

<p style="text-align: right;">Page 36</p> <p>1 THE COURT: I'm asking that you understand  2 that I believe I've given you that opportunity. You  3 don't believe it's sufficient but I believe it is.  4 It is my discretion in deciding whether or not to do  5 anything about a failure to provide information and  6 given the circumstances, given the manner in which it  7 was disclosed, given the timing of it I find that  8 there is no error, that it would have been nice if  9 the State gave it earlier, but that when they did  10 provide the information, when we did get the  11 information, that it still provided the defense an  12 ample opportunity to do what it needed to do on  13 cross, and still has that opportunity.  14 And I would also add that I am not going to  15 tell the defense what witnesses to call. The only  16 thing I ask is whatever witnesses you decide to call  17 that they be relevant and you may be asked to support  18 why they are relevant which you would have to do for  19 any witnesses that you would call. I'm not going to  20 tell you whether to call McCurdy. I'm not going to  21 tell you whether to call Benaroya. I'm not going to  22 tell you because I don't know your case. I don't  23 know your defense. I don't know your theory and I'm  24 not here to rule on that.  25 But if you have a witness and there's an</p>	<p style="text-align: right;">Page 38</p> <p>1 MS. GUTIERREZ: I apologize, Judge.  2 THE COURT: It has taken awhile to have Mr.  3 Syed brought up anyway, so we can't do anything until  4 he arrives, and I did get your message from Cindy.  5 We'll do this. As soon as Mr. Syed arrives, would  6 you have the jury put in the box, okay, and we can  7 get started. First Mr. Syed, and then as soon as he  8 is here, let's have the jury in and then I'll come  9 back out. Until then just sit tight and don't go  10 anywhere. This Court will take a brief recess.  11 (Whereupon the Court recessed, following  12 which the proceedings in this matter resumed:)  13 THE COURT: Good afternoon.  14 THE JURY: Good afternoon.  15 THE COURT: Ladies and gentlemen, we're  16 going to resume with the case of State of Maryland  17 versus Syed. At this time Mr. Wilds, you are still  18 under oath but I'm going to -- this is a new day and  19 a new record and perhaps a new tape at that. I need  20 you to stand and raise your right hand and listen to  21 the courtroom clerk who will provide you the oath.  22 Raise your right hand, please.  23 JAY WILDS,  24 a witness produced on call of the State, having first  25 been duly sworn, according to law, was examined and</p>
<p style="text-align: right;">Page 37</p> <p>1 objection to that witness being called, the only  2 thing I'm going to ask the State is what's your basis  3 and your basis for calling the witness and proffer  4 how they're relevant and if you give me a proffer  5 that they're relevant, then I may rule in your  6 favor. You give me a proffer and I find that they're  7 not relevant I may rule against you, but at this  8 juncture I don't know what they're going to say. I  9 have no way of knowing and I'm not asking you to tell  10 me now.  11 But I am going to make sure that Benaroya  12 is available to you because I think you have a right  13 to subpoena her if you want and that if I can assist  14 you, as I would for any other witness that the  15 defense feels necessary by compulsory process, I  16 would send the sheriff or the police to go get them,  17 if by making a phone call I can get Ms. Benaroya here  18 for you, I will do that and it is considered done.  19 This Court will stand in recess until 2:15.  20 (Whereupon the Court recessed, following  21 which the proceedings in this matter resumed:)  22 THE COURT: For the record, it is now 2:16  23 February 14th and I've resumed the bench. There is  24 no one in the courtroom other than the courtroom  25 clerk who just stepped out to check the doors.</p>	<p style="text-align: right;">Page 39</p> <p>1 testified as follows:  2 THE CLERK: You may be seated. Please  3 state your name and address for the record.  4 THE WITNESS: Jay W. Wilds, 4 Norbert  5 Court, apartment E, Catonsville, Maryland 21228.  6 THE COURT: Good afternoon, Ms. Gutierrez.  7 The witness is with you at this time.  8 MS. GUTIERREZ: Thank you, Your Honor.  9 CONTINUED CROSS EXAMINATION  10 BY MS. GUTIERREZ  11 Q Mr. Wilds, on Friday I asked you about and  12 you told us that there was a two hour period of time  13 before the tape recorder got turned on on February  14 28th, do you recall that?  15 A Yes, ma'am.  16 Q And that during that time you observed both  17 Detective MacGillivray and Detective Ritz take notes,  18 did you not?  19 A Yes, ma'am.  20 Q And their notes appeared to you from what  21 you observed to be related to what you said?  22 A Yes, ma'am.  23 Q Right? Now, when you were taken downtown  24 in their car and they came to your work to get you,  25 the first thing they did when they got there was that</p>

<p style="text-align: right;">Page 40</p> <p>1 they advised you of your rights, did they not?</p> <p>2 A At my place of employment.</p> <p>3 Q I'm sorry, I can't hear you.</p> <p>4 A At my place of employment?</p> <p>5 Q No, sir, the first thing they did when they</p> <p>6 got you downtown to the Homicide Division in the</p> <p>7 Headquarters Building of the police department?</p> <p>8 A Yes, ma'am.</p> <p>9 Q Is that right?</p> <p>10 A Yes, ma'am.</p> <p>11 Q They gave you a form that had all of your</p> <p>12 rights printed on it, did they not?</p> <p>13 A Yes, ma'am.</p> <p>14 Q And among the rights that you were advised</p> <p>15 of -- now you weren't charged yet, right?</p> <p>16 A No, ma'am.</p> <p>17 Q But at some point they sort of threatened</p> <p>18 or intimated you might be charged, right?</p> <p>19 A Yes, ma'am.</p> <p>20 Q And that threat or intimation of the threat</p> <p>21 was made in connection with whether or not you told</p> <p>22 them what it was that they thought that you knew,</p> <p>23 correct?</p> <p>24 A Somewhat.</p> <p>25 Q Well, you clearly understood that the more</p>	<p style="text-align: right;">Page 42</p> <p>1 Q That was to get their help in getting you a</p> <p>2 lawyer, right?</p> <p>3 A I asked how I would obtain one.</p> <p>4 Q Because it was apparent to you that getting</p> <p>5 a lawyer in the middle of the night might be</p> <p>6 difficult, right?</p> <p>7 A That was in my thought.</p> <p>8 Q Among the rights they advised you of was</p> <p>9 that you didn't have to talk to them, right?</p> <p>10 A Yes, ma'am.</p> <p>11 Q And that if you asked for a lawyer, the</p> <p>12 questioning would be stopped and that they would</p> <p>13 assist you in getting a lawyer?</p> <p>14 A Yes, ma'am.</p> <p>15 Q Isn't that correct?</p> <p>16 A Yes, ma'am.</p> <p>17 Q They didn't go into any of the details of</p> <p>18 how that might happen though, right?</p> <p>19 A No, ma'am.</p> <p>20 Q All right, now, after you signed these</p> <p>21 several papers that you say you signed indicating</p> <p>22 that you were so advised, you did continue to talk to</p> <p>23 them, did you not?</p> <p>24 A Yes, ma'am.</p> <p>25 Q And you hadn't yet asked them for help</p>
<p style="text-align: right;">Page 41</p> <p>1 you talked to them the less likely it was that you</p> <p>2 would be arrested, right?</p> <p>3 A No, ma'am.</p> <p>4 Q Well, sir, after they advised you of your</p> <p>5 rights and, incidentally, they didn't have you sign</p> <p>6 that sheet, did they?</p> <p>7 A Yes, ma'am.</p> <p>8 Q They did?</p> <p>9 A I signed.</p> <p>10 Q The right that advised you of all of your</p> <p>11 rights?</p> <p>12 THE COURT: I signed what?</p> <p>13 MS. GUTIERREZ: The paper.</p> <p>14 THE COURT: One moment, Ms. Gutierrez. You</p> <p>15 said I signed?</p> <p>16 THE WITNESS: I signed and initialled</p> <p>17 several papers stating all of my rights.</p> <p>18 Q Okay. And among the rights that they</p> <p>19 advised you of was your right to an attorney, right?</p> <p>20 A Yes, ma'am.</p> <p>21 Q And because that was fresh in your mind I</p> <p>22 guess close to three and a half hours later when you</p> <p>23 asked them to turn off the tape, that's why you asked</p> <p>24 them to do so as you told us before, right?</p> <p>25 A Yes, ma'am.</p>	<p style="text-align: right;">Page 43</p> <p>1 about getting a lawyer, had you?</p> <p>2 A I asked them how I would go about obtaining</p> <p>3 one.</p> <p>4 Q Well, that was when -- at least what you</p> <p>5 told us on Friday, that was when after the tape</p> <p>6 recorder got turned off, about an hour and a half</p> <p>7 after that happened was when you asked them to turn</p> <p>8 off the tape recorder, isn't that what you told us?</p> <p>9 A I'm not understanding your question.</p> <p>10 Q Okay. On Sunday in the middle of the night</p> <p>11 --</p> <p>12 A Yes, ma'am.</p> <p>13 Q You got taken down, right?</p> <p>14 A Yes, ma'am.</p> <p>15 Q What you've told us, Mr. Wilds, is that you</p> <p>16 spoke to them before the tape recorder got turned on</p> <p>17 for about two hours?</p> <p>18 A Yes, ma'am.</p> <p>19 Q Is that right?</p> <p>20 A Yes, ma'am.</p> <p>21 Q And during that time, sir, although you had</p> <p>22 been advised, you didn't ask for a lawyer?</p> <p>23 A Yes, ma'am.</p> <p>24 Q Right?</p> <p>25 A Correct.</p>

<p style="text-align: right;">Page 44</p> <p>1 Q And you didn't ask for their help in 2 getting you a lawyer? 3 A No, ma'am. 4 Q Even though they advised you and you signed 5 that they would help you get a lawyer if, in fact, 6 you wanted a lawyer? 7 A Yes, ma'am. 8 Q And that all questioning would stop if you 9 asked for a lawyer? 10 A Yes, ma'am. 11 Q All right, and then later, two hours later 12 the tape recorder got turned on, right? 13 A Yes, ma'am. 14 Q And an hour and a half after the tape 15 recorder got turned on, you asked them to stop the 16 tape recorder? 17 A Yes, ma'am. 18 Q And what you told us on Friday was the 19 purpose was you wanted to ask them how you would go 20 about getting a lawyer; is that right? 21 A Yes, ma'am. 22 Q And that was your action, right? 23 A Yes, ma'am. 24 Q They didn't stop the tape recorder, right? 25 A No, ma'am.</p>	<p style="text-align: right;">Page 46</p> <p>1 A No, ma'am. 2 Q And the questioning didn't stop then, did 3 it? 4 A No, ma'am. 5 Q No. Now, sir, I want to direct your 6 attention to before the tape got on, right? 7 A Yes, ma'am. 8 Q At that time it was a little scary to be 9 hauled down in the middle of the night from your 10 place of employment, was it not? 11 A Some. 12 Q And even though they assured you, you 13 didn't have to stay and you could stop, they kept 14 asking you questions, didn't they? 15 A Yes, ma'am. 16 Q And you tried to answer their questions at 17 first, did they not? 18 A Yes. 19 Q Did you not? 20 A Yes, ma'am. 21 Q And they didn't seem to like what you said, 22 did they? 23 A That's an assumption. 24 Q Well, I'm asking you did they seem to you 25 --</p>
<p style="text-align: right;">Page 45</p> <p>1 Q Physically they did, but they did it 2 because you asked, right? 3 A Yes, ma'am. 4 Q And you asked because you were concerned 5 then about getting a lawyer, right? 6 A Yes, ma'am. 7 Q And you've already told us they didn't get 8 you a lawyer, did they? 9 A No, ma'am. 10 Q And no lawyer came into the room? 11 A No, ma'am. 12 Q And did you retract your request for a 13 lawyer? 14 A Retract? No, ma'am. 15 Q Did you take it away? 16 A No, ma'am. 17 Q And did they tell how to you get a lawyer? 18 A No, ma'am. 19 Q Did they explain to you that if you were 20 going to be charged that you would be entitled to be 21 represented by the Public Defender if you were 22 indigent? 23 A No, ma'am. 24 Q Did they produce any lawyer for you to talk 25 to?</p>	<p style="text-align: right;">Page 47</p> <p>1 A I didn't observe that. 2 Q -- when you were in that room to like what 3 you said? 4 A I didn't observe that. 5 Q Did they -- so you thought that was okay 6 with you, with them? 7 A That was not my concern. 8 Q Well, sir -- 9 A I wasn't paying attention. 10 Q To whether they liked it or not? 11 A No, ma'am. 12 Q Well, it was important to you, was it not? 13 A No, ma'am. 14 Q You felt afraid in the middle of the night, 15 did you not? 16 A Some. 17 Q You felt threatened or intimidated that you 18 might get charged with something serious, did you 19 not? 20 A Yes. 21 Q And they never reassured you that Mr. 22 Wilds, it's okay, you ain't getting charged with 23 nothing, did they? 24 A No, ma'am. 25 Q Neither of them?</p>

<p style="text-align: right;">Page 48</p> <p>1 A No, ma'am.</p> <p>2 Q And nobody else came in the room and</p> <p>3 assured you of that, did you not?</p> <p>4 A No, ma'am.</p> <p>5 Q You knew without their saying anything that</p> <p>6 everything was up to whether or not they believed</p> <p>7 what you said, did you not?</p> <p>8 A That was not my assumption.</p> <p>9 Q That was not your assumption. And, sir,</p> <p>10 you freely agreed to talk to them, did you not?</p> <p>11 A No, ma'am.</p> <p>12 Q You were forced to talk to them?</p> <p>13 A I didn't volunteer.</p> <p>14 Q And so because you didn't volunteer to be</p> <p>15 there, you don't consider that you're freely talking</p> <p>16 to them?</p> <p>17 A Yes, ma'am.</p> <p>18 Q Once you got down there and they threatened</p> <p>19 you or intimidated that you might be charged then</p> <p>20 before the tape recorder was turned on two hours</p> <p>21 later, did you ask for a lawyer?</p> <p>22 A Prior to the tape being turned on?</p> <p>23 Q Yes, sir.</p> <p>24 A No, ma'am.</p> <p>25 Q No. Did you ask to leave?</p>	<p style="text-align: right;">Page 50</p> <p>1 THE COURT: Very well. Next question.</p> <p>2 Q But to your recollection you never got any</p> <p>3 reassurance from them that you could leave, right?</p> <p>4 A No, ma'am.</p> <p>5 Q And you didn't leave?</p> <p>6 A No, ma'am.</p> <p>7 Q So when they asked you questions and you</p> <p>8 answered their questions you don't call that speaking</p> <p>9 to them freely?</p> <p>10 A Once I was taken downtown?</p> <p>11 Q Right.</p> <p>12 A Yes, ma'am.</p> <p>13 Q Yes, you don't call that freely?</p> <p>14 A No.</p> <p>15 Q And that's --</p> <p>16 A No, I'm sorry.</p> <p>17 Q And that's because you weren't volunteering</p> <p>18 --</p> <p>19 THE COURT: Hold on.</p> <p>20 A Yes, I was speaking to them freely once I</p> <p>21 was downtown.</p> <p>22 Q Once you went downtown?</p> <p>23 A Yes, ma'am.</p> <p>24 Q But it wasn't your idea to be downtown,</p> <p>25 right?</p>
<p style="text-align: right;">Page 49</p> <p>1 A No, ma'am.</p> <p>2 Q Did you make an attempt to physically</p> <p>3 leave?</p> <p>4 A No, ma'am.</p> <p>5 Q And did you ask them if it would be okay if</p> <p>6 you just left?</p> <p>7 A I may have.</p> <p>8 Q You may have?</p> <p>9 A I do not recall.</p> <p>10 Q And if you did, did they tell you you could</p> <p>11 --</p> <p>12 MR. URICK: Objection.</p> <p>13 A No, ma'am.</p> <p>14 THE COURT: If you did, did they tell you</p> <p>15 they did?</p> <p>16 MS. GUTIERREZ: I'm sorry, that he could.</p> <p>17 THE COURT: That you could leave?</p> <p>18 MS. GUTIERREZ: That he could leave.</p> <p>19 THE COURT: And you have an objection to</p> <p>20 that question?</p> <p>21 MR. URICK: It sounds hypothetical, if.</p> <p>22 THE COURT: Overruled. Do you recall them</p> <p>23 saying that you could leave or not?</p> <p>24 THE WITNESS: If I asked them, they told me</p> <p>25 no.</p>	<p style="text-align: right;">Page 51</p> <p>1 A No, ma'am.</p> <p>2 Q And you weren't volunteering to talk to</p> <p>3 them, right?</p> <p>4 A No, ma'am.</p> <p>5 Q But before they turned on the tape recorder</p> <p>6 they asked you a lot of questions, did they not?</p> <p>7 A Yes, ma'am.</p> <p>8 Q Most of the same questions they asked you</p> <p>9 later?</p> <p>10 A Yes, ma'am.</p> <p>11 Q Correct? About the events of the 13th of</p> <p>12 January --</p> <p>13 A Yes, ma'am.</p> <p>14 Q -- and Adnan Syed?</p> <p>15 A Yes, ma'am.</p> <p>16 Q They brought up his name, did they not?</p> <p>17 A Excuse me. Yes, ma'am.</p> <p>18 Q And, in fact, what you said to them on the</p> <p>19 13th was that you weren't really tight with Adnan?</p> <p>20 A No, ma'am, that's correct.</p> <p>21 Q And that was the truth back then, wasn't</p> <p>22 it?</p> <p>23 A Yes, ma'am.</p> <p>24 Q You weren't really tight with Adnan?</p> <p>25 A No, ma'am.</p>



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<p>1 Q You described him as an acquaintance, 2 right?</p> <p>3 A Yes, ma'am.</p> <p>4 Q As opposed to a friend?</p> <p>5 A Yes, ma'am.</p> <p>6 Q Is that right?</p> <p>7 A Yes, ma'am.</p> <p>8 Q And that the only thing is that you might 9 be at a party where he was; is that right?</p> <p>10 A Once, yes, ma'am.</p> <p>11 Q And that's what you told them?</p> <p>12 A Yes, ma'am.</p> <p>13 Q Okay. And you were also asked to describe 14 your day on the 13th, were you not?</p> <p>15 A Yes, ma'am.</p> <p>16 Q And you described walking to the mall, 17 didn't you?</p> <p>18 A Yes, ma'am.</p> <p>19 Q Yes. Walking on your own two legs?</p> <p>20 A Yes, ma'am.</p> <p>21 Q And you described that mall that you walked 22 to as being Westview Mall, did you not?</p> <p>23 A Yes, ma'am.</p> <p>24 Q Not Security Mall?</p> <p>25 A Yes, ma'am.</p>	<p>1 Mall?</p> <p>2 A Yes, ma'am.</p> <p>3 Q So one or the other or both times you 4 haven't told the truth about that, right?</p> <p>5 A One or the other or both?</p> <p>6 Q You didn't go to two malls on the 13th 7 according to you, did you?</p> <p>8 A No, ma'am.</p> <p>9 Q You only went to one?</p> <p>10 A Yes, ma'am.</p> <p>11 Q Right. And if the one that you went to 12 were either Security or Westview if you sometime said 13 you went to Security and sometime said you went to 14 Westview Mall, that would not be the truth; would it?</p> <p>15 A No, ma'am.</p> <p>16 Q No. Now, which mall did you live closer 17 to?</p> <p>18 A Did I or presently?</p> <p>19 Q Then.</p> <p>20 A Westview.</p> <p>21 Q Westview. And how long of a walk way it 22 from your house to Westview Mall?</p> <p>23 A About a half hour.</p> <p>24 Q A half an hour's walk to Westview Mall?</p> <p>25 A Yes, ma'am.</p>
Page 53	Page 55
<p>1 Q You're familiar with both places, are you 2 not?</p> <p>3 A Yes, ma'am.</p> <p>4 Q They are two entirely different places, are 5 they not?</p> <p>6 A Yes, ma'am.</p> <p>7 Q And Westview Mall is off of Route 40 right 8 above Ingleside up to 695, is it not?</p> <p>9 A Yes, ma'am.</p> <p>10 Q And Security Mall is off of Security 11 Boulevard between 695 above it up to Rolling Road; is 12 that correct?</p> <p>13 A Yes, ma'am.</p> <p>14 Q They're two entirely different malls?</p> <p>15 A Yes, ma'am.</p> <p>16 Q With some of the same stores but mostly 17 different?</p> <p>18 A Yes, ma'am.</p> <p>19 Q And you've been to both places --</p> <p>20 A Yes, ma'am.</p> <p>21 Q -- have you not? And on some occasions in 22 this case you've answered that the place that you 23 went shopping was Westview Mall, right?</p> <p>24 A Yes.</p> <p>25 Q And at other times you've said Security</p>	<p>1 Q And how far a walk would it have been to 2 Security Mall?</p> <p>3 A About an hour.</p> <p>4 Q About an hour?</p> <p>5 A Yes, ma'am.</p> <p>6 Q You lived much closer to Route 40 than you 7 did to Security Boulevard, correct?</p> <p>8 A Yes, ma'am.</p> <p>9 Q And you actually lived, I guess the 10 direction would be west of Rolling Road, not east of 11 Rolling Road?</p> <p>12 A Actually, I did live east of Rolling Road.</p> <p>13 Q So you lived closer to the city?</p> <p>14 A Yes, ma'am.</p> <p>15 Q As opposed to beyond Rolling Road outside 16 of the city?</p> <p>17 A Yes, ma'am.</p> <p>18 Q All right, now, sir, you're familiar with 19 Rolling Road, are you not?</p> <p>20 A Yes, ma'am.</p> <p>21 Q And, sir, you're familiar with the mosque, 22 the Islamic Society of Baltimore?</p> <p>23 A Yes, ma'am.</p> <p>24 Q And you know where its location is, do you 25 not?</p>

