

1 Cristina Gutierrez on behalf of Mr. Syed.

2 THE COURT: Good afternoon. And your next  
3 witness?

4 MR. URICK: The State at this time would call  
5 Theresa Long to the stand.

6 THE COURT: Ms. Long, I need you to stand up,  
7 please, raise your right hand, and listen to Mr. White as  
8 he provides for you the oath.

9 THERESA MARIE LONG

10 a witness produced on call of the State, having first  
11 been duly sworn according to law, was examined and  
12 testified as follows:

13 THE CLERK: You may be seated. Please keep  
14 your voice up and state your name and your assignment for  
15 the record?

16 THE WITNESS: My name is Theresa Marie Long, L-  
17 O-N-G. I'm a Forensic Chemist with the Maryland State  
18 Police Crime Laboratory.

19 THE CLERK: Thank you.

20 MR. URICK: Good afternoon, Ms. Long.

21 THE WITNESS: Good afternoon.

22 DIRECT EXAMINATION

23 BY MR. URICK:

24 Q How long have you been employed by the Maryland  
25 State Crime Laboratory?

1           A     It will be nineteen years this March.

2           Q     And what is your current job position there?

3           A     Currently I'm a Forensic Chemist Manager of the  
4     Biology Section.

5           Q     And what are your job duties in that position?

6           A     Generally speaking, my job duties are to  
7     oversee the everyday operations of the different units of  
8     that section. Those units are that of Serology.  
9     Serology is the study of blood and other body fluids.  
10    That's the unit in which the gross evidence is screened  
11    and the presence of stains are detected. I oversee the  
12    operations of the DNA typing units. We are currently  
13    running two different types of DNA testing. And I  
14    oversee the DNA database of convicted offenders.

15           MR. URICK: Would the defense be willing to  
16    stipulate to this witness' expertise and training in the  
17    area --

18           MS. GUTIERREZ: We were always willing to so  
19    stipulate.

20           THE COURT: Very well. And the expertise will  
21    be as?

22           MR. URICK: In the field of Forensic DNA  
23    Profiling.

24           THE COURT: Let her be accepted then as an  
25    expert in the area of Forensic DNA Profiling. Is it

1 typing or profiling?

2 MR. URICK: Profiling. That's the correct  
3 term?

4 THE WITNESS: That would be correct.

5 THE COURT: All right. Very well. You may  
6 proceed.

7 BY MR. URICK:

8 Q What is DNA?

9 A DNA is an abbreviation for the word  
10 deoxyribonucleic acid. This is a molecule that is found  
11 in the center of every cell of your body. The DNA is  
12 contained within your chromosomes. You get fifty percent  
13 of your DNA from mom in the egg cell, and fifty percent  
14 of your DNA from dad in the sperm cell.

15 Q And where can DNA be found in humans?

16 A As I stated earlier, it is in the center of all  
17 of your cells and it's packaged within your chromosomes.

18 Q Is it a generally accepted fact that everyone,  
19 other than identical siblings, will have a different DNA?

20 A Yes, it is.

21 Q If you can explain briefly, what is Forensic  
22 DNA Profiling?

23 A Ninety-nine percent of human DNA is the same.  
24 That is why everyone has two eyes, one nose, one mouth.  
25 There is one percent of DNA that differs between

1 individuals. What we want to do in forensics is actually  
2 look at that one percent of DNA that differs between  
3 individuals. We have a chemical way of removing the DNA  
4 from the cell and determining what we have obtained.  
5 What we do is we obtain a pattern or a profile from the  
6 question evidence and we compare that to known standards  
7 that we have obtained in that case.

8 What we are looking to do in general is to make  
9 a conclusion, could the DNA from the question stains or  
10 the evidence come from this donor or come from that  
11 donor? Can I include someone as being the donor or can I  
12 exclude someone from being the donor of that DNA?

13 Q Is this a new technology?

14 A No, it is not.

15 Q Okay. If you could, explain what RFLP analysis  
16 is, and answer that question whether other fields use it  
17 as well?

