MS. MURPHY: Objection.  
18 Q Correct?  
19 THE COURT: Sustained.  
20 Q Now, you said and you were asked about the  
21 exaggeration, do you recall that?  
22 A Yes.  
23 Q Okay. And the exaggeration was how you  
24 described your relationship with Jay, right?  
25 A Right.

1 Q When -- well, what you told them was what  
2 words you chose?  
3 A Right.  
4 Q And when they tried to imply that maybe you  
5 were girlfriend and boyfriend with Jay, your answer  
6 in the words that you chose was not really?  
7 A Was no, not really.  
8 Q No, not really?  
9 A No, not really.  
10 Q Those were words that you chose and you  
11 spoke, right?  
12 A Right.  
13 Q Nobody forced you to say that, did they?  
14 A No.  
15 Q Nobody suggested to you what words there  
16 should be?  
17 A No.  
18 Q You chose the words further to describe him  
19 as your very, very, very, very, I think you used  
20 four, good friend. Again, those were words that you  
21 chose?  
22 A Yes.  
23 Q Nobody forced you to?  
24 A No.  
25 Q Nobody selected the words for you?

1 A No.  
2 Q Nobody suggested to you --  
3 A No.  
4 Q -- what was the relationship --  
5 A No.  
6 Q -- before you described it, did they?  
7 A No.  
8 Q And when you chose the words I would trust  
9 him with my life, those were your choice of words?  
10 A Yes.  
11 Q Nobody threatened you or made you say some  
12 words?  
13 A No.  
14 Q Nobody suggested what words you would use?  
15 A No.  
16 Q So nobody chose whatever exaggeration it  
17 might be?  
18 A Right.  
19 Q You were asked about 1208 McAdoo you  
20 described as between off of Route 40 between, the  
21 words you used were Cooks Lane and Johnnycake?  
22 A Yea.  
23 Q All right, now, Johnnycake Road cuts across  
24 Route 40, does it not?  
25 A Yes.

1 Q But once it cuts across it then goes upward  
2 so that it actually runs parallel to run 40 for  
3 awhile, does it not?  
4 A Not on my side, no.  
5 Q On the side where Garland's is, right?  
6 A Johnnycake is not parallel, perpendicular.  
7 Q At Garland's, Garland's is right below the  
8 intersection of Ingleside, is it not?  
9 A Yes.  
10 Q And Johnnycake Road, is it not?  
11 A Yes.  
12 Q And at that corner Ingleside Avenue then  
13 goes and crosses Route 40, does it not?  
14 A Yes.  
15 Q At a perpendicular angle, does it not?  
16 A Yes.  
17 Q But Johnnycake is thereupon running in  
18 exactly the same direction but in a parallel location  
19 to Route 40, is it not?  
20 A I don't know. I'm confused.  
21 Q Well, there is an intersection at which  
22 Johnnycake and Ingleside are perpendicular to each  
23 other, are they not?  
24 A Yes.  
25 Q They cross as a straight intersection,

1 right?  
2 A Right.  
3 Q And Ingleside Avenue goes over so that it  
4 is again perpendicular to Route 40, right?  
5 A Yes.  
6 Q And that's just like a light away, isn't  
7 it?  
8 A Yes, there's a light in between two lights.  
9 Q And at that light away that's the bottom of  
10 Westview Mall, isn't it?  
11 A Yes.  
12 Q So the intersection is like this of  
13 Ingleside and Route 40, right?  
14 A Right.  
15 Q And the intersection of Ingleside two  
16 lights away is Ingleside and Johnnycake, is it not?  
17 A Ingleside and Johnnycake.  
18 Q Perpendicular to each other?  
19 A Yes.  
20 Q In exactly the same direction in which  
21 Route 40 is?  
22 A Ingleside runs parallel with 40.  
23 Johnnycake runs perpendicular with 40.  
24 Q Except that Ingleside ends up being  
25 perpendicular to Route 40 at Route 40?

1 A At Route 40.  
 2 Q Does it not?  
 3 A Yes.  
 4 Q And there's an intersection in which  
 5 Ingleside and Johnnycake are running entirely  
 6 different directions?  
 7 A Yes.  
 8 Q Right? Just like Route 40 and Ingleside  
 9 are running entirely different directions, right?  
 10 A Yes.  
 11 Q And Cooks Lane is a street that intersects  
 12 with Route 40, Baltimore National Pike, does it not?  
 13 A Yes.  
 14 Q And Cooks Lane at that intersection is  
 15 inside of Baltimore City, is it not?  
 16 A Yes.  
 17 Q And the city line is actually between  
 18 Johnnycake and Cooks Lane, is it not?  
 19 A Yes.  
 20 Q Up above Cooks Lane on Route 40 there's a  
 21 big sign in the middle of the median, is there not?  
 22 A Uh-huh.  
 23 Q Is that a yes?  
 24 A Oh, yes.  
 25 Q That marks the end of Baltimore City, is it

1 not?  
 2 A Yes.  
 3 Q And you live on the same side of Route 40  
 4 as Garland's would be if you took Johnnycake, not  
 5 Ingleside, Johnnycake off of Route 40?  
 6 A Yes.  
 7 Q Yes. Well, are you just saying yes to get  
 8 rid of it?  
 9 A I have no idea where you're talking about.  
 10 Q Do you understand the question?  
 11 A I'm very confused.  
 12 Q All right. Ms. Pusateri, you answered Ms.  
 13 Murphy's question about your address, did you not?  
 14 A Right.  
 15 Q And you live at 1208 McAdoo, right?  
 16 A Right.  
 17 Q And McAdoo is a street that ends up being  
 18 perpendicular at some point to Route 40, does it not?  
 19 A It's parallel to 40.  
 20 Q Meaning Route 40 runs this way and McAdoo  
 21 runs that way?  
 22 A Parallel the same way, right.  
 23 Q Okay. That's what I want to make sure.  
 24 The same way, right?  
 25 A Right.

1 Q And McAdoo doesn't intersect with Route 40,  
 2 right?  
 3 A Right, never.  
 4 Q But Johnnycake, which is the road that you  
 5 said was marking the one end of where your street  
 6 was, Johnnycake is a road that does intersect with  
 7 Route 40, isn't it?  
 8 A Yes.  
 9 Q And the intersection is below, meaning  
 10 closer to the city, than the intersection of  
 11 Ingleside?  
 12 A Yes.  
 13 Q Is that right?  
 14 A (Indicating.)  
 15 Q So Johnnycake would be further away from  
 16 Westview Mall than Ingleside Avenue; is that right?  
 17 A Yes.  
 18 Q Johnnycake is where that intersection is  
 19 closer to the city line, right?  
 20 A Right.  
 21 Q Than Ingleside is?  
 22 A Right.  
 23 Q And the other edge at which you said  
 24 defined where your road is was Cooks Lane?  
 25 A My road doesn't go all of the way to Cooks

1 Lane, no but --  
 2 Q Well, I understand that but you said it was  
 3 off of Route 40 between Johnnycake and Cooks Lane?  
 4 A Yea, right.  
 5 Q And Cooks Lane is already in the city,  
 6 right?  
 7 A Right.  
 8 Q So it's even further away from Westview  
 9 Mall, right?  
 10 A Right.  
 11 Q And your street, McAdoo, to get to it you  
 12 have to take another street off of Route 40, do you  
 13 not?  
 14 A Yes.  
 15 Q And then you turn off onto your road,  
 16 right?  
 17 A Right.  
 18 Q And your road, is it closer to Johnnycake  
 19 or closer to Cooks Lane?  
 20 A Johnnycake.  
 21 Q Johnnycake. And the name of this street  
 22 that you take to get to your street?  
 23 A From where?  
 24 Q From Route 40.  
 25 A It depends on what direction. I can take

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1 Ingleside, Johnnycake or the one between Mr. Gee's  
2 and the car wash.  
3 Q Mr. Gee's is the --  
4 A The ice cream place.  
5 Q The ice cream, the sub place --  
6 A Yes.  
7 Q -- on the side? Right south of the  
8 intersection of Johnnycake where it crosses?  
9 A Right.  
10 Q And the next one; is that right?  
11 A Right, Ingleside or I could take Cooks  
12 Lane, any of them.  
13 Q Or you could take Cooks Lane. And if you  
14 took Cooks Lane, you would come up?  
15 A Right.  
16 Q Right? And in terms of direction, just so  
17 that we're clear, do you live on the same side of  
18 Route 40 as Garland's --  
19 MS. MURPHY: Objection.  
20 Q -- is?  
21 A I live --  
22 THE COURT: I think we've answered this  
23 question, but let's one more time. Do you live on  
24 the same side of Route 40 as Garland's?  
25 THE WITNESS: Yes.

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1 Q Yes.  
2 A I live three blocks from Garland's, three  
3 blocks.  
4 Q The place where you work?  
5 A Yes.  
6 Q The place where Nicole works?  
7 A Yes.  
8 Q The woman whom you spoke to about these  
9 events?  
10 MS. MURPHY: Objection.  
11 THE COURT: Beyond the scope, but does  
12 Nicole work there?  
13 THE WITNESS: Yes.  
14 MS. GUTIERREZ: I'm done.  
15 THE COURT: Thank you very much. Any re  
16 redirect?  
17 MS. MURPHY: No, Your Honor.  
18 THE COURT: Very well. May this witness be  
19 excused?  
20 MS. MURPHY: Yes, Your Honor.  
21 THE COURT: Ms. --  
22 MS. GUTIERREZ: Yes, Judge.  
23 THE COURT: And released from the summons?  
24 MS. GUTIERREZ: I didn't summons her.  
25 THE COURT: Well, I'm just making sure that

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1 you don't need her.  
2 MS. GUTIERREZ: No, Judge.  
3 THE WITNESS: I didn't get a summons. I  
4 have no summons from her.  
5 THE COURT: Well she's now releasing you so  
6 that's why I asked. It doesn't matter who summonsed  
7 you? At this point no one needs you any longer. So  
8 let me advise you that at this time since no one  
9 needs you any longer, you're free to go. Two things,  
10 you're no longer under subpoena but you're still  
11 technically a sequestered witness but because you  
12 won't be needed you can stay in the courtroom if  
13 you'd like or you are free to go.  
14 THE WITNESS: Okay.  
15 THE COURT: All right?  
16 THE WITNESS: Yes.  
17 THE COURT: Very well.  
18 THE WITNESS: Thank you.  
19 THE COURT: You can give that to Mr. White  
20 since you had it in your hand, and, for the record,  
21 I'm going to ask that a blank copy of exhibit number  
22 34 be marked and we're going to call it 34 C because  
23 during the course of the trial there have been blank  
24 forms provided to the witnesses which are different  
25 than the exhibit 34 which is in evidence, which has

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1 markings on it. So just to make sure that the record  
2 is clear the blank form which we've all referred to  
3 as the blank form 34 is going to be marked as an  
4 exhibit for identification purposes only and for this  
5 record. Your next witness.  
6 MS. MURPHY: Thank you. The State's next  
7 witness is Ms. Kristina Vinson.  
8 THE COURT: Is Ms. Vinson in the hall? If  
9 she is, please ask her to step in.  
10 MS. MURPHY: She is. She's right outside.  
11 THE COURT: Ms. Vinson, please step all of  
12 the way up here, please, all of the way to the  
13 witness stand which is over here to my right. I'm  
14 going to ask that when you get there that you remain  
15 standing, face this gentleman here, Mr. White. Raise  
16 your right hand.  
17 KRISTINA VINSON,  
18 a witness produced on call of the State, having first  
19 been duly sworn, according to law, was examined and  
20 testified as follows:  
21 THE CLERK: Keep your voice up. State your  
22 name and your address for the record.  
23 THE WITNESS: Kristina Vinson, 4703 Gateway  
24 Terrace, apartment C, Baltimore, Maryland.  
25 THE COURT: Before we start I'm going to



1 tell the jurors that at any time you would like a  
2 break, I know we started pretty close to two, a  
3 little after, if you need a break, not you, the  
4 jurors, I need you to raise your hand or indicate so  
5 and I'll be happy to take a break and if it is just  
6 to get water, let me know. We can just stop a moment  
7 and allow you to get some water and then continue  
8 on. I'm without my clerk, law clerk to assist today,  
9 so if you could just indicate so. At this point the  
10 witness is with you.

11 MS. MURPHY: Thank you, Your Honor.

12 DIRECT EXAMINATION

13 BY MS. MURPHY

14 Q Ms. Vinson, can you state your age, please?

15 A I'm twenty-two.

16 Q Are you currently attending school?

17 A I have one more class left at UMBC.

18 Q What are you studying there?

19 A Social work.

20 Q And where did you go to high school?

21 A Sherwood High School in Montgomery County.

22 Q Were you attending school in January of  
23 1999 a little over a year ago?

24 A Uh-huh.

25 Q Where was that?

1 A At UMBC.

2 Q And were you working at that time also?

3 A I think I was working part time. Oh, no, I  
4 wasn't. I was interning at that time so I wasn't  
5 working part time.

6 Q Where were you living at that point in  
7 time?

8 A I have an apartment right outside of UMBC.

9 Q And what was the address?

10 MS. GUTIERREZ: I'm sorry, right outside?

11 A Right outside of UMBC like in Arbutus. The  
12 address is 4703 Gateway Terrace, apartment C.

13 Q You said right outside Arbutus. What are  
14 the main roads near there?

15 A Wilkens, Maiden Choice. It's in walking --  
16 I mean, it's a long walk but in walking distance of  
17 UMBC.

18 Q Was anyone else living with you at that  
19 point in time?

20 A No, I was the only one.

21 Q But you were dating someone?

22 A Uh-huh.

23 Q Who was that?

24 A Jeff Johnson.

25 Q Are you still dating him now?

1 A No.

2 Q Did he stay with you on occasion during the  
3 period of January of 1999?

4 A Uh-huh, he stayed off and on.

5 Q Do you know Jennifer Pusateri?

6 A Uh-huh.

7 Q How long have you known her?

8 A About a year and a half, two years,  
9 somewhere around there.

10 Q How is it that you know her?

11 A We are in the same sorority at UMBC  
12 together.

13 Q And how would you describe your  
14 relationship with Ms. Pusateri?

15 A Friends.

16 Q How about Jay Wilds, do you know him?

17 A Uh-huh.

18 Q How long have you known him?

19 A Hmm, a little under a year, a year and a  
20 half.

21 Q And how is it that you know Jay Wilds?

22 A I know Jay through Jen.

23 Q Do you know Hae Min Lee?

24 A No.

25 Q I'm going to ask you to remember back to

1 January 13th, 1999, you've since answered a lot of  
2 questions about that night?

3 A Uh-huh.

4 Q Do you remember that night?

5 A Yes, I do.

6 Q Why?

7 A Well, first of all, I had a conference down  
8 here for my internship that I had to attend.

9 Q You say down here?

10 A Oh, in the city at UMAB, which is the  
11 graduate school, and Jay and Adnan came to my  
12 apartment.

13 Q What time did you get home from that  
14 conference?

15 A I think it was over like at four-thirty and  
16 someone dropped me off between then and five,  
17 five-fifteen, somewhere around there.