<p style="text-align: right;">Page 56</p> <p>1 A Yes, ma'am.</p> <p>2 Q It's right off of Rolling Road on, I guess</p> <p>3 there it would be south of Security Boulevard, is it</p> <p>4 not?</p> <p>5 A Yes, ma'am.</p> <p>6 Q Okay. You have to -- if you're coming from</p> <p>7 Security Boulevard and you're on Rolling Road, you</p> <p>8 come across a light that's Johnnycake Road?</p> <p>9 A Yes, ma'am.</p> <p>10 Q And if you go right in that very first</p> <p>11 block is whose house?</p> <p>12 A Mr. Syed's.</p> <p>13 Q Mr. Syed's. And you were familiar with</p> <p>14 that, were you not?</p> <p>15 A Yes, ma'am.</p> <p>16 Q And if you go left on Johnnycake Road and</p> <p>17 go down a little further past where the houses begin</p> <p>18 on the continuation of Johnnycake Road to the right</p> <p>19 is what?</p> <p>20 A The mosque.</p> <p>21 Q The mosque. And you had been there</p> <p>22 previously?</p> <p>23 A Yes, ma'am.</p> <p>24 Q And you knew that Adnan Syed belonged</p> <p>25 there, did you not?</p>	<p style="text-align: right;">Page 58</p> <p>1 A Yes, ma'am.</p> <p>2 Q And then later you told them, no, I walked</p> <p>3 to the mall and then I somehow met up with Mark</p> <p>4 Pusateri?</p> <p>5 A I believe so.</p> <p>6 Q And you couldn't recall whether you met up</p> <p>7 with him before you actually got to the mall or</p> <p>8 after, right?</p> <p>9 A Yes, ma'am.</p> <p>10 Q Now, Mark [REDACTED] is related to Jen</p> <p>11 Pusateri, is he not?</p> <p>12 A Yes, ma'am.</p> <p>13 Q He is her, your very good friend's younger</p> <p>14 brother, is he not?</p> <p>15 A Yes, ma'am.</p> <p>16 Q And back in January of '99 he was fifteen</p> <p>17 years old?</p> <p>18 A I believe so.</p> <p>19 Q Yes. And you were back then?</p> <p>20 A Nineteen.</p> <p>21 Q Nineteen years old. And you told them that</p> <p>22 he was the person that you had dealt with?</p> <p>23 A Yes.</p> <p>24 Q Either at the mall or right after the mall,</p> <p>25 right?</p>
<p style="text-align: right;">Page 57</p> <p>1 A I assumed so.</p> <p>2 Q And you were aware, were you not, that he</p> <p>3 was there almost on a daily basis as a result of the</p> <p>4 tenets of Islam?</p> <p>5 A I assumed so.</p> <p>6 Q And that was common knowledge?</p> <p>7 A Yes, ma'am.</p> <p>8 Q Now, on this first earlier interview, the</p> <p>9 one before the tape recording was turned on, you also</p> <p>10 told them that you went to the mall by walking</p> <p>11 right? Right?</p> <p>12 A I believe so.</p> <p>13 Q And that -- well, there's no doubt in your</p> <p>14 mind, is there?</p> <p>15 A Some.</p> <p>16 Q After the morning you then went back to</p> <p>17 your house?</p> <p>18 A Yes, ma'am.</p> <p>19 Q All right. On another occasion -- in fact,</p> <p>20 you had more than one time to go through it in that</p> <p>21 two hours, did you not?</p> <p>22 A Yes, ma'am.</p> <p>23 Q The first thing you told them was that you</p> <p>24 walked and then you walked right back to your house,</p> <p>25 right?</p>	<p style="text-align: right;">Page 59</p> <p>1 A Yes.</p> <p>2 Q And then you went back to his house,</p> <p>3 meaning Mark's house, and you played video games?</p> <p>4 A Yes, ma'am.</p> <p>5 Q And that at some point his sister came</p> <p>6 home?</p> <p>7 A Yes, ma'am.</p> <p>8 Q But you didn't mention her name?</p> <p>9 A No, ma'am.</p> <p>10 Q No. And that afterwards that at some point</p> <p>11 you then just went back to your house?</p> <p>12 A Yes, ma'am.</p> <p>13 Q And, again, you were walking the whole</p> <p>14 time?</p> <p>15 A Yes, ma'am.</p> <p>16 Q And then nobody gave you a ride anywhere?</p> <p>17 A Yes, ma'am.</p> <p>18 Q And then at some point, you thought it was</p> <p>19 about two o'clock, that you received a telephone call</p> <p>20 from Adnan?</p> <p>21 A Yes, ma'am.</p> <p>22 Q About -- and what he wanted was directions</p> <p>23 to a D.C. head shop or a head shop known as Around</p> <p>24 D.C.?</p> <p>25 A Dock's.</p>

1 Q Dock's, okay?  
 2 A It's a head shop in Baltimore.  
 3 Q And that's actually at Eastern and  
 4 Baltimore Street?  
 5 A I believe so.  
 6 Q In East Baltimore?  
 7 A Eastern Avenue.  
 8 Q Okay. The whole other side of town where  
 9 you were, right?  
 10 A Yes, ma'am.  
 11 Q And that's what you told the police was  
 12 your sole contact with Adnan that day, right?  
 13 A Yes, ma'am.  
 14 Q They didn't like that much, did they?  
 15 A That's an assumption.  
 16 Q Well, sir, did you think they liked that  
 17 information?  
 18 A Liked it?  
 19 Q Did you?  
 20 A I couldn't tell.  
 21 Q Did you have a sense whether or not they  
 22 believed your information?  
 23 A Some.  
 24 Q Well, they told you they didn't believe it,  
 25 didn't they?

1 A Yes.  
 2 Q And they told you that they had other  
 3 information that contradicted what you told them,  
 4 right?  
 5 A Yes, ma'am.  
 6 Q They told you, in fact, they had anonymous  
 7 calls from Indian people that said look at Adnan, did  
 8 they not?  
 9 A No, ma'am.  
 10 Q They told you that they had spoken to Jen  
 11 Pusateri the night before, did they not, or the early  
 12 evening hours of the day before?  
 13 A I believe so.  
 14 Q And they told you what she said, did they  
 15 not?  
 16 A Some of it.  
 17 Q And they told you that based on that and  
 18 other information they didn't believe what you said?  
 19 A Yes, ma'am.  
 20 Q And they told you that they believed that  
 21 Adnan Syed was involved based on what Jen told them?  
 22 A Yes, ma'am.  
 23 Q And based on these anonymous calls from  
 24 persons who were Indian?  
 25 A I don't recall.

1 Q You don't recall that?  
 2 A No.  
 3 Q But at least they told you that based on  
 4 what they knew from Jen that they believed that Adnan  
 5 was involved?  
 6 A Not Jen per se but the information that  
 7 they had.  
 8 Q Okay. And they told you that based on  
 9 their belief that Adnan was involved they wanted you  
 10 to come clean and tell them that Adnan was involved,  
 11 did they not?  
 12 A Yes, ma'am.  
 13 Q So then you told them, well, Adnan called  
 14 back and needed a ride at about 2:30?  
 15 A Yes, ma'am.  
 16 Q Isn't that what you told them? But that in  
 17 reality he caught a ride with a person by the name of  
 18 Jeff [REDACTED]  
 19 A [REDACTED]  
 20 Q [REDACTED]  
 21 A No, ma'am.  
 22 Q You gave them that name, did you not?  
 23 A Yes, ma'am, I gave them that name.  
 24 Q And you told them he caught a ride with  
 25 Jeff [REDACTED]

1 A [REDACTED]  
 2 Q [REDACTED], I'm sorry?  
 3 A I do not recall.  
 4 Q That would be a mistake if they wrote that  
 5 in their notes?  
 6 A Yes, ma'am.  
 7 Q Yes, because that's not something you would  
 8 have told them?  
 9 A No, ma'am.  
 10 Q They got that part wrong if that's how they  
 11 put it?  
 12 A Yes, ma'am.  
 13 Q Okay. And you said that Jeff drove him to  
 14 the High's store?  
 15 A Yes, ma'am.  
 16 Q Was the him referring to you?  
 17 A No, ma'am.  
 18 Q It was referring to Adnan?  
 19 A Yes, ma'am.  
 20 Q The person they wanted to hear about?  
 21 A Yes, ma'am.  
 22 Q They made no mistake that Adnan was the  
 23 person they wanted to hear about?  
 24 A Yes, ma'am.  
 25 Q Okay. And that you then walked down to the

1 High's store and hooked up with them?  
 2 A Yes, ma'am.  
 3 Q And that you gave them directions to reach  
 4 the head shop named Docks at Eastern and Baltimore?  
 5 A Yes, ma'am.  
 6 Q And you did so, right? You did so, you did  
 7 give him directions, did you not?  
 8 A No, ma'am.  
 9 Q But that's what you first told them?  
 10 A Yes, ma'am.  
 11 Q And then they made it very clear that the  
 12 information that they were seeking was really all  
 13 about Adnan?  
 14 A Somewhat.  
 15 Q Well, a lot, didn't they?  
 16 A I'm not understanding.  
 17 Q As the conversation went on, Mr. Wilds, you  
 18 got increasingly comfortable, did you not?  
 19 A No, ma'am.  
 20 Q You got less fearful of being charged, did  
 21 you not?  
 22 A Somewhat.  
 23 Q Some. And you got less fearful based on  
 24 what you said to them, did you not?  
 25 A Somewhat.

1 Q And also based on what they said to you?  
 2 A Yes, ma'am.  
 3 Q You got reassured that you were going to  
 4 walk out of that police station that day or sometime  
 5 real soon without being charged with any crime?  
 6 A No, ma'am.  
 7 Q So, sir, did you stay -- did you remain at  
 8 the same level of fear that you might be charged?  
 9 A Not the same level, no.  
 10 Q It got lesser, didn't it?  
 11 A Yes, ma'am.  
 12 Q You got less anxious about that happening,  
 13 did it not?  
 14 A Yes, ma'am.  
 15 Q And, sir, the more that you told them about  
 16 that person that they had made clear was important,  
 17 the less your -- the more your anxiety went down, did  
 18 it not?  
 19 A Yes, ma'am.  
 20 Q All right. And when you -- there came a  
 21 point when they asked to turn on the tape recorder,  
 22 right?  
 23 A Yes, ma'am.  
 24 Q That was after they told you that they  
 25 didn't believe you and you'd better come clean --

1 A Yes, ma'am.  
 2 Q -- was it not? And they made it clear that  
 3 if you didn't come clean with them about Adnan that  
 4 you were going to get charged?  
 5 A Yes, ma'am.  
 6 Q Yes, and there was no equivocation about  
 7 that, was there?  
 8 A No, ma'am.  
 9 Q You knew exactly what they meant --  
 10 A Yes, ma'am.  
 11 Q -- did you not? And by getting charged  
 12 that meant getting charged with the murder of Hae Min  
 13 Lee, did it not?  
 14 A Yes, ma'am.  
 15 Q Because so far you were the closest person  
 16 near according to them, were you not?  
 17 A They didn't say anything like that.  
 18 Q Well, they told you they were prepared to  
 19 charge you, did they not?  
 20 A Yes, ma'am.  
 21 Q And when they did that it would be fair to  
 22 say that your anxiety about that issue went up, did  
 23 it not?  
 24 A Yes, ma'am.  
 25 Q But it only went down after you began to

1 speak about Adnan?  
 2 A No, ma'am.  
 3 Q All right, now, Mr. Wilds, there came a  
 4 point when the tape recorder got turned on, right?  
 5 A Yes, ma'am.  
 6 Q Was it one of those little ones or a big  
 7 tape recorder with a reel?  
 8 A It was a reel to reel. It was a small box.  
 9 Q It was a small one like a micro cassette?  
 10 A No.  
 11 Q Bigger than that?  
 12 A Yes.  
 13 Q And you knew when it got turned on, did you  
 14 not?  
 15 A Yes, ma'am.  
 16 Q They had to ask your permission, did they  
 17 not?  
 18 A I believe so.  
 19 Q And at that point you didn't ask for a  
 20 lawyer, did you?  
 21 A No, ma'am.  
 22 Q You didn't need the help of a lawyer in  
 23 your own mind, did you?  
 24 A Hmm, not quite.  
 25 Q Not quite needing a lawyer?



1 A No, ma'am.  
2 Q So at that point you hadn't asked them for  
3 a lawyer, right?  
4 A No, ma'am.  
5 Q And none had been provided?  
6 A No, ma'am.  
7 Q And you hadn't been asked again if you  
8 might want to talk to a lawyer?  
9 A No, ma'am.  
10 Q And no lawyer walked in?  
11 A No, ma'am.  
12 Q And there was no lawyer to your knowledge  
13 available in the Police Department --  
14 A No, ma'am.  
15 Q -- was there? And they hadn't conveyed to  
16 you any information that there was a lawyer room  
17 where lawyers might be?  
18 A No, ma'am.  
19 Q Or a lawyer place where lawyers might be?  
20 A No, ma'am.  
21 Q Waiting for someone like you to need their  
22 services?  
23 A Absolutely not.  
24 Q And before the tape recorder got turned on  
25 they asked if that was okay with you, wasn't it?

1 A Yes, ma'am.  
2 Q And when they asked for the tape recorder  
3 they asked much of the same questions that they asked  
4 you before the tape recorder went on, hadn't they?  
5 A Yes, ma'am.  
6 Q And you didn't then after the tape recorder  
7 went on ask for a lawyer until about an hour and a  
8 half into the tape recorded statement?  
9 A Yes, ma'am.  
10 Q Okay. Prior to that time no lawyer  
11 appeared?  
12 A No, ma'am.  
13 Q So, sir, it would be fair to say, would it  
14 not, that you were less anxious about being charged?  
15 A Somewhat.  
16 Q And that by their actions they appeared to  
17 be interested in Adnan Syed's activities, did they  
18 not?  
19 A Not solely.  
20 Q Well, they weren't solely interested in  
21 yours, were they?  
22 A Yes, ma'am.  
23 Q Well, you didn't tell them you had anything  
24 to do with the murder, did you?  
25 A No, ma'am.

1 Q You just told them that you barely knew  
2 Hae, right?  
3 A Yes, ma'am.  
4 Q And that Adnan told you things, right?  
5 A Yes, ma'am.  
6 Q But that you didn't do anything?  
7 A Yes, ma'am.  
8 Q Right?  
9 A Yes.  
10 Q That's what you told them, right?  
11 A Yes, ma'am.  
12 Q Your hands were absolutely clean, right?  
13 A Yes, ma'am.  
14 Q And you hadn't done anything to help kill  
15 her; is that right?  
16 A Yes, ma'am.  
17 Q You just looked at the body at a place that  
18 you lied about, right?  
19 A Yes.  
20 Q Going down Edmondson Avenue?  
21 A Yes, ma'am.  
22 Q And that when you were asked to help bury  
23 her you refused to do it, correct?  
24 A Yes, ma'am.  
25 Q You didn't tell them that it was your

1 shovels?  
2 A No, ma'am.  
3 Q And you didn't tell them what you did with  
4 those shovels afterwards, did you?  
5 A No, ma'am.  
6 Q In fact, on Friday when I asked you, Mr.  
7 Wilds, we talked about when you later went back,  
8 either that night or the next day that you wiped the  
9 fingerprints off the shovels; is that right?  
10 A Yes, ma'am.  
11 Q In fact, you moved your shovels, did you  
12 not?  
13 A I believe so.  
14 Q Okay. You moved them from one dumpster,  
15 right?  
16 A Yes, ma'am.  
17 Q To another dumpster, right?  
18 A Yes, ma'am.  
19 Q A lot of dumpsters to keep track of, wasn't  
20 it?  
21 A No, ma'am.  
22 Q Well, sir, you were --  
23 A Why would I need to keep track of them?  
24 Q Your first interview prior to asking them  
25 for a lawyer, had anything happened that made you do

<p style="text-align: right;">Page 72</p> <p>1 so?</p> <p>2 A In the interview that made me ask for a</p> <p>3 lawyer?</p> <p>4 Q Yes, sir.</p> <p>5 A The police were reversing their statements.</p> <p>6 THE COURT: I'm sorry, the policemen were</p> <p>7 what?</p> <p>8 THE WITNESS: Reversing their statements.</p> <p>9 THE COURT: Reversing their statements.</p> <p>10 Q They were reversing their statements?</p> <p>11 A Yes, ma'am.</p> <p>12 Q You began to feel threatened again, did you</p> <p>13 not?</p> <p>14 A Yes, ma'am.</p> <p>15 Q That you would get charged that night,</p> <p>16 right?</p> <p>17 A Possibly.</p> <p>18 Q And that's when you asked to turn off the</p> <p>19 tape recorder, right?</p> <p>20 A Yes, ma'am.</p> <p>21 Q To ask them to do what they had already</p> <p>22 told you they would do if you asked, right?</p> <p>23 A Yes, ma'am.</p> <p>24 Q Get a lawyer?</p> <p>25 A Yes, ma'am.</p>	<p style="text-align: right;">Page 74</p> <p>1 they?</p> <p>2 A Yes, ma'am.</p> <p>3 Q And you told them yes?</p> <p>4 A Yes, ma'am.</p> <p>5 Q And they hadn't reassured you in any</p> <p>6 measure you wouldn't get charged?</p> <p>7 A No, ma'am.</p> <p>8 Q Now, they didn't ever stop it after they</p> <p>9 put it back on, did they?</p> <p>10 A No, ma'am.</p> <p>11 Q And, once again, after the tape recorder</p> <p>12 went back on again, three and a half hours after you</p> <p>13 began to speak to them, they continued to ask you</p> <p>14 about Adnan Syed?</p> <p>15 A Yes, ma'am.</p> <p>16 Q Did they not? And they continued to want</p> <p>17 information about what he did?</p> <p>18 A Yes.</p> <p>19 Q And what he said?</p> <p>20 A Yes, ma'am.</p> <p>21 Q They weren't so concerned about you, were</p> <p>22 they?</p> <p>23 A It seemed that way to me.</p> <p>24 Q It seemed that way to you based on what</p> <p>25 they asked, right?</p>
<p style="text-align: right;">Page 73</p> <p>1 Q Right? If you asked that they would</p> <p>2 provide it or see that one was provided, right?</p> <p>3 A Yes, ma'am.</p> <p>4 Q And in that little break, I think you told</p> <p>5 us Friday it was about ten minutes?</p> <p>6 A Yes, ma'am.</p> <p>7 Q In that ten minute break they again</p> <p>8 reassured you about how you're not going to get</p> <p>9 charged, didn't they?</p> <p>10 A No, ma'am.</p> <p>11 Q They didn't get you a lawyer, did they?</p> <p>12 A No, ma'am.</p> <p>13 Q No lawyer came in, did they?</p> <p>14 A No, ma'am.</p> <p>15 Q But within ten minutes you told them that</p> <p>16 it was okay to turn back on the tape recorder, didn't</p> <p>17 you?</p> <p>18 A Yes, ma'am.</p> <p>19 Q And that was okay with you, was it not?</p> <p>20 A No, ma'am.</p> <p>21 Q You just did so because you were scared?</p> <p>22 A No, ma'am.</p> <p>23 Q Did they make you do so?</p> <p>24 A No, ma'am.</p> <p>25 Q And they did ask you if it was okay, didn't</p>	<p style="text-align: right;">Page 75</p> <p>1 A That they were still concerned.</p> <p>2 Q But even though, sir, it may have seemed</p> <p>3 that way to you you were lying to them any way,</p> <p>4 right?</p> <p>5 A Yes, ma'am.</p> <p>6 Q About most critical details, right?</p> <p>7 A Not most critical.</p> <p>8 Q Well you were lying about the chronology</p> <p>9 that occurred, did you not?</p> <p>10 A Some.</p> <p>11 Q You were lying about where things may have</p> <p>12 occurred?</p> <p>13 A Yes, ma'am.</p> <p>14 Q Who was involved?</p> <p>15 A No, ma'am.</p> <p>16 Q Well, you lied about the who by omitting</p> <p>17 names of people that might have been involved?</p> <p>18 A Yes, ma'am.</p> <p>19 Q And might have heard things?</p> <p>20 A Yes.</p> <p>21 Q And might have corroborated what, if</p> <p>22 anything, you said?</p> <p>23 A Yes, ma'am.</p> <p>24 Q And you've agreed, sir, have you not, that</p> <p>25 that's lying by omission?</p>

