

1 THE COURT: -- where it was you actually can
2 put your notes on the table.
3 MS. MURPHY: While you're questioning.
4 THE COURT: And stand by the table and
5 everyone can see and hear you. That bulletin board
6 works -- the easel works well, even with the table the
7 long way. And where Mr. Urick again, is standing, is
8 generally where the -- the bulletin -- the easel is
9 placed.
10 MS. MURPHY: And can all the jurors --
11 THE COURT: And all the jurors can see when
12 the -- and there's a stand at -- a lip at the bottom of
13 the easel. You can put things on it and rest things
14 and you can see.
15 There are also clips at the top of each
16 easel. So that if you don't want to rest it at the
17 bottom you can pull it to the top. So it -- I mean,
18 this courtroom is small but we've had trials in here
19 without much difficulty.
20 MS. MURPHY: Thank you, Your Honor.
21 THE COURT: All right. And I -- and again,
22 we're going to take a five minute recess and as soon as
23 the jury comes back we will continue.
24 And I -- the Baltimore City Correctional
25 Officer, I appreciate your cooperation and assistance.

1 I've now learned a new rule that I did not know.
2 And so I don't want to interfere in anyway
3 with what you're doing. But you're welcome to sit on
4 the front row. The defendant will not sit on that row
5 with you. He will sit in a chair.
6 MS. GUTIERREZ: Is there any need for the
7 television now?
8 MR. URICK: Yeah. We've got a -- that's --
9 MS. GUTIERREZ: Judge, the reason I ask, I've
10 already tripped it over this several times.
11 THE COURT: Is it taped?
12 MS. GUTIERREZ: It's not taped. If we could
13 tape it to the floor it could be --
14 THE COURT: Is there an electrical outlet
15 under the trial table?
16 MR. URICK: No. I've already checked.
17 MS. GUTIERREZ: No.
18 THE COURT: No? Very well. I'm going to
19 stand in recess just for a few minutes. I'm going to
20 ask that you bring the jury back.
21 (Short recess.)
22 (The jury was present upon reconvening.)
23 THE COURT: Please be seated. Ladies and
24 Gentleman, we're just going to continue until just
25 about 5:30 and then we'll recess for the day. Tomorrow

1 you'll follow the same procedure you followed today and
2 we'll resume at 9:30 or as close to that as we can.
3 Your witness.
4 MR. URICK: Thank you, Your Honor.
5 (Pause.)
6 THE COURT: Sir, please --
7 MR. URICK: Your Honor, with the Court's
8 permission in order to accommodate witness who are
9 possibly unavailable after today after day I will be
10 calling the first two witnesses out of the order that
11 we normally would be called them in.
12 State will call Emmanuel Obot of the Crime
13 Lab at this time.
14 THE COURT: Okay.
15 Sir, please raise your right hand and be
16 sworn.
17 Whereupon,
18 EMMANUEL OBOT,
19 a witness produced on call of the State, having first
20 been duly sworn, was examined and testified as follows:
21 THE CLERK: You may lower your hand. Be
22 seated.
23 Please state your name and assignment for the
24 record?
25 THE WITNESS: My name is Emmanuel Obot, O-B-

1 O-T, Baltimore City Police Crime Lab.
2 DIRECT EXAMINATION
3 BY MR. URICK:
4 Q. Good afternoon, Mr. Obot.
5 A. Good afternoon.
6 Q. What is the Mobile Unit?
7 A. Our primary function is to respond to the
8 crime scene, process the crime scene for any type of
9 physical evidence that might be available.
10 Q. And do you also seize evidence?
11 A. Yes.
12 Q. What is a criminal complaint number,
13 sometimes called an offense number?
14 A. We give a CC number or complaint number.
15 Q. What is that?
16 A. That's number assigned by the dispatcher when
17 the officer requests for crime lab to respond to the
18 scene.
19 Q. And does that particular CC number follow
20 every subsequent investigatory step that's takes for
21 that incident?
22 A. Yes.
23 Q. And what is the Evidence Control Unit?
24 A. That is a unit that after we recover the
25 evidence and we submit for safekeeping until it's

