

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

1 the witness stand here? Remain standing and face my clerk,
2 Mr. White and raise your right hand.

3 Whereupon,

4 WILLIAM F. RITZ

5 was called as a witness at 10:13 a.m., and after having
6 been first duly sworn, was examined and testified as
7 follows:

8 THE CLERK: You may be seated.

9 MS. GUTIERREZ: Detective Ritz --

10 THE COURT: One second, Ms. Gutierrez. Let's get
11 him on the witness stand, get his name and his assignment.

12 THE WITNESS: My name is William F. Ritz. I'm a
13 detective police officer with the Baltimore City Police
14 Department. I'm currently assigned to the Homicide Unit.

15 DIRECT EXAMINATION

16 BY MS. GUTIERREZ:

17 Q Were you assigned to the Homicide --

18 THE COURT: I'm sorry. Would you spell your last
19 name, because I think we've had about five different ways,
20 including the way you spell cracker, so if you can tell us.

21 THE WITNESS: Yes, ma'am. It's R-I-T-Z.

22 THE COURT: Thank you.

23 BY MS. GUTIERREZ:

24 Q Detective Ritz, back on February 9th, 1999, were
25 you assigned to the Homicide Unit?

1 A Yes, ma'am, I was.

2 Q And at that point, back then, how long had you
3 been so assigned?

4 A I was assigned to the Homicide Unit since May of
5 1991.

6 Q May of 1991?

7 A Yes, ma'am.

8 Q All right. Now, prior to February 9th, 1999, did
9 you have any assignment relating to the investigation into
10 the death of Hey Men Lee?

11 A No, ma'am.

12 Q Okay. And on that day, did you become assigned
13 in any way to that investigation?

14 A Shortly thereafter. It was about three or four
15 days later.

16 Q Okay. Now, Detective Ritz, on the 18th of
17 February 1999, did you have occasion to participate in the
18 interviewing of Alonzo Sellers?

19 A Yes, ma'am, I did.

20 Q And was that after you had been assigned to have
21 some role in the investigation into the death of Hey Men
22 Lee?

23 A Yes, ma'am, it was.

24 Q Now, Detective Ritz, on February 9th, had you
25 gone out to the scene where Hey Men Lee's body had been

1 discovered?

2 A Yes, I did.

3 Q And on that -- and did you go in your capacity as
4 a homicide detective?

5 A Yes, ma'am.

6 Q And in -- did you have an occasion to meet
7 Mr. Sellers then?

8 A Yes, I did.

9 Q And did you speak to him then?

10 A Yes, I did.

11 Q About how it is he found the body?

12 A Yes.

13 Q On the 18th of February 1999 when you interviewed
14 Mr. Sellers, did that take place at the Homicide Unit?

15 A Yes, it did.

16 Q And were you present when he was formally advised
17 of his rights by use of a form?

18 A Yes, I was.

19 Q And that interview, was that tape recorded?

20 A Yes, it was.

21 Q And was that tape recorded on police department
22 equipment?

23 A Yes, ma'am, it was.

24 Q Okay. And subsequent to -- on the 18th, was the
25 entire interview taped?

1 A Yes, ma'am.

2 Q Subsequent to that interview, did the police
3 department have occasion to transcribe the tape of the
4 interview of the 18th?

5 A Yes, ma'am.

6 Q And was that done in the normal course of
7 business?

8 A Yes, it was.

9 MS. GUTIERREZ: May I approach the witness,
10 Your Honor?

11 THE COURT: Yes, you may.

12 MS. GUTIERREZ: Detective Ritz, I'm going to show
13 you --

14 Judge, I'm going to replace this with a clean
15 copy but it's my only copy. I'm just doing it --

16 THE COURT: Does counsel --

17 MS. GUTIERREZ: -- for foundation.

18 THE COURT: Well, let's see if counsel has it.
19 Do you have a clean copy of the Sellers --

20 MS. GUTIERREZ: The 18th.

21 THE COURT: -- that we could use to mark for
22 identification purposes? I do not believe counsel's going
23 to put that in evidence?

24 MS. GUTIERREZ: No. Just the pages, yes.

25 THE COURT: But the excerpts that -- but we first

1 have to lay the foundation, unless you waive the foundation
2 questions that would be prerequisite.

3 (Pause)

4 MR. URICK: This is which day's interview?

5 MS. GUTIERREZ: The 18th.

6 (Pause)

7 Judge, I can get a clean copy of it. I would
8 just mark this for now and replace it.

9 THE COURT: We can do that. Or if counsel would
10 compare the two and maybe we can get an agreement that the
11 items are at least the pages that they purport to be, and
12 then let the witness identify whether he listened to the
13 tape and compared the tape with the transcript. We could -
14 - unless there's a vehement objection by counsel.

15 MR. URICK: No, there's no vehement objection.

16 THE COURT: Very well. The Court is going to on
17 its own ask a couple of questions.

18 What we would normally do, Detective Ritz, as you
19 know, is to provide you with a copy of a transcript, and I
20 just have a question. Have you compared the transcript
21 with the tape of the recording of that interview on the
22 18th?

23 THE WITNESS: Yes, ma'am. I do have a clean copy
24 of the transcript in the case folder. If it would please
25 the Court, if you would like that.

1 THE COURT: Very well. That's even better.

2 MS. GUTIERREZ: Oh, that's fine. Do you have
3 that with you here?

4 THE WITNESS: Yes, ma'am.

5 MS. GUTIERREZ: Thank you. If you would go get
6 that.

7 THE COURT: You can step down and do that for us.
8 That would be wonderful, thank you.

9 (Pause)

10 Ms. Gutierrez, now, since the detective has
11 kindly facilitated this, I'm going to ask you to give him
12 your clean copy so he can return that to his case folder.

13 MS. GUTIERREZ: Yes, I will do so.

14 THE COURT: And it will remain completed.

15 Do you know what the next number would be?

16 MS. GUTIERREZ: No, Judge, I don't.

17 THE COURT: Thank you, detective.

18 THE WITNESS: You're welcome.

19 MS. GUTIERREZ: Have this marked as the next
20 Defendant's number, 17.

21 THE COURT: That will be 17 for identification
22 purposes at this time.

23 (Whereupon, the document referred
24 to as Defendant's Exhibit No. 17
25 was marked for identification.)

1 MS. GUTIERREZ: May I show him that?

2 THE COURT: Yes, you may.

3 BY MS. GUTIERREZ:

4 Q Detective Ritz, what is it that's marked as
5 Defendant's Exhibit 17?

6 A This is a transcript of the interview that was
7 conducted with Mr. Alonzo Sellers on the 18th of February
8 1999.

9 Q Okay. And was that transcript made in the
10 ordinary course of police business?

11 A Yes, ma'am, it was.

12 Q And can you tell us by looking at the last page
13 who transcribed it and when it was transcribed?

14 A If you'll bear with me one second, I think I left
15 the last page in the case folder.

16 The tape was transcribed by Ms. Jackie Taylor.

17 Q Is Ms. Jackie Taylor an employee of the Baltimore
18 City Police Department?

19 A Yes, ma'am, she is.

20 Q And is the transcribing of tapes of interviews of
21 suspects, witnesses, defendants something that she does in
22 the ordinary course of her business?

23 A Yes, it is.

24 Q Okay. And what date was it transcribed?

25 A It was transcribed on April the 1st, 1999..

1 Q And was the transcription done at your and
2 Detective McGilvery's direction?

3 A Yes, ma'am, it was.

4 Q And following the transcription which is
5 contained in your case file, did you have an occasion to
6 review it for accuracy?

7 A Yes, ma'am, I did.

8 Q Okay. And did you do that in the ordinary course
9 of business?

10 A The transcript is fairly accurate, and I say
11 that -- there are some grammar and spelling errors, but the
12 content --

13 Q In other words, some places where it's marked
14 "inaudible"?

15 A Yes, ma'am.

16 Q And having reviewed the tape, is that consistent
17 with the tape, that there are some minor portions of the
18 tape that are inaudible as to what the words are that are
19 being said?

20 A That is correct.

21 Q Okay. Now, having reviewed that, let me direct
22 your attention to page 18 of that transcript. I'm going to
23 ask you to review Defendant's Exhibit 14, if you will. And
24 if you would review that in connection with page 18 in
25 Defendant's Exhibit 17. Is that a copy of page 18 in the

1 transcript?

2 A Yes, it is.

3 Q An exact copy?

4 A Yes, it is.

5 Q Okay. And I would ask you if you would review
6 Defendant's Exhibit 12, which is a copy of page 21 of that
7 same, and if you would compare both of those things. And
8 is that an exact copy of page --

9 A Twenty-one.

10 Q -- 21 --

11 A Yes, ma'am, it is.

12 Q -- of the copy of the entire transcript that
13 was -- this one?

14 A Yes, ma'am.

15 Q And I would ask you to review Defendant's Exhibit
16 13, which is a copy of page 22 of that transcript. And is
17 that an exact copy of that page of the transcript as it
18 appears in Defendant's Exhibit 17?