<p style="text-align: right;">Page 76</p> <p>1 A Yes, ma'am.</p> <p>2 Q That that's not the truth?</p> <p>3 A Excuse me, yes, ma'am.</p> <p>4 Q That's lying by concealing what the real</p> <p>5 truth is?</p> <p>6 A Yes, ma'am.</p> <p>7 Q And so you had already admitted to them</p> <p>8 about where things happened, correct?</p> <p>9 A Yes, ma'am.</p> <p>10 Q And who may have witnessed or corroborated</p> <p>11 anything you had to say?</p> <p>12 A Yes, ma'am.</p> <p>13 Q But they appeared to believe it, did they</p> <p>14 not?</p> <p>15 A That's an assumption.</p> <p>16 Q Well, sir, when you took them to the place</p> <p>17 that was a lie on Edmondson Avenue, did they appear</p> <p>18 to believe you?</p> <p>19 A Yes, ma'am.</p> <p>20 Q And when you got there you not only pointed</p> <p>21 out where the place was but you admit, oh, yes, this</p> <p>22 is the place I was talking about, didn't you?</p> <p>23 A Yes, ma'am.</p> <p>24 Q So they asked you that question, didn't</p> <p>25 they?</p>	<p style="text-align: right;">Page 78</p> <p>1 right?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Visible to you as blue, right?</p> <p>4 A Yes, ma'am.</p> <p>5 Q Visible to you as someone who had been</p> <p>6 exposed to the cold for a long time might exhibit</p> <p>7 blueness --</p> <p>8 MR. URICK: Objection.</p> <p>9 THE COURT: Sustained.</p> <p>10 Q Sir, did you intend to convey that?</p> <p>11 MR. URICK: Objection.</p> <p>12 THE COURT: Sustained.</p> <p>13 Q Did you describe the blue in any way?</p> <p>14 MR. URICK: Objection.</p> <p>15 THE COURT: I'm sorry, I didn't hear the</p> <p>16 question.</p> <p>17 Q Did you describe the blue in any way?</p> <p>18 THE COURT: Overruled.</p> <p>19 A No, ma'am.</p> <p>20 Q And were you asked any questions about what</p> <p>21 it was you meant when you call her lips blue the</p> <p>22 first time you described it?</p> <p>23 A No, ma'am.</p> <p>24 Q Now, sir, on Friday you described what you</p> <p>25 saw -- you say you saw at a different location than</p>
<p style="text-align: right;">Page 77</p> <p>1 A Yes, ma'am.</p> <p>2 Q It wasn't just silence there on that</p> <p>3 corner, was there?</p> <p>4 A No.</p> <p>5 Q You said no this corner is where he popped</p> <p>6 the trunk and I saw the body?</p> <p>7 A Yes, ma'am.</p> <p>8 Q And you lied about things that you saw</p> <p>9 about the body, did you not?</p> <p>10 A No, ma'am.</p> <p>11 Q Well, sir, you described at first that her</p> <p>12 face was down, did you not?</p> <p>13 A She was laying on her side.</p> <p>14 Q The first time you described that. In your</p> <p>15 second statement you said she was face down?</p> <p>16 A Head turned slightly to the right.</p> <p>17 Q That's not my question, sir. Did you</p> <p>18 describe it on your first occasion on which you</p> <p>19 described it as her body being face down, yes or no?</p> <p>20 MR. URICK: Objection.</p> <p>21 THE COURT: Sustained.</p> <p>22 Q Mr. Wilds, do you recall that in that first</p> <p>23 occasion that you indicated that her lips were blue?</p> <p>24 A Yes, ma'am.</p> <p>25 Q And by blue you meant the color blue,</p>	<p style="text-align: right;">Page 79</p> <p>1 this Edmondson Avenue address, is that her neck was</p> <p>2 blue, do you recall that?</p> <p>3 A Yes, ma'am.</p> <p>4 Q And would you agree that that is a</p> <p>5 different description than her lips being blue?</p> <p>6 A No, ma'am.</p> <p>7 Q You think it's the same thing to say</p> <p>8 someone's lips are blue and their neck is blue?</p> <p>9 A It's not the same thing to say that, no.</p> <p>10 Q It's not same thing, is it? So would you</p> <p>11 agree that describing her lips as being blue and at</p> <p>12 another time describing her neck as being blue as</p> <p>13 being two different things?</p> <p>14 MR. URICK: Objection.</p> <p>15 THE COURT: Overruled.</p> <p>16 A No.</p> <p>17 THE COURT: Was it two different things,</p> <p>18 your answer?</p> <p>19 THE WITNESS: If she was blue, she was</p> <p>20 blue.</p> <p>21 THE COURT: Very well. Your next question.</p> <p>22 Q So the answer to my question is, it's not</p> <p>23 two different things?</p> <p>24 THE COURT: Sustained.</p> <p>25 Q Do you regard it as the same thing?</p>

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<p>1 MR. URICK: Objection.</p> <p>2 THE COURT: Overruled. Do you regard them</p> <p>3 as the same thing?</p> <p>4 THE WITNESS: No, ma'am.</p> <p>5 THE COURT: Your next question.</p> <p>6 Q Now, in regard to what you saw, sir, you've</p> <p>7 told us you knew Hae Lee because she sat in your</p> <p>8 biology class, right?</p> <p>9 A Yes, ma'am.</p> <p>10 Q And that's when she was in the eleventh</p> <p>11 grade and you were in the twelfth or in an earlier</p> <p>12 year?</p> <p>13 A That's the year.</p> <p>14 Q That was the year. And that would have</p> <p>15 been the school year that began in September of '97</p> <p>16 and went through until June of '98?</p> <p>17 A Yes, ma'am.</p> <p>18 Q Okay. And you and Hae were never</p> <p>19 independent friends, were you?</p> <p>20 A No, ma'am.</p> <p>21 Q She never called you?</p> <p>22 A No, ma'am.</p> <p>23 Q You never called her?</p> <p>24 A Maybe once for homework.</p> <p>25 Q For?</p>	<p>1 girlfriend regularly mentioned?</p> <p>2 A No, ma'am.</p> <p>3 Q Or even really mentioned at all?</p> <p>4 A On occasion.</p> <p>5 Q On occasion. But you clearly understood</p> <p>6 that Hae Min Lee was not Stephanie's good friend?</p> <p>7 A Yes, ma'am.</p> <p>8 Q And you came to understand that Hae Min Lee</p> <p>9 was not even somebody Stephanie particularly liked?</p> <p>10 A Yes, ma'am.</p> <p>11 Q That, of course, wasn't a surprise to you,</p> <p>12 was it?</p> <p>13 A No, ma'am.</p> <p>14 Q And you described that you went out with</p> <p>15 Hae Min Lee and Adnan and your girlfriend who wasn't</p> <p>16 a friend of Stephanie on two occasions?</p> <p>17 A No, ma'am.</p> <p>18 Q Well, you described going to the dance, did</p> <p>19 you not?</p> <p>20 A Yes, ma'am.</p> <p>21 Q That was the dance in, I believe it was in</p> <p>22 April 25th, 1998?</p> <p>23 A At the fire station?</p> <p>24 Q The junior prom.</p> <p>25 A Oh, yes.</p>
Page 81	Page 83
<p>1 A Homework.</p> <p>2 Q Homework. But you would not have described</p> <p>3 yourself as friends?</p> <p>4 A No.</p> <p>5 Q And your girlfriend Stephanie was your</p> <p>6 girlfriend back then, was she not?</p> <p>7 A Yes, ma'am.</p> <p>8 Q And your girlfriend Stephanie was in the</p> <p>9 magna program as was Hae Min Lee, was she not?</p> <p>10 A Yes, ma'am.</p> <p>11 Q A program that you were not in; right?</p> <p>12 A Yes, ma'am.</p> <p>13 Q You, sir, on Friday, did you describe them</p> <p>14 as being friends?</p> <p>15 A No, ma'am.</p> <p>16 Q No. And, in fact, Hae Min Lee and your</p> <p>17 girlfriend Stephanie weren't really friends, were</p> <p>18 they?</p> <p>19 A No, ma'am.</p> <p>20 Q They didn't socialize on their own, did</p> <p>21 they?</p> <p>22 A Excuse me, no, ma'am.</p> <p>23 Q At least not to your knowledge, right?</p> <p>24 A No, ma'am.</p> <p>25 Q Hae Min Lee was not a name that your</p>	<p>1 Q Yes. And it was your testimony that you</p> <p>2 went to that dance together with Adnan and Hae Min</p> <p>3 Lee?</p> <p>4 A They were there, yes.</p> <p>5 Q They were there, right?</p> <p>6 A Yes.</p> <p>7 Q At the dance. Along with fifteen hundred</p> <p>8 other people?</p> <p>9 A Yes, ma'am.</p> <p>10 Q And you describe that, sir, as going with</p> <p>11 them?</p> <p>12 A Yes, ma'am.</p> <p>13 Q So you didn't ride in the car with them,</p> <p>14 did you?</p> <p>15 A I don't believe so.</p> <p>16 Q Not on the way to dance, right?</p> <p>17 A I don't believe so.</p> <p>18 Q And not on the way back from the dance?</p> <p>19 A No, ma'am.</p> <p>20 Q And you had no interaction with them for a</p> <p>21 pre-dance party or picture taken, or anything like</p> <p>22 that, did you?</p> <p>23 A Prior to the party? Prior?</p> <p>24 Q Yes.</p> <p>25 A No.</p>



1 Q Or after?  
 2 A No, ma'am.  
 3 Q So all you could really tell us is that the  
 4 dance was a place where you were there with your  
 5 girlfriend, right?  
 6 A Yes, ma'am.  
 7 Q Adnan was there with what appeared to be  
 8 his girlfriend?  
 9 A Yes, ma'am.  
 10 Q And at that dance there was a prince and  
 11 princess?  
 12 A Yes, ma'am.  
 13 Q And the princess was Stephanie [REDACTED]?  
 14 A Yes, ma'am.  
 15 Q And the prince was Adnan Syed?  
 16 A Yes, ma'am.  
 17 Q And that didn't upset you, did it?  
 18 A No, ma'am.  
 19 Q And you were aware then that the prince  
 20 Adnan Syed was your girlfriend Stephanie's best  
 21 friend?  
 22 A I wouldn't say that.  
 23 Q You wouldn't say that?  
 24 A No, ma'am.  
 25 Q But would she?

1 A No, ma'am.  
 2 Q And the other occasion in which you told us  
 3 about on Friday that you went out with them?  
 4 A Pardon me?  
 5 Q The other occasion on which you went out  
 6 with them, meaning Adnan and Hae?  
 7 A I myself, Stephanie, and Mr. Syed went to a  
 8 dance together.  
 9 Q The three of you?  
 10 A Yes, ma'am.  
 11 Q Not Hae?  
 12 A No, ma'am.  
 13 Q You didn't double date with Hae --  
 14 A No, ma'am.  
 15 Q -- and Adnan, did you?  
 16 A No, ma'am.  
 17 Q In fact, there is no social occasion that  
 18 you went to that could be described as together?  
 19 A No, ma'am.  
 20 Q With the two of them?  
 21 A No, ma'am.  
 22 Q And if you had gone out with them, one or  
 23 both of them together that would have been occasioned  
 24 by Stephanie, would it not?  
 25 A Pardon me?

1 Q If you had gone out with either Hae or  
 2 Adnan together, that would have happened because of  
 3 Stephanie, would it not?  
 4 A Yes, ma'am.  
 5 Q You wouldn't have (inaudible) arranged to  
 6 double date with Hae and Adnan, would you?  
 7 A No, ma'am.  
 8 Q You wouldn't have (inaudible) arranged to  
 9 have Adnan go with you, would you?  
 10 A No, ma'am.  
 11 Q That would be Stephanie's doing, right?  
 12 A Yes, ma'am.  
 13 Q Because Adnan was her friend?  
 14 A Yes, ma'am.  
 15 Q And, in fact, although you might not have  
 16 objected to it happening, it never happened, did it?  
 17 A No, ma'am.  
 18 Q No occasion where you double dated with  
 19 Adnan and Hae?  
 20 A That is correct.  
 21 Q No occasion where together the four of you  
 22 went anywhere socially together?  
 23 A No, ma'am.  
 24 Q And no occasion where they came over to  
 25 your house?

1 A No, ma'am.  
 2 Q Or they were invited over to your  
 3 girlfriend's house while you were there?  
 4 A No, ma'am.  
 5 Q And you went over to Hae's house?  
 6 A No, ma'am.  
 7 Q Or you went over to Adnan's house?  
 8 A No, ma'am.  
 9 Q Never a single social occasion --  
 10 MR. URICK: Objection.  
 11 Q -- where you all got together?  
 12 THE COURT: Sustained.  
 13 Q In regard to whether or not you told  
 14 anybody else about the events on the 13th, you were  
 15 asked that by the police, were you not?  
 16 A Yes.  
 17 Q And although you didn't tell them the truth  
 18 the first time, right?  
 19 A Yes, ma'am.  
 20 Q And you didn't tell them the truth after  
 21 the tape recorder was put on?  
 22 A No, ma'am.  
 23 Q And you told them different truths on the  
 24 15th of March, right?  
 25 A Yes, ma'am.

<p style="text-align: right;">Page 88</p> <p>1 Q And you told them other things on the 13th 2 of April when you were asked, right? 3 A Yes, ma'am. 4 Q You were aware, sir, that as a result of -- 5 maybe I forgot, I thought I asked you this. Were you 6 aware that Adnan Syed was arrested on the 28th 7 following your statement? 8 A You asked me, the following day I learned 9 that. 10 Q The following day, meaning on the 1st of 11 March? 12 A That morning, yes. 13 Q And then on the 15th of March, which would 14 have been two weeks and a day later, is when your 15 second statement was, right? 16 A Yes, ma'am. 17 Q And then you also spoke to them again on 18 the 13th of April? 19 A Yes, ma'am. 20 Q And at the time that you spoke to them on 21 the 13th of April, sir, you were where? 22 A That Mr. Syed was in custody? 23 Q Pardon? 24 A That Mr. Syed -- 25 Q No, where were you?</p>	<p style="text-align: right;">Page 90</p> <p>1 Q And you did so, right? 2 A Yes, ma'am. 3 Q Your house wasn't ever searched, was it? 4 A No, ma'am. 5 Q And you had told them, well, by the way, I 6 threw away my coat ultimately, right? 7 A Yes, ma'am. 8 Q So that a search wouldn't have revealed the 9 coat that you had on that day, right? 10 A No, ma'am. 11 Q And that you had thrown away the boots that 12 you had on, right? 13 A Yes, ma'am. 14 Q So a search of your house wouldn't have 15 revealed those boots, right? 16 A No, ma'am. 17 Q Or any pants? 18 A No, ma'am. 19 Q Or your shirt or T-shirt, right? 20 A My T-shirt, but not my shirt. 21 Q Okay. And the police seemed to believe 22 that, did they not? 23 A Yes, ma'am. 24 Q They had your word for it, didn't they? 25 MR. URICK: Objection.</p>
<p style="text-align: right;">Page 89</p> <p>1 A Oh. At the police station. 2 Q At the police station. And, sir, you were 3 aware, were you not, that the State's Attorney's 4 Office was presenting a case to the Grand Jury, the 5 Grand Jury that issues indictments, were you not? 6 A Yes, ma'am. 7 Q That's why you were down here, wasn't it? 8 A I found that out after I arrived. 9 Q Afterward. But you were down here on the 10 13th? 11 A Yes, ma'am. 12 Q You weren't taken to the Grand Jury, were 13 you? 14 A No, ma'am. 15 Q You weren't asked to appear in front of -- 16 in the room -- 17 MR. URICK: Objection. 18 Q -- in which the Grand Jury -- 19 THE COURT: Sustained. 20 Q -- was hearing evidence? 21 THE COURT: Sustained. Ms. Gutierrez, 22 please move on. 23 Q Now, sir, were you ever asked to describe 24 what you had on on that day? 25 A Yes, ma'am.</p>	<p style="text-align: right;">Page 91</p> <p>1 THE COURT: Sustained. 2 Q They didn't search your house, did they? 3 MR. URICK: Objection. 4 THE COURT: If you know? Do you know if 5 they searched your house? Do you know if the police 6 searched the house. 7 THE WITNESS: Wouldn't that be illegal if 8 they did and I didn't? 9 THE COURT: That's not the question. The 10 question is do you know if they searched your house? 11 THE WITNESS: No, ma'am. 12 THE COURT: The answer is I don't know. 13 Q Did they ever ask your permission to search 14 your house? 15 A Yes, ma'am. 16 Q And did you give them that permission? 17 A Yes, ma'am. 18 Q Were you ever present when they searched 19 your house? 20 A They never searched my house. 21 Q Pardon? 22 A They never searched my house. 23 Q They never searched your house. You're 24 sure of that, aren't you? 25 A To the best of my knowledge.</p>