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<p>1 requested by the Assistant State Attorney for trial.</p> <p>2 Q. And what is a property control number?</p> <p>3 A. That is a number that we can easily identify</p> <p>4 the evidence that was submitted also.</p> <p>5 Q. Okay. Now, did there come a time when you</p> <p>6 took part in a search and seizure that occurred at 7034</p> <p>7 Johnnycake Road on March 20th of 1999, in the</p> <p>8 investigation of the murder of the victim Has Min Lee,</p> <p>9 CC Number 998B5801?</p> <p>10 A. Yes, I did.</p> <p>11 Q. And what was your function that day?</p> <p>12 A. My function there was to photograph and</p> <p>13 recover the evidence, process it and submit it to ECU,</p> <p>14 Evidence Control Section.</p> <p>15 Q. Okay. At this time I'm going to --</p> <p>16 MR. URICK: With the Court's permission to</p> <p>17 approach the witness?</p> <p>18 THE COURT: Yes, you may.</p> <p>19 BY MR. URICK:</p> <p>20 Q. Show you three items. Two of them have been</p> <p>21 marked for identification purposes as State's Exhibit</p> <p>22 36-A and 36-B. And then there's a larger bag as well.</p> <p>23 First I would like you to look at the two</p> <p>24 exhibits marked 36-A and 36-B.</p> <p>25 A. I took this photo -- this photographs.</p>	<p>1 you would rather do that in the morning?</p> <p>2 MR. URICK: I -- I think it can be done now</p> <p>3 before --</p> <p>4 THE COURT: Very well.</p> <p>5 MR. URICK: -- very, very quickly.</p> <p>6 THE COURT: Ladies and Gentleman, as you</p> <p>7 observe these photographs, just have them passed along</p> <p>8 to the next juror when you're done. And if you would</p> <p>9 split them up as you finish the first one then send it</p> <p>10 along the way, that would expedite.</p> <p>11 BY MR. URICK:</p> <p>12 Q. Now, if you would please examine the bag that</p> <p>13 I've put down beside you.</p> <p>14 THE COURT: I think there was a request that</p> <p>15 when items were published to the jury that we not ask</p> <p>16 any more questions. And so we will follow that</p> <p>17 procedure which is why I --</p> <p>18 MR. URICK: I -- I misunderstood what the</p> <p>19 Court was talking about.</p> <p>20 THE COURT: -- you perhaps you might want to</p> <p>21 hold off.</p> <p>22 MR. URICK: Can I just ask the witness to</p> <p>23 examine the -- the bag while they're --</p> <p>24 THE COURT: Sure. Certainly.</p> <p>25 BY MR. URICK:</p>
