

1 MS. GUTIERREZ: Well, I guess I could. I could
2 certainly start her and I have a copy of the book that I
3 could start questioning her about and then substitute
4 the --

5 THE COURT: That's fine.

6 MS. GUTIERREZ: If we get that far. That'd be
7 fine because then that would ensure that we'd finish with
8 her.

9 THE COURT: At least we'll get something started
10 with her. Thank you.

11 (Whereupon, counsel and the Defendant returned to
12 trial tables and the following ensued.)

13 THE COURT: Ladies and gentlemen, just so you
14 know, the Jury Assembly Room will be looking for you.
15 We're going to take a recess for lunch about 12:15 and
16 you'll go over and they'll be expecting you at that time.

17 MS. GUTIERREZ: The Defense would call Rebecca
18 [REDACTED] to the stand.

19 THE COURT: Ms. [REDACTED], please step all the way
20 up to the witness stand, all the way here, over here to the
21 right-hand side where you see the mike and the chair. And
22 I need you to face Mr. White, raise your right hand. No,
23 ma'am, face Mr. White, raise your right hand, and listen to
24 what he has to say.
25 Whereupon,

1

REBECCA [REDACTED]

2

was called as a witness at 12:02 p.m., and after having

3

been first duly sworn, was examined and testified as

4

follows:

5

THE CLERK: Be seated. Please keep your voice

6

up. State your name and your address for the record.

7

THE WITNESS: Rebecca [REDACTED] [REDACTED]

8

9

DIRECT EXAMINATION

10

BY MS. GUTIERREZ:

11

Q And is that -- that's in Baltimore County?

12

A Yes.

13

Q And that's -- is that your parents' address?

14

A That's my permanent address, yes.

15

Q Do you currently reside there?

16

A No, I do not.

17

Q Where do you currently reside?

18

A [REDACTED] Milwaukee, Wisconsin.

19

Q And what are you doing in Wisconsin?

20

A I am attending Marquette University.

21

Q Okay. And what year are you now?

22

A I'm a freshman.

23

Q So you started this past September?

24

A Yes.

25

Q Last school year, that would have begun September

1 1998 and ended with May 1999, were you a student at
2 Marquette?

3 A No.

4 Q Were you a student anywhere?

5 A I was a student at Woodlawn High School.

6 Q Okay. And is that located in Baltimore County?

7 A Yes.

8 Q And had you been a student at that high school
9 for four years?

10 A Yes.

11 Q And during the course of your matriculating at
12 Woodlawn, did you know a student by the name of Hey Men
13 Lee?

14 A Yes, I did.

15 Q How did you come to know her?

16 A I met her in my classes in my freshman year.

17 Q In your freshman year. And starting in your
18 freshman year, what was your relationship with Hey Men Lee?

19 A We were very good friends.

20 Q Did you ever use the term best friends to
21 describe your relationship with her?

22 A Yes. In my senior year I would have.

23 Q And at the time you became aware of her
24 disappearance, on or about January 13th, 1999?

25 You have to answer with words, not shaking your

1 head.

2 A Yes.

3 Q Okay. And at that time, how would you describe
4 your relationship with her?

5 A She was one of my best friends.

6 Q Okay. And through your relationship with her,
7 did you learn of her romantic involvement with Adnan Syed?

8 A Yes.

9 Q And Adnan Syed, did you know him before you
10 learned of her involvement with him?

11 A Yes.

12 Q And how is it that you knew him?

13 A I met him in about second grade.

14 Q And you all went to the same elementary school
15 together?

16 A Yes.

17 Q And the same middle school together?

18 A Yes.

19 Q And how would you describe your relationship
20 before you got to Woodlawn?

21 A Before I got to Woodlawn?

22 Q Yes.

23 A He was one of my best friends.

24 Q And after you got to Woodlawn?

25 A One of my best friends.

1 Q Okay. And now?

2 A Still one of my best friends.

3 Q All right. Now, Ms. [REDACTED], when you heard about

4 Hey Men Lee's romantic involvement with Adnan, when was

5 that?

6 A About May of my junior year in high school.

7 Q And was that near an occasion of the junior prom

8 for your class?

9 A Yes.

10 Q Did you attend that prom?

11 A Yes, I did.

12 Q Did you see Adnan and Hey Men Lee there?

13 A Yes.

14 Q And do you know a student by the name of

15 Stephanie McPherson?

16 A Yes.

17 Q And did you also know her in elementary school?

18 A Yes, I did.

19 Q And also in middle school?

20 A Yes.

21 Q And all through high school?

22 A Yes.

23 Q In regard to the three of you, were you all in

24 the same magnet program?

25 A Yes.

1 Q And everybody was a very good student in that
2 program?

3 A Yes.

4 Q During elementary and middle school, were you
5 aware what, if any, relationship existed between Stephanie
6 [REDACTED] and Adnan Syed?

7 A They were friends.

8 Q They were friends?

9 A Yes.

10 Q And did that friendship continue, to your
11 observation, once they went to high school?

12 A Yes.

13 Q Now, with Stephanie [REDACTED], how would you
14 describe your relationship with her?

15 A She is one of my very good friends.

16 Q And what was her relationship to Hey Men Lee, if
17 you know?

18 A They were friends but I'm really not sure how
19 close they were.

20 Q Did your very good friendship with Hey Men Lee
21 mean that you saw her outside of school?

22 A Yes.

23 Q And did that include spending the night at your
24 house or her house?

25 A My house a few times.

1 Q But never her house?

2 A Right.

3 Q Okay. And did that include spending the night
4 with her and other girls?

5 A Yes.

6 Q And did that include Ayisha (phon. sp.) [REDACTED]?

7 A Yes.

8 Q Did that ever include Stephanie [REDACTED]?

9 A No.

10 Q So would it be fair to say that, although she was
11 considered a friend, she was certainly not a close friend
12 like you and they were?

13 MS. MURPHY: Objection.

14 THE COURT: Sustained.

15 BY MS. GUTIERREZ:

16 Q Now, after the junior prom, did you become aware
17 of what, if any, relationship Hey Men Lee and Adnan had?

18 A Yes.

19 Q And from whom did you get that information?

20 A From both Adnan and Hey and other friends as
21 well.

22 Q So both Adnan and Hey spoke to you about their
23 relationship with each other?

24 A Yes.

25 Q And how did Hey Men Lee describe her relationship

1 with Adnan?

2 A They were very close. She liked him a lot and
3 she trusted him and likes to spend time with him.

4 Q And how did he describe his relationship with
5 her?

6 A He had the same feelings towards her, and it
7 seemed like he would do anything for her.

8 Q Did either or both of them use the word love to
9 describe how they felt about each other?

10 A I think so but I'm really not sure.

11 Q Did you, Ms. [REDACTED], ever become aware of
12 Adnan --

13 A Yes.

14 Q And what was his religion?

15 A Muslim.

16 Q And how did you become aware of that?

17 A I'm not sure. I had just known it since --

18 Q And had you always known that?

19 A Yeah.

20 Q Okay. And to your observation, from the time
21 that you had known him, was he a practicing Muslim --

22 A Yes.

23 Q -- as you understand that term?

24 A Yes.

25 Q Yes. And did he celebrate Muslim holidays?

1 A Yes.

2 Q And appear to conform outwardly to the Muslim
3 tenets?

4 A Yes.

5 Q Did you become aware at any time that the Islam
6 religion at least discouraged, if not forbade, dating?

7 A Yes.

8 Q Did you learn that from him?

9 A Yes.

10 Q Prior to May of 1999 -- May of 1998, at the time
11 of the junior prom, had you observed whether or not Adnan
12 had ever dated anyone, any other girl?

13 A I'm not sure.

14 Q Did you know whether or not -- had he told you
15 whether or not he dated any other girl?

16 MS. MURPHY: Objection.

17 THE COURT: Overruled.

18 Did he tell you?

19 THE WITNESS: I don't recall him telling me, no.

20 BY MS. GUTIERREZ:

21 Q Okay. And if he had told you that, would that
22 have been a surprise to hear that, based on what you had
23 observed of him?

24 MS. MURPHY: Objection.

25 THE COURT: Sustained.

1 BY MS. GUTIERREZ:

2 Q After you became aware -- did they attend the
3 junior prom together?

4 A Yes, they did.

5 Q Do you know how that happened?

6 A I believe he asked her sometime -- a few weeks
7 beforehand.

8 Q And did you have any understanding as to whether
9 or not the junior prom would be considered a date?

10 A I would have considered it a date, yes.

11 Q And did you consider it a date back then?

12 A Yes.

13 Q And after that date of the junior prom, did you
14 become whether or not the dating continued?

15 A Yes, they were dating.

16 Q And did you get that information from both Adnan
17 and Hey?

18 A Yes.

19 Q And did you observe them together?

20 A Yes.

21 Q And did you observe them in school?

22 A Yes.

23 Q Did you also observe them out of school?

24 A Yes, I did.

25 Q Did you observe them at any time when they were

1 physically affectionate toward each other?

2 A Yes.

3 Q And did that physical affection, did it include

4 touching each other?

5 A Yes.

6 Q Did it include holding hands?

7 A Yes.

8 MS. MURPHY: Objection as to the form of the

9 questions.

10 THE COURT: Sustained.

11 BY MS. GUTIERREZ:

12 Q Did you ever observe them kissing?

13 A Yes.

14 MS. MURPHY: Objection.

15 THE COURT: Sustained.

16 BY MS. GUTIERREZ:

17 Q At Woodlawn, other than hearing it from them, did

18 you hear confirmation of the dating relationship from any

19 other source?

20 A I --

21 MS. MURPHY: Objection.

22 THE COURT: Sustained.

23 BY MS. GUTIERREZ:

24 Q After the junior prom, did you initiate

25 conversation with Hey Men Lee about the extent of her

1 relationship with Adnan?

2 A I don't recall.

3 Q You don't recall whether you initiated it?

4 A Right.

5 Q Do you recall that you had conversations --

6 A Yes.

7 Q -- with her?

8 A Yes.

9 Q And was the subject of those conversations her
10 relationship with Adnan?

11 MS. MURPHY: Objection.

12 THE COURT: Sustained.

13 When you hear me say sustained, you don't answer,
14 okay? That means the question is not permissible.

15 And the objection is to the leading nature. This
16 is your witness, Ms. Gutierrez.

17 BY MS. GUTIERREZ:

18 Q Did you become aware at any time after the junior
19 prom that there was a period of time when they ceased
20 dating?

21 A Yes. I believe it was in November of our senior
22 year.

23 Q It was in November?

24 A I believe so.

25 Q Okay. And were you aware or made aware, just

1 from your own observations or being told by anyone, what
2 caused the cessation of dating?

3 A To my understanding, it was just that it was very
4 difficult for both of them with family relationships and
5 they -- it was very stressful on both of them.

