

1 will hear from the Defense. And because the State has the
2 burden of proof, they have a second opportunity to address
3 you. They're being given an hour and a half.

4 And I'm going to ask counsel if you would require
5 or ask for a heads up at the end of a particular amount of
6 time, I'd like you to let me know. If I do not hear from
7 you, when you have 20 minutes left, I will indicate that
8 you have 20 minutes left.

9 At your please, you may begin.

10 MS. MURPHY: Thank you, Your Honor.

11 Your Honor, at this time we would ask that the
12 jurors receive their copies of State's Exhibit 34. I
13 understand Mr. White's not here at the moment but we would
14 like them to be able to review their own copies.

15 THE COURT: Mr. Sheriff, if you could hand me the
16 item that's clipped. You see on your right-hand side there
17 is -- yes. All right. And if you would hand those to the
18 gentleman on the front row or the lady on the end.

19 Just take the one that's yours and pass the rest
20 back.

21 And, Ms. Murphy, when you're ready to proceed,
22 just let me know. Would you like a 20-minute warning?

23 MS. MURPHY: No, thank you, Your Honor.

24 THE COURT: All right. Very well.

25 CLOSING ARGUMENT BY MS. MURPHY

1 MS. MURPHY: May it please the Court, counsel,
2 Madam Forelady, ladies and gentlemen.

3 "How can she treat me like this?" The words of
4 this Defendant to Jay Wilds regarding Hey Lee, as if she
5 deserved to die. "No one treats me like this." What does
6 that mean? What exactly did Hey Lee do to him? She fell
7 in love with him.

8 When you read these diary entries, you'll sense
9 the joy and the excitement that she had about her
10 relationship with this Defendant. Entry after entry,
11 details of the wonderful things they did together. Sure,
12 they had their ups and downs, as in all relationships.
13 This is what people do, we have relationships, we have ups
14 and downs. And as people do, they broke up, more than
15 once. They got back together, they broke up again. And
16 then, as people do, Hey Lee met someone else, Don Kleindas.
17 And at that point, it became readily apparent to everyone,
18 including the Defendant, she wasn't coming back. It
19 happens all the time.

20 So why then did he tell Jay Wilds "No one treats
21 me like this"? What is it that this Defendant saw on
22 January 13th when he looked at Hey Lee? He saw the hours
23 they spent talking on the phone in hushed voices so their
24 parents couldn't hear. He saw all the things they did
25 together. He saw a woman who made him do things he never

1 thought about doing before He saw the poems that he wrote.
2 He saw him give her a flower in class, in front of the
3 whole class. He saw that they openly discussed marriage
4 and that this was known to their friends, and even their
5 teachers. He saw his parents standing at the window of the
6 Homecoming Dance. He saw his mother raise her voice at Hey
7 Lee in front of his classmates. "Look what you're doing to
8 our family." He saw the pain in his mother's face because
9 she knew they were together. He saw Hey Lee falling in
10 love with someone else and he saw himself, in the end,
11 standing there with nothing to show for it but a guilty
12 conscience and a pack of lies in which he cloaked himself.

13 That is what he saw on January 13th. That is
14 what he saw when he put his hands around her neck and
15 squeezed, literally, the life from her. He felt strong,
16 almost superhuman. He felt the little bone in her throat
17 pop and still he continued to hold her there 10 seconds, 15
18 long seconds, and it was done. So ended the life of Hey
19 Men Lee, a beautiful young woman, a scholar, an athlete, a
20 friend, a daughter, a sister.

21 It was humiliating, what she did to him. Make no
22 mistake about it, ladies and gentlemen, this was not a
23 crime about love, this was a crime about pride.

24 There is no doubt, ladies and gentlemen, this was
25 a murder. Hey Lee strangled to death on January 13th,

1 1999. She was buried in Leakin Park. She was killed in
2 her own car. These are facts that we know from all the
3 evidence in the case.

4 We know this is a murder. You heard from
5 Dr. Corell (phon. sp.), the medical examiner. She told you
6 in great detail why we know that Hey Lee was strangled.
7 And we know more than that. She was strangled by someone's
8 bare hands, with the Defendant's bare hands. Dr. Corell
9 told you about the bruised muscles in her neck, about the
10 tiny blood vessels in her eyes that burst, about the bone,
11 the hyoid bone in her throat. It was broken by the force
12 of human hands. She told you all these things.

13 We know that this occurred in Hey Lee's car. We
14 know this because the Defendant told Jay Wilds that's where
15 he did it, but we know much more about it. Think again
16 about Dr. Corell's testimony and what this autopsy report
17 tells you. We know that Hey Lee was a passenger in the
18 car. The Defendant told Jay Wilds that as she struggled,
19 as she tried to get away, she kicked the wiper lever. You
20 saw a video showing this wiper lever, how it dangled from
21 the steering column on the car. That was consistent with
22 what Jay Wilds said. In order for Hey Lee to kick this
23 wiper lever, we know she was in that passenger seat.

24 Dr. Corell told you about bruises on the right
25 side of her head. Think about it. She struggled, she's

1 pushing to get away, and her head is pushing against the
2 window next to her. We know she was in the car, the very
3 car that was used to take her body to Leakin Park.