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<p>1 Q. And can you identify what those are?</p> <p>2 A. This is -- down here is one of the detectives</p> <p>3 pulling out a book from the shelf. Look -- just</p> <p>4 looking through it for any type of physical evidence</p> <p>5 that he might find.</p> <p>6 This one here is the book spread open and</p> <p>7 some documents in it. And then I photograph it.</p> <p>8 Q. And do those fairly and accurately depict the</p> <p>9 state of the tenants -- the bookshelf in the</p> <p>10 defendant's bedroom on the day those were taken?</p> <p>11 A. Yes.</p> <p>12 MR. URICK: Would offer as State's 36-A and</p> <p>13 36-B, photographs.</p> <p>14 THE COURT: Any objection?</p> <p>15 MS. GUTIERREZ: No, Your Honor.</p> <p>16 THE COURT: All right. It will be admitted.</p> <p>17 (State's Exhibits No. 36-A</p> <p>18 and 36-B previously marked</p> <p>19 for</p> <p>20 identification were received</p> <p>21 in evidence.)</p> <p>22 MR. URICK: May I have the Court's permission</p> <p>23 to publish them to the jury at this time?</p> <p>24 THE COURT: In the concern for time, is that</p> <p>25 something that you can do or would you do that, or that</p>	<p>1 Q. Please examine that bag while they're looking</p> <p>2 at the photographs.</p> <p>3 MS. GUTIERREZ: While we're waiting can we</p> <p>4 come up to the bench on an items that's going to be</p> <p>5 subject --</p> <p>6 THE COURT: Certainly. Why don't we do that.</p> <p>7 Come up to the bench.</p> <p>8 (Counsel and the defendant approached the</p> <p>9 bench, and the following ensued:)</p> <p>10 THE COURT: Remember that the mike is here at</p> <p>11 the black square. Okay.</p> <p>12 MS. GUTIERREZ: Judge, I believe --</p> <p>13 THE COURT: Okay.</p> <p>14 MS. GUTIERREZ: Judge, I believe that this</p> <p>15 bag holds evidence of various numbers --</p> <p>16 THE COURT: Shh. Whisper.</p> <p>17 MS. GUTIERREZ: That were seized and</p> <p>18 processed during the search of my client's home. I</p> <p>19 certainly haven't objected to the pictures. And I</p> <p>20 won't object to other pictures, but I will issue an</p> <p>21 objection to the admission of some of these items.</p> <p>22 THE COURT: Can you keep your voice down?</p> <p>23 MS. GUTIERREZ: On relevance grounds.</p> <p>24 THE COURT: Okay.</p> <p>25 MS. GUTIERREZ: There's an awful lot --</p>