18 A RFLP, again, is an abbreviation for restriction  
19 fragment length polymorphism. Restriction means to cut.  
20 Fragment length is what we are looking at. Polymorphism  
21 means that different forms exist in the population. With  
22 RFLP, that one percent of DNA that differs between  
23 individuals is actually the fact that the DNA has  
24 repeated sections. And how individuals differ is the  
25 number of repeats. I may have ten repeat units. Someone

1 else may have 100. Someone else may have 200. So we  
2 restrict or we go in and we cut out these repeated units.  
3 Then we are able to separate them out according to size.  
4 We place them in a jell and we hook the jell to electric  
5 current, and the jell is able to push these fragments out  
6 and separate them. The smaller fragments can move faster  
7 through the jell than the larger ones.

8 The ending result from that is a DNA profile  
9 that sort of looks like a UPC code in the grocery store.  
10 From that, we compare these patterns. Again, we are  
11 seeing whether or not the known standard for one person  
12 is matching the question evidence.

13 Other fields use this technology. In medical  
14 fields, it's to diagnose diseases. In zoos, they want to  
15 test animals to see whether or not they are related  
16 before they breed them together, so that they generate a  
17 viable stock of new animal. It's also used in paternity  
18 testing and several other clinical aspects.

19 Q What other types of laboratories use RFLP  
20 analysis?

21 A Again, medical, clinical, zoology. I  
22 previously worked at the Armed Forces Institute of  
23 Pathology, and they used a different type of DNA testing,  
24 but, yet, it was DNA testing, to identify the war remains  
25 from the Vietnam war.

1           Q     Have you successfully completed any proficiency  
2 tests at the Maryland State Police?

3           A     We are required by the national standards and  
4 also by Maryland legislation to perform two DNA tests  
5 every year.

6           Q     And if you would, explain what T-W-G-D-A-M is,  
7 and answer whether or not the Maryland State Police Crime  
8 Laboratory DNA unit adheres to its guidelines?

9           A     That abbreviation has been called Twgdam, or  
10 the Technical Working Group on DNA Analysis Methods. I  
11 am currently a member of that group. What that is, is an  
12 organization. When DNA was new, members from different  
13 labs in this country and Canada and England got together  
14 to write guidelines for how forensic labs should run DNA  
15 testing, to develop protocols, and to oversee audit  
16 procedures.

17                 So this working group has a set of guidelines  
18 for how to validate new technologies, how to run new  
19 technologies, what types of training your personnel  
20 should receive, and what types of operations you should  
21 have in a forensic lab. And, yes, we currently follow  
22 those guidelines, and we are audited yearly to ensure  
23 that we do that.

24           Q     Did there come a time when you and your  
25 laboratory were requested to conduct DNA profiling

1 testing in the investigation of Adnan Syed?

2 A Yes.

3 Q Can you tell the court what samples were  
4 submitted for your analysis?

5 A There was a blood sample from Hae Min Lee, a  
6 blood sample from Adnan Syed, a blood sample from Jay  
7 Wilds, and a blood sample from a shirt.

8 Q And who submitted that evidence to you?

9 A That was brought into the Maryland State Police  
10 Crime Laboratory by a representative from the Baltimore  
11 City Crime Laboratory.

12 Q And when was that evidence submitted for  
13 analysis?

14 A It was submitted on September 24th, 1999.

15 MR. URICK: If I may approach the witness at  
16 this time.

17 THE COURT: Yes, you may.

18 BY MR. URICK:

19 Q Now, at this time I'm going to show you what is  
20 already in as evidence as State's Exhibit 28 and ask you  
21 if you can identify that?

22 A Yes, I can.

23 Q And what is that?

24 A This is our Form 67 which is a chain-of-custody  
25 form for the Maryland State Police. It has a list of the

1 items that I just stated on it.