4 Consider the other evidence, the map in the car,
5 the map with the palm print of this Defendant and the
6 single page that's ripped from this map, sitting in the
7 back seat of that car. She was in Leakin Park in the very
8 car where she was murdered.

9 Consider also the photographs. Does this look
10 like the trunk of a teenager's car? No. She had sports
11 equipment, she had other things that were all moved to the
12 back seat, and you can see that in the pictures, because
13 her body was put in this trunk by this Defendant. This was
14 the car used to take her to Leakin Park and it's the car in
15 which she was killed.

16 If this weren't true, why hide the car? Why take
17 it to a place where it's not likely to be found for quite
18 some time, and it was not. Consider also the testimony
19 about the T-shirt in the car. Yung Lee told you he
20 recognized this shirt. It had been his and he knew that
21 his sister had used it as a rag in her car and she kept it
22 stuffed in the map pocket next to the driver's seat.

23 Remember when Dr. Corell told you about a process
24 called pulmonary edema? This occurs when a person dies and
25 a foamy blood comes from their nose or their mouth. She

1 said it happens right after death. She said it can happen
2 spontaneously or it can happen when the body is moved. And
3 you can bet when blood came from the nose or mouth of Hey
4 Lee that this Defendant took great care to wipe that blood
5 to keep it from getting on him.

6 The blood on the T-shirt is Hey Lee's.
7 Dr. Corell told you that blood appeared to be consistent
8 with the very process she described. Consider the
9 placement of the T-shirt, crumpled in the driver's seat, as
10 if it had been sat on. After he wiped the blood from her
11 nose and mouth, he discarded it on the seat. Perhaps he
12 used it again later to wipe the steering wheel. He tossed
13 it away without another thought.

14 We know also that Hey was killed on January 13th,
15 the day she disappeared, the last day she was seen by her
16 family and friends. We know this because Jay Wilds says it
17 and we know it for so many other reasons.

18 Consider again the autopsy, what Dr. Corell told
19 you, and what Dr. Rodriguez and MSgt. Ram (phon. sp.), the
20 experts who were called in to help disinter her body. What
21 did they tell you? The state of her body was consistent
22 with having been in that grave for several weeks. And more
23 than that. Remember the testimony of Mrs. Inez Butler-
24 Hendricks from Woodlawn High School. She remembers talking
25 to Hey that day. Hey was very excited about being taped

1 for a local news show. She recalls in great detail how Hey
2 came running into the concession area at 2:15, right after
3 class. She was in such a rush that she didn't even pay for
4 the snack that she got because she knew she was coming
5 back. She had to go to the wrestling match, and Ms. Butler
6 told you, with no hesitation, that these were in fact the
7 clothes that Hey Lee was wearing on January 13th. She was
8 wearing a skirt and light jacket and top. She wanted to
9 look nice for the taping. She was wearing hose, hose that
10 Jay Wilds remembers seeing on her body, the taupe colored
11 hose, the hose that were scratched and torn because her
12 body had been in there long enough for animals to begin
13 digging away at it.

14 Remember her bank records. There is not a single
15 moment of activity on those records after January 13th. Up
16 through January 13th, were there any significant
17 withdrawals that would enable her to take a trip or go
18 somewhere? No. A couple dollars here, a couple dollars
19 there. On January 13th, \$1.71, enough for Hey to stop and
20 get a soda or a snack on her way home from her boyfriend
21 Don's house sometime after midnight. There's not a single
22 transaction after that. We know she was killed that day.

23 Consider her diary. Every entry in January is
24 about Don and happy she is about her new relationship.
25 Although she mentions it prior, because she was having

1 trouble with her mother's rules, which is not unusual for
2 teenagers, she doesn't mention it once in any of the
3 January entries. She was planning to go somewhere but she
4 didn't take her diary. And the very last entry,
5 January 12th, 1999.

6 And most importantly, ladies and gentlemen,
7 consider what we know about Hey Lee. She's a bright girl,
8 she's a busy girl. And on January 13th, 1999, she had lots
9 of things to do. What does her schedule that day tell us?
10 We know she was in class at 2:15. Ayisha Pittman had that
11 class with her, and so did the Defendant. Ayisha Pittman
12 told you that at the end of class at 2:15 Hey was talking
13 to the Defendant. We know she immediately went to the gym
14 area because that's where Inez Butler him. They told you
15 in great detail about their encounter.

16 We know that she left immediately to pick up her
17 young cousins who were just in elementary school. By 3:00,
18 it was known to her family that she had not done this.
19 Ladies and gentlemen, Hey Lee was dead in 20 to 25 minutes
20 from when she left school. And we know that she was dead
21 because she was supposed to return to Woodlawn High School
22 and travel with the rest of the team. We know this didn't
23 happen because Ms. Inez Butler, who remembers so well
24 seeing Hey that afternoon, had to go in Hey's place with
25 the rest of the team because she didn't show up.