<p style="text-align: right;">Page 179</p> <p>1 THE COURT: Can you tell me what items there 2 are?</p> <p>3 MS. GUTIERREZ: Well, as to the textbook, for 4 instance, it shows a variety of paper things that are 5 displayed in one Photograph B that -- displays items 6 that were allegedly found inside the textbook. And I 7 guess our -- my objection is based that some, if not 8 all, of those items have no relevance whatsoever.</p> <p>9 THE COURT: Okay. Stop there.</p> <p>10 MS. GUTIERREZ: To -- to this.</p> <p>11 THE COURT: With regard to the textbook items 12 is there some relevance issue?</p> <p>13 MR. URICK: The Court -- the State has pulled 14 one specific item out as a separate exhibit, which is a 15 letter that Hae Min Lee wrote to the defendant which 16 the defendant afterwards was writing comments about 17 with another person.</p> <p>18 And after that conversation was over, the 19 defendant wrote, in his own handwriting at the top, "I 20 will kill." We were able to -- we were able to 21 identify the victim's handwriting, the defendant's 22 handwriting, including the statement, "I will kill," in 23 his handwriting.</p> <p>24 And we're also able to identify the person he 25 was passing the note back and forth. And they were</p>	<p style="text-align: right;">Page 181</p> <p>1 Lee and secondly by whoever it is, we're not privy to, 2 alleging to identify further still.</p> <p>3 THE COURT: Assuming that they're able to 4 make the connection --</p> <p>5 MS. GUTIERREZ: Well then I'd have no 6 objection.</p> <p>7 THE COURT: -- actually that would be 8 relevant. But I will reserve your -- your objection on 9 two basis; one on the relevancy issue and one on the 10 authentication -- authentication of the document that 11 they claim that purports to be something written by 12 your client and by the victim.</p> <p>13 MS. GUTIERREZ: Okay.</p> <p>14 THE COURT: So the items that you're not able 15 to tie -- you're not moving in so that --</p> <p>16 MR. URICK: I will leave the bag proper for 17 identification.</p> <p>18 THE COURT: Okay. And you -- you're next 19 item.</p> <p>20 MS. GUTIERREZ: That's it.</p> <p>21 THE COURT: Is there anything else in that 22 bag?</p> <p>23 MS. GUTIERREZ: Not that I know of.</p> <p>24 THE COURT: Okay. Very well.</p> <p>25 MS. GUTIERREZ: But I don't know.</p>
<p style="text-align: right;">Page 180</p> <p>1 writing comments to each other.</p> <p>2 THE COURT: All right. With regard to that 3 specific item, I'm not ruling on its admissibility yet 4 because they obviously have to lay a foundation for its 5 admissibility. However, I find that if they are able 6 to do so, that would be relevant item.</p> <p>7 With regard to the other items in the 8 textbook, which is the subject of her motion as well?</p> <p>9 MR. URICK: If the Court prefers, there's a 10 big bag in which that is a smaller item. I will leave 11 for identification purposes only the entire bag of 12 evidence. And then I'll enter the specific --</p> <p>13 THE COURT: So you're not moving into 14 evidence all of those items?</p> <p>15 MR. URICK: I don't need to.</p> <p>16 THE COURT: Okay.</p> <p>17 MS. GUTIERREZ: Well, again, Judge, I would 18 renew, certainly subject to other evidence that they 19 have, my objection based on relevance grounds. There's 20 been no disclosure of any expert establishing the 21 handwriting, and no disclosure of anyone who will 22 establish so I don't know that they can establish that 23 it's my client's writing.</p> <p>24 Or when or where -- when particularly, when, 25 this alleged note was written either first by Hae Min</p>	<p style="text-align: right;">Page 182</p> <p>1 THE COURT: Well as he pulls those items out 2 --</p> <p>3 MS. GUTIERREZ: There all relevant.</p> <p>4 THE COURT: -- if there's anything else just 5 bring it to my attention.</p> <p>6 MS. GUTIERREZ: Okay.</p> <p>7 THE COURT: All right. Thank you.</p> <p>8 (Counsel and the defendant returned to the 9 trial tables, and the following ensued:)</p> <p>10 THE COURT: You may resume your questioning. 11 What you can -- you've recovered both items. And I'd 12 asked counsel if they're not going to use exhibits, if 13 you just give them to the clerk only because I know 14 there's not a lot of space there but that would be one 15 less item that you'd have to worry about.</p> <p>16 Thank you. You may proceed.</p> <p>17 BY MR. URICK:</p> <p>18 Q. Mr. Obot, what was the significance of the 19 address [REDACTED] Road?</p> <p>20 A. What -- excuse me. Could you repeat this 21 question again?</p> <p>22 Q. What was the significance of that address?</p> <p>23 A. From the information I got it from the 24 detective that that is the residence of the suspect.</p> <p>25 Q. Suspect in this case being the defendant</p>