6 Q And by family relationships, was it --

7 A Apparently, Adnan had a hard time because it
8 wasn't really -- he wasn't really supposed to be in that
9 type of relationship and --

10 Q Because of his family?

11 A Family and religion, yes.

12 Q Family and religion.

13 Is -- was that issue something that you spoke to
14 Adnan about?

15 A Occasionally.

16 Q Occasionally. And had he expressed the same
17 thing?

18 A Yes.

19 Q And by family issues, what else are you referring
20 to?

21 A That it was just hard because he knew his parents
22 wouldn't approve and he didn't want to disobey them and --

23 Q He didn't want to disobey his parents?

24 A Right.

25 Q Were you aware of any family issues for Hey Men

1 Lee?

2 A She had mentioned just having kind of a stressful
3 relationship at times with some of her family members.

4 Q And who were those family members?

5 A I'm not sure.

6 Q Did they include her mother?

7 MS. MURPHY: Objection.

8 THE COURT: Sustained.

9 BY MS. GUTIERREZ:

10 Q Do you know what religion, if any, Hey Men Lee
11 was?

12 A I believe she was Christian but I am not sure.

13 MS. MURPHY: Your Honor, I'm sorry, I'm having a
14 lot of trouble hearing.

15 THE COURT: You'll have to repeat your answer,
16 and I'll ask you to keep your voice up.

17 THE WITNESS: I believe she was Christian but I'm
18 not sure.

19 BY MS. GUTIERREZ:

20 Q Did you ever become aware of whether or not her
21 religion, if it was Christian, created any issues in regard
22 to her dating Adnan?

23 A I don't believe it.

24 Q And that was never brought to your attention?

25 A No.

1 Q When you said in November -- you were talking
2 about the time you became aware that they ceased dating.
3 Up until that time, would you have observed and believed
4 them to be girlfriend and boyfriend?
5 A Yes.
6 Q And did you know whether or not they had been
7 sexually intimate with each other?
8 A Yes.
9 Q And from whom did you know that?
10 A Hey.
11 Q Okay. And up until that time, had you observed
12 them -- in November, that was the beginning of the fall of
13 your senior year?
14 A Yes.
15 Q And did you observe Hey and Adnan almost on a
16 daily basis at Woodlawn?
17 A Yes.
18 Q And how they interacted with each other?
19 A Yes.
20 Q And that was in addition to speaking with them?
21 A Yes.
22 Q And did you speak to them in school?
23 A Yes.
24 Q And did you speak to them outside of school?
25 A Yes, I did.

1 MS. MURPHY: Objection as to form.

2 THE COURT: Yes. I'm going to sustain the

3 objection and remind counsel this is your witness.

4 BY MS. GUTIERREZ:

5 Q Well, did you speak to them anywhere?

6 A Yes, I did.

7 Q And where was that?

8 A At parties, at restaurants, whenever we went out

9 together, at school.

10 Q At the parties or restaurants or any occasion

11 where you spoke to them outside of school, would you

12 describe what initiated those occasions?

13 A We were all friends and we all just went out

14 together.

15 Q And was that on a regular basis?

16 A Yes.

17 Q And on those occasions where they both were

18 present, did you have an opportunity to observe their

19 interaction with each other?

20 A Yes, I did.

21 Q Would you describe that interaction?

22 A They were very affectionate. They were always

23 holding hands, occasionally would kiss each other, lots of

24 talking.

25 Q To each other?

1 A Yes.

2 Q In addition to those of you who might be around?

3 A Yes.

4 Q Did -- by their actions, did they appear to hold

5 themselves out to be a couple?

6 A Yes.

7 Q And did you ever become aware of other times --

8 A Not that I know of.

9 Q And when you noticed them being affectionate at

10 occasions where there were others, yourself included, was

11 their affection for each other such that it sort of cut

12 them off from others who were there?

13 A I don't think so, no.

14 Q Not from what you observed?

15 A Right.

16 Q And were there ever -- other than the issue that

17 you became aware of with both of them that centered around

18 Adnan's religion, were there any other issues that you

19 became aware of from talking to either of them or observing

20 either of them that interfered with their relationship?

21 A Sometime during late fall or early winter of my

22 senior year, Hey met somebody at her work that she thought

23 was attractive and --

24 Q Did that person have a name?

25 A Don.

1 Q Don? And had you ever met that person?
2 A No, not formally. I had seen him once but --
3 Q Were you aware that she didn't start working --
4 well, she worked -- the work that you're referring to was
5 what?
6 A At Lenscrafters.
7 Q And where was that physically located?
8 A In Owings Mills Mall.
9 Q And were you aware of the date that she started
10 working?
11 A No.
12 Q Now, in late October there was an affair at
13 school, that was the Homecoming Game?
14 A Yes.
15 Q Did you attend it?
16 A Yes, I did.
17 Q And was Hey physically present?
18 A Yes, she was.
19 Q And did she have a date?
20 A Yes.
21 Q And who was that date?
22 A Adnan.
23 Q Did you see him there?
24 A Yes, I did.
25 Q Did you see her there?

1 A Yes.

2 Q And how were they together on that date?

3 A When I got there, everyone was in the parking

4 lot. And apparently, Adnan's parents had found out that he

5 was there, and he wasn't supposed to be there. And they

6 came and wanted him to leave.

7 Q They, meaning his parents?

8 A Yes.

9 Q And all of that information was told to you?

10 A Yes.

11 Q By?

12 A By Hey and Ayisha [REDACTED].

13 Q And who?

14 A Ayisha [REDACTED].

15 Q Ayisha [REDACTED].

16 Ayisha [REDACTED] was another student in her senior

17 year?

18 A Yes.

19 Q Who was a very good friend of Hey's?

20 A Yes.

21 Q And a very good friend of yours?

22 A Yes.

23 Q Okay. When you were told that, was everybody

24 outside?

25 A Yes.

1 Q And was the dance over?

2 A No. It was during the middle of the dance. All

3 our friends were just outside.

4 Q Was Hey upset --

5 A Yes.

6 Q -- that his parents had come?

7 A Yes, she was.

8 Q And had she indicated she had spoken to his

9 parents?

10 A Not at that time, no.

11 Q She didn't?

12 And did she express to you that Adnan had left?

13 MS. MURPHY: Objection.

14 THE COURT: Sustained.

15 MS. GUTIERREZ: I'll rephrase it.

16 BY MS. GUTIERREZ:

17 Q Was Adnan there when you spoke to Hey about what

18 had happened before you got there?

19 A Yes.

20 Q Okay. Were you aware of whether or not she was

21 there when his parents came?

22 A No.

23 Q Did he express to you what had happened?

24 A No, he didn't.

25 Q As a result of whatever happened pr what you were

1 A Yes.

2 Q Okay. And to your knowledge, when you discovered
3 that the relationship stopped, had there been any
4 alteration in those pressures or issues?

5 A I am not sure.

6 Q Okay. Did -- you heard about that Adnan did not
7 want to disobey his parents?

8 A Correct.

9 Q From him?

10 A Yes.

11 Q And did you have any information from Adnan as to
12 what his religious practices meant to him?

13 A Yes.

14 Q Had you discussed that with him?

15 A Occasionally, yes.

16 Q And in regard to your previous answer, that you
17 viewed this as stressful for both of them, had Adnan
18 expressed exactly how that stress impacted on him?

19 A Yes.

20 Q Now, Hey was not a Muslim, correct?

21 A Correct.

22 Q To your knowledge, was she precluded by any
23 family tradition, cultural tradition from dating?

24 MS. MURPHY: Objection.

25 THE COURT: Sustained.

1 BY MS. GUTIERREZ:

2 Q Had she expressed any other reason for the stress
3 other than the conflict with Adnan's relationship -- with
4 Adnan's religion?

5 A Just how that stress affected him and, in turn,
6 affected the relationship.

7 Q And were you aware of whether or not Hey Men Lee
8 was open about the relationship with her family, based on
9 what she told you?

10 MS. MURPHY: Objection.

11 THE COURT: Sustained.

12 And I think at this point we're going to take a
13 break. I know you have additional questions for
14 Ms. Walker.

15 Ms. Walker, let me advise you that you're a
16 witness on the witness stand, which means you cannot
17 discuss your testimony with anyone. You can't talk about
18 your testimony with Ms. Gutierrez or with the State's
19 Attorney.

20 We're going to take a luncheon recess and I'm
21 going to advise you that you need to be back in that chair
22 no later than 1:45. No later than 1:45. No later. So if
23 you come in before that, that's fine, all right?

24 Ladies and gentlemen of the jury, I'm going to
25 advise you that I'm going to recess until 1:45. You are

1 welcome to have lunch and if you can be back at 1:45, if
2 you can keep that close tabs. We're going to try to resume
3 this case at 1:45. I'd like to do that and then work until
4 5:30 today, in hopes that we can try to get a lot done
5 today. I know we didn't get much done yesterday.

6 So, ladies and gentlemen, I'm going to ask that
7 you leave your notepads face-down on your chairs, that you
8 not discuss the testimony of Ms. Walker or anyone else,
9 either amongst yourselves or with anyone else, that you go
10 to lunch and return at 1:45. Now, I say 1:45 because the
11 Jury Assembly office is looking for you right now. So it
12 shouldn't take you long because they're looking for you
13 right now. And when you're done, it should give you an
14 hour to have lunch.

15 Please go with Deputy Church.

16 I'm going to ask Mr. White if you could just call
17 the Jury Assembly Room --

18 THE CLERK: I just called.

19 THE COURT: They just called?

20 THE CLERK: I just called.

21 THE COURT: Oh, you did?

22 And they're looking for you, so, ladies and
23 gentlemen, if you'll go there directly.

24 (Whereupon, at 12:26 p.m., the jury was excused.)

25 THE COURT: And, Ms. [REDACTED], just as soon as they

1 file out, you're free to go. And just come back and have a
2 seat in that chair after lunch.

3 All right, ladies and gentlemen, this Court
4 stands in recess until 1:45.

5 (Whereupon, at 12:26 p.m., the trial was
6 recessed.)

7 ooOoo

8 AFTERNOON SESSION (2:09 p.m.)

9 (Jury not present)

10 THE COURT: All right, I understand there's a
11 matter that counsel would like to -- let me make sure we're
12 back on the record. Yes, we are. Very well.

13 MR. URICK: Yes, Your Honor. The State
14 previously made a motion in limine concerning Elizabeth
15 [REDACTED] which the Court has not addressed yet. She is
16 sitting on the bench outside. It might save her sitting
17 around if we got a ruling.

18 THE COURT: Is she the next witness,
19 Ms. Gutierrez?

20 MS. GUTIERREZ: Yes, Judge, but I'd like to
21 finish one witness before I deal with matters about another
22 witness.

23 THE COURT: Is there any reason why we have to
24 take it up now?

25 MR. URICK: It would save her possibly sitting

1 around till, you know -- if the Court was going to grant
2 it, then she could leave.

3 THE COURT: Yeah. Well, at this point, I see it
4 as a little after 2. I'd like to start back with the
5 testimony, finish up this witness, then we can take up the
6 issue of the next witness. I understand that Ms. [REDACTED]'s
7 been around but, unfortunately, she was here yesterday as
8 well. I'd like to deal with that. I understand this
9 Defense witness does have a plane to catch, and we could
10 all get her out, I think that would be also -- I try to
11 accommodate witnesses where I can.

12 So if we could have Ms. [REDACTED] return.

13 MR. URICK: Thank you.

14 THE COURT: And I'll remember that there is a
15 motion in limine precluding -- you're asking that the
16 testimony be precluded, correct?

17 MR. URICK: Yes.

18 THE COURT: And if I could have the jury brought
19 back in. Thank you very much, Mr. Sheriff.

20 (Pause)

21 (Whereupon, at 2:12 p.m., the jury returned to
22 the courtroom.)