1 Take a good look at State's Exhibit 19. This is
2 a note addressed to Don in Hey's car. We know she wrote
3 this the day she died. "Hey Cutie, Sorry I couldn't stay.
4 I have to go to a wrestling match at Randallstown High but
5 I promise to page you as soon as I get home, okay? Till
6 then, take care and drive safely. Always, Hey. P.S.: The
7 interview went well and I promise to tape it so you can see
8 me, as many and as often as you want."

9 She refers to things we know she had to do that
10 day: the taping, the taped interview, the wrestling match
11 at Randallstown. Maybe she intended to put it on his car,
12 we don't know. She never had a chance to do it.

13 And the most important, the most telling example
14 regarding how we know this was the day she was murdered
15 came from her brother, Yung Lee, through the fact that this
16 Defendant never called her house again.

17 Judge Heard told you about the charges you're
18 being asked to consider in this case and described to you
19 the verdict sheet which you'll be discussing. There's a
20 number of counts there, and I'll spend just a few moments
21 discussing the facts of this case with respect to those
22 counts.

23 You've been asked to discuss the crimes of false
24 imprisonment and kidnapping. They're very similar in that
25 they both involve confining a person by deception. How

1 does that relate to this case? Hey Lee was confined to her
2 car by the deception of this Defendant. What did he do to
3 deceive her? He told her he needed a ride. He said his
4 car was in the shop and he needed a ride. We know this is
5 true because his own friend, Krista Meyers, saw him first
6 period and he said Hey's got to take me to get my car.

7 Hey's own friends told you Hey's the kind of
8 person that would help him out, even though they were
9 broken up. He told her his car was in the shop to get her
10 in her own car, which he often drove, as all the witnesses
11 told you. He got her in that car to get her to Best Buy,
12 to kill her. He confined her there. An additional element
13 for kidnapping is that he got to move from one place to
14 another. False imprisonment and kidnapping.

15 You've been asked to consider robbery. Robbery
16 is the taking of property by force with the intent to
17 deprive that person. The force used on Hey Lee is clear in
18 this case: he strangled her. And at that point he took
19 her car. He took it several places that afternoon. He
20 ultimately hid it. He hid it from family, he hid it from
21 the employees in a place nobody would find it for quite
22 some time.

23 The first count on your verdict sheet is the
24 count of first degree murder. First degree murder is the
25 willful, deliberate, and premeditated killing of another

1 person. Willful means you intended to do it. It's clear,
2 ladies and gentlemen, if you strangle someone you intend to
3 kill them. That's not hard.

4 Deliberate means you're aware of your intent.
5 Dr. Corell told you it takes 10 to 15 seconds. It took
6 physical strength to strangle Hey Lee. The Defendant was
7 aware of what he was doing and what he intended to do when
8 he strangled her. Was it premeditated? Had he thought
9 about it? Of course he had. Consider the facts. He is
10 the one that called Jay Wilds the night before. He's the
11 one that called Jay Wilds that morning. He gave the car
12 and the phone to Jay Wilds. He told Hey his car was in the
13 shop. He drove her home. And even if you're not sure
14 about all of those facts, consider this: Under the law, it
15 takes only an instant to premeditate. The instant, for
16 example, in cocking a gun. It takes up to 15 seconds to
17 strangle someone. Was this premeditated? Clearly it was.

18 Let's talk for a while about Jay Wilds because,
19 clearly, this case hinges on his testimony. At the very
20 beginning of the case, Mr. Urick asked you when you hear
21 Jay Wilds think to yourself, why him? Why is he the one in
22 this position? Well, think about it. Do you really
23 believe that the Defendant could go to one of his
24 upstanding magnet school, honor student friends or a friend
25 from the mosque to assist him with this act? Of course

1 not.

2 He needed someone who behaved a little more
3 dangerously than those people. He needed someone who took
4 risks. After all, Jay was the one that they get to buy
5 marijuana. Jay was the one who worked in the porn store.
6 Jay wasn't a magnet student. Jay wasn't in college. The
7 Defendant thinks that Jay Wilds had more to lose. The
8 Defendant hopes that you will look at Jay Wilds and say I
9 don't believe him. That is why the Defendant chose Jay
10 Wilds, because if something went wrong, the Defendant could
11 point the finger at Jay Wilds, and that is why Jay Wilds
12 sat here before you.

13 You don't have to like Jay Wilds or like what he
14 did to know that he's telling the truth. You had an
15 opportunity to watch him, not only hear him but watch him,
16 as he sat here and testified. And remember, as he sat here
17 and he recounted specific details of that day, remember the
18 look on his face as he was asked to recall that moment in
19 the Best Buy parking lot when he saw the body of Hey Lee.
20 The look on his face, an expression that told you he wasn't
21 looking at anything in this courtroom, he was seeing again
22 the body of a dead woman, something he'd never seen before
23 and something he told you is going to stay with him
24 forever.

25 You know he knows what happened. But more

1 importantly, you know he was with the Defendant on
2 January 13th. How do you know that? Let's look at the
3 cell phone records. You heard from a young woman by the
4 name of Neisha Tanner (phon. sp.). Neisha Tanner does not
5 know Jay Wilds; Jay Wilds does not know Neisha Tanner. She
6 is a young woman who met the Defendant at a party on New
7 Year's Day. She lives in Silver Spring.