18 Q Was anybody else at your house at that  
19 point in time?

20 A Jeff was already there at that time.

21 Q Would that be unusual for Jeff to be at  
22 your apartment when you weren't there?

23 A It wasn't unusual.

24 Q What happened next?

25 A Came in, talked for awhile, changed my



1 clothes, watching TV, just hanging out.  
 2 Q Anything else happen?  
 3 A Then Jay and Adnan came to my apartment.  
 4 Q Was it strange that Jay would come to your  
 5 house?  
 6 A No, it wasn't strange.  
 7 Q Why is it memorable to you then?  
 8 A Because they were acting real shady when  
 9 they got there.  
 10 Q What do you mean by shady?  
 11 A Weird, funny. Something was going on, not  
 12 how he usually acts.  
 13 Q Can you describe what they were doing?  
 14 A They weren't doing anything. I mean, they  
 15 weren't talking, just quiet.  
 16 Q What were you doing at that point?  
 17 A Watching TV. We were all watching TV.  
 18 Q Do you recall at what time that was?  
 19 A Like around 6:00 o'clock.  
 20 Q And how do you know it was 6:00 o'clock?  
 21 A Judge Judy was on, watching Judge Judy.  
 22 Q That's something you watch frequently?  
 23 A When I can, when I have a chance.  
 24 Q Now, the person who you said was with Jay,  
 25 did you know that person?

1 A Uh-huh.  
 2 Q Can you describe that person?  
 3 A Young, black hair.  
 4 Q Is that person here today?  
 5 A Uh-huh.  
 6 Q Can you point him out for the jury, please?  
 7 A The defendant.  
 8 MS. MURPHY: Indicating for the record,  
 9 Your Honor, the defendant.  
 10 THE COURT: Mr. Syed for the record.  
 11 Q Did Jay introduce to you to this person?  
 12 A No.  
 13 Q What did they do?  
 14 A Well, they rang the bell or knocked on the  
 15 door and I answered the door and Jay was like hey  
 16 what's up, can we come in and chill for awhile. I  
 17 was like sure, come on in, what's up. Then they came  
 18 in and Jay sat -- the way my house was configured at  
 19 the time was two chairs facing the TV. I had a bed  
 20 on the side that doubled for a couch sometimes, and  
 21 then I had a small like round table and like an  
 22 alcove with chairs, and Jeff was sitting on the left  
 23 chair. I was sitting on the right. Jay went and sat  
 24 on one of the chairs near the table and the bed  
 25 wasn't made, or, you know, the couch wasn't made up

1 or whatever. So there was pillows on the floor and  
 2 stuff and Adnan went and just kind of just sat on the  
 3 pillows.  
 4 Q Now, is there a separate bedroom in the  
 5 apartment or did you usually sleep on that couch that  
 6 you described?  
 7 A I usually slept on the couch just because  
 8 my apartment didn't have any air conditioning and I  
 9 had the window. I had an air conditioner in the  
 10 window. So I had moved my bed out into the main room  
 11 just because it was cooler, but I did have a separate  
 12 bedroom in the back.  
 13 Q Did the defendant say anything?  
 14 A Not at first.  
 15 Q At any time?  
 16 A Oh, okay. While we were all watching TV  
 17 and he was like, you know, he was slumped over for  
 18 awhile and nobody was talking. Like nobody had said  
 19 anything basically when we were sitting down and then  
 20 he just like kind of popped up and was like, you  
 21 know, how do you get rid of a high, and so I was like  
 22 --  
 23 Q What did you take that to mean?  
 24 A Oh. He was high? I don't know.  
 25 Q Did he say anything else?

1 A Not at that time.  
 2 Q What happened next?  
 3 A Next I think Jen called and I remember  
 4 taking -- I remember talking to her in the back. I  
 5 don't remember if Jeff answered the phone or if I  
 6 answered the phone. I remember talking to her like  
 7 in the hallway and then in my bedroom just --  
 8 Q Did Jen call you or did she call one of the  
 9 other people in the apartment?  
 10 A No, Jen called me, yea.  
 11 Q Do you have a phone in your apartment?  
 12 A Uh-huh.  
 13 Q Is that the phone she called?  
 14 A Right.  
 15 Q What do you remember about that?  
 16 A I was like, you know, who is this person in  
 17 my apartment and, you know, Jay and somebody else are  
 18 here and, you know, they're acting really crazy. You  
 19 know, they're acting real shady, what's going on, and  
 20 she was like, you know, I don't know who's there. Is  
 21 it so and so, and I said -- I don't remember what  
 22 name she asked me, and I said, you know, I don't know  
 23 who it is. It's a guy. He has black hair and she's  
 24 like I don't know who it is, and I was like, well,  
 25 you know, what's going on. She was like I don't

1 know, I'm supposed to meet Jay later, I'll find out  
 2 then for you, I'll find out what's going on then.  
 3 Q What happened after you talked to Jen?  
 4 A I can't remember if I was -- I wasn't on  
 5 the phone with Jen. I remember being in my chair  
 6 watching TV. I don't remember if Jeff was on the  
 7 phone with her or if I had hung up, but the next  
 8 thing that happened was Adnan got a call on his cell  
 9 phone and he answered the phone and --  
 10 Q Where was the cell phone?  
 11 A In his jacket pocket.  
 12 Q What happened?  
 13 A It was really quiet in the room. We were  
 14 just watching TV. So you could really hear what he  
 15 was saying. He was, you know, they're going to come  
 16 talk to me. They're going to, you know, what should  
 17 I say, what should I do, something to that effect.  
 18 Q Did you understand what he was talking  
 19 about?  
 20 A No.  
 21 Q What happened next?  
 22 A This is the part where I really don't  
 23 remember. I remember that Jeff was on the phone with  
 24 Jen. I can't remember whether she called back,  
 25 whether he had been on the phone with her while I was

1 watching TV. but I was sitting in my chair when Adnan  
 2 just jumped up and left the apartment.  
 3 Q What was Jay Wilds doing at that point?  
 4 A He was sitting to the right of me just  
 5 smoking a cigarette.  
 6 Q Did he stay there?  
 7 A For like a hot second. I mean, Adnan ran  
 8 out of the apartment. I was like what's wrong with  
 9 him. I said something to that effect, and Jay was  
 10 like, I don't know and then he sat there for a minute  
 11 and finished his cigarette and he was just like, you  
 12 know, hang on a second and he liked jumped up and ran  
 13 out of the apartment, too.  
 14 Q Did you see or hear anything after that?  
 15 A Not -- I mean, I went to the window to see,  
 16 you know, if they were standing outside. My  
 17 apartment looks over the street. I didn't know if  
 18 they were standing outside or what they were doing.  
 19 I remember walking to the window and being like, you  
 20 know, they just got up and left. You know, I think  
 21 they're sitting in the car and I remember Jeff saying  
 22 that on the phone to Jen, but I don't remember  
 23 whether we had hung up or not with her. And I said,  
 24 you know, he just jumped up and left, and Jeff is  
 25 like what, like what are they doing, and I was like I

1 think they're sitting in the car, and then the car  
 2 drove away and I was like they're driving away, and  
 3 so he was like, hmm I guess they'll be back because  
 4 Jay's hat and cigarettes were there so --  
 5 Q Did there come a time when you saw Jay  
 6 again that night?  
 7 A Jay came back a couple of hours later.  
 8 Q Was he with anybody at that point?  
 9 A With Jen.  
 10 Q How about the defendant, was he there at  
 11 that point?  
 12 A No.  
 13 Q How were Jay and Jennifer acting when they  
 14 came to your apartment later on?  
 15 A Shady, like something was going on.  
 16 Q Are you still friendly with Jennifer  
 17 Pusateri?  
 18 A Uh-huh.  
 19 Q How about Jay Wilds?  
 20 A Acquaintances. We're not so much friends  
 21 anymore.  
 22 Q Why is that?  
 23 A Well, because he brought somebody to my  
 24 apartment and I mean that's not really cool with me.  
 25 I mean, I can't believe that he would bring some like

1 heat to my apartment. You know, I don't know, just  
 2 it's not cool.  
 3 MS. MURPHY: We have no other questions at  
 4 this time, Your Honor.  
 5 THE COURT: Thank you. Witness with you.  
 6 Ms. Gutierrez.  
 7 MS. GUTIERREZ: Yes, Judge.  
 8 CROSS EXAMINATION  
 9 BY MS. GUTIERREZ  
 10 Q Ms. Vinson, when you talked about Judge  
 11 Judy, you like Judge Judy, do you not?  
 12 A Okay, yea.  
 13 Q In fact, that's yes?  
 14 A Yes.  
 15 Q And it was your choice that when you could  
 16 you watched her on TV, right?  
 17 A If I had the time, yes.  
 18 Q And she came on the same time everyday, did  
 19 she not?  
 20 A I think so, yes.  
 21 Q Okay. And that time was 6:00 o'clock to  
 22 6:30, right?  
 23 A Yes.  
 24 Q The show that you liked to watch and you  
 25 made time to watch; is that right?

1 A Right.  
 2 Q All right, now, on that day before you got  
 3 home and you watched Judge Judy, you said you had a  
 4 conference down here, meaning downtown?  
 5 A Right.  
 6 Q You said at UMAB, meaning University of  
 7 Maryland at Baltimore?  
 8 A Right.  
 9 Q Meaning downtown Baltimore?  
 10 A Right.  
 11 Q Was that conference at the school of social  
 12 work?  
 13 A Yes, I think it was.  
 14 Q And that's between the law school and the  
 15 hospital?  
 16 A That's correct.  
 17 Q Okay. And that's where your conference  
 18 was, was it not?  
 19 A That's correct.  
 20 Q That was pretty important to you, right?  
 21 A Yes, it was mandatory.  
 22 Q To your recollection, you didn't -- you got  
 23 a ride home from somebody?  
 24 A Right, my car was stolen at that time.  
 25 Q And you arrived home you thought between

1 5:00 and 5:15?  
 2 A Somewhere around there.  
 3 Q Your conference began you thought, you said  
 4 between 4:00 and 4:30?  
 5 A No, that's when it ended.  
 6 Q Oh, that's when it ended?  
 7 A Right.  
 8 Q So your conference was long before then?  
 9 A I think it started at 9:00, I think.  
 10 Q At 9:00 o'clock in the morning?  
 11 A Right.  
 12 Q So you were in downtown Baltimore all day  
 13 long?  
 14 A That's correct.  
 15 Q And when you got home, shortly thereafter  
 16 Jay came?  
 17 A Okay.  
 18 Q Right? Is that right?  
 19 A At 6:00, yes.  
 20 Q That's what you told us, isn't it?  
 21 A At 6:00, that's correct.  
 22 Q At 6:00 o'clock. So forty-five minutes to  
 23 an hour after you got home?  
 24 A Yes, that's correct.  
 25 Q 6:00 o'clock would be just the time when

1 Judge Judy is beginning, right?  
 2 A Right.  
 3 Q And you didn't expect him there?  
 4 A No, I wasn't --  
 5 Q You hadn't seen him all that day?  
 6 A That's correct.  
 7 Q And you had no notice of any plans that he  
 8 might have to drop by and visit you?  
 9 A That's correct.  
 10 Q But there was nothing unusual about him  
 11 just dropping by?  
 12 A No.  
 13 Q And it was okay with you that he dropped  
 14 by?  
 15 A At that time, yes.  
 16 Q Because you considered him a friend, did  
 17 you not?  
 18 A Hmm, yes, that's right.  
 19 Q He had dropped by on other occasions, had  
 20 he not?  
 21 A Uh-huh.  
 22 Q And there was nothing unusual about any of  
 23 those other occasions?  
 24 A I'm sorry, I didn't hear you.  
 25 Q There was nothing unusual --

1 A Unusual --  
 2 Q -- about any of those other occasions?  
 3 A No.  
 4 Q And when he dropped by without notice at  
 5 your apartment, you generally invited him inside, did  
 6 you not?  
 7 A Yes.  
 8 Q And Jay knew that your house was a place in  
 9 which it was comfortable enough to smoke weed, did he  
 10 not?  
 11 A Sometimes, yes.  
 12 Q And that was an activity that you all  
 13 engaged in?  
 14 A Sometimes, yes.  
 15 Q And that had been okay with you?  
 16 A Uh-huh.  
 17 Q And since he had engaged in that activity,  
 18 you were familiar with him, meaning Jay, when he was  
 19 high, were you not?  
 20 A I don't understand your question.  
 21 Q Well, you had smoked weed with him, hadn't  
 22 you?  
 23 A Yes.  
 24 Q Weed meaning marijuana?  
 25 A That's correct.

1 Q And to your knowledge weed is a substance  
2 that makes people high, does it not?  
3 A Yes.  
4 Q And you've gotten high when you've smoked  
5 marijuana?  
6 A Yes.  
7 Q And you've smoked marijuana with Jay?  
8 A Yes.  
9 Q And you've observed him getting high from  
10 marijuana, had you not?  
11 A Yea.  
12 Q And so you had previously seen him in a  
13 high state; is that right?  
14 A That's correct.  
15 Q On this day your friend Jeff Johnson, was  
16 he already home when you got there?  
17 A Yes, that's correct.  
18 Q And there was nothing unusual about that,  
19 was there?  
20 A No.  
21 Q Sometimes he was there and sometimes he  
22 wasn't, right?  
23 A Yes, that's right.  
24 Q Sometimes he spent the night and sometimes  
25 he didn't, right?

1 A That's correct.  
2 Q He had his own key, did he not?  
3 A Oh, no.  
4 Q So was he there when you left?  
5 A Yes.  
6 Q And he stayed there all day?  
7 A That's correct.  
8 Q And so if someone came, to your knowledge,  
9 right?  
10 A He stayed there all day to my knowledge,  
11 that's correct.  
12 Q To your knowledge?  
13 A That's correct.  
14 Q That's what you expected, right?  
15 A Well, I think when I got home I asked him,  
16 you know, what was up, how was your day, or  
17 whatever. He didn't tell me he went anywhere so --  
18 Q And if someone came to visit you in the  
19 middle of the day when you weren't there and Jeff  
20 were there, that would be okay if he invited them in,  
21 wouldn't it?  
22 A Yea, that would be okay.  
23 Q And Jay was someone that your boyfriend  
24 knew?  
25 A Uh-huh, he knew him.

1 Q And he knew him to be a friend of yours?  
2 A Yes, that's right.  
3 Q And your boyfriend Jeff -- his name is Jeff  
4 Johnson?  
5 A Yes.  
6 Q And he was a participant on occasions in  
7 which you and Jay smoked weed, was he not?  
8 A Uh-huh.  
9 Q Because Jeff also smoked weed, did he not?  
10 A Occasionally.  
11 Q And so -- and Jeff regarded Jay as your  
12 friend or his or both?  
13 A I'm not sure.  
14 Q Now, back at that time you told us today  
15 that you've known Jay, you said about a year to a  
16 year and a half?  
17 A I can't be certain but something --  
18 Q Is that from today, back a year, a year and  
19 a half?  
20 A Yes.  
21 Q So you knew him either, Jay, for just a  
22 month or two, or for six months, right?  
23 A Somewhere between those times.  
24 Q Somewhere between that time?  
25 A Uh-huh.

1 Q You hadn't known him long?  
2 A No, not long.  
3 Q And you hadn't known Jen for much longer?  
4 A Maybe a few months longer but not much.  
5 Q And you met Jay through Jen?  
6 A That's correct.  
7 Q And you would have described their  
8 relationship as very, very good friends, would you  
9 have not?  
10 A Hmm, I would just describe their  
11 relationship as friends.  
12 Q As friends. And you had become friends  
13 with Jen through your sorority?  
14 A That's correct.  
15 Q Okay. And the sorority was an organization  
16 that you became affiliated with during the time you  
17 were at UMBC?  
18 A That's correct.  
19 Q Is that right?  
20 A Uh-huh.  
21 Q You would agree the sorority is an  
22 organization of young women in school?  
23 A That's correct.  
24 Q And they affiliate more closely with each  
25 other than nonsorority members?