23 THE COURT: Welcome back, ladies and gentlemen.
24 We're going to continue with the testimony of Ms. [REDACTED].

25 Ms. Gutierrez, the witness is with you.

1 MS. GUTIERREZ: Yes, Your Honor.

2 CONTINUED DIRECT EXAMINATION OF REBECCA [REDACTED]

3 BY MS. GUTIERREZ:

4 Q Ms. [REDACTED], this morning we got up to a period of
5 time when you became aware that they broke up, sometime in
6 November?

7 A Yes.

8 Q And that was in the fall of your senior year?

9 A Yes.

10 Q Okay. At the time that they broke up, did you
11 hear that from both of them?

12 A Yes, I did.

13 Q And after their break up, did you see both of
14 them?

15 A Yes.

16 Q How often?

17 A Just the same as before.

18 Q Did you have any conversations with either or
19 both of them concerning the break up?

20 A A few.

21 Q And after you learned of the break up, from your
22 observations, what was their relationship to each other
23 after the November break up?

24 A They were very good friends.

25 Q And did you see that with -- from your own

1 observation?

2 A Yes, I did.

3 Q And did you hear anything related to their
4 continuing friendship from either or both of them?

5 MS. MURPHY: Objection.

6 THE COURT: Overruled.

7 THE WITNESS: Both of them, yes.

8 BY MS. GUTIERREZ:

9 Q Okay. And after that time period, did there come
10 a time when they got back together again?

11 A To my understanding, they had, yes.

12 Q And did you observe them after the time that you
13 understood them to be back together again?

14 A Yes.

15 Q And after that time, did you have conversations
16 with either of them about what was their relationship?

17 A Yes, I did.

18 Q And what was -- and with whom?

19 A Both of them.

20 Q Okay. And with Hey, what was -- how did she
21 describe the relationship with Adnan after they got back
22 together again, after they had broken up in November?

23 A They were still close but it was -- I don't think
24 that it was the same as it had been before the break up.

25 Q All right. Prior to that time, the time being

1 after they got back together again after having broken
2 up -- are you with me? Had they described, either of them,
3 their relationship in terms of going on forever?

4 MS. MURPHY: Objection.

5 THE COURT: Sustained.

6 BY MS. GUTIERREZ:

7 Q Had they described the projected longevity of
8 their relationship at all to you?

9 MS. MURPHY: Objection.

10 THE COURT: Sustained.

11 BY MS. GUTIERREZ:

12 Q And from your observations before they broke up,
13 did you have any opinion regarding whether the relationship
14 between them would last?

15 MS. MURPHY: Objection.

16 THE COURT: Sustained.

17 Based on what you observed as their friend, did
18 you think their relationship would last?

19 THE WITNESS: I wasn't sure at the time.

20 BY MS. GUTIERREZ:

21 Q And was your hesitancy or not being sure in any
22 way related to the differences in their religion?

23 MS. MURPHY: Objection.

24 THE COURT: Sustained.

25 BY MS. GUTIERREZ:

1 Q After the got back together again, did they
2 continue to appear the same way as you've described, as
3 friends and as -- together again for some period of time?
4 A Yes.
5 Q And after that period of time, did -- and did you
6 continue to relate to them, both inside and outside school?
7 A Yes, I did.
8 Q And did you continue to converse with both of
9 them?
10 A Yes.
11 Q Okay. Separately and together?
12 A Yes.
13 Q Okay. And did there come another time when they
14 altered the status of their relationship, to your
15 knowledge?
16 A Yes.
17 Q And when did that happen?
18 A I believe that it was early December.
19 Q Early December?
20 A I believe so.
21 Q And would that have been before the Christmas
22 break for school?
23 A Yes, it was.
24 Q And did the Christmas break for school occur
25 actually before Christmas?

1 A Yes.

2 Q Okay. And at that time, did you discuss with
3 either or both of them as to the reasons for the
4 relationship breaking up?

5 A I don't recall.

6 Q Okay. And did you continue to see and observe
7 them?

8 A Yes, I did.

9 Q And what, if anything, was the status of their
10 friendship, meaning their nonintimate involvement as
11 girlfriend/boyfriend from what you observed after the early
12 December break up?

13 A They still talked to each other on the phone,
14 still went out in groups with all of us.

15 Q They -- would that include them doing all the
16 same things they'd done before?

17 A For the most part, yes.

18 Q And did -- in any of your conversations with
19 either of them, did they express their feelings about the
20 other to you?

21 A Yes.

22 Q And how was that expressed, Ms. [REDACTED]?

23 A They both stated that they still cared very much
24 about the other one.

25 Q Was that consistent with your own observations?

1 A Yes.

2 Q At the time that you learned of what, to your
3 knowledge, was their second break up -- well, let me
4 backtrack. Between the first time you knew that they broke
5 up in November and they got back together, how long were
6 they back together again before the break up in early
7 December, if you know?

8 A I believe it was only maybe a few weeks but I
9 don't really --

10 Q Okay. Not a long period of time?

11 A No.

12 Q All right. Now, after they broke up the second
13 time, in early December, based on your observations and
14 their talks with you, did you have an opinion as to whether
15 or not this was going to be the real break up?

16 A I wasn't sure.

17 Q Okay. And that was based on everything that you
18 knew of them?

19 A Yes.

20 Q But after that time period, did there ever come a
21 time when you observed hostility from either of them toward
22 the other?

23 A No.

24 Q And did you ever hear any of them express any
25 hostility toward the other?

1 A No.

2 Q And did you observe either of them be concerned
3 about the other during that time period after the second
4 break up?

5 A I'm not sure what you mean by concerned.

6 Q Concerned about how the other was doing.

7 A Yes.

8 Q Handling the breakup?

9 A Yes.

10 Q And is that a topic that they both discussed with
11 you?

12 A Yes, to an extent.

13 Q How would you characterize Hey's attitude about
14 the breakup in December?

15 A She wanted to make sure that they would still be
16 good friends.

17 Q And how would you describe Adnan's attitude
18 toward the breakup?

19 A He felt the same way.

20 Q Okay. Both of them expressed that to you orally?

21 A Yes.

22 Q Then over the Christmas break -- and that started
23 right before Christmas?

24 A Yes, it did.

25 Q And ended right after New Year's of that -- of

1 the next year?

2 A Correct.

3 Q The year 1999. Did you have an occasion to see

4 Hey Men Lee?

5 A Yes.

6 Q And did you also have occasion to see Adnan?

7 A Yes.

8 Q Okay. And there was nothing about either of

9 those things, that you saw them both?

10 A No.

11 Q All right. And during that time period, did you

12 become aware that Hey Men Lee was going to act on her

13 interest in this boy whose name you knew of as Don?

14 A Yes.

15 Q And did you become aware that her first date with

16 Don was on January 1st or 2nd, 1999?

17 A I knew of that, yes.

18 Q Okay. And you knew of that from what source?

19 A I believe Ayisha Pittman and Hey had both talked

20 to me about it.

21 Q Okay. And did you become aware of whether or not

22 Adnan was aware that Hey was beginning to date a boy whom

23 she was interested in?

24 A To my knowledge, he did know.

25 Q He did know?

1 A Yes.

2 Q Okay. And do you know the source of his
3 knowledge?

4 A No, I don't.

5 MS. MURPHY: Objection.

6 MS. GUTIERREZ: And did you --

7 THE COURT: One moment.

8 Objection to the question did you know the source
9 of his knowledge? Overruled.

10 Next question.

11 BY MS. GUTIERREZ:

12 Q You answered --

13 A No.

14 THE COURT: She said no.

15 BY MS. GUTIERREZ:

16 Q And did you ever become aware of whether or not
17 Adnan had met Don?

18 A To my knowledge, he hadn't met him, but I
19 remember we had both seen him at the same time.

20 Q Okay. And at the time that you saw him, he was
21 in the company of Hey Men Lee?

22 A Yes.

23 Q Yes, okay. Now, after that date, did you --
24 after the time when you became aware of them breaking up in
25 early December, did you ever notice a difference in their

1 attitude toward each other in regard to a desire to remain
2 friends?

3 A No.

4 Q And did you ever hear of such a difference?

5 A No.

6 Q After they broke up, did you become aware of the
7 fact that Adnan got a cell phone?

8 A Yes.

9 Q And were you given that cell phone number?

10 A Yes.

11 Q Prior to him getting a cell phone, had you ever
12 visited his house?

13 A I had been outside of his house but never inside.

14 Q But not inside?

15 A Correct.

16 Q And you had known him and called him close
17 friends since you were in second grade?

18 A Yes.

19 Q Okay. Had he been to your house?

20 A Yes.

21 Q Did you find it unusual that you had never been
22 inside his house?

23 A Not particularly.

24 Q And the lack of finding that unusual, was that
25 based on your knowledge of his family customs and his

1 religious customs?

2 A I guess so, yes.

3 Q Did you resent at all that you hadn't been inside
4 of his house?

5 A Not at all.

6 Q Okay. But he had been inside your house and met
7 your family?

8 A Yes.

9 Q Your parents?

10 A Yes.

11 Q They all knew him by name?

12 A Yes.

13 Q Okay. And it was not unusual for him to come
14 visit you at your house?

15 A No.

16 Q Did you become aware at any time before he got
17 his cell phone as to any difficulties friends, including
18 yourself, might have reaching him at his home phone?

19 A Yes.

20 Q Okay. And had you experienced those
21 difficulties?

22 A Yes, I had.

23 Q And had you ever tried to call his house and felt
24 uncomfortable or felt his uncomfortableness in your
25 conversing with him on his phone?

1 A I'm really not sure.

2 Q Okay. At any time after the breakup, did you
3 become aware that he was interested in some other girls?

4 A No.

5 Q Were you aware that he spoke to other girls
6 regularly?

7 A Yes.

8 Q And that other girls, different than -- I mean, I
9 know you're another girl but there was never any romantic
10 relationship between you and Adnan, was there?

11 A No.

12 Q Okay. But other girls with whom he might have
13 some interest in dating is what I'm talking about. Did you
14 become aware of that?

15 A I -- to my understanding, I thought that he was
16 talking to other girls like that, yes.

17 Q For that purpose --

18 A Yes.

19 Q -- of dating, of having a girlfriend/boyfriend
20 relationship?

21 A Yes.

22 Q And to your knowledge, his religion, Islam, would
23 prevent a relationship with any girl outside of marriage?

24 A Yes.

25 Q Whether they were Muslim or not?

1 A Yes.

2 Q Whether they were Asian or not?

3 A Yes.

4 Q Okay. And so, you were aware, were you not, of

5 his interest in other girls, that that interest would --

6 might engender some of the same issues that he had

7 experienced with Hey?

8 A Yes.

9 Q Okay. And knowing that, you did become aware,

10 though, that he was pursuing other interest in girls his

11 age?

12 MS. MURPHY: Objection.

13 THE COURT: Sustained as to that question, as

14 phrased.

15 BY MS. GUTIERREZ:

16 Q And were there any of these girls that you became

17 aware of, were there any that you knew?

18 A No.

19 Q Now, let me ask you, I think right next to you is

20 what's been marked as Defendant's Exhibit --

21 THE CLERK: Fifteen.

22 BY MS. GUTIERREZ:

23 Q -- 15. If you would pick that up and look at

24 that. First of all, Ms. [REDACTED], could you identify that

25 for us?