2 Q And is that the form that was used to submit  
3 the samples in this case?

4 A It is a copy of that form, yes.

5 Q Can you explain the procedures that are used by  
6 your laboratory to conduct your testing? In short, can  
7 you explain DNA and the testing performed? You might use  
8 the overhead, if you need to, at this time.

9 A I stated briefly earlier a few of the steps but  
10 I will go through it again. We obtain evidence. We will  
11 take a small cutting of that evidence. We will place it  
12 in a tube and we add chemicals to that. What will happen  
13 then is that the cells will be broken open and the DNA  
14 will be exposed. We will then do a test to see if the  
15 DNA is in good quality. What I mean by that is, because  
16 we want to cut out fragments of interest of that DNA, we  
17 want to make sure the DNA hasn't already broken down by  
18 exposure to sunlight or chemicals or radiation. So if  
19 the DNA is still in a nice long strand, we will continue  
20 on with the test. What we do then is we use biological  
21 scissors or restriction enzymes and we go in and we cut  
22 out those repeated units, those fragments that we are  
23 interested in. Then we take those fragments and we place  
24 them on a jell and we separate them out using a current,  
25 electrical field, and we will take that jell and transfer



1       that information onto a membrane, which is like a piece  
2       of paper, and it just makes a permanent record. We then  
3       take a probe, which is a piece of DNA of interest that  
4       has been tagged with a chemoluminescence tag.  
5       Chemoluminescence is a light energy. It's similar to  
6       that found in fireflys that causes the light from the  
7       fireflys. It will tag those fragments of interest. We  
8       then take that membrane and we sandwich it in between two  
9       pieces of X-ray film. That light energy will form bands  
10      on the X-ray film where those fragments of interest are.  
11      Then we use that final X-ray film as a way of doing our  
12      comparison. That final film is called a lumigraph. I  
13      can show you some of those.

14               MR. URICK: May the witness use the audiovisual  
15      equipment?

16               THE COURT: Yes.

17               (Brief pause.)

18               THE COURT: Ladies and gentlemen, if you cannot  
19      see the overhead, please raise your hand.

20               MR. URICK: It might be easier, Ms. Long, if  
21      you came around on this side of the table.

22               THE WITNESS: Sure.

23               THE COURT: There is a light switch.

24               MS. MURPHY: Your Honor, may we use the laser  
25      again?

1 THE COURT: Yes, you may.

2 SHERIFF: Judge, do you need the light switch  
3 turned off?

4 THE COURT: Yes, the light switch is back here  
5 (indicating).

6 SHERIFF: Okay. (Indicating.)

7 THE COURT: Thank you. That will work.

8 THE WITNESS: What I have put up here is a  
9 lumigraph from this particular case. It has the case  
10 numbers on it. It also has what I haven't mentioned to  
11 you before, is we are looking at six different locations,  
12 six different chromosomes, in order to try to  
13 individualize these stains. So this particular lumigraph  
14 is for D10S28. The "D" stands for DNA. The "10" stands  
15 for chromosome number ten, and then section 28.

16 In this particular lumigraph, you can see four  
17 lanes -- it probably would be easier for me just to point  
18 -- four lanes that have what looks like a ruler or ladder  
19 on those. We use those to help us measure how long those  
20 fragments are. In these ladder lanes are bands of known  
21 sizes. I know, you know, that this size, for example,  
22 could be 2,000, and this size could be 1,000, and the  
23 computer can help tell me that this one is, you know,  
24 1,800 base pairs long.

25 What we have on here also for an AC and MS,

1 those are two controls that we run within our laboratory.  
2 Those pieces of DNA must generate a certain banding  
3 pattern with bands in a certain location in order for  
4 this jell or these results to be valid. In this  
5 particular case, all the controls worked properly. You  
6 can see here that you have a banding pattern for the  
7 victim. There is a band right here (indicating) and a  
8 second band here (indicating). There is one for suspect  
9 Syed, which has two bands right here, one right here  
10 (indicating) and one here (indicating). Then there is  
11 one for suspect Wilds, a band here (indicating) and a  
12 band here (indicating). Then if you go across here, this  
13 is the shirt, 4Q2/23, and you can see that this banding  
14 pattern has bands in a similar location as that to the  
15 victim. It's not similar to either one of the suspects  
16 and, therefore, those two people are excluded as being a  
17 possible donor of that DNA.