<p style="text-align: right;">Page 92</p> <p>1 Q You don't think that the police came in 2 secretly and searched your house such that you 3 wouldn't know it? 4 MR. URICK: Objection. 5 THE COURT: Sustained. 6 Q Now, sir, I was asking you about at any 7 time you were asked to identify anyone who you might 8 have told about these events, right? 9 A Yes, ma'am. 10 Q And at first you told them, no, no, I told 11 Jen after? 12 A Yes, ma'am. 13 Q And, sir, at the first time you were asked 14 you never mentioned Jen? 15 A No, ma'am. 16 Q You only later mentioned her, right? 17 A Yes, ma'am. 18 Q And when you first mentioned her you said 19 you told her on the 13th? 20 A Yes, ma'am. 21 Q The same day these events occurred -- 22 A Yes, ma'am. 23 Q -- right? But that later when you were 24 asked you told them, oh, no, I told her on the 12th, 25 did you not?</p>	<p style="text-align: right;">Page 94</p> <p>1 A I told the police that. 2 Q Yes, and Gilston Park, as we previously 3 discussed, is a place that you and Jen go, correct? 4 A Yes, ma'am. 5 Q And that place -- now, let me put you back 6 to Rolling Road, where Rolling Road intersects with 7 Route 40; is that correct? 8 A Yes, ma'am. 9 Q All right. That's an intersection that 10 we've described. That is where the McDonald's you 11 mentioned that didn't really happen is, right? 12 A Yes, ma'am. 13 Q And right up the street from that 14 intersection is the PetSmart? 15 A Up Route 40? 16 Q Yes? 17 A Yes, ma'am. 18 Q And the F &amp; M? 19 A Yes, ma'am. 20 Q And is it below that intersection, is the 21 Super Fresh? 22 MR. URICK: Objection. 23 Q Or is it above that intersection -- 24 THE COURT: Sustained. I believe we went 25 on --</p>
<p style="text-align: right;">Page 93</p> <p>1 A Yes, ma'am. 2 Q The day before, right? 3 A Yes, ma'am. 4 Q And that you told her in detail that you 5 thought Adnan was going to kill his girlfriend, 6 right? 7 A I told the police that, yes. 8 Q And if she had learned on the 12th and not 9 the 13th, you would agree she would have had adequate 10 time to call the police and say I don't know whether 11 to believe this or not but my very good friend told 12 me that an acquaintance of his is going to kill his 13 girlfriend? 14 MR. URICK: Objection. 15 THE COURT: Sustained. Next question. 16 Q And, sir, you would agree that when you 17 told them about the 12th you told them that that 18 occurred at Gilston Park, did you not? 19 MR. URICK: Objection. 20 THE COURT: Sustained. 21 Q That the conversation with Jen Pusateri 22 during which you told her it was going to occur 23 occurred at Gilston Park, did you not? 24 MR. URICK: Objection. 25 THE COURT: Overruled.</p>	<p style="text-align: right;">Page 95</p> <p>1 Q With regard -- 2 THE COURT: Ms. Gutierrez, Ms. Gutierrez, 3 if I may. I know that we've had the testimony broken 4 up, but I believe we covered this area once before. 5 However, if there's some questions that you need -- 6 MS. GUTIERREZ: No, I just need to lay the 7 foundation so we're talking -- 8 THE COURT: Very well. 9 Q In regard to that intersection, Gilston 10 Park is in what direction? 11 A North. 12 Q North, meaning away from the city? 13 A No. 14 Q No? 15 A Rolling Road runs north/south west of the 16 city. It's just north. It's not away from the 17 city. It's north. 18 Q So it would be on the opposite side of the 19 intersection of Rolling Road then is the McDonald's? 20 A No, ma'am. 21 Q Okay. On the same side? 22 A Yes, ma'am. 23 Q So Gilston Park would be on the same side 24 of Route 40 as would be Security Square Mall if you 25 continued across Rolling Road?</p>

1 A Yes, ma'am.  
2 Q And is it above or below Rolling Road?  
3 A In terms of?  
4 Q Where Gilston Park is?  
5 A It's north.  
6 Q Well, by north where Gilston Park is?  
7 A Above. It's above.  
8 Q Above?  
9 A Security Square Mall is above, north of  
10 Gilston Park.  
11 Q And how far away is Gilston Park from  
12 Security Square Mall?  
13 A Maybe three, three and a half miles.  
14 Q Three and a half miles. And that's driving  
15 miles?  
16 A Yes, ma'am.  
17 Q Okay. Gilston Park is the place that you  
18 identified to the police in your statement?  
19 A Yes, ma'am.  
20 Q They didn't, unlike the way they asked  
21 about Adnan, they didn't bring up Gilston Park to  
22 you?  
23 A What occasion?  
24 Q On any occasion in which you spoke with  
25 them about it?

1 Q And there was another person's name that  
2 ultimately came up, was there not?  
3 A I believe so.  
4 Q Pardon?  
5 A I believe so.  
6 Q And that person's name was Chris  
7 [REDACTED]?  
8 A Yes, ma'am.  
9 Q And Chris [REDACTED] was a friend of  
10 yours?  
11 A Yes, ma'am.  
12 Q From Woodlawn?  
13 A Yes, ma'am.  
14 Q Who graduated with you?  
15 A Yes, ma'am.  
16 Q The same year?  
17 A Yes, ma'am.  
18 Q June of '98. And you told the police that  
19 you told him what Adnan said, didn't you?  
20 A Yes, ma'am.  
21 Q Yes. And he was also a name that you  
22 mentioned later, not at first, wasn't he?  
23 A Yes, ma'am.  
24 Q Yes. Now, in regard to the events of the  
25 day you also came up with different stories at the

1 A No, ma'am.  
2 Q You did speak to them about it, right?  
3 A Yes, ma'am.  
4 Q And on that occasion they didn't bring up  
5 Gilston Park, did they?  
6 A No, ma'am.  
7 Q They didn't bring it up by name?  
8 A No, ma'am.  
9 Q Or by location?  
10 A No, ma'am.  
11 Q You brought it up?  
12 A Yes, ma'am.  
13 Q Okay. And that was in relationship with  
14 your good friend Jen?  
15 A Yes, ma'am.  
16 Q And where the conversation was that you  
17 held with her advising her of what your acquaintance  
18 Adnan Syed said?  
19 A Yes, ma'am.  
20 Q Now, in regard to that, those names that  
21 you concealed, there's Jen, right?  
22 A Yes, ma'am.  
23 Q Your friend Krista [REDACTED] right? Of names  
24 that you first concealed?  
25 A Yes, ma'am.

1 end of the day where you were when Jen picked you up,  
2 did you not?  
3 A I couldn't remember.  
4 Q Well, sir, it's hard to remember when you  
5 don't tell the same thing each time, isn't it?  
6 MR. URICK: Objection.  
7 THE COURT: Sustained.  
8 Q Mr. Wilds, do you recall that at some point  
9 you told them that Jen picked you up at Westview  
10 Mall, right?  
11 A I told the police I couldn't remember.  
12 Q And then you told them that she picked up  
13 you at Westview?  
14 A I told them that was a possibility, yes.  
15 Q So in your conversation at first you said,  
16 oh, I can't remember, but maybe she picked me up at  
17 Westview?  
18 MR. URICK: Objection.  
19 A Yes.  
20 THE COURT: Overruled.  
21 Q Did you say something like that?  
22 A No, ma'am.  
23 Q You said, oh, it's a possibility she picked  
24 me up at Westview?  
25 MR. URICK: Objection.



<p style="text-align: right;">Page 100</p> <p>1 THE COURT: Overruled.</p> <p>2 A No, ma'am.</p> <p>3 Q And at the time that you conveyed whatever</p> <p>4 it was about Westview you indicated to them that</p> <p>5 that's something that could have happened?</p> <p>6 A Pardon?</p> <p>7 Q The picking you up at Westview?</p> <p>8 A Yes, ma'am.</p> <p>9 Q Okay. And that if it happened, that</p> <p>10 happened after the body was buried, right?</p> <p>11 A Yes, ma'am.</p> <p>12 Q And as you've told us, Mr. Wilds, that was</p> <p>13 a pretty traumatic event for you, wasn't it?</p> <p>14 A Very so.</p> <p>15 Q That was the first body you helped bury,</p> <p>16 right?</p> <p>17 MR. URICK: Objection.</p> <p>18 THE COURT: Sustained.</p> <p>19 Q The details of that event were fresh in</p> <p>20 your mind wherever it was you were that your very</p> <p>21 good friend Jen Pusateri picked you up, weren't they?</p> <p>22 MR. URICK: Objection.</p> <p>23 THE COURT: Sustained.</p> <p>24 Q And, sir, do you recall that another</p> <p>25 possibility that you said to the police was that she</p>	<p style="text-align: right;">Page 101</p> <p>1 that day, don't you?</p> <p>2 A Yes, ma'am.</p> <p>3 Q And you do recall changing them in your own</p> <p>4 home?</p> <p>5 A Yes, ma'am.</p> <p>6 MR. URICK: Objection.</p> <p>7 THE COURT: Sustained.</p> <p>8 Q Sir, you were also asked by the police in</p> <p>9 all of your statements how many contacts you had had</p> <p>10 with Adnan after that day on the 13th, were you not?</p> <p>11 A Yes, ma'am.</p> <p>12 Q And you told them different things, didn't</p> <p>13 you?</p> <p>14 A Yes, ma'am.</p> <p>15 Q The first time you told them maybe once?</p> <p>16 A Yes, ma'am.</p> <p>17 Q And then on another occasion you told them,</p> <p>18 oh, I had contact with him a dozen times?</p> <p>19 THE COURT: Contact with him a dozen</p> <p>20 times?</p> <p>21 MS. GUTIERREZ: A dozen times.</p> <p>22 A Not to my recollection.</p> <p>23 Q But you told them something different than</p> <p>24 the once, isn't that right?</p> <p>25 A Yes, ma'am.</p>
<p style="text-align: right;">Page 101</p> <p>1 picked you up at your house?</p> <p>2 A Yes, ma'am.</p> <p>3 Q In fact, it was more likely that she picked</p> <p>4 you up at your house, wasn't it?</p> <p>5 MR. URICK: Objection.</p> <p>6 THE COURT: Overruled.</p> <p>7 A I believe I told the police that.</p> <p>8 Q And it was more likely that that's what</p> <p>9 happened, was it not?</p> <p>10 A To the best of my memory, yes.</p> <p>11 Q Because you changed your clothes, didn't</p> <p>12 you?</p> <p>13 A Yes, ma'am.</p> <p>14 Q And you changed them in your own house,</p> <p>15 didn't you?</p> <p>16 A Yes, ma'am.</p> <p>17 MR. URICK: Objection.</p> <p>18 Q And the first place that you told them --</p> <p>19 THE COURT: Overruled.</p> <p>20 Q -- where you threw away those clothes, was</p> <p>21 in the trash in your own home, right?</p> <p>22 A In front of my house, the dumpster.</p> <p>23 Q In front of your house, right?</p> <p>24 A Yes, ma'am.</p> <p>25 Q And you do recall changing your clothes</p>	<p style="text-align: right;">Page 103</p> <p>1 Q You weren't the same in response to their</p> <p>2 questions about this person that they were most</p> <p>3 interested in, were you?</p> <p>4 MR. URICK: Objection.</p> <p>5 THE COURT: Sustained. You don't have to</p> <p>6 answer that.</p> <p>7 Q Sir, do you recall -- you know a person by</p> <p>8 the name of Krista [REDACTED]?</p> <p>9 A No, ma'am, I do not.</p> <p>10 Q Do you recall January 13th was a Wednesday,</p> <p>11 was it not?</p> <p>12 A I believe so.</p> <p>13 Q And the 14th was a Thursday?</p> <p>14 A I believe so.</p> <p>15 Q And the 15th was a Friday?</p> <p>16 A I believe so.</p> <p>17 Q And oftentimes back then, or at least while</p> <p>18 Stephanie was your girlfriend, she would set up</p> <p>19 things for the two of you to do, would they not --</p> <p>20 would she not?</p> <p>21 A In regards to?</p> <p>22 Q You and her.</p> <p>23 A Like our dates?</p> <p>24 Q Yes.</p> <p>25 A It was mutual.</p>

1 Q Well, sometimes she would make plans, would  
2 she not?  
3 A Yes, ma'am.  
4 Q To go to some place where her friends might  
5 be?  
6 A Yes, ma'am.  
7 Q Or some event that was happening that  
8 really involved her friends?  
9 A Yes, ma'am.  
10 Q Whether or not they were your friends?  
11 A Yes, ma'am.  
12 Q And you two had been girlfriend and  
13 boyfriend for so long that was generally okay with  
14 you, was it not?  
15 A Yes, ma'am.  
16 Q If your girlfriend Stephanie wanted to go  
17 to a party with her friends you were pleased to  
18 accompany her, were you not?  
19 A Yes, ma'am.  
20 Q Even if it was a party where you really  
21 hardly knew anybody, right?  
22 A Yes, ma'am.  
23 Q Because she wanted to go, right?  
24 A Yes, ma'am.  
25 Q Do you recall, sir, on the 15th that you

1 place on the Friday after these events?  
2 A Yes, ma'am.  
3 Q And do you recall, sir, that you got to  
4 that party in Adnan Syed's car?  
5 A Yes, ma'am.  
6 Q And that he had gone to pick up his good  
7 friend Stephanie, your girlfriend, and then the two of  
8 them proceeded to go pick you up?  
9 A Yes, ma'am.  
10 Q And you went, did you not?  
11 A Yes, ma'am.  
12 Q And it was a party that involved a lot of  
13 people, did it not?  
14 A Some.  
15 Q And you knew before they arrived at your  
16 house that they were coming, didn't you?  
17 A No, ma'am.  
18 Q It was a surprise to you that your  
19 girlfriend and her good friend came to pick you up to  
20 take you some place?  
21 A Yes, ma'am.  
22 Q And even though it was a surprise to you  
23 you went?  
24 A We had planned to go alone.  
25 Q Pardon?

1 went to a birthday party for a friend of Stephanie's,  
2 an acquaintance of Stephanie by the name of Krista  
3 Myers?  
4 A At the firehouse?  
5 Q At the firehouse.  
6 A Yes, ma'am.  
7 Q Yes, and at that party you were there,  
8 right?  
9 A Yes, ma'am.  
10 Q And Stephanie was there, right?  
11 A Yes, ma'am.  
12 Q And Adnan was there?  
13 A Yes, ma'am.  
14 Q And there were other students from  
15 Woodlawn?  
16 A Yes, ma'am.  
17 Q And there was a birthday party for a friend  
18 of Stephanie's?  
19 A Yes, ma'am.  
20 Q Not somebody who was a friend of yours?  
21 A No, ma'am.  
22 Q Not somebody you would have described,  
23 correct?  
24 A No, ma'am.  
25 Q And do you recall, sir, that that took

1 A We had planned to go alone.  
2 Q You had planned to go alone?  
3 A Me and Stephanie.  
4 Q And it was a surprise to you that her good  
5 friend Adnan drove?  
6 A Yes, ma'am.  
7 Q You didn't know about that ahead of time?  
8 A No, ma'am.  
9 Q You didn't refuse to get in the car, did  
10 you?  
11 A No, ma'am.  
12 Q And you didn't indicate to Stephanie in any  
13 way, oh, this is a bad idea, this guy is a killer,  
14 did you?  
15 A Not at that particular time.  
16 Q Not at that time?  
17 A No, ma'am.  
18 Q And you did get in his car, did you not?  
19 A Yes, ma'am.  
20 Q And you drove with them to this party, did  
21 you not?  
22 A Yes, ma'am.  
23 Q And you drove with him back from the party,  
24 did you not?  
25 A Yes, ma'am.

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<p>1 Q And Mr. Wilds, you were asked in several of</p> <p>2 your statements or at least you answered in response</p> <p>3 to questions about a location called the Cliffs, do</p> <p>4 you remember that?</p> <p>5 A Yes.</p> <p>6 Q The Cliffs is a specific location within</p> <p>7 the park, is it not?</p> <p>8 A Yes, ma'am.</p> <p>9 Q And that park is not Leakin Park, is it?</p> <p>10 A No, ma'am.</p> <p>11 Q And it's not Gilston Park, is it?</p> <p>12 A No, ma'am.</p> <p>13 Q It's in a different location than either of</p> <p>14 those two?</p> <p>15 A Yes, ma'am.</p> <p>16 Q In regard to the same intersection about</p> <p>17 which we talked, Rolling Road and Route 40, where are</p> <p>18 the Cliffs?</p> <p>19 A Southwest.</p> <p>20 Q Southwest meaning, would that be more</p> <p>21 outside the city or closer toward the city?</p> <p>22 A Further away.</p> <p>23 Q Further away. And further away than</p> <p>24 Security Mall would be?</p> <p>25 A In relation to?</p>	<p>1 Q Patapsco State Park. And that's closer on</p> <p>2 that end toward where the dividing line is between</p> <p>3 Baltimore and Howard County?</p> <p>4 A It overlooks the river which is the</p> <p>5 dividing line.</p> <p>6 Q And that's why it's called the Cliffs,</p> <p>7 isn't it?</p> <p>8 A Yes, ma'am.</p> <p>9 Q Because there's the appearance of rocky</p> <p>10 cliffs on the bank line of the river there?</p> <p>11 A There are rocky cliffs.</p> <p>12 Q Pardon?</p> <p>13 A There are rocky cliffs.</p> <p>14 Q There are rocky cliffs and that's why you</p> <p>15 all call it that?</p> <p>16 A Yes, ma'am.</p> <p>17 Q And to get there you have to go out further</p> <p>18 on Route 40, do you not?</p> <p>19 A No, ma'am.</p> <p>20 Q Is that a way that you can get there?</p> <p>21 A No, ma'am.</p> <p>22 Q Are you aware that Route 40 actually</p> <p>23 crosses that same river from the other side?</p> <p>24 A It crosses the river further north.</p> <p>25 Q Okay. So a different place. So you have</p>
Page 109	Page 111
<p>1 Q In relation to that intersection?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Okay. The opposite direction of where</p> <p>4 Security Mall was?</p> <p>5 A Yes, ma'am.</p> <p>6 Q The opposite direction from the</p> <p>7 intersection from where Gilston Park is?</p> <p>8 A Yes, ma'am.</p> <p>9 Q And is the physical location of the Cliffs</p> <p>10 named that?</p> <p>11 A I don't believe so.</p> <p>12 Q That's what you all just call it?</p> <p>13 A Yes, ma'am.</p> <p>14 Q Is that right? But it actually has a name</p> <p>15 to it, does it not?</p> <p>16 A I believe so.</p> <p>17 Q And it's within a larger park, is it not?</p> <p>18 A Excuse me, yes.</p> <p>19 Q Well, sir, are you aware of the name of</p> <p>20 that?</p> <p>21 A Uh-huh.</p> <p>22 Q And what is that?</p> <p>23 Q Yes, ma'am.</p> <p>24 Q What is that?</p> <p>25 A Patapsco State Park.</p>	<p>1 to actually go further away to get to this place that</p> <p>2 you call the Cliffs; is that right?</p> <p>3 A Further south.</p> <p>4 Q Yes.</p> <p>5 A Yes, ma'am.</p> <p>6 Q And the Cliffs is a location -- you were</p> <p>7 never asked to show where that was, were you?</p> <p>8 A Yes, ma'am.</p> <p>9 Q Yes. And you showed them where it was?</p> <p>10 A Yes, ma'am.</p> <p>11 Q And you showed them where it was because</p> <p>12 you said to them that that was a place, the place</p> <p>13 where Adnan told you --</p> <p>14 A Yes, ma'am.</p> <p>15 Q -- what it was he was going to do?</p> <p>16 A No, ma'am.</p> <p>17 Q What it was he had done?</p> <p>18 A Yes, ma'am.</p> <p>19 Q And you showed them the place because of</p> <p>20 what you had said?</p> <p>21 A In relation to?</p> <p>22 Q Well, they asked you to show them this</p> <p>23 place that you said this happened?</p> <p>24 A Yes, ma'am.</p> <p>25 Q Isn't it?</p>