8 There is a phone call to Neisha Tanner on the --
9 Friday at 3:22 p.m. Neisha Tanner told you she does
10 remember a call when the Defendant called her and said,
11 "Say hi to my friend Jay." Jay Wilds told you about the
12 exact same call as they're driving from I-70 parking lot
13 where they left Hey's car. Jay tells you yeah, and then he
14 called some girl in Silver Spring and he asked me to say hi
15 to her. Jay Wilds and Neisha Tanner don't know each other.
16 Neisha Tanner told you they were together.

17 You heard also from Kristy Vincent. Kristy
18 Vincent was at University of Maryland at Baltimore all day,
19 at a conference. She came home to her apartment around
20 5:30 that afternoon and sometime after 6 -- and she knows
21 this because she watches "Judge Judy" -- the Defendant and
22 Jay come to her apartment together. She remembers this
23 because she doesn't know the Defendant, and he's acting
24 shady, he's acting strange. What does he do when he comes
25 to her apartment? He slumps over on the floor and hides

1 his face. This is memorable to her. Kristy Vincent told,
2 you that the Defendant and Jay Wilds were together.

3 Jennifer Pusitari told you that after she
4 received that page from Jay to pick him up, she goes to
5 Westview Mall to meet Jay. Who pulls up but the Defendant,
6 driving his car with Jay Wilds in it. Jennifer Pusitari
7 told you the Defendant was with Jay Wilds.

8 Jay Wilds was sincere. You head a lot of
9 questions and a lot of testimony about the inconsistencies
10 of his statements, and I'm sure you're going to hear a lot
11 more. Jay Wilds never once told you that he didn't lie to
12 the police. He was honest with you. Yeah, I did it, and
13 he gave you the reasons why. Why didn't he call the
14 police? Jay Wilds said, number one, my house was dirty.
15 They knew I had marijuana there. I didn't want to do that
16 to my mother and grandmother. And he also said look at me,
17 look at who I am. Do you actually think the police are
18 going to believe me? The same reason the Defendant picks
19 Jay to be here. No, Jay said, that wasn't going to work.

20 And why did he not tell the police on at least
21 two occasions the full story? Why? Because he wanted to
22 protect people he knew. He wanted to leave Jen Pusitari
23 out. He wanted to leave Kristy Vincent out. He wanted to
24 leave out the fact that the Best Buy parking lot was the
25 place where the Defendant and Hey Lee had sex. He didn't

1 leave himself out of those statements. He tried to leave
2 out other people.

3 The most important thing for you to remember
4 about Jay Wilds' testimony is that it does not stand alone.
5 It is corroborated, it is supported by what the witnesses
6 say, by what the physical evidence says, and by what those
7 cell phone records say.

8 So let's talk about cell phones. We all got
9 quite a lesson in cell phone technology, the AT&T wireless
10 system. You heard from an AT&T engineer, Mr. Abromowitz
11 (phon. sp.), whose name I won't continue to say because I
12 can't pronounce it, but you heard from the engineer who
13 told you basically a cell phone calls a cell site, a cell
14 tower, which, in turn, talks to a switch, and that enables
15 the conversation to take place. Pretty simple.

16 He also told you that the phone picks the cell
17 tower based on signal strength in the area. He told you,
18 too, that this map shows you -- these bright colors each
19 represent areas in which a given tower's signal strength is
20 strongest. And in these areas, the cell phone is going to
21 talk to the given tower.

22 He explained that each cell tower has three
23 sides: an A side at the top, a B side going clockwise, and
24 a C side on the western side. A, B, and C. And when a
25 call is originated, that is, when a call is made or

1 received by a cell phone, the particular cell tower and
2 particular side, the A, B or C, is recorded in the billing
3 records, and that is where these records come from.

4 Now, the Defense may suggest to you that we don't
5 even know if this phone was operable on January 13th.
6 Consider Abe Abromowitz, the AT&T engineer, told you that
7 the Nokia 6160 is the best cell phone to use in the AT&T
8 system. Use your common sense, ladies and gentlemen. In
9 one day alone this cell phone made 34 calls in the course
10 of 10 hours. Some of them lasted a couple of seconds, some
11 of them lasted eight minutes -- and you've heard from the
12 witnesses who talked to people on this phone. Did any of
13 them say they had a problem hearing? No. Did any of them
14 say they were cut off? No. In fact, call no. 5, Krista
15 Meyers remembers that the Defendant called her again that
16 evening. Does that look like the track record of a phone
17 that's not working properly? No.

18 And you heard also that the AT&T engineer made
19 some test calls. He went to locations, locations provided
20 by the witnesses in this case and made phone calls to see
21 if, in fact, the testimony added up to the cell records.
22 And what he told you was that although he didn't recreate
23 all the conditions of January 13th, that the Nokia 6160
24 operates in exactly the same way -- equally was the word he
25 used -- as the equipment he was using.

