

1 them I said so, okay?

2 The Court will take a brief recess.

3 (Whereupon, the trial was recessed at 9:42 a.m.
4 and subsequently reconvened at 9:54 a.m.)

5 (Jury present)

6 THE COURT: We're back on the record in the case
7 of State versus Adnan Syed. At this time we need to
8 reswear in the witness.

9 Will you stand, sir?

10 Whereupon,

11 SYED RAHMAN

12 was recalled as a witness at 9:54 a.m., and after having
13 been first duly affirmed, was examined and testified as
14 follows:

15 THE CLERK: You may be seated.

16 Please keep your voice up. State your name and
17 your address for the record. Name?

18 THE WITNESS: My name is Syed Rahman.

19 THE CLERK: Your address?

20 THE WITNESS: [REDACTED] Johnnycake Road, Catonsville,
21 Maryland.

22 THE COURT: I believe we were about to start with
23 cross-examination.

24 MR. URICK: Yes, just a few questions. Thank
25 you, Your Honor.

1 THE COURT: You may proceed.
2 CROSS-EXAMINATION
3 BY MR. URICK:
4 Q Good morning.
5 A Good morning, sir.
6 Q You live on Johnnycake Road, is that correct?
7 A That's right.
8 Q And the mosque is on Johnnycake Road, too, is
9 that correct?
10 A That's correct.
11 Q Now, you said the mosque is just east of Rolling
12 Road on Johnnycake, is that correct?
13 A Yeah.
14 Q And your house is just west of Rolling Road on
15 Johnnycake?
16 A Well, it's on the same road.
17 Q But Rolling Road comes between your house and the
18 mosque, is that correct?
19 A That's correct.
20 Q And at that -- along there, Johnnycake Road runs
21 parallel to I-70, doesn't it?
22 A No. It is crossing I-70. Johnnycake Road is --
23 yeah, approximately parallel, yeah.
24 Q It crosses Rolling Road but runs parallel to
25 I-70?

1 A That's correct.

2 Q Thank you.

3 And you've owned that house for how long?

4 A For approximately 11 years.

5 Q You bought it yourself?

6 A That's correct.

7 Q And you own two cars at the moment?

8 A We own two personal car, and one is the state

9 vehicle which I used for the job.

10 Q So you own two cars and you have one state-

11 provided car as well?

12 A That's correct.

13 Q So you have access to three vehicles?

14 A That's right.

15 Q And you have a phone in the house, don't you?

16 A Yeah.

17 Q And that phone's listed in your name?

18 A Yeah, it's in my name.

19 Q Do you have a cell phone of your own?

20 A Yeah.

21 Q Now, if I understood correctly, you said during

22 Ramadan you would generally get to the mosque about 7:30 to

23 7:45, and then the prayers would begin at 8, is that

24 correct?

25 A That's correct.

1 Q And the prayers would take 2½ hours?
2 A Two hours, 2½ hour, it depends.
3 Q So, in general, when you would leave the mosque,
4 it would be around 10:30?
5 A Yeah, 10:30 or quarter of 11, yeah.
6 Q When was it that you found out that your son had
7 a cell phone?
8 MS. GUTIERREZ: Objection.
9 THE COURT: Overruled.
10 BY MR. URICK:
11 Q You may answer the question.
12 A Yeah. It's probably 12th.
13 Q Pardon me?
14 A Twelfth. Twelfth of January.
15 Q And when you found out that he had a cell phone,
16 you found out that it was signed for by someone who was not
17 a family member, didn't you?
18 A Yeah, I knew it.
19 Q And that the bill went to that person's house,
20 not your house, didn't it?
21 A That's correct.
22 Q Now, your son's name is Adnan, is that correct?
23 A-D-N-A-N?
24 A Yes, sir.
25 Q It's not Adrian, A-D-R-I-A-N?

1 A No.

2 Q And his last name is spelled S-Y-E-D, is that
3 correct?

4 A That's correct.

5 Q With only one D?

6 A That's right.

7 Q There are not two D's in his last name?

8 A That's right.

9 Q Okay, thank you.

10 Now, when you were testifying about usual custom
11 of how you would go to the mosque, it would sometime vary
12 on any given day, wouldn't it?

