

1 you following the same procedure, 9:00 a.m. to Jury
2 Commissioner, 9:30 in the jury room.

3 All right. We're going to proceed with this
4 case this morning.

5 Counsel, I understand your first witness -- oh,
6 very well. I'm told the Jury Commissioner's office said
7 12:30 to 1:30 on Monday -- 12:30 to 1:30 on Monday. You
8 can arrive there and be paid, and then because I'm asking
9 you to be in my jury room by 1:30, obviously, I'd ask you
10 to make sure you get over there in time. They'll be
11 expecting the 17 of you to arrive somewhere between 12:30
12 and 1:30.

13 All right. Ms. Murphy, I understand you have a
14 witness this morning?

15 MS. MURPHY: Yes, Your Honor. At this time the
16 State calls Young Lee.

17 THE COURT: Okay. If we can have Young Lee
18 come in? Thank you.

19 (Pause.)

20 THE COURT: If you would approach the witness
21 stand, raise your right hand, remain standing, while the
22 Clerk gives you the oath.

23 Whereupon,

24 YOUNG LEE,

25 a witness produced on call of the State, having first

1 been duly sworn, was examined and testified as follows:

2 THE CLERK: You may be seated. Please keep

3 your voice up, state your name and address for the

4 record?

5 THE WITNESS: My name is Young Lee, and my

6 address is [REDACTED] Baltimore, Maryland

7 21207.

8 THE COURT: All right.

9 DIRECT EXAMINATION

10 BY MR. MURPHY:

11 Q. Mr. Lee, good morning.

12 A. Good morning.

13 MS. MURPHY: Your Honor, at this time the State

14 would offer into evidence State's Exhibit 31. This is a

15 certified copy of the business record of AT&T Wireless

16 showing the defendant's cell phone records for January

17 11th through 13th. We're entering this by way of

18 stipulation.

19 THE COURT: All right. And that number again

20 is?

21 MS. MURPHY: 31, Your Honor.

22 THE COURT: Exhibit 31.

23 Any objections?

24 MS. GUTIERREZ: No, Your Honor.

25 THE COURT: Let it be admitted under

1 stipulation.

2 (State's Exhibit No. 31,
3 having previously been
4 marked for identifi-
5 cation, was received in
6 evidence.)

7 THE COURT: And ladies and gentlemen, during
8 the preliminary remarks I indicated to you that on
9 occasion there would be bits of evidence that would come
10 in through a stipulation. What that means is that both
11 counsel agree that this item should be admitted into
12 evidence, so that the normal rules of identifying,
13 authenticating an item or moving it into evidence in any
14 other fashion do not apply.

15 Both counsel have agreed that it may be
16 admitted for your consideration and so Exhibit Number 31
17 is admitted in that fashion. We call it a stipulation.
18 I also understand that Ms. Murphy has some documents that
19 she would like to identify.

20 Could you do that, please?

21 MS. MURPHY: Thank you, Your Honor.

22 At this time, I would like to disseminate to
23 the jurors copies of those cell phone records for their
24 use in taking notes as witnesses testify and identify
25 portions of those records.

1 THE COURT: All right. Very well.

2 MS. GUTIERREZ: May we approach the bench?

3 THE COURT: I think I know what you're going to
4 say.

5 Ms. Murphy, you may pass them out for them to
6 use and follow. They may not take any notes on them.
7 They may not write on them in any way, and when that
8 witness is through, they will have to return those
9 exhibits to you.

10 Does that address your concerns?

11 MS. GUTIERREZ: That's part of it, but I had
12 another issue.

13 THE COURT: All right. Then you can come up.

14 (Counsel and the defendant approached the
15 bench, and the following ensued.)

16 MS. GUTIERREZ: Judge, my objection is based on
17 Ms. Murphy has identified those as the cell phone
18 records. They are not. They are not copies of the cell
19 phone records.

20 They contain information from the cell phone
21 records, but they have four other columns of information,
22 and several other columns that are not from the cell
23 phone records. They are from other records, so I think
24 it's a misidentification.

25 I don't want to create a situation where Ms.

1 Murphy gets up again and re-explains it, but --

2 THE COURT: Okay. I will clarify what it is
3 that she's using. Counsel, the concern is that there's
4 nothing wrong with you using a demonstrative aid, which
5 is, in a sense, a blow-up or copy of what you're putting
6 on the easel.

7 It's really so they can see better what it is
8 that you're doing. However, you keep -- it's not in
9 evidence, so you can't -- you can't identify what it is
10 as such. You can't say that this contains something
11 because in your description it is then, in a sense,
12 putting it in the minds of the jurors that it is, in
13 fact, what you purport it to be.

14 And you won't know that, and they won't know
15 that, until after all of your witnesses have testified
16 and identified the contents of the aid. Do you
17 understand my meaning?

18 MS. MURPHY: I do, Your Honor. This was
19 something we had addressed in our earlier correspondence,
20 and I thought this was cleared before we had begun
21 testimony. This entire second column cannot be provided
22 by a single witness.

23 THE COURT: I understand that.

24 MS. MURPHY: So, --

25 THE COURT: There's nothing wrong with you

1 having a witness identify those parts of the document
2 that they can identify. But until it's completely filled
3 in, so to speak, you cannot call it anything other than -
4 -

5 MS. MURPHY: I understand that --

6 THE COURT: -- the exhibit number.

7 MS. MURPHY: -- and I apologize, although this
8 does incorporate in most of the cell phone record, and
9 witnesses will be identifying the two columns that are
10 not included.

11 THE COURT: That's fine.

12 MS. MURPHY: But my point is that what we hope
13 to do is allow the jurors to retain this and note from
14 the testimony the portions that are not provided because,
15 ultimately, when we offer this exhibit, it's going to be
16 a compilation of many witnesses' testimony.

17 THE COURT: I understand that, but I cannot
18 allow the jurors to keep this document because it's not
19 in evidence. Now, if you want to collect them, have them
20 put their juror numbers on it, and when the next witness
21 comes up I'll give them back the same sheet they had.

22 MS. MURPHY: Your Honor, I --

23 THE COURT: Do you follow me? Whatever notes
24 they put on are not an accurate depiction of what you're
25 putting on the chart, --

1 MS. MURPHY: Right.

2 THE COURT: -- and should not replace the

3 exhibit itself when and if it comes into evidence at some

4 time.

5 MS. MURPHY: That's --

6 THE COURT: So I can put their number on it --

7 MS. MURPHY: Okay. And they can make

8 notations.

9 THE COURT: Right. That would be the same

10 practice as if you had a trial book for each of them --

11 MS. MURPHY: Right.

12 THE COURT: -- and they would be given back

13 their own trial book.

14 MS. MURPHY: That's fine; that's fine.

15 THE COURT: But I can put their numbers on it,

16 but they -- I can't allow it to stay with them.

17 MS. MURPHY: That's fine. I don't have any

18 problem with that.