1 What we wanted to know with those tests were, for
2 example, if Jay Wilds said that the Defendant answered his
3 phone in Leakin Park, was that true? If Kristy Vincent
4 said he answered the phone at her apartment down by UMBC,
5 was that true? Well, ladies and gentlemen, the cell phone
6 records support what those witnesses say and the witnesses
7 support what those cell phone records say. There's no way
8 around it.

9 The Defense may try to suggest to you that this
10 system doesn't work and there's no rhyme or reason for this
11 pattern of phone calls. That's not so, there is a rhyme
12 and there is a reason. Think about it. The witnesses
13 could not have known what cell site they were in when they
14 were making calls and they certainly couldn't control that.
15 They were probably unaware that the calls were even being
16 recorded in this fashion. Do you think Jay Wilds, when
17 confronted with these phone calls, said oh, L608C, I better
18 put Kristy Vincent's house into this? No. The witnesses
19 can't control it and they weren't aware of it, and that's
20 why you can't get around this evidence, ladies and
21 gentlemen.

22 Now, you've been sitting here patiently for six
23 weeks. You don't need me to tell you that. Consider the
24 witnesses in this case. When you go back in that jury
25 room, not one of you are going to remember every detail of

1 this case in precisely the same way, what date someone
2 testified, what specifically they said. You will rely on
3 your collective memories. You each will remember what is
4 important to you and you will use that to fit in what each
5 other remembers. The same holds true for the witnesses in
6 this case.

7 Remember that January 13th, for these witnesses,
8 was not any special day at the time. They had no idea that
9 day that over a year later they were going to be asked to
10 sit here and testify in a murder trial. The first time any
11 of them were even asked to remember that day was weeks,
12 maybe months later, but people remember what is important
13 to them. And again, consider Ms. Inez Butler; she
14 remembers talking to Hey immediately after class, 2:15,
15 because she remembers Hey left in a hurry and Hey didn't
16 come back. And that had an impact on her because she had
17 to travel to the wrestling match. People remember what is
18 important to them.

19 And just as you will rely on your collective
20 memories, in this case it is the collective evidence.
21 Consider it all and consider what makes sense.

22 Now let's take a closer look at all the evidence
23 in light of these cell phone records. Jay Wilds told you
24 he remembers around 10:30 in the morning he gets a call
25 from the Defendant, saying I'm going to come get you, let's

1 go to the mall. Sure enough, the records show you
2 10:45 a.m. the Defendant calls Jay Wilds to go shopping.
3 The Defendant calls Jay Wilds. The records will show you,
4 if you look at call no. 32, that cell phone was in the
5 coverage area of L651A, up here in the orange, the area
6 that covers Woodlawn High School, which is where the
7 Defendant was that morning. Krista Meyers told you she saw
8 him in first period class.

9 The Defendant picks Jay up and they go to the
10 mall. At some point, the Defendant goes back to school and
11 he gives his car and his cell phone to Jay Wilds at that
12 point in time. Where Jay Wilds goes in this period is not
13 clear. It's not clear from Jay, it's not clear. Nobody
14 knows. But it is clear from these cell phone records that
15 Jay Wilds is nowhere near Hey Men Lee. He is nowhere near
16 Woodlawn High School where we know she is. Jay Wilds is
17 over here and Jay Wilds is downtown. He thinks he may have
18 gone to -- looking for marijuana. Maybe he did. But the
19 records are clear, he's nowhere near Hey Men Lee.

20 Jay does remember at 12:43 p.m., while he's
21 downtown, he gets a call from the Defendant. The Defendant
22 says I'm not ready for you yet but pick me up at 3:45. At
23 this point, Jay is still in the city, L652A.

24 We know that class ended at 2:15 that day. And
25 remember back to Ayisha Pittman's testimony. The Defendant

1 was talking to Hey Lee at that point in time and Inez
2 Butler sees Hey as she rushes out of school, grabs her
3 snack, and heads out the door. Ladies and gentlemen, she's
4 dead within 20 minutes.

5 2:36 p.m. the Defendant calls Jay Wilds, come get
6 me at Best Buy. Jay Wilds is at the home of Jennifer
7 Pusitari at this point, and the records are clear. Call
8 no. 28 occurs in the cell area covered by L651B. This is
9 the area that the AT&T engineer told you covers Jennifer
10 Pusitari's house --

11 So Jay drives to the Best Buy, and it is there
12 that the Defendant, for the first time, opens his trunk and
13 shows Jay Wilds the body of Hey Lee. By 3 p.m., by 3 p.m.,
14 her family knows she hasn't picked up her cousins.

15 The Defendant gets Jay to follow him to the I-70
16 parking lot where they leave Hey's car, and they then head
17 back towards Woodlawn from the park and ride together.
18 It's at that point, at 3:32 p.m., that the Defendant calls
19 Neisha Tanner in Silver Spring. She says hello to Jay. We
20 know they are together at that point in time. That call
21 lasts for 2 minutes and 22 seconds. Jay Wilds doesn't know
22 Neisha Tanner, and Neisha Tanner told you this is her own
23 private line, nobody answers that line but her, and the
24 Defendant is the only one who knows her. This occurs in
25 the coverage area of L651C, the pink area, which would be

1 consistent if they were heading back towards Woodlawn from
2 the I-70 parking lot.

