

1 MS. GUTIERREZ: Yes, Judge.
2 MR. URICK: Yes.
3 THE COURT: He does not have to come back? He's
4 released from the summons?
5 MS. GUTIERREZ: Yes, Judge.
6 THE COURT: Mr. S [REDACTED], you may go. You may
7 also go downstairs and my office will give you a letter or
8 note if you need something for your employer, all right?
9 Take my card so you know where my office door is, all
10 right?
11 (Whereupon, at 11:45 a.m., the witness was
12 excused.)
13 THE COURT: The next witness, please.
14 MS. GUTIERREZ: The Defense would call Michael
15 [REDACTED].
16 THE COURT: Mr. [REDACTED], if you would step all the
17 way up --
18 No, Mr. S [REDACTED], you're free to go. It's the
19 next witness.
20 Step all the way up, sir, over here to the
21 witness stand. And if you would remove your jacket, you're
22 welcome to put that on the back of the chair or lay it on
23 the table next to you. I need you to raise your right hand
24 and listen to Mr. White.
25 Whereupon,

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MICHAEL [REDACTED]

was called as a witness at 11:46 a.m., and after having been first duly sworn, was examined and testified as follows:

THE CLERK: You may be seated. Keep your voice up, state your name and address for the record.

THE WITNESS: My name is Michael [REDACTED]. My address is [REDACTED] Road, Apartment C, Baltimore, Maryland.

DIRECT EXAMINATION

BY MS. GUTIERREZ:

Q Mr. [REDACTED], let me direct your attention back to January and February 1999. Back at that time, were you employed?

A Excuse me?

Q Were you employed?

A Yes.

Q And where were you employed?

A I work for the Epilepsy Association of Maryland.

Q Okay. And in addition to that -- what did you do for them?

A I do counseling.

Q And in addition to that employment, did you have other employment?

A Yes. I was the head track coach at Woodlawn High School.

1 Q Okay. Track coach?
2 A Yes.
3 Q Did that include indoor and outdoor?
4 A It included indoor and outdoor season.
5 Q And in January and February 1999, was that in
6 season for either indoor or outdoor track?
7 A Yes. It was in season for indoor track.
8 Q For indoor track. And when did the season for
9 indoor track start?
10 A It started early November.
11 Q Okay. And when would it end?
12 A Late February.
13 Q All right. In relationship to that job where you
14 were coach of the indoor track team, did you come to know
15 someone by the name of Adnan Syed?
16 A Yes.
17 Q And could you point him out for us?
18 A (Pointing)
19 Q And how did you come to know him?
20 A He was a member of the track team.
21 Q Okay. And as a member of the track team, did he
22 actually run certain races?
23 A Yes.
24 Q And did his participation in the track team start
25 at the beginning of the season?

1 A Yes.

2 Q Are you aware, Mr. [REDACTED], of how it is that -- was
3 this the first year that he had ever participated in indoor
4 track?

5 A Yes, it is.

6 Q Were you aware, sir, of how it was that Adnan
7 participated in track?

8 A I had saw him a couple time son the football
9 field.

10 Q Perform?

11 A Yeah, I saw him run in sprints for the team.

12 Q Okay. Was he a member of the football team?

13 A Yes, he was.

14 Q And were you aware of that?

15 A Yes, I was.

16 Q And as a result of seeing him perform, is there
17 any action that you took?

18 A Well, I had -- a couple of my runners had also
19 told me about him and thought that he would be a good
20 addition to the team, so they kind of went over to him and
21 talked to him and tried to persuade to come out for the
22 team.

23 Q So you tried to convince him to come out?

24 A Yes.

25 Q And did he do so?

1 A Yes, he did.

2 Q And did he participate as a member of the indoor
3 track team from the beginning of the season?

4 A Yes, he did.

5 Q Were there meets that took place between your
6 track team and other schools' track teams?

7 A Yes.

8 Q And did they start taking place in November?

9 A Yes -- no. Early December.

10 Q Early December?

11 A Early December.

12 Q And throughout all of December?

13 A Yes, throughout December.

14 Q And January?

15 A Yes.

16 Q And February?

17 A Yes.

18 Q All right. Now, sir, did Adnan Syed participate
19 in those track meets?

20 A Yes, he did.

21 Q And how did he perform?

22 A He performed fairly well.

23 Q Did he medal or win his events in some of the
24 meets?

25 A Yes, some of the meets he did place.

1 Q Okay. Now, let me direct your attention -- as to
2 track practices, did they take place?

3 A Yes, they did.

4 Q And when and where did they take place?

5 A Practice was every day after school, after their
6 study hall, from --

7 Q And what time would that be?

8 A Approximately 4:00 to 5:30, 6.

9 Q And was that a regular time every day?

10 A Regular time every day.

11 Q Okay. And were members of the track team
12 expected to be at practice?

13 A Everyone was expected to be at practice.

14 Q To be at practice?

15 A Yes.

16 Q And did you take roll of people who came to
17 practice?

18 A Not a physical actual, written roll, more of a
19 mental roll.

20 Q Just a mental --

21 A Yes.

22 Q Okay. You sort of knew -- did you sort of know
23 when there would be track team participants who didn't come
24 regularly?