1 A Yes. This is a notebook that was given to me as
2 a birthday present a long time ago.

3 Q A long time ago. So you own the notebook?

4 A Yes.

5 Q And did there come a time when you were asked to
6 make some writings in that notebook?

7 A I was not asked to.

8 Q Did there come a time when you did?

9 A Yes.

10 Q And did you -- did those writings concern Adnan
11 and Hey?

12 A Yes.

13 Q And did -- and you did make such writings?

14 A Yes, I did.

15 Q And was that after the discovery of Hey's body?

16 A Yes.

17 Q Then did -- was there any event that happened
18 that precipitated your doing such writing?

19 A Just the knowledge of what had happened to her
20 and just the fact that everyone was trying to figure out
21 for themselves what might have happened.

22 Q What happened. And did this occasion happen
23 after Adnan had been charged?

24 A No.

25 Q It occurred before Adnan had been charged?

1 A Yes.

2 Q And that notebook that I have just handed to you,

3 has that been in your custody since then?

4 A No.

5 Q Where has it been, if you know?

6 A I'm not really sure.

7 Q In whose custody has it been, if you know?

8 A I don't --

9 MS. MURPHY: Objection.

10 THE COURT: Overruled.

11 Do you know where it's been?

12 THE WITNESS: No.

13 BY MS. GUTIERREZ:

14 Q Do you know who's had it?

15 A No.

16 Q Who did you give it to, if anyone?

17 A I gave it to a detective and somebody --

18 Q Is that Detective McGilvery?

19 A I really am not sure.

20 Q Okay. And was the detective a Baltimore City

21 Police detective?

22 A I believe so, yes.

23 Q And did that detective have anything to do with

24 the investigation into the death of Hey Men Lee?

25 A Yes.

1 Q And why is it that you gave it to him or how is
2 it that that came about?

3 A When I was interviewed about the case, he asked
4 if I had ever written anything down about their
5 relationship or concerning either of them.

6 Q Had he already asked you about the relationship?

7 A Yes.

8 Q And had you already given him your answers?

9 A Yes.

10 Q Okay. And when you spoke to him back then --
11 now, this was after Adnan was arrested when you're speaking
12 to him?

13 A Yes.

14 Q And this was after Hey's body had been already
15 discovered?

16 A Yes.

17 Q Okay. And at that point, how did you describe
18 the relationship?

19 A I described the relationship as I described it
20 today. They were together for a pretty long time and then
21 they were just very good friends.

22 Q And had you described that, to your knowledge,
23 they had broken up before Christmas, in December?

24 A Yes.

25 Q And that they had remained friends even past that

1 time?

2 A Yes.

3 Q Okay. And were those some of the questions that
4 they asked you?

5 A Yes.

6 Q All right. And how is it that -- and they then
7 asked you if you had ever written any of that down?

8 A Yes.

9 Q And you described to them that you had?

10 A Yes.

11 Q In this book that's been identified as
12 Defendant's Exhibit 15?

13 A Yes.

14 Q And were you asked -- and did they ask you if
15 what you had written down mirrored what you had just told
16 them?

17 MS. MURPHY: Objection as to form.

18 THE COURT: Sustained.

19 BY MS. GUTIERREZ:

20 Q Did they ask you what it was that you had written
21 down?

22 A Yes.

23 Q And did they ask you how it is that you had come
24 to write it down?

25 A I believe they did.

1 Q Okay. Now, did they ask you any questions about
2 Adnan's reactions to Hey's being missing --
3 MS. MURPHY: Objection.
4 MS. GUTIERREZ: -- before her body was found?
5 MS. MURPHY: As to form.
6 THE COURT: Sustained.
7 BY MS. GUTIERREZ:
8 Q What other things did they ask you questions
9 about?
10 A They asked me about my relationship with both of
11 them.
12 Q Meaning? Who is the both of them you're
13 referring to?
14 A Adnan and Hey.
15 Q And Hey, okay.
16 A Yes.
17 Q What else?
18 A And they asked me what his reaction was and what
19 he talked to me about when she was missing and before we --
20 Q Meaning Hey?
21 A Yes.
22 Q Her is the Hey?
23 A Yes.
24 Q Okay. And what did you tell them?
25 A I told them about conversations that I had had

1 with Adnan concerning Hey's being missing and the fact that
2 he had been very, very upset about it.

3 Q About what?

4 A About Hey being missing.

5 And that on several occasions our conversations
6 had led to him crying and just being very, very upset.

7 Q Being very upset about Hey's being missing?

8 A Yes.

9 Q Did -- when Hey was first missing, when did you
10 find out about it?

11 A I had seen her on January 13th in school, and
12 then that night I had talked to Ayisha [REDACTED], and she
13 said that a detective had called her house looking for Hey.
14 And it was -- I didn't see her after that and --

15 Q And did you have any idea where Hey was?

16 A No, I didn't.

17 Q And were you aware that she had spoken to Deborah
18 [REDACTED] at about 3:00?

19 MS. MURPHY: Objection.

20 THE COURT: Sustained.

21 BY MS. GUTIERREZ:

22 Q Do you know Deborah [REDACTED]?

23 A Yes, I do.

24 Q And how would you describe her relationship to
25 Hey back on January 13th?

1 A They were friends.
2 Q Friends?
3 A Yes.
4 Q And you saw Hey during class that day,
5 January 13th?
6 A Yes, I did.
7 Q Did you see her at any time after 2:15 when class
8 got out?
9 A I saw her a few seconds after class let out, yes.
10 Q And had you spoken with her about what her plans
11 were for that day?
12 A Yes, ma'am, I did.
13 Q And what was -- what were her plans, according to
14 her?
15 A She just said that she had to be somewhere after
16 school. She didn't tell me where she was going but she
17 said she had to leave.
18 Q And then did you see her leave?
19 A I saw her heading towards the door but I did not
20 see her actually leave.
21 Q And would that door have led to where her car was
22 parked?
23 A Yes.
24 Q And were you familiar with her car?
25 A Yes.

1 Q Had you been inside of it before?
2 A Yes, I had.
3 Q To your knowledge, had Adnan been inside of it?
4 A Yes.
5 Q How often?
6 A Very often.
7 Q And the times that you were aware that he was
8 inside her car, was that with her permission?
9 A Yes.
10 Q Meaning Hey's permission?
11 A Yes.
12 Q Had you ever seen him drive her car?
13 A Yes.
14 Q And the times in which you had seen him, was that
15 also with her permission?
16 A Yes.
17 Q In the days after Hey's disappearance, did you
18 ever become aware that Debbie [REDACTED] her friend, had seen
19 her at about 3 p.m.?
20 MS. MURPHY: Objection.
21 THE COURT: Sustained as to the question, unless
22 it's personal knowledge. Had she ever become aware?
23 BY MS. GUTIERREZ:
24 Q Well, I'm asking did you ever -- was it ever made
25 known to you that Debbie [REDACTED] had seen Hey after you had

1 on the 13th?

2 A No.

3 Q And did you ever become aware that Hey may have
4 had plans to see Don?

5 MS. MURPHY: Objection.

6 THE COURT: Answer this question with a yes or
7 no, and then that's it.

8 THE WITNESS: No.

9 BY MS. GUTIERREZ:

10 Q Okay. Now, directing your attention back to the
11 time when you spoke to the detectives, is one of the -- you
12 were telling us the things that he asked you about Adnan's
13 reaction to Hey's being missing.

14 A Yes.

15 Q Do you recall that he asked you what it was that
16 Adnan expressed he was thinking in the first couple days
17 after Hey's being missing?

18 MS. MURPHY: Objection as to form.

19 THE COURT: I understand. I'm going to sustain
20 the question and --

21 BY MS. GUTIERREZ:

22 Q What questions did the detective ask you in
23 asking you to describe what Adnan's reaction to Hey's being
24 missing were? Do you follow that question?

25 A Yes.

1 Q Okay. Can you answer that?

2 A He asked me how his reaction had changed over

3 time of his knowledge of --

4 Q And did you describe that?

5 A Yes.

6 Q Had his reaction changed over time?

7 A Yes.

8 Q What was his initial reaction, as you knew it?

9 And by his, we're referring to Adnan --

10 A Right.

11 Q -- right?

12 A Yes.

13 Q Okay. Can you answer that?

14 A He was -- we were all trying to figure out where

15 she -- where Hey might be.

16 Q And by we all, who are you referring to?

17 A Adnan, myself, and all the rest of our close

18 friends.

19 Q Okay. Close of friends of Hey's?

20 A Yes.

21 Q Okay. And did those include mostly the close

22 friends from Woodlawn?

23 A Yes.

24 Q Okay. And what was it that you were trying to

25 figure out?

1 A We thought that she had probably just been kind
2 of stressed out and maybe she had gone to visit her father
3 or maybe she was staying with Don. We --
4 Q Don, the boy from her work that she had been
5 interested in?
6 A Yes.
7 Q And had just had her first date with just a
8 couple weeks before, that Don?
9 A Yes.
10 Q Okay. And when you used the word we, did that
11 include Adnan?
12 A Yes.
13 MS. MURPHY: Objection.
14 THE COURT: The objection is sustained.
15 I'm going to direct the witness -- I need your
16 assistance in answering the question that's being asked of
17 you and ask that you not talk about what we -- when you're
18 asked what did you do or what did Mr. Syed do, that you
19 answer the question that's being posed to you, and that
20 will help us stay on track.
21 Your objection is sustained.
22 BY MS. GUTIERREZ:
23 Q Ms. Walker, when you used the term we, who were
24 you including by that?
25 A Adnan and myself and several other close friends.

1 Q And who were their names?
2 A Ayisha [REDACTED], Crystal [REDACTED], Laura [REDACTED].
3 There were probably some more but I'm not sure.
4 Q And Hey's father that you were all thinking she
5 may have gone to was located where, if you know?
6 A I believe that he was living in California.
7 Q What was that belief based on?
8 A That was based on what Hey had told me.
9 Q And after that first belief, did Adnan ever
10 express other beliefs as to Hey's whereabouts?
11 A Not specifically, no.
12 Q And in regard to his reaction, did their
13 questions include asking for any information other than
14 where he thought she might have been?
15 A They asked how -- if his attitude had changed.
16 Q His attitude toward what?
17 A Toward everything.
18 Q Okay. And what did the everything include?
19 A School, friends, just life in general.
20 Q And did you answer that question?
21 A Yes.
22 Q And had it?
23 A Yes, it had.
24 Q And could you describe for us what you described
25 for them?

1 A Within those first few days, he was a little
2 nervous about where she might be but he talked with myself
3 and several other people and decided basically that she was
4 okay and she would be back in school the next time that we
5 had school.

6 And then as the time went on, he got more and
7 more upset, and I had many more conversations with him
8 about where she could be, why she hadn't returned.

9 Q During those conversations, did Adnan ever
10 express his feelings about Hey?

11 A Yes.

12 Q And what were those feelings?

13 A That he cared a lot about her and didn't want
14 anything to have happened to her.

15 Q And during any of those conversations, did that
16 expression of his feeling -- about his feelings about Hey,
17 were they any different than the feelings he had expressed
18 before the date of her disappearance?

19 A He just expressed them more. He was more
20 passionate about those feelings.

21 Q In the first week or so after she disappeared,
22 were there events that the group of you all, the friends
23 from Woodlawn, had as a group in which you got together?

24 A Yes.

25 Q And were there any birthday parties that occurred

1 during that time?

2 A Yes.

3 Q Whose birthday party?

4 A Krista Meyers.

5 Q And did you attend that birthday party?

6 A Yes, I did.

7 Q Did Adnan attend?

8 A Yes, he did.

9 Q Who were the others who attended?

10 A Ayisha [REDACTED], Debbie [REDACTED], Stephanie

11 [REDACTED], Jay Wilds.