3 Now, at some point in this time frame we know
4 that the Defendant goes to track practice. He tells Jay
5 Wilds I need to be seen. So Jay Wilds takes him to track
6 practice. In the meantime, Jay Wilds goes out to Forest
7 Park looking for marijuana. He makes a phone call to
8 Jennifer Pusitari at that point in time, 4:12 p.m. We know
9 that that call at 4:12 p.m. was in the coverage area of
10 L689C. You see 689 on the top right, the dark brown area
11 on the left side is C. That covers the Forest Park area.
12 That makes sense with what Jay Wilds is telling you.

13 Now, we also know in the meantime the Lee family,
14 Hey Lee's family, has called Ayisha Pittman. They've begun
15 calling her friends to see if anyone knows where she is.
16 Ayisha Pittman told you she called Krista Meyers, a friend
17 of the Defendant who testified. Krista Meyers was at work
18 that day. Krista then calls and leaves a message -- Krista
19 told you I called the Defendant to see if he had, in fact,
20 gotten a ride from Hey. She leaves -- she remembers this.
21 She leaves a message on his voice mail.

22 At some point in time, the Defendant calls Jay,
23 come get me from track practice. 5:13 p.m., you see that -
24 - of calls that the AT&T engineer described to you. Call
25 no. 18 and 19, this shows he was checking his voice mail.

1 And what is the very next call? 5:38 p.m. he calls Krista
2 Meyers. Perhaps she wasn't home from work yet, she doesn't
3 believe she was. It was a very short call. But he
4 returned that call. We know he has the phone.

5 After the Defendant picks -- I'm sorry. After
6 Jay Wilds picks the Defendant up, they get high and they
7 head over to Kristy Vincent's house. Kristy remembers a
8 conference until 5:30 that day. She gets home and she sits
9 down to watch "Judge Judy," and it's at that point, she
10 remembers, that the Defendant and Jay Wilds come to her
11 apartment and they're acting so strange.

12 Now, Kristy Vincent's house, Gateway Terrace,
13 down by UMBC, and Mr. Abromowitz put a little circular
14 sticky here on the block where she lives. He also told you
15 that there are two very strong sites, depending where in
16 the block you are, L608C and L655A. Now, look closely at
17 calls 14, 15, and 16. Notice that the cell sites
18 correspond exactly to what he told you, L608C, L655A.
19 Remember the testimony of three witnesses when you consider
20 these three calls. At that time frame, between 6 and 6:30,
21 three witnesses told you about calls they know of to that
22 cell phone.

23 Consider Yung Lee, Hey's brother, opens the
24 diary, thinks he's calling Don because on a page scribbled
25 over and over with Don's name is a cell phone number. He

1 suddenly realizes it's not Don he's called, it's the
2 Defendant, whose voice he knows because he's called their
3 home before. He asked if he knows where his sister is.
4 What's the Defendant's response? Why don't you try her new
5 boyfriend?

6 Remember too that Kristy heard the Defendant
7 answer a call while he was in her apartment, and what she
8 heard concerned her. He said the police want to talk to
9 me, what should I do? And a third person, Officer Adcock,
10 from the Baltimore County Police who began to investigate
11 this as a missing person, he calls the number because Yung
12 Lee has given it to him. He calls the number and talks to
13 the Defendant on the cell phone. All three of those calls
14 are consistent with those calls that came into Kristy
15 Vincent's house.

16 And interestingly enough, after the Defendant has
17 this conversation, you know, the police want to talk to me,
18 he jumps up, leaves the apartment. And what's the next
19 thing he goes to do? He goes to get rid of the body. Now
20 you know by that phone call that somebody else, somebody
21 who hasn't told you from the witness stand, somebody else
22 knows about this because he sought their counsel, sought
23 their advice in that crucial phone call. And the next
24 thing he does is goes to get rid of the body, and who does
25 he call? 6:59 p.m., he calls his best friend Yassar Ali.

1 Isn't it ironic that that is the name that comes up in
2 connection with the anonymous phone call to the police as
3 to who might know something about this?

4 We know that at this point the Defendant and Jay
5 Wilds go to the I-70 park and ride to get Hey's car, with
6 her body still in it. At that point, they go to McDonald's
7 where they meet up. And you can remember that because Jay
8 says yeah, I even thought about leaving at this point in
9 time but then he showed up.

10 The call at 6:59 and the call at 7:00 both occur
11 in the Woodlawn area, which would be consistent with them
12 being near that McDonald's, L651A.

13 Prior to going to Leakin Park, Jay remembers that
14 the Defendant was taking him home and at that point he
15 basically threatened him, said, you know, I know about you
16 and what you do, and got Jay Wilds to agree to go along
17 while he gets rid of the body. They get shovels from Jay
18 Wilds' house. They meet up at the McDonald's and Jay
19 follows the Defendant to Leakin Park.