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<p>1 here, Adnan Syed?</p> <p>2 A. Yes.</p> <p>3 Q. Now, have you had a chance to examine that</p> <p>4 large bag that I gave you?</p> <p>5 A. Yes.</p> <p>6 Q. Can you identify that bag?</p> <p>7 A. Those are the evidence I recovered from the</p> <p>8 residence, [REDACTED] Road.</p> <p>9 Q. And does the bag have on it a reference to</p> <p>10 the CC Number 998B5801?</p> <p>11 A. Yes. This my handwriting here.</p> <p>12 Q. And does it have, in your handwriting, the</p> <p>13 property number that was assigned to that particular</p> <p>14 bag?</p> <p>15 A. Yes.</p> <p>16 Q. And what was that property control number?</p> <p>17 A. This was MB5031. Or 50 -- 5801.</p> <p>18 Q. Now, have you had a chance to look at the</p> <p>19 items inside the bag?</p> <p>20 A. I can see -- then again some of the bags that</p> <p>21 I opened, you know, the pair of shoes that was</p> <p>22 recovered. Some of this are still sealed. This is</p> <p>23 pair of shoes also recovered from the basement.</p> <p>24 Q. Now, other than opening the bag for various</p> <p>25 required discovery purposes and courtroom preparation,</p>	<p>1 MS. GUTIERREZ: Can I see that?</p> <p>2 (Pause.)</p> <p>3 THE COURT: No. I don't need to see it.</p> <p>4 What is the exhibit that you're examining,</p> <p>5 Ms. Gutierrez?</p> <p>6 MS. GUTIERREZ: Judge, I don't know. It's</p> <p>7 not marked in and of itself. There's a single letter</p> <p>8 that's marked.</p> <p>9 THE COURT: Were you going to call it</p> <p>10 something?</p> <p>11 MR. URICK: Yes. First the bag proper is for</p> <p>12 identification, State's 37.</p> <p>13 THE COURT: 37.</p> <p>14 MR. URICK: And within it there's one item</p> <p>15 which is marked for identification as State's 38.</p> <p>16 THE COURT: All right. And that -- that item</p> <p>17 is the bag itself or an individual item?</p> <p>18 MR. URICK: That's an individual -- 38 is an</p> <p>19 individual item within the bag proper.</p> <p>20 THE COURT: All right.</p> <p>21 BY MR. URICK:</p> <p>22 Q. Mr. Obot, having had a chance to examine both</p> <p>23 the overall collection of items and specifically what's</p> <p>24 been marked for identification as State's 38, are these</p> <p>25 in substantially the same shape and form as when you</p>
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<p>1 are the items in substantially the same shape as you</p> <p>2 packed them?</p> <p>3 A. Yes.</p> <p>4 MR. URICK: At this time, out of that bag,</p> <p>5 pursuant to stipulation, we would offer into evidence</p> <p>6 State's Exhibit 30, which is the defendant's cell phone</p> <p>7 proper.</p> <p>8 THE COURT: And there's no objection,</p> <p>9 Counsel?</p> <p>10 MS. GUTIERREZ: No, Your Honor.</p> <p>11 THE COURT: Very well. Let it be admitted.</p> <p>12 (State's Exhibit No. 30</p> <p>13 previously marked for</p> <p>14 identification was received</p> <p>15 in evidence.)</p> <p>16 BY MR. URICK:</p> <p>17 Q. Now I show you this bag which has been marked</p> <p>18 for identification as State's Exhibit 37, I'd ask you</p> <p>19 to open it up and look inside it? Don't -- do not</p> <p>20 describe anything that you see.</p> <p>21 (Pause.)</p> <p>22 BY MR. URICK:</p> <p>23 Q. Don't describe anything that's in there.</p> <p>24 A. Okay.</p> <p>25 Q. Please open it up again.</p>	<p>1 seized them from the defendant's bedroom?</p> <p>2 A. Yes.</p> <p>3 MR. URICK: Would now -- these exhibits for</p> <p>4 identification only at this point in time but put them</p> <p>5 into the custody of the courtroom clerk.</p> <p>6 THE COURT: Very well.</p> <p>7 Any objection to that process?</p> <p>8 MS. GUTIERREZ: No, Your Honor.</p> <p>9 THE COURT: They're not being moved into</p> <p>10 evidence at this time. But they have been marked and</p> <p>11 properly identified as State's Exhibit's 37 and 38.</p> <p>12 MR. URICK: I'd ask the witness at this time</p> <p>13 to replace the remaining items back in the large bag</p> <p>14 which I'm not going to do anything further with it at</p> <p>15 this time.</p> <p>16 Witness with the defense.</p> <p>17 THE COURT: Very well.</p> <p>18 CROSS-EXAMINATION</p> <p>19 BY MS. GUTIERREZ:</p> <p>20 Q. Mr. Obot, you identified --</p> <p>21 MS. GUTIERREZ: Can I see those two pictures.</p> <p>22 I think it's 36-A and B?</p> <p>23 Thank you.</p> <p>24 BY MS. GUTIERREZ:</p> <p>25 Q. You identified State's Exhibit 36-A and B, do</p>