1 A Hmm, no, I wouldn't say that.  
 2 Q No?  
 3 A Some of them do.  
 4 Q But you got to know Jen through --  
 5 A Through the sorority.  
 6 Q -- through that sorority?  
 7 A Yes.  
 8 Q Is that right?  
 9 A Uh-huh.  
 10 Q And are there sorority activities?  
 11 A Yes.  
 12 Q Now, you said after Jay and his friend got  
 13 there, and incidentally was it okay with you before  
 14 you knew anything that Jay brought another friend?  
 15 A Yea, he had brought other friends to my  
 16 house.  
 17 Q Other friends to your house?  
 18 A Uh-huh.  
 19 Q And that had been okay?  
 20 A Yea.  
 21 Q Is that right? And this is a person that  
 22 you had never met before?  
 23 A The person he brought with him?  
 24 Q Right?  
 25 A That's correct.

1 Q Is that right?  
 2 A Uh-huh.  
 3 Q You'd never seen before?  
 4 A No.  
 5 Q You had never observed him in any setting?  
 6 A No.  
 7 Q You didn't know his name?  
 8 A No.  
 9 Q You had never heard his name mentioned?  
 10 A No, not at that time.  
 11 Q By either your friend Jay?  
 12 A Not at that time.  
 13 Q Meaning January 13th?  
 14 A That's correct.  
 15 Q And you had never heard his name mentioned  
 16 by your friend Jen?  
 17 A Not at that time.  
 18 Q Not at that time. And when he came in, did  
 19 you think that they had come to smoke weed?  
 20 A No.  
 21 Q Did you think they had come to watch Judge  
 22 Judy?  
 23 A No.  
 24 Q You described the period -- did your  
 25 boyfriend like Judge Judy?

1 A I don't remember, to tell you the truth.  
 2 Q When Judge Judy was on if you had the time  
 3 and if you were home by watching it, you would watch  
 4 it and you would pay attention, would you not?  
 5 A Uh-huh.  
 6 Q Is that a yes?  
 7 A That's a yes.  
 8 Q Because you liked it?  
 9 A That's correct.  
 10 Q You'd want to hear what was said, would you  
 11 not?  
 12 A That's correct.  
 13 Q You wanted to hear what Judge Judy said to  
 14 the people before her, would you not?  
 15 A That's correct.  
 16 Q And you wanted to hear what her decision  
 17 was about whatever case was before her, right?  
 18 A That's correct.  
 19 Q And so there was nothing unusual while you  
 20 would be watching TV and Jeff would be there and no  
 21 conversation would be going on?  
 22 A I mean, sometimes we would watch TV and  
 23 talk at the same time or other times we would just  
 24 watch TV.  
 25 Q And have no conversation?

1 A That's correct.  
 2 Q So there would be no noise?  
 3 A Sometimes, yes.  
 4 Q So during the time period when you were  
 5 there that day and Jay, Adnan, and Jeff were there  
 6 and there were periods that were silent, there was  
 7 nothing unusual about that, was there?  
 8 A Wait, can you repeat it? I'm sorry.  
 9 Q On that day --  
 10 A Uh-huh.  
 11 Q -- you've described that there were periods  
 12 of time while the four of you were there in which  
 13 there was no conversation?  
 14 A Okay, that's right.  
 15 Q Right?  
 16 A Uh-huh.  
 17 Q There wasn't anything unusual about that,  
 18 right?  
 19 A Yea, there was something unusual about  
 20 that.  
 21 Q About not having any conversation?  
 22 A That day it was, yes.  
 23 Q That day it was, even though that  
 24 conversation would have taken place while Judge Judy  
 25 was on?



1 A Uh-huh.  
 2 Q And when you turned the TV on, do you do it  
 3 to watch it?  
 4 A Yes.  
 5 Q And if you have guests there, do you do it  
 6 for their entertainment also?  
 7 A Well, sometimes when guests come over the  
 8 TV is already on. It doesn't necessarily mean we all  
 9 sit there and pay a hundred percent attention to it.  
 10 Q And when you have guests in the room and  
 11 your favorite show is on, do you ever go up and turn  
 12 it off?  
 13 A Sometimes if we want to listen to music or  
 14 I mean --  
 15 Q Or if you want to talk?  
 16 A Usually if we want to talk, it still stays  
 17 on or more music stays on.  
 18 Q And that day did you ever turn Judge Judy  
 19 off?  
 20 A No.  
 21 Q Even though there are occasions in which  
 22 there might be complete silence while Judge Judy is  
 23 on, that day it was unusual that there was?  
 24 A I would say it was unusual because other  
 25 times Jay had come over and the TV would be on we

1 would talk still or we would attempt to have a  
 2 conversation. It wasn't --  
 3 Q Jay was pretty talkative, wasn't he?  
 4 MS. MURPHY: Objection.  
 5 THE COURT: Sustained.  
 6 A We would still have a conversation. This  
 7 time when I would like try to talk to him, he wasn't  
 8 making any sense. He obviously did not want to talk  
 9 so it was just very unsettling quiet.  
 10 THE COURT: Your next question.  
 11 Q So it was Jay who wasn't making any sense?  
 12 A Yea, that's correct.  
 13 Q Is that right?  
 14 A Yes.  
 15 Q You had never met this other person before,  
 16 right?  
 17 A That's correct.  
 18 Q You had never smoked weed with him, right?  
 19 A That's correct.  
 20 Q He had never visited your home, right?  
 21 A Yes.  
 22 Q You had never observed him under any  
 23 condition, right?  
 24 A That's correct.  
 25 Q You didn't know normal, what it was for

1 him, did you?  
 2 A That's correct.  
 3 Q You didn't know how he acted around people  
 4 he had just met?  
 5 A That's correct.  
 6 Q And Jay never said to you, oh, by the way,  
 7 here's this guy I really want you to get to know him,  
 8 did he?  
 9 A No.  
 10 Q And nothing Jay said or did indicated that  
 11 he was there to interact with you?  
 12 A Who was there to interact with me?  
 13 Q The person he brought.  
 14 A It was never specifically said this person  
 15 is here to interact with you.  
 16 Q And he never introduced him to you, did he?  
 17 A No.  
 18 Q No. By name?  
 19 A No.  
 20 Q Is that right? And Jay never interacted  
 21 and tried to get a conversation going that involved  
 22 him, did he?  
 23 A Who?  
 24 Q Jay never interacted and attempted to get a  
 25 conversation going with the person that you had never

1 met that he brought to your home, did he?  
 2 A That's correct.  
 3 Q And were you interested in this new person?  
 4 A When they came in, I kind of thought that  
 5 Jay would say this is so and so and, you know, I know  
 6 him from wherever, like he had done, like when he had  
 7 brought other friends he would say, oh, this is, you  
 8 know, so and so, and you know, I know them through  
 9 whatever, and you know, and work, just hanging out,  
 10 doing whatever.  
 11 Q So Jay's behavior about the person that he  
 12 had brought into your house was odd based on your  
 13 prior experience with Jay and others you didn't know,  
 14 right?  
 15 A That's correct.  
 16 Q In fact, he didn't do it at first and that  
 17 was strange?  
 18 A I'm sorry?  
 19 Q He didn't do it at first, introduce this  
 20 person, right?  
 21 A Right.  
 22 Q And that was strange, right?  
 23 A A little, uh-huh.  
 24 Q At any time he didn't do it, did he?  
 25 A No.

1 Q Before he and this person left, he never  
2 introduced him to you?  
3 A Nope.  
4 Q And he never gave you any heads up as to  
5 why he was there; is that right?  
6 A That's right.  
7 Q And this person whom you had never met,  
8 you, of course, had no way of knowing what his norm  
9 of behavior was, did you?  
10 A No.  
11 Q And you had -- nobody smoked weed while you  
12 all were there, did they?  
13 A I don't remember. We could have, but I'm  
14 not sure.  
15 Q You could have smoked weed in the presence  
16 of someone you not only didn't know and had not even  
17 been introduced to you?  
18 A I'm sorry, I can't hear you when you turn  
19 around.  
20 Q You could have smoked weed together with  
21 the person whose name you didn't know and had not  
22 been introduced to you?  
23 A That's correct.  
24 Q And that you never smoked with before?  
25 A That's correct.

1 Q And you just don't remember if that  
2 happened or not?  
3 A I'm not sure.  
4 Q It could have?  
5 A It could have.  
6 Q Now, the total time that they were there  
7 was how long?  
8 A Hmm, I would say between twenty, thirty  
9 minutes to forty-five at the most.  
10 Q So you remember Judge Judy was still on  
11 when they left?  
12 A I don't remember. It could have been.  
13 Q It could have been?  
14 A I don't remember.  
15 Q You wouldn't turn your favorite TV show  
16 off, right?  
17 A Well, the TV wasn't off. I know the TV  
18 wasn't off. Whether that show had gone off or not,  
19 I'm not sure.  
20 Q And nothing about -- for instance, if you  
21 had smoked weed while they were there would have made  
22 you turn off Judge Judy, would it?  
23 A It would have made -- it wouldn't have made  
24 me turn off the TV?  
25 Q Right, I'm asking you, would it have made

1 you --  
2 A No.  
3 Q Of course, you don't remember whether you  
4 did or didn't?  
5 A No.  
6 Q But you could have?  
7 A Yep. I mean, I've even eaten shrimp  
8 before. I can't tell you when the last time I ate  
9 shrimp was, but I know I've eaten shrimp. It's kind  
10 of the same thing.  
11 Q Well, Ms. Vinson eating shrimp and smoking  
12 marijuana aren't exactly the same kind of activities.  
13 are they?  
14 MS. MURPHY: Objection.  
15 THE COURT: Sustained.  
16 Q There's nothing illegal about eating shrimp  
17 --  
18 A No, I'm just trying to say that it was  
19 usual in the fact that, yes, I have before. It  
20 wasn't uncommon. I have before, but do I remember if  
21 I did that day? No, I don't remember.  
22 Q Now, had you had -- did you expect Jen's  
23 phone call that day?  
24 A Did I expect Jen's phone call? No.  
25 Q It was nothing unusual about it though,

1 right?  
2 A That's correct.  
3 Q She was your friend and she called?  
4 A Yes.  
5 Q And she didn't call looking for Jay?  
6 A I don't think so.  
7 Q She could have?  
8 A Well, I don't know how she would have known  
9 that Jay was there since Jay wasn't planning to come  
10 over, or I didn't know that Jay was planning to come  
11 over.  
12 Q You didn't know whether or not he was  
13 planning to come over, right?  
14 A Right.  
15 Q But you wouldn't know if Jen perhaps knew  
16 that he was planning to come over?  
17 MS. MURPHY: Objection.  
18 THE COURT: Ms. Gutierrez, repeat that  
19 again.  
20 Q You wouldn't have known if Jen knew that he  
21 meaning Jay, was planning to come over, would you  
22 have?  
23 THE COURT: Sustained.  
24 Q Now, when you got the call from Jen, Jay  
25 was still there, right?

1 A That's correct.  
 2 Q And he was acting out of the norm?  
 3 A That's correct.  
 4 Q And you described -- and I want to make  
 5 sure I heard it shady as in s-h-a-d-y?  
 6 A That's correct.  
 7 Q Shady?  
 8 A Shady.  
 9 Q Not right?  
 10 A Not right.  
 11 Q Not normal?  
 12 A Not normal.  
 13 Q Hiding something?  
 14 A Possibly.  
 15 Q That certainly came to mind, did it not?  
 16 A Yea.  
 17 Q Did you ask Jay if he were high?  
 18 A Did I ask Jay if he was high?  
 19 Q Yes.  
 20 A No, I did not.  
 21 Q Did he appear to be acting high as you had  
 22 previously observed him to be?  
 23 A I can never tell if Jay is high or not. So  
 24 he could have been.  
 25 Q He doesn't show?

1 A No.  
 2 Q Did he appear to be concealing something,  
 3 that kind of shady?  
 4 A Concealing something?  
 5 Q Hiding something?  
 6 A He was appearing that something was going  
 7 on that he did not tell me about.  
 8 Q Did you ask about it?  
 9 A I didn't say what is going on, tell me  
 10 right now. No, I did not say that.  
 11 Q Not to him?  
 12 A No.  
 13 Q And the person with him, of course, you  
 14 didn't know how he acted normally, right?  
 15 A No, I didn't know how he acted normally.  
 16 Q So you wouldn't know if how he appeared to  
 17 you was different than he always appeared under other  
 18 circumstances, did you?  
 19 A Well, he was slumped over on my floor  
 20 hiding his face. I don't know if that's normal for  
 21 him, but that wasn't I thought normal.  
 22 Q Well, he didn't hide his face such that you  
 23 can't identify it, right?  
 24 A Well, I saw him when he came in and I saw  
 25 him when he left and I saw him when he got his phone

1 call and when he looked at everybody and asked, you  
 2 know, how do you get rid of a high. But the rest of  
 3 the time he was slumped over like that.  
 4 Q But he didn't conceal his face from you  
 5 such that you couldn't tell who he was; is that  
 6 right?  
 7 A Uh-huh.  
 8 Q He was only in your apartment, you said he  
 9 got there at six and maybe stayed at the most  
 10 forty-five minutes?  
 11 A That's correct.  
 12 Q Is that right? And that's the only  
 13 interaction you had with him?  
 14 A That's correct.  
 15 Q And the way that you described it, there's  
 16 those two chairs in the alcove?  
 17 A Right.  
 18 Q And where he was, there were pillows, were  
 19 there not?  
 20 A On the floor, uh-huh.  
 21 Q On the floor?  
 22 A Which he was sitting on, right.  
 23 Q And that's where he was, right?  
 24 A Right.  
 25 Q And the pillows on the floor, they weren't

1 for people to sit on?  
 2 A I'm sure, yea, they could have been, but  
 3 not to like slump over. I mean, I didn't think that  
 4 was normal.  
 5 Q Oh, the rules in your house require guests  
 6 that sit on the floors -- pillows that are on the  
 7 floor to sit upright and not slump?  
 8 MS. MURPHY: Objection.  
 9 THE COURT: Sustained.  
 10 Q Did you object to him at any time he was  
 11 sitting there?  
 12 A Did I object to him?  
 13 Q Yes.  
 14 A No.  
 15 Q Did you ask him to leave?  
 16 A No.  
 17 Q And, of course, you don't remember if you  
 18 had any illicit activities with him that involved  
 19 drugs?  
 20 A I don't remember.  
 21 Q Incidentally, Ms. Vinson, is your father a  
 22 police officer?  
 23 A No.  
 24 Q Now, later, much later Jen and Jay were  
 25 together in your house?

1 A That's correct.  
 2 Q And what time was it when they got there?  
 3 A I would say ten or elevenish. I really  
 4 can't be sure.  
 5 Q But late?  
 6 A Later, yes.  
 7 Q And did you know that they were coming?  
 8 A I don't think I did.  
 9 Q That wasn't a prearranged plan?  
 10 A No, I don't think it was.  
 11 Q Even on the phone with Jen while Jay was  
 12 there?  
 13 A I think she -- I said she said something to  
 14 the effect of I'll figure out what's going on, but I  
 15 don't recall making like plans with her to come over.  
 16 Q Did you get a call from her later that said  
 17 we're coming?  
 18 A No, I don't think so.  
 19 Q And when she arrived, whether or not it was  
 20 a surprise, that was okay with you, was it not?  
 21 A Yea.  
 22 Q And at that time was Jay still acting --  
 23 A Both of them were acting shady.  
 24 Q And Jen was somebody whom you were close  
 25 to, right?