13 A Can you say that again, please?

14 Q When you were saying your usual custom about
15 going to the mosque, that was an average, but on any given
16 day it might have been different, might it not?

17 A Well, actually, it's every time. It's, you know,
18 preferable to go to the mosque. But in Ramadan, that's a
19 very special occasion.

20 Q The Defendant, your son, basically had free use
21 of a car, didn't he?

22 A Most of the time.

23 Q He would use that to drive to school?

24 A That's correct.

25 Q He would use that to go to functions at school?

1 A That's correct.

2 Q Go to visit his friends?

3 A Yeah, it's correct.

4 Q He'd drive to the mosque in it?

5 A Oh, we drive together.

6 Q And when you were testifying about usual custom,
7 you're not making any specific testimony about any given
8 day, were you?

9 A Well, the specific day is the 14th. That is the
10 day when he led the prayers. But all the days, all the
11 days in Ramadan he had been going with me.

12 Q So it's the 14th that you've been talking about
13 specifically?

14 MS. GUTIERREZ: Objection.

15 THE WITNESS: No, it's the whole month.

16 THE COURT: Overruled.

17 MR. URICK: If I may have the Court's indulgence
18 for just a second.

19 THE COURT: Certainly.

20 (Pause)

21 MR. URICK: Thank you, Your Honor. That'd be all
22 the questions we'd have.

23 THE COURT: Very well. Witness with you.

24 REDIRECT EXAMINATION

25 BY MS. GUTIERREZ:

1 Q Mr. Rahman, just a couple questions.
2 Was your son Adnan's getting a cell phone hidden
3 from you?
4 A No, it was not hidden.
5 Q Was it done with your permission?
6 A That's correct.
7 Q Were you aware of it before he got it?
8 A Yeah.
9 Q And did you approve of him getting a cell phone?
10 A Yeah, because he needed it for his job, to be
11 called in the winter when he was needed.
12 Q Okay. Were you aware that prior to his getting a
13 cell phone he used the home phone that's in your house?
14 A That's correct.
15 Q Okay. And was he allowed to do that?
16 A Yeah.
17 Q Were you aware of any difficulty that he had with
18 his mother picking up the phone while he was on it?
19 A No, I didn't notice anything like that.
20 Q If you had known that a reason, among other
21 reasons, for him to get the cell phone was to enable girls
22 to call him, would you have given him permission?
23 A Well, I would not know who is calling him and
24 who's not.
25 Q And you knew that when you gave him permission to

1 get a cell phone?

2 A Actually, he worked during the Christmas holidays
3 and all those holidays and when he saved the money. So he
4 saved --

5 Q The money to pay for the cell phone?

6 A To pay for the cell phone, that's correct.

7 Q Okay. And you knew of that ahead of time?

8 A That's right.

9 Q And the person in whose name the cell phone was
10 gotten -- your son was how old at that time?

11 A He was 17 years and a few months.

12 Q And were you aware of who that person was?

13 A Yeah.

14 Q And is that person an adult?

15 A That's right.

16 Q And is that person then -- or was that person a
17 member of the mosque community to which you and your son
18 belong?

19 A That's correct.

20 Q Okay. And you knew all about that?

21 A That's correct.

22 Q You didn't have to go find it out?

23 A That's correct.

24 Q Okay. Now, in regard to the free use of the car
25 question, the car that Adnan had use of, did he have to

1 share it with anyone else?

2 A No, not with anyone. We would go to the mosque,
3 that's it.

4 Q Okay. And he drove back then?

5 A That's correct.

6 Q He's had his license since he was 16?

7 A That's right.

8 Q Okay. And that car was pretty much his to get
9 back and forth to school?

10 A That's right.

11 Q All right. And did you ever put any restrictions
12 on that car for his use of it?

13 A Just for his use, personal use.

14 Q Now, was the first time that you became aware of
15 any suggestion by the police that your son was involved,
16 did that occur before or after his arrest --

17 MR. URICK: Objection.

18 MS. GUTIERREZ: -- on the 28th of February?

19 THE COURT: Sustained.

20 THE WITNESS: Well, actually --

21 THE COURT: Excuse me, sir.

22 MS. GUTIERREZ: Let me ask you another question.

23 THE COURT: That objection is sustained.

24 BY MS. GUTIERREZ:

25 Q You were asked by Mr. Urick about, you know, what

1 your usual custom is in regard to Ramadan? He just asked
2 you a question about that, do you recall that?