19 THE COURT: Okay?

20 MS. MURPHY: And we do intend, as witnesses

21 testify, to fill in on our blow-up --

22 THE COURT: We'll let them -- they -- I will

23 then modify my ruling. They can mark on their identified

24 copy --

25 MS. MURPHY: Okay.

1 THE COURT: -- but they will have to give it
2 back when the witness finishes testifying.
3 MS. MURPHY: Okay.
4 THE COURT: And they will not be permitted to
5 take it into the --
6 MS. MURPHY: That's fine. I don't have any
7 problem with that, Your Honor.
8 THE COURT: Any problem with that?
9 MS. GUTIERREZ: No.
10 MR. URICK: No.
11 THE COURT: And again, the purpose of doing
12 that is so that the item that actually comes into
13 evidence is the exhibit itself.
14 MS. MURPHY: Okay.
15 THE COURT: And not something else.
16 MS. MURPHY: That's not a problem.
17 THE COURT: All right?
18 Very well. Thank you.
19 MS. MURPHY: And does the Court then have a
20 problem with me marking on the exhibit as the witnesses
21 testify?
22 THE COURT: Well, the witness is not marking on
23 it, that's fine. Doesn't matter to me.
24 MS. MURPHY: Okay.
25 THE COURT: As long as the information

1 contained is coming from the witness and not from you.

2 MS. MURPHY: Right.

3 MS. GUTIERREZ: Thank you.

4 (Counsel and the defendant returned to the
5 trial tables, and the following ensued.)

6 THE COURT: Ladies and gentlemen, as Ms. Murphy
7 gets set up, and a counsel return to their places, let me
8 explain the procedure we're gonna follow.

9 Ms. Murphy has in her hands a copy of what is
10 going to be placed on the easel. It's for your ready
11 reference to follow along with the witness's testimony.
12 I'd ask that when you receive this copy that you put your
13 juror number on it somewhere in plain view.

14 If you're Juror Number 1, maybe in the upper
15 right hand corner put Juror 1. If you are Alternate 1,
16 put Alt. 1, or write out Alternate 1. If any other
17 witness testifies and uses this exhibit that's on the
18 easel, we will return your sheet to you so you can make
19 little notes on it.

20 However, your little sheet is not the evidence.
21 The evidence is what may be evidence on the easel. Right
22 now it's just a demonstrative aid, it hasn't been moved
23 into evidence. It's just been identified. But this copy
24 is being given to you so that you can see it a little
25 easier than looking as far as the easel, far away at the

1 easel.

2 In order to return it to you at a later time,
3 we need your juror number in the upper right-hand corner.
4 And I would note that the item that you have will be
5 referred to as Exhibit Number --

6 MS. MURPHY: 34, Your Honor.

7 THE COURT: -- 34 for identification purposes
8 at this time only. Exhibit number 34.

9 All right. Now, we may proceed.

10 MS. MURPHY: Thank you, Your Honor.

11 BY MS. MURPHY:

12 Q. Mr. Lee, good morning again.

13 A. Good morning.

14 Q. I'll ask you to keep your voice up nice and
15 loud so the jury can hear you.

16 A. Okay.

17 Q. How old are you?

18 A. I'm 17.

19 Q. And where do you attend school?

20 A. At Millford Mill Academy.

21 Q. Do you know the victim, Hae Min Lee?

22 A. Yes.

23 Q. How do you know her?

24 A. She's my sister.

25 Q. And did you live with Hae Min Lee until January

1 of 1999?

2 A. Yes, I did.

3 Q. And in January of 1999, you were how old?

4 A. In 1999 I would be 16.

5 Q. And how old was your sister, Hae Min Lee?

6 A. 18.

7 Q. Who else lived with you at that point in time?

8 A. My grandparents, my two cousins.

9 Q. I'm gonna ask you to remember back to January

10 13th of 1999. Do you remember that day?

11 A. Yes.

12 Q. Why don't you tell us what happened that day,

13 beginning with the time you got home from school?

14 A. After I got home from school, later I got a

15 call from my cousin's school asking us to pick her up

16 from the school. This was unusual because my sister was

17 supposed to pick her up every day from my cousin's

18 school.

19 Q. How old is your cousin?

20 A. I believe she was six.

21 Q. So she's quite young?

22 A. Yes.

23 Q. What time would your sister have normally

24 picked her up?

25 A. Around three o'clock, or 3:15.

1 Q. What, if anything, did you do?

2 A. I called my grandfather so that he can go to
3 the school and pick her up, and the time passed. My mom
4 met -- my grandmother called my mom that she was worried
5 about her, and my mom told me to call her at work place
6 to see if she was there?

7 Q. Where was your sister working?

8 A. She was working at LensCrafters in Owings
9 Mills.

10 Q. And was she at LensCrafters?

11 A. She wasn't.

12 Q. Okay. Did there come a time when you or your
13 family notified the police?

14 A. Yes, our mom got real worried and asked me to
15 call the police.

16 Q. Do you know about what time that was?

17 A. Around 6:00, I believe.

18 Q. What, if anything, did you personally do?

19 A. First I called the police, then I looked around
20 the house to look for her friends' phone numbers and
21 such.

22 Q. Where did you find numbers? Where did you
23 look?

24 A. First I looked in her room, then I found her
25 diary where I got the -- where I found the phone numbers.

1 Q. Okay. Did you make any calls based on the
2 numbers you found?

3 A. No.

4 Q. Did you end up calling any of your sister's
5 friends?

6 A. Yes, I did.

7 Q. Who did you call?

8 A. First I called Aisha, then I called Adnan.

9 Q. Okay. How did you get Adnan's phone number?

10 A. It was in the diary.

11 Q. What happened when you called him?

12 A. When I rang up the phone number it says, at the
13 top, there was a phone number, at the bottom it says Don
14 written over the sheet. So when I called the number I
15 said I was calling Don, but after talking for a while I
16 realized that it was Adnan.

17 Q. How did you realize it was Adnan?

18 A. I recognized his voice.

19 Q. What was your conversation about?

20 A. It was about my sister, if he knew where she
21 was, or where she could be.

22 Q. And did he say whether he knew where she was?

23 A. No.

24 Q. How long do you think that conversation lasted?

25 A. Two or three minutes.

1 Q. Did you know who Adnan was prior to that day?
2 A. Yes.
3 Q. Had you ever met him?
4 A. Yes.
5 Q. When did you meet him?
6 A. I first met him at my mom's store, then I met
7 him at the mall.
8 Q. Were you aware that your sister had dated him?
9 A. Yes.
10 Q. Had you ever spoken with him before that day?
11 A. Yes, I did.
12 Q. Had Adnan ever called your house prior to
13 January of 1999?
14 A. Yes, he did.
15 Q. Aside from you, are any other members of your
16 household fluent in English?
17 A. No.
18 Q. Is it fair to say that you would normally
19 answer the phone?
20 A. Uh-huh.
21 Q. To your knowledge, did Adnan ever call your
22 house after that day?
23 A. No.
24 Q. Now, the person you've been describing, Adnan,
25 is he present here today?

1 A. Yes.

2 Q. Could you identify him for the jury, please?

3 A. He's sitting right over in front of me.

4 THE COURT: Indicating the defendant for the

5 record.

6 MS. MURPHY: Thank you, Your Honor. May I

7 approach the witness?

8 THE COURT: Yes, you may.

9 BY MS. MURPHY:

10 Q. Mr. Lee, I'm showing you what's been marked for

11 identification as State's Exhibit 1. Do you recognize

12 this photograph?