18 We go on to computer size these to actually  
19 determine what the lengths of these are according to the  
20 rulers, and the computer sizing also indicates that the  
21 shirt matches the blood standard from the victim. That's  
22 for chromosome number ten.

23 Now, I'll just show you a couple other ones.  
24 This one is chromosome number one, section number seven.  
25 Again, the controls worked properly. You can see the

1 victim's banding pattern, a band here (indicating) and  
2 one here (indicating). Here is one suspect (indicating)  
3 and here is the other suspect (indicating). They are  
4 excluded from the shirt's banding pattern. Again, these  
5 bands are lining up in similar locations. The victim  
6 cannot be excluded as being a donor of that stain.

7 For chromosome number four, again, all the  
8 controls worked properly. Here is the victim's banding  
9 pattern, these two bands here (indicating). You can see  
10 it matches the shirt here (indicating). It does not  
11 match either one of the suspects. The suspects are  
12 excluded. The victim is still included.

13 And then we have three more of these for three  
14 other chromosomes where, again, it matched the victim's  
15 blood standard.

16 BY MR. URICK:

17 Q And based on all six analyses, were you able to  
18 reach a conclusion?

19 A Yes, I was.

20 Q And what was that conclusion?

21 A That the victim cannot be excluded as being a  
22 possible donor of the blood from the shirt.

23 Q And have you explained the basis for that  
24 conclusion through showing those lumigraphs?

25 A Yes, I have.

1           Q     And can you tell the court whether you reached  
2     a conclusion concerning the frequency of this DNA profile  
3     occurring in the population?

4           A     Yes, I did.

5           Q     What is that frequency?

6           A     I would need to refer to the report again.

7           Q     Okay.

8           A     Thank you. The chance of finding or the  
9     probability of selecting an unrelated individual at  
10    random from a caucasian population having a DNA profile  
11    that matches that on the shirt would be one in 1.7  
12    billion, with a "B", and for an African-American it would  
13    be one in 4.1 billion, with a "B".

14          Q     Are all the procedures that you just described  
15    generally accepted in the scientific community?

16          A     Yes, they are.

17          Q     If any of the steps in this analyses had not  
18    worked properly, what result would have been obtained?

19          A     There are generally two results that are  
20    obtained when something is not working properly. It is a  
21    no result or we get no banding pattern or an inconclusive  
22    one where it smears so much that you can see some  
23    smearing occurring in the victim's blood standard but not  
24    to the point that there wasn't a band there. We will get  
25    a smearing where we will have to call that result

1 inconclusive.

2 Q Is this case work and the conclusions drawn  
3 from it subject to peer review?

4 A Yes, they are.

5 Q How does that process work?

6 A In our standard procedures at the Maryland  
7 State Police Crime Laboratory, it is required that a  
8 second qualified analyst go through the whole case  
9 folder, all the procedures, all the notes and the report,  
10 and must agree to that conclusion also.

11 Q Again, to a reasonable degree of scientific  
12 certainty, what are your opinions concerning the  
13 conclusions of this case?

14 A That the blood stain from the shirt, the victim  
15 cannot be excluded as being a donor for that blood stain,  
16 and that Adnan Syed and Jay Wilds can be excluded as  
17 possible donors of that blood stain.

18 MR. URICK: Thank you. Witness with the  
19 defense.

20 CROSS-EXAMINATION

21 BY MS. GUTIERREZ:

22 Q Ms. Long, you didn't perform this analysis, did  
23 you?

24 A No, I did not.

25 Q And you were not the second qualified analyst?

1           A     Yes, I was.

2           Q     Okay. So you looked over these results after

3           the person who performed them got them, right?