1 A Closer than Jay.  
 2 Q You had spent a lot of time with her, had  
 3 you not?  
 4 A Yes.  
 5 Q And so you had observed her under a lot of  
 6 different circumstances?  
 7 A Uh-huh.  
 8 Q Is that a yes?  
 9 A That's a yes.  
 10 Q And you had observed her high before?  
 11 A Yes.  
 12 Q Okay. And she now appeared to you be  
 13 shady?  
 14 A Uh-huh, yes.  
 15 Q Concealing something perhaps?  
 16 A Not telling what was going on.  
 17 Q Not telling what was going on?  
 18 A That's right.  
 19 Q And you didn't know what the what was?  
 20 A That's correct.  
 21 Q But what you observed you could tell that  
 22 there was a what?  
 23 A That's correct.  
 24 Q And that was based on your observations of  
 25 two people you knew?

1 A That's correct.  
 2 Q And liked?  
 3 A That's correct.  
 4 Q Regarded as friends?  
 5 A That's correct.  
 6 Q And shady is the word that you applied to  
 7 them when they appeared at your house at ten or  
 8 eleven o'clock at night?  
 9 A That's correct.  
 10 Q And your boyfriend Jeff, he was still  
 11 there?  
 12 A Yep.  
 13 Q In between the time that Jay left and Jay  
 14 and Jen came back, did you discuss this with your  
 15 boyfriend?  
 16 A I think -- yea, I think we did like right  
 17 when they left.  
 18 Q That would have been normal would it have  
 19 not?  
 20 A Yea, what is going on, what was wrong with  
 21 them.  
 22 Q Did he indicate his -- he had observations  
 23 of these two people?  
 24 A Hmm, I don't remember to tell you the  
 25 truth.

1 Q And to your knowledge had he ever met  
 2 Adnan?  
 3 A To my knowledge?  
 4 Q Yes.  
 5 A No.  
 6 Q No, not before?  
 7 A No.  
 8 Q And he confirmed that?  
 9 A And he confirmed that?  
 10 Q That he had not met Adnan.  
 11 A Oh, he didn't say either way. He didn't --  
 12 Q That he had never smoked with him, smoked  
 13 weed?  
 14 A I'm sorry?  
 15 Q That he had never smoked --  
 16 A Jeff?  
 17 Q -- weed with him? Jeff.  
 18 A I don't know if Jeff has ever smoked weed  
 19 with him or not.  
 20 Q Well, did he tell you that he had?  
 21 MS. MURPHY: Objection.  
 22 THE COURT: Sustained.  
 23 Q All right, now, you used the term to  
 24 describe Jay as well weird?  
 25 A I'm sorry, could you repeat that?



1 Q The terms that you used to describe Jay's  
2 behavior was weird?  
3 A Yes.  
4 Q Funny?  
5 A Yes.  
6 Q Okay. Meaning odd or meaning hilarious?  
7 A Odd.  
8 Q Odd. And you also said that he was quiet,  
9 not talking?  
10 A That's correct.  
11 Q And normally Jay talked, did he not?  
12 A Yea.  
13 Q He made conversation easily?  
14 A Yes.  
15 Q He was a good conversationalist?  
16 A Yes.  
17 Q You were asked by Ms. Murphy a question  
18 about did you sleep in the bedroom -- or did you  
19 sleep in the bedroom or did you -- when you said the  
20 couch, was there a couch there or was it the pillows?  
21 A It's a This End Up bed that I have big  
22 bolster pillows that sit on the back of it.  
23 Q It acts as a couch?  
24 A Yea.  
25 Q And it's in a separate place than the

1 bedroom?  
2 A That's correct.  
3 Q And you said usually you slept on that  
4 place?  
5 A Yep.  
6 Q Because of the air conditioning?  
7 A Right.  
8 Q On January 13th that was winter, was it  
9 not?  
10 A That's correct.  
11 Q That would not have been a time when you  
12 had the air conditioning on in the apartment, was it?  
13 A No, but the This End Up bed is pretty heavy  
14 and I just don't move it back and forth. Once I  
15 bought the air conditioner and I put it in the window  
16 and moved the bed in there.  
17 Q So at that time the place where you slept  
18 was disconnected to what you slept on?  
19 A I don't understand.  
20 Q You slept on the bed on which you had put  
21 pillows?  
22 A That's correct.  
23 Q But then at the time it was in the living  
24 room?  
25 A That's correct.

1 Q You had moved it there at a time when you  
2 were concerned about air conditioning?  
3 A The bed couch was always in the living  
4 room.  
5 Q Always?  
6 A Always in the living room.  
7 Q Whether it was summer or winter?  
8 A Yes.  
9 Q It was a separate bedroom?  
10 A I'm sorry?  
11 Q You had a separate bedroom?  
12 A That's correct.  
13 Q And in that bedroom you had a separate bed?  
14 A That's correct.  
15 Q So you always had a choice of where to  
16 sleep?  
17 A No.  
18 THE COURT: One second.  
19 THE WITNESS: I'm sorry.  
20 THE COURT: The objection is sustained.  
21 The witness is going to be permitted to answer the  
22 question, finish her answer. You were about to say.  
23 THE WITNESS: Right.  
24 THE COURT: But?  
25 THE WITNESS: But the bed in the bedroom

1 was just a frame and when I moved my bed like my good  
2 mattress, I had an old mattress on the one in the  
3 living room, when I moved my good mattress on the  
4 bed, I took the frame home. So the only place I  
5 could sleep was in the living room unless I went home  
6 to my parents' house got the frame and brought it all  
7 of the way back.  
8 Q So on January 13th you really had only one  
9 place to sleep, right?  
10 A That's correct.  
11 Q And that was in the living room, right?  
12 A That's correct.  
13 Q But it wasn't because of the air  
14 conditioner then, was it?  
15 A No, it wasn't.  
16 Q No. Now, when you spoke to your friend Jen  
17 on the phone you described there's this strange guy  
18 here and he's slumped over, right?  
19 A Right.  
20 Q And you described him as best you could,  
21 right?  
22 A That's correct.  
23 Q And she made you aware that shortly before  
24 Jay had been at her house, did she not?  
25 A No, she said that she had plans to meet up



1 with Jay but she didn't say that he was at her house.  
 2 Q That he had been at her house. And she  
 3 didn't mention to you that he had somebody else's  
 4 car, did he?

5 A No.

6 Q And you knew your friend Jay did not have a  
 7 car then, did you not?

8 A Not of his own.

9 Q Not of his own. But borrowed cars?

10 A Sometimes his girlfriend's or yea.

11 Q And sometimes others?

12 A Oh, I don't know about others. I know  
 13 about his girlfriend's car.

14 Q But Jen never mentioned that she had just  
 15 seen Jay?

16 A Oh, no.

17 Q And she never mentioned whether or not she  
 18 had observed the same things you had that led you to  
 19 describe them as shady?

20 A No, she didn't say that.

21 Q And when you described him, Jen never  
 22 volunteered well maybe that's the guy whose car it  
 23 was?

24 A No, I don't think so.

25 Q Or maybe that's the guy that I expected him

1 to be with because he was going to pick him up when  
 2 he left my house?

3 A No, she didn't say anything of that --

4 Q And she didn't say something to the effect  
 5 of that she shared your concern about the shadiness  
 6 of how he was acting?

7 A I don't recall.

8 Q Were you concerned about your friend Jay  
 9 when you observed him acting shady?

10 A Jay?

11 Q Yes.

12 A Concerned like -- no, I wouldn't say  
 13 concerned.

14 Q Now, when he got -- the person that you've  
 15 identified as being in your living room, when he got  
 16 the phone call you could only hear what he said, if  
 17 at all, right?

18 A I heard what he said, yes.

19 Q But you couldn't hear what was being said  
 20 on the phone?

21 A No.

22 Q You couldn't tell who he had called?

23 A That's correct.

24 Q Who was on the other end of the line?

25 A I had no idea.

1 Q Or what they were saying?

2 A That's correct.

3 Q Is that right? And when he got the call  
 4 did you eavesdrop in?

5 A Well, considering that nobody was talking  
 6 and it was extremely quiet and my living room is not  
 7 that big so when he's talking --

8 MS. MURPHY: Objection.

9 THE COURT: Sustained. You have to answer  
 10 the question and may I ask that one question at a  
 11 time be asked to allow the witness to answer just the  
 12 question asked.

13 THE WITNESS: Okay.

14 THE COURT: Your question, Ms. Gutierrez.

15 MS. GUTIERREZ: I don't remember it,  
 16 Judge.

17 Q Was Judge Judy still on?

18 A Yes.

19 MS. MURPHY: Objection.

20 Q And if Judge Judy was --

21 THE COURT: Overruled.

22 Q -- was still on, the sound was on, was it  
 23 not?

24 A Yes.

25 Q And if Judge Judy was on, given that it was

1 your favorite show, before you said you were paying  
 2 attention --

3 THE COURT: I couldn't hear the end of  
 4 that.

5 Q Given that you told us it was your favorite  
 6 show you would be paying attention?

7 MS. MURPHY: Objection.

8 THE COURT: Sustained.

9 Q And what you heard him say was something  
 10 like they're going to come talk with me; is that  
 11 right?

12 A That's one of the things he said, yes.

13 Q And the other thing he said was what should  
 14 I tell them?

15 A Yes, or what should I say.

16 Q What should you say?

17 A Something to that effect.

18 Q From what you heard the they that he was  
 19 referring to, they were going to come talk to him,  
 20 was a different they than he was talking to?

21 A Yes.

22 Q Based on what you heard?

23 A Yes.

24 Q And that he appeared to be asking advice of  
 25 someone as to what he should tell the they in his

1 first statement?  
 2 A Yes.  
 3 Q And that's all that you heard him say?  
 4 A Yes.  
 5 Q Now, you've continued to remain -- oh, Jay  
 6 didn't have a key to your apartment, did he?  
 7 A No.  
 8 Q Not then?  
 9 A He never had a key to my apartment.  
 10 Q Not ever. And he wasn't allowed to just go  
 11 in your apartment by himself, was he?  
 12 A No.  
 13 Q While you weren't there?  
 14 A No.  
 15 Q And when he got there your boyfriend Jeff  
 16 Johnson didn't tell you, oh, he was just here a  
 17 couple of hours ago, did he?  
 18 A No.  
 19 Q And he didn't express to you that he and  
 20 Jay had smoked weed?  
 21 A No.  
 22 Q Or done any other drug?  
 23 A No.  
 24 Q And you, of course, expressed your  
 25 observations about Jay to Jeff later, right?

1 A Yes.  
 2 Q And at that time did he indicate that he  
 3 had seen Jay earlier in the day, the same day?  
 4 A No.  
 5 Q Or that he had seen him any time that same  
 6 day and he had observed the same behavior?  
 7 A No, he did not tell me that.  
 8 Q And would you have expected him to tell you  
 9 if that had happened?  
 10 MS. MURPHY: Objection.  
 11 THE COURT: Overruled. Would you have  
 12 expected him to be told that?  
 13 THE WITNESS: Would I expect him to tell me  
 14 that? Yes.  
 15 Q Especially after Jay showed up and he  
 16 brought his shady behavior visiting to Jeff's  
 17 attention?  
 18 A Well, I think Jeff saw his shady behavior  
 19 on his own.  
 20 Q And would it have been unusual if Jay came  
 21 to your house, you weren't home but Jeff was, for Jay  
 22 to stay?  
 23 A Stay, I think one other time he came  
 24 because he was waiting for the bus and it was cold  
 25 outside and I wasn't there I think, but Jeff told me

1 about that.  
 2 Q Did he wait for you or for the bus?  
 3 A Did he wait- - who Jay?  
 4 Q At that time, Jay?  
 5 A He waited for the bus.  
 6 Q For the bus, not you?  
 7 A Not me.  
 8 Q But on that occasion Jeff told you right  
 9 away, didn't he?  
 10 A Well, when I got home.  
 11 Q When you got home?  
 12 A Yea.  
 13 Q Now, much later than this day did there  
 14 come a time when you spoke to the police about this  
 15 day?  
 16 A Sure did.  
 17 Q And when did that happen?  
 18 A I can't really recall the date, maybe a  
 19 month.  
 20 Q Was it long after?  
 21 THE COURT: One moment, Ms. Gutierrez. One  
 22 moment. Can I see counsel at the bench, please.  
 23 (Whereupon, counsel and the Defendant  
 24 approached the bench and the following conference  
 25 ensued:)

1 THE COURT: I was told that Ms. Benaroya  
 2 called my chambers and you spoke to Ms. Benaroya on  
 3 the phone, did you not?  
 4 A VOICE: Yes.  
 5 THE COURT: And that was yesterday?  
 6 A VOICE: Yes.  
 7 THE COURT: What is it that it she told  
 8 you?  
 9 A VOICE: Yesterday she told me she would  
 10 be available after one. That was like the message.  
 11 THE COURT: Did she provide some  
 12 information about --  
 13 A VOICE: She said that --  
 14 THE COURT: -- coming to court or something  
 15 like that?  
 16 A VOICE: As far as a motion that she would  
 17 like to talk to you or Ms. Gutierrez about. She  
 18 wanted to let the Judge know whatever she had spoke  
 19 to you about, some kind of a motion in front of Judge  
 20 McCurdy.  
 21 THE COURT: Anything about the date?  
 22 A VOICE: About a date? I don't have the  
 23 information with me. I think it was.  
 24 THE COURT: Did you take a message?  
 25 A VOICE: I took the message. I don't have

1 it with me.  
 2 THE COURT: Where is the message?  
 3 A VOICE: In the office.  
 4 THE COURT: Go downstairs and get the note  
 5 and that's what I asked Mr. White to tell you, to  
 6 bring any notes regarding Ms. Benaroya upstairs.  
 7 A VOICE: Okay.  
 8 THE COURT: So please go and do that and  
 9 bring the note back up. Whatever that information  
 10 is, I'll bring you back.  
 11 MS. GUTIERREZ: Thank you. Is that all?  
 12 THE COURT: Yes, I just wanted to make sure  
 13 that that information -- I was told that she was on  
 14 her way here. I apologize for interrupting you.  
 15 MS. GUTIERREZ: That's all right.  
 16 THE COURT: But it was information that you  
 17 requested and I wanted to make sure --  
 18 MS. GUTIERREZ: Yes.  
 19 THE COURT: -- before the day ended that  
 20 Ms. Benaroya received that information and I did want  
 21 to make sure that it was done in front of the  
 22 presence of counsel. The Court did not want to be  
 23 involved in any --  
 24 MS. GUTIERREZ: Right.  
 25 THE COURT: -- ex parte investigations or

1 anything of that sort, and that is the reason I said  
 2 if you had contacted the witness that you directly  
 3 contact rather than go through my chambers.  
 4 MS. GUTIERREZ: Right, and, Judge, I have  
 5 left messages.  
 6 THE COURT: I understand.  
 7 MS. GUTIERREZ: And she gave me her cell  
 8 phone, but I've been unable to have direct contact  
 9 with her since the day that she was here.  
 10 THE COURT: That's why I didn't the want  
 11 the information, whatever the information was I  
 12 wanted it to go directly to you and I wanted to make  
 13 sure that the State was present when that occurred.  
 14 So when she returns, I'll have her do that.  
 15 MS. GUTIERREZ: That's fine. I'm not going  
 16 to be that much longer so if she returns before then  
 17 I would appreciate just waiting because I only have a  
 18 little bit more to cover.  
 19 THE COURT: Very well.  
 20 (Whereupon, counsel returned to the trial  
 21 table and proceedings resumed in open court.)  
 22 THE COURT: I apologize to the jury. We  
 23 had a matter that we had to take up, but at this  
 24 point we can continue. Ms. Gutierrez, if you could  
 25 continue with your questions.