20 At this point in time Jay Wilds knows he's not
21 going to meet Jennifer as they had previously arranged. So
22 at 7:00 he pages Jennifer Pusitari. He leaves that
23 confusing message that she tells you about. Jay Wilds and
24 the Defendant go to Leakin Park -- time. And the next
25 phone call, calls 10 and 11, are crucial. Jay Wilds tells

1 you that as they're entering the park, preparing to bury
2 the body of Hey Lee, Jennifer Pusitari returns that call.
3 She returns the call because the message is confusing. She
4 knows the cell phone number because it's on her Caller ID,
5 so she calls the cell phone. Jay doesn't answer. Jennifer
6 tells you someone else answered and said Jay's busy right
7 now, he'll call you back. Jay Wilds spoke to the
8 detective -- I'm sorry. Jennifer Pusitari spoke to the
9 detectives before Jay Wilds did, yet Jay Wilds tells you
10 about the exact same phone call: While we were there,
11 Jennifer called; the Defendant told her I was busy. That
12 call, ladies and gentlemen, at 7:09 or 7:16 p.m., occurred
13 in the cell phone area covered by Leakin Park. That call
14 is consistent with everything the witnesses told you.

15 The next two calls, calls 8 and 9, you'll see are
16 to Jennifer Pusitari's pager. They're both short calls and
17 they're within literally seconds of each other. They occur
18 in two cell site areas, L653A and L653C, which would be
19 consistent if they were coming in from Leakin Park, from A
20 to C, heading back towards Woodlawn, heading towards
21 Westview Mall where Jennifer meets Jay.

22 Every call from that point on are to friends of
23 the Defendant exclusively: Neisha Tanner, Krista Meyers,
24 again Krista Meyers, again Neisha Tanner, Yassar Ali who
25 didn't even go to Woodlawn High School, ladies and

1 gentlemen, he doesn't even know most of these people who
2 testified, and Mr. Chaudry

3 Judge Heard instructed you that you can consider
4 a number of things, including the Defendant's actions, what
5 he said and did. Well, let's talk about that. What did
6 Adnan say? Let's think back. He told Krista Meyers in
7 first period that Hey was taking him to get his car, that
8 he needed a ride. Well, we know that that was a deception,
9 something he fabricated. It was a pretext to get into her
10 car because he gave his car to Jay Wilds.

11 He told Officer Adcock that Hey was supposed to
12 give him a ride. That's consistent with what Krista Meyers
13 said. But later on, he changed his story. He told
14 Detective O'Shea from the Baltimore County Missing Persons
15 Unit, this was about a week or so later, that he had his
16 own car and he didn't need a ride and, therefore,
17 Officer Adcock must have been incorrect. Well, we know
18 this conversation with Officer Adcock occurred because he
19 told Ayisha Pittman and Krista Meyers that the police had
20 called him on his cell phone. He can't have it both ways.

21 Let's consider what else did Adnan say? We've
22 heard testimony from of witnesses. Remember -- Shah (phon.
23 sp.), the French teacher, and Debbie Warren, a close friend
24 of both the Defendant and Hey Lee? They told you how the
25 detectives came to the school on more than one occasion,

1 both the missing persons detectives and homicide
2 detectives, and they did their best to try to help, to try
3 to answer questions, to try to find anything out about what
4 happened to Hey and where she might be.

5 Did you hear that about the Defendant? This was
6 his girlfriend, the love of his life, who supposedly is
7 still his very good friend. No, that's not what you heard.
8 What you heard instead was -- Shah testifying that the
9 Defendant came to her and said I'd appreciate it if you
10 don't ask questions about me. Well, what was his reason?
11 His reason was because his parents didn't know everything
12 about his dating Hey. This woman who had been so central
13 to his life just a month before, let alone weeks before,
14 and he's more concerned about his parents finding out about
15 this relationship with her.

16 And you've heard testimony from several of his
17 friends that say oh, all the young men at the mosque date
18 women, that this is no big deal. Then why is that his
19 concern at this point in time, when she's missing, when she
20 could be hurt, when she could be in trouble, when she could
21 be dead?

22 He told -- excuse me. You also heard from Debbie
23 Warren that -- Shah had given her some kind of questions to
24 try to find answers to. They were in her planner. And
25 when she lent that planner to the Defendant, guess what

1 disappeared? Those questions.

2 Remember that the Defendant told Inez Butler that
3 his memories of Hey were bad, that he and Hey had had a
4 fight about her going to the prom. We know that Hey was in
5 love with Don Kleindas at this point. She wasn't thinking
6 about going to the prom with the Defendant. In fact, the
7 very night before she died, at 12:01 and 12:35 a.m., he's
8 calling her house. What is she doing? She's writing in
9 her diary.

10 We know she usually wrote in her diary late at
11 night. She'd probably just got back from Don's house.

12 MS. GUTIERREZ: Objection.

13 MS. MURPHY: She's writing --

14 THE COURT: Overruled.

15 MS. MURPHY: -- "I love you, Don. I think I have
16 found my soul mate. I love you so much." This is what
17 she's thinking about when he's calling her.