4           A     That's correct.

5           Q     All right. Now, in layman's terms, when you

6           say can't be excluded, that's not the same as saying that

7           is the blood of that person; is it?

8           A     No, it is not. We give a probability if it's a

9           chance of being someone else.

10          Q     And that's that one point whatever?

11          A     That's correct.

12          Q     One point some billion?

13          A     Billion, in the billions.

14          Q     All right. Now, you gave those probabilities

15          as to a caucasian population, correct?

16          A     Correct.

17          Q     And that probability for the caucasian

18          population is different than the probability for an

19          African-American, correct?

20          A     Yes.

21          Q     Were you aware that the victim in this case was

22          an Asian?

23          A     I am aware now, yes.

24          Q     But you weren't at the time this was done?

25          A     I did not generate this report.

1 Q You just reviewed it?

2 A It is standard Maryland State Police Crime  
3 Laboratory procedures to give statistics on these two  
4 racial groups because they are the highest racial groups  
5 in the State of Maryland, and what we are reporting is  
6 not a chance of finding it for that person that we are  
7 matching it to, it's what is the chance of finding it in  
8 someone else.

9 Q Okay. And you were aware or you have become  
10 aware that one of the so-called suspects was also an  
11 Asian?

12 A That's correct.

13 Q And you are aware that an Asian is a different  
14 racial classification than either a caucasian or an  
15 African-American?

16 A That's true.

17 Q Now, your records indicate that the blood  
18 samples of the four that you mentioned, the blood sample  
19 of the victim, of Adnan Syed, of Jay Wilds, and the  
20 retrieved blood sample from the shirt, were all submitted  
21 to your lab on September 24th?

22 A That's correct.

23 Q September 24th, 1999?

24 A Yes.

25 Q This fall?



1           A     Yes.

2           Q     Were you aware that the victim's blood sample  
3     was collected back in February on February 10th, 1999?

4           A     No, I was not aware of that.

5           Q     And were you aware that the defendant's blood  
6     was collected on March 21st, 1999?

7           A     No, I had no knowledge.

8           Q     Or that Jay Wilds blood was collected sometime  
9     in later March, 1999?

10          A     No, I did not know.

11          Q     Or that the blood sample that is identified as  
12     coming from the shirt, that that shirt was collected by  
13     the police on February 28th, 1999?

14          A     I believe that that may have been stated in our  
15     cover letter. I would have to refer back to that.

16          Q     Okay. Now, when those blood samples were  
17     gotten really wouldn't impact on what your lab did,  
18     correct?

19          A     No, that does not have an effect.

20          Q     But your lab is capable of conducting the  
21     analysis that you describe at anytime that samples are  
22     submitted to it by a police agency; are you not?

23          A     As long as they are of suitable quality and  
24     quantity, yes.

25          Q     And these blood samples were of suitable

1 quantity and quality, correct?

2 A Yes, that's correct.

3 Q And if they had been submitted to you at the  
4 time that they had been collected or sooner thereto, your  
5 lab would have been able to conduct the same kind of  
6 analysis?

7 A Yes.

8 Q Now, the blood that is identified as coming  
9 from a shirt, were you given that shirt?

10 A No.

11 Q You were only given a sample of blood that had  
12 been collected by someone from the Baltimore City Crime  
13 Lab, correct?

14 A That's correct. They have their own screening  
15 unit.

16 Q Okay. And there is nothing abnormal about  
17 that, correct?

18 A No, it is not.

19 Q All right. And you were not submitted a sample  
20 from anywhere else that was identified as something other  
21 than blood?

22 A No, these were the four samples in total that  
23 we received.

24 Q All right. Were you ever made aware that there  
25 was another suspected stain on the very same shirt that

1 at least was suspected of being biological fluid from the  
2 victim though perhaps not blood?

3 A Now, let me refer to my notes.

4 Q Yes.

5 (Brief pause.)