19 A Yes, it is.

20 MS. GUTIERREZ: I would move into evidence
21 Defendant's Exhibit 12, 13, and 14.

22 MR. URICK: No objection at this point.

23 THE COURT: Let them be admitted.

24 (Whereupon, the documents referred
25 to as Defendant's Exhibit Nos. 12,

1 Detective McGilvery had spoken with him.

2 Q Okay. But you reviewed the reports of that
3 police officer, did you not?

4 A Yes, ma'am, I did.

5 Q And you were aware early on that Adnan Syed had
6 been spoken to by Officer Adcock?

7 A Yes, ma'am.

8 Q And that he had told Officer Adcock on the day
9 that he was called that he had no idea where Hey Men Lee
10 was?

11 A That is correct.

12 Q And that he had not seen her after school?

13 MR. URICK: Objection as to the form of the
14 question.

15 THE COURT: Sustained.

16 BY MS. GUTIERREZ:

17 Q And did you also have access to information
18 collected by Detective O'Shea?

19 A Well, the information that was provided to
20 Detective Adcock -- if I can just go back for a minute to
21 the last question you just asked, the information was that
22 he hadn't seen her, that he was supposed to meet up with
23 her earlier that day. He later told Detective O'Shea
24 during his interview with him that he hadn't seen her and
25 he wasn't going to meet up with her that day.

1 Q Okay. But in either the information from
2 Detective Adcock or from Detective O'Shea, the initial
3 information from Adnan Syed was that he had not seen
4 Hey Men Lee?

5 A I believe that was the follow-up information,
6 that he hadn't seen her. The initial information was
7 provided that he was going to meet up with her at after
8 school and she was going to give him a ride home after
9 track practice.

10 Q But the information also included that he didn't
11 see her that day?

12 A Right, from Detective O'Shea.

13 Q She didn't provide a ride, right?

14 A That's correct.

15 Q And that he did not see her physically at all
16 after school on the 13th?

17 A According to Detective O'Shea.

18 Q Okay. But him not seeing Hey Men Lee was also
19 according to Officer Adcock, was it not?

20 A No. I believe in Officer Adcock's report, and
21 I'd have to review it again, that Adnan had told
22 Officer Adcock that he was going to meet up with her after
23 school. She was going to give him a ride home. He had
24 waited around for a brief period of time. She didn't show
25 up, so he went on to track practice.

1 Q Okay. So the answer to my question then is yes,
2 what he told Officer Adcock --

3 MR. URICK: Objection.

4 MS. GUTIERREZ: -- involved the fact that he did
5 not actually meet up with Hey Men Lee?

6 THE COURT: Sustained.

7 BY MS. GUTIERREZ:

8 Q All right. Now, you were present when -- on
9 February 26th, did you and Detective McGilvery go to Adnan
10 Syed's home?

11 A Yes, ma'am, during the evening hours on that day.

12 Q To interview him in regard to this case?

13 A Yes, ma'am.

14 Q Okay. Prior to that day --

15 MS. GUTIERREZ: Judge, may I approach the
16 witness?

17 THE COURT: Yes, you may.

18 BY MS. GUTIERREZ:

19 Q What's been marked as Defendant's Exhibit 3 for
20 identification and ask you to look at that. Have you
21 reviewed that?

22 A Yes, ma'am, I have.

23 Q And you're familiar with that?

24 A Yes, ma'am, I am.

25 Q And is that an internal memo of the Baltimore

1 City Police Department?

2 A Yes, it is.

3 Q And is that contained also in your case file?

4 A Yes, ma'am.

5 Q And does that convey or purport to convey
6 information concerning Adnan Syed?

7 A Yes, it does.

8 Q Okay. And did you receive that information?

9 A It was given to Detective McGilvery and I later
10 learned of the information.

11 Q Okay. So you're familiar with it?

12 A Yes, ma'am.

13 Q In your role as a secondary investigator on a
14 murder, that information came to you also?

15 A That is correct.

16 Q Okay. And who notated that information?

17 A Detective McGilvery would have.

18 Q Well, he didn't write that memo?

19 A Oh, I'm sorry, I misunderstood your question.

20 Q Who wrote the memo?

21 A Detective Darryl Massey of the Homicide Unit.

22 Q And at that time he was also a detective in the
23 Homicide Unit?

24 A Yes, he was.

25 Q And what does that memo indicate the information

1 about Adnan Syed is?

2 MR. URICK: Objection.

3 THE COURT: Sustained.

4 MS. GUTIERREZ: May we approach, Judge?

5 THE COURT: Yes, you may.

6 (Whereupon, counsel and the Defendant approached
7 the bench and the following ensued.)

8 THE COURT: What exhibit number?

9 MS. GUTIERREZ: It's Defendant's Exhibit 3. It
10 is an internal memo written by Detective --

11 THE COURT: It's ID, right, it's not --

12 MS. GUTIERREZ: It's ID, yes. I think I ID'ed it
13 through McGilvery, I'm not sure, but it was -- in any
14 event, it was ID'ed.

15 It's an internal memo from Detective Massey
16 relating information that relates to Adnan received via two
17 anonymous phone calls to the police department that suggest
18 that the police should look at Adnan Syed in regard to the
19 murder of Hey Men Lee. I think the phone calls are minutes
20 apart and the detective -- the detective's memo indicates
21 his belief that it was the same caller based on his
22 receiving --

23 THE COURT: The same person?

24 MS. GUTIERREZ: Yes. One was at 1519 hours, one
25 was at 1525 hours. And, Judge, I recognize that there's

1 some level of a hearsay objection here. On that issue, I
2 guess I would argue there's no way we can produce the
3 declarant since it was anonymous, according to them. It's
4 not taped. There's no way that the declarant can be
5 ascertained from the information we've received, no matter
6 what investigation we do.

7 We are maintaining our right to get this in,
8 notwithstanding any hearsay objection or double-hearsay
9 objection because it is critical to our theory of the
10 defense. The other detective has already testified, and I
11 could certainly run this detective through it, that they
12 received information about Adnan. They've already been
13 asked they received it from Detective O'Shea. That
14 information has not been explained.

15 In order to buttress our theory of defense, is
16 that the police, once having been led to Adnan through any
17 source, then fixated on him and never looked elsewhere. In
18 order to attack that theory and to dispel any speculation
19 that there was significant information about Adnan that the
20 police had, that the jury hasn't heard, we believe that it
21 is imperative in our request to introduce our theory of
22 defense, which includes that the police fixated on Adnan
23 Syed based on what's already before the jury, you know, the
24 rumors at the school among the students, speculation about
25 Adnan to establish that, in fact, they received telephone

1 calls that suggested -- well, they named Adnan by name,
2 information that suggested that Adnan should be
3 concentrated on as a suspect.

4 And so, for those reasons, because it is
5 critical -- there's no way we can get the declarant who
6 made the statements. We've had difficulty in tracking down
7 Detective Massey, who is now assigned -- I think it's
8 Northern District. It could be Northwestern. We've spoken
9 to his supervisor. I've sent -- he was on midnight but
10 then off. I've had difficulty in -- since we were told
11 last night, I spoke to his supervisor, and the night before
12 that he would be given the summons, which has been faxed to
13 him and notified and asked us to fax this sheet so that
14 he'd have recollection of it. We've been unable to serve
15 or locate or speak to Detective Massey. We have no home
16 number for him. I've asked his supervisor for it. And I
17 believe that I can finish today, but if I have to, I'll go
18 stand at Northwestern District and serve Detective Massey
19 who, for whatever reason, notwithstanding our speaking to
20 his supervisor, we've been unable to serve with a summons
21 to appear.

22 THE COURT: You're offering this for the truth of
23 the matter contained in the document or --

24 MS. GUTIERREZ: We're offering it for --

25 THE COURT: -- the truth of the fact that they

1 received phone calls --

2 MS. GUTIERREZ: And that they then acted on those
3 phone calls in terms of focusing on Adnan Syed.

4 THE COURT: Okay. And so, you're offering this
5 for the truth of what the phone caller said or the truth
6 that the result of phone calls caused the police
7 department -- what was said in the phone calls --

8 MS. GUTIERREZ: In part. To focus on Adnan Syed.

9 THE COURT: The State's position?

10 MR. URICK: Then the correct question would be
11 what, if any, action did you take as a result of the
12 information contained in this?

13 THE COURT: I believe that was the question that
14 was asked of Detective McGilvery.

15 MS. GUTIERREZ: (Shaking head affirmatively)

16 MR. URICK: That question was never asked.

17 THE COURT: Yes, it was.

18 MS. GUTIERREZ: Yes, it was.

19 THE COURT: It was asked of Detective McGilvery.

20 MS. GUTIERREZ: That's how I got it ID'ed.

21 THE COURT: When you objected to the content of
22 the exhibit, the next question was as a result of what was
23 contained in it what did you do?

24 MR. URICK: I don't remember him being asked that
25 question.

1 THE COURT: I do, and I made a note of it.

2 And, counsel, do you have that recollection?

3 MS. GUTIERREZ: I do, Judge. And I did it
4 specifically because I wanted to get this in. I'd have to
5 look on my notes --

6 THE COURT: I'd have to look in mine but --

7 MS. GUTIERREZ: But also, at that time, Judge, I
8 did anticipate the ability to get Detective Massey, a
9 member of the police department, served with a summons,
10 which is why I didn't try to take it any further then. I
11 marked it for ID to establish that Detective McGilvery got
12 it.

13 THE COURT: All right. So she's offering it,
14 really, for the truth of the matter asserted, as well as
15 that being truth by the caller and statement, causing the
16 police to do a certain thing as a result of what they
17 received in the calls. And the State's position is that
18 they can get it in through someone else, and what else?