3 A Usual custom?

4 Q Yeah. That he asked you a question about that,
5 do you recall that?

6 A Usual --

7 Q Do you recall that Mr. Urick just --

8 A Yeah, yeah.

9 Q -- asked you a question about using the term
10 usual custom during Ramadan?

11 A Yeah.

12 Q Okay. Now, on the 14th, the day that your son
13 led the prayer, at the mosque during Ramadan is there any
14 sign-in sheet?

15 A No, there's no sign-in sheet.

16 Q Do you keep any sign-in sheet of your son's
17 attendance at Ramadan?

18 A No, nobody keeps that.

19 Q Or on any other day of the year?

20 A No attendance slips.

21 Q When was the first time that you were asked to
22 try to recollect the days that included the 13th and 14th
23 of January?

24 A Well, actually, I had my, you know, calendar.
25 The calendar tells me --

1 Q No, sir, listen to my question. When was the
2 first time that you were asked to remember those days?
3 A Well, when, you know, he was arrested.
4 Q Okay. So it was after he was arrested?
5 A Yeah.
6 Q And were you home when they came to arrest him?
7 A No, I was not at home.
8 Q Okay. And were you aware of the date that he got
9 arrested?
10 MR. URICK: Objection. Way beyond the scope of
11 cross-examination.
12 THE COURT: Well, I think your objection is a
13 little late because at this point I think she's tying it
14 up.
15 So you may proceed.
16 MS. GUTIERREZ: Yes, Judge.
17 THE COURT: Overruled.
18 BY MS. GUTIERREZ:
19 Q Were you aware of the date that he was arrested?
20 A That's correct.
21 Q And what date is that?
22 A That was the 28th of February, 5:30.
23 Q So it was after that date, that was the very
24 first time that you were asked to recollect the events of
25 the Ramadan --

1 A That's right.

2 Q -- that had occurred a month and a half before
3 that?

4 A That's right.

5 Q All right. Now, you told us yesterday you
6 specifically remember the 14th.

7 A Yeah.

8 Q And why is that?

9 A Because it was a day of honor for us.

10 Q And the honor was related to?

11 A Related to leading the prayers of a few hundred
12 people.

13 Q Of Adnan leading the prayers?

14 A That's correct.

15 Q Was that a happy occasion for you?

16 A That was the happiest occasion of my life.

17 Q Okay. And so, you specifically remember that
18 day?

19 A Sure.

20 Q All right. And yesterday we went through the
21 Ramadan calendar. Let me ask you to look through it again.

22 MS. GUTIERREZ: May I approach the witness?

23 THE COURT: Yes, you may.

24 I note there are some individuals in court. I
25 want to make sure that there's no sequestration problems.

1 MS. GUTIERREZ: I don't think so.

2 THE COURT: All right, very well. Great.

3 BY MS. GUTIERREZ:

4 Q If you would take a look again through that, the
5 14th of January, if you would find that date on that
6 calendar. Do you have that?

7 A Yeah.

8 Q That's the 26th of Ramadan, is that right?

9 A That's correct.

10 Q And that would put the 14th within the last 10
11 days of Ramadan, is that right?

12 A That's correct.

13 Q And let me make sure. The last 10 days, it's not
14 that they're holier but they're more special?

15 A Yeah, they are more special.

16 Q And generally, that's why, for instance, your
17 son's leading of the prayer occurred on the 14th?

18 A Yeah.

19 Q One of the last 10 days of Ramadan?

20 A That's correct.

21 Q And you recall specifically that those last 10
22 days you went to the mosque every day?

23 A That's correct.

24 Q And if you had been able to get off, you would
25 have stayed at the mosque 24 hours?

1 A Yeah, if I were to be off from the job, yeah.

2 Q But during Ramadan, very specifically, the last
3 10 days of Ramadan 1999, did your son Adnan go with you to
4 the mosque every night for the Ramadan prayers that began
5 at 8?