13 A. Yes.

14 Q. What does it show?

15 A. It's a picture of my sister at her junior prom.

16 Q. Do you know when this picture was taken?

17 A. At the junior prom in her junior year, I don't

18 know for sure.

19 Q. And is it fair to say her junior year would be

20 1998?

21 A. Yes.

22 Q. Is that a fair and accurate depiction of your

23 sister?

24 A. Yes, it is.

25 MS. MURPHY: Your Honor, at this time, I'd

1 offer State's Exhibit 1.

2 THE COURT: Any objection?

3 MS. GUTIERREZ: No, Your Honor.

4 THE COURT: Let it be admitted as State's 1.

5 (State's Exhibit No. 1,
6 having previously been
7 marked for identifica-
8 tion, was received in
9 evidence.)

10 BY MS. MURPHY:

11 Q. Mr. Lee, I'll also show you what's been marked
12 as State's Exhibit 2. Take a look at this item and see
13 if you recognize it?

14 A. It's my sister's diary.

15 Q. Have you ever seen this before?

16 A. Yes.

17 Q. Where did you see it?

18 A. In her room.

19 Q. Okay. Now, open the pages. Do you recognize
20 the handwriting in this book?

21 A. Uh-huh.

22 Q. Who's is it?

23 A. My sister's.

24 Q. Okay. Had you actually read this item before
25 today?

1 Q. Okay. Can you read the phone number out loud,
2 please?

3 A. There is two area codes, there's 410, and
4 there's 443 253- [REDACTED]

5 Q. Is that the number you called on January 13th?

6 A. Yes, it is.

7 Q. Thank you.

8 THE COURT: Can I ask that you put one of those
9 little tabs -- can you put perhaps a sign up so there's
10 no confusion? Just take a pair of scissors, just so
11 there's no confusion. I don't want anybody to write on
12 them.

13 MS. MURPHY: Put the --

14 THE COURT: That will leave an arrow so it's
15 clear what page the witness is referencing.

16 (Pause.)

17 MS. MURPHY: Thank you, Your Honor.

18 THE COURT: Thank you.

19 MS. MURPHY: Thank you, Your Honor.

20 THE COURT: You're welcome. And could you pass
21 that this way.

22 Thank you. You may continue.

23 MS. MURPHY: Thank you, Your Honor.

24 May I approach the witness again?

25 THE COURT: Yes, you may.

1 BY MS. MURPHY:

2 Q. Mr. Lee, I'll show you what's in evidence as
3 State's Exhibit 12. It has four photographs. Do you
4 recognize -- I'll ask you to focus on the bottom two
5 photographs. Do you recognize what's in those pictures?

6 A. Yes.

7 Q. Can you identify it, please?

8 A. This is my sister's car, a Nissan Sentra.

9 Q. Okay.

10 Q. I'll also show you what's been premarked as
11 State's Exhibit 13. It shows three photographs. Can you
12 identify what's in those photographs?

13 A. This is my t-shirt I used to wear.

14 Q. Okay. In the photograph on the left here, what
15 area does that show?

16 A. It shows the driver's seat where the t-shirt
17 is.

18 Q. Okay. In the driver's seat of what?

19 A. The driver's seat -- the edges between the
20 bottom seat and --

21 Q. I mean of whose car?

22 A. My sister's car.

23 Q. Okay. Now, this t-shirt that you've
24 identified, was it in your possession in January of 1999?

25 A. No, it wasn't.

1 Q. Who had that shirt?

2 A. My sister.

3 Q. And how do you know that?

4 A. Because I had seen it when I -- when she gave

5 me a ride to school or something.

6 Q. Okay. You saw it in her car?

7 A. Yes.

8 Q. Okay. Why was the shirt in her car?

9 A. To be used as a cloth to wipe off windshields

10 and stuff like that.

11 Q. Okay. As a rag, basically?

12 A. Yes.

13 Q. Where did she keep the shirt in her car?

14 A. She kept it on the right side of the door, the

15 driver's door at the bottom, where the map is placed.

16 Q. Okay. Now, in these photographs you can see

17 there is something on the shirt.

18 A. Yes.

19 Q. Was that there when you last saw the shirt?

20 A. No, it wasn't.

21 Q. Aside from those markings, do these pictures

22 fairly and accurately depict the shirt and your sister's

23 car?

24 A. Yes, it does.

25 Q. Thank you.

1 MS. MURPHY: Your Honor, at this time I would
2 offer State's Exhibit 13.

3 THE COURT: Any objections?

4 MS. GUTIERREZ: No.

5 THE COURT: Let is be admitted.

6 (State's Exhibit No. 13,
7 having previously been
8 marked for identifica-
9 tion, was received in
10 evidence.)

11 THE COURT: Can you tell me how many
12 photographs that are on that exhibit?

13 MS. MURPHY: Three photographs, Your Honor.

14 THE COURT: All right. For the record, let the
15 record reflect that the Exhibit is a cluster of three
16 photographs.

17 BY MS. MURPHY:

18 Q. Mr. Lee, was there a time when your family
19 lived in California?

20 A. Yes.

21 Q. When was that?

22 A. It was when I was in eighth grade, so it would
23 have been around '97.

24 Q. And who were you living with in California?

25 A. I lived with my sister, my mom, and her fiance.

1 Q. How long did you stay in California?

2 A. A few months.

3 Q. And when you say "fiance," are you referring to

4 your mother's fiance?

5 A. Yes.

6 Q. And when did you return to Maryland?

7 A. It wasn't that long, it was quick. We were

8 there for, like, few months and came back.

9 Q. Did your sister ever discuss with you or your

10 family returning to California?

11 A. No, she didn't.

12 Q. Is that something you felt she may have done?

13 MS. GUTIERREZ: Objection.

14 THE COURT: Sustained as to formed. You may

15 restate the question or lay a foundation for his

16 knowledge.

17 MS. MURPHY: Thank you, Your Honor.

18 BY MS. MURPHY:

19 Q. Were either you or your sister particularly

20 close with the gentleman you were living with in

21 California?

22 A. No, we weren't.

23 Q. Is there any reason, to your knowledge, that

24 your sister would have returned to that area?

25 MS. GUTIERREZ: Objection.

1 THE COURT: Overruled.

2 THE WITNESS: No, she wouldn't have.

3 BY MS. MURPHY:

4 Q. Mr. Lee, did you ever see your sister again?

5 A. No.

6 Q. Did there come a time in February when you

7 learned what happened to your sister?

8 A. Yes.

9 Q. Can you tell us what happened?

10 A. I was --

11 MS. GUTIERREZ: Objection.

12 THE COURT: Sustained. You cannot answer the

13 question. The question is general in nature, and so,

14 therefore, your way of finding out an answer could mean

15 you could tell us anything, so I've sustained it. That

16 means you can't answer and the attorney may ask -- reask

17 the question.

18 BY MS. MURPHY:

19 Q. Who informed you of what happened to your

20 sister?