12 Q Now, is Jay Wilds someone that you knew?

13 A Yes.

14 Q How is it you knew him?

15 A I had some classes with him when I was in seventh

16 grade.

17 Q When you were back in middle school?

18 A Yes.

19 Q Was he someone back then you would have described

20 as a friend?

21 A Back then would I? Yes.

22 Q When you were in middle school.

23 A Yes.

24 Q And did you continue to know him when you went to

25 Woodlawn?

1 A Yes.

2 Q Was he in the same year as you or another year?

3 A He was a year ahead of me.

4 Q Okay. And did you continue to know him?

5 A Yes.

6 Q Did you share classes with him?

7 A I don't think so.

8 Q Okay. And then did you ever seek him to spend

9 time with?

10 MS. MURPHY: Objection as to form.

11 THE COURT: Sustained.

12 BY MS. GUTIERREZ:

13 Q How is it -- did you continue to spend time with

14 him after you got to Woodlawn?

15 A Yes.

16 Q And how is it that that happened?

17 A Basically, because I was friends with Stephanie

18 and --

19 Q Stephanie McPherson?

20 A Yes.

21 Q Okay. And why did your friendship with her cause

22 you to spend time with Jay?

23 A Stephanie and Jay were in a pretty serious

24 relationship.

25 Q Okay. And you knew that from your own

1 observations?

2 A Yes.

3 Q So there were -- were there occasions where you

4 saw Jay exclusively because he was Stephanie's boyfriend?

5 A Yes.

6 Q And in regard to that party for Krista [REDACTED],

7 did the subject of Hey's disappearance come up?

8 A Yes, it did.

9 Q And why was that?

10 A Because I had expected her to be there and Adnan

11 expected her to be there. She had told everyone that she

12 was coming and she wasn't there.

13 Q And Krista Meyers was her very good friend?

14 A Yes.

15 Q Is that why you expected her to be there?

16 A Yes.

17 Q And what impact did it have once every -- did

18 there come a time when everybody realized Hey wasn't

19 showing up?

20 A Yes.

21 Q And did that have any impact on all of you all?

22 A Yes, it did.

23 Q What, if anything, was that?

24 A I just became more concerned and --

25 Q About Hey?

1 A Yes. And in my opinion, the other friends that
2 were there were also more concerned, and we had talked
3 about that at the party.

4 Q And did that include Adnan?

5 A Yes, it did.

6 Q Did he come to the party with a date?

7 A No.

8 Q And was that unusual?

9 A No.

10 Q Did everybody come with a date?

11 A No.

12 Q Let me direct you back to the day that Hey
13 disappeared; that was the 13th of January?

14 A Yes.

15 Q Do you recall what day of the week that was?

16 A A Wednesday.

17 Q A Wednesday. And do you recall whether or not
18 there was school on Thursday and Friday?

19 A There was no school on Thursday or Friday.

20 Q And why not?

21 A Because there were snow and ice storms.

22 Q Okay. And did those snow and ice storms start on
23 the evening of the 13th?

24 A I don't recall.

25 Q But there was a sufficient impact such that

1 school didn't occur for the next two days?

2 A Yes.

3 Q And did any -- did you get together with any of
4 your friends on the 14th or 15th?

5 A The 15th was Krista's birthday party.

6 Q And where was that to be located or where did
7 that happen?

8 A It was at the Liberty Road Volunteer Firehouse.

9 Q Okay. Now, had -- at the time that you spoke to
10 the detective from the Police Department of Baltimore City,
11 did you speak to him down here or somewhere else?

12 A I spoke to him at school.

13 Q At Woodlawn High School?

14 A Yes.

15 Q He came to see you?

16 A Yes.

17 Q And did you know that he was coming?

18 A I knew he was there but I didn't know he was
19 going to be talking to me.

20 Q Okay. And do you know why it is he came to see
21 you specifically?

22 A No.

23 Q Were you aware that he was up there and spoke to
24 other students?

25 A Yes.

1 MS. MURPHY: Objection.
2 BY MS. GUTIERREZ:
3 Q How did you become aware of that?
4 THE COURT: Overruled.
5 You may answer.
6 THE WITNESS: Just everyone was talking about the
7 fact that there was a detective there talking to people.
8 BY MS. GUTIERREZ:
9 Q Okay. And the people that he spoke to, did that
10 include Stephanie McPherson?
11 A I believe so.
12 Q Okay. And at that time, was Jay Wilds -- did he
13 go to school there?
14 A No, he didn't.
15 Q Was he up there often?
16 A Yes, he was.
17 Q And were you aware of whether or not Jay Wilds
18 owned his own car?
19 A He did not.
20 Q He did not own his own car.
21 Were you aware of whether or not he borrowed cars
22 from others?
23 A Yes.
24 Q And did you know that of your own personal
25 knowledge?

1 A Yes.

2 Q And did you know whether or not Jay Wilds was
3 involved with any other girl?

4 A I was not aware of that, no.

5 Q And were you aware of whether or not his
6 girlfriend Stephanie was aware of whether or not he was
7 involved with any other girl?

8 MS. MURPHY: Objection.

9 THE COURT: Sustained.

10 BY MS. GUTIERREZ:

11 Q Did you -- were you aware when Stephanie
12 [REDACTED]'s birthday was?

13 A Yes.

14 Q And what day is that?

15 A January 13th.

16 Q And was there a party for her?

17 A No.

18 Q How would you have described your relationship
19 with Jay on January 13th, 1999?

20 A I wouldn't have considered him a good friend but
21 I had known him long enough and had enough mutual friends
22 to sometimes see him outside of, outside of Woodlawn.

23 Q Would it -- okay.

24 Now, when you were asked to describe Adnan's
25 reaction after Hey's being missing, you described the first

1 reaction through the change after Krista's party, did there
2 come a point in time when there was a further change in
3 Adnan's reaction after Hey was missing?

4 A Yes.

5 Q And when did that happen?

6 A It was continuous. As time went on, he became
7 more and more upset and more and more concerned and more
8 depressed.

9 Q And did he express all of that to you?

10 A Yes, he did.

11 Q Did you also observe that, even when he didn't
12 express that?

13 A Yes.

14 Q And were there any other ways, other than what he
15 said, in which you could tell that he was getting more and
16 more upset?

17 A Yes.

18 Q And how were those? What were those ways?

19 A His performance in classes. He had stopped
20 talking in class as much. He just seemed like he was
21 always preoccupied.

22 Q Preoccupied?

23 A Yes.

24 Q And did he express to you or did you have
25 occasion to ask him what he was preoccupied with?

1 A I just assumed that it was because of Hey.
2 Q And that was based on your knowledge of him?
3 A Yes.
4 Q And was it also based on your conversations with
5 him?
6 A Yes.
7 Q Now, the other things the detectives asked you to
8 describe when you spoke with them at school following the
9 identification of Hey's body was the end of the
10 relationship between Hey and Adnan?
11 A Yes.
12 Q And did you describe how they were to each other
13 as of January 13th, 1999?
14 A Yes.
15 Q And how was that?
16 A In my opinion, they were very good friends.
17 Q To each other?
18 A Yes.
19 Q Okay. And is that what you told the detectives?
20 A Yes, it was.
21 Q And did they ask you any other questions about --
22 for instance, did they ask you whether or not there
23 appeared to be any bitterness from either side over the
24 breakup?
25 A Yes.

1 Q And what did you answer them?
2 A I told them that there wasn't.
3 Q And what did you base that on?
4 A Just my observations and my conversations with
5 both of them.
6 Q Had you ever heard either of them express
7 anything that sounded to you like bitterness at all?
8 A No.
9 Q Toward each other?
10 A No.
11 Q Or toward the fact that they appeared to be
12 finally breaking up their relationship?
13 A No.
14 Q And had either of them ever expressed, after the
15 breakup of the relationship, any anger at the other over
16 the breakup?
17 A No.
18 Q Had you heard it expressed from either of them,
19 either of them blaming the other for the breakup of their
20 relationship?
21 A No.
22 Q Now, prior to the 13th of January 1999, did
23 Hey Men Lee have a cell phone?
24 A I don't recall.
25 Q And did she have a pager?

1 A Yes, she did.

2 Q And were you aware of how that pager was used, if
3 at all, to enable communications between Adnan and Hey?

4 A I know that Adnan paged her occasionally. And
5 other than that, I'm not sure.

6 Q And were you aware of whether or not before Adnan
7 got his cell phone, which number he gave to you, as to
8 whether or not he had a pager?

9 A He did.

10 Q He did. And had you ever utilized that?

11 A I believe I had.

12 Q Were you aware of whether or not Hey had used his
13 pager to page messages to him?

14 A Yes.

15 Q And did you ever become aware what those messages
16 were?

17 A She paged him with messages like I love you, I
18 miss you.

19 Q And did that continue to happen after they broke
20 up?

21 A Yes.

22 Q And I wasn't sure that I asked the right
23 question, but you were aware that Adnan knew who this
24 person Don was?

25 A Yes.

1 Q And that he had physically seen him?
2 A Yes.
3 Q Do you recall that you mentioned that Hey, to
4 your knowledge, had told Adnan all about that?
5 MS. MURPHY: Objection.
6 THE COURT: Sustained.
7 BY MS. GUTIERREZ:
8 Q Could you turn to the page I've marked in
9 Defendant's Exhibit 15 and go to the third page of writing,
10 Ms. Walker? A page entitled "End of Relationship," do you
11 see that page?
12 A Yes, I do.
13 Q If you go down to the bottom and read, starting
14 from four lines up, if you would read that to yourself.
15 Have you read that?
16 A Yes.
17 Q Now, this is the entries that you made after
18 Hey's disappearance, is that correct?
19 A Yes.
20 Q And these are in your handwriting?
21 A Yes.
22 Q And this is from this book that ultimately you
23 turned over to the detective whose name you don't know?
24 A Yes.
25 Q But that was from Baltimore City?

1 A Yes.

2 Q And did you turn this over at his request?

3 MS. MURPHY: Objection.

4 THE COURT: Sustained.

5 BY MS. GUTIERREZ:

6 Q At the bottom of that page, is your recollection

7 refreshed regarding what information you knew about whether

8 or not Hey had told Adnan about Don?

9 MS. MURPHY: Objection.

10 THE COURT: May I see the exhibit? The item

11 that's being used to refresh the witness's recollection?

12 (Pause)

13 The objection is sustained.

14 BY MS. GUTIERREZ:

15 Q Having --

16 MS. GUTIERREZ: I'm not sure what my last

17 question was that you sustained, Judge, to try to rephrase

18 it.

19 THE COURT: The question was whether or not the

20 item that she was asked to read refreshes her recollection

21 as to what Adnan or Mr. Syed told her that Hey had told

22 him --

23 MS. GUTIERREZ: Thank you.

24 THE COURT: -- about Don.

25 MS. GUTIERREZ: Thank you.

1 BY MS. GUTIERREZ:

2 Q Ms. Walker, on this journal that you wrote that
3 described the end of the relationship, did you describe
4 whether or not Adnan knew about Don?

5 A Yes.

6 Q And did you write that Adnan knew about Don from
7 the beginning. Hey told him about the guy from work and
8 his car, the party, and other outings with him and others
9 from work?