6 A It states in the notes that what was received  
7 labeled as blood samples from shirt were actually three  
8 cuttings, two of which were used to perform the DNA  
9 testing and one we saved in case additional testing was  
10 needed.

11 Q Okay. So the only thing that was submitted to  
12 you was that which some other analyst had already  
13 determined to be blood?

14 A Correct.

15 Q And when you got that blood, you, of course,  
16 also confirmed that, in fact, it was blood; did you not?

17 A No, I did not.

18 Q Are you secure that your testing would reveal  
19 if, in fact, it wasn't blood?

20 A It is not my purpose to determine that. My  
21 purpose is to determine that human DNA is there.

22 Q Okay.

23 A It could be from blood or something else.

24 Q And you determined that, correct?

25 A Yes.

1 Q But there was no sample ever submitted to you  
2 that was indicated to be some other bodily fluid from  
3 this victim?

4 A No. As I stated before, we received these four  
5 samples only.

6 Q Okay. And your lab is, of course, capable of  
7 conducting DNA analysis on biological evidence other than  
8 blood; is it not?

9 A That's correct.

10 Q It is capable of conducting the same kind of  
11 analysis, say, on something suspected to be another  
12 bodily fluid such as semen?

13 A Yes.

14 Q Or mucous from the body?

15 A As long as there are cells there.

16 Q And you would expect there to be cells in a  
17 quantity of mucous that is expelled from the body; would  
18 you not?

19 A You would expect it if it was in good quality  
20 and quantity, yes.

21 Q And good condition?

22 A Yes.

23 Q And if it was put on the same source, i.e. the  
24 shirt from which the blood was extracted, at the same  
25 time, you would expect it to be in good condition; would

1       you not?

2           A     I really can't state that. Different areas of  
3       an item could have different contaminants on there or  
4       whatnot.

5           Q     Okay.

6           A     So I really can't say that for sure.

7           Q     But in any event, no other biological sample of  
8       any fluid of any kind was ever submitted to you to  
9       identify in any way?

10          A     No, just the four previously stated items.

11          Q     Now, Ms. Long, you said the fundamental  
12       question that you start out with is could the DNA in this  
13       evidence, relating to the evidence that was submitted to  
14       you that came from the shirt, come from any of the  
15       samples that were also submitted to you, correct?

16          A     Correct.

17          Q     And to answer that question in regard to Adnan  
18       Syed, after you conducted your testing, your answer is an  
19       unequivocal no; is it not?

20          A     That's correct, he is excluded.

21          Q     Meaning the blood that was identified and  
22       tested as coming from a shirt could not have come from  
23       Adnan?

24          A     That is correct.

25          Q     All right. And you also answered that question

1 absolutely in the negative in regard to Jay Wilds; is  
2 that correct?

3 A That's correct.

4 Q And although you phrase your answer differently  
5 saying that the victim could not be excluded, given the  
6 probabilities that you have expressed, it is likely, is  
7 it not, that the blood on that shirt came from the victim  
8 identified to you by blood?

9 A Yes, it's highly likely.

10 MS. GUTIERREZ: Okay. All right. I have  
11 nothing further.

12 THE COURT: Anything further from the State?

13 MR. URICK: Extremely briefly.

14 REDIRECT EXAMINATION

15 BY MR. URICK:

16 Q Do your signatures appear on the reports as one  
17 of the original signatories of the report?

18 A My initials appear on each page.

19 Q And you stated that there was a sufficient  
20 sample left of the stain such that if any independent  
21 test had been requested, it could have been done?

22 A Yes, that's correct.

23 Q And how many analyses a year does your  
24 laboratory perform?

25 A We receive about 600 cases a year. Depending

1 on the items, I believe we did about ninety RFLP cases  
2 last year.

3 Q And what criteria do you use in terms of  
4 determining priority for performing these tests?

5 A Priority is given to the severity of the test,  
6 whether the case is a homicide, sexual assault, child  
7 abuse case, whether or not it has a court date. We try  
8 to ensure that every case is done in time for the court  
9 date.