1 MS. GUTIERREZ: Thank you, Your Honor.  
 2 Q The time when you think you heard about a  
 3 month after, and by a month after you mean after this  
 4 date, the 13th; is that right?  
 5 A Yes.  
 6 Q There came a time when you spoke to the  
 7 police?  
 8 A I can't hear you.  
 9 Q There came a time when you spoke to the  
 10 police?  
 11 A Yes.  
 12 Q And where did that take place?  
 13 A When I spoke to them it was at their  
 14 office.  
 15 Q At their office?  
 16 A Yes.  
 17 Q And was that the office of the Baltimore  
 18 City Police Department?  
 19 A Yes.  
 20 Q And was that down here at 601 East Fayette  
 21 Street?  
 22 A I guess that's the address.  
 23 Q At Police Headquarters?  
 24 A I think, yes.  
 25 Q In the Homicide Division?

1 A Yes.  
 2 Q And how did you get down there?  
 3 A I drove.  
 4 Q And was anybody else there with you?  
 5 A No, nobody was with me.  
 6 Q And was that during the day or the evening?  
 7 A At night.  
 8 Q And that was the first time that you spoke  
 9 to anyone about these events?  
 10 A Yes.  
 11 Q Was it that day that you knew that they  
 12 wanted to speak to you?  
 13 A No.  
 14 Q Had they called you up previously and set  
 15 up this appointment and asked you to come down?  
 16 A Yes.  
 17 Q And at that time was it Detectives  
 18 MacGillivray or Ritz that called you?  
 19 A MacGillivray.  
 20 Q MacGillivray. And he had told you what it  
 21 was about?  
 22 A He told me what it was -- no, I already  
 23 knew what it was about.  
 24 Q Okay. He set up an interview that you  
 25 consented to come to?

1 A Yes.  
 2 Q And at the time when he called you, you  
 3 were at your home?  
 4 A At my apartment, yes.  
 5 Q Prior to that day, was that a day -- the  
 6 same day or days before that event?  
 7 A I think it was a couple of days before that  
 8 he called me.  
 9 Q So the time that you went to see them was a  
 10 pre-planned event?  
 11 A Yes.  
 12 Q When you went down there did you speak to  
 13 Detective MacGillivray?  
 14 A Yes.  
 15 Q Was Detective Ritz present?  
 16 A No.  
 17 Q And did you consent to speaking to him  
 18 about it?  
 19 A Yes.  
 20 Q Was there a tape recording?  
 21 A Yes.  
 22 Q And did they accuse you of anything?  
 23 A No.  
 24 Q Did they give you any pictures to see?  
 25 A No.

1 Q And did they threaten you in any way?  
 2 A To speak to my father about it, but that  
 3 was it.  
 4 Q Speak to your father about it?  
 5 A Yes.  
 6 Q Did he go with you?  
 7 A No.  
 8 Q They spoke to him on the phone?  
 9 A No.  
 10 Q They threatened to speak to him?  
 11 A Yes.  
 12 Q And you regarded that as a threat?  
 13 A Yes.  
 14 Q You didn't want your father to know about  
 15 these events?  
 16 A I didn't think it was important, no.  
 17 Q You didn't think it was important?  
 18 A No.  
 19 Q At least not important enough for your  
 20 father to know about it, right?  
 21 A Right.  
 22 Q When they said that and you regarded it as  
 23 a threat, did you say anything to them?  
 24 A No.  
 25 Q They knew who your father was?

1 A Hmm, no.  
 2 Q Did you tell them?  
 3 A No.  
 4 Q Ms. Vinson, you're how old now?  
 5 A Twenty-two.  
 6 Q So you were twenty-one --  
 7 A Yes.  
 8 Q -- last year?  
 9 A Uh-huh.  
 10 Q And you've been in college for how long?  
 11 A Four years. Three years at that time.  
 12 Q And you had lived alone for how long?  
 13 A A year at that time.  
 14 Q But they threatened you with going to your  
 15 father?  
 16 A Well, my father was paying for school at  
 17 that point and my living expenses.  
 18 Q That was a threat to you?  
 19 A Yes.  
 20 Q And did you tell them that, that your dad  
 21 was paying?  
 22 A No.  
 23 Q Did they ask about that?  
 24 A No.  
 25 Q All right, now, when you got down there on

1 that day had you spoken about the events of the 13th  
 2 to your good friend Jen Pusateri subsequent to the  
 3 13th?  
 4 A Subsequent to the 13th, yes.  
 5 Q Yes. And when had you done that?  
 6 A The night that they came and talked to her.  
 7 Q The night that they came, meaning the  
 8 police?  
 9 A Right.  
 10 Q Had come to talk to her?  
 11 A Right.  
 12 Q And that day occurred before the day that  
 13 you went down to speak to them?  
 14 A That's correct.  
 15 Q All right. And the day that they came to  
 16 talk to her that was a Friday night, was it not?  
 17 A I don't recall. It was at night.  
 18 Q You had gone over to her house to pick her  
 19 up?  
 20 A That's correct.  
 21 Q In your car?  
 22 A That's correct.  
 23 Q Is that right? And did you run into some  
 24 detectives who appeared to be lost?  
 25 A No.



1 Q No. They didn't --  
 2 A They weren't lost.  
 3 Q And you weren't lost?  
 4 A I wasn't lost.  
 5 Q You were parked right in front of her  
 6 house?  
 7 A Right.  
 8 Q And how is it that you knew the detectives  
 9 -- you came to know that they were detectives,  
 10 right?  
 11 A That's correct.  
 12 Q Coming to her house to speak to her about  
 13 the events of January 13th?  
 14 A I found that out in the course of the  
 15 conversation, but yes.  
 16 Q Okay. And where did that conversation take  
 17 place?  
 18 A On the street.  
 19 Q On the street in front of her house?  
 20 A That's correct.  
 21 Q And were you outside of the car?  
 22 A We both were inside of the car at that  
 23 point.  
 24 Q And were they inside or outside of their  
 25 car?

1 A Outside of their car in front of my car or  
 2 on the side, the passenger side of my car.  
 3 Q Which was right in front of her house?  
 4 A That's correct.  
 5 Q Okay. And they physically appeared to be  
 6 looking to come up to her house, did they not?  
 7 A Yes.  
 8 Q Did she tell them who she was?  
 9 A I don't think so.  
 10 Q And did they tell her whom they were  
 11 looking for?  
 12 A Not at that point. They asked is this such  
 13 and such address. She said can help you. They said  
 14 does Jennifer live here or are you Jennifer or  
 15 something to that effect, and she said can I help  
 16 you, and that's when they identified themselves.  
 17 Q Now, where you were when you picked her up  
 18 was a location that you are familiar with?  
 19 A Her house, yes.  
 20 Q And you knew that she lived there with her  
 21 parents?  
 22 A That's correct.  
 23 Q And her younger brother?  
 24 A That's correct.  
 25 Q And how long did this conversation while

1 they were outside the car and you all were inside the  
 2 car take place?  
 3 A Five minutes probably at the most.  
 4 Q Did she identify herself as Jennifer?  
 5 A No, I never think she said I'm Jennifer,  
 6 no.  
 7 Q But her name was Jennifer then, wasn't it?  
 8 A Yes.  
 9 Q Okay. And did anything else happen in that  
 10 conversation?  
 11 A Meaning?  
 12 Q Did they ever tell either you or her why  
 13 they were looking for Jennifer?  
 14 A Oh, yea, uh-huh.  
 15 Q And what it had to do with?  
 16 A Yep.  
 17 Q And it had to do with the murder of Hae Min  
 18 Lee, did it not?  
 19 A That's correct.  
 20 Q And they mentioned the name?  
 21 A That's correct.  
 22 Q And they mentioned the date January 13th,  
 23 did they not?  
 24 A I don't remember if they mentioned the date  
 25 or not.

1 Q Did they mention Jay Wilds' name?  
 2 A No, I don't think so.  
 3 Q Or anyone else's name?  
 4 A I think Adnan's name.  
 5 Q Adnan's. And did they ask her if they --  
 6 if she knew him?  
 7 A I think so, yes.  
 8 Q And did she say she knew him?  
 9 A Yes.  
 10 Q And did she say she knew anything about the  
 11 murder of Hae Min Lee?  
 12 A No.  
 13 Q In the five minutes did they threaten her?  
 14 A Threaten her? I don't believe so, no.  
 15 Q Did they try to arrest her?  
 16 A No.  
 17 Q Did they ask her --  
 18 Q Well, they tried to convince her that she  
 19 needed to -- I can't remember whether to come with  
 20 them or to go down to the station at that very  
 21 minute.  
 22 Q And talk to them?  
 23 A Yes.  
 24 Q And they directly asked that, did they not?  
 25 A Asked her to come down, yes.

1 Q And during the time that you were out there  
2 did she or you ever go get her parents?  
3 A No.  
4 Q She made you aware that her parents were  
5 both inside the house, did she not?  
6 A I don't remember if she made me aware or  
7 not.  
8 Q All right. And she never left the car?  
9 A She never left the car, no.  
10 Q And she did not refuse to speak to them,  
11 did she?  
12 A She did not refuse.  
13 Q But she didn't agree to go with them?  
14 A Not at that very second, but she did --  
15 Q Did she make an appointment?  
16 A Yes.  
17 Q And when was that appointment for?  
18 A That same night.  
19 Q That same night. And at this point when  
20 you went and picked her up it was dark, was it not?  
21 A Yes.  
22 Q And after there came a time when they left,  
23 right?  
24 A Yes.  
25 Q And --

1 A Well, I think we left before they did but  
2 yea.  
3 Q And you came to pick her up for a specific  
4 reason, did you not?  
5 A She was coming to hang out.  
6 Q Over your house?  
7 A Uh-huh.  
8 Q Okay. And there was nothing unusual about  
9 that, was there?  
10 A No.  
11 Q And you left her house and you went where?  
12 A To Jay's work.  
13 Q To Jay's work. And where he worked then  
14 was at the porno shop?  
15 A That's right.  
16 Q And you knew that, did you not?  
17 A Yes.  
18 Q It's on Southwestern Boulevard?  
19 A Something like that.  
20 Q Southwestern Video?  
21 A Okay.  
22 Q Did you plan before the police got there to  
23 go over there?  
24 A I think we were going to pick him up from  
25 work.

1 Q To pick him up from work?  
2 A Yea.  
3 Q Because he was going to go over to your  
4 house with you all?  
5 A No, I don't remember if he was coming over  
6 or not. I remember that we were going to pick him up  
7 because he didn't have a car.  
8 Q He never had a car, did he?  
9 A No, but he didn't -- he wasn't borrowing  
10 anybody's car, and I don't think Jen had her car at  
11 that point. So he had asked us to go pick him up  
12 from work, but I don't remember whether he was going  
13 home or whether he was coming to my apartment. I  
14 don't recall.  
15 Q If he was going home, you all would take  
16 him home?  
17 A Right.  
18 Q And that wasn't objectionable to you, was  
19 it?  
20 A No.  
21 Q If he needed a ride you would have given  
22 him a ride, right?  
23 A Yea, at that time.  
24 Q And did you have any other purpose in going  
25 to see him?

1 A No.  
2 Q Did you speak to him before you got there?  
3 A Before I got there, no.  
4 Q Did you have a cell phone?  
5 A Not at that time, no.  
6 Q Did Jen have a cell phone?  
7 A No.  
8 Q And you didn't stop to make a call?  
9 A No, we were going right there.  
10 Q And you didn't go back inside the house to  
11 make a call?  
12 A No.  
13 Q Okay. Did you get him food?  
14 A I don't recall. I'm not sure.  
15 Q So you went over there?  
16 A Right.  
17 Q And was he there?  
18 A Yea.  
19 Q Did you go inside?  
20 A Yep.  
21 Q And did you speak to him?  
22 A I think I said hey like what's up or  
23 something but --  
24 Q Were you upset by what you had heard from  
25 Detective MacGillivray or Ritz?

1 A Yes.  
2 Q About their conversation with Jen?  
3 A Yes.  
4 Q And did she appear to be upset?  
5 A Yes.  
6 Q Was she acting shady?  
7 A No, she wasn't acting shady.  
8 Q No she wasn't?  
9 A No.  
10 Q So she was acting very differently than the  
11 time that you saw her acting shady?  
12 A Well, she wasn't acting shady because as  
13 soon as we pulled away she told me what was going on.  
14 Q She told you that she expected them?  
15 A She expected -- no, I don't think she  
16 expected them, but I'm not sure.  
17 Q That she knew why they were there?  
18 A I think -- yea.  
19 Q And that it concerned the death of Hae Min  
20 Lee?  
21 A Yes.  
22 Q Did she ever tell you that she had anything  
23 to do with it?  
24 A No, no, I don't think so. Well, when we  
25 pulled away, the first thing I said was that was --

1 you know, this is about that guy at my apartment,  
2 isn't it, and she said yea that was Adnan, and I said  
3 what is going on and she told me.  
4 Q She never saw the guy in your apartment,  
5 did she?  
6 A No.  
7 Q And you didn't know his name back then, did  
8 you?  
9 A No.  
10 Q You never got it from him, right?  
11 A No.  
12 Q And you never asked Jay for it?  
13 A No.  
14 Q Even though you felt that he should  
15 introduce the person he brought with him to you,  
16 right?  
17 A That was normal.  
18 Q When you described the person to her over  
19 the phone that night, she didn't say, oh, that's  
20 Adnan with him?  
21 A No, I don't think so.  
22 Q Or describe anybody by name?  
23 A She said one name but I can't remember what  
24 it is.  
25 Q You can't remember what it was?

1 A No.  
2 Q And to your knowledge -- well, when she  
3 came back later that night that person whom you had  
4 never seen before was no longer there, was he?  
5 A No.  
6 Q All right, now, on the way over to see Jay  
7 who you may have had to take home or take with you,  
8 did you and Jen talk about anything else?  
9 A I don't remember. I don't think so.  
10 Q When you say well it was different because  
11 she told you what it was about, right? She never --  
12 did she ever intimate at all that she was involved in  
13 anything?  
14 MS. MURPHY: Objection.  
15 THE COURT: Sustained as to that question.  
16 Q Did she appear to be scared?  
17 A Nervous, not scared.  
18 Q Nervous. About the police?  
19 A Well, it's not everyday that a Homicide  
20 detective comes and wants to talk to you.  
21 Q Did she appear scared while the Homicide  
22 detective was there?  
23 A Not scared, nervous.  
24 Q And you and she speak, did she intimate to  
25 you that Jay was involved?

1 A You know, I really don't remember. She  
2 could have. All I remember about that conversation  
3 is me asking about the guy in my apartment, her  
4 saying yes, and I don't remember if at that time she  
5 told me what was -- I don't remember. I just  
6 remember the first part of the conversation extremely  
7 clear. I don't remember.  
8 Q He was still your good friend then, wasn't  
9 he?  
10 A Yea, he was my friend.  
11 Q And you had seen him subsequent to that  
12 time that he had showed up with this guy that he  
13 didn't introduce, right?  
14 A I seen him -- I'm not sure. I could have.  
15 Q Before that day it would not have been  
16 unusual for you to see Jay more than once a week,  
17 would it have not?  
18 A No, I didn't see him more than once a week.  
19 Q And you can't recall whether or not you saw  
20 him in the month between that time and the day that  
21 you recall the police coming or looking for Jen?  
22 A The only time I remember seeing Jay after  
23 that is at Jeff's party which we had at my house.  
24 Q And that was when?  
25 A The 22nd.