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<p>1 you recall? Sir?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Now I'm going to try to -- if you</p> <p>4 would look at the one that you described as 36-A, which</p> <p>5 shows the hands of someone else in the picture?</p> <p>6 A. Yes.</p> <p>7 Q. And that's on a bookshelf?</p> <p>8 A. Yes.</p> <p>9 Q. And that location of the hands on the</p> <p>10 picture, did they belong to the detective?</p> <p>11 A. Likely, it's one of the detective. There</p> <p>12 were three detectives at the scene.</p> <p>13 Q. At the scene? And there's nothing unusual</p> <p>14 about that is there?</p> <p>15 A. They just doing a search and seizure, but</p> <p>16 that's normal thing that we're doing.</p> <p>17 Q. Well, sir, you were called to the scene by</p> <p>18 the detectives, were you not?</p> <p>19 A. Yes.</p> <p>20 Q. And you understood that what you were</p> <p>21 processing was a scene, the search of which had been</p> <p>22 allowed pursuant to a search warrant?</p> <p>23 A. That is what I'm -- I don't really question</p> <p>24 what I'm --</p> <p>25 Q. You're just --</p>	<p>1 A. From the onset of the case?</p> <p>2 Q. At any time, sir, prior to that day, had you</p> <p>3 been involved in the investigation of the crime to</p> <p>4 which this CC Number was designated, yes or no?</p> <p>5 A. No.</p> <p>6 Q. Okay. And that's not unusual, is it?</p> <p>7 A. Well, it's not unusual.</p> <p>8 Q. Well, you're not a police officer, are you?</p> <p>9 A. I'm from the crime lab mobile unit.</p> <p>10 Q. And you're not a detective, are you?</p> <p>11 A. No.</p> <p>12 Q. You would not ordinarily be involved in the</p> <p>13 investigation of the case that led you to the scene</p> <p>14 which you were called to process evidence; correct?</p> <p>15 A. I -- I have to respond to the scene if -- if</p> <p>16 I'm requested.</p> <p>17 Q. I understand that. And you always respond</p> <p>18 when you're requested; right?</p> <p>19 A. Yes.</p> <p>20 Q. But you don't investigate the crime that's</p> <p>21 the basis of why you're at any particular location?</p> <p>22 A. My primary function is to respond, process a</p> <p>23 crime scene, recover evidence.</p> <p>24 Q. All right.</p> <p>25 A. I don't -- I don't, you know, investigate the</p>
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<p>1 A. -- requested at the scene. I just respond to</p> <p>2 the scene.</p> <p>3 Q. Okay. And when you respond to a scene</p> <p>4 regardless of how it is, the lawful authority be there</p> <p>5 as obtained, sir, you process evidence, do you not?</p> <p>6 A. Yes.</p> <p>7 Q. And it is not unusual at a crime scene that</p> <p>8 you are called to have the detectives who are the</p> <p>9 primary detectives for that crime to be there at the</p> <p>10 scene, is it?</p> <p>11 A. The primary detective -- we always respond --</p> <p>12 respond to who is there as far as our request is --</p> <p>13 Q. I'm not asking that, sir. I'm just asking</p> <p>14 you it's not unusual for the primary detective in a</p> <p>15 crime to be there at a scene you are called to process?</p> <p>16 A. Depending.</p> <p>17 Q. Okay. So it's not unusual is it?</p> <p>18 A. Indeed it depends on what the situation is.</p> <p>19 Q. Okay. Now, sir, prior to that day -- and the</p> <p>20 date of you took these pictures is when?</p> <p>21 A. I responded down there on the 3-20-99.</p> <p>22 Q. 3-20, that's March the 20th, 1999?</p> <p>23 A. Yes.</p> <p>24 Q. And, sir, you had not been involved in the</p> <p>25 investigation of the case, had you?</p>	<p>1 crime scene.</p> <p>2 Q. And you don't do any investigative process;</p> <p>3 correct?</p> <p>4 A. No.</p> <p>5 Q. Now it's not unusual --</p> <p>6 THE COURT: Can counsel slow down just a</p> <p>7 little bit?</p> <p>8 MS. GUTIERREZ: Yes.</p> <p>9 THE COURT: Ms. Gutierrez, I understand</p> <p>10 you're trying to move along. But I got to ask you not</p> <p>11 to answer while the witness --</p> <p>12 MS. GUTIERREZ: Judge, I'm sorry.</p> <p>13 THE COURT: Because Mr. Madden, remember,</p> <p>14 this is not recorded.</p> <p>15 MS. GUTIERREZ: All right. Yes.</p> <p>16 THE COURT: And it's not video so if two</p> <p>17 people talk at the same time, I don't know how he</p> <p>18 manages to get that down. But --</p> <p>19 MS. GUTIERREZ: I'll try to remember that,</p> <p>20 Judge.</p> <p>21 THE COURT: Thank you. You may continue.</p> <p>22 BY MS. GUTIERREZ:</p> <p>23 Q. In the picture that I'm having you look at,</p> <p>24 the picture clearly shows the textbook that you were</p> <p>25 asked to look at on the shelf; is that correct?</p>