18 Now, you've heard a lot of testimony that this
19 Defendant, he is a popular guy, he's attractive, he didn't
20 have any problem making friends or attracting other women.
21 But nice people do bad things all the time. Consider how
22 he acted towards the investigation of the woman who was so
23 central to his life. Is that consistent with what you've
24 heard about him?

25 Consider what he did for Jay Wilds. He's the one

1 who called Jay, both the night before and the morning of.
2 He's the one who gave his car and his phone to Jay Wilds.
3 He's the one who tried to give himself an alibi: yeah, I
4 need to get to track practice because I need to get seen.
5 I don't care what you do, Jay.

6 He's the one who jumped up immediately to go bury
7 the body after the police call. It was him, not Jay. And
8 he's the one who's going to come before you today and point
9 the finger at Jay Wilds. No, ladies and gentlemen, nice
10 people do bad things all the time. What Adnan Syed said
11 and what he did is not at all consistent with the wonderful
12 things they want you to believe.

13 When he points the finger at Jay Wilds, we ask
14 you to ask yourselves a very important question. From all
15 the facts in this case, you can ask yourselves what do we
16 know about who killed Hey Lee. We know that Hey Lee knew
17 the person who killed her. We know this because she was
18 surprised. She was in her own car, ladies and gentlemen.
19 Whoever did this had to be someone she knew, someone who
20 could sit close enough to her to strangle her without her
21 suspecting a thing. She knew the person who killed her.

22 Not only did she know this person, ladies and
23 gentlemen, she cared about this person. You heard how busy
24 she was that afternoon. She had places to be, she had
25 things to do. For her to take time to give anyone a ride,

1 she had to have cared about him enough, and you know from
2 the witnesses that she did. She'd given him a ride just
3 two days prior. It's in her diary. That's the kind of
4 person Hey was. She cared about him enough to pick him up
5 that day and he knew it.

6 You know that she trusted the person who killed
7 her. She would not have gotten into the car, she wouldn't
8 have let someone drive her car if she suspected a thing.
9 She trusted the person who killed her.

10 You know that this person was present at Woodlawn
11 High School because there is only a small window of
12 opportunity -- the opportunity is the key word -- for this
13 person to get in her car. She had to leave Woodlawn High
14 School and drive immediately to the elementary school to
15 pick up her cousins. That person had the opportunity at
16 Woodlawn High School to stop her and get in her car.

17 And we know too that this person had access to
18 her car. She was killed in her car. Ladies and gentlemen,
19 you know from all the witnesses the Defendant clearly had
20 access to her car. He drove it on a regular basis, all the
21 witnesses told you that. More importantly, her car is
22 covered in his fingerprints, not just in the common areas,
23 in the trunk, in the glove box, in the back seat, in a map
24 in the back seat that just happened to have a page ripped
25 out that leads you to Leakin Park. He clearly had access

1 to her car, he clearly was in her car and he knew that if
2 he didn't act quickly she would be missed.

3 He knew she had to pick up her cousins. He knew
4 she had to be places, so he knew he had to take her
5 immediately to Best Buy and do what he set out to do, and
6 that was to kill her.

7 Most importantly, ladies and gentlemen, the
8 person who killed Hey Lee had a reason to do it. He had a
9 motive.

10 Strangulation is an extremely personal crime. To
11 put your bare hands around the neck of a person you know,
12 let alone care about, and squeeze the living life out of
13 them, to look into their face and watch them die is
14 extremely personal. You have to want that person dead, you
15 have a reason. It's not the task of someone who can shoot
16 a gun from 20 feet away, it's extremely personal. And
17 remember what he said: How could she treat me like that?
18 It's what she did that made him want her dead.

19 Hey Lee wrote in her diary May 11th, 1998, "When
20 I look into his eyes, I know that he loves me. I really
21 love him." And again, September 8th, 1999, Hey Lee writes
22 in her diary. "I don't know what I would do without him.
23 He is the sweetest person I have ever met. When life is
24 hard, all I have to do is look into his eyes. Then it'll
25 all be better." Imagine the disbelief and the terror when

1 she looked into those eyes on January 13th, those same eyes
2 that she writes so politely about in her diary, with one
3 purpose: to kill her.

4 And what was it she tried to say at that point in
5 time? The words she tried to get out? I'm sorry. How
6 could she treat me that way?

7 Thank you, ladies and gentlemen.

8 Thank you, Your Honor. Mr. Urick is reminding
9 me --

10 Ladies and gentlemen, it's clear, this all adds
11 up. There's only one person who fits the description and
12 that's the Defendant, Adnan Syed.

13 THE COURT: Thank you, Ms. Murphy.

14 Ms. Gutierrez, you asked for a brief break to
15 arrange the courtroom --

16 MS. GUTIERREZ: Yes, Judge.

17 THE COURT: -- for you.

18 Please, ladies and gentlemen, I'm going to have
19 the sheriff walk you just over to the jury room. Leave
20 your notepads face down and other items face down. Do not
21 discuss anything yet. We'll bring you back in probably
22 under 10 minutes. We're just going to let you stretch your
23 legs, let Ms. Gutierrez get organized, and we're going to
24 come right back and continue.

25 Ladies and gentlemen, this Court is going to take