19 MR. URICK: That it's hearsay. That the proper
20 way to deal with it is ask the question what, if anything,
21 did you do as a result of this, and that's the line of
22 questioning --

23 THE COURT: All right. The Court's going to
24 sustain the objection. However, I will allow you to ask
25 the questions that you did of McGilvery: As a result of

1 information contained in this document, what did you do?
2 As a result of something that -- did you receive calls?
3 You can get that it. And then as a result of the calls
4 that you received, what did you do? Did you receive any
5 other calls or was it brought to your attention? Were
6 there any other calls as a result of those calls, what did
7 you do? But I will not let you put in the content of the
8 calls through this witness.

9 MS. GUTIERREZ: Okay. Well, then, Judge, I'm
10 going to ask for the Court's assistance. Obviously,
11 Detective Massey is available. We just haven't been
12 able -- I will need another summons and I'll send my
13 investigator out to literally sit at the district and wait
14 for Detective Massey, although I'd anticipate finishing my
15 defense early afternoon.

16 THE COURT: Do you have any way to contact
17 Detective Massey?

18 MS. GUTIERREZ: That I would then need till
19 tomorrow to get --

20 MR. URICK: If he's not working right now, I
21 could only call his shift commander and ask them to call.

22 THE COURT: All right. Would you assist the
23 Court in doing that? Calling the shift commander and
24 asking Detective Massey to be here?

25 MR. URICK: I don't believe Detective Massey

1 could do anything further to get the content in.

2 THE COURT: But that's not, that's not -- that
3 isn't my request.

4 MR. URICK: Okay.

5 THE COURT: The Defense has a right to have a
6 witness here. Now, if it turns out that she is not able to
7 accomplish what she wants to accomplish after the witness
8 gets here, that's another issue. But the fact that she's
9 asking for assistance in getting the witness here --

10 MR. URICK: I'll be happy to --

11 THE COURT: Do you follow what I'm saying?

12 MR. URICK: -- assist the Court. I think we
13 would need a brief recess to do that.

14 THE COURT: All right. Why don't I do this?

15 Mr. White, will you call my chambers and ask my
16 secretary to give Detective Massey a call?

17 He's at what district?

18 MS. GUTIERREZ: I think he's at Northern.

19 MR. URICK: Detective Ritz might know a better
20 person who could get a message to Detective Massey.

21 THE COURT: Detective Ritz, could you step up
22 here for just one moment, please?

23 You wouldn't happen to know how the Court could
24 get in contact with Detective Massey?

25 THE WITNESS: We would still have his pager

1 number. I can call to the office and they can call his new
2 assignment.

3 THE COURT: Is there a number that you could
4 give?

5 THE WITNESS: Sure.

6 THE COURT: Do you have Mr. Lewis here?

7 MS. GUTIERREZ: No, but he's due back. He went
8 to deliver that.

9 THE WITNESS: Just a call to Homicide Unit,
10 somebody should be able to look his name up in -- card file
11 and have a pager number for him possibly.

12 THE COURT: All right. And the number would be?

13 THE WITNESS: 396-2100.

14 THE COURT: 396-2100.

15 THE WITNESS: That's the number to the Homicide
16 Unit.

17 THE COURT: The Homicide Unit. Ask them to page
18 Detective Massey.

19 THE WITNESS: They'll give you his new
20 assignment --

21 MS. GUTIERREZ: Do you know if it's at Northern?
22 Wasn't it Northern District?

23 THE WITNESS: I believe so.

24 THE COURT: All right. Mr. White, I'm going to
25 ask you to call my chambers, give my secretary this number,

1 and ask her to page Detective Darryl Massey.

2 MR. URICK: If they can, ask them to call him at
3 home, too, because if he worked midnight and he's sleeping,
4 he might not have his pager.

5 THE COURT: Page or call at home and have him
6 call the Court, and my question is, from the Court, when
7 can he be here. Okay? Thank you.

8 Thank you very much for your assistance.

9 THE WITNESS: You're welcome.

10 THE COURT: Now, that's the best that I can do,
11 Ms. Gutierrez.

12 MS. GUTIERREZ: Okay. So I can go ahead and ask
13 him those questions about this?

14 THE COURT: And I will let you know, I will let
15 you know that I'm doing this in the best interest of
16 justice and also to accommodate you, but I'm going to
17 restate that doesn't assume --

18 MS. GUTIERREZ: I understand, you have a rule --

19 THE COURT: All right. I just -- look, I do
20 every --

21 MS. GUTIERREZ: I've learned.

22 THE COURT: That's right, I'm supposed to make
23 sure that you get all the tools. If you can't build a
24 house, you can't build a house. If you can build a house,
25 there you go.

1 MS. GUTIERREZ: Okay. Thank you, Judge.

2 MR. URICK: Thank you.

3 THE COURT: Very well.

4 (Whereupon, counsel and the Defendant returned to
5 trial tables and the following ensued.)

6 MS. GUTIERREZ: May I approach the witness again,
7 Your Honor?

8 THE COURT: Yes, you may.

9 BY MS. GUTIERREZ:

10 Q Again, if you would just take a look at
11 Defendant's Exhibit 3, Detective Ritz, did you receive the
12 information contained --

13 A I couldn't hear the last part of your question.

14 Q Did you receive the information contained in that
15 memo?

16 A Yes, ma'am, I did.

17 Q And is that an internal police department memo?

18 A Yes, it is.

19 Q Okay. And is there anything unusual about that
20 memo relaying information to you in regard to an
21 investigation that you were investigating?

22 A Unusual in the sense of just relaying the
23 information?

24 Q Yes.

25 A No.

1 Q And, sir, that memo is dated -- the information
2 contained in the memo was received on what date?

3 A On February the 12th, 1999.

4 Q And the body of Hey Men Lee was discovered on
5 what date?

6 A February the 9th, 1999.

7 Q As a result of receiving that memo, what, if any,
8 action did you take -- what, if any action, did you take?

9 A The action taken was trying to identify the
10 caller, and this was done by telephone -- the memo.
11 Detective Massey, when he took the information, also had
12 the call traced and --

13 Q He had it what?

14 A Activated call trace.

15 Q Call traced, okay.

16 A When the call came into the Homicide Unit --
17 after -- he was unable to get any information as a result
18 of doing that. The call -- he obtained was out of the
19 area.

20 Q Meaning the phone was outside of the area?

21 A Yes. If I can explain a little bit about call
22 trace, if you're calling from a cell phone, you would not
23 be able to get that number. If you're calling from a
24 public telephone, you would not be able to get that number.
25 The only way that --

1 Q And if you tried to trace it --

2 A If you tried to trace the call from where it
3 originated. The only way you can get the call is from a
4 hard line or a public telephone or a residence phone or a
5 business phone.

6 Q Okay. And was the identity of the caller known
7 before call trace was initiated?

8 A No.

9 Q Following your receipt of that information --
10 well, prior to the 12th, was Adnan Syed listed as a
11 suspect?

12 A No, he was not.

13 Q And subsequent to February 12th, was Adnan Syed
14 listed as a suspect?

15 A No, he was not.

16 Q And did you or Detective McGilverly take any
17 action in regard to the information received in that memo?

18 A Yes, ma'am.

19 Q And what action did you take?

20 A I had gone to the crisscross directory and looked
21 up the telephone number area code 410-203-0522, and I
22 believe it came --

23 Q And whose line was that?

24 A It came back to a Yassar Hussein (phon. sp.), I
25 believe, on Charlow (phon. sp.) Court out in Baltimore County.

1 Q And was that person a student at Woodlawn?

2 A No, he was not.

3 Q And was that person's name mentioned, of the
4 unable to be identified caller, in the memo?

5 A No, it was not.

6 Q And as a result of receiving that information,
7 what did you do?

8 A Contacted -- I believe his first name is Yassar.
9 In the memo, it's stated Baser, B-A-S-E-R. We contacted
10 him at the telephone number, introduced myself to him, and
11 told him we were investigating a homicide, that we would
12 like to speak with him. I believe we went out to a Pizza
13 Hut located near his home and met with him there.

14 Q And you spoke to him?

15 A That is correct.

16 Q And did the subject of your speaking to him
17 include the name of Adnan Syed?

18 A Yes, it did.

19 Q Okay. And were you ever able to identify the
20 person who made the call that was recorded in the memo?

21 A No, we were not.

22 Q And, in fact, is there more than one call that's
23 identified?

24 A There are actually two calls in the memo. After
25 the caller hangs up the first time, he subsequently calls

1 back to the office.

2 Q Okay. And in regard to the identity of the
3 caller, was there any information that the memo relayed
4 that might help you identify who it was that called?

5 A Detective Massey had indicated that the voice
6 sounded that of an Asian male, 18 to 21 years of age.

7 Q An Asian male?

8 A Yes.

9 Q And what was the age?

10 A Eighteen to 21 years of age.

11 MR. URICK: Your Honor, the State's going to
12 withdraw its objection to the entry of this exhibit.

13 THE COURT: Very well.

14 Counsel, if you'd like to move that into evidence
15 at this time, you may do so.

16 MS. GUTIERREZ: I would move it into evidence.

17 THE COURT: Let it be admitted.

18 (Whereupon, the document referred
19 to as Defendant's Exhibit No. 3,
20 previously marked for
21 identification, was received into
22 evidence.)

23 THE CLERK: She's trying to track him down. He
24 say he's in insurance training.

25 THE COURT: All right. Would you call back and

1 tell her to please call back and say his appearance is
2 not -- Thank you very much, Mr. White, and also thank my
3 staff.