1 A. Yes.

2 Q. You, of course, had no idea the significance
3 of that textbook, did you?

4 A. I -- I do not, you know, investigate, you
5 know, at the crime scene. I -- I'm just there to
6 process the crime scene, recover the evidence and turn
7 it in. I don't investigate what, you know, the
8 detectives -- that's the job of the detectives.

9 Q. Sir, just listen to my questions. They're
10 very simple and they really only call for yes or no.

11 MR. URICK: Objection.

12 THE COURT: Sustained.

13 Ms. Gutierrez, I understand you're
14 indication. The -- officer or technician, what
15 we need you to do is just listen to her -- her
16 question. And if you can answer, yes or no, yes or no
17 is fine.

18 Just listen to her question. As she's
19 indicated and just indicate yes or no. And that will
20 be very helpful to us.

21 THE WITNESS: Okay.

22 THE COURT: And if you would not direct the
23 witness but if the witness has a problem answering your
24 question, I'll be happy to assist you.

25 MS. GUTIERREZ: Thank you, Judge.

1 THE COURT: Very well.

2 BY MS. GUTIERREZ:

3 Q. Technician Obot, the photographs shows a
4 textbook with the name of "Perceptions" on it in 36-A,
5 does it not?

6 A. Yes.

7 Q. And, sir, you didn't determine that that
8 textbook had some significance to the crime that had
9 the CC Number assigned that you've indicated, did you?

10 A. No.

11 Q. You didn't determine yourself from anything
12 you did on that scene that gave significance to this
13 textbook, did you?

14 A. No.

15 Q. And, in fact, the detectives were already at
16 the scene when you arrived, were they not?

17 A. No.

18 Q. You waited for them?

19 A. No. We all drove, you know, up there to the
20 scene.

21 Q. With the detectives?

22 A. Yes.

23 Q. So you all arrived at one time; is that
24 correct?

25 A. Yes.

1 Q. And, in fact, it was the detectives that
2 directed your energy to recover certain pieces of
3 evidence, was it not?

4 A. yes.

5 Q. And in -- other pieces of evidence that
6 you've identified from this bag, were, for instance,
7 shoes, do you recall that?

8 A. Yes.

9 Q. And those shoes, you said, were taken from
10 the basement; isn't that correct?

11 A. Yes.

12 Q. Did you go search for the shoes or were the
13 shoes existence brought to your attention by one of the
14 detectives?

15 A. By the detective.

16 Q. Okay. And you, of course, because you had
17 not been involved in the investigation, had no idea as
18 to the significance of the shoes; is that correct?

19 A. Yes.

20 Q. Just like you had no idea of any significance
21 of the textbook; correct?

22 A. Yes.

23 Q. Which you then recovered at their direction;
24 correct?

25 A. Yes.

1 Q. And you photographed it at their direction
2 because they thought it was significant; correct?

3 A. Yes.

4 Q. Not because you independently wanted a
5 picture of it?

6 A. At their own direction.

7 Q. Okay. And not because you yourself decided
8 that this textbook in this bookcase had some
9 significant bearing to the crime to which that CC
10 Number was assigned --

11 A. Yes.

12 Q. Correct? And you, sir, photographed the
13 inside papers inside the textbook again at the
14 direction of one of the detectives?

15 A. Yes.

16 Q. And do you recall which detective it was that
17 brought that to your attention?

18 A. I couldn't tell. This been over a year.

19 Q. Okay. And that's why you make a report of
20 what you did and saw and what you processed; correct?

21 A. Yes.

22 Q. Now, one of the questions you were asked
23 Technician Obot was the stuff in the bag in
24 substantially the same condition as when you packaged
25 it that way, do you recall that?