21 A. Well, my uncle did.

22 Q. And how did your uncle know?

23 MS. GUTIERREZ: Objection.

24 THE COURT: Sustained.

25 BY MS. MURPHY:

1 Q. If you know --
2 MS. GUTIERREZ: Objection.
3 THE COURT: Sustained.
4 BY MS. MURPHY:
5 Q. Can you describe that day?
6 A. I was --
7 MS. GUTIERREZ: Objection.
8 THE COURT: Sustained.
9 MS. MURPHY: Well, Your Honor, I was asking the
10 witness for his personal experience.
11 THE COURT: But you haven't identified a time
12 period. You just said "describe that day." That was
13 your question.
14 BY MS. MURPHY:
15 Q. Was that a school day?
16 A. Yes, it was.
17 Q. At what point in the day did you learn what
18 happened?
19 A. It was around the afternoon.
20 Q. When you got home?
21 A. Yes.
22 Q. Who was at the house?
23 A. All my family members, my mom, my uncle, and my
24 grandparents.
25 Q. Can you describe what happened when you got

1 home?

2 A. I got home and everybody was crying. I didn't
3 know what happened. My uncle came up to me and told me.

4 MS. GUTIERREZ: Objection.

5 THE COURT: Sustained.

6 MS. MURPHY: I have no other questions, Your
7 Honor. Thank you. Oh. I'm sorry, Your Honor.

8 THE COURT: That's all right.

9 MS. MURPHY: After making a big point of
10 passing this out --

11 THE COURT: I was going to say, we have an
12 exhibit in front of us.

13 MS. MURPHY: May I approach the witness?

14 THE COURT: You may.

15 BY MS. MURPHY:

16 Q. Mr. Lee, I'll show you what's been marked for
17 identification as State's Exhibit 34. I'll ask you to
18 take a look at this document and see if you recognize
19 anything on that document?

20 A. I recognize my phone number.

21 Q. Where do you see your phone number?

22 A. At the bottom.

23 Q. Can you identify it by the call number shown in
24 the first column?

25 A. Call Number 33 and 34.

1 Q. And those are the numbers of your home
2 residence?

3 A. Yes.

4 Q. Thank you.

5 MS. MURPHY: May I mark the exhibit, Your
6 Honor?

7 THE COURT: Yes, you may, but I need your
8 assistance. Can you state what line you were referring
9 to? The call number is 33 and 34; is that right?

10 BY MS. MURPHY:

11 Q. Is that correct, Mr. Lee?

12 A. Yes, 33 and 34.

13 Q. Can you read the number aloud?

14 A. 410 602-██████.

15 MS. MURPHY: Thank you.

16 (Pause.)

17 THE COURT: For the record, Ms. Murphy has
18 noted the same location on her exhibit number, 34, the
19 call spaces is 33 and 34 at the bottom of the exhibit.
20 She's done so with -- is that green highlighter or --

21 MS. MURPHY: A green marker, Your Honor.

22 THE COURT: A green marker. Very well. Any
23 further questions, Ms. Murphy?

24 MS. MURPHY: No, Your Honor. Thank you.

25 THE COURT: Witness with you, Ms. Gutierrez?

1 MS. GUTIERREZ: Thank you, Your Honor.

2 CROSS-EXAMINATION

3 BY MS. GUTIERREZ:

4 Q. Mr. Lee, did your sister have a cell phone?

5 A. No, she didn't.

6 Q. To your knowledge, she didn't?

7 A. She didn't.

8 Q. And did she have a pager?

9 A. Well, she used to.

10 Q. She used to have a pager?

11 A. Yes.

12 Q. And that would be how her friends would reach
13 her?

14 A. Yes.

15 Q. You observed that?

16 A. Yes.

17 Q. You knew that?

18 A. Uh-huh.

19 Q. And, sir, let me ask you about this number.

20 Did you receive that phone call that's indicated that
21 you've identified was made to your number at either 12:01
22 or 12:35 in the morning?

23 A. No.

24 Q. No. And your sister did receive phone calls at
25 her home, did she not?

1 A. Yes, she did.

2 Q. And many of them would come in late at night,
3 would they not?

4 A. Well, they used to, but my grandmother spoke to
5 her about it, now it was like --

6 Q. And then it sort of stopped?

7 A. Yes.

8 Q. Okay. Now, you said, Mr. Lee, you recognized
9 Adnan's voice?

10 A. Yes.

11 Q. Okay. And that's because you heard his voice
12 on a regular basis because he would call regularly to
13 speak to your sister?

14 A. Yes.

15 Q. And, when he would call, your sister would
16 speak to him, would she not?

17 A. Yes.

18 Q. And you were aware of what their relationship
19 was, were you not?

20 A. Yes, I was.

21 Q. The picture that you identified, Mr. Lee, was
22 of your sister at an event that you referred to as the
23 junior prom; is that correct?

24 A. Yes.

25 Q. That was the junior prom at Woodlawn Senior

1 High School, was it not?
2 A. Yes.
3 Q. And your sister attended that junior prom
4 because you saw her leave, did you not?
5 A. Yes.
6 Q. And she didn't get dressed at your house,
7 though, did she?
8 A. I believe she did.
9 Q. Do you recall that she, in fact, got dressed at
10 her friend's house?
11 A. I don't know that.
12 Q. Okay. You didn't attend --
13 A. No.
14 Q. -- the junior prom; correct?
15 A. No.
16 Q. You were aware that she attended that junior
17 prom, and, in fact, had pictures taken of her with a
18 date, are you not?
19 A. Yes.
20 Q. She had pictures wearing that same beautiful
21 blue dress; did she not?
22 A. Yes, yes.
23 Q. And her date for that junior prom was Adnan
24 Syed?
25 A. I don't know.

1 Q. Well, you've seen the pictures of her and Adnan
2 at that junior prom, have you not?

3 A. I think I did.

4 Q. Okay. Well, Mr. Lee, starting back at the
5 junior prom day, whenever that occurred, in the Spring of
6 1998, you were aware that your sister maintained a
7 relationship as a girlfriend/boyfriend with Adnan Syed?

8 A. Yes.

9 Q. And during that entire period, there were lots
10 of times when he called at the house?

11 A. Yes.

12 Q. And that she spoke to him?

13 A. Uh-huh.

14 Q. And you are aware, now, her sister got her
15 license, I believe, in September of 1998?

16 A. I'm not so sure?

17 Q. Okay. Just a couple of months before she
18 disappeared?

19 A. Yes.

20 Q. Okay. And that you were aware that, in
21 addition to phone calls between the two of them, that
22 they saw each other?

23 A. Yes.

24 Q. And that they went to school together?

25 A. Yes.

1 Q. And that they shared the bulk of their classes
2 together?

3 A. I didn't know that.

4 Q. Okay. And you were aware, however, that they
5 considered each other very special?

6 A. Yes.

7 Q. Okay. And your mother was aware of that?

8 A. I believe.

9 Q. You believe so?

10 A. Yes.

11 Q. But you're not sure?

12 A. No.

13 Q. That's not something you and your mother
14 discussed?

15 A. We didn't discuss it.

16 Q. Okay. And where you met Adnan was at the store
17 that your family owns and works; is that correct?

18 A. Yes.

19 Q. And he came there with your sister?

20 A. No. He came alone.

21 Q. Alone. Okay. To the place that's your
22 family's store?

23 A. Yes.

24 Q. But you knew who he was, did you not?

25 A. Yes.

1 Q. Okay. Because you had previously met him?
2 A. Yeah.
3 Q. Correct?
4 A. Uh-huh.
5 Q. At the mall? Is that the Owings Mills Mall?
6 A. Yes.
7 Q. And, in fact, Owings Mills Mall is where your
8 sister works part-time at LensCrafters, is it not?
9 A. Yes.
10 Q. That particular LensCrafters?
11 A. Yes.
12 Q. Now, your cousin that lived with you that your
13 sister picked up every day, went to what school?
14 A. Camfield.
15 Q. Okay. And Camfield is not that far from
16 Woodlawn, is it?
17 A. Well, I guess it's kind of pretty far.
18 Q. How long would it take your sister to get from
19 Woodlawn to Camfield Elementary to pick up her cousin?
20 A. Probably like 15 to 20 minutes, I guess.
21 Q. Okay. And she did that every day, did she not?
22 A. Yes.
23 Q. Your cousin, who was then about six years old,
24 depended upon her, did she not?
25 A. Yes, she did.