4 Your next question.

5 BY MS. GUTIERREZ:

6 Q Now, after that date, you then had an occasion to
7 go on February 26th to the home of Adnan Syed?

8 A Yes, ma'am.

9 Q And his father was present?

10 A Yes, he was.

11 Q And did you ask him questions?

12 A His father?

13 Q No, Mr. Syed.

14 A Yes, we did.

15 Q And did he answer your questions?

16 A Yes, he did.

17 Q And two days later, were you present with Adnan
18 Syed was arrested?

19 A Yes, ma'am, I was.

20 Q At his home?

21 A That is correct.

22 Q Was Detective McGilverly also present?

23 A Yes, he was.

24 Q And at that time, he was advised of what's called
25 his rights, his Miranda rights?

1 A Not at the time while at the house. He was
2 subsequently transported down to the Homicide --
3 Q Down to Homicide, and that was pursuant to the
4 arrest?
5 A That is correct.
6 Q Okay. And at that time, Mr. Syed indicated that
7 he had no involvement in the murder of Hey Men Lee?
8 A That is correct.
9 Q Okay. And -- oh, Detective Ritz, you had an
10 occasion to interact with a man by the name of Jay Wilds?
11 A Yes, ma'am, I did.
12 Q And Jay Wilds was -- and were you present during
13 his interviews?
14 A Yes, I was.
15 Q Okay. And those interviews took place on the
16 28th of February?
17 A Yes, ma'am.
18 Q And on the 15th of March?
19 A That is correct.
20 Q And also on the 13th of April?
21 A That is correct.
22 Q In addition to those dates, did you have occasion
23 to ride around with Mr. Wilds?
24 A Yes, I did.
25 Q And that took place on the 18th?

1 A I believe that's the correct date.

2 Q Is that correct?

3 Now, prior to the 18th of March had you ridden
4 around or been shown places by Mr. Wilds?

5 A Yes.

6 Q And did that include the location of Hey Men
7 Lee's car?

8 A Yes, it did.

9 Q And was her car physically where he said it would
10 be?

11 A Yes, it was.

12 Q And did you ask him if he had seen the car from
13 the time that he says it was put there up until the time
14 that you spoke to him on the 28th of February?

15 A Yes, I did.

16 Q And did he indicate to you that he had been back
17 to see if the car was there?

18 A Since the car was parked there originally, he had
19 not returned to the location to see if it was there.

20 Q That's what he told you?

21 A I believe so.

22 Q Okay. Now, Detective Ritz, and did you make
23 notes of -- did he also take you to a location initially,
24 on the 28th, that he says the trunk was popped on the car
25 in which he then had a 5- to 10-second look at the body of

1 Hey Men Lee?

2 A That is correct.

3 Q Is that correct?

4 And he physically took you to a location close in
5 proximity to the intersection of Edmondson Avenue?

6 MR. URICK: Objection as to the form of the
7 question.

8 THE COURT: Sustain the objection at this time.

9 BY MS. GUTIERREZ:

10 Q Did he take you to a location?

11 A Yes, ma'am, he did.

12 Q Where he said the -- was?

13 A Yes, he did.

14 Q And where was that location?

15 A I don't recall the exact hundred block but it was
16 on Edmondson Avenue, once you come off -- near Poplar Grove
17 Street.

18 Q Near Poplar Grove Street?

19 A Yes, ma'am.

20 Q And that intersection is pretty heavily peopled
21 and automobile traffic intersection?

22 A Yes, it is.

23 Q And is that intersection known as a strip?

24 A I've never heard that particular intersection be
25 referred to it until I had spoke with Mr. Wilds, and he

1 referred to it as a strip.

2 Q But you had heard the term strip before?

3 A No.

4 Q Except from him?

5 A That is correct.

6 Q But you heard that term from him that night, on
7 the 28th of February?

8 A That is correct.

9 Q And what did you understand that term to mean?

10 A Well, he explained it to me. It's an area where
11 people loiter about, selling narcotics.

12 Q Selling narcotics?

13 A Right. It's a --

14 Q Illegal narcotics?

15 A That is correct.

16 Q Okay. And he used that term -- did he use that
17 term in a statement to you on the 28th?

18 A Yes, he did.

19 Q Okay. And when he used it, was he referring to
20 places where --

21 MR. URICK: Objection.

22 MS. GUTIERREZ: -- illegal narcotics were being
23 sold?

24 THE COURT: Sustained.

25 BY MS. GUTIERREZ:

1 Q And that's the location where he took you to show
2 where the trunk pop was?
3 A Yes, ma'am.
4 Q Detective Ritz, after arresting Adnan Syed at his
5 house, did you have an occasion to return to his house
6 pursuant to your investigation? After the 28th?
7 A Yes.
8 Q Okay. And was that pursuant to any kind of court
9 order?
10 A I can't recall.
11 Q Well, sir, were you present when his house was
12 searched?
13 A Yes. That was on the 28th.
14 Q Okay. His house?
15 A Yes. We had executed a search and seizure
16 warrant that morning.
17 Q And you were present on that occasion?
18 A Yes, ma'am, I was.
19 Q And did you and Detective McGilverly give
20 direction to the officers that actually conducted the
21 search?
22 A Yes, ma'am.
23 Q As to what to take?
24 A Yes, ma'am.
25 Q As to what to seize?

1 A Yes, ma'am.

2 Q As to what to look for?

3 A That is correct.

4 Q Were shoes and boots that belonged to Adnan --

5 MR. URICK: Objection as to the form of the

6 question.

7 THE COURT: Sustained.

8 BY MS. GUTIERREZ:

9 Q In regard to any clothing articles, what was

10 seized?

11 MR. URICK: Objection. Same objection.

12 THE COURT: Overruled. What was seized is not a

13 leading question.

14 You may answer that, if you know.

15 THE WITNESS: I believe a pair of brown boots and

16 a pair of pants.

17 BY MS. GUTIERREZ:

18 Q Brown boots?

19 A Yes, ma'am.

20 Q Okay. And were those boots and the pants taken

21 at the direction of you or Detective McGilvery?

22 A Yes, ma'am.

23 Q And was the seizure of those items based on

24 information you had received from Jay Wilds?

25 A I'm not sure if the information came from Jay

1 Wilds or Jennifer Pusitari (phon. sp.). The clothing
2 description and articles that we were looking for came from
3 interviews subsequent to obtaining the search and seizure
4 warrant. I can't recall which interview that those
5 articles were provided.

6 Q You were present when Jen Pusitari was
7 interviewed?

8 A Yes, ma'am.

9 Q And from your understanding, based on that
10 interview, was Jennifer Pusitari present during any events
11 that -- of Hey Men Lee?

12 A Not in the -- those events that you had described
13 but an event subsequent to that where she later met up with
14 the Defendant and Jay Wilds at a parking lot.

15 Q And you were also present during the interviews
16 of Jay Wilds concerning the same events?

17 A Yes, ma'am, I was.

18 Q And Jennifer Pusitari said she met up with the
19 Defendant where?

20 A On Westview Mall shopping center parking lot.

21 Q That's --

22 A Yes, it is.

23 Q Okay. And the purpose of her being at that
24 location was to do what?

25 A To pick up Mr. Wilds.

1 Q And you were present when Mr. Wilds spoke about
2 Jennifer Pusitari picking him up?

3 A Yes, ma'am.

4 Q And did he say he was --

5 MR. URICK: Objection as to the form of the
6 question.

7 THE COURT: Sustained.

8 This is your witness, Ms. Gutierrez.

9 BY MS. GUTIERREZ:

10 Q In any event, the information about the boots and
11 the clothing came from Jay Wilds and/or Jennifer Pusitari?

12 MR. URICK: Objection.

13 THE COURT: Sustained.

14 MS. GUTIERREZ: I have nothing further of this
15 witness.

16 THE COURT: Thank you very much, Ms. Gutierrez.

17 Any questions?

18 MR. URICK: Yes, thank you, Your Honor.

19 CROSS-EXAMINATION

20 MR. URICK: At this time, I would request that
21 the Defense Exhibit be given to the witness and it be
22 published to the jury by the witness reading it, with the
23 Court's permission.

24 THE COURT: Certainly. You may do it that way.

25 MR. URICK: Mr. Clerk, will you give that to the

1 witness, please?

2 THE CLERK: Which one, No. 3?

3 THE COURT: I believe it's 15, is it not?

4 MS. GUTIERREZ: Seventeen, Judge.

5 MR. URICK: Three.

6 THE COURT: Three.

7 MS. GUTIERREZ: Oh, 3, right. Correct.

8 THE COURT: Exhibit 3?

9 MR. URICK: Yes, this is the exhibit.

10 THE COURT: Detective, we'll need you to read the
11 entire thing since we're publishing it. Everything that's
12 on that page needs to be read.

13 THE WITNESS: Yes, Your Honor.

14 THE COURT: From top to bottom.

15 THE WITNESS: The memo is dated 12 February 1999.
16 It's from Detective Darryl Massey to Detective Greg
17 McGilvery. It's in reference to possibly pertaining to
18 Hey Men Lee investigation, H-99-030.