10 A Yes.

11 Q Is that right?

12 And that's what you wrote back before the
13 detectives questioned you, is that right?

14 A Yes.

15 Q And at the time that you wrote this was during
16 the time when Hey was still missing?

17 A I believe so, yes.

18 Q And every was, including yourself, was trying to
19 figure out what was going on?

20 A Yes.

21 Q During the time that you wrote this, did Adnan's
22 appearance or reaction or conversations regarding Hey take
23 any dramatic change?

24 A Just that he expressed how much he missed her.

25 Q Missed Hey?

1 A Yes.

2 Q And nothing different from what you've described
3 already?

4 A No.

5 Q To your knowledge, did he appear to remain
6 committed to friendship with her?

7 A Yes.

8 Q Even during the time when he thought she had
9 taken off with her new boyfriend?

10 A Yes.

11 Q And even during the time when he thought she had
12 run away to be with her father in California?

13 A Yes.

14 Q Was there ever a time during that period of time
15 when you thought that he had stopped caring about her?

16 A No.

17 Q Was there ever a time during that time period
18 when he said or did anything that led you to believe that
19 he knew where she was and wasn't telling?

20 A No.

21 Q Okay. In this journal that you wrote during that
22 time, you wrote a page on Adnan's character?

23 A Yes.

24 Q And why was that?

25 A Because I knew that it was coming into question,

1 so --

2 Q It was coming into question by whom?

3 A People that were trying to find out what had

4 happened to her.

5 Q To Hey?

6 A To Hey, yes.

7 Q So Adnan had come into the question among a group

8 of kids at Woodlawn?

9 A Not students, no.

10 Q But others?

11 A Yes.

12 Q Who questioned their relationship?

13 A Yes.

14 Q And whether or not they had truly been broken up?

15 A Yes.

16 Q And whether or not Adnan, her ex-boyfriend, could

17 be responsible for her being missing?

18 A Yes.

19 Q You weren't one of the people that --

20 A No.

21 Q -- thought that?

22 A No.

23 Q And was the fact that you weren't one of the

24 people that thought that some of the reason why you

25 committed in writing your thoughts about Adnan's character?

1 A Yes.

2 Q Okay. And what you wrote about his character

3 back then, before this became an issue and before you were

4 asked by the police, was that you described Adnan as being

5 laid back --

6 MS. MURPHY: Objection.

7 THE COURT: Sustained.

8 BY MS. GUTIERREZ:

9 Q And did you on that page describe his character?

10 MS. MURPHY: Objection.

11 THE COURT: Overruled.

12 Did you on the page describe his character?

13 THE WITNESS: Yes.

14 BY MS. GUTIERREZ:

15 Q Did you ever -- if you would --

16 MS. GUTIERREZ: Could we give the exhibit back to

17 the witness?

18 BY MS. GUTIERREZ:

19 Q If you would take a look at the first page, where

20 it says "Adnan's Character," and read it to yourself, and

21 let me know when you have read it.

22 A Okay.

23 Q And having read that, did you use any word to

24 describe any negative character trait concerning Adnan?

25 A No.

1 Q And at the point in time -- you ultimately gave
2 this to the detective?
3 A Yes.
4 Q And were you there when he read it?
5 A No, I was not.
6 Q Were you ever asked any other questions about
7 what was in your notebook, Defendant's Exhibit 15?
8 MS. MURPHY: Objection.
9 THE COURT: Do you --
10 MS. GUTIERREZ: After that day?
11 THE COURT: Restate the question.
12 BY MS. GUTIERREZ:
13 Q After the -- you gave it to him at the time that
14 you spoke to him at school or at a later date?
15 THE COURT: Gave who?
16 MS. GUTIERREZ: Gave the detective whose name she
17 doesn't remember, that spoke to you at Woodlawn.
18 THE WITNESS: I gave it to him at a later date.
19 BY MS. GUTIERREZ:
20 Q You gave it to him at a later date?
21 A Yes.
22 Q And was that at his request or your just
23 forwarding it?
24 MS. MURPHY: Objection.
25 THE COURT: Counsel, are you laying a foundation

1 to another question?

2 MS. GUTIERREZ: Well, I thought so, Judge, but
3 I'm kind of lost now, so I'm not sure. Let me see if I can
4 get back to the beginning.

5 BY MS. GUTIERREZ:

6 Q You spoke with the detective on some date at
7 Woodlawn, is that right?

8 A Yes.

9 Q And that date was after Hey's body was found and
10 identified?

11 A Yes.

12 Q And that date was after Adnan was arrested?

13 A I don't recall.

14 Q At the time that you gave the detective the book,
15 had you already spoken to him about it on the day that he
16 had spoken to you while you were at Woodlawn?

17 A Yes.

18 Q So the detective knew of its existence but he
19 hadn't seen it yet?

20 A Yes.

21 Q On that date, had he asked for it?

22 A Yes.

23 Q And had you agreed to give it to him?

24 A Yes.

25 Q And you just didn't have it with you on that

1 date?

2 A Right.

3 Q If you had had it with you, would you have given
4 it to him then when he asked?

5 MS. MURPHY: Objection.

6 THE COURT: Sustained.

7 BY MS. GUTIERREZ:

8 Q After he asked for it, did you cause it to be
9 given to him?

10 A Yes.

11 Q All right. And after -- and did you speak to him
12 again?

13 MS. MURPHY: Objection as to form.

14 THE COURT: Sustained.

15 BY MS. GUTIERREZ:

16 Q Were you ever asked any questions about Adnan and
17 his relationship with Hey and Adnan's reaction after the
18 breakup after the date that you've described that you spoke
19 to him?

20 A No.

21 THE COURT: After the date that he spoke to the
22 detective?

23 MS. GUTIERREZ: To the detective, yes.

24 THE WITNESS: No.

25 BY MS. GUTIERREZ:

1 Q After that date? Ever?

2 A No.

3 Q And after -- now, you gave this to someone?

4 A Yes.

5 Q Okay. And who did you give it to?

6 A It was the same detective that I had talked to.

7 Q Okay. And after you gave him this, did you have
8 any conversation with him at that time over what this
9 contained?

10 A No.

11 Q And after that date, were you ever spoken to
12 again by that detective or any other detective concerning
13 anything related to Hey?

14 A No more detectives, no.

15 Q Were you ever called up and asked to explain the
16 entries that you had made that included nothing negative
17 about Adnan's character?

18 MS. MURPHY: Objection.

19 THE COURT: Sustained.

20 BY MS. GUTIERREZ:

21 Q Were you ever asked, called up by the detectives
22 or personally seen by them and asked any other questions
23 about Adnan's relationship with Hey?

24 MS. MURPHY: Objection.

25 THE COURT: Sustained.

1 And, counsel, you should move on. The witness
2 has said no more detectives, she said. So it doesn't
3 matter what question, her answer was I saw no more
4 detectives.

5 MS. GUTIERREZ: Well, that's not my point. May
6 we approach the bench?

7 THE COURT: No, if it's relative to questions
8 involving any other detectives. That objection has been
9 sustained.

10 MS. GUTIERREZ: That's not what it's relevant to.

11 THE COURT: Very well. Then I'll have you come
12 up.

13 (Whereupon, counsel and the Defendant approached
14 the bench and the following ensued.)

15 MS. GUTIERREZ: Judge, this diary --

16 Could I have that for a minute?

17 THE COURT: I think it's a journal, is it not?

18 MS. GUTIERREZ: Well, yeah. It's not labeled a
19 diary. Yes, it's -- this journal was provided to us in
20 discovery and it was many months thereafter, three-plus
21 months, before we could get any information as to who wrote
22 it. Both detectives said different names and then
23 suggested they had no idea whose it was or how they got it.
24 It took us a lot of energy and it was by happenstance that
25 we discovered who was the author of that diary.

1 Now, Judge, our theory of defense is certainly
2 complex, but one of the facets of the defense is that there
3 has been from the beginning willful ignoring of evidence
4 that challenged in any way their perception that this was a
5 relationship that had just broken up and that Adnan had
6 been motivated by recent feelings, not, not ones that had
7 been long simmering, but feelings that had been ignited
8 based on their view that he was possessive of Hey and that
9 he resented Hey's suddenly ending the relationship and that
10 was the basis of his motivation for killing her.

11 Our belief and part of our defense is to
12 establish that, notwithstanding the existence of other
13 evidence that might have challenged what they sought, they
14 willfully ignored evidence of Adnan's good character,
15 evidence of information that went against their view of
16 what their relationship was when it broke up, what reason
17 it was for, and how they had acted toward each other, all
18 of which information would have disproved their theory.

19 THE COURT: Ms. Gutierrez, I have no problem with
20 any of that. That's argument.

21 MS. GUTIERREZ: Okay. Well, the only reason I'm
22 asking -- well, I can't argue it if I can't get it in.

23 MS. MURPHY: Your Honor, I'm sorry, I'd ask that
24 counsel keep her voice down.

25 THE COURT: I understand.

1 MS. GUTIERREZ: All I'm trying to do is to lay a
2 predicate foundation to establish this, and I believe that
3 the questions I'm asking are to establish that it's a prior
4 recorded statement at a time when there was no motive to
5 lie, that expressed exactly the same sentiments that --

6 THE COURT: Ms. Gutierrez --

7 MS. GUTIERREZ: -- were expressed to the --

8 THE COURT: -- I have no problem with that. I
9 think you're misunderstanding my objection.

10 MS. GUTIERREZ: Well, I am. That's why I'm
11 asking to come up. But I'm not asking it to get it in --
12 I'm only asking those questions as foundation question
13 because, given my experience, what I'm allowed to get in or
14 not, I didn't believe I had come close to laying --

15 THE COURT: Well, absolutely. You --

16 MS. GUTIERREZ: -- the foundation, so --

17 THE COURT: The problem was you had asked -- you
18 asked the same question three times and you were about to
19 start a series of questions where the witness had said on
20 her own -- in response to your question, she responded --

21 MS. GUTIERREZ: To the police.

22 THE COURT: -- no detectives had come to me after
23 that at all. She said no detectives came. Had she not
24 said that, then if you were to ask what has come to -- the
25 Court's become familiar with, followed questions to nail

1 down that there had been no subsequent contact with
2 detectives, then all of those questions would be
3 appropriate. But the witness volunteered no detectives
4 whatsoever. And once she said that, then all those
5 questions about no detectives came to see you afterwards,
6 no detectives at any time, all those questions are not
7 cumulative. You're reasking the same thing.

8 MS. GUTIERREZ: Well, they are, but I was asking
9 the question, I thought, broken down to make sure that all
10 bases were covered, such as she didn't get a phone call,
11 they didn't call her and ask her. That's a different
12 question than did they come to see her to ask the same
13 question.