1 Q. And your family depended upon her to do that
2 once she got her license and her car; correct?
3 A. Yes.
4 Q. And, in addition, so her schedule in the
5 afternoon right after school was constant, at least five
6 days a week; was it not?
7 A. Yes.
8 Q. And your sister was a very popular girl, was
9 she not?
10 A. I believe so.
11 Q. She had lots of friends, did she not?
12 A. Yes, she did.
13 Q. Many of those you knew by voice because they
14 called?
15 A. Yes.
16 Q. And because you heard her speak of their names?
17 A. Yes.
18 Q. And among those friends was an Aisha [REDACTED]
19 A. Yes.
20 Q. And among those friends was a Rebecca [REDACTED]
21 A. Not that I know of.
22 Q. Okay. Do you -- did you meet her friends?
23 A. I have met Aisha and Debbie.
24 Q. And Debbie. You never heard her speak of a
25 woman by the name of Stephanie [REDACTED] did you?

1 A. I do remember a first name Stephanie.

2 Q. A first name Stephanie. And what about a Jay?

3 Was that somebody who was one of her friends?

4 A. No, it wasn't.

5 Q. You never heard her mention the name Jay?

6 A. No.

7 Q. Or Jay Wilds?

8 A. No.

9 Q. Now, Mr. Lee, you spoke about the time that you

10 were in California with your family. You said that's

11 when you were in the eighth grade?

12 A. Yes.

13 Q. Okay. And what grade are you in now?

14 A. I am in 11th.

15 Q. 11th grade. So that was three years ago; is

16 that correct?

17 A. Yes.

18 Q. So that would have been the year that's '97 to

19 '98, or '96 to '97? I'm not trying to confuse you, Mr.

20 Lee.

21 A. Okay.

22 Q. Did you attend the eighth grade in California?

23 A. Yes.

24 Q. The entire year?

25 A. No.

1 Q. Just part of the year?

2 A. Yes.

3 Q. In fact, it was only the first part of the

4 year, was it not, the fall and beginning into the winter;

5 is that correct?

6 A. Yes.

7 Q. And then you and your family returned from

8 California back to Maryland; is that correct?

9 A. Yes.

10 Q. And that was because your mother's relationship

11 with her fiance changed?

12 A. Yes.

13 Q. Isn't that correct?

14 A. Yes.

15 Q. That was your mother's decision?

16 A. Yes.

17 Q. Now, Mr. Lee, you described that the man who

18 was her fiance was not someone with whom you had a

19 particularly close relationship?

20 A. Yes.

21 Q. Is that correct?

22 A. Yes.

23 Q. Your sister, however, had a closer relationship

24 with him than did you, did she not?

25 A. Well, I can't really say.

1 Q. She didn't speak about that with you, did she?
2 A. No.
3 Q. The issue of the relationship with this man who
4 was your mother's fiance was not the topic of a lot of
5 conversation, was it?
6 A. No.
7 Q. And neither you nor your sister objected to her
8 relationship with this man?
9 A. Well, we -- we just went along with it.
10 Q. That was up to your mother; correct?
11 A. Yes.
12 Q. And if your mother was going to marry this
13 fellow, that would have been fine with you?
14 A. Yes.
15 Q. Correct?
16 A. Yes.
17 Q. Even if it would have meant you stayed in
18 California?
19 A. Yes.
20 Q. Is that correct?
21 A. Yes.
22 Q. And your sister, were you aware that she
23 referred to this man to others as her dad?
24 A. I didn't know that.
25 Q. You weren't aware of that. Now, Mr. Lee, when

1 you came back with your sister and your mother from
2 California, did your mother maintain a relationship with
3 her fiance?

4 A. Excuse me?

5 Q. Did she -- did your mother --

6 A. Yes.

7 Q. -- maintain a relationship with your fiance?

8 A. I believe she broke it up.

9 Q. Okay. And so once you got back to Baltimore,
10 there really wasn't an active relationship that you could
11 observe?

12 A. Yes.

13 Q. And you no longer expected your mother to marry
14 this man?

15 A. Yes.

16 Q. And to your knowledge she didn't have any
17 continuing contact with him?

18 A. Yes.

19 Q. Would you be surprised, Mr. Lee, if, in fact,
20 your sister maintained a relationship with that man?

21 A. I would be surprised.

22 Q. You would be surprised. Because that was not
23 something that you discussed with your sister?

24 A. Yes.

25 Q. Okay. Now, Mr. Lee, when you came back from

1 California, your sister resumed her studies at Woodlawn;
2 correct?
3 A. Yes.
4 Q. She had been there prior to going to
5 California; correct?
6 A. Yes.
7 Q. And your sister was a very bright young woman,
8 was she not?
9 A. Yes, she was.
10 Q. She got very good grades, did she not?
11 A. Yes.
12 Q. And in addition to being a good student
13 academically, she was an athlete at the school, was she
14 not?
15 A. Yes, she was.
16 Q. She played a couple of different sports, did
17 she not?
18 A. Yes.
19 Q. And in addition to playing those sports she
20 managed other athletic teams to assist her classmates?
21 A. Yes.
22 Q. She, in fact, managed the wrestling team?
23 A. Yes.
24 Q. And she played, I believe, field hockey?
25 A. Yes.

1 Q. And she also played?
2 A. Lacrosse.
3 Q. Lacrosse. And she enjoyed her athletic
4 activities, did she not?
5 A. Yes, she did.
6 Q. And she was a star athlete, was she not?
7 A. Yes, she was.
8 Q. She got lots of recognition both for academics
9 and for her athletics, did she not?
10 A. Yes, she did.
11 Q. And, in fact, she was instrumental in pulling
12 together enough teammates in order to ensure the
13 formation of a field hockey team?
14 A. I didn't know about that?
15 Q. You didn't know about that. Now, you spoke,
16 Mr. Lee, that you had read her diary prior to her
17 disappearance on January 13th; is that correct?
18 A. Yes.
19 Q. You didn't read her diary because she allowed
20 you to read her diary?
21 A. No.
22 Q. You read it on your own?
23 A. Yes.
24 Q. And she found out that you read it?
25 A. Yes.

1 Q. You didn't go up and tell her and confess that
2 you had read it; right?

3 A. Oh, no.

4 Q. She independently found out that you read it
5 and she got very upset?

6 A. Yes.

7 Q. Okay. And from her diary you knew that there
8 were lots of things that she was keeping from you and
9 your mother, did you not?