19 Sir, on February 12th, 1999, approximately
20 1519 hours, your writer received a call from
21 anonymous called (Asian male, 18 to 20 years
22 old) who advised your investigators should
23 concentrate on the victim's boyfriend (Adnan
24 Syed, Asian male, 17 years of age) as a
25 suspect in the murder. The caller further

1 advised that the boyfriend has taken the
2 victim to Leakin Park on past occasions for
3 sexual encounter. Prior to concluding the
4 phone interview, the caller further stated
5 that the victim broke off the relationship
6 with her boyfriend about a week before she
7 was reported missing.
8 At this point, the caller terminated the
9 conversation. Simultaneously, your writer
10 activated Star 57 on extension 2100. The
11 recording informed your writer the service
12 was not available due to the caller not
13 being in the service area.
14 On February 12th, 1999, approximately 1525
15 hours, the above anonymous person called the
16 Homicide Unit. This time the caller
17 remembered that a year ago the suspect
18 informed a friend of his (Baser Ali, Asian
19 male, 17) if he ever hurt his girlfriend he
20 would drive her car into a lake. The caller
21 stated the suspect's friend attends
22 Centennial High School in Columbia,
23 Maryland, and his home phone number is area
24 code 410-203-0522. Again Star 57 was
25 activated. The recording stated the service

1 was not available due to the caller not
2 being in the service area.

3 Respectfully, Darryl Massey.

4 THE COURT: Thank you.

5 BY MR. URICK:

6 Q And you looked that number up in a crisscross
7 directory, is that correct?

8 A That is correct.

9 Q And that number came back listed to who?

10 A I believe it was -- the last name of the family
11 was Hussein, 35 I believe it was 09 Charlow Court out in --
12 it wasn't Baltimore County, it was Howard County, I
13 believe.

14 Q And you are aware that that is the home address
15 of Yassar Ali?

16 A Yes, sir, I am.

17 MS. GUTIERREZ: Objection.

18 THE COURT: Overruled.

19 MS. GUTIERREZ: Wasn't established, any home
20 address of anybody. He's only established the listing to
21 the name.

22 THE COURT: Overruled.

23 BY MR. URICK:

24 Q And that Yassar Ali is a friend of the Defendant,
25 is that correct?

1 A Yes, sir.

2 Q You may give that back to the clerk, if you will.

3 MS. GUTIERREZ: If he would keep it. I'm going

4 to --

5 BY MR. URICK:

6 Q And you're aware that Yassar Ali is not a

7 Woodlawn High School student, is that correct?

8 A That is correct.

9 Q And that he knows him from the mosque, is that
10 correct?

11 A Yes, sir.

12 Q And you're also aware that Yassar Ali's phone
13 records appear on the Defendant's cell phone? Calls?

14 A Yes, sir.

15 Q Now, you were asked about the search and seizure
16 warrant that you served at the Defendant's house. Pursuant
17 to that warrant, you seized certain items because the
18 warrant allowed you to, is that not correct?

19 A That is correct.

20 Q However, in searching the Defendant's bedroom,
21 you also found other items that you could not seize because
22 they were not allowed by the warrant, is that correct?

23 MS. GUTIERREZ: Objection.

24 THE COURT: Sustained.

25 BY MR. URICK:

1 Q What, if any, items did you find in the
2 Defendant's bedroom that you did not seize?

3 MS. GUTIERREZ: Objection.

4 THE COURT: Sustained.

5 BY MR. URICK:

6 Q Now, Defense counsel asked you about the -- Jay
7 Wilds taking you to the spot on Edmondson Avenue. You
8 later got a statement from him that indicated that, in
9 fact, that incident took place somewhere else, did you not?

10 A That is correct. It was in the second interview,
11 I believe.

12 Q And during that interview, you questioned
13 Mr. Wilds about why the first statement did not contain
14 certain information that the second one did, did you not?

15 A Yes. We were clarifying the inconsistencies.

16 Q And why did he tell you that there were
17 inconsistencies?

18 A He was trying to protect his friends.

19 MS. GUTIERREZ: I'm going to object.

20 THE COURT: I'm going to sustain the objection --

21 MR. URICK: May we approach?

22 THE COURT: -- to the question that was posed.
23 I'll sustain the objection to the question as posed. You
24 may be able to restate your question.

25 BY MR. URICK:

1 Q Do you recall what Mr. Wilds' answer was?
2 MS. GUTIERREZ: Objection. Well --
3 THE COURT: Overruled.
4 MS. GUTIERREZ: -- not to that question.
5 THE WITNESS: I can't recall verbatim. I could
6 probably paraphrase it, that he didn't want to get other --
7 MS. GUTIERREZ: Objection. Move to strike.
8 THE COURT: Overruled.
9 Your recollection in paraphrasing, you may do
10 that.
11 THE WITNESS: There were some people that --
12 MS. GUTIERREZ: Objection.
13 THE COURT: Your objection is being overruled as
14 to what this witness heard from Mr. Wilds. The objection
15 is sustained as to anything else, unless counsel wants to
16 lay a foundation for any opinion or indication or
17 conclusions that the witness may have drawn from what
18 Mr. Wilds told him.
19 MR. URICK: I'm just asking the witness at this
20 time as to what Mr. Wilds said.
21 THE COURT: Very well.
22 MS. GUTIERREZ: I'd still note our objection and
23 ask for a continuing objection to the hearsay nature of him
24 repeating Jay Wilds.
25 THE COURT: Understood. Overruled.

1 If the witness can answer the question, you may
2 answer it.

3 THE WITNESS: One of the inconsistencies that we
4 clarified was the location where they first saw the body of
5 Hey Men Lee. He originally told me and Detective McGilverly
6 it was on Edmondson Avenue. In his follow-up statement, he
7 said the first time that he saw the body and described it
8 in great detail was on the parking lot of Best Buy out in
9 Security Boulevard area.

10 He stated the reason that he did not -- wasn't
11 truthful with us at the beginning was that he thought they
12 had surveillance cameras on the outside of the building and
13 didn't want to get caught or involved in it.

14 He knew that the Defendant would get caught
15 eventually and he didn't want to get involved in it. He
16 was trying to dissociate himself from the parking lot in
17 that regards.

18 The other inconsistencies were being at someone
19 else's house. Because of some narcotics activity --

20 MS. GUTIERREZ: I'm going to object. It's beyond
21 the scope of the question.

22 THE COURT: I think counsel can ask another
23 question, if you want to draw anymore information. So I'll
24 sustain the objection at this point.

25 BY MR. URICK:

1 Q Did you ask him about other inconsistencies?
2 MS. GUTIERREZ: Objection. It's beyond the scope
3 of cross -- direct.
4 THE COURT: Overruled as to that one question,
5 did you ask him about other inconsistencies? And this is
6 cross.
7 THE WITNESS: Yes, I did.
8 BY MR. URICK:
9 Q Do you recall what his answers were?
10 MS. GUTIERREZ: Objection.
11 THE COURT: If I can have the question, I'll know
12 whether I'm going to sustain it or overrule it.
13 BY MR. URICK:
14 Q Do you recall what Mr. Wilds' answer to those
15 questions were?
16 MS. GUTIERREZ: Objection.
17 THE COURT: Sustained as to the general nature of
18 that question. If you could be more specific.
19 BY MR. URICK:
20 Q Do you recall what his explanations for the
21 inconsistencies were?
22 MS. GUTIERREZ: Objection.
23 THE COURT: Sustained.
24 As to which inconsistencies are you referring?
25 All of them? Some of them? Certain ones?

1 BY MR. URICK:

2 Q Do you recall what his explanations were for not
3 naming certain names or not admitting to being at certain
4 places in the first statement?

5 MS. GUTIERREZ: Objection.

6 THE COURT: Overruled.

7 MS. GUTIERREZ: That's clearly beyond the scope.

8 THE COURT: Overruled.

9 THE WITNESS: Yes, I do.

10 THE COURT: You may answer that.

11 BY MR. URICK:

12 Q What did Mr. Wilds tell you?

13 A It was because of --

14 MS. GUTIERREZ: Objection. May I note a
15 continuing objection?

16 THE COURT: Yes, you may.
17 You may answer the question.

18 THE WITNESS: Because of illegal narcotics
19 activity.

20 BY MR. URICK:

21 Q And did you ask him about -- for explanations of
22 why certain names were not named in the first statement?

23 MS. GUTIERREZ: Objection.

24 THE COURT: Overruled.

25 THE WITNESS: Yes.

1 BY MR. URICK:
2 Q Do you recall what his answer was?
3 MS. GUTIERREZ: Continuing objection to this,
4 too.
5 THE COURT: It's noted for the record.
6 You may answer.
7 THE WITNESS: I can't recall exactly what his
8 response was to that question.
9 BY MR. URICK:
10 Q Can you paraphrase what his answer was?
11 MS. GUTIERREZ: Objection.
12 THE COURT: Sustained.
13 BY MR. URICK:
14 Q Is that a document contained in your files that
15 would help you refresh your memory at this time?
16 A Yes, there is.
17 MR. URICK: May I ask the witness to find that
18 and look at it to refresh his memory at this time?
19 THE COURT: Yes, you may. And I note
20 Ms. Gutierrez' objection for the record.
21 MS. GUTIERREZ: If I could have that document
22 identified, and I will object to that.
23 THE COURT: It's noted.
24 Detective, if you want to bring those up and sit
25 them next to you so that they're a little closer, you're

1 welcome to do that. It's a little easier, I think.

2 (Pause)

3 THE WITNESS: I believe I've found it,
4 Your Honor.

5 MS. GUTIERREZ: Can I find out what the witness
6 is --

7 THE COURT: Absolutely.

8 MS. GUTIERREZ: -- looking to so that I can enter
9 an objection before we have any questions?

10 THE COURT: Absolutely.

11 If you could tell us what item you're looking at,
12 detective.

13 THE WITNESS: I believe it starts on page 49.

14 MS. GUTIERREZ: Of which interview?

15 THE WITNESS: This would be the second interview.

16 MS. GUTIERREZ: The one on the 15th of March?

17 THE COURT: Counsel, you're going to have to have
18 the item --

19 THE WITNESS: Yes, ma'am.

20 THE COURT: -- that he's referring to marked for
21 identification purpose so the record reflects what it was
22 that the witness utilized to refresh his recollection. I
23 don't know if that item is already in evidence. It may be,
24 I don't know.