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<p>1 A Yes, ma'am.</p> <p>2 Q But that's not what you at first told them,</p> <p>3 was it?</p> <p>4 A Yes, ma'am.</p> <p>5 Q The second time you spoke with them on the</p> <p>6 tape on the 15th did you tell them that then?</p> <p>7 THE COURT: I'm sorry, I couldn't hear that</p> <p>8 whole question.</p> <p>9 Q On the second time you spoke to them on</p> <p>10 tape, on the 15th, the 15th of March, did you tell</p> <p>11 them that?</p> <p>12 A I believe so, yes.</p> <p>13 Q And when was it that they asked you to show</p> <p>14 them the Cliffs?</p> <p>15 A Not soon thereafter.</p> <p>16 Q Not soon?</p> <p>17 A Thereafter.</p> <p>18 Q Meaning not soon far away during that time</p> <p>19 or?</p> <p>20 A Maybe a week.</p> <p>21 Q Maybe a week after that?</p> <p>22 A Yea, a little less.</p> <p>23 Q Now, sir, do you recall telling them that</p> <p>24 that's the place where Adnan asked you where to hide</p> <p>25 the body?</p>	<p>1 Q Any money?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Anything akin to money, right?</p> <p>4 A Yes, ma'am.</p> <p>5 Q And they kept implying that they thought he</p> <p>6 paid you money, didn't they?</p> <p>7 A Yes, ma'am.</p> <p>8 Q They made no mistake about that, didn't</p> <p>9 they?</p> <p>10 A Yes, ma'am.</p> <p>11 Q And they made you aware that they had asked</p> <p>12 your very good friend Jen Pusateri if she thought he</p> <p>13 paid you money, didn't they?</p> <p>14 A Yes, ma'am.</p> <p>15 Q And, in fact, they told you that your very</p> <p>16 good friend Jen Pusateri had told them it would take</p> <p>17 a lot of money, that you would do anything, didn't</p> <p>18 they?</p> <p>19 A I believe so.</p> <p>20 Q They seemed to believe her, didn't they?</p> <p>21 A I don't know what they believed.</p> <p>22 Q Well, they asked you about it over and over</p> <p>23 and over again, didn't they?</p> <p>24 MR. URICK: Objection.</p> <p>25 THE COURT: Overruled. Did they ask you</p>
Page 113	Page 115
<p>1 A Yes, ma'am.</p> <p>2 Q And you essentially told him that wasn't a</p> <p>3 good place, didn't you?</p> <p>4 A Yes, ma'am.</p> <p>5 Q Because there was too much traffic?</p> <p>6 A No, ma'am.</p> <p>7 Q People traffic?</p> <p>8 A No, ma'am.</p> <p>9 Q Or car traffic?</p> <p>10 A No, ma'am.</p> <p>11 Q Or that it might be too easy to find?</p> <p>12 A No, ma'am.</p> <p>13 Q You just told him that wasn't a good place?</p> <p>14 A Yes, ma'am.</p> <p>15 Q You didn't offer any explanation as to why?</p> <p>16 A No, ma'am.</p> <p>17 Q And that's because you thought that was not</p> <p>18 a good place to hide a dead body?</p> <p>19 A No, ma'am.</p> <p>20 Q Do you recall that the police asked you a</p> <p>21 number of times about money?</p> <p>22 A Yes, ma'am.</p> <p>23 Q They kept asking you if Adnan had paid you</p> <p>24 money?</p> <p>25 A Yes, ma'am.</p>	<p>1 about it over and over again?</p> <p>2 THE WITNESS: Until I produced a cancelled</p> <p>3 check.</p> <p>4 Q And the cancelled check was for money that</p> <p>5 you told them that you had borrowed from Adnan?</p> <p>6 A No, ma'am.</p> <p>7 Q That's not what you told them?</p> <p>8 A No, ma'am.</p> <p>9 Q That was what was for the check that you</p> <p>10 repaid what you borrowed, right?</p> <p>11 A He had given me money and I had spent it.</p> <p>12 Q He had lent you money, had he not?</p> <p>13 A Not a loan per se.</p> <p>14 Q Not a loan per se, but you repaid it?</p> <p>15 A Yes, ma'am.</p> <p>16 Q Because you spent it for some other purpose</p> <p>17 other than what you had said, right?</p> <p>18 A Other than what he had given it to me for.</p> <p>19 Q Then you repaid it with a check?</p> <p>20 A Yes, ma'am.</p> <p>21 Q But that didn't occur anywhere near the</p> <p>22 13th of January, did it?</p> <p>23 A No, ma'am, I don't believe so.</p> <p>24 Q No. That had occurred long before, had it</p> <p>25 not?</p>



<p style="text-align: right;">Page 116</p> <p>1 A Not long, no.</p> <p>2 Q Well, the money that you said he gave you</p> <p>3 didn't have anything to do with the check, did it?</p> <p>4 A Uh-uh.</p> <p>5 Q And whether you recall that he gave it to</p> <p>6 you or it was a loan, you paid it back, did you not?</p> <p>7 A Some of it.</p> <p>8 Q But not all of it?</p> <p>9 A No, ma'am.</p> <p>10 Q Didn't you bring that (inaudible)?</p> <p>11 A No, ma'am.</p> <p>12 Q Who did you give it to?</p> <p>13 A No one. I still have it at home.</p> <p>14 Q Sir, when they asked you about the money</p> <p>15 issue, weren't you paid to help bury the body, didn't</p> <p>16 it appear to you, because they asked you so many</p> <p>17 times, that they didn't believe you?</p> <p>18 A Yes, ma'am.</p> <p>19 MR. URICK: Objection.</p> <p>20 THE COURT: Overruled.</p> <p>21 Q Now, other than spending biology class with</p> <p>22 Hae Min Lee during the year earlier, you told us you</p> <p>23 had no other really social contact with her and</p> <p>24 Adnan, right?</p> <p>25 A Correct.</p>	<p style="text-align: right;">Page 118</p> <p>1 Q And blouse?</p> <p>2 A Yes, ma'am.</p> <p>3 Q And her overcoat or windbreaker or whatever</p> <p>4 it was?</p> <p>5 A No, she did not have a coat on.</p> <p>6 Q So you described that she had stockings on?</p> <p>7 A Yes, ma'am.</p> <p>8 Q In fact, you had described to the police</p> <p>9 the color of her stockings, did you not?</p> <p>10 A Yes, ma'am.</p> <p>11 Q You called them toast?</p> <p>12 A Taupe.</p> <p>13 Q Taupe?</p> <p>14 A Yes.</p> <p>15 Q And that's a specific color, is it not?</p> <p>16 A Yes, ma'am.</p> <p>17 Q And you told us on Friday that the way you</p> <p>18 knew that it was her was you recognized the clothes?</p> <p>19 A Yes, ma'am.</p> <p>20 Q You recognized her clothes, a black skirt?</p> <p>21 A Yes, ma'am.</p> <p>22 Q A white blouse?</p> <p>23 A Yes, ma'am.</p> <p>24 Q And toast --</p> <p>25 A Taupe.</p>
<p style="text-align: right;">Page 117</p> <p>1 Q You didn't have any other social contact</p> <p>2 with her, did you?</p> <p>3 A No, ma'am.</p> <p>4 Q Her by herself?</p> <p>5 A No, ma'am.</p> <p>6 Q And not in the company of anybody else?</p> <p>7 A No, ma'am.</p> <p>8 Q And you were aware that she wasn't a</p> <p>9 particularly good friend of your girlfriend's, right?</p> <p>10 A Yes, ma'am.</p> <p>11 Q Now, on Friday, Mr. Wilds, you were asked</p> <p>12 about the clothing that you had on at the time that</p> <p>13 you saw her in the trunk of the car wherever that</p> <p>14 might have been, do you remember that?</p> <p>15 A Yes, ma'am.</p> <p>16 Q You described her clothing, did you not?</p> <p>17 A Yes, ma'am.</p> <p>18 Q You described the skirt that she had on?</p> <p>19 A The black one?</p> <p>20 Q Yes.</p> <p>21 A Yes, ma'am.</p> <p>22 Q That one. You described that, didn't you?</p> <p>23 A Yes, ma'am.</p> <p>24 Q And you described her shirt?</p> <p>25 A Yes, ma'am.</p>	<p style="text-align: right;">Page 119</p> <p>1 Q Taupe stockings as having seen before, did</p> <p>2 you not?</p> <p>3 A In the trunk of the car, yes.</p> <p>4 Q Well, sir, when you saw them in the trunk</p> <p>5 of the car you didn't examine the body, did you?</p> <p>6 A No, ma'am.</p> <p>7 Q And her face was turned away. You didn't</p> <p>8 turn it over, did you?</p> <p>9 A No, ma'am.</p> <p>10 Q And you didn't explore to make sure it was</p> <p>11 the person that you thought to be Hae, did you?</p> <p>12 A No, ma'am.</p> <p>13 Q In fact, you told us how you recognized</p> <p>14 what she had on because you had seen it before, did</p> <p>15 you not?</p> <p>16 A No, ma'am.</p> <p>17 Q You do not recall that?</p> <p>18 A No, ma'am.</p> <p>19 Q But the police didn't suggest to you that</p> <p>20 her stockings were taupe, did they?</p> <p>21 A No, ma'am.</p> <p>22 Q And they didn't suggest to you that she had</p> <p>23 had on a black short skirt, did they?</p> <p>24 A No, ma'am.</p> <p>25 Q In fact, Mr. Wilds, you couldn't tell us</p>

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<p>1 anything distinctive about that short skirt, could 2 you? 3 A No, ma'am. 4 Q You couldn't for instance tell us if it 5 zippered in the front or the back? 6 A No, ma'am. 7 Q Or on the side? 8 A No, ma'am. 9 Q Or if it had anything unusual like the cut 10 on the bias as opposed to being cut straight? 11 A No, ma'am. 12 Q Or whether or not it's flared? 13 A I don't believe it flared. 14 Q Or whether or not it fit tight? 15 A It was a skirt. 16 Q Sir, though it was just a skirt you 17 remembered it from having seen it before? 18 A Yes, ma'am. 19 Q Because when you looked after the trunk was 20 popped, you didn't spend any time exploring what she 21 had on, did you? 22 A No, ma'am. 23 Q You didn't reach out and touch it? 24 A No, ma'am. 25 Q You didn't try to move anything to get a</p>	<p>1 Q Pardon? 2 A The whole incident stuck with me. 3 Q Well, particularly the taupe? 4 A No, not particularly. 5 Q Now, sir, you were asked in your direct 6 testimony and -- you were asked lots of questions -- 7 A I cannot hear you, I'm sorry. 8 Q I'm sorry. You were asked in your direct 9 testimony from Mr Urick about occasions in which you 10 dealt or sold an illicit substance -- 11 A Yes, ma'am. 12 Q -- were you not? Sir, you told us about a 13 time when you sold an illicit substance to make money 14 to buy your lacrosse equipment? 15 A Yes, ma'am. 16 Q You offered that to us as, well, I did it 17 because I needed the money to buy my own lacrosse 18 equipment, did you not? 19 A Yes, ma'am. 20 Q And was that a justification in your mind? 21 A Absolutely not. 22 Q And, sir, did you only sell illicit 23 substances when you needed things that cost money? 24 A Yes, ma'am. 25 Q And so the way you present yourself, is</p>
Page 121	Page 123
<p>1 better look? 2 A No, ma'am. 3 Q To make sure that you had a real clear 4 memory of what clothes this girl you thought was Hae 5 Lee in the the car was? 6 A No, ma'am. 7 Q And you didn't reach out to touch her to 8 verify if she were dead, did you? 9 A No, ma'am. 10 Q You didn't take her pulse? 11 A No, ma'am. 12 Q You didn't brush her hair back? 13 A No, ma'am. 14 Q The trunk was popped up for how long? 15 A Ten or twenty seconds. 16 Q Not a very long time, right? 17 A No, ma'am. 18 Q That's something that gives you a long 19 view? 20 A No, ma'am. 21 Q The taupe of the stockings stuck with you? 22 THE COURT: I'm sorry, the taupe with the 23 stockings. 24 Q Stuck with you? 25 A Ma'am, the whole incident stuck with me.</p>	<p>1 that you only did it because you needed the money? 2 A Yes, ma'am. 3 Q Yes. And that would have been the only 4 time you ever sold illicit substances? 5 A Yes, ma'am. 6 Q Now, you understand marijuana to be an 7 illicit substance, do you not? 8 A Yes, ma'am. 9 Q It's classified as a drug, is it not? 10 A Yes, ma'am. 11 Q It is illegal to smoke it? 12 A Yes, ma'am. 13 Q And it's illegal to sell it? 14 A Or possess it, yes. 15 Q And it's illegal for instance to take 16 cigars and flip them out and fill them up with 17 marijuana? 18 A Yes, ma'am. 19 Q It's illegal to make it look like something 20 else if that's what it is, isn't it? 21 A I do not know that law. 22 Q Well, sir, if you take the cigar and take 23 down -- out of it the cigar tobacco and you fill it 24 up with marijuana that makes that cigar wrapping or 25 what's in it illegal, does it not?</p>

<p style="text-align: right;">Page 124</p> <p>1 MR. URICK: Objection.</p> <p>2 THE COURT: Sustained.</p> <p>3 Q Now, sir, you described that there would be</p> <p>4 some occasions when you would buy a larger quantity</p> <p>5 of marijuana?</p> <p>6 A Yes, ma'am.</p> <p>7 Q Is that right? And then sort of divide it</p> <p>8 up when there were more people than not that wanted</p> <p>9 it?</p> <p>10 A Yes, ma'am.</p> <p>11 Q And the bulk of what you bought was</p> <p>12 marijuana?</p> <p>13 A All of what I bought was marijuana.</p> <p>14 Q All that you bought was marijuana. And,</p> <p>15 sir, on the occasion when you sold the marijuana to</p> <p>16 get the money for your lacrosse equipment, if you</p> <p>17 recall that you sold the marijuana and got money, did</p> <p>18 you not?</p> <p>19 A Yes, ma'am.</p> <p>20 Q And the money that you got you then</p> <p>21 accumulated and that's what you bought the lacrosse</p> <p>22 equipment for, correct?</p> <p>23 A With, yes.</p> <p>24 Q And, sir, then what you sold marijuana for</p> <p>25 was the money, was it not?</p>	<p style="text-align: right;">Page 126</p> <p>1 Q Mostly. And, in fact, you didn't go buy</p> <p>2 marijuana with your own money and then always give it</p> <p>3 away, did you?</p> <p>4 A No, ma'am.</p> <p>5 Q And never was there an occasion when you</p> <p>6 bought a large quantity of marijuana and then you</p> <p>7 just gave it away, was it?</p> <p>8 A No, ma'am.</p> <p>9 Q Not even a single occasion?</p> <p>10 A Not a large quantity, no.</p> <p>11 Q And, sir, you dealt that way for how long?</p> <p>12 A Probably about three years.</p> <p>13 Q For years?</p> <p>14 A Three.</p> <p>15 Q Three years. And on how many occasions did</p> <p>16 you deal?</p> <p>17 A To whom?</p> <p>18 Q To everyone?</p> <p>19 A Close to a hundred.</p> <p>20 Q Close to a hundred times you dealt drugs?</p> <p>21 A Yes, ma'am.</p> <p>22 Q How many people did you sell to?</p> <p>23 A Maybe a dozen.</p> <p>24 Q A dozen. And were they all students at</p> <p>25 Woodlawn?</p>
<p style="text-align: right;">Page 125</p> <p>1 A Yes, ma'am.</p> <p>2 Q It wasn't -- you didn't sell the marijuana</p> <p>3 and then trade it for whatever equipment you needed,</p> <p>4 did you?</p> <p>5 MR. URICK: Objection.</p> <p>6 THE COURT: Sustained.</p> <p>7 Q And, sir, that wasn't the only time that</p> <p>8 you bought a quantity of marijuana and divvied it up,</p> <p>9 was it?</p> <p>10 A No, ma'am.</p> <p>11 Q You'd done that on other occasions?</p> <p>12 A Yes, ma'am.</p> <p>13 Q On other occasions when you needed to</p> <p>14 generate money, correct?</p> <p>15 A Yes, ma'am.</p> <p>16 Q And that would mean that you would sell the</p> <p>17 marijuana for more than you paid for it?</p> <p>18 A Yes, ma'am.</p> <p>19 Q So on those occasions when you got</p> <p>20 marijuana and you sold it, you weren't doing it to</p> <p>21 please people, were you?</p> <p>22 A Some.</p> <p>23 Q Well, mostly you were doing it to generate</p> <p>24 money, were you not?</p> <p>25 A Mostly.</p>	<p style="text-align: right;">Page 127</p> <p>1 A Very few.</p> <p>2 Q Huh?</p> <p>3 A Very few.</p> <p>4 Q Most of the people that you dealt to were</p> <p>5 not from Woodlawn?</p> <p>6 A No, ma'am.</p> <p>7 Q You're not sure what the amount is?</p> <p>8 A Most of them were not.</p> <p>9 Q Most of the people were not from Woodlawn,</p> <p>10 is that right?</p> <p>11 A Yes, ma'am.</p> <p>12 Q Now, Detectives MacGillivray and Ritz, they</p> <p>13 asked you about all of that?</p> <p>14 A Vaguely.</p> <p>15 Q And they didn't ask you to identify the</p> <p>16 people that you dealt to?</p> <p>17 A No, ma'am.</p> <p>18 Q They never told you that you would be</p> <p>19 charged since you were admitting to them that you</p> <p>20 dealt illicit drugs for money, that you would be</p> <p>21 charged with drug dealing, did they?</p> <p>22 A They said that wasn't their department.</p> <p>23 Q And they assured you that they weren't</p> <p>24 going to turn over your admission of that to the</p> <p>25 right department?</p>

<p style="text-align: right;">Page 128</p> <p>1 A It wasn't my concern.</p> <p>2 Q It wasn't your concern?</p> <p>3 A No.</p> <p>4 Q Well, sir, what you told us is that what</p> <p>5 was your concern back on the 13th and thereafter was</p> <p>6 that Adnan knew about you dealing drugs?</p> <p>7 A Yes, ma'am.</p> <p>8 Q Is that right? Back then it was of great</p> <p>9 concern if somebody turned you in for your 100 times</p> <p>10 of dealing illicit drugs, right?</p> <p>11 A At that time my house was dirty.</p> <p>12 Q Your house was dirty because you had drugs</p> <p>13 in it?</p> <p>14 A At that time.</p> <p>15 Q Right? Back on the 13th of January, right?</p> <p>16 A At that time.</p> <p>17 Q And you were concerned that he might turn</p> <p>18 you in and your dirty house might get caught?</p> <p>19 A My grandmother would be in trouble, yes.</p> <p>20 Q And that was of your concern?</p> <p>21 A Yes, ma'am.</p> <p>22 Q Now, sir, on the 13th that night when you</p> <p>23 hooked up with your very good friend Jen Pusateri,</p> <p>24 wherever that was, whether it was at Westview Mall or</p> <p>25 at your house, you got rid of the clothes that you</p>	<p style="text-align: right;">Page 130</p> <p>1 Q Whether you threw it away at your house or</p> <p>2 near the F &amp; M, right?</p> <p>3 A Yes, ma'am.</p> <p>4 Q And you threw it away and you've never seen</p> <p>5 it before -- again?</p> <p>6 A No, ma'am.</p> <p>7 Q Right? Because it got picked up in the</p> <p>8 trash; is that right?</p> <p>9 A Yes, ma'am.</p> <p>10 Q And you took your boots; is that right?</p> <p>11 A Yes, ma'am.</p> <p>12 Q And they were like Timberland boots, were</p> <p>13 they not?</p> <p>14 A No, ma'am.</p> <p>15 Q They weren't actually Timberland boots, but</p> <p>16 people would look at them and describe them as</p> <p>17 Timberland boots?</p> <p>18 A I don't know.</p> <p>19 Q Your good friend Jen Pusateri described</p> <p>20 them as Timberland boots, did she not?</p> <p>21 A I don't know.</p> <p>22 Q You don't know. You've never read your</p> <p>23 good friend's statement?</p> <p>24 A No, ma'am.</p> <p>25 Q It was never shared with you?</p>
<p style="text-align: right;">Page 129</p> <p>1 thought might tie to you to the murder?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Did you not?</p> <p>4 A Yes, ma'am.</p> <p>5 Q And you wiped off fingerprints of the</p> <p>6 shovel you thought might tie you to a murder; is that</p> <p>7 right?</p> <p>8 A Yes, ma'am.</p> <p>9 Q And you threw away your overcoat; is that</p> <p>10 right?</p> <p>11 A Yes, ma'am.</p> <p>12 Q And, sir, back then based on what you've</p> <p>13 told us, you're self supporting, are you not?</p> <p>14 A Yes, ma'am.</p> <p>15 Q You bought your own clothes, did you not?</p> <p>16 A Yes, ma'am.</p> <p>17 Q That was your main winter coat, was it not?</p> <p>18 A Yes, ma'am.</p> <p>19 Q And how much was it worth?</p> <p>20 A Thirty bucks.</p> <p>21 Q Thirty bucks. That was a lot of money to</p> <p>22 you, was it not?</p> <p>23 A Not a lot, but not a little.</p> <p>24 Q Not a little. You threw it away?</p> <p>25 A Yes, ma'am.</p>	<p style="text-align: right;">Page 131</p> <p>1 MR. URICK: Objection.</p> <p>2 THE COURT: Was it shared with you? Yes or</p> <p>3 no.</p> <p>4 THE WITNESS: No, ma'am.</p> <p>5 THE COURT: Next question.</p> <p>6 Q Sir, what would you describe the boots that</p> <p>7 you had on on the 13th?</p> <p>8 A Steel toed construction boots.</p> <p>9 Q Pardon?</p> <p>10 A Steel toed construction boots.</p> <p>11 Q Steel toed. They're worth a lot of money,</p> <p>12 aren't they?</p> <p>13 A No, ma'am.</p> <p>14 Q They're better than non-steel toed</p> <p>15 construction, are they not?</p> <p>16 A Yes, ma'am.</p> <p>17 Q Sir, how much did they cost you?</p> <p>18 A They were given to me.</p> <p>19 Q You threw them away?</p> <p>20 A Yes, ma'am.</p> <p>21 Q You needed them, did you not?</p> <p>22 A No, ma'am.</p> <p>23 Q You didn't use them in your work?</p> <p>24 A I wasn't in construction at the present</p> <p>25 time.</p>