10 A. Well, she didn't give a lot of depth.

11 Q. Well, the depth and activity in her
12 relationship with Mr. Syed?

13 A. Yes.

14 Q. Okay. And now, prior to your reading her
15 diary, were you -- did you or your mother or anyone in
16 your family express any objection to her having a
17 relationship with this man?

18 A. Um --

19 THE COURT: For the record, "this man is"?

20 MS. GUTIERREZ: Meaning Adnan Syed.

21 THE WITNESS: So, prior --

22 BY MS. GUTIERREZ:

23 Q. Yes, prior to your reading her diary -- now,
24 you read her diary prior to her disappearance; correct?

25 A. Yes.

1 Q. And was it during this early part of the school
2 year or before that?

3 A. I don't recall.

4 Q. Okay. But some time before her disappearance?

5 A. Yes.

6 Q. Prior to the time when you read her diary, had
7 you or anyone from your family expressed to her any
8 objection to her having a relationship with Adnan Syed?

9 A. Yes, because --

10 Q. Well, just, first of all, let me ask you a
11 question.

12 A. Yes.

13 Q. Who was it that expressed an objection?

14 A. It was my mom and --

15 Q. Your mother. And I assume, sir, when your
16 mother speaks to your sister, or spoke to your sister,
17 she spoke in her native tongue?

18 A. Yes.

19 Q. Okay. And what language is that?

20 A. Korean.

21 Q. Korean. And when she speaks to you; your
22 mother, that is, she speaks in Korean; correct?

23 A. Yes.

24 Q. Both you and your sister learned Korean from
25 birth; is that correct?

1 A. Yes.

2 Q. You were both born in Korea?

3 A. Yes.

4 Q. And how old were you when you immigrated here?

5 A. I was second grade.

6 Q. Okay. So you learned English following your

7 immigration here?

8 A. Yes.

9 Q. Okay. Through school?

10 A. Yes.

11 Q. But your mother still spoke to you and your

12 sister in Korean; is that correct?

13 A. Yes.

14 Q. So it was your mother that registered an

15 objection to her having a relationship with Adnan?

16 A. Yes.

17 Q. Now, Adnan was not your sister's first

18 boyfriend, was he?

19 A. Not that I know of.

20 Q. She had had a prior boyfriend even while she

21 was in California, did she not?

22 A. She -- I don't know.

23 Q. And she had had other boyfriends, to your

24 knowledge, after she returned here?

25 A. Yes.

1 Q. You knew that she had boyfriends but they
2 weren't people that you were close to; is that correct?
3 A. Yes.
4 Q. Now, the shirt that you identified -- well,
5 first of all, the car that you identified was a new car
6 to Hae shortly after she got her license?
7 A. Yes.
8 Q. Is that correct?
9 A. Yes.
10 Q. And she then drove to school every day, did she
11 not?
12 A. Yes, she did.
13 Q. Your house where you and your sister and your
14 grandparents, your two cousins, and your mother resided,
15 is located how far from Woodlawn?
16 A. Almost same distance.
17 Q. Okay. So 15 to 20 minutes?
18 A. Yes.
19 Q. All right. And where she worked in Owings
20 Mills Mall, she worked on a regular basis, did she not?
21 A. Yes.
22 Q. Starting shortly after she got her car?
23 A. Yes.
24 Q. And so she would drive herself to work from
25 wherever she was?

1 A. Yes.

2 Q. And she worked a regular number of hours?

3 A. Uh-huh.

4 Q. Is that right?

5 A. Yes.

6 Q. And that included early evening hours until the

7 store closed?

8 A. Yes.

9 Q. And also included on weekends?

10 A. Yes.

11 Q. And sometimes included holidays when she did

12 not have school; is that correct?

13 A. I don't recall.

14 Q. Okay. But you do recall, sir, that her

15 schedule was something that she always knew ahead of

16 time?

17 A. Yes.

18 Q. But that there were things that she did every

19 single day --

20 A. Yes.

21 Q. -- and that she did them regularly?

22 A. Yes.

23 Q. And they included her going to school?

24 A. Yes.

25 Q. And attending school every day; correct?

1 A. Yes.

2 Q. Attending and participating in whatever

3 athletic events that took up her time?

4 A. Yes.

5 Q. Correct?

6 A. Yes.

7 Q. Picking up her cousin?

8 A. Yes.

9 Q. And when she picked up her cousin, that meant

10 picking her up and then taking her --

11 A. Home.

12 Q. -- to your home?

13 A. Yes.

14 Q. Is that correct?

15 A. Yes.

16 Q. And your home, sir, is closer to Camfield

17 Elementary than is Woodlawn; is that correct?

18 A. Yes.

19 Q. And then, if she had to work or do something

20 else for school, she would then drive herself?

21 A. Yes.

22 Q. And she would drive herself home from work?

23 A. Yes.

24 Q. Correct?

25 A. Yes.

1 Q. And that remained her schedule which was pretty
2 predictable, although not always the same --

3 A. Yes.

4 Q. -- every day?

5 A. Yes.

6 Q. Is that correct?

7 A. Yes.

8 Q. Because she didn't work every day; is that
9 correct?

10 A. Yes.

11 Q. And she didn't -- she had friends that you knew
12 of by name because she mentioned them or because you met,
13 that she spent a great deal of time with?

14 A. Yes.

15 Q. And you were aware that she did overnights at
16 some of her friends?

17 A. Yes.

18 Q. Isn't that correct? And your mother was always
19 concerned about where she would be?

20 A. Yes.

21 Q. As she was always concerned about where you
22 would be; correct?

23 A. Yes.

24 Q. There were rules as to what you could do and
25 when you could do them?

1 A. Yes.

2 Q. And there were rules for her imposed once she
3 got that car?

4 A. Yes.

5 Q. Is that correct?

6 A. Yes.

7 Q. And, like most teenagers, your sister had
8 little disagreements with your mother on a regular basis
9 about what she was allowed to do?

10 A. Yes.

11 Q. And where she was allowed to be?

12 A. Yes.

13 Q. And to whom she was allowed to have
14 relationships with?

15 A. Well, not that, really.

16 Q. Not really?

17 A. No.

18 Q. Were you a participant in your sister's
19 disagreements with her mother?

20 A. No, I was not.

21 Q. No. Okay. Now, on the day that --

22 THE COURT: One moment.

23 (Pause.)

24 BY MS. GUTIERREZ:

25 Q. On the day, sir, that you understood that your

1 sister didn't pick up your cousin, --

2 A. Uh-huh.

3 Q. -- you were the one that was designated to call
4 and talk to the police because of your fluency in
5 English?

6 A. Yes.

7 Q. Is that correct?

8 A. Yes.

9 Q. And you, sir, told the police everything that
10 you knew that you thought could be important?

11 A. Yes.

12 Q. Because you were worried about your sister;
13 correct?

14 A. Yes.

15 Q. And you went to her diary to see if there would
16 be anything in her diary that might lead you to know
17 where she was?

18 A. Well, I was just looking for the phone number.

19 Q. Okay. And the only phone number in her diary
20 was the page that had the phone number on the top that
21 you've identified?