<p style="text-align: right;">Page 195</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And you answered yes; correct? And</p> <p>3 you had an opportunity to look at all that evidence;</p> <p>4 correct?</p> <p>5 A. Yes.</p> <p>6 Q. Now, sir, after you handled it you are aware</p> <p>7 that evidence, based on your handwritten notes and</p> <p>8 assignment goes into the control of the Evidence</p> <p>9 Control Unit, does it not?</p> <p>10 A. Yes.</p> <p>11 Q. ECU. And that's part of the Baltimore City</p> <p>12 Police Department; is it not?</p> <p>13 A. Yes.</p> <p>14 Q. And it is kept in a locked facility inside</p> <p>15 the Baltimore City Police Department; correct?</p> <p>16 A. Yes.</p> <p>17 Q. And there are various proscribed forms to</p> <p>18 make sure that the same evidence that you marked from a</p> <p>19 place that you were designated to see to a scene</p> <p>20 remains intact; is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. In order to get something in Evidence</p> <p>23 Control, the person, a designated person, has to fill</p> <p>24 out certain designated forms; correct?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 196</p> <p>1 Q. And from looking at what you looked at as you</p> <p>2 were instructed to do by Mr. Urick, you, of course,</p> <p>3 can't tell us to what analysis any of those items of</p> <p>4 evidence have been subjected, can you?</p> <p>5 A. I couldn't tell you that.</p> <p>6 Q. No. Because that's not what you do; correct?</p> <p>7 A. Yes.</p> <p>8 Q. And nobody checks with you before they touch</p> <p>9 a piece of evidence that's been designated to you as</p> <p>10 having some significance in the investigation of a</p> <p>11 crime --</p> <p>12 A. Yes.</p> <p>13 Q. Is that correct?</p> <p>14 MS. GUTIERREZ: I have nothing further,</p> <p>15 Judge.</p> <p>16 THE COURT: Thank you.</p> <p>17 Any redirect?</p> <p>18 REDIRECT EXAMINATION</p> <p>19 BY MR. URICK:</p> <p>20 Q. And that evidence is over in Evidence Control</p> <p>21 where it's available should any defense count --</p> <p>22 defense counsel wish to request any analysis to be done</p> <p>23 --</p> <p>24 MS. GUTIERREZ: Objection.</p> <p>25 THE COURT: Sustained.</p>
<p style="text-align: right;">Page 196</p> <p>1 Q. And in order to get something out of Evidence</p> <p>2 Control, other forms have to be completed by the person</p> <p>3 who's entitled to get out that evidence; correct?</p> <p>4 A. Yes.</p> <p>5 Q. You don't have any control over that;</p> <p>6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. And you have no knowledge of whether or not a</p> <p>9 piece of evidence that you gathered up on the 20th of</p> <p>10 March was, in fact, taken out of Evidence Control by</p> <p>11 any other person?</p> <p>12 A. I don't have the knowledge of it.</p> <p>13 Q. Nobody would have to consult with you;</p> <p>14 correct?</p> <p>15 A. No.</p> <p>16 Q. But to your general knowledge, as a member of</p> <p>17 doing crime scene processing, you are aware that often</p> <p>18 pieces of evidence that you procure and process at a</p> <p>19 scene where you are designated to go is often pulled</p> <p>20 out of Evidence Control to be analyzed by people</p> <p>21 empowered to analyze it, are you not?</p> <p>22 A. Yes.</p> <p>23 Q. And that's in the ordinary course of</p> <p>24 business; isn't that correct?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 198</p> <p>1 MS. GUTIERREZ: Request a curative</p> <p>2 instruction regarding the burden.</p> <p>3 THE COURT: Not necessary.</p> <p>4 Anything further?</p> <p>5 MR. URICK: No. Thank you.</p> <p>6 THE COURT: Very well.</p> <p>7 You are --</p> <p>8 Can this witness be excuse?</p> <p>9 MR. URICK: Yes.</p> <p>10 THE COURT: Is this one of those witnesses</p> <p>11 you'd like to hold onto?</p> <p>12 MS. GUTIERREZ: No, Judge.</p> <p>13 THE COURT: Very well.</p> <p>14 You are excused, sir.</p> <p>15 (The witness was excused.)</p> <p>16 MR. URICK: With the Court's permission, I'd</p> <p>17 like to get one more witness in.</p> <p>18 THE COURT: Yes. I think there's --</p> <p>19 MR. URICK: This witness is unavailable for</p> <p>20 the next two days that's why I wanted to put him on</p> <p>21 now.</p> <p>22 THE COURT: Why didn't you put him on first?</p> <p>23 How long do you think this will be?</p> <p>24 MR. URICK: He should be fairly short.</p> <p>25 THE COURT: When you say fairly short, how</p>