14 But again, I guess I'm proffering to the Court I
15 was only asking those questions -- and maybe they were
16 repetitive, but now I'm trying to build a foundation to get
17 this into evidence and that's the sole reason that I'm
18 asking --

19 THE COURT: Do you have any objection to this
20 coming into evidence?

21 MS. MURPHY: No. No.

22 THE COURT: Why don't we just move it in?

23 MS. GUTIERREZ: That's fine. I'll do that,
24 Judge.

25 MS. MURPHY: Do you have any problem?

1 MR. URICK: (Shakes head negatively)
2 THE COURT: See how easy --
3 MS. GUTIERREZ: Nothing's been easy in this case.
4 THE COURT: Well, we try. You know, sometimes we
5 try.
6 (Whereupon, counsel and the Defendant returned to
7 trial tables and the following ensued.)
8 THE COURT: So since there is no objection --
9 counsel, you want --
10 MS. GUTIERREZ: Your Honor, I would move
11 Defendant's Exhibit 15, what's been marked as 15 for ID,
12 into evidence.
13 THE COURT: All right. And there's no objection.
14 Let it be admitted.
15 (Whereupon, the document referred
16 to as Defendant's Exhibit No. 15,
17 previously marked for
18 identification, was received into
19 evidence.)
20 MS. GUTIERREZ: No further questions.
21 THE COURT: All right. Any cross?
22 MS. MURPHY: Thank you, Your Honor.
23 CROSS-EXAMINATION
24 BY MS. MURPHY:
25 Q Good afternoon, Ms. [REDACTED]

1 Ms. [REDACTED], you testified that you would know
2 Hey's car?
3 A Yes.
4 Q And you saw her drive it frequently?
5 A Yes.
6 Q She usually drove that car to school?
7 A Yes, she did.
8 Q The Defendant also had a car?
9 A Yes.
10 Q It was a tan Honda? Tan or beige Honda?
11 A Yes.
12 Q Did he regularly drive that car to school?
13 A Yes.
14 Q But there were some days when he did not?
15 A Correct.
16 Q And it was not unusual for Hey to give the
17 Defendant a ride on those days?
18 A Correct.
19 Q And in fact, in your words, the Defendant was
20 always in her car?
21 A Yes.
22 Q One habit that you've described is that Hey would
23 often take the Defendant from the back of the school around
24 to the front?
25 A Yes.

1 MS. GUTIERREZ: Objection. Fact not in evidence.
2 THE COURT: Overruled.
3 BY MS. MURPHY:
4 Q The cars are parked in back of the school?
5 A Student parking, yes.
6 Q Student parking is in back.
7 And if students had practices or what not, they
8 would often move their cars or perhaps run errands and then
9 come back?
10 MS. GUTIERREZ: Objection, form of question.
11 THE COURT: Overruled.
12 Is that a yes?
13 THE WITNESS: Yes.
14 THE COURT: All right. Very well.
15 BY MS. MURPHY:
16 Q And even on these occasions, it wouldn't be
17 unusual for the Defendant to be driving Hey's car?
18 A Yes.
19 Q Yes, it would not be unusual?
20 A Yes, it would not be unusual.
21 Q Now, in your journal that's been admitted into
22 evidence, you mention on the second page that if Hey wanted
23 space at a certain time Adnan said no questions asked, do
24 you recall that?
25 A Yes.

1 Q This issue of Hey needing space, that was an
2 issue in their relationship, wasn't it?

3 A I can recall just a few instances where that was
4 an issue, yes.

5 Q Okay. But there was an issue?

6 A Yes.

7 Q It's fair to say that Hey was a little more
8 independent?

9 A I guess you could say that.

10 Q And at least on one occasion, at least, she
11 complained that the Defendant could be a little possessive?

12 A She had never complained of him being possessive
13 to me, no.

14 Q But you do know that she wanted space from him?

15 A On one occasion I was aware of that, yes.

16 Q And on those occasions, Hey would want space and
17 then she would change her mind at some point?

18 A Yes.

19 Q And then she'd be back with the Defendant?

20 A Yes.

21 Q And the first breakup that you described, that
22 didn't last long?

23 A Correct.

24 Q A couple of days?

25 A Something like that, yeah.

1 Q And on that occasion, it was Hey that changed her
2 mind?
3 A I believe so, yes.
4 Q And in your testimony on direct examination, you
5 even said the final breakup you weren't sure?
6 A Right.
7 Q Because no one knew if Hey would once again
8 change her mind?
9 A Right.
10 Q She trusted the Defendant?
11 A Yes.
12 Q They were still very close, as you stated?
13 A Yes.
14 Q And you testified that even after they were
15 broken up she continued to call him, to page him?
16 A Yes.
17 Q She would give him rides?
18 A Yes.
19 Q And this is when they were clearly broken up?
20 A Yes.
21 Q Now, you've testified that the Defendant has
22 described to you problems he had at home?
23 A Yes.
24 Q He's told you how he has trouble sometimes
25 getting calls from girls?

1 A Yes.

2 Q He told you that his mother would even listen to
3 his conversations?

4 A Yes.

5 Q And you were aware of all that?

6 A Yes.

7 Q So at some point in time he got a cell phone?

8 A Um-hum.

9 Q Do you recall that that was approximately two
10 days prior to Hey disappearing?

11 A I didn't recall when it was, no.

12 Q Is that consistent with your memory, that he got
13 the cell phone in January?

14 A Yes.

15 Q Right about the same time that Hey disappeared?

16 A I thought that he had gotten it a few weeks
17 before but I'm not sure.

18 Q But if the records indicated that he got them a
19 day or two before, you wouldn't disagree with that?

20 A No.

21 Q You talked with the Defendant about that time
22 period when Hey disappeared?

23 A Yes.

24 Q And the Defendant actually told you that Hey had
25 called him that night before she disappeared?

1 A Yes.

2 Q The Defendant told you that Hey wanted to know
3 from him if he thought they'd ever get back together?

4 A Yes.

5 Q And the Defendant told you that he was the one
6 who said I don't think so?

7 A He didn't actually say that. He said something
8 like he wasn't sure but he thought that their relationship
9 was fine the way it was right then.

10 Q But it's not your memory that the Defendant told
11 you that he actually called Hey?

12 A I don't remember what he -- whether he said he
13 called her or she called him.

14 Q The Defendant didn't tell you that he called Hey
15 twice the night before she disappeared?

16 A No.

17 Q The Defendant didn't tell you he called her at
18 12:01, midnight, one minute after midnight?

19 A No.

20 Q He didn't tell you that he called her at 12:35?

21 A No.

22 Q The Defendant didn't tell you that he had a fight
23 with Hey?

24 A No.

25 Q The Defendant didn't tell you that they disagreed

1 about whether she would be his date for the prom?

2 A No.

3 Q The Defendant didn't tell you that he wanted her

4 to be his date?

5 A No.

6 Q But he did at some point in time talk to you

7 about the prom and who his date would be?

8 A Yes.

9 Q And you've written about that in your journal,

10 have you not?

11 A Yes.

12 Q Do you recall that?

13 THE COURT: Do you recall that?

14 THE WITNESS: Yes.

15 BY MS. MURPHY:

16 Q The Defendant told you he wanted to be able to go

17 to senior prom with a beautiful date?

18 A Yes.

19 Q And he told you that he wanted the chance to make

20 Hey jealous?

21 A He said that he wanted -- he cared so much for

22 her and he knew they couldn't be together, so he wanted the

23 chance -- he wanted her to be around to have the chance to

24 make her a little bit jealous.

25 Q Now, when Hey disappeared, you've testified,

1 there was a lot of discussion about where she could have
2 gone?

3 A Yes.

4 Q And that included a suggestion that possibly she
5 went to California?

6 A Yes.

7 Q Now, it's your recollection that the Defendant is
8 the one who suggested that, is that right?

9 A No.

10 Q I'd ask you to look at your journal, and I
11 believe it's the fourth page of writing, and the title of
12 that page is "Adnan's Reaction To Hey Missing"?

13 A Yes.

14 Q About midway down, if you could read the sentence
15 beginning with "Still tried to figure out where she was,"
16 and on through the completion of that sentence.

17 A "Maybe she had gone to California to see her
18 dad."

19 Q And what's the next sentence?

20 A "He mentioned that she had said something about
21 if things got really bad she'd just go to her dad's."

22 Q The Defendant also discussed with you the
23 pressures that he felt concerning his dating Hey and his
24 religion?

25 A Yes.

1 Q He told you at one point about a conversation
2 he'd had with someone at the mosque regarding dating?

3 A Yes.

4 Q What he told you was that this person told him
5 that for him to date somebody like this he should marry the
6 person, is that right?

7 A I believe so.

8 Q Now, you've talked about Hey calling and paging
9 Adnan on a regular basis, even after they broke up?

10 A Yes.

11 Q That made it hard for the Defendant to move on,
12 did it not?

13 A Yeah, I would think so.

14 Q It was confusing for him to be getting calls from
15 her when they were broken up?

16 A Yes.

17 Q And in his words to you, he thought if he tried
18 to be friends with her that might be the only way he could
19 move on?

20 A Yes.

21 Q Also in your testimony, you were asked about
22 other problems in their relationship. You're aware that
23 Hey met and began dating Don?

24 A Yes.

25 Q That January 1st was their first date?

1 A Yes.

2 Q You're aware that in those first couple weeks of
3 January Hey was really excited about this new relationship,
4 wasn't she?

5 A Yes.

6 Q It was very apparent, was it not?

7 A Yes, it was.

8 Q Not only did she tell the Defendant about it, but
9 she told all of her friends, as well as teachers?

10 A Yes.

11 Q This was the first guy that she'd gotten serious
12 about since she'd met the Defendant, is it not?

13 A Yes.

14 Q She didn't date anyone else during November and
15 December?

16 A I don't think so.

17 Q Or the entire time she'd been with the Defendant?

18 A That's correct.

19 Q In fact, she was so preoccupied with her
20 relationship with Don that she would actually sit and
21 daydream, would she not?

22 A She would, yes.

23 Q And you've described in your journal the very day
24 she disappeared, January 13th, how she was daydreaming at
25 lunch?

1 A Yes.

2 Q What do you remember about that?

3 A We were sitting together at lunch, and there were
4 probably about -- between 8 and 10 people at the table.
5 And everyone was focusing their attention on Stephanie
6 [REDACTED] because it was her birthday and she had gotten
7 some gifts. And Hey was just sitting next to me and she
8 wasn't talking at all. And I turned to her and asked her
9 if she was okay, and she kind of smiled a little bit and
10 she said, "Oh, I'm just thinking about Don."

11 Q She clearly was happy about this new
12 relationship, wasn't she?

13 A Yes.

14 Q Now, you said that no one asked you to write this
15 journal, is that right?

16 A Right.

17 Q Something that you thought would be important?

18 A Yes.

19 Q And you began writing this, you said, at a time
20 when it became clear that the Defendant's involvement was
21 being called into question?

22 A Yes.

23 Q In fact, most of what you've written is about the
24 Defendant, is that fair to say?

25 A I guess so.

1 Q In the very first page, the first thing you
2 wanted to write in this journal is entitled "Adnan's
3 Character."

4 A I'm not sure that that was the first thing I
5 wrote but it is on the first page.

6 Q This was a tough time for you, was it not?

7 A Yes, it was.

8 Q A very close friend had been murdered?

9 A Yes.

10 Q And another very close friend was being charged
11 with it?

12 A Yes.

13 Q You began writing these things, you said, at the
14 time when the Defendant's involvement was questioned?

15 A Yes.

16 MS. MURPHY: Nothing further, Your Honor.

17 THE COURT: Very well.

18 Any redirect?

19 REDIRECT EXAMINATION

20 BY MS. GUTIERREZ:

21 Q After the second breakup, in December when they
22 remained friends, was Adnan still in her car?

23 THE COURT: I'm sorry?

24 BY MS. GUTIERREZ:

25 Q Was Adnan still in Hey's car?

1 A Yes.

2 Q And were you aware that whenever Hey had
3 difficulties with her car she would call Adnan?

4 A I'm not sure about that.

5 Q Were you aware that, in fact, on New Year's Eve
6 day, on the 31st when the car -- when she had some problems
7 driving that she called Adnan to see about the car and come
8 pick her up?