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<p>1 Q You had been before?</p> <p>2 A Yes, ma'am.</p> <p>3 Q And those were shoes you wore before that</p> <p>4 day, did you not?</p> <p>5 A Yes, ma'am.</p> <p>6 Q On numerous occasions?</p> <p>7 A Yes, ma'am.</p> <p>8 Q This wasn't the first time you had worn</p> <p>9 them?</p> <p>10 MR. URICK: Objection.</p> <p>11 THE COURT: Overruled. Was it the first</p> <p>12 time you wore them?</p> <p>13 THE WITNESS: No, ma'am.</p> <p>14 THE COURT: All right, your next question.</p> <p>15 Q They were valuable to you, were they not?</p> <p>16 A Somewhat.</p> <p>17 Q But you took the precaution of getting rid</p> <p>18 of them?</p> <p>19 A Yes, ma'am.</p> <p>20 Q Right? So again, you've never seen them</p> <p>21 since, have you?</p> <p>22 MR. URICK: Objection.</p> <p>23 THE COURT: Now it's sustained. We're</p> <p>24 asking the same questions. Can you move on, please.</p> <p>25 Q After the 13th up until the 28th, were you</p>	<p>1 A Somewhat.</p> <p>2 Q To keep the stash that you were selling for</p> <p>3 money present?</p> <p>4 A That wasn't my practice, no.</p> <p>5 Q That wasn't your practice?</p> <p>6 A No, ma'am.</p> <p>7 Q But on the 13th of January you had how much</p> <p>8 in your house?</p> <p>9 A I believe it was an ounce and a quarter.</p> <p>10 Q And an ounce and a quarter. And how much</p> <p>11 had you paid for that?</p> <p>12 A Probably about eighty bucks.</p> <p>13 Q And, sir, you had chosen to bring it into</p> <p>14 your house?</p> <p>15 A Yes, ma'am.</p> <p>16 Q The house that you shared with your</p> <p>17 grandmother?</p> <p>18 A Yes, ma'am.</p> <p>19 MR. URICK: Objection.</p> <p>20 THE COURT: Sustained. We've been over</p> <p>21 this several times. Please move on.</p> <p>22 Q Well, sir, you've told us on Friday that</p> <p>23 the main reason that you were concerned about Adnan</p> <p>24 Syed was what he knew about you, did you not?</p> <p>25 A Yes, ma'am.</p>
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<p>1 ever asked to produce those shoes?</p> <p>2 A No, ma'am.</p> <p>3 Q Or those clothes?</p> <p>4 A No, ma'am.</p> <p>5 Q Or the outer coat?</p> <p>6 A No, ma'am.</p> <p>7 Q The first time you were asked about them</p> <p>8 was the 28th of February?</p> <p>9 A Yes, ma'am.</p> <p>10 Q Is that right? Six weeks plus after the</p> <p>11 13th of January?</p> <p>12 A I believe so.</p> <p>13 Q And, sir, on the 13th of January did you</p> <p>14 clean up your house from whatever it was that you</p> <p>15 described it as being dirty?</p> <p>16 A Absolutely.</p> <p>17 Q And so another thing that you did on the</p> <p>18 13th was to get rid of all of the drugs in the house?</p> <p>19 A Yes, ma'am.</p> <p>20 Q Prior to the 13th you had made a decision</p> <p>21 to bring those drugs into your house, isn't that</p> <p>22 right?</p> <p>23 A Yes, ma'am.</p> <p>24 Q Because that was part of your dealing then,</p> <p>25 isn't that correct?</p>	<p>1 Q And what he knew about you that scared you</p> <p>2 was that he knew about your dope dealing?</p> <p>3 A More so how it works.</p> <p>4 Q Pardon?</p> <p>5 A More so how it works.</p> <p>6 Q I'm sorry, I can't hear you.</p> <p>7 A More so how it worked.</p> <p>8 Q More so how it worked, meaning the selling</p> <p>9 of drugs?</p> <p>10 A Yes, ma'am.</p> <p>11 Q And that was your big concern about Adnan;</p> <p>12 is that right?</p> <p>13 A Yes, ma'am.</p> <p>14 Q And that's why you have told us that you</p> <p>15 did what you were asked, although you didn't want to,</p> <p>16 to bury a body?</p> <p>17 A Part of the reasons, yes.</p> <p>18 Q Is that right? And, in fact, sir, you</p> <p>19 offered that as a reason for why you did nothing even</p> <p>20 though you say Adnan told you he was going to kill</p> <p>21 Hae before he did so?</p> <p>22 A Pardon me? No, ma'am, I have not.</p> <p>23 Q Sir, do you recall that you have told the</p> <p>24 police that Adnan told you before he killed Hae?</p> <p>25 A Yes, I told the police that.</p>



1 Q Okay. And you told them different things  
2 though, one day you told them he told you on the  
3 12th, remember?  
4 A Yes, ma'am.  
5 Q And another time you just told them that  
6 ahead of time on the 13th he announced that he was  
7 going to kill her; is that right?  
8 A Yes, ma'am.  
9 Q And that was a great concern to Detectives  
10 MacGillivray and Ritz on the 28th, was it not?  
11 A Yes, ma'am.  
12 Q And they asked you a lot of questions  
13 because they couldn't understand, tell us Mr. Wilds  
14 why it is you didn't do anything?  
15 A Yes, ma'am.  
16 Q Why even though you had knowledge ahead of  
17 time that your acquaintance was going to kill  
18 somebody you knew that you didn't warn them?  
19 A Yes, they asked me that.  
20 Q Or you didn't warn somebody?  
21 A Yes, they asked me that.  
22 Q Or why you didn't drop a dime?  
23 A Yes, they asked me that.  
24 Q They asked you more than one time, didn't  
25 they?

1 A Yes.  
2 Q They seemed very concerned and didn't seem  
3 to understand why you wouldn't have done something,  
4 correct?  
5 A Yes, ma'am.  
6 Q Now, the first answer you gave them was you  
7 said, oh, I didn't believe him, isn't that right?  
8 A Yes, ma'am.  
9 Q That though he told you this, you didn't  
10 believe what he said?  
11 A Yes, ma'am.  
12 Q And you didn't think there was any threat  
13 to her; is that right?  
14 A Yes, ma'am.  
15 Q The second thing you told them was, oh,  
16 well, essentially I'm afraid of this guy because he  
17 could hurt me, did you not?  
18 A I don't believe so.  
19 Q Do you remember telling them about what he  
20 knew, didn't you, things about you?  
21 A Yes, ma'am.  
22 Q And that that was a threat to you?  
23 A Very much so.  
24 Q What he knew?  
25 A Yes, ma'am.

1 Q And what he knew about you that you were  
2 referring to when you told the police was your  
3 dealing in marijuana?  
4 A Yes, ma'am.  
5 Q For money?  
6 A Yes, ma'am.  
7 Q And that at the time you tell us today your  
8 house was dirty, meaning it had illicit substance of  
9 marijuana in it --  
10 MR. URICK: Objection.  
11 Q -- that day?  
12 THE COURT: Sustained.  
13 Q Now, they then asked you on a number of  
14 occasions about why you didn't come forward  
15 afterwards, right?  
16 A Yes, ma'am.  
17 Q Now, prior to one-thirty in the morning on  
18 the 28th in the middle of the night the police hadn't  
19 approached you, had they?  
20 A No, ma'am.  
21 Q And they hadn't come to your house, right?  
22 A No, ma'am.  
23 Q Hadn't come to the porno store?  
24 A No, ma'am.  
25 Q And hadn't approached you anywhere else?

1 A Excuse me, no, ma'am.  
2 Q You hadn't gotten a phone call?  
3 A No, ma'am.  
4 Q You hadn't gotten any letter from them,  
5 right?  
6 A No, ma'am.  
7 Q Nobody had asked you about the events of  
8 the 13th, right?  
9 A No, ma'am.  
10 Q And you hadn't volunteered to talk to them  
11 about it?  
12 A No, ma'am.  
13 Q Well, except that at some point you told  
14 your friend Chris [REDACTED], did you not?  
15 A I believe so.  
16 Q That's what you told the police, right?  
17 A Yes, ma'am.  
18 Q And that's not something you told them in  
19 the beginning; is that right?  
20 A No, ma'am.  
21 Q And Chris [REDACTED], to your knowledge,  
22 he's still alive, is he not?  
23 A Yes, ma'am.  
24 Q He's still alive, isn't he?  
25 A Yes, ma'am.

1 Q And were you ever asked any further  
2 information about him?  
3 A No, ma'am.  
4 Q And you told them about this, right?  
5 A Yes, ma'am.  
6 Q You told them about what you did?  
7 A Chris [REDACTED]?  
8 Q Yes.  
9 A No, ma'am.  
10 Q Didn't you tell him about helping to bury  
11 the body?  
12 A No, ma'am.  
13 Q Well, you told the police you had told him  
14 about this?  
15 A I told them that I had spoke to Chris.  
16 Q You had spoke to Chris about these events?  
17 A Some of them.  
18 Q That's what you told the police, right?  
19 A Yes, ma'am.  
20 Q They didn't care about anybody that you had  
21 spoken to, did they?  
22 A That's an assumption. I don't know.  
23 Q Well, sir, when they were asking you  
24 questions about whether or not you told anybody else  
25 about these events, you understood them to be the

1 Q A person who you know to still be alive?  
2 A Yes, ma'am.  
3 Q And Mr. Wilds, did you call your friend  
4 Chris [REDACTED] to let him know that you used his  
5 name?  
6 MR. URICK: Objection.  
7 THE COURT: Sustained.  
8 Q And have you spoken to Mr. [REDACTED]  
9 since the 28th --  
10 MR. URICK: Objection.  
11 Q -- of February?  
12 THE COURT: Sustained.  
13 Q Did you convey to Mr. [REDACTED] that you  
14 used his name --  
15 MR. URICK: Objection.  
16 Q -- to the police?  
17 THE COURT: Sustained.  
18 Q Mr. Baskerville was your friend?  
19 MR. URICK: Objection.  
20 THE COURT: Sustained.  
21 Q How tall is he?  
22 MR. URICK: Objection.  
23 THE COURT: Overruled. How tall is Mr.  
24 Baskerville, if you know?  
25 THE WITNESS: Six three.

1 events on the 13th, did you not?  
2 A Yes, ma'am.  
3 Q You knew they didn't want to hear about  
4 what you may have told anybody else about the 14th,  
5 did they not?  
6 A No, ma'am.  
7 Q And you understood that they didn't want to  
8 hear what had happened on the 27th, the day before  
9 you were down there, right?  
10 A Yes, ma'am.  
11 MR. URICK: Objection.  
12 Q You knew that the only thing they were  
13 questioning you about included whether you had told  
14 anyone else anything that you had been involved with,  
15 observed, or heard from anyone else involved in the  
16 death and burial of Hae Min Lee, isn't that right?  
17 A Yes, ma'am.  
18 Q And they didn't have questions on any other  
19 subject for you, did they?  
20 A No, ma'am.  
21 Q And so the reason that you -- and you gave  
22 them this person's name, did you not?  
23 A Yes, ma'am.  
24 Q Chris [REDACTED]?  
25 A Yes, ma'am.

1 THE COURT: Next question.  
2 Q And how much does he weigh?  
3 A I have no idea.  
4 Q Is he an athlete?  
5 A Not at all.  
6 Q Did he attend with you?  
7 A Yes.  
8 Q Through June of 1998?  
9 A Yes, ma'am.  
10 Q Was he in the gifted and talented program?  
11 A Not to my knowledge.  
12 Q The other person that you told about these  
13 events was this person by the name of Jeff [REDACTED]?  
14 A Yes, ma'am.  
15 Q Yes. And you ultimately told the police  
16 that, right?  
17 A Yes, ma'am.  
18 Q Although you didn't mention his name at  
19 first?  
20 A No, ma'am.  
21 Q And you didn't mention his name second  
22 either, did you?  
23 A No, ma'am.  
24 Q Jeff Johnson is your friend Kristi [REDACTED]  
25 boyfriend at the time; is that correct?

1 A Yes, ma'am.  
 2 Q And you considered him a friend, did you  
 3 not?  
 4 A Yes, ma'am.  
 5 Q And you had met him long prior to the 13th  
 6 of January, did you not?  
 7 A Yes, ma'am.  
 8 Q And you had met him generally when you  
 9 would go over your friend Kristi [REDACTED] Ms.  
 10 [REDACTED] is that right?  
 11 A Yes, ma'am.  
 12 Q Ms. [REDACTED] was really a very good friend of  
 13 your very good friend Jen Pusateri; is that right?  
 14 A Yes, ma'am.  
 15 Q And they were sorority sisters, were they  
 16 not?  
 17 A Yes, ma'am.  
 18 Q And that sorority was out of UMBC. was it  
 19 not?  
 20 A Yes, ma'am.  
 21 Q And UMBC is located on Walker Avenue, is it  
 22 not?  
 23 A Yes, ma'am.  
 24 Q An area off of, I think it's 12 C of 695?  
 25 A Yes, ma'am.

1 Q And you've been there before, right?  
 2 A To the school?  
 3 Q Yes.  
 4 A Yes, ma'am.  
 5 Q Although it was your testimony on Friday  
 6 that on the 13th you didn't go there?  
 7 A To the school?  
 8 Q Yes.  
 9 A Yes, ma'am.  
 10 Q Or to a sorority house located off the  
 11 Walker Avenue circle of the campus?  
 12 A Kristi [REDACTED] house is a sorority house.  
 13 Q The house is a sorority house?  
 14 A It has Psy Nu symbols on the window.  
 15 Q Pardon?  
 16 A It has Psy Nu symbols on the window.  
 17 Q And, sir, is it your testimony that when  
 18 you went to visit Kristi [REDACTED] it is, in fact, a  
 19 sorority house?  
 20 A Is that my testimony?  
 21 Q Yes, sir.  
 22 A No, ma'am.  
 23 Q No. So the house that you testified you  
 24 visited on the 13th of January, that's not a sorority  
 25 house, is it?

1 A I don't know.  
 2 Q Were there other sorority sisters there?  
 3 A Other than Ms. [REDACTED] and Jennifer  
 4 Pusateri?  
 5 Q Yes, sir.  
 6 A Not at that time.  
 7 Q Ms. Pusateri, she wasn't there on the 13th,  
 8 was she?  
 9 A That evening.  
 10 Q At Kristina [REDACTED] house?  
 11 A I believe so.  
 12 Q That might have been a sorority house?  
 13 A Yes, ma'am.  
 14 Q But nobody else was there?  
 15 A Yes, ma'am, Jeff [REDACTED]  
 16 Q No, but no other sorority sister?  
 17 A Oh, no, no, ma'am.  
 18 Q Now, let me make sure we have this house  
 19 straight. Is it a house or an apartment?  
 20 A It's an apartment, ma'am.  
 21 Q In a structure that has more than that  
 22 apartment in it?  
 23 A Yes, ma'am.  
 24 Q And in that apartment how many bedrooms are  
 25 there?

1 A Two.  
 2 Q And one of the sorority sisters you  
 3 believed lived there?  
 4 A One.  
 5 Q And was there a party there that evening?  
 6 A No, ma'am.  
 7 Q And you've already testified and told us  
 8 that you didn't attend the sorority party there that  
 9 evening?  
 10 A I did not, no.  
 11 Q Is that right?  
 12 A Yes, ma'am.  
 13 Q And if Jen Pusateri said that then she  
 14 lied?  
 15 A She must be mistaken.  
 16 Q Oh. Friday, do you recall you said she  
 17 lied?  
 18 A Yes, ma'am.  
 19 Q Okay. And today you're telling us she must  
 20 have made a mistake?  
 21 A Yes, ma'am.  
 22 Q When she said, if she said it, that the two  
 23 of you attended a sorority party in a sorority house?  
 24 A Yes, ma'am, that evening, yes.  
 25 Q Now, let me get this straight. This two

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<p>1 bedroom apartment --</p> <p>2 A Yes, ma'am.</p> <p>3 Q -- in a structure that has more than just</p> <p>4 that apartment?</p> <p>5 A Yes, ma'am.</p> <p>6 Q That you believe is a sorority house?</p> <p>7 A Do I?</p> <p>8 Q No, that you believe to be or that may be a</p> <p>9 sorority house?</p> <p>10 A Yes, ma'am.</p> <p>11 Q Okay. That place you visited three times</p> <p>12 on the 13th?</p> <p>13 A Yes, ma'am.</p> <p>14 Q Now, every time that you visited Kristi</p> <p>15 [REDACTED] you had a certain activity, did you not?</p> <p>16 A Yes, ma'am.</p> <p>17 Q And that activity was smoking weed, was it</p> <p>18 it not?</p> <p>19 A Yes, ma'am.</p> <p>20 THE COURT: One moment. Counsel, would you</p> <p>21 mind having a seat in the hallway unless counsel has</p> <p>22 no objection to her remaining.</p> <p>23 MS. BENAROYA: All right, I'll be outside.</p> <p>24 THE COURT: One moment. Ms. Gutierrez.</p> <p>25 MS. GUTIERREZ: I believe she should go</p>	<p>1 A Depending on the situation.</p> <p>2 Q So sometimes it's in a bad way?</p> <p>3 A Yes, ma'am.</p> <p>4 Q But you continue to smoke it?</p> <p>5 A Some.</p> <p>6 Q Well, now, when you say some there have</p> <p>7 been periods of time when you smoke weed, I mean,</p> <p>8 three, four, sometimes more often in a day, isn't</p> <p>9 that right?</p> <p>10 A Yes, ma'am.</p> <p>11 Q And there would be periods of time when it</p> <p>12 was pretty regular, was it not?</p> <p>13 A Some periods of time, yes.</p> <p>14 Q And Mr. Wilds, we've discussed January 13th</p> <p>15 you've actually discussed sort of looking for weed on</p> <p>16 more than one occasion, did you not?</p> <p>17 A Yes, ma'am.</p> <p>18 Q And that was the day that you smoked it?</p> <p>19 A Yes, ma'am.</p> <p>20 Q More than once a day?</p> <p>21 A Yes, ma'am.</p> <p>22 Q And that was a period of time when it was</p> <p>23 your regular practice to smoke it, was it not?</p> <p>24 A No, ma'am.</p> <p>25 Q So on January 13th when was the last time</p>
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<p>1 outside.</p> <p>2 THE COURT: Have a seat just out in the</p> <p>3 hallway or you may have a seat in Judge Gordy's</p> <p>4 chambers.</p> <p>5 MS. BENAROYA: Thank you, Your Honor. I</p> <p>6 have a motion to make and to file.</p> <p>7 THE COURT: You need to see either the</p> <p>8 Clerk of the Court or Ms. Connelly, can you assist me</p> <p>9 in speaking with counsel.</p> <p>10 MS. BENAROYA: Thank you.</p> <p>11 THE COURT: Thank you. All right, Ms.</p> <p>12 Gutierrez, I apologize for the interruption.</p> <p>13 Q I was asking you about the activity that</p> <p>14 you generally do there; is that right?</p> <p>15 A Yes, ma'am.</p> <p>16 Q It's smoking weed, is it not?</p> <p>17 A Yes, ma'am.</p> <p>18 Q We discussed a little bit of this I believe</p> <p>19 the other day. When you smoke weed, it affects you,</p> <p>20 does it not?</p> <p>21 A Some.</p> <p>22 Q And it alters you physically, does it not?</p> <p>23 A Some.</p> <p>24 Q And that's generally in a good way as far</p> <p>25 as you're concerned?</p>	<p>1 that you had smoked weed?</p> <p>2 A On the way home when Ms. Pusateri dropped</p> <p>3 me off.</p> <p>4 Q That was on the 13th?</p> <p>5 A Yes, ma'am.</p> <p>6 Q No, I meant prior to that day and I did not</p> <p>7 make that clear. Prior to that day when was the last</p> <p>8 time you recall you had smoked?</p> <p>9 A Three days before.</p> <p>10 Q So would it be fair to say, sir, since it</p> <p>11 was an illegal substance that smoking it every fourth</p> <p>12 day, was this your regular practice?</p> <p>13 A Not every fourth day.</p> <p>14 Q So some days you smoked it sooner than</p> <p>15 every four days, right?</p> <p>16 A Yes.</p> <p>17 Q Some days you smoked it every fourth day or</p> <p>18 more?</p> <p>19 MR. URICK: Objection.</p> <p>20 THE COURT: Sustained.</p> <p>21 Q It would be fair to say however many days</p> <p>22 was in between you smoking weed, sir, that back in</p> <p>23 January of 1999 you smoked it regularly?</p> <p>24 A Pertaining to everyday?</p> <p>25 Q I'm sorry, regularly?</p>