6 A That is correct.

7 Q Is that correct?

8 A That's correct.

9 Q And so, he went with you on the 14th and you
10 specifically recollect an additional fact about that day,
11 right?

12 A That's right.

13 Q That he led the prayers that day, right?

14 A That's right.

15 Q He also went with you on the 15th?

16 A Yeah.

17 MR. URICK: Objection.

18 MS. GUTIERREZ: And the 16th?

19 THE WITNESS: That's correct.

20 THE COURT: Overruled.

21 BY MS. GUTIERREZ:

22 Q And he also went with you on the 13th?

23 A That's correct.

24 Q And the 12th?

25 A That's correct.

1 Q And the 11th?
2 A That's correct.
3 Q And the 10th?
4 A That's correct.
5 Q And the 9th?
6 A That's correct.
7 Q And the 8th?
8 A That's correct.
9 Q You weren't just merely testifying that he
10 usually went with you?
11 A He was every day with me.
12 Q He was with you every day?
13 A That's correct, yeah.
14 Q To go back and, after you broke the fast, to
15 return to the mosque physically?
16 A That's correct.
17 Q With you?
18 A That's correct.
19 MS. GUTIERREZ: That's all, thank you.
20 THE COURT: Very well. Any further?
21 MR. URICK: Very briefly, Your Honor, based on
22 that.
23 RE CROSS EXAMINATION
24 BY MR. URICK:
25 Q At the mosque, the prayer from 8 to roughly 10,

1 10:30 is a continuous series of prayers, is it not?

2 A That's correct.

3 Q Now, was early January of 1999 when you found out
4 that your son wanted a cell phone?

5 A Yeah, that's in January.

6 Q And he -- you say he told you he needed it for
7 work purposes, is that correct?

8 A That's correct.

9 Q Did you know that he had a pager?

10 A Yeah, he had a pager.

11 MR. URICK: Thank you. No further questions.

12 THE COURT: Thank you very much.

13 REDIRECT EXAMINATION

14 BY MS. GUTIERREZ:

15 Q Did he have that pager with your permission?

16 A Yeah, the pager was with permission but the phone
17 was better because he could receive the call and could call
18 them back right away.

19 Q And did he work at a job then when he told you he
20 needed it for his job?

21 A He need it for the job, yeah.

22 Q And did he need it for the job, as far as you
23 knew?

24 A Well, he said that if they call him what schedule
25 they want to change it from time to time, so it's easy for

1 him. More convenient.

2 Q And on the job that he worked then, was the
3 schedule changed from time to time?

4 A Well, the schedule changes from time to time.

5 Q And to your knowledge, were you aware that his
6 job needed to reach him?

7 A His job?

8 Q That his job did, in fact, need to reach him?

9 A Yeah.

10 MS. GUTIERREZ: Thank you. I have nothing
11 further.

12 May I approach the witness to retrieve the --

13 THE COURT: I believe Mr. White can get it.

14 Thank you very much.

15 Counsel, is there anything further for this
16 witness?

17 MR. URICK: No, thank you, Your Honor.

18 THE COURT: Ms. Gutierrez?

19 MS. GUTIERREZ: No, Judge. And since he's the
20 Defendant's father, we'd ask that he be allowed to remain.

21 THE COURT: He can -- well, he's released from
22 the summonses at this point because he's no longer
23 sequestered.

24 I must advise you, though, sir, you may not
25 discuss your testimony with anyone who's yet to be a

1 witness in this case, but you are welcome to remain in the
2 courtroom.

3 THE WITNESS: All right, thank you.

4 THE COURT: Very well.

5 THE COURT: Your next witness, Ms. Gutierrez.

6 You may step down.

7 (Whereupon, at 10:11 a.m., the witness was
8 excused.)

9 MS. GUTIERREZ: May I just have the monitor
10 deliver something --

11 THE COURT: Yes, you may.

12 Mr. Lewis, I would note -- Mr. Lewis, if you have
13 any difficulty, let the Court know.

14 MR. LEWIS: Thank you, Your Honor.

15 THE COURT: Very well.

16 Counsel, that was a standard subpoena where I
17 have to initial because of the time limits. So I was just
18 making sure that they were aware that my initials were on
19 it, which is required.

20 (Pause)

21 It is not a new one, it's a reissue of an old
22 one.

23 MS. GUTIERREZ: The Defense's next witness would
24 be Detective Ritz.

25 THE COURT: Detective Ritz, would you walk up to