1 Q The 22nd?  
 2 A Of February.  
 3 Q Of February; is that correct?  
 4 A That's correct.  
 5 Q And that's more than a month after that  
 6 date that you saw him and he brought somebody you  
 7 didn't know with him to the house?  
 8 A Right.  
 9 Q So that would have occurred before the date  
 10 the police came looking for Jen?  
 11 A Well, I don't remember the date the police  
 12 came looking for Jen.  
 13 Q Okay. Whatever that date was, Ms. Vinson,  
 14 it would be fair to say that if your friend Jen told  
 15 you that your friend Jay was involved in a homicide,  
 16 that would have been noteworthy to you, would it have  
 17 not?  
 18 A That would be what?  
 19 Q That would have made an impression on you  
 20 would it have not?  
 21 A Yes, that would have made an impression on  
 22 me.  
 23 Q That would have been pretty strong news,  
 24 would it have not?  
 25 A Yea.

1 Q But you don't remember whether she said  
 2 that?  
 3 A I remember finding out about what had  
 4 happened, but I don't remember the exact moment I  
 5 found out.  
 6 Q Or from whom?  
 7 A Or from whom. It could have been Jay. It  
 8 could have been from Jen.  
 9 Q Whatever conversation you had with Jen  
 10 going over on the way to the porn store, you actually  
 11 got out of your car and went in the porn store with  
 12 Jen, right?  
 13 A That's correct.  
 14 Q Even though your purpose may have been only  
 15 to pick him up?  
 16 A Yea.  
 17 Q And take him somewhere else?  
 18 A Okay.  
 19 Q Is that right?  
 20 A That's correct.  
 21 Q You just don't remember?  
 22 A Don't remember what?  
 23 Q What your purpose was?  
 24 A I'm sure -- I'm pretty sure our purpose was  
 25 to pick him up and take him home.

1 Q Or?  
 2 A Or pick him up and go to my apartment.  
 3 Pick him up. That was our purpose.  
 4 Q Did the picking him up involve getting  
 5 something that needed to be carried from the store?  
 6 A I can't hear you, something.  
 7 Q Did picking him up involve going in and  
 8 getting something that needed to be carried from the  
 9 store?  
 10 A No.  
 11 Q And there was nobody else you had to pick  
 12 up, was there?  
 13 A No.  
 14 Q Was there any requirement that you leave  
 15 your car and go in?  
 16 A Well, I didn't feel like sitting in the  
 17 parking lot by myself.  
 18 Q In the parking lot?  
 19 A Yea.  
 20 Q Waiting for him to come out?  
 21 A Yea.  
 22 Q So you went in together with Jen, right?  
 23 A Yea.  
 24 Q And did you speak to Jay in there?  
 25 A Like I said, hi, what's up or something

1 like that.  
 2 Q That's it?  
 3 A That I recall.  
 4 Q And did you observe Jen having a  
 5 conversation with him?  
 6 A Yea.  
 7 Q And was that in your presence?  
 8 A Yes.  
 9 Q Could you hear them?  
 10 A Yes.  
 11 Q And what was that about?  
 12 A She said that the detectives had come to  
 13 talk to her and he said --  
 14 Q Did she say what about?  
 15 A I don't remember. I'm not sure. I  
 16 remember her saying something to the effect the  
 17 detectives came to talk to me and Jay saying well  
 18 tell them everything you know, tell them the truth.  
 19 Q Just tell them the truth?  
 20 A Tell them everything you know, tell them  
 21 the truth.  
 22 Q And did Jen react to that?  
 23 A React?  
 24 Q To when he said tell them the truth?  
 25 A I don't -- I think she was just like okay.



1 Q Did she get less upset?  
 2 A Less upset?  
 3 MS. MURPHY: Objection.  
 4 THE COURT: Sustained.  
 5 Q Well, Ms. Vinson, you've told us that when  
 6 the detectives were there it was pretty scary, wasn't  
 7 it?  
 8 MS. MURPHY: Objection.  
 9 THE COURT: Sustained.  
 10 Q It was scary for you even though they  
 11 didn't ask to speak to you, right?  
 12 A It wasn't scary for me. It was weird and  
 13 maybe a little upsetting but not scary. They weren't  
 14 coming for me.  
 15 Q And you could observe that it was upsetting  
 16 for your friend whom they were asking about, right?  
 17 MS. MURPHY: Objection.  
 18 THE COURT: Sustained.  
 19 Q When the detectives left outside the front  
 20 of Jen's house, did she appear less upset or more  
 21 upset?  
 22 MS. MURPHY: Objection.  
 23 THE COURT: Sustained.  
 24 Q When you were in the porn store was there  
 25 anything else to the conversation between Jen and

1 Jay?  
 2 A He said he wasn't ready. He had to work  
 3 longer or he wasn't ready to get off, something to  
 4 that effect. He wasn't ready to go yet. So she said  
 5 something like, you know, well, they want me to go  
 6 down right now and talk to them. He was like okay.  
 7 Q He was saying okay, it was all right to go  
 8 down and talk to them?  
 9 A No, like okay we're not going to probably  
 10 be able to come and pick him up for awhile.  
 11 Q For awhile?  
 12 A Well, it was all of the way in the city.  
 13 Q Did you make arrangements to pick him up  
 14 later?  
 15 A No, I think he made arrangements. We made  
 16 arrangements to call.  
 17 Q To call him?  
 18 A I'm not sure, maybe.  
 19 Q Did you speak to him about going down to  
 20 the police?  
 21 MS. MURPHY: Objection.  
 22 THE COURT: Did you speak to him about  
 23 going down to see the police? Is that your  
 24 question?  
 25 MS. GUTIERREZ: Yes.

1 THE COURT: Overruled.  
 2 A When -- that night did I -- about Jen going  
 3 to see the police?  
 4 Q Yes.  
 5 A Oh, I didn't speak to him about that.  
 6 Q And did you make arrangements with Jen to  
 7 go with her?  
 8 A She didn't have a car.  
 9 Q So --  
 10 A So I offered to take her.  
 11 Q The answer is yes?  
 12 A Yes.  
 13 Q Yes. And when you left there did you  
 14 proceed down to the police Headquarters?  
 15 A Yes.  
 16 Q Okay. And do you remember then?  
 17 A Do I remember driving down there?  
 18 Q Yes.  
 19 A Yea.  
 20 Q Did you talk with her about what was going  
 21 to happen?  
 22 A I think a little bit, yea.  
 23 Q Did she indicate to you that Jay might be  
 24 involved?  
 25 A Jay might be involved? I don't remember if

1 she did at that time or not.  
 2 Q She might have said that?  
 3 A She could have.  
 4 Q She could have. You just don't remember?  
 5 A Well, it's pretty hard to think of the  
 6 exact moment where you learned each one of these  
 7 little pieces of the story. I don't remember if  
 8 right that second she was like this is what happened  
 9 blaise a blah, I don't remember.  
 10 Q At some point she told you that Jay might  
 11 be involved?  
 12 A Yes.  
 13 Q Yes. From her mouth?  
 14 A Yes.  
 15 Q Now, when you got down to police  
 16 Headquarters were you there when she spoke to the  
 17 police?  
 18 A I was waiting outside in the --  
 19 Q Outside the building or in the lobby?  
 20 A In the lobby.  
 21 Q Okay. And did they ever ask you who you  
 22 were?  
 23 A Hmm, I don't think so.  
 24 Q And did you ever ask her not to mention  
 25 your name?

1 A No.  
 2 Q Or Jeff's name?  
 3 A No.  
 4 Q Or that you may have met this person that  
 5 visited your house with Jay on a certain day?  
 6 A She already knew that.  
 7 Q Did you ever ask her not to mention it?  
 8 MS. MURPHY: Objection.  
 9 THE COURT: Overruled. Did you ever ask  
 10 her not to mention that?  
 11 THE WITNESS: No.  
 12 Q And were you concerned about that day?  
 13 A Concerned about the day that we went down  
 14 there.  
 15 Q No, the day that this person came with Jay?  
 16 A Was I concerned? Yes.  
 17 Q And on the day, a month later when that day  
 18 came up in conversation, did you remember that it was  
 19 the 13th of January?  
 20 A I don't think I remembered the specific  
 21 date, no.  
 22 Q Somebody told you that day, did they not?  
 23 A I think it was Detective MacGillivray.  
 24 Q Detective MacGillivray. You did not have  
 25 any independent recollection of your own that the day

1 that this person came with Jay occurred actually on  
 2 the 13th?  
 3 A No, I don't think so.  
 4 Q You didn't make any documentation of that  
 5 visit, did you?  
 6 A Hmm, I had a day timer at that point which  
 7 I kept everything in. I could have written it down.  
 8 I think I even wrote that Jeff was there but I don't  
 9 recall if I put Jay and friend there. I don't think  
 10 I did.  
 11 Q You mean on the calendar?  
 12 A Right.  
 13 Q Was that important for you to keep track of  
 14 who visited when?  
 15 A No.  
 16 Q Or when your friends were there or not  
 17 there?  
 18 A No, I mean I didn't record everyday that  
 19 Jen was there, but Jeff wasn't always there and Jeff  
 20 didn't live right around the corner. So when we  
 21 would make plans to see each other, I would write it  
 22 down in my book.  
 23 Q But it was Detective MacGillivray that  
 24 brought the date up to you; is that right?  
 25 A Yes.

1 Q From your own recollection you couldn't  
 2 tell us whether these events took place on the 13th  
 3 for instance or on the 12th?  
 4 A No, except that I had a conference that day  
 5 that was the only other way I know.  
 6 Q And the time when you were asked to speak  
 7 -- well, first the time that you went down when Jen  
 8 went that same night --  
 9 A Uh-huh.  
 10 Q -- that they came to her house, you never  
 11 went inside the room where she was speaking to them?  
 12 A No.  
 13 Q And they never came out to talk to you?  
 14 A No.  
 15 Q Or to ask any questions of you?  
 16 A I don't believe so.  
 17 Q And to your knowledge, you weren't even  
 18 introduced to them?  
 19 A I wasn't even introduced to the  
 20 detectives?  
 21 Q Yes.  
 22 A Well, I had known their name from when they  
 23 were outside Jen's house.  
 24 Q But they hadn't known yours?  
 25 A I don't believe so, no.

1 Q You hadn't been asked what your name was,  
 2 right?  
 3 A No.  
 4 Q Now, when your good friend -- your friend  
 5 Jennifer Pusateri came out, you took her home or did  
 6 you go back to your house?  
 7 A I think we went to my house.  
 8 Q And was that a day that you smoked weed  
 9 with her?  
 10 A I don't remember. It could have been.  
 11 Q You don't keep any notation on your  
 12 calendar of days that you get high or not high, do  
 13 you?  
 14 A Nope, sure don't.  
 15 Q Now, did you have a conversation with her  
 16 on the ride back?  
 17 A I'm sure but I don't recall it.  
 18 Q Did she appear upset to you?  
 19 A Did she appear upset? No.  
 20 Q Or shady?  
 21 A No.  
 22 Q Or in any way concerned about what had  
 23 taken place out of your presence?  
 24 A I don't think so.  
 25 Q Did she tell you she had lied to the

1 Q You hadn't been asked what your name was,  
2 right?

3 A No.

4 Q Now, when your good friend -- your friend  
5 Jennifer Pusateri came out you took her home or did  
6 you go back to your house?

7 A I think we went to my house.

8 Q And was that a day that you smoked Weed  
9 with her?

10 A I don't remember. It could have been.

11 Q You don't keep any notation on your  
12 calendar of days that you get high or not high, do  
13 you?

14 A Nope, sure don't.

15 Q Now, did you have a conversation with her  
16 on the ride back?

17 A I'm sure but I don't recall it.

18 Q Did she appear upset to you?

19 A Did she appear upset? No.

20 Q Or shady?

21 A No.

22 Q Or in any way concerned about what had  
23 taken place out of your presence?

24 A I don't think so.

25 Q Did she tell you she had lied to the

1 police?

2 A I don't think so.

3 Q And did she tell you she now needed a  
4 lawyer?

5 A She told me she was going to get a lawyer.

6 Q She said she was going to get a lawyer?

7 A Well, I don't recall if it was that night  
8 or --

9 Q Later?

10 A I don't remember. I knew around that time  
11 that she was going to get a lawyer.

12 Q About these events?

13 A Uh-huh.

14 Q About answering questions from the police?

15 A Right.

16 Q And you didn't question that, did you?

17 A I don't remember if I did or not. I'm sure  
18 I did, but I don't remember.

19 Q On any other day, not that day, did she  
20 tell you that she lied to the police?

21 A That she lied to the police? No, I don't  
22 think so.

23 Q Now, the day that you talked to the police,  
24 that you made an appointment for, that was how long  
25 after that date, that day that you were there when



1 they came to talk to her?

2 A A couple of weeks, a week maybe. I can't  
3 be exact.

4 Q And when you went down to talk to them did  
5 you advise her that you were doing so?

6 A Yea, I think I told her.

7 Q Did you talk to her about what was going  
8 on?

9 A What do you mean what was going on? Like  
10 what they were going to ask me?

11 Q Among other things, yes.

12 MS. MURPHY: Objection.

13 THE COURT: Sustained as among other  
14 things.

15 Q Did you ask her about what she had told the  
16 police?

17 A I don't think so.

18 Q And did you ask Detective MacGillivray when  
19 he called how he got your name?

20 A No.

21 Q And any reason why not?

22 A Any reason why I didn't ask him how he got  
23 my name?

24 Q Yes, ma'am.

25 A No, there was no reason why I didn't ask

1 him how he got my name.

2 Q You just didn't ask?

3 A I knew how he got my name.

4 Q And you hadn't given him your name?

5 A I hadn't given him what?

6 Q You hadn't given him your name?

7 A Detective MacGillivray, no.

8 Q Not on the day that you were down there?

9 A No.

10 Q After that night you had many conversations  
11 with Jen?

12 A I had what?

13 Q Many conversations with your good friend  
14 Jen?

15 A Yes.

16 Q About these events?

17 A Yes.

18 Q And how they involved her?

19 A Yes.

20 Q And about how they involved your friend Jay  
21 Wilds?

22 A Yes.

23 Q And you had conversations with Jay about  
24 these things?

25 A Yes.

1 Q On more than one occasion?

2 A I'm sure on more than one, but I can only  
3 think of one.

4 Q And at the one you can remember Jay, of  
5 course, told you that he was involved?

6 A That he wasn't involved?

7 Q That he was?

8 A Yes.

9 Q Yes. In the death of Hae Min Lee?

10 A No.

11 Q The burial of Hae Min Lee?

12 A No, he didn't tell me that.

13 Q In fact, he told you the opposite, did he  
14 not?

15 A Told me the opposite. I'm trying to think  
16 of what he exactly said. I don't know what he  
17 exactly said.

18 Q Were these events important to you?

19 A Important to me?

20 Q Yes.

21 A They weren't important but they were kind  
22 of alarming.

23 Q Was it important to you to know whether  
24 your very good friends might be involved in a murder?

25 A Yes.

1 Q In any part of a homicide?  
2 A Yes.  
3 Q You described while you were on the phone  
4 or shortly thereafter that you looked out the window?  
5 A Yes, that's correct.  
6 Q This person had not been introduced to you,  
7 right?  
8 A That's correct.  
9 Q And although you had no base line to know  
10 how he acted normally, in your view he wasn't acting  
11 right, right?  
12 A That's correct.  
13 Q And it would be fair to say that you didn't  
14 really want him there, did you?  
15 A Want him there? No, not after I felt that  
16 something was going on.  
17 Q And after you thought he was acting  
18 strange, right?  
19 A Right.  
20 Q So you didn't object when he got up and  
21 left suddenly, did you?  
22 A I didn't run after him, no.  
23 Q You didn't object to his leaving --  
24 A No.  
25 Q -- did you? You didn't do anything to stop



1 it, did you?