10 (Brief pause.)

11 MR. URICK: No further questions.

12 THE COURT: Recross.

13 RECROSS-EXAMINATION

14 BY MS. GUTIERREZ:

15 Q Ms. Long, you were aware that the very first  
16 time that you were asked to look at any evidence from  
17 this case to make any kind of identification was on  
18 September 24th, 1999, correct?

19 A That's correct.

20 Q Prior to that date, no evidence was submitted  
21 to you; was it?

22 A That's correct.

23 Q And nobody asked your lab to conduct any type  
24 of analysis; is that correct?

25 A We had not received the case by then, no.

1 Q Okay. And were you aware that when you  
2 received the case on 9/24 that the very first trial date  
3 in this case involving Adnan Syed was just about a week  
4 away? Were you aware of that?

5 A Yes, I was aware of that.

6 Q All right. And when did you complete the tests  
7 that you initialed?

8 A This case was completed and signed back into  
9 the evidence vault on November 15th.

10 Q November 15th. And were you aware that that  
11 date was months beyond the first trial date in the Adnan  
12 Syed case?

13 A According to my notes, it was one month beyond.

14 MS. GUTIERREZ: Thank you.

15 RE-REDIRECT EXAMINATION

16 BY MR. URICK:

17 Q And do the notes reflect that Melissa Stangroom  
18 had completed the initial results before the prior trial  
19 date and was prepared to testify orally without a written  
20 report at the first trial date?

21 MS. GUTIERREZ: Objection.

22 THE COURT: Sustained. Where are we going with  
23 this? I mean, at this point, you know, are there any  
24 further questions, Mr. Urick?

25 MR. URICK: No.



1 THE COURT: Ms. Gutierrez?  
2 MS. GUTIERREZ: No, Your Honor.  
3 THE COURT: May this witness be excused?  
4 MR. URICK: Yes, Your Honor.  
5 MS. GUTIERREZ: Yes.  
6 THE COURT: May she be released from the  
7 subpoenas?  
8 MS. GUTIERREZ: Yes.  
9 THE COURT: Mr. Urick?  
10 MR. URICK: Yes.  
11 THE COURT: Very well. Thank you very much.  
12 THE WITNESS: Thank you, Your Honor.  
13 THE COURT: You are released from your subpoena  
14 at this time but I must remind you that you are still  
15 technically a sequestered witness, which means that you  
16 cannot discuss your testimony with anyone who is yet to  
17 be a witness in this case. You may, if you would like,  
18 remain in the courtroom and observe the trial in that you  
19 are now released from your subpoenas, or you are free to  
20 go.  
21 THE WITNESS: I need to go.  
22 THE COURT: Very well.  
23 THE WITNESS: Thank you.  
24 MR. URICK: Might the court be willing to take  
25 about a five or ten minute recess at this time while we

1 take down the audio-visual equipment and get the next  
2 witness?

3 THE COURT: You certainly may do that. While  
4 you are doing that -- well, is it going to take a little  
5 while, do you think?

6 MR. URICK: We also want to check on the  
7 witness and make sure that she is here from the Medical  
8 Examiner's office.

9 THE COURT: All right. Why don't we then let  
10 the jury take a walk, and not a long walk. I am just  
11 going to ask Deputy Sheriff Church just to walk you  
12 around to the jury room, and you can stretch your legs  
13 and use the facilities, but he is going to bring you  
14 right back. When I say a short recess, Mr. Urick, I mean  
15 a short recess. Okay?

16 MR. URICK: Yes.

17 THE COURT: Okay. You can leave your note pads  
18 face down. As I have told you, until the end of this  
19 case, do not discuss the testimony. We are going to  
20 bring you right back. I am not leaving the bench, but my  
21 staff, the stenographer and the courtroom clerk, if you  
22 would also like to stretch your legs, you are welcome to  
23 do so, and counsel as well. Mr. Church, thank you very  
24 much.

25 (The jury was excused from the courtroom.)