25 Mr. White, perhaps you could note your list. Is

1 there a statement?

2 MS. GUTIERREZ: Where are you looking?

3 MR. URICK: Mr. Clerk, did you find a -- I don't
4 think there has been one. If you could put a new State's
5 number on this.

6 For identification purposes, this'll be State's
7 Exhibit 47.

8 THE COURT: Exhibit 47 for identification.

9 (Whereupon, the document referred
10 to as State's Exhibit No. 47 was
11 marked for identification.)

12 MS. GUTIERREZ: And is that the statement of
13 March 15th?

14 THE WITNESS: Yes, it is.

15 BY MR. URICK:

16 Q And, Detective Ritz, you said you were starting
17 on page 49?

18 A Let me retract that. I believe it starts on
19 page 56. There was something else I was referring to on
20 page 49.

21 THE COURT: Just for the record, Mr. Urick, do
22 you want to lay the foundation for the witness's use of the
23 item formally so the record reflects --

24 BY MR. URICK:

25 Q Detective Ritz, isn't it correct that this is a

1 taped statement taken from one Jay Wilds on March 15th,
2 1999?

3 A Yes, sir, it is.

4 Q And that it was transcribed by a Homicide
5 Department stenographer, is that correct?

6 A Yes, it was.

7 Q And have you had -- were you present at the
8 interview?

9 A Yes, sir, I was.

10 Q And have you had a chance to review the
11 transcript?

12 A Yes, sir, I have.

13 Q And other than minor spelling and grammatical
14 errors, is it a fair and accurate representation of the
15 interview that took place that was taped?

16 A Yes, sir, it is.

17 Q Have you had a chance to read through the
18 exhibit?

19 A Yes, sir.

20 Q And is your memory refreshed at this time as to
21 why he told you he didn't name certain names in the first
22 interview?

23 A Excuse me a second, let me find that part.

24 Q Specifically, I'd refer you to page 59 and ask
25 you to read that and see if that refreshes your memory.

1 A Yes, sir.

2 Q And why did he tell you he didn't name names?

3 A That he didn't want to get those people involved.

4 Q Thank you.

5 Now, Defense counsel asked you about the several

6 interviews that were conducted with Alonzo Sellers, do you

7 recall those questions?

8 A Yes, sir.

9 Q Isn't it a fact that initially he was treated as

10 a suspect?

11 A Yes, sir, he was. Well --

12 Q And he was investigated thoroughly as a result of

13 that, is that correct?

14 A If I can go back just for a minute, initially --

15 MS. GUTIERREZ: Objection.

16 THE COURT: You have to answer the question as

17 asked, and if you're not able to do that or you need to add

18 to it once you've answered the question, you may do that.

19 His question was isn't it a fact that Mr. Sellers was

20 treated as a suspect? That was the question.

21 THE WITNESS: No.

22 THE COURT: No. The answer is no?

23 THE WITNESS: That is correct.

24 THE COURT: Next question.

25 BY MR. URICK:

1 Q Did he come to be investigated as a suspect?

2 A Later that evening.

3 Q And was he investigated thoroughly?

4 A Yes, sir, he was.

5 MS. GUTIERREZ: Objection.

6 THE COURT: Overruled.

7 BY MR. URICK:

8 Q And as a result of that investigation, was he
9 eliminated as a suspect?

10 A Yes, sir, he was.

11 Q Now, Defense counsel asked you about things that
12 the Defendant told you. Is it your practice as a homicide
13 detective to listen to someone and take what they tell you
14 as the truth, without examining -- seeing whether or not
15 you can corroborate it through other evidence?

16 A No.

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

18 THE COURT: Any redirect?

19 MS. GUTIERREZ: Yes.

20 REDIRECT EXAMINATION

21 BY MS. GUTIERREZ:

22 Q Detective, would you look at page 59 --

23 A Yes, ma'am.

24 Q -- the page you used to refresh your recollection
25 as to why Jay Wilds didn't mention all these names the

1 first time?

2 A Yes, ma'am.

3 Q Do you recall that?

4 Right below, you essentially refreshed your
5 recollection with the question of Detective McGilvery,
6 after having said that he had left out certain names and
7 asked him why was that, and Jay Wilds said, "I didn't want
8 them to be involved."

9 A Yes, ma'am.

10 Q Is that what Jay Wilds said?

11 A That is correct.

12 Q And Detective McGilvery repeated his answer,
13 didn't he?

14 A Yes.

15 Q And then Jay Wilds said, "I didn't, I didn't,
16 yeah, I didn't want her to be questioned by the police and
17 all that stuff." Isn't that right?

18 A That is correct.

19 Q Okay. And that's from the same page of the
20 interview that you were just asked about to refresh your
21 recollection?

22 A Yes, ma'am, page 59.

23 Q I'm going to show you -- or ask you to look at
24 what I will have marked as Defendant's Exhibit --
25 MS. GUTIERREZ: Is this 18?

1 THE CLERK: Yes.

2 (Whereupon, the document referred
3 to as Defendant's Exhibit No. 18
4 was marked for identification.)

5 BY MS. GUTIERREZ:

6 Q -- 18 for identification, where I've highlighted
7 exactly that portion that I just read to you. And if you
8 would compare it with the transcript of the interview that
9 you did with Jay Wilds.

10 A It would be a fair and accurate representation.

11 Q Of exactly what you were reading there?

12 A That is correct.

13 Q And the part that I've highlighted is exactly
14 that part that I've read to you?

15 A Yes, ma'am.

16 Q Thank you.

17 MS. GUTIERREZ: I would move Defendant's
18 Exhibit 18, that's been marked for identification --

19 MR. URICK: No objection.

20 MS. GUTIERREZ: -- into evidence.

21 THE COURT: Let it be admitted.

22 (Whereupon, the document referred
23 to as Defendant's Exhibit No. 18
24 was received into evidence.)

25 BY MS. GUTIERREZ:

1 Q Now, detective, you were asked about
2 inconsistencies?

3 A Yes, ma'am.

4 Q That's a word that you and Detective McGilvery
5 used back on -- with Jay Wilds, isn't that correct?

6 A Yes, ma'am.

7 Q And inconsistencies -- in its scope things that
8 were actually lies?

9 MR. URICK: Objection as to the form of the
10 question.

11 THE COURT: Sustained.

12 BY MS. GUTIERREZ:

13 Q Was it inconsistencies a word that you and
14 Detective McGilvery used with Jay Wilds?

15 MR. URICK: Objection.

16 THE COURT: Sustained.

17 BY MS. GUTIERREZ:

18 Q I'm going to ask you to refer to the first page
19 that you've told us you were looking at, and that was
20 page 49 of that same interview, the interview that took
21 place on March 15th?

22 A Yes, ma'am.

23 Q Okay. And that part refers to essentially the
24 fact that Jay Wilds tells you that he knew about this ahead
25 of time --

1 MR. URICK: Objection.
2 THE COURT: Sustained.
3 MS. GUTIERREZ: -- meaning Adnan was going to
4 kill Hey and that he communicated that to Jennifer Pusitari
5 whom he had not mentioned before?
6 THE COURT: Ms. Gutierrez, the objection is
7 sustained and it is as to the form of the question since
8 these are leading questions and this is still your witness.
9 BY MS. GUTIERREZ:
10 Q Detective Ritz, you first referred us to the
11 part, to refresh your recollection, to page 49?
12 A Yes, ma'am.
13 Q Okay. And that's of the March 15th interview?
14 A Yes, it is.
15 Q Is that correct?
16 A Yes, ma'am.
17 Q And in -- on page 49 at the bottom of the page,
18 what are you questioning Jay Wilds about at that juncture?
19 A About after receiving this information from Adnan
20 that he had planned on killing Hey Lee that morning --
21 Q Meaning Adnan had planned on killing, right?
22 A Yes. There was a discussion inside his vehicle on
23 the morning of her disappearance.
24 Q Which was the 13th?
25 A Of January, that is correct.

1 Q And?

2 A And I questioned Mr. Wilds as to why he was
3 reluctant or did not report that information to the police,
4 which may have saved Hey Lee's life that day.

5 Q And if you would review your question that
6 appears at the middle of the page, does it mention Jennifer
7 Pusitari?

8 MR. URICK: Objection.

9 THE COURT: Overruled as a foundation question.
10 Does it mention Jennifer Pusitari's name?

11 THE WITNESS: It mentions Jennifer, and I am
12 referring to Jennifer Pusitari.

13 BY MS. GUTIERREZ:

14 Q Pusitari. And is the mention related to what you
15 just spoke about, that Mr. Wilds had previous knowledge
16 of the planned death of Hey Men Lee?

17 A Yes, ma'am.

18 Q And had, in fact, Mr. Wilds told you previously
19 that he had told -- that he had relayed any information
20 about Adnan's plan to kill Hey Men Lee to Jennifer
21 Pusitari?

22 A He stated that he didn't take it seriously,
23 although he had been told that -- of Adnan's plans to kill
24 Hey Lee.