25 A Yes.

1 Q Okay. And what, if any, action did you take
2 against people who didn't bother to come to practice?

3 A Well, those who didn't bother to come to
4 practice, you know, it usually started with a warning and
5 then I would sit them down for the next meet, if that was
6 necessary.

7 Q They weren't allowed to participate in the meets?

8 A Yeah.

9 Q And even though you didn't take a formal roll,
10 was there anyplace that track team members had to go to
11 sign in to show that they were there at practice?

12 A Well, they were -- all the athletes had to go to
13 study hall right after school.

14 Q And that was at a specific place?

15 A Yes.

16 Q Okay. And -- but you didn't have anyplace for
17 them to sign in once they came over to track practice?

18 A No.

19 Q Okay. Now, back in November, December, January,
20 and February, Adnan was a regular member of the track team?

21 A November, December, and January, yes.

22 Q Okay. And did he regularly come to practice?

23 A Yes, for the most part.

24 Q Sir, you're aware that Woodlawn had a couple
25 dozen Muslim students?

1 A Was I aware that the school had? Yes.

2 Q Yes.

3 A Yes.

4 Q And are you aware of the Muslim religious month
5 of Ramadan?

6 A Yes.

7 Q And that during Ramadan, Muslims, the tenets of
8 their faith suggests that they should fast from daybreak to
9 after, I guess after sundown?

10 A Yes.

11 Q Okay. Now, did you come -- ever come to know
12 whether Adnan Syed was a Muslim?

13 A Yes, I did.

14 Q And did you know about Ramadan back then?

15 A Yes.

16 Q And were you aware that Ramadan started in mid-
17 December of 1998 and went through -- or late December of
18 1998 and went through to the end of January 1999?

19 A Well, I didn't know really about December but I
20 knew during the month of January.

21 Q Okay. How did you know about that?

22 A One day we were at practice and Adnan was there,
23 and we had a lengthy conversation. I knew that he was
24 fasting for his religion, and he just sat down and
25 explained to me the whole purpose of it.

1 Q Was there any treatment that was extended in
2 regard to whether or not athletes had to actually practice
3 during the time that they were fasting?
4 A No.
5 Q So did they have to practice, even though they
6 were fasting?
7 A No. He knew -- we talked about it and, as long
8 as he came to practice, he was exempt from the actual
9 practice.
10 Q From actually running the course?
11 A Actually running, yeah.
12 Q And was that related to the effects of fasting on
13 the body?
14 A Yes.
15 Q Okay. And was that accommodation extended to
16 Adnan?
17 A Yes, it was.
18 Q And was Adnan one who came regularly to practice?
19 A Yes.
20 Q And did he come even when he was fasting?
21 A Yes.
22 Q And were there times when he came when he was
23 fasting that he did not actually run?
24 A Excuse me, what was that again?
25 Q I don't know what to call it. That he came while

1 he was fasting, he came to practice, but he didn't
2 actually --

3 A Yes.

4 Q -- do anything?

5 A Yes.

6 Q And was that acceptable to you?

7 A Yes, it was.

8 Q Was Adnan the type of participant on your track
9 team whose absence on a regular basis you would have
10 noticed?

11 A Yes.

12 Q Did you view him as a serious athlete?

13 A Yes, I viewed him as a serious athlete.

14 Q And he was arrested on February 28th, before the
15 end of the track season?

16 A February 28th?

17 Q Yeah. That's the date he was arrested.

18 A Okay. The track season was over by then.

19 Q Would he have medaled -- or would he have
20 received a varsity letter for his participation in track
21 had he not been arrested?

22 A Yes.

23 Q And when you had observed him at an earlier
24 occasion participate as a football player, would you have
25 described him as a disciplined athlete?

1 A From what I viewed, yes.

2 Q Okay. You based your decision -- coming out for
3 the track team based on what you had observed of his
4 athletic performance?

5 A Yes.

6 Q Were you aware of what kind of student he was
7 academically?

8 A Yes.

9 Q And what kind of student was that?

10 A I mean, he was a very good student.

11 Q And were you aware, sir, from your observation of
12 him as to whether or not, in his interaction with
13 teammates, he would be described as a popular student?

14 A He seemed to get along with all the kids on the
15 track team.

16 Q Did the kids on the track team seem to get along
17 with him?

18 A Yes.

19 Q Was he an extrovert or introvert?

20 A I would say extrovert.

21 Q An extrovert. In how he interacted with his
22 teammates?

23 A Yes.

24 Q Okay. And, sir, did you know a student at
25 Woodlawn during that same year by the name of Hey Men Lee?

1 A I didn't really know her, I just knew of her.
2 THE COURT: Can you lean forward and speak into
3 the mike?
4 THE WITNESS: I really didn't know her, I just
5 knew of her.
6 BY MS. GUTIERREZ:
7 Q You knew of her?
8 A Yes.
9 Q Did you know what she looked physically -- like
10 physically?
11 A Yes.
12 Q And did you become aware that she and Adnan Syed
13 were girlfriend and boyfriend for some part of that time?
14 A No, not really.
15 Q That didn't ever come up?
16 A No.
17 Q Did you ever see her at track practice?
18 A Never saw her at track practice. I did see them
19 in the hall maybe --
20 Q In the halls of the school?
21 A Yes.
22 Q And that school is Woodlawn?
23 A Yes.
24 Q And you saw them together?
25 A Yes.