<p style="text-align: right;">Page 152</p> <p>1 A Define that for me.</p> <p>2 Q I didn't hear you.</p> <p>3 A Define your definition of regularly.</p> <p>4 Q On a regular basis, however often it was?</p> <p>5 A I'm not understanding.</p> <p>6 Q Well, sir, smoking weed was not a rare</p> <p>7 event for you back in January '99, was it?</p> <p>8 A Not really, no.</p> <p>9 Q The search for weed was not a rare search</p> <p>10 for you back in January of 1999?</p> <p>11 MR. URICK: Objection.</p> <p>12 THE COURT: Sustained.</p> <p>13 Q On January 13th you went to your friend,</p> <p>14 your good friend Kristi's house three times, did you</p> <p>15 not?</p> <p>16 A Yes, ma'am.</p> <p>17 Q And back then because it was a regular</p> <p>18 habit of yours, usually when you went to her house</p> <p>19 you smoked weed, did you not?</p> <p>20 A To Ms. [REDACTED]?</p> <p>21 Q Yes.</p> <p>22 A Yes.</p> <p>23 Q And that was almost every occasion you</p> <p>24 visited, didn't you?</p> <p>25 A Not every, no.</p>	<p style="text-align: right;">Page 154</p> <p>1 Q Yes.</p> <p>2 A Yes.</p> <p>3 Q And another occasion was when you went</p> <p>4 there after you hooked up with Jen Pusateri, much</p> <p>5 later in the evening and you and she went there,</p> <p>6 right?</p> <p>7 A Yes.</p> <p>8 Q And a third occasion was that you had</p> <p>9 already been there in the earlier afternoon by</p> <p>10 yourself?</p> <p>11 A Correct.</p> <p>12 Q But you didn't tell the police about that</p> <p>13 time at first, did you?</p> <p>14 A I don't believe so.</p> <p>15 Q And if Jen Pusateri says that you and she</p> <p>16 were there twice, would that be correct?</p> <p>17 A Yes, ma'am.</p> <p>18 Q So then there were actually four times that</p> <p>19 you went --</p> <p>20 A No, ma'am.</p> <p>21 Q -- to Kristi's?</p> <p>22 A No, ma'am.</p> <p>23 Q Just three?</p> <p>24 A Just three.</p> <p>25 Q One by yourself?</p>
<p style="text-align: right;">Page 153</p> <p>1 Q Well, sir, that included times when Ms.</p> <p>2 Vinson was by herself, right?</p> <p>3 A Once or twice.</p> <p>4 Q And times when Ms. Pusateri was there also?</p> <p>5 A Yes, ma'am.</p> <p>6 Q And times when her boyfriend Jeff [REDACTED]</p> <p>7 was there also?</p> <p>8 A Yes.</p> <p>9 Q And it also included times when others were</p> <p>10 there, correct?</p> <p>11 A Yes.</p> <p>12 Q And now on that particular day, though you</p> <p>13 may not have told the police this right up front, you</p> <p>14 were there three separate occasions, correct?</p> <p>15 A Yes, ma'am.</p> <p>16 Q One occasion you've told us about when you</p> <p>17 arrived in late afternoon, early evening with Mr.</p> <p>18 Syed; is that right?</p> <p>19 A Could you ask the question again?</p> <p>20 Q One of those occasions was the time that</p> <p>21 you told us about on the 13th when you arrived late</p> <p>22 afternoon or early evening with Mr. Syed, correct?</p> <p>23 A Upon retrieving him from practice?</p> <p>24 Q Pardon?</p> <p>25 A Upon retrieving him from practice?</p>	<p style="text-align: right;">Page 155</p> <p>1 A Yes, ma'am.</p> <p>2 Q One with Adnan?</p> <p>3 A Yes, ma'am.</p> <p>4 Q And one with Jen Pusateri?</p> <p>5 A Yes, ma'am.</p> <p>6 Q Not two times with Jen Pusateri?</p> <p>7 A She may have been there on two occasions</p> <p>8 but I did not go there with her.</p> <p>9 Q So the answer to my question is no, just</p> <p>10 once with Ms. Jen Pusateri?</p> <p>11 A Yes, ma'am.</p> <p>12 MR. URICK: Objection.</p> <p>13 THE COURT: Sustained.</p> <p>14 Q You didn't first tell the police about the</p> <p>15 first time you went there alone?</p> <p>16 MR. URICK: Objection.</p> <p>17 THE COURT: Sustained.</p> <p>18 Q When you went there the first time that was</p> <p>19 without Adnan?</p> <p>20 MR. URICK: Objection.</p> <p>21 THE COURT: Sustained.</p> <p>22 Q When you went there without Adnan the first</p> <p>23 time, sir, did you smoke marijuana?</p> <p>24 MR. URICK: Objection.</p> <p>25 THE COURT: Sustained.</p>



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<p>1 MS. GUTIERREZ: May we approach the bench?</p> <p>2 THE COURT: This area has been covered</p> <p>3 previously.</p> <p>4 MS. GUTIERREZ: Not with whether or not he</p> <p>5 smoked.</p> <p>6 THE COURT: Yes, it was. In fact --</p> <p>7 MS. GUTIERREZ: Not as to this visit.</p> <p>8 THE COURT: It was covered in previous</p> <p>9 questions on cross examination.</p> <p>10 MS. GUTIERREZ: On the second --</p> <p>11 THE COURT: So please ask a new question.</p> <p>12 Q On the second time you went to Ms. [REDACTED]</p> <p>13 house with Adnan did you smoke marijuana?</p> <p>14 MR. URICK: Objection.</p> <p>15 THE COURT: Sustained.</p> <p>16 Q Did anyone smoke marijuana?</p> <p>17 MR. URICK: Objection.</p> <p>18 THE COURT: As to anyone, you may answer</p> <p>19 that question.</p> <p>20 THE WITNESS: Yes.</p> <p>21 Q And who was that?</p> <p>22 A I myself, Ms. Pusateri, and Jeff. I</p> <p>23 myself, Ms. Pusateri and Jeff, I'm sorry.</p> <p>24 Q Let me make sure I clarify. I was asking</p> <p>25 you about the second time that you went and that's</p>	<p>1 A Yes, ma'am.</p> <p>2 Q Because she's there all of the time, isn't</p> <p>3 she?</p> <p>4 A Yes, ma'am.</p> <p>5 Q For the expressed purpose of smoking weed?</p> <p>6 MR. URICK: Objection.</p> <p>7 Q Isn't that right?</p> <p>8 THE COURT: Sustained.</p> <p>9 Q Now, sir, you didn't go to Ms. [REDACTED]</p> <p>10 house in any way to help out Adnan, did you?</p> <p>11 A Absolutely not.</p> <p>12 Q And you didn't go there in any way to seek</p> <p>13 assistance when you buried the body, did you?</p> <p>14 A Uh-uh.</p> <p>15 Q From either questions by you, right?</p> <p>16 A Pardon me? I'm not understanding you, I'm</p> <p>17 sorry.</p> <p>18 Q You didn't go there because you cared for</p> <p>19 information about burying the body, right?</p> <p>20 A No, ma'am.</p> <p>21 Q Or any suggestions about where to do so?</p> <p>22 A No, ma'am.</p> <p>23 Q Or how to do it?</p> <p>24 A No, ma'am.</p> <p>25 Q Or what was necessary?</p>
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<p>1 the time you told us only you and Adnan went, right?</p> <p>2 A Only I and Adnan went there. Ms. Pusateri</p> <p>3 may have already been there.</p> <p>4 Q Pardon?</p> <p>5 A Ms. Pusateri may have already been there.</p> <p>6 Q Well, sir, was she or wasn't she?</p> <p>7 A I do not recall.</p> <p>8 Q When you arrived with Adnan, you mean Jen</p> <p>9 Pusateri may have already been present?</p> <p>10 A Yes.</p> <p>11 Q So that on the time that you have described</p> <p>12 after you picked him up at the track practice or</p> <p>13 after track practice was over, right?</p> <p>14 A Yes, ma'am.</p> <p>15 Q It was you and Adnan?</p> <p>16 A Yes, ma'am.</p> <p>17 Q And Ms. [REDACTED]?</p> <p>18 A Yes.</p> <p>19 Q And her boyfriend Jeff [REDACTED]?</p> <p>20 A Yes, sir.</p> <p>21 Q And maybe Jen Pusateri?</p> <p>22 A Yes, ma'am.</p> <p>23 Q You just don't recall?</p> <p>24 A No, ma'am.</p> <p>25 Q She could have been there?</p>	<p>1 A No, ma'am.</p> <p>2 Q Or what was the best location?</p> <p>3 A No, ma'am.</p> <p>4 Q And you never said to Adnan come on we're</p> <p>5 going to go to my good friend Kristi [REDACTED] and</p> <p>6 she'll help us figure out what to do now, right?</p> <p>7 A No, ma'am.</p> <p>8 Q Because according to you the body was still</p> <p>9 in the car, right?</p> <p>10 A Yes, ma'am.</p> <p>11 Q As far as you knew, right?</p> <p>12 A Yes, ma'am.</p> <p>13 Q And to your knowledge you had had Adnan's</p> <p>14 car since then?</p> <p>15 A Yes, ma'am.</p> <p>16 Q Right?</p> <p>17 A Yes, ma'am.</p> <p>18 Q And except for the time that you dropped</p> <p>19 him off when he was out of your sight at practice you</p> <p>20 knew where he was, right?</p> <p>21 A I assumed where he was, yes.</p> <p>22 Q And you believed, sir, that the body was</p> <p>23 still in the trunk of the car where you had last seen</p> <p>24 it; is that right?</p> <p>25 A Yes, ma'am, that's what I believed.</p>

1 Q And you didn't go over to Kristi [REDACTED]  
2 to get Jeff [REDACTED] advice, did you, about where to  
3 bury the body?  
4 A No.  
5 Q Or what to do about it?  
6 A Pertaining to?  
7 Q Pardon?  
8 A Pertaining to?  
9 Q What to do about the body?  
10 A Oh, no, ma'am.  
11 Q No. And you didn't go over there in the  
12 hope that you might see your good friend Jen  
13 Pusateri, did you?  
14 A No, ma'am.  
15 Q And you didn't go over there seeking her  
16 advice?  
17 A No, ma'am.  
18 Q Or seeking once you got there to call her  
19 over there, right?  
20 A No, ma'am.  
21 Q On all of the occasions you had been there  
22 with Jen Pusateri that was a place where you  
23 comfortably smoked weed; is that right?  
24 A Not on all occasions.  
25 Q But on most?

1 MR. URICK: Objection.  
2 THE COURT: Sustained.  
3 Q And so there may have actually been two  
4 separate occasions that you were at Kristi [REDACTED]  
5 house while Jen Pusateri was there?  
6 MR. URICK: Objection.  
7 THE COURT: Sustained.  
8 Q Now --  
9 THE COURT: One moment, Ms. Gutierrez. The  
10 jurors need a brief facilities break and we will take  
11 just that. I'm going to ask the deputy sheriff if  
12 you will kindly walk the jurors over. Make sure they  
13 have no contact with anyone. Allow them to do that.  
14 Once they have all used the facilities, walk them  
15 back. This is not a long recess. This is just for  
16 the benefit of the jurors.  
17 Ladies and gentlemen, I ask you that you  
18 leave your notepads face down, that you not have any  
19 conversations about the witnesses or any other  
20 witnesses, that you not talk to each other about this  
21 case or anything related to this matter because you  
22 have not heard all of the witnesses and you may go  
23 with the deputy sheriff at this time. As you heard,  
24 he will bring you back.  
25 Mr. Wilds, you may stay put for just a

1 moment. Do you need to use the facilities?  
2 THE WITNESS: Yes, ma'am.  
3 THE COURT: Wait one moment, and you may  
4 also take a break. I'm going to direct the clerk if  
5 you could see that Mr. Wilds walks to the men's room  
6 once the jurors go back and if you'll bring him back  
7 I would appreciate it. And while you are there, you  
8 can use the facilities if you'd like to. This Court  
9 stands in recess until the jurors return.  
10 (Whereupon the Court recessed, following  
11 which the proceedings in this matter resumed:)  
12 THE COURT: One second.  
13 MS. GUTIERREZ: In relationship to time  
14 just so I can plan --  
15 THE COURT: Well, we can take a break  
16 because I note that Mr. Wilds has indicated that he  
17 would like to speak to his attorney; is that correct,  
18 Mr. Wilds?  
19 THE WITNESS: Yes, ma'am.  
20 THE COURT: And you want to speak to your  
21 attorney about some questions that they've posed to  
22 you at this point?  
23 THE WITNESS: No, ma'am.  
24 THE COURT: You just want to talk to her  
25 generally?

1 THE WITNESS: Yes, ma'am.  
2 THE COURT: About this proceeding?  
3 THE WITNESS: No, ma'am.  
4 THE COURT: About just something else?  
5 THE WITNESS: Yes.  
6 THE COURT: Unrelated?  
7 THE WITNESS: Not anything as far as  
8 anything we've discussed, nothing.  
9 THE COURT: Okay.  
10 MS. GUTIERREZ: I just want to know if it  
11 was related to the proceeding.  
12 THE COURT: He just said it was not related  
13 to this proceeding, correct?  
14 THE WITNESS: It is related, but nothing  
15 that we have discussed.  
16 THE COURT: No questions that have been  
17 posed by counsel, just on some unrelated matter?  
18 THE WITNESS: I would guess so. I mean,  
19 not totally unrelated but --  
20 THE COURT: But it's something else other  
21 than Ms. Gutierrez's questions?  
22 THE WITNESS: Yes.  
23 THE COURT: Okay. It's his attorney and I  
24 guess she didn't walk in the door. She is present  
25 and here and you did not -- you needed an opportunity

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<p>1 to speak with her anyway.</p> <p>2 MS. GUTIERREZ: Yes.</p> <p>3 THE COURT: At least you already indicated</p> <p>4 that.</p> <p>5 MS. GUTIERREZ: Yes.</p> <p>6 THE COURT: So this might be an appropriate</p> <p>7 time to take a break.</p> <p>8 MS. GUTIERREZ: That's fine.</p> <p>9 THE COURT: I'm going to have the jurors --</p> <p>10 MS. GUTIERREZ: Because I do have two other</p> <p>11 areas that I really rather not get into them unless I</p> <p>12 can finish at least one of them.</p> <p>13 THE COURT: Sure. Then why don't we take a</p> <p>14 recess at this point? I'd like to have the jury</p> <p>15 brought in. They were still using the facilities so</p> <p>16 --</p> <p>17 MS. GUTIERREZ: Well, there's a lot of</p> <p>18 them, and only two facilities.</p> <p>19 THE COURT: I'm going to ask that counsel</p> <p>20 -- also, be advised that I'm going to have -- first</p> <p>21 Mr. Wilds, you can step down. I remind you that you</p> <p>22 are still under oath. However, you may talk to your</p> <p>23 attorney about any matters unrelated that Ms.</p> <p>24 Gutierrez has questioned and if you have a question</p> <p>25 about a question that she has posed to you, if you</p>	<p>1 many cases I have on my docket for tomorrow. Two</p> <p>2 cases. Are they related cases? Unrelated cases.</p> <p>3 Since they are not co-defendant cases, I would think</p> <p>4 that probably ten-thirty.</p> <p>5 MS. GUTIERREZ: Okay.</p> <p>6 THE COURT: That's how we've been going the</p> <p>7 last couple days. We have not been able to get under</p> <p>8 way at the earliest ten-thirty. So I would ask that</p> <p>9 you all resume tomorrow at ten-thirty and I will</p> <p>10 direct Mr. Wilds to be here at ten, ten-fifteen.</p> <p>11 MS. GUTIERREZ: Judge, there is a matter.</p> <p>12 My associate called me to remind me. I have a case</p> <p>13 in District Court.</p> <p>14 THE COURT: In District Court at</p> <p>15 eight-thirty.</p> <p>16 MS. GUTIERREZ: Yes, and Judge just to know</p> <p>17 the facts of the case are my associate can't handle</p> <p>18 it for two reasons. She's a witness.</p> <p>19 THE COURT: That's all right.</p> <p>20 MS. GUTIERREZ: A witness of fact.</p> <p>21 THE COURT: You can go there at</p> <p>22 eight-thirty and handle the case. It's in Baltimore</p> <p>23 City, correct?</p> <p>24 MS. GUTIERREZ: Yes, but it's going to be a</p> <p>25 trial so what I would like is a call. I do not want</p>
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<p>1 could just tell me what the question is and I would</p> <p>2 be happy to assist you. You may go out in the</p> <p>3 hallway at this time and speak with her.</p> <p>4 THE WITNESS: Thank you.</p> <p>5 THE COURT: Before you leave for the day,</p> <p>6 I'd like you to come back though, all right?</p> <p>7 THE WITNESS: Yes, ma'am.</p> <p>8 THE COURT: So I can tell you what time to</p> <p>9 be here tomorrow. The status of my jury is? Still</p> <p>10 using the facilities, okay. What I would like to do</p> <p>11 then is I can recess you all if you'd like and then</p> <p>12 when they come back just direct them to be back here</p> <p>13 tomorrow.</p> <p>14 MS. GUTIERREZ: I will wait.</p> <p>15 THE COURT: All right, you will wait. Very</p> <p>16 well. Have a seat. They're ready. No, they're not</p> <p>17 ready.</p> <p>18 MS. GUTIERREZ: I wouldn't want the jury</p> <p>19 speculating as to why we're not here.</p> <p>20 THE COURT: I'm sorry?</p> <p>21 MS. GUTIERREZ: I wouldn't want the jury</p> <p>22 speculating as to why we're not here since we're</p> <p>23 always here.</p> <p>24 THE COURT: They're still using the</p> <p>25 facilities. Perhaps, the clerk could tell me how</p>	<p>1 to be caught up in the position where a judge makes</p> <p>2 me --</p> <p>3 THE COURT: What court is it in front of?</p> <p>4 MS. GUTIERREZ: They called me with all of</p> <p>5 the information. I don't remember if it is Wabash or</p> <p>6 North Avenue, but the reason that I'm concerned is</p> <p>7 that it's a case that was postponed once before about</p> <p>8 thirty days ago because I was just getting in the</p> <p>9 case and I wasn't there. I was starting --</p> <p>10 THE COURT: Ms. Gutierrez, I will call the</p> <p>11 judge if you'll just leave the information.</p> <p>12 MS. GUTIERREZ: Okay, just that I have to</p> <p>13 be back here by ten-thirty so that --</p> <p>14 THE COURT: Well --</p> <p>15 MS. GUTIERREZ: If they can call it right</p> <p>16 away, fine but I don't think --</p> <p>17 THE COURT: I don't have a problem doing</p> <p>18 that. I just need the name of the judge.</p> <p>19 MS. GUTIERREZ: Okay.</p> <p>20 THE COURT: And I must add that I've done</p> <p>21 this a couple of times already for you.</p> <p>22 MS. GUTIERREZ: Yes.</p> <p>23 THE COURT: But I just need the judge's</p> <p>24 name and I can tell you you can be there and if we</p> <p>25 are running a little late --</p>

1 MS. GUTIERREZ: I'll call.  
 2 THE COURT: Yes, that will be fine.  
 3 MS. GUTIERREZ: But I just want the Court  
 4 to convey because sometimes --  
 5 THE COURT: 10:45 at the latest.  
 6 MS. GUTIERREZ: You will make that clear.  
 7 THE COURT: 10:45 at the latest.  
 8 MS. GUTIERREZ: You will make that clear.  
 9 THE COURT: You need to be back here by  
 10 10:45 at latest. That gives you two hours and  
 11 fifteen minutes --  
 12 MS. GUTIERREZ: Right.  
 13 THE COURT: -- to try the case and it's a  
 14 district matter. It shouldn't take more than two  
 15 hours and fifteen minutes.  
 16 MS. GUTIERREZ: You'd better be careful  
 17 about saying that I've had court trials that could  
 18 take days.  
 19 THE COURT: Well, they could always  
 20 continue it to another day. Start it and then  
 21 continue it to another day. Mr. Clerk, can you find  
 22 out if Ms. Benaroya is out in the hallway? If she  
 23 is, can you ask her to come in and have a seat on the  
 24 front row. Is there an attorney out there, Ms.  
 25 Benaroya?