25 Q He told who?

1 A Adnan had told Jay Wilds. However, he didn't
2 take it seriously.

3 Q The question was -- did that relaying of
4 information that Jay Wilds told you at any point, that he
5 had relayed that information to Jennifer Pusitari?

6 MR. URICK: Objection.

7 THE COURT: Overruled.

8 THE WITNESS: Yes.

9 BY MS. GUTIERREZ:

10 Q Yes. And that was one of the inconsistencies?

11 A Reading through this to find the inconsistencies,
12 that was something that stuck out in my mind as he was
13 being questioned, why didn't he notify the police.

14 Q Okay. And --

15 A But I think the inconsistencies start on page 56.

16 Q On the -- you mean the questioning about the
17 inconsistencies?

18 A Yes, ma'am.

19 Q On the 15th, you had already spoken to Jay Wilds,
20 starting at 1 or starting sometime after midnight on
21 February 28th?

22 A Yes, ma'am.

23 Q You had spoken to him before the tape recorder
24 was turned on?

25 A Yes, ma'am.

1 Q And then you had spoken to him at length while
2 the tape recorder was turned on?

3 A That is correct.

4 Q And this on March 15th was another time to
5 interview him, correct?

6 A That is correct.

7 Q But you had already spoken to Jen Pusitari, had
8 you not?

9 A Yes, ma'am.

10 Q And some of the inconsistencies that you were
11 confronting Jay Wilds about on March 15th, the second tape
12 recorded interview, related the inconsistencies as to what
13 he said with what she had said, was it not?

14 A Well, the interview was going over everything,
15 from start to finish, and then addressing the
16 inconsistencies during that statement.

17 Q Okay. And that included addressing not only
18 inconsistencies between what he said himself but between
19 what he said and what she said?

20 MR. URICK: Objection.

21 THE COURT: Sustained.

22 BY MS. GUTIERREZ:

23 Q At that time that you interviewed him on the
24 15th, the taped interview which you are referring to to
25 refresh your recollection to answer Mr. Urick's question,

1 had Jen Pusitari indicated to you that she had prior
2 knowledge of the plan to kill Hey Men Lee?

3 MR. URICK: Objection.

4 THE COURT: Sustained.

5 BY MS. GUTIERREZ:

6 Q Other than interviewing Jen Pusitari on the 27th
7 of January, had you spoken to her after that date and taken
8 any kind of tape recorded statement?

9 A You said January 27th?

10 Q I'm sorry, February 27th.

11 Do you recall that you spoke to Jen Pusitari on
12 the 27th?

13 A Yes, ma'am.

14 Q Okay. And took a tape recorded interview?

15 A Yes, ma'am.

16 Q And that was at Homicide?

17 A That is correct.

18 Q After that date, did you take any other tape
19 recorded statements from Jen Pusitari?

20 A No.

21 Q Okay. And did you ever go back to her about
22 inconsistencies in what she said?

23 A Yes, ma'am.

24 Q But you didn't tape record any interview?

25 A Jennifer -- well, we didn't tape record that, no.

1 Q And did you ever ask her as to whether or not Jay
2 Wilds had told her ahead of time that Adnan was planning to
3 kill Hey Men Lee?

4 A Yes, sir -- I mean, yes, ma'am, I did.

5 Q And that was at an unrecorded interview?

6 A Yes.

7 Q Okay.

8 A And it may have been addressed -- it was --
9 interviews. It wouldn't have been addressed on the initial
10 interview with her because we hadn't spoke with Jay yet.

11 Q And other than the -- because then there wouldn't
12 have been any inconsistency, right?

13 MR. URICK: Objection.

14 THE COURT: Overruled.

15 THE WITNESS: That is correct.

16 BY MS. GUTIERREZ:

17 Q Okay. And the only interview that you tape
18 recorded was on the 27th of February --

19 A Yes, ma'am.

20 Q -- with Jen Pusitari?

21 A That is correct.

22 Q And that was an interview to which she brought a
23 lawyer?

24 A Yes, ma'am.

25 Q Thank you.

1 One of the inconsistencies that you asked him
2 about, as indicated on page 49 which we've identified, was
3 why he didn't do anything with his knowledge, meaning Jay?

4 A Yes, ma'am.

5 Q Is that correct?

6 And he responded to all your questions, did he
7 not?

8 A Yes, he did.

9 Q And the one that -- he first told you that --

10 MR. URICK: Objection.

11 MS. GUTIERREZ: -- occurred --

12 THE COURT: Can I get the question?

13 MS. GUTIERREZ: The trunk pop that occurred at a
14 place he identified as a strip near Edmondson and Poplar
15 Grove?

16 THE WITNESS: Yes, ma'am.

17 THE COURT: Sustained.

18 BY MS. GUTIERREZ:

19 Q I'd refer you now to page 56. You specifically
20 advised -- McGilvery did, that they had the tape -- that
21 you all had the taped interview of February 28th, did you
22 not?

23 A Yes, ma'am.

24 Q Okay. And Detective McGilvery said there were a
25 lot of inconsistencies, did he not?

1 A Yes, ma'am.

2 Q And then Detective McGilvery says, "And to start
3 with, you indicated that you didn't know before Adnan
4 killing Hey, you didn't have any idea," correct?

5 A That is correct.

6 Q And Detective McGilvery said, "But then that's
7 wrong," is that correct?

8 A That is correct.

9 Q And the wrong was -- Detective McGilvery said,
10 "Well, you did have knowledge, right?"

11 A Yes.

12 Q And then began questions that involved other
13 inconsistencies, is that correct?

14 A Yes, ma'am.

15 Q And those are inconsistencies that were also
16 wrong, is that correct?

17 A That is correct.

18 Q Okay. And by wrong, did that mean untrue?

19 A I think some of the inconsistencies in Mr. Wilds'
20 statement was he didn't remember or he couldn't remember at
21 that particular time. Some of the inconsistencies, as far
22 as why he didn't tell us about other people and the
23 location where he first seen the car, we were able to
24 clarify those, and he explained why he said what he did and
25 also why he didn't notify the police.

1 Q And in regard to the inconsistency about where
2 the trunk pop took place?
3 A That is correct.
4 Q Okay. That wasn't something that he didn't
5 remember and, therefore, made up a different location, was
6 it?
7 A No.
8 Q He offered an explanation as to why he had told
9 you a place that didn't happen?
10 A That is correct.
11 Q And his explanation was that the videos on the
12 Best Buy lot show something and he didn't want to be
13 involved, right?
14 A Bear with me one second.
15 That is correct.
16 Q Is that correct?
17 A Yes, ma'am.
18 Q And he had told you up until that point that all
19 he had done at that location -- this is his second story --
20 was to walk over to the car and view the apparent dead body
21 of Hey Men Lee, correct?
22 A Well, he did other things on the parking lot. He
23 became involved in a brief confrontation with Adnan because
24 he couldn't believe what he was peering into when he looked
25 into the trunk or couldn't believe what he saw.

1 Q None of that information indicated that, from
2 what he told you, that he had anything to do with causing
3 the death of the body in the car, correct?

4 A That's correct.

5 Q And that at that time -- at the time that he was
6 at Best Buy, at the time the video would have been filming,
7 he had never said that he had done anything criminal?

8 A He knew that he had done something wrong.

9 Q My question was had he told you that he had done
10 anything criminal?

11 MR. URICK: Objection.

12 THE COURT: Sustained.

13 BY MS. GUTIERREZ:

14 Q Had he described any criminal activity related to
15 anything?

16 MR. URICK: Objection.

17 THE COURT: Sustained.

18 BY MS. GUTIERREZ:

19 Q In fact, exactly what he said when he was asked
20 by Detective McGilvery --

21 MR. URICK: Objection.

22 MS. GUTIERREZ: -- and I'll refer you to page 58
23 o that statement.

24 THE COURT: Ms. Gutierrez, if you're going to
25 read the statement, you'll be leading the witness, and that

1 objection is going to be sustained. If you want to ask him
2 what it was that was said or if you want to do it the other
3 way around --

4 BY MS. GUTIERREZ:

5 Q Was Mr. Wilds asked about why he lied about the
6 location from Edmondson Avenue to Best Buy, using that term
7 lie?

8 A Yes, ma'am.

9 Q Okay. And what exactly was Mr. Wilds asked?

10 A Detective McGilvery had asked him "Why would you
11 lie about the location?"

12 Q Okay. And you're reading from?

13 A Page 58, middle of the page.

14 Q And is that fifth or sixth line down?

15 A It's the ninth line down.

16 Q Oh, okay. Before asking that question,
17 Detective McGilvery had asked it before, had he not?

18 A Yes.

19 Q Okay. And that's six lines down?

20 A On the fifth line, as you said before. I'm
21 sorry.

22 Q And was the word lie in Detective McGilvery's
23 question?

24 A Yes, it was.

25 Q Okay. And in the second lie question, how did

1 Mr. Wilds answer?
2 A "Because I'm associated with it."
3 Q With it?
4 A With it.
5 Q And that was Wilds' answer to the question about
6 why?
7 A Yes.
8 Q And you were present during this?
9 A Yes, ma'am, I was.
10 Q Okay. And the transcript of this that you're
11 referring to was made in the ordinary course of business?
12 A Yes, it was.
13 Q And as Mr. Urick asked you, you reviewed this for
14 accuracy when it was made?
15 A Yes, ma'am.
16 Q And it was made by an employee of the Baltimore
17 City Police Department?
18 A Yes, Ms. Jackie Taylor.
19 Q And it is an accurate transcription of the
20 recording that was made?
21 A Other than the spelling errors and the grammar.
22 Q So the minor --
23 A Yes. The context is true and accurate.
24 Q And the answer that Jay Wilds provides, as you
25 read it to us, "Because I'm associated, I'm associated with

1 it," are there no spelling or grammatical errors, are
2 there?