1 Q And when you saw them together, were they
2 affectionate with each other?

3 A No, just talking.

4 Q Just talking. Okay.
5 And you didn't coach her?

6 A No, I didn't.

7 Q Thank you. Mr. Urick might have some questions.

8 THE COURT: Thank you.

9 Witness with you --

10 MR. URICK: Extremely briefly, Your Honor.

11 THE COURT: -- Mr. Urick.

12 CROSS-EXAMINATION

13 BY MR. URICK:

14 Q Good morning.

15 A Good morning.

16 Q You spoke to the police detectives at least on
17 one occasion, did you not?

18 A Yes.

19 Q And at that time, they were asking you about
20 specific attendance of the Defendant as to January 11th,
21 January 12th, and January 13th, do you recall being asked
22 about that?

23 A Yes.

24 Q And do you remember telling them that you have no
25 way of recalling whether or not he was actually there on

1 any specific day?

2 A Yes, I said that.

3 Q Thank you. No other questions.

4 THE COURT: Anything further? Any redirect?

5 REDIRECT EXAMINATION

6 BY MS. GUTIERREZ:

7 Q The police came to Woodlawn?

8 A Yes.

9 Q And you were aware that Adnan had been arrested?

10 A Yes.

11 Q Were you at that time aware of the disappearance
12 of Hey Men Lee on or about January 13th?

13 A No.

14 Q You tried to answer them as best you could?

15 A Yes.

16 Q Is what you told them that you couldn't recall
17 whether or not Adnan was there?

18 A I told them I had no written records of whether
19 he was there or whether he was not there.

20 Q And that's what they were asking, weren't they?

21 A Yes.

22 Q Whether or not you had any documentation that
23 would prove that he was there on those specific days?

24 A Yeah. They wanted to know if I had any
25 documentation.

1 Q Okay. And didn't they tell you that they got the
2 information that he was at track practice from him?

3 A From who?

4 Q From Adnan?

5 A Yes, yes.

6 Q And what they were looking for was not whether
7 you remembered whether or not he was there but whether you
8 had documented his presence?

9 A Yeah.

10 Q And you explained to them that you didn't
11 document anybody's presence?

12 MR. URICK: Objection as to the form of the
13 questions.

14 THE COURT: All right. Overruled.

15 You may answer the question. Do you understand
16 the question?

17 THE WITNESS: Could you repeat it, please?

18 BY MS. GUTIERREZ:

19 Q What you explained to them was that you didn't
20 document anybody's presence?

21 A Yeah, I didn't document anybody's presence.

22 Q Not only Adnan's but any member of the team?

23 A Right. I just took a mental note of who was
24 there, who wasn't there.

25 Q Did they inquire as to whether or not he

1 regularly attended practice?
2 A I believe so.
3 Q And you told them the same thing you told us
4 today?
5 A Yes.
6 Q Did they inquire about his performance?
7 A I believe so.
8 Q And you told them the same thing you've told us
9 today?
10 A Yes.
11 Q Thank you.
12 MS. GUTIERREZ: Nothing further.
13 THE COURT: Anything further from Mr. Urick?
14 MR. URICK: If I may have a quick discussion for
15 just a second.
16 THE COURT: Certainly.
17 (Pause)
18 MR. URICK: Thank you. Nothing further.
19 THE COURT: Thank you.
20 Coach Sye, you are excused at this time.
21 Released from summons, Ms. Gutierrez?
22 MS. GUTIERREZ: Yes, Judge.
23 THE COURT: Mr. Urick?
24 MR. URICK: Yes.
25 THE COURT: You may go. Thank you very much,

1 sir.

2 (Whereupon, at 11:59 a.m., the witness was
3 excused.)

4 MS. GUTIERREZ: Can I just check and see who's
5 out here?

6 THE COURT: Certainly.

7 (Pause)

8 MS. GUTIERREZ: May we approach the bench?

9 THE COURT: Certainly.

10 (Whereupon, counsel and the Defendant approached
11 the bench and the following ensued.)

12 MS. GUTIERREZ: Judge, I only have three
13 witnesses left. I think they're going to take --

14 THE COURT: They're going to be long?

15 MS. GUTIERREZ: -- some time. And there's one
16 witness from out of town that I really need to -- she has
17 to catch a flight back tonight, so I want to put her on. I
18 don't want anything that would make that take longer, so --

19 THE COURT: Can we start with her and get at
20 least maybe 20 minutes of her in?

21 MS. GUTIERREZ: Well, except she's the witness
22 and the main purpose of her is the book that we need to get
23 from them.

24 THE COURT: From across the street? All right.
25 And there's nothing else short that you can --