9 A I'm not sure about that.

10 Q Based on what you knew of how they had professed
11 their continuing friendship to you and you had observed
12 them, would that be a surprise to you?

13 A No.

14 MS. MURPHY: Objection.

15 THE COURT: Sustained.

16 BY MS. GUTIERREZ:

17 Q And after their breakup, based on what you saw
18 and what you observed before the breakup, would Adnan Syed
19 have had to use subterfuge to get in her car?

20 A No.

21 Q Or to get a ride from her?

22 A No.

23 Q Or even to borrow her car?

24 A No.

25 Q Much less to get inside of her car?

1 A No.

2 Q Now, you were asked about the writings that you
3 made about speaking to Hey Men Lee on the 13th. Was
4 Hey Men Lee a talkative person?

5 A Very.

6 Q If she was happy, did all of you friends know
7 about it?

8 A Yes.

9 Q Not just from what you observed but from what she
10 said?

11 A Yes.

12 Q And if she was sad, did you know about it?

13 A Yes.

14 Q Again, from what she said in addition to what you
15 observed?

16 A Mainly, because she was less talkative.

17 Q And throughout the time that you knew -- after
18 she and Adnan got together in the spring of 1998, did she
19 speak to you on a regular basis about the ups and downs
20 that caused the stress in her relationship with Adnan?

21 A Sometimes, yes.

22 Q Okay. Well, let me ask it this way: Was there
23 anything unusual about her sharing when something was going
24 on with that relationship?

25 A No.

1 Q Whether it be good or bad?

2 A Correct.

3 Q Okay. And before -- and you saw her on the 13th

4 and you wrote this much closer to the 13th than it is

5 today?

6 A Yes.

7 Q At a time when you were trying to recollect, to

8 the best of your ability, anything you remembered about

9 her?

10 A Yes.

11 Q Right?

12 And did you write anything about anything she

13 said about any fight she had with Adnan --

14 A No.

15 Q -- the night before?

16 A No.

17 Q Is there anything that she had said to you before

18 the 13th that would indicate to you that she didn't want

19 Adnan calling her?

20 A No.

21 Q Or that she had stopped paging him with her

22 messages of love?

23 A No.

24 Q And is there entry that you have in your

25 recollection of your last conversations with her while you

1 were at school with her on the 13th that indicated that she
2 said to you anything about any fight or difficulty or
3 stress, new stress in the friendship with Adnan?

4 A No.

5 Q And based on what you knew and observed and had
6 heard from each of them, would there have been anything
7 unusual about them calling each other?

8 A No.

9 Q In regard to calling, the difficulty with calling
10 Adnan was if you called his house?

11 A Yes.

12 Q Were there any restrictions that you ever put on
13 Adnan calling your house?

14 A No.

15 Q And did he do so?

16 A Yes.

17 Q And to your knowledge, were there any
18 restrictions put on Adnan calling Hey's house when they
19 were together or whether they were not together?

20 A No.

21 Q And to your knowledge, did they continue, even
22 after they broke up, the habit of speaking to each other
23 every night?

24 A I wasn't sure if it was every night but often,
25 yes.

1 Q Just about?

2 During that period of time, you described they
3 were both trying to move on from the boyfriend/girlfriend
4 aspect of their relationship --

5 A Yes.

6 Q -- while they were maintaining a friendship --

7 A Yes.

8 Q -- is that right?

9 From your observation and conversations with
10 Adnan Syed after that date, did he appear to be moving on?

11 A He was trying to, yes.

12 Q Okay. And that included his sort of going out
13 there and being interested in other young women?

14 A Yes.

15 Q Rebecca, are you a Muslim?

16 A No.

17 Q And do you believe that young people, that it's
18 okay for them to date each other?

19 MS. MURPHY: Objection.

20 THE COURT: Sustained.

21 BY MS. GUTIERREZ:

22 Q Did you ever, to your friend Adnan, express a
23 judgment over his dating Hey Men Lee?

24 MS. MURPHY: Objection.

25 THE COURT: Sustained.

1 BY MS. GUTIERREZ:

2 Q After they broke up, did you ever express a
3 judgment to him that indicated that it was a good thing now
4 that he wasn't violating his religious tenets?

5 MS. MURPHY: Objection.

6 THE COURT: Sustained.

7 BY MS. GUTIERREZ:

8 Q And Ms. Murphy asked you well, he was the first
9 guy, Don was the first guy that she had seen since she had
10 broken up, is that right?

11 A I believe so, yes.

12 Q The time that she had been broken up, according
13 to you, was early December?

14 A I believe so.

15 Q And the first date she had with this guy was
16 January the 1st, is that right?

17 A Yes, I think so.

18 Q A period of no more than two weeks to three weeks
19 after her breakup?

20 A I think so, yes.

21 Q Okay. And in regard to your discussion when
22 asked about Adnan's comment about going to the prom, was
23 there a sophomore prom? Was the junior prom the first big
24 dance for those in your class?

25 A Yes.

1 Q Okay. And had there been other dances?

2 A Yes.

3 Q And had Adnan ever gone to those dances?

4 A I really don't recall.

5 Q And to your knowledge, had he ever gone to a

6 dance and taken a date?

7 A I don't know.

8 Q Prior to his going to the junior prom with Hey,

9 had he appeared, based on what you observed and based on

10 what he said to you, appeared to be honoring the Islam

11 tenet that he not date young women?

12 A Yes.

13 Q Would Adnan, back then and anytime after going to

14 the junior prom with Hey, have had difficulty in getting a

15 date?

16 A No.

17 Q Would he have had any difficulty in getting a

18 beautiful date?

19 A No.

20 Q Had other girls expressed interest in Adnan?

21 A Yes.

22 Q Was he seen as desirable?

23 A Yes.

24 Q Among the young women your age?

25 A Yes.

1 Q In your class?

2 A Yes.

3 Q And had other girls made an effort to get his

4 attention?

5 A Yes.

6 Q Notwithstanding their knowledge that up until

7 that point he didn't date because he was a Muslim?

8 A Yes.

9 Q They still went after him?

10 A Yes.

11 Q And the prom that Ms. Murphy asked you about,

12 that would have been the senior prom that you're referring

13 to in your conversations with Adnan about wanting to take

14 her to the prom?

15 A Yes.

16 Q The prom would have been the senior prom?

17 A Correct.

18 Q And that would have occurred in May of the year

19 1999?

20 A Yes.

21 Q Five months after January?

22 A Yes.

23 Q Okay. And once again, at any time on the 13th

24 when you saw Hey, did she ever mention a change in heart

25 about Adnan?

1 A No.

2 Q Did she ever say anything to you that indicated
3 to you that she no longer wanted to be his friend?

4 A No.

5 Q Now, Hey Men Lee was always aware during all of
6 this time period that you were also friends with Adnan?

7 A Yes.

8 Q That you considered him a very good friend?

9 A Yes.

10 Q And that you had known him since you guys were in
11 grade school?

12 A Yes.

13 Q And that you had always considered him to be a
14 very good friend?

15 A Yes.

16 Q And did she ever mention to you that maybe you
17 better talk to your friend, he's not quite over it?

18 MS. MURPHY: Objection as to form.

19 THE COURT: Sustained.

20 BY MS. GUTIERREZ:

21 Q Were you ever asked if you knew what happened to
22 Hey Men Lee's pager?

23 A No.

24 Q And did you have any knowledge what happened to
25 her pager?

1 A No.

2 Q The last time that you saw her, to your
3 knowledge, did she still have and use her pager?

4 MS. MURPHY: Objection as to scope.

5 THE COURT: Sustained.

6 BY MS. GUTIERREZ:

7 Q You were asked about conversations that were
8 relayed to you by Adnan about conversations that he had had
9 with members of his mosque?

10 A Yes.

11 Q And you were asked about the conversation, well,
12 then you should marry her, do you remember that?

13 A Yes.

14 Q Were you aware that Adnan and Hey had spoken of
15 marriage?

16 A I don't know.

17 Q Would it surprise you to know that they did?

18 A No.

19 Q And the lack of surprise, what would that be
20 based on?

21 A Because they were very, very close and they had
22 such a serious relationship.

23 Q And had they spoken of the future?

24 A I don't know.

25 Q Other than -- the conversation that was relayed

1 to you by Adnan, was that with an adult or somebody else
2 his age, if you know?

3 A I don't know.

4 Q Were you aware that there were teachers at the
5 school who spoke about the relationship between Adnan and
6 Hey?

7 A I don't know.

8 Q Did you ever speak to any of the teachers?

9 A (No verbal response)

10 Q Are you familiar with the name of Ms. Savick
11 (phon. sp.), a 10th grade English teacher?

12 A Yes.

13 Q And were you aware that Ms. Savick had --
14 criticize isn't quite the word but close to criticized
15 Hey --

16 MS. MURPHY: Objection.

17 MS. GUTIERREZ: -- for making Adnan betray his
18 religion?

19 THE COURT: Sustained.

20 BY MS. GUTIERREZ:

21 Q Did you ever become aware that Ms. Savick had had
22 conversations with Hey Men Lee about her relationship with
23 Adnan Syed?

24 MS. MURPHY: Objection.

25 THE COURT: Sustained.

1 BY MS. GUTIERREZ:

2 Q Would it have been unusual for Hey, based on your
3 knowledge, to -- I already asked if it would have been
4 unusual for him to call her. Would it have been unusual
5 for her to call him, Hey call Adnan, after they broke up?

6 MS. MURPHY: Objection.

7 THE COURT: Sustained.

8 BY MS. GUTIERREZ:

9 Q Were you ever asked by the detective who spoke to
10 you, either on that date you described he came to the
11 school or on any other subsequent occasion, to describe Jay
12 Wilds' character?

13 MS. MURPHY: Objection as to scope.

14 THE COURT: Sustained.

15 MS. GUTIERREZ: I have nothing further.

16 THE COURT: Anything further?

17 MS. MURPHY: No, Your Honor, thank you.

18 THE COURT: May this witness be excused,

19 Ms. Gutierrez?

20 MS. GUTIERREZ: Yes, she may go.

21 THE COURT: Ms. Murphy?

22 MS. MURPHY: Yes, Your Honor.

23 THE COURT: Thank you very much.

24 You may be excused, Ms. [REDACTED] I must advise
25 you that you cannot discuss -- [REDACTED] -- you may not

1 discuss your testimony with anyone who has yet to be a
2 witness in this case. But in all other respects you're
3 free to go.

4 (Whereupon, at 3:37 p.m., the witness was
5 excused.)

6 MS. GUTIERREZ: Judge, we have a matter to bring
7 up before the next witness, and I need a very quick break,
8 so perhaps it would be a good time to take a quick break
9 and then I can bring the next witness in.

10 THE COURT: I told the jury I wasn't going to let
11 them take a break but I guess I can let them stretch their
12 legs and --

13 MS. GUTIERREZ: Well, we've got to take a break
14 for the next witness.

15 THE COURT: -- use the facilities and -- I won't
16 be that mean, so --

17 Deputy Church, will you walk our jurors around?

18 Ladies and gentlemen, leave your notepads face-
19 down. Do not discuss the testimony of Ms. [REDACTED] or any
20 other witnesses while you're on this stretch break. We'll
21 bring you back in just a few moments.

22 (Whereupon, at 3:37 p.m., the jury was excused.)

23 THE COURT: Counsel, you're free to use the
24 facilities as well during the stretch break. And I'm going
25 to take just a five-minute recess for Ms. Gutierrez to also