3 A No, ma'am.

4 MS. GUTIERREZ: I would like to have this page
5 marked as Defense Exhibit 19.

6 (Whereupon, the document referred
7 to as Defendant's Exhibit No. 19
8 was marked for identification.)

9 MS. GUTIERREZ: May I approach the witness?

10 THE COURT: Yes, you may.

11 BY MS. GUTIERREZ:

12 Q I'd ask you to review this, Detective Ritz, with
13 your copy that --

14 Have you had a chance to review it?

15 A Yes, ma'am.

16 Q And is what I've handed you an exact copy of --

17 A Yes, it is.

18 Q And that's a true and accurate representation of
19 the transcript at page 58, the statement that Jay Wilds
20 made on March the 15th, 1999?

21 A Yes, it is.

22 MS. GUTIERREZ: I would move Defendant's
23 Exhibit 19 into evidence.

24 MR. URICK: Objection.

25 THE COURT: May I see the exhibit?

1 (Pause)

2 The objection is sustained.

3 Thank you.

4 BY MS. GUTIERREZ:

5 Q Did Mr. Wilds tell you in either of the

6 interviews about his transaction -- any transactions

7 involving illegal narcotics?

8 MR. URICK: Objection.

9 THE COURT: Can you repeat the question, please?

10 MS. GUTIERREZ: Did Mr. Wilds, in any of his

11 interviews, tell you about any of his transactions

12 involving illegal narcotics?

13 THE COURT: Sustained.

14 MS. GUTIERREZ: I have nothing further.

15 THE COURT: Thank you, Ms. Gutierrez.

16 Any recross? Re-recross?

17 MR. URICK: Just extremely briefly.

18 RE-CROSS EXAMINATION

19 BY MR. URICK:

20 Q What did you take Mr. Wilds to mean when he said

21 "I'm associated with it"?

22 MS. GUTIERREZ: Objection.

23 THE COURT: Sustained.

24 BY MR. URICK:

25 Q Did Mr. Wilds explain to you what he meant by

1 "associated"?

2 MS. GUTIERREZ: Objection.

3 THE COURT: Overruled.

4 Yes or no?

5 THE WITNESS: Yes.

6 BY MR. URICK:

7 Q Do you recall what his explanation was?

8 MS. GUTIERREZ: Objection.

9 THE COURT: Overruled.

10 THE WITNESS: Yes.

11 BY MR. URICK:

12 Q What was his explanation?

13 MS. GUTIERREZ: Objection. May I have a
14 continuing objection?

15 THE COURT: Yes, you may.

16 Overruled.

17 THE WITNESS: His association was with helping
18 Adnan dispose of the body, following Adnan as Adnan is
19 driving Hey Lee's vehicle from the Best Buy parking lot to
20 different locations and finally the burial site out in
21 Leakin Park. That was what he was referring to as his
22 association.

23 BY MR. URICK:

24 Q And you personally spoke to Jay Wilds, like you
25 personally spoke to Jennifer Pusitari, like you personally

1 spoke with Christine -- is that correct?

2 A That is correct.

3 Q Would it be fair to describe them as suburban
4 Woodlawn teenagers who were scared?

5 MS. GUTIERREZ: Objection.

6 THE COURT: Overruled.

7 THE WITNESS: Yes.

8 MR. URICK: No further questions?

9 THE COURT: Any further questions, Ms. Gutierrez?

10 MS. GUTIERREZ: Yes. If I may look at the last
11 exhibit.

12 REDIRECT EXAMINATION

13 BY MS. GUTIERREZ:

14 Q If you would again review page 58.

15 A Yes, ma'am.

16 Q The question before Mr. Wilds answer "Because I'm
17 associated with it" --

18 MR. URICK: Objection. Beyond the scope of the
19 recross.

20 MS. GUTIERREZ: -- was what question?

21 THE COURT: The question before the question?

22 MS. GUTIERREZ: No. The question to which
23 Mr. Wilds answered that line that you were just asked about
24 by Mr. Urick was what?

25 MR. URICK: Objection. Beyond the scope of the

1 recross.

2 THE COURT: Well, I don't have the exhibit in
3 front of me, so may I see the exhibit? And, Ms. Gutierrez,
4 if you could approximate the line that you're referring to?

5 MS. GUTIERREZ: It's sort of in the middle.

6 THE COURT: In the middle?

7 (Pause)

8 The objection is sustained.

9 BY MS. GUTIERREZ:

10 Q Were there any follow-up questions,
11 Detective Ritz, when he said "I'm associated with it"?

12 MR. URICK: Objection.

13 THE COURT: I believe I sustained the previous
14 question when the State asked to explain what associated
15 meant pursuant to the Defense objection. And so, I'm going
16 to be consistent and sustain this objection as to what was
17 meant, but if Detective Ritz can recall exactly what the
18 witness said he may tell us that.

19 THE WITNESS: Would you repeat the question
20 again? I'm sorry.

21 THE COURT: Do you understand my ruling,
22 Ms. Gutierrez?

23 MS. GUTIERREZ: I really don't, Judge.

24 THE COURT: The Court has sustained any
25 description of what Mr. Wilds meant by the word association

1 because of where we are in the case and the previous
2 questions and testimony. So therefore, the State was not
3 allowed to ask the question --

4 MS. GUTIERREZ: Okay. Let me try to --

5 THE COURT: -- to describe what association
6 meant. And now the Defense is being precluded from doing
7 that.

8 BY MS. GUTIERREZ:

9 Q On page 58 where Mr. Wilds answer "I'm associated
10 with it" appears --

11 A Yes, ma'am.

12 Q -- in regard to page 58, the questions that led
13 to that answer were related to the location of what?

14 MR. URICK: Objection.

15 THE COURT: Overruled.

16 THE WITNESS: To where the murder had taken
17 place.

18 BY MS. GUTIERREZ:

19 Q Okay. And that was Best Buy?

20 A Yes, ma'am.

21 Q And this was -- did you ever receive any evidence
22 to suggest that burial took place at Best Buy?

23 A No.

24 Q No. And did you ever receive any information
25 that anything else related to the killing and burial of Hey

1 Lee took place at Best Buy?

2 A I'm not sure I'm understand the question because
3 it's two parts here.

4 Q From any source, including Mr. Wilds' later
5 statements, did you ever receive any information that any
6 other part of the killing or burial or anything that took
7 place between the killing and the burial actually took
8 place at Best Buy?

9 A The only thing that took place on the parking lot
10 of Best Buy was the murder of Hey Lee.

11 Q Of Hey Men Lee?

12 A Hey Men Lee, that's correct.

13 Q And Jay Wilds, to your knowledge, was he present
14 during the murder of Hey Men Lee?

15 A No, he was not.

16 Q The only time he saw the evidence of the murder
17 was at Best Buy?

18 A That is correct.

19 Q Did you ever receive any information from Jay
20 Wilds that indicated that he did anything other than look
21 at the body for 5 to 10 minutes in regard to the proximity
22 to Hey Men Lee's body? Five to 10 seconds?

23 A Are you talking about during the -- from the
24 initial murder to the burial or just at the homicide --

25 Q I'm just talking about at Best Buy.

1 A That was all he did, other than getting into an
2 argument with the Defendant.

3 Q Okay.

4 MS. GUTIERREZ: I would again move page 58 into
5 evidence.

6 MR. URICK: Objection.

7 THE COURT: Since parts of that exhibit are
8 not -- have not been testified to, the objection will be
9 sustained.

10 MS. GUTIERREZ: Well, then I would move that the
11 relevant part in and I could certainly redact the exhibit.

12 THE COURT: It's consistent with the witness's
13 testimony, as I've reviewed the exhibit. And therefore,
14 since the sum and substance of what is contained, the
15 admissible part has already been testified to, the
16 objection will be sustained.

17 MS. GUTIERREZ: I have no further questions.

18 THE COURT: Very well.

19 MR. URICK: Nothing from the State. Thank you,
20 Your Honor.

21 THE COURT: Thank you very much, detective, you
22 may step down.

23 May this detective be excused?

24 MS. GUTIERREZ: Yes, Your Honor.

25 THE COURT: And released from summonses,

1 Ms. Gutierrez?

2 MS. GUTIERREZ: Yes, Your Honor.

3 THE COURT: Mr. Urick?

4 MR. URICK: I don't --

5 THE COURT: You're not sure?

6 MR. URICK: I'm not sure. I just like to keep
7 him under --

8 THE COURT: All right. Detective, you are still
9 a sequestered witness then. You may not remain in the
10 courtroom and you need to just be aware you may be
11 recalled, so please be on alert status or in contact with
12 either my chambers or the State's Attorney's Office in the
13 event that we are looking for you to call you as a witness.
14 The State --

15 Do you want him to call your office, Mr. Urick,
16 or --

17 MR. URICK: I can get a hold of him on short
18 notice.

19 THE COURT: Very well. Very well.

20 (Whereupon, at 11:43 a.m., the witness was
21 excused.)

22 THE COURT: All right, your next witness,
23 Ms. Gutierrez?

24 MS. GUTIERREZ: Judge, can we take a short break
25 now? I know I have several witnesses but I'm not sure of