22 A. Yes.

23 Q. Isn't that correct?

24 A. Yes.

25 Q. And because the page had the words "Don"

1 written on it, you made the assumption that that phone
2 number was related to Don?

3 A. Yes.

4 Q. Is that correct?

5 A. Yes.

6 Q. And Don is the name of a person that you know
7 of, of Donald Cliendienst?

8 A. Yes.

9 Q. Is it not?

10 A. Yes.

11 Q. And that is a person that you met?

12 A. Well, I didn't met him.

13 Q. But you've seen him?

14 A. Yes.

15 Q. Yes. At the mall?

16 A. Yes.

17 Q. At the mall, at the Lenscrafters; correct?

18 A. Yes.

19 Q. On the day that you were looking through the
20 diary and you discovered this number, you knew that Don
21 Cliendienst was the new boy in your sister's life.

22 A. Yes.

23 Q. Is that correct?

24 A. Yes.

25 Q. And that had been a decision, to your

1 knowledge, made by your sister; correct?

2 A. She --

3 Q. That this was her new boyfriend?

4 A. Yes.

5 Q. She made that decision; right?

6 A. Yes.

7 Q. She didn't consult with you as to making it?

8 A. No.

9 Q. Did it? But that was a very new relationship,

10 was it not?

11 A. Yes.

12 Q. And new meaning, literally, in a matter of

13 weeks?

14 A. I can't -- I don't know.

15 Q. Okay. Now, did there come a time when your

16 sister announced anything about this Donald Cliendienst?

17 A. Well, I believe my mom -- my sister had spoken

18 to my mom about it.

19 Q. To your mom about it?

20 A. Yes.

21 Q. To sort of announce that she was done with one

22 boyfriend and now she was having another?

23 A. Yes.

24 Q. 'Cause your mother wanted to know what was

25 going on in her life; correct?

1 A. Yes.

2 Q. And you were aware, sir, were you not, that

3 there were evenings that she spent with Donald

4 Cliendienst?

5 A. Yes.

6 Q. And that there were occasions in which she

7 spent the night?

8 A. Spent the night?

9 Q. At Donald Cliendienst's house?

10 A. I don't --

11 Q. Spending the night with a boy would not have

12 been allowed by your mother.

13 A. Yes.

14 Q. Would it have?

15 A. No.

16 Q. No. That would not be appropriate behavior.

17 A. Yes.

18 Q. Would it? Would you be surprised to know that

19 her friends thought, based on what she had said before,

20 that when she disappeared that where she probably was,

21 was at Donald Cliendienst's house?

22 MS. MURPHY: Objection.

23 THE COURT: Overruled. As to form of question,

24 overruled.

25 Yes or not? Would you be surprised to know?

1 THE WITNESS: Would I be surprised to know as
2 --
3 BY MS. GUTIERREZ:
4 Q. That that's what her friends thought?
5 A. Well, my mom thought that.
6 Q. And your mom thought that; right?
7 A. Yes.
8 Q. Because relationships had been the subject of
9 much disagreement between your mom and your sister?
10 A. Yes.
11 Q. The new relationship with Donald Cliendienst;
12 right?
13 A. Yes.
14 Q. And the old relationship with Adnan?
15 A. Yes.
16 Q. And her previous relationships?
17 A. I don't know.
18 Q. You don't know. Now, when you -- the diary,
19 after you found the number, you called the number
20 believing it was Don; right?
21 A. Yes.
22 Q. Did you ever speak to Don that day once you
23 discovered that that number wasn't Don?
24 A. No.
25 Q. Even though he was then your -- he was your

1 sister's then boyfriend?

2 A. Yes.

3 Q. You never reached him that night?

4 A. No.

5 Q. And you didn't speak to him the day after?

6 A. No.

7 Q. And you didn't speak to him the day after that?

8 A. Well, we went -- me and mom went into the work

9 place to visit him.

10 Q. To visit him at Lenscrafters?

11 A. Yes.

12 Q. Because you were concerned about the

13 whereabouts of your sister; correct?

14 A. And my mom.

15 Q. Her body -- I mean, and your family, --

16 A. Yes.

17 Q. -- you were concerned; is that correct?

18 A. Yes.

19 Q. And you had no -- now, Don didn't call you on

20 the 13th in the evening --

21 A. No.

22 Q. -- did he? Even though your sister, on the

23 13th, was scheduled to work; was she not?

24 A. I believe so.

25 Q. At six o'clock?

1 A. Yes.

2 Q. She would have worked from 6:00 till close?

3 A. Yes.

4 Q. Isn't that right?

5 A. Yes.

6 Q. You got a call from Lenscrafters later;

7 correct?

8 A. I -- I remember calling them, but --

9 Q. You called them to find out if she had shown

10 up; is that correct?

11 A. Yes.

12 Q. Then you were informed she did not?

13 A. Yes.

14 Q. But you didn't get a call from this person who

15 was her then boyfriend?

16 A. No.

17 Q. No. Okay. Now, in reading the diary, sir, did

18 you -- before you read the diary, did you ever become

19 aware of anything that's alleged to have happened at the

20 homecoming dance at Woodlawn?

21 A. Um, no.

22 Q. Were you and your sister close in terms of

23 confiding in each other?

24 A. We kind of were.

25 Q. Okay. And were you aware of all of her

1 activities from her?

2 A. Most of them.

3 Q. Were you aware that she had attended the

4 homecoming dance?

5 A. Yes.

6 Q. And were you aware that she attended it

7 together with, as the date of Adnan Syed?

8 A. No. I didn't know that.

9 Q. You didn't know that. And were you aware, sir,

10 that something may have happened at the homecoming dance?

11 A. No.

12 Q. No. And after the homecoming dance, your

13 sister did not confide in you as to any event there?

14 A. No.

15 Q. Or that anything that may have happened?

16 A. No.

17 Q. Or indicate to you that she was upset in any

18 way?

19 A. No.

20 Q. Did she consult with you or confide with you

21 before she stopped being girlfriend/boyfriend with Adnan?

22 A. No.

23 Q. And began being girlfriend/boyfriend with this

24 person, Donald Cliendienst?

25 A. No.

1 Q. No. Did she seek your advice at all as to what
2 she should do?

3 A. No.

4 Q. Did she tell you the day that the breakup
5 occurred?

6 A. No.

7 Q. Did she ever confide in you as to whose idea it
8 was?

9 A. No.

10 Q. So, to your knowledge, you don't know who broke
11 up with whom?

12 A. Yes.

13 Q. Do you?

14 A. No.

15 Q. At least not from your sister.

16 A. Yes.

17 Q. Is that correct? Now, you said you recognized
18 the diary, the writing because you're familiar with your
19 sister's writing; is that correct?

20 A. Yes.

21 Q. Were you aware that your sister was a prolific
22 note writer, that she wrote a lot of notes and cards to
23 her friends?

24 A. Yes.

25 Q. And were you aware that among the recipients of

1 her notes and cards, a large number of them was Adnan
2 Syed?