2 A No.

3 Q And when you looked out the window were you  
4 hoping he would come back?

5 A No.

6 Q Did you care about who he was?

7 A No, not really.

8 Q Did you care whether or not he returned?

9 A No.

10 Q And the person who you did know what his  
11 behavior was, his behavior you described as shady,  
12 did you want him to continue to be in your house  
13 while he was acting that way?

14 A No.

15 Q And did you look out the window in an  
16 effort to locate him?

17 A Yes, I wanted to see where they had gone.

18 Q You had some interest in knowing their next  
19 destination?

20 A No.

21 Q Were you concerned about his welfare?

22 A No.

23 Q And were you so interested in finding out  
24 what you thought he might be concealing?

25 A No, I just thought it was odd that they

1 jumped up and left.

2 Q You really didn't want them back in your  
3 house, did you?

4 MS. MURPHY: Objection.

5 THE COURT: Did you want him back in your  
6 house?

7 THE WITNESS: No.

8 MS. GUTIERREZ: No. Thank you. Nothing  
9 further.

10 THE WITNESS: Thank you.

11 THE COURT: Any redirect?

12 MS. MURPHY: Nothing further, Your Honor.

13 THE COURT: Thank you. May this witness be  
14 excused?

15 MS. MURPHY: Yes, Your Honor.

16 THE COURT: Ms. Gutierrez, may she be  
17 released from any summonses or subpoenas?

18 MS. GUTIERREZ: Yes, Your Honor.

19 MS. MURPHY: Yes, Your Honor.

20 THE COURT: You're a sequestered witness.  
21 You cannot discuss your testimony with anyone who has  
22 yet to be a witness but if you'd like to sit in the  
23 courtroom you're welcome to do so. At this moment  
24 you're free to go.

25 THE WITNESS: Thank you.

This blank page is a substitute for a missing page or pages from the transcript.

The missing page would be 295 in the 4-to-a-sheet system or 296 in the single page version.

For more information please see [this wiki page](#)

1 THE COURT: Witness with you, Ms. Murphy.  
 2 MS. MURPHY: Thank you, Your Honor.  
 3 DIRECT EXAMINATION  
 4 BY MS. MURPHY  
 5 Q Ms. Warren, how old are you?  
 6 A Eighteen.  
 7 Q Are you attending school?  
 8 A Yes.  
 9 Q And where is that?  
 10 A Catonsville Community College.  
 11 Q What are you studying there?  
 12 A Romance languages.  
 13 Q Where did you attend high school?  
 14 A Woodlawn High School.  
 15 Q When did you graduate?  
 16 A 1999, May.  
 17 Q Did you know Hae Min Lee?  
 18 A Yes, I did.  
 19 Q Can you describe your relationship with  
 20 her?  
 21 A We were very close friends.  
 22 Q And how did you know her?  
 23 A On a personal level as well as in school.  
 24 We hung out together on weekends. We talked a lot.  
 25 She told me a lot of personal things about her life.

1 Q Do you know the defendant Adnan Syed?  
 2 A Yes, I do.  
 3 Q And how do you know him?  
 4 A From school.  
 5 Q And how long have you known him?  
 6 A Seven years.  
 7 Q Can you describe Hae Lee for the jurors?  
 8 What type of friend she was, what type of activities  
 9 she did?  
 10 A She was very active in school. She played  
 11 a lot of sports. She was involved in a lot of  
 12 clubs. She had good grades and she was a happy  
 13 person in general.  
 14 Q Did you become aware at some point in time  
 15 that Hae Lee was having a romantic relationship with  
 16 the defendant?  
 17 A Yes, I did.  
 18 Q Can you tell us about that?  
 19 A Back when we were freshmen in high school,  
 20 they had both liked each other. They both told me  
 21 that but they never told each other that. Later in  
 22 our junior year right before prom time Hae told me  
 23 that she wanted to go the prom with Adnan and she  
 24 asked me to ask him if he would ask her. So I did  
 25 that and he asked her and after that point they

1 became boyfriend and girlfriend.  
 2 Q Were you aware of their relationship that  
 3 following summer?  
 4 A The summer before they were together?  
 5 Q The summer following the junior prom.  
 6 A Yes.  
 7 Q How serious was their relationship?  
 8 A It was pretty serious.  
 9 Q Can you explain that?  
 10 A They would spend a lot of time together.  
 11 They were sexually active with each other. They  
 12 shared a lot of things with each other. He knew a  
 13 lot about her. She knew a lot about him.  
 14 Q To you knowledge, was this the defendant's  
 15 first sexual relationship?  
 16 A No, it wasn't.  
 17 Q And how do you know that?  
 18 A He told me.  
 19 MS. GUTIERREZ: Objection.  
 20 THE COURT: Overruled.  
 21 A He told me.  
 22 Q Did you attend the homecoming dance? I  
 23 guess that would be your senior year.  
 24 A No, I didn't.  
 25 Q Were you aware of anything that happened at

1 the homecoming dance?  
 2 A No.  
 3 Q Did you become aware of any break ups in  
 4 their relationship?  
 5 A Yes, I did.  
 6 Q What do you remember about that?  
 7 A They had broken up probably two times  
 8 before their final break up. Hae was upset at Adnan  
 9 because he was becoming very over protective of her  
 10 and she felt like she wasn't free in the relationship  
 11 and she called it off.  
 12 Q You mentioned their final break up, do you  
 13 remember when that was?  
 14 A Between December and January of '99.  
 15 Q Now, the first two break ups that you  
 16 mentioned --  
 17 A Uh-huh.  
 18 Q -- during those periods of time were you  
 19 ever aware that Hae dated anyone else?  
 20 A No, she didn't.  
 21 Q And how about after the final break up?  
 22 A Yes, she did.  
 23 Q Who was that?  
 24 A Donnie.  
 25 Q And did you ever meet Donnie?

1 A Yes, I did.  
 2 Q How did you meet him?  
 3 A After Hae turned up missing, I thought that  
 4 he might have something to do with it. I contacted  
 5 him by E-mail and later we became friends.  
 6 Q To your knowledge, was Adnan Syed aware of  
 7 Donnie?  
 8 A Yes, he was.  
 9 Q And how do you know that?  
 10 A Hae and him both had told me that he met  
 11 him at Hae's job before a couple of times. Adnan  
 12 went to pick Hae up at work and that's where he met  
 13 Donnie.  
 14 Q Did the defendant ever discuss the fact of  
 15 Donnie with you?  
 16 MS. GUTIERREZ: Objection.  
 17 THE COURT: Did the defendant ever discuss  
 18 Donnie with this witness?  
 19 MS. MURPHY: Yes.  
 20 THE COURT: Overruled. You can answer  
 21 that.  
 22 THE WITNESS: Yes, he did.  
 23 Q What did those conversations entail?  
 24 A He assumed or thought that Hae was having  
 25 relations with him before Adnan --

1 MS. GUTIERREZ: Objection to what he  
 2 thought.  
 3 THE COURT: Okay.  
 4 MS. GUTIERREZ: Or what he assumed.  
 5 THE COURT: Right. Well, sustained as to  
 6 what your intention is for your objection and I will  
 7 sustain the objection, and now I will direct the  
 8 witness. You can't tell us what you thought based on  
 9 something you thought up in your mind as it relates  
 10 to -- the question was whether he told you. That is  
 11 did Mr. Syed tell you what he thought.  
 12 THE WITNESS: Yes.  
 13 THE COURT: Not you thought he thought. Do  
 14 you follow what I'm saying?  
 15 THE WITNESS: Uh-huh.  
 16 THE COURT: In other words, you can't tell  
 17 us what you think he may have thought, but you can  
 18 say if Mr. Syed said I think that, and so now that  
 19 I've clarified it, you may answer the question that  
 20 was asked, and, Ms. Murphy, would you restate your  
 21 question.  
 22 MS. MURPHY: Thank you, Your Honor.  
 23 Q What did the defendant's conversations with  
 24 you entail regarding Donnie?  
 25 A He told me that he thought that Hae was

1 having relations with him and a relationship with him  
 2 while she was still with Adnan.  
 3 Q Did you have any response to that?  
 4 A I reassured him that she didn't because she  
 5 told me that she hadn't had any relations with him.  
 6 They were just friends. They knew each other at  
 7 work. They talked but they didn't have a  
 8 relationship outside of that.  
 9 Q I'm going to ask you to think back to  
 10 January 13th, was that the last time you saw her?  
 11 A Yes.  
 12 Q How did she seem to you that day?  
 13 A She was very happy.  
 14 Q Where did you see her?  
 15 A At school you mean? What location at  
 16 school? Near the gymnasium.  
 17 Q And what time of day would that have been?  
 18 A About three o'clock.  
 19 Q What was she doing at that particular point  
 20 in time?  
 21 A She was in a rush to go somewhere.  
 22 MS. GUTIERREZ: Do you know where?  
 23 A I don't recall at this point. It has been  
 24 awhile.  
 25 THE COURT: She's asking you to say what

1 you just said which was she was in a rush to go  
 2 somewhere. Next question, Ms. Murphy.  
 3 Q What makes you think she was in a rush?  
 4 A She told me she was. We just stopped and  
 5 had a short conversation but she had to go.  
 6 Q To your knowledge, was there anything in  
 7 particular that she was happy about?  
 8 A Her relationship with Donnie.  
 9 Q How do you know that?  
 10 A She told me. Previously that week she had  
 11 spent a lot of time with him, spent the night over  
 12 his house. Their relationship was progressing and  
 13 she doodled his name all over her stuff and she  
 14 really enjoyed the relationship.  
 15 Q Would it be fair to say that this was a  
 16 noticeable thing with Hae?  
 17 A Yes, absolutely.  
 18 MS. MURPHY: Your Honor, may I ask Mr.  
 19 White for State's Exhibit number two?  
 20 THE COURT: Yes.  
 21 MS. MURPHY: May I approach the witness?  
 22 THE COURT: Yes, you may, State's Exhibit  
 23 two.  
 24 Q Ms. Warren, I'll ask you to take a look at  
 25 State's Exhibit two. Have you seen this item before?



1 A Yes, I have.  
 2 Q Can you identify that item?  
 3 A It's Hae's diary.  
 4 Q Had you -- when had you seen it?  
 5 A I saw it the day that she bought it.  
 6 Q Had you seen her carry it before?  
 7 A Uh-huh, yes, I had.  
 8 Q If I may, I'll ask you to read for the  
 9 jurors the entry under May 14th, 1998?  
 10 MS. GUTIERREZ: Objection.  
 11 THE COURT: Overruled.  
 12 A I think I'll try that one week recess Deb  
 13 suggested. I hope forth and went out with Ilesha,  
 14 Deb, and Sean in Sean's new car. It is so fly with  
 15 those tinted windows. We went to Baskins Robbins and  
 16 I got some cappuccino blast. I couldn't be with my  
 17 baby because he had to go to D.C. for his religious  
 18 stuff. That's what I need to figure out. Do I dare  
 19 to pull him away from his religion? Ms. Savic was  
 20 all up in my face about it. She said stuff like well  
 21 Adnan used to be so religious and strict last year  
 22 but this year he is so loose, like I changed him.  
 23 Actually, I did and I don't want to pull him away  
 24 from who he is. I think I need time to organize  
 25 these things but I do not know that -- but I do know

1 one thing. I love him and he loves me. Nothing will  
 2 change that. I'll try the recess week and see what  
 3 happens. I'll probably kill myself if I lose him but  
 4 I'll go crazy with things complicating. I wish he'll  
 5 call back soon.  
 6 MS. MURPHY: Thank you.  
 7 Q Now, in the entry she mentions a one week  
 8 recess?  
 9 A Yes.  
 10 Q Do you know what she was talking about?  
 11 A Yes, I suggested to her --  
 12 Q Can you explain?  
 13 A Sure. I suggested to her that she and  
 14 Adnan take at least a week off from each other  
 15 because their relationship was becoming very  
 16 stressful. They were both coming to me with things  
 17 about their relationship that were really bothering  
 18 them and I suggested that they take some time off  
 19 from each other to figure things out personally.  
 20 Q I ask you now to read the entry under May  
 21 15th?  
 22 MS. GUTIERREZ: Again objection.  
 23 THE COURT: Overruled.  
 24 A I did it. Me and Adnan are officially on  
 25 recess week or time out. I don't know what's going

1 to happen to us. Although I'm in love with him, I  
 2 don't know about him. He actually suggests that what  
 3 we have is like, not love. I heard the doubt in his  
 4 voice. Although he couldn't pick up mine, I felt the  
 5 same way. I like him. No, I love him. It's just  
 6 all the things that stand in the middle, his religion  
 7 and Muslim customs all are in the way. It irks me to  
 8 know that I am against his religion. He called me a  
 9 devil a few times. I knew he was only joking, but  
 10 it's somewhat true. I hate that. It's like making  
 11 him choose between me and his religion.  
 12 The second thing is the possessiveness.  
 13 Independence rather. I'm a very independent person.  
 14 I rarely rely on my parents. Although I love him  
 15 it's not like I need him. I know I'll do just fine  
 16 without him. I need time for myself and with my  
 17 friends other than him. How dare he get mad at me  
 18 for planning to hang out with Ilesha.  
 19 The third thing is the mind play. I've  
 20 matured out of my jealousy shit. I don't get jealous  
 21 over trying to get him jealous is a fool -- him  
 22 trying to get me jealous is a fool because I'll  
 23 definitely lose him -- me. I prefer a straight  
 24 relationship that don't get in people mixed up just  
 25 because he want to play mind games.

1 The fourth thing is nothing. Because I do  
 2 love him. It's just all of the shitty things that  
 3 are messing with my mind. I'm just too confused. If  
 4 I don't take the time to set things straight, the  
 5 whole thing will blow up on my -- blow up in my head  
 6 making me mad and do something I'll regret forever.  
 7 That's why I need the time out. I just hope that I  
 8 don't lose him because of this. I love him. When I  
 9 hold him, I want it to be forever. I feel secure and  
 10 comfy with him. I think he expected more of a  
 11 spontaneous combustion. That's not going to happen  
 12 all of the time. Our relationship burns lightly at  
 13 first and then it eventually calms down. We started  
 14 strong and now we settle in a boring but secure and  
 15 loving relationship. I don't know what he wants.  
 16 All I want is him to hold on to, to cuddle up to,  
 17 kiss when I feel empty inside. Maybe I'm not  
 18 supposed to be loved but supposed to love and I  
 19 thought I had found another keeper and maybe I have.  
 20 Hopefully, we'll go through this and come out much  
 21 stronger -- with a much stronger foundation. I love  
 22 him. I can live without him but I love him and want  
 23 him with me. Please Adnan be patient with me, love.  
 24 Q Thank you. Now, she had discussed with you  
 25 that recess week which she talked about?

1 A Yes.

2 Q The entry mentions religious issues between

3 she and Adnan Syed, did she discuss those with you?

4 A Yes, she did.

5 Q What did she tell you about them?

6 A That it was against Adnan's religion to

7 date anyone or see anyone and especially to sleep

8 with them, and also that they were different races

9 and different religions, that caused problems in the

10 relationship.

11 Q I also ask you to read the entry from

12 January 2nd, 1999.

13 A Happy '99. Ready to party and graduate.

14 Anyways I got to tell you about yesterday, guess who

15 had a date with Donald R. Klinedinst, III? Me. On

16 Thursday December 31st I picked up Adnan from his

17 work and dropped him off at Sears so he could pick up

18 his car. I thought of waiting for him but for some

19 reason I had to go up to him -- had to go up to

20 Owings Mills Mall. When I got there I saw his

21 Camaro, which was surprising since he wasn't working

22 that day. When I was going to pull up next to his

23 car, he was walking towards his car. I stopped and

24 talked to him, flirting around with him as usual.