1 THE SHERIFF: There is one attorney.  
 2 THE COURT: Ask her to come in and have a  
 3 seat on the front row. Mr. Wilds, tomorrow morning  
 4 at 10:15 you need to return here. You are a  
 5 witness. You may not discuss your testimony with the  
 6 State or the defense at this time. You're a sworn  
 7 witness at this time, do you understand? 10:15, and  
 8 Ms. Benaroya if you would have a seat right there for  
 9 me, please. No right there on the front row. That's  
 10 fine, thank you. And you're free to go at this time  
 11 unless you want to speak with your attorney again,  
 12 all right. You're free to go. Ask that you return  
 13 -- remember the spot that I had you.  
 14 Mr. Wilds, remember that spot where you  
 15 were sitting, the same place, the same time tomorrow,  
 16 10:15 tomorrow. Very well, thank you.  
 17 THE WITNESS: May I have a chair tomorrow?  
 18 THE COURT: A chair? You don't have a  
 19 chair over there?  
 20 THE WITNESS: No, ma'am.  
 21 THE COURT: There's nowhere for you to sit  
 22 in that hallway.  
 23 MS. GUTIERREZ: There's a bench.  
 24 THE COURT: It's a bench. Oh, you don't  
 25 like the bench? It's too hard.

1 THE WITNESS: Yes.  
 2 THE COURT: Very well. We'll see if we can  
 3 get a chair for you.  
 4 THE WITNESS: Thank you.  
 5 THE COURT: You have a good day. Please  
 6 bring the jury in for me.  
 7 (Whereupon, the jury entered the courtroom,  
 8 after which the following proceedings ensued:)  
 9 THE COURT: You can wait right there. You  
 10 don't have to go all of the way back to your seat.  
 11 Just right there is good. I'm going to send you  
 12 home. I just wanted everyone to come back. I see  
 13 it's quarter of five so I wanted to speak with  
 14 everyone. You don't have to go back to your seats.  
 15 Just everyone step inside. Is everyone present?  
 16 Ladies and gentlemen, it's quarter of five  
 17 and what we're going to do is send you home now. Let  
 18 me tell you first I wanted to express my apologies.  
 19 This morning I had a great number of cases. One  
 20 defendant had eight cases alone, and I had a number.  
 21 So it took me awhile to get to this case and I  
 22 apologize.  
 23 I don't always know how long it's going to  
 24 take and I try my best to try to get back to this  
 25 case. I have to ask you though that I know you get

1 irritable and I know you get antsy and you want out  
 2 of that room. And when I know it's going to be  
 3 awhile, I have said go get tea, go get coffee, come  
 4 back. But I can't have you peeking out the door.  
 5 Now, Ms. Connelly is charged with making  
 6 sure that you stayed in the room and she told me  
 7 every time you stuck your heads out and tried to peek  
 8 outside and she's my spy, so to speak, but I have to  
 9 ask you not to do that because we don't know where  
 10 you are. We don't know when you're wandering the  
 11 halls, except when I say go get coffee and go get  
 12 tea, and I do that when I know there isn't anyone in  
 13 the hall that you might bump into or run into, and so  
 14 I must ask you and tell you that I do try very hard  
 15 to not have you sit one place when I know it's going  
 16 to be awhile.  
 17 Every now and then I think I'm going to get  
 18 to you and then it doesn't turn out that way.  
 19 Tomorrow, I have two cases and if I'm good at this  
 20 tomorrow by ten-thirty I should be able to get back  
 21 to you. I've had all counsel told to be here by  
 22 10:15, 10:30 but if by about 10:15 I find that  
 23 everyone is not here, I'll let you go get some coffee  
 24 or tea. But I must tell you if you want to get  
 25 coffee or tea tomorrow, you're free to do so. I'm



<p style="text-align: right;">Page 172</p> <p>1 going to ask you though to arrive between 9:00 and 2 9:30 and get paid. 3 But you won't have to be in that jury room 4 until 10:15. So if you want to wander a little bit 5 or go to the canteen or McDonald's or wherever and 6 bring the food back and be there by 10:15, that's 7 okay. But jury assembly can only accommodate paying 8 you tomorrow between 9:00 and 9:30. You'll be due in 9 that jury room by 10:15. That's the best I can do 10 for you tomorrow and I'd ask that you go home now and 11 have a restful evening, a safe travel home. I know 12 everybody is trying to get out. 13 Don't talk about this case with your 14 friends and neighbors, relatives, and the like. 15 Don't discuss this case amongst yourselves and I'll 16 see you tomorrow at 10:15. Have a good evening. 17 Good night. 18 (Whereupon, the jury was excused from the 19 courtroom, after which the following proceedings 20 ensued:) 21 THE COURT: All right, now, ladies and 22 gentlemen, I also must advise you, Ms. Benaroya is on 23 the front row. Ms. Benaroya, for the record, you 24 attempted to pass something to my clerk this morning 25 in an effort to file something in this case; is that</p>	<p style="text-align: right;">Page 174</p> <p>1 sequestered witness on the witness stand. I did not 2 prohibit you from talking to him. In fact, he said 3 he wanted to talk to you and he was permitted to come 4 out in the hallway this afternoon to talk to you. 5 MS. BENAROYA: He had said to me earlier 6 that he wasn't permitted to speak to me. 7 THE COURT: Without asking me first. I 8 needed to be advised when he was going to talk to you 9 so that there was no interference with what was going 10 on in this case, and also the fact that you were told 11 and I was advised that you would be a witness in this 12 case and to ensure that you're being a witness in 13 this case was not going to violate his being a 14 witness on the stand, I just wanted to be advised 15 when he wanted to talk to you. That was all. I did 16 not prohibit him from having a conversation with 17 you. I just needed to know when it was that he was 18 requesting it. 19 MS. BENAROYA: So this was more time, 20 place, and manner. 21 THE COURT: Exactly, a time, place, and 22 manner as opposed to any substance. If at some time 23 he said I want to talk to her and it in my view was 24 relative to a particular question that had been posed 25 that involved you, personally involved you, then</p>
<p style="text-align: right;">Page 173</p> <p>1 correct? 2 MS. BENAROYA: That's correct, Your Honor I 3 -- 4 THE COURT: What is it titled? 5 MS. BENAROYA: This is a motion for 6 appropriate relief regarding the (inaudible) 7 statement of Jay Wilds. 8 THE COURT: Is it under this case number? 9 MS. BENAROYA: No, it's under that case 10 number with the present case number where we have 11 standing. However, the point is that it's 12 sequestration, the Court's order precluding me from 13 discussing anything with Mr. Wilds denies him the 14 right to counsel. 15 THE COURT: That is not what the motion is 16 and that is not what the order of this Court is. I 17 only advised him that if he wanted to speak to you 18 about this case that he need only let me know that 19 first. I did not prohibit him from having any 20 conversations with you. 21 MS. BENAROYA: I misspoke. I meant, 22 (inaudible) I was not initiating. 23 THE COURT: The only thing I asked you to 24 do is if you wanted to talk to him about the case 25 that you let me know that first, since he's a</p>	<p style="text-align: right;">Page 175</p> <p>1 there might have been a problem, but that has not 2 occurred. 3 MS. BENAROYA: Your Honor, my other -- the 4 other -- 5 THE COURT: Well, my next question to you 6 was did you provide a copy of that motion to 7 counsel? 8 MS. BENAROYA: I was trying to. Your 9 Honor, I just now arrived at the courthouse. I gave 10 five copies to your clerk because I couldn't come in 11 the courtroom, but I gave enough copies to your 12 clerk. 13 THE COURT: Now, wait a minute, you filed a 14 motion in this case and you gave five copies of the 15 motion to my clerk? 16 MS. BENAROYA: When I arrived in court 17 today, I have not date stamped it and filed it with 18 the officer because it was closed. I came here 19 directly. I asked the clerk, simply as a matter of 20 finding out how to do this. I asked the clerk should 21 I bring this to the court, a courtesy copy and serve 22 everyone now. How should I deal with this? Mr. 23 Urick is not allowed to talk to me. I don't know 24 what's going on. So I asked the clerk. 25 THE COURT: I apologize. I told and</p>



1 informed my clerk that if you wanted to file  
2 something that you should do so with the Clerk of  
3 Court. I told her and I apologize if this was not  
4 conveyed to you that if you had a courtesy copy of  
5 what you were filing that I would be happy to see a  
6 date stamped copy of that courtesy item that you had  
7 filed and it was my concern that whatever you were  
8 filing that a copy be provided to defense counsel and  
9 to the State.

10 MS. BENAROYA: There's a certificate of  
11 service and everything on it.

12 THE COURT: All right. If you have a copy  
13 of that with you, I would appreciate you're giving it  
14 to both counsel and I also appreciate receiving a  
15 courtesy copy, but that in no way affects your filing  
16 anything with the Clerk of the Court and my clerk  
17 does not substitute as filing something with the  
18 Clerk of the Court.

19 MS. BENAROYA: I understand that. I'm not  
20 trying to be informal --

21 THE COURT: I understand.

22 MS. BENAROYA: It's the fact that I'm not  
23 really -- I'm sort of not really here.

24 THE COURT: I understand.

25 MS. BENAROYA: At this point, Your Honor,

1 if this motion is going to be withdrawn because it  
2 went specifically to the issue of the Court's order  
3 as I understood it that I was prohibited from  
4 consulting him.

5 THE COURT: No, you are not prohibited from  
6 consulting him. In fact, he said he wanted to talk  
7 to you and he was permitted to do so. What I was  
8 concerned was was the timing of it. If Ms. Gutierrez  
9 or the State had asked a question that involved you  
10 personally, that to allow him to come off the stand  
11 would interfere with the sequestration order, I just  
12 wanted to know what the question was at the time he  
13 asked to see you.

14 MS. BENAROYA: I understand.

15 THE COURT: To know whether or not counsel  
16 would then object to him talking to you with regard  
17 to that specific question that involved you.

18 MS. BENAROYA: Okay, I understand what  
19 you're saying.

20 THE COURT: It's a very -- well, he didn't  
21 have to tell us what he talked to you about.

22 MS. BENAROYA: I understand.

23 THE COURT: I just wanted to let counsel  
24 know, okay, she's going to be asked a question  
25 relative to your question.

1 MS. BENAROYA: The other matter was I've  
2 only recently -- as I said before, this case was  
3 tried the last time.

4 THE COURT: I don't want to -- I understand  
5 you have some specific concerns and what I need to  
6 find out from you first before you start in, I need  
7 to know whether or not your questions or concerns are  
8 relative to your appearing as a witness?

9 MS. BENAROYA: Yes, absolutely, they are,  
10 Your Honor.

11 THE COURT: There may be some information  
12 that is about the manner in which you were retained.

13 MS. BENAROYA: I understand.

14 THE COURT: And with regard to those  
15 questions, defense counsel has also indicated that  
16 she may need you as a witness. As an officer of this  
17 Court, I do not know how and under what circumstances  
18 your testimony may be needed, but I must advise you  
19 that you need to make yourself available in the event  
20 that either the Court or Ms. Gutierrez wants you to  
21 be a witness.

22 MS. BENAROYA: Your Honor, I spoke with  
23 your secretary on Friday --

24 THE COURT: And that's why you're here.

25 MS. BENAROYA: (inaudible).

1 THE COURT: And I want to let you know on  
2 the record that I appreciate your responding in the  
3 fashion you have. I understand the difficulty of  
4 having received a summons, potentially a summons or  
5 being told you're a witness in a case in which your  
6 client is also a witness.

7 MS. BENAROYA: Yes.

8 THE COURT: And I do not even know how and  
9 under what circumstances you may be even called, but  
10 when an attorney tells me that she needs to speak  
11 with another attorney who is a witness -- an attorney  
12 for the witness, I must let you know. Now, I think  
13 counsel has a summons.

14 MS. GUTIERREZ: I do, Judge, just to make  
15 sure.

16 THE COURT: And I'm just going to ask and  
17 direct you to sign the summons. I must advise you  
18 also Ms. Benaroya, I have not made a ruling as to  
19 whether or not your testimony is relevant.

20 MS. BENAROYA: Thank you, Your Honor.

21 THE COURT: And so although I am making you  
22 available for counsel, I am not in any way suggesting  
23 that means you're going to testify because I have not  
24 found out why or under what circumstances your  
25 testimony might be relevant.

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<p>1 MS. BENAROYA: Thank you, Your Honor. I 2 have made those inquiries myself when I first learned 3 from the process server that fact during the other 4 trial. I said I'm glad to receive the service. 5 THE COURT: Very well. For the record, Ms. 6 Benaroya is serving -- signing the summons to appear 7 in this case and because you are counsel and your 8 office is not nearby, Ms. Gutierrez, I'd like you to 9 give her a day's notice. 10 MS. GUTIERREZ: Yes, if she just gives me a 11 number, I've arbitrarily put on Wednesday. 12 THE COURT: Wednesday you think? 13 MS. GUTIERREZ: It would start then but 14 obviously -- 15 THE COURT: Morning, afternoon? 16 MS. GUTIERREZ: I've put ten o'clock in the 17 morning. 18 THE COURT: Very well. Do you have a court 19 appearance, Ms. Benaroya, that would conflict with 20 your appearing on Wednesday at ten or ten-thirty? 21 MS. BENAROYA: That would on the 16th of 22 February, I don't have a court appearance. 23 THE COURT: Do you have any other matters 24 that would interfere with your appearance for which a 25 court summons or subpoena would not help you?</p>	<p>1 at issue and a problem, and so at this point you are 2 now a witness potentially, which means if you are 3 going to talk to someone or you feel it in your 4 professional capacity as Mr. Wilds' attorney if you 5 need to speak to Mr. Urick, I just would like to 6 know. 7 MS. BENAROYA: Thank you. 8 THE COURT: I just need you to advise me 9 that that is what you're going to do and if you do 10 that I think you'll be able to satisfy us that you're 11 not discussing a matter for which your testimony 12 would be needed. 13 MS. BENAROYA: Your Honor, may I advise the 14 Court now since I do have some things I have not been 15 able to -- I have not spoken with Mr. Urick or my 16 client in a few days. So I would like to contact my 17 client. He was very upset when he left the court 18 today. I believe that there is probably several 19 matters that he would like to (inaudible). 20 THE COURT: Yes, you certainly may discuss 21 that matter with him. 22 MS. BENAROYA: I also believe that he is 23 going to want to talk to me about how long this trial 24 is going to take. 25 THE COURT: I don't need to know what you</p>
Page 181	Page 183
<p>1 MS. BENAROYA: I'm involved in a case that 2 is going to in Anne Arundel County, a civil case that 3 is taking up a bit of my time. I can make myself 4 available to be here. 5 THE COURT: We have have a library here if 6 that's where you would like to go while you await Ms. 7 Gutierrez calling. There is a library across the 8 street on the 6th floor. We could let you sit there 9 and work. I can also tell you that we would 10 accommodate you in any other like circumstance, as 11 long as you were nearby on Wednesday at that time. 12 Would that satisfy you, Ms. Gutierrez? 13 MS. GUTIERREZ: Yes, it does and I'll do 14 better. I'm sure I will know by Tuesday night. That 15 way just I will let her know Tuesday. 16 THE COURT: For the record, I'm putting the 17 bathroom note in the court file, and with that said I 18 think we have accommodated counsel in that regard 19 and, again, Ms. Benaroya, I thank you very much for 20 your appearance and, in fact, I'm glad you did come 21 because it did serve to clarify you were instructed 22 not to speak to Mr. Urick and the reason you were 23 asked not to speak to Mr. Urick at the time we did 24 not know whether he might not be sequestered. So 25 that's not going to happen and so that no longer is</p>	<p>1 talked to him about. The only thing I ask is if he 2 starts to ask you questions where it's about your 3 being retained or anything like that, I would just 4 advise you -- 5 MS. BENAROYA: Yes. 6 THE COURT: -- that that would be an area 7 that we believe Ms. Gutierrez wants to talk to you 8 about and at this stage I do not believe it's 9 something that would cause a problem, but I would 10 like to be informed that you're about to talk to him 11 in a sensitive area, and you don't have to tell Ms. 12 Gutierrez and you don't have to tell the State. If 13 you would just advise me and you have numbers where I 14 can be reached. 15 MS. BENAROYA: Yes, I do. 16 MS. GUTIERREZ: Will you be around for a 17 little while now, Judge? 18 THE COURT: At five o'clock? I would like 19 not to be around but if counsel needs me to be around 20 I certainly will make myself available. 21 MS. GUTIERREZ: I would like to make sure 22 because I'm not sure Ms. Benaroya understands that 23 she can speak to me now, that she's not precluded 24 from speaking to me. 25 THE COURT: Ms. --</p>

1 MS. GUTIERREZ: -- about the inquiries that  
 2 I want to make and that was part of the reason --  
 3 THE COURT: Ms. Gutierrez.  
 4 MS. GUTIERREZ: -- I called her today.  
 5 THE COURT: I'll be happy to advise her.  
 6 Ms. Benaroya, like any witness, you have an absolute  
 7 right to talk to Ms. Gutierrez or Mr. Urick at this  
 8 point. And if you choose not to, you have an  
 9 absolute right not to talk to her.  
 10 MS. BENAROYA: I think the issue is -- I  
 11 have already asked Ms. Gutierrez if she would tell me  
 12 why I was subpoenaed. --  
 13 THE COURT: Well --  
 14 MS. GUTIERREZ: That was at the first  
 15 trial.  
 16 THE COURT: Also, may I add that as you  
 17 know as an attorney and an officer of this Court,  
 18 that you as Mr. Wilds' counsel have certain  
 19 privileges, and please be advised he has not waived  
 20 those privileges. He's not waived those privileges,  
 21 all right. So with that said, all right, is there  
 22 anything further I can do?  
 23 MS. BENAROYA: Nothing.  
 24 THE COURT: Thank you. I want everyone and  
 25 I do mean everyone to have a pleasant Valentine's Day

1 and I will see you tomorrow at 10:30. This Court  
 2 stands in recess.

3 CONCLUSION OF PROCEEDINGS  
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## 1 CERTIFICATE

2  
 3 This is to certify that the proceedings in  
 4 the matter of State of Maryland versus Adnan Syed,  
 5 indictment numbers 199103042, 43, 45, 46 held on  
 6 February 14, 2000 were recorded by means of video  
 7 tape.

8 I do hereby certify that the foregoing 187  
 9 pages constitute the official transcript as  
 10 transcribed by me from said videotaped proceedings to  
 11 the best of my ability in a complete and accurate  
 12 manner.

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

15  
 16 Diane R. Walker

17 *Diane R. Walker*  
 18 Official Court Reporter  
 19  
 20  
 21  
 22  
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