3 A. Yes.

4 Q. And you knew that from her?

5 A. Uh, no. I read it. There was some notes in
6 her bookbag.

7 Q. There were some notes in her book bag.

8 A. Uh-huh.

9 Q. Some of which she had read -- she had written
10 herself?

11 A. Yes.

12 Q. To Adnan?

13 A. Yes.

14 Q. Would it be fair to characterize the notes that
15 you read as sort of mushy, lovey-dovey?

16 A. Yes.

17 Q. Yes. And, also in her book bag were lots of
18 notes and cards from Adnan to her?

19 A. I don't really remember but --

20 Q. Were you ever asked to identify anything else
21 other than her diary?

22 A. No.

23 Q. Were you ever asked to identify the handwriting
24 in notes told to you that were found elsewhere?

25 A. Well, I wasn't told there was notes found.

1 Q. And you were not asked to identify her

2 handwriting?

3 A. Yes.

4 Q. Correct? Now, Mr. Lee, did your sister have a

5 computer?

6 A. Yes.

7 Q. And did she use that regularly?

8 A. Yes.

9 Q. She typed pretty well, didn't she?

10 A. Yes.

11 Q. In fact, she used her computer to do most of

12 her homework, did she not?

13 A. Yes.

14 Q. And in addition, she kept lots of entries on

15 that computer, did she not?

16 A. No. She saved it on disks.

17 Q. Did you -- she'd save them on the disks and

18 take them out; correct?

19 A. Yes.

20 Q. And part of the reason for that was because she

21 wanted them private?

22 A. Yes.

23 Q. Yes. From you?

24 A. Yes.

25 Q. Okay. And that was the subject between you and

1 your sister; correct?

2 A. Yes.

3 Q. The computer that she used was available to

4 you?

5 A. Yes.

6 Q. And you also did your homework?

7 A. Yes.

8 Q. After her disappearance, did anyone seize the

9 computer?

10 A. Yes.

11 Q. Yes. And the police seized it?

12 A. Yes.

13 Q. Correct? And that was with the permission of

14 your family, was it not?

15 A. Yes, it was.

16 Q. Okay. Mr. Lee, in regard to the car, you

17 described this striped shirt of the pictures of?

18 A. Yes.

19 Q. Now, would it be fair to say that in January

20 1999, that that shirt is not something that you really

21 ever thought about?

22 A. Well, there was one incident where I got angry

23 at my sister for taking a shirt.

24 Q. For taking the shirt and using it as a rag?

25 A. Yes.

1 Q. Because you liked that shirt; right?

2 A. No. But --

3 Q. But after, was it an appropriate rag?

4 A. Yes.

5 Q. Okay. And did you wear it anymore?

6 A. No.

7 Q. And after you discovered your sister using it

8 as a rag you never wore it again, did you?

9 A. No.

10 Q. You didn't take it back from her, did you?

11 A. No.

12 Q. And it was kept in the side well of the

13 driver's seat?

14 A. Yes.

15 Q. The place where you said the map was always

16 kept?

17 A. Yes.

18 Q. The map that you're referring to, she had a map

19 book, did she not?

20 A. Yes, she did.

21 Q. Of the greater Baltimore area?

22 A. Yes.

23 Q. Is that correct?

24 A. Yes.

25 Q. And she got that and kept that in her car so

1 that she would always know where she was going?

2 A. Yes.

3 Q. And she would use the map, would she not?

4 A. I guess so.

5 Q. And it was always in her car, was it not?

6 A. Yes, it was.

7 Q. Now, the pictures of the car that you saw, sir,

8 the ones at night, you couldn't see inside the car, could

9 you?

10 A. No.

11 Q. And you were never asked to come down and look

12 at the car, were you?

13 A. Well, I was called to pick up the car.

14 Q. Pick up the car. That means after the police

15 were finished with it?

16 A. Yes.

17 Q. Correct?

18 A. Yes.

19 Q. After they had looked at it, and examined it,

20 and analyzed anything in there; correct?

21 A. Yes.

22 Q. But before that call came, was there ever a

23 time when you were asked to come down and identify

24 anything in her car?

25 A. No.

1 Q. Now, in the morning, did your sister take you
2 to school every day?

3 A. No, she didn't take me to school.

4 Q. She never took you to school, did she?

5 A. Sometimes, if I missed the bus.

6 Q. Once in a while?

7 A. Yes.

8 Q. You'd have to request. But as a normal
9 activity during the day, she did not?

10 A. No.

11 Q. Is that correct?

12 A. Yes.

13 Q. And because of her schedule that was so
14 demanding, you didn't normally ride in her car every day,
15 did you?

16 A. Well, after school.

17 Q. But often you would be in it?

18 A. Yes.

19 Q. And you would see the condition of her car,
20 would you not?

21 A. Yes.

22 Q. And she would keep things in her car, would she
23 not?

24 A. Yes.

25 Q. She'd keep her athletic equipment?

1 A. Yes.

2 Q. She'd keep school things and school books;

3 correct?

4 A. Yes.

5 Q. And she'd keep lots of her note cards, would

6 she not?

7 A. Note cards for the school.

8 Q. And often she would keep her diary in her car;

9 would she not?

10 A. I didn't see.

11 Q. When she drove to school --

12 THE COURT: I'm sorry. What was your answer?

13 THE WITNESS: I didn't see it.

14 THE COURT: Okay. Go ahead.

15 BY MS. GUTIERREZ:

16 Q. When she drove to school, you didn't see her

17 go?

18 A. No.

19 Q. You were aware, however, that she parked on the

20 school lot?

21 A. I believe so.

22 Q. Okay. And, sir, did she -- was she a neatnik

23 about her car?

24 A. Well, the times I drove with her the car was

25 messy.

1 Q. The car was generally messy, was it not?
2 A. Yes.
3 Q. She kept all the stuff that she'd need for her
4 very busy life in there?
5 A. Yes.
6 Q. And you were aware that in addition that her
7 friends would be in her car?
8 A. Yes.
9 Q. You would see them sometimes, would you not?
10 A. Not really.
11 Q. Was you sister someone who, on a regular basis,
12 had her friends come to her house?
13 A. No.
14 Q. No. She was more the person that would go to
15 her friends' houses, would she not?
16 A. Yes.
17 Q. They would not normally come to your house?
18 A. Yes.
19 Q. Okay.
20 MS. GUTIERREZ: I have nothing further.
21 THE COURT: Any cross?
22 MS. MURPHY: No thank you, Your Honor.
23 THE COURT: Redirect. May this witness be
24 excused?
25 MS. MURPHY: Yes, Your Honor.

1 THE COURT: Ms. Gutierrez, excused?
2 MS. GUTIERREZ: Yes, Your Honor.
3 THE COURT: Released from subpoenas, summonses?
4 MS. MURPHY: Yes.
5 THE COURT: Very well.
6 You're excused, sir.
7 THE WITNESS: Okay.
8 (The witness was excused.)
9 THE COURT: Your next witness?
10 MR. URICK: With the Court's permission I'm
11 gonna line up the next three.
12 THE COURT: In that this witness is a family
13 member, you have no objection that he remains in the
14 courtroom?
15 MS. GUTIERREZ: No, Your Honor.
16 THE COURT: Mr. Lee, you may -- you are welcome
17 to remain in the courtroom if you would like.
18 MR. LEE: Okay.
19 THE COURT:
20 MS. SHEPHERD: Since you will not be called as
21 a witness again in this case.
22 MR. LEE: Okay.
23 (Pause.)
24 THE COURT: I normally would take a break after
25 being on the bench for about an hour to allow you to