25 Well, he actually let me drive his car around Owings

1 Mills Mall. What a car. Well, we flirted around a

2 little more. Finally, decided to go for dinner on

3 the first. I mean, what a day to start a new year.

4 Well, I got to work on the first week. I spent the

5 New Year's Eve at Iesha's with Krista and the crew,

6 Amber, Becky, and Dee, Sean and Ryan, but the guys

7 had to leave at two but I fell asleep around one

8 because he had to wake up at nine to get to work.

9 When I got to work, Don was there of course. He is

10 so cute and funny. Cool, I found my favorite red

11 pen. Anyways, he changed into a green sweater and

12 jeans. His sweater made his green eyes look so

13 incredible. Since his eyes turned green to blue to

14 gray. He has real beautiful eyes, real beautiful.

15 Well, after work we went all of the way up to

16 Aberdeen. We got to the Olive Tree where we sat and

17 ate. I had crab cake which was really good, I loved

18 it. Me and Don had a fun conversation. We were

19 talking about a lot of things from Lens Crafters to

20 cars to his name Donald Robert Klinedinst III. Wow,

21 I don't think I've ever felt this weird before but I

22 really do think I like him. We came back to the

23 Owings Mills Mall and we just sat and talked. I

24 really wanted him to kiss me but not -- he's too much

25 of a gentleman for that. Wow, what a guy. He was so

1 kind, caring, intelligent, incredibly cute, funny,

2 amusing, and very down to earth.

3 MS. MURPHY: Thank you.

4 Q If you could read the dates and the next

5 two entries?

6 A January 6th, 1999. I just got back from

7 the movies with Don. I really do like him so much.

8 January 12th, 1999, I love you Don. I think I've

9 found my soul mate. I love you so much. I feel in

10 love with you the moment I open my eyes to see you in

11 the break room for the first time.

12 MS. MURPHY: Thank you, Ms. Warren.

13 Q Do you need some water?

14 A Yea.

15 MS. MURPHY: Can I get the witness some

16 water?

17 THE COURT: Yes, you may.

18 Q Ms. Warren, thinking back to the last day

19 you saw Hae, the following day do you recall whether

20 school was held that day?

21 A I don't recall if it was the next day but

22 sometime that week we had a snow -- a couple of snow

23 days off. It was a Thursday and a Friday, I think.

24 Q Do you recall during that period of time

25 was this heavy snow, was it snow that lasted for some

1 time?

2 A Yes, it was. It was also ice, a lot of

3 ice.

4 Q At this -- around that point in time did

5 Hae have discussions with you about any problems at

6 home?

7 A Yes, she was having --

8 MS. GUTIERREZ: Judge, there's been no

9 identification of that time, I ask we specify the

10 time.

11 THE COURT: Certainly. This would be the

12 last question, was the day after or sometime after

13 she was last seen in school, so if you want to reask

14 the question, the objection is sustained.

15 Q In the weeks preceding her disappearance

16 did she have conversations with you about problems at

17 home?

18 A Yes, she did.

19 Q What kind of problems did she tell you

20 about?

21 A Her mom and her weren't getting along. Her

22 mom held a lot things over her head like her car and

23 her freedom and it really irked her.

24 Q On January 13th did Hae communicate

25 anything to you that these problems were particularly

1 on her mind that day?  
 2 A No, she didn't.  
 3 Q Now, you said you've been in school with  
 4 the defendant for how long?  
 5 A Seven years.  
 6 Q Are you aware of any medical training the  
 7 defendant has had?  
 8 MS. GUTIERREZ: Objection.  
 9 THE COURT: If she knows, and it's not  
 10 because of someone told you, do you have any personal  
 11 knowledge of any medical training that he has  
 12 received?  
 13 THE WITNESS: If he told me, does that  
 14 count?  
 15 THE COURT: If he told you he had some  
 16 medical training, yes, you can tell us that.  
 17 THE WITNESS: Yes.  
 18 Q Can you describe that, please?  
 19 A He had an EMTB training class which means  
 20 he's certified for basic medical administration. He  
 21 could work --  
 22 MS. GUTIERREZ: Objection. Move to strike.  
 23 THE COURT: The information that you can  
 24 testify to is what you know. Unless you took the  
 25 course yourself --

1 THE WITNESS: I did.  
 2 THE COURT: -- you can't -- you did?  
 3 THE WITNESS: I took that course.  
 4 THE COURT: Very well. You may answer.  
 5 And you know that he took the very same course that  
 6 you took?  
 7 THE WITNESS: Uh-huh.  
 8 THE COURT: From your own personal  
 9 knowledge?  
 10 THE WITNESS: Yes, not at the same place  
 11 but --  
 12 THE COURT: The same course?  
 13 THE WITNESS: The same course.  
 14 THE COURT: Very well. You may answer the  
 15 question and you may tell us what it is that the  
 16 course entails. Objection overruled.  
 17 A Okay, the course entails basic medical  
 18 administration, like if you first came to a fire site  
 19 or someone's in a fire you could administer certain  
 20 medicines but not many. You could administer oxygen  
 21 and you basically take notes on the past medical  
 22 history of the patient, things like that, and Adnan  
 23 had that same training course that I had and he had a  
 24 certification for it.  
 25 Q Are you aware of a Best Buy store near

1 Security Square?  
 2 A Yes.  
 3 Q If you know, how long would it take you to  
 4 drive from Woodlawn High School to that Best Buy?  
 5 A About eight minutes maximum.  
 6 Q Now, there came a time when detectives  
 7 began talking to you as well as other people at  
 8 Woodlawn High School?  
 9 A Uh-huh.  
 10 Q Do you recall that time?  
 11 A Yes, I do.  
 12 Q Did you ever discuss that time with Adnan?  
 13 A Yes, I did.  
 14 Q What, if anything, do you remember about  
 15 that conversation?  
 16 MS. GUTIERREZ: Objection.  
 17 THE COURT: Your time limit. She's known  
 18 him for seven years.  
 19 MS. GUTIERREZ: Well, no pre-discussions  
 20 that the time limit after the disappearance of Hae  
 21 Min Lee.  
 22 THE COURT: After the disappearance of Hae  
 23 Min Lee?  
 24 MS. GUTIERREZ: Yes.  
 25 THE COURT: Knowledge of the Best Buy. I'm

1 going to sustain the question as asked and ask that  
 2 you rephrase the question.  
 3 MS. MURPHY: Thank you, Your Honor.  
 4 Q Ms. Warren, did you have discussions with  
 5 the defendant regarding the investigation surrounding  
 6 Hae's disappearance during the time from when she  
 7 disappeared until March?  
 8 A Yes, I did.  
 9 MS. GUTIERREZ: Objection.  
 10 THE COURT: Overruled.  
 11 Q What do you remember about those  
 12 conversations?  
 13 A Adnan told me that the detectives had been  
 14 questioning him and somewhat harassing him about  
 15 things he didn't know, or suggesting that he had  
 16 something to do with it, and that bothered him.  
 17 Q Now, the detectives talked to you. Did  
 18 they ask you to communicate specific questions or to  
 19 answer specific questions?  
 20 A Yes, they did.  
 21 Q Tell us about that?  
 22 A They asked me some questions. Some of them  
 23 I knew --  
 24 MS. GUTIERREZ: Objection to they and I ask  
 25 for a specific identification.



1 THE COURT: Certainly.  
 2 MS. GUTIERREZ: That's hearsay.  
 3 THE COURT: Sustained. Sustained. In  
 4 order for you to tell us what someone else has said,  
 5 you're going to have to tell us who it is that was  
 6 speaking to you first.  
 7 THE WITNESS: Okay. As I recall, Detective  
 8 MacGillivray, Detective Ritz, and Detective O'Shea.  
 9 THE COURT: Okay. Now, you may tell us  
 10 what they said.  
 11 THE WITNESS: They asked me several  
 12 questions. Some of them I knew. Some of them I  
 13 didn't. Some questions they asked me to find out.  
 14 So I wrote a couple of them down and I kept them in a  
 15 journal of mine.  
 16 Q What happened to that journal?  
 17 A I let Adnan borrow it one day and when he  
 18 gave it back to me all of the papers I had had in it  
 19 along with the questions were missing.  
 20 Q Going back to January 13th, the day that  
 21 Hae disappeared, did you have any discussions with  
 22 the defendant regarding his car?  
 23 A Not that I recall.  
 24 MS. MURPHY: Thank you, Your Honor. No  
 25 other questions.

1 THE COURT: At this point we're going to  
 2 stop. We'll save cross examination for tomorrow. It  
 3 is now quarter of and I need to stop for today. I  
 4 must advise you that you are a witness, Ms. Warren,  
 5 who has been sworn and you are still on the witness  
 6 stand, which means you cannot discuss your testimony  
 7 with anyone, with the State's Attorneys or with the  
 8 defense attorneys, or with anyone who may be a  
 9 witness, anyone at all, even your parents because  
 10 you're sworn and you're on the stand and you're  
 11 sequestered. So you can't talk to anybody.  
 12 But tomorrow morning at nine-thirty you are  
 13 to be here promptly because I will be able to start  
 14 at nine-thirty promptly since I have no docket  
 15 tomorrow. So when you arrive tomorrow, I'd ask that  
 16 you come right into this courtroom and have a seat in  
 17 that witness box because we're going to start  
 18 promptly at nine-thirty. At this time you're excused  
 19 to go home. You may leave for the day and you may  
 20 step down at this time.  
 21 Ladies and gentlemen, I'm going to ask you  
 22 to leave your notepads face down. Go home today.  
 23 Don't discuss the testimony amongst yourselves or  
 24 with anyone else. Also advise you that luckily one  
 25 of the other judges out of the kindness of his heart

1 has taken my docket for tomorrow morning, which means  
 2 I have no docket and I will be able to start at  
 3 nine-thirty promptly, and I'm going to tell you, as I  
 4 did after lunch, at 9:30 I'm going to be sitting up  
 5 here, right here and I will be turning on the button  
 6 to see who else is ready to start with me, and I'm  
 7 going to ask, ladies and gentlemen, that you be here  
 8 as promptly as you can because if you go across the  
 9 street between 9:00 and 9:30, they will pay you and  
 10 if you come here you can stop off on your way, but at  
 11 9:30 I'm going to send Mr. White in to count heads  
 12 and if all fifteen of you are there we will start  
 13 this case. I would like you all to have a safe and  
 14 pleasant journey home and I will see you tomorrow at  
 15 nine-thirty.  
 16 Now, counsel, please be advised as you  
 17 heard, someone is taking my docket tomorrow. I have  
 18 not been fortunate enough to find anyone to take my  
 19 docket for Friday but I'm still in search of. If I  
 20 do find someone, then we'll start early on Friday at  
 21 eight-thirty and even if I don't I'm going to advise  
 22 counsel that if you will kindly make arrangements so  
 23 that even if I have a docket I can start this case at  
 24 nine-thirty, let the docket pull itself together,  
 25 recess, and then come back to this case because I

1 really would like to try to get as many witnesses  
 2 in.  
 3 Please be advised also. I have a note, Ms.  
 4 Benaroya has been contacted and advised to come in  
 5 Friday at one o'clock. That's done. Please be  
 6 advised that I have my secretary's note. This is a  
 7 note that she took from Ms. Benaroyra on 2/15 and the  
 8 note gives a cell phone where she can be reached. It  
 9 also indicates that she would prefer when dealing  
 10 with you, Ms. Gutierrez, that I be present. That's  
 11 not going to happen. Asked if she will be needed  
 12 today. Of course, no one told her. Other than this  
 13 morning, she did make her routine call and we told  
 14 her we hadn't heard that she would be needed.  
 15 MS. GUTIERREZ: Right.  
 16 THE COURT: And also she said she will be  
 17 happy to provide notes to you, Ms. Gutierrez, and  
 18 also says that in front of Judge McCurdy she was  
 19 there on 9/27.  
 20 MS. GUTIERREZ: 9/27.  
 21 THE COURT: '99, believes Judge McCurdy has  
 22 a video tape of the hearing. That is her note.  
 23 That's all it says. If you would like to see that  
 24 note, you're welcome.  
 25 MS. GUTIERREZ: I just want to cross check

1 the cell phone number with the cell phone number she  
2 gave me.

3 THE COURT: 410 336-5851.

4 MS. GUTIERREZ: Thank you.

5 THE COURT: That's what I have. She will  
6 call me tomorrow morning, but she has been already  
7 advised to come in at one o'clock on Friday. And if  
8 there is nothing further, and I would ask Ms.  
9 Gutierrez if you do need to contact her, you have all  
10 of the information, I would prefer not to --

11 MS. GUTIERREZ: I understand.

12 THE COURT: -- have any contact with my  
13 chambers because the Court does not want to get  
14 involved in taking messages of this nature. However,  
15 my able secretary has done her duty and taken the  
16 information. I'm going to actually put these notes  
17 -- if you would put these notes in the court file  
18 just so that --

19 MS. GUTIERREZ: I would stop down but it is  
20 likely that Ms. Sheldon is already gone for the day.  
21 Now, that we have a date I would expect that we be  
22 able to find it since it occurred before Judge  
23 McCurdy, but again, because it's on the video tape I  
24 need a court order.

25 THE COURT: Not necessarily. Ms. Benaroya

1 may agree to assist you in getting that tape. You  
2 have her cell number and so I would ask that you --

3 MS. GUTIERREZ: I will try.

4 THE COURT: First do that and if it works  
5 out that she agrees then --

6 MS. GUTIERREZ: That's fine.

7 THE COURT: It's all done. In fact, since  
8 she's told to come in Friday at one she might even  
9 agree to come in early, perhaps. Well, you know, I'd  
10 like to think hopefully, positively, I would like to  
11 hope that this case will resolve itself by Friday. I  
12 have a feeling that things might move --

13 MS. GUTIERREZ: Resolve itself by Friday?

14 THE COURT: When I say resolve, that means  
15 the State's finished its case and the defense has  
16 started or at least gotten some of its witnesses on.  
17 To me that is resolving the case. That is moving it  
18 along. You know, that's also assuming that we even  
19 get past any motions. You know, that is resolving  
20 the case. That's moving it along and to the extent  
21 counsel can be prompt tomorrow and assist me in doing  
22 that, I would not want to be here alone at 9:30. I  
23 would not be happy if I were sitting here alone at  
24 9:30. So far I've been very happy. So with that  
25 said, I'm going to recess for five minutes because

1 I'm going to have a courtroom full of people because  
2 although you all are leaving, I am not.

3 MS. GUTIERREZ: I hope it's fun, Judge.

4 THE COURT: I don't have to answer that, do  
5 I?

6 MS. GUTIERREZ: No.

7 THE COURT: This Court stands in recess for  
8 this case until tomorrow at nine-thirty, for everyone  
9 else for five minutes.

10 CONCLUSION OF PROCEEDINGS

# 1 CERTIFICATE

2  
3 This is to certify that the proceedings in  
4 the matter of State of Maryland versus Adnan Syed,  
5 indictment numbers 199103042, 43, 45, 46 held on  
6 February 16, 2000 were recorded by means of video  
7 tape.

8 I do hereby certify that the foregoing 324  
9 pages constitute the official transcript as  
10 transcribed by me from said videotaped proceedings to  
11 the best of my ability in a complete and accurate  
12 manner.

13 In Witness Whereof, I have hereunto  
14 subscribed my name this 24th day of August, 2000.

15  
16 Diane R. Walker

17 Official Court Reporter  
18  
19  
20  
21  
22  
23  
24  
25