

1 anyone you've heard today or any other day, not to discuss
2 it amongst yourselves or with anyone else. You have not
3 heard all the evidence and you've not heard all the
4 witnesses, nor have you heard closing argument or been
5 instructed as to the law.

6 I'd ask you to go to lunch now and return by
7 1:30, at which time we will resume this matter. Have a
8 wonderful lunch and I'll see you back at 1:30.

9 (Whereupon, at 12:12 p.m., the trial was
10 recessed.)

11 ooOoo

12 AFTERNOON SESSION

(1:48 p.m.)

13 (Jury not present)

14 MS. GUTIERREZ: Mr. Chaudry, would you take the
15 stand?

16 (Whereupon, at 1:49 p.m., the jury returned to
17 the courtroom.)

18 MS. GUTIERREZ: The Defense would call Saad
19 Chaudry to the stand.

20 THE COURT: Mr. Chaudry, will you please stand?

21 This is Mr. White. Raise your right hand,
22 please, and listen to what he has to say.

23 Whereupon,

24 SAAD CHAUDRY

25 was called as a witness at 1:50 p.m., and after having been

1 first duly affirmed, was examined and testified as follows:

2 THE CLERK: Take a seat. Please keep your voice
3 up. State your name for the record.

4 THE WITNESS: Saad Chaudry.

5 THE CLERK: Spell your first and last name for
6 the record.

7 THE WITNESS: First name is Saad, S-A-A-D, last
8 name's Chaudry, C-H-A-U-D-R-Y.

9 THE CLERK: State your address for the record.

10 THE WITNESS: [REDACTED] Valley Drive,
11 Catonsville, Maryland 21228.

12 THE COURT: Witness with you, Ms. Gutierrez.

13 MS. GUTIERREZ: Thank you, Your Honor.

14 DIRECT EXAMINATION

15 BY MS. GUTIERREZ:

16 Q Mr. Chaudry, are you currently a student?

17 A Yes, I am.

18 Q Where is that?

19 A At Catonsville Community College.

20 Q And what year are you in?

21 A This is my freshman year.

22 Q And what are you studying?

23 A I'm in the Honors Program but right now it's just
24 general courses.

25 Q All right. Now, Mr. Chaudry, let me direct your

1 attention back to the school year that would have begun in
2 September of 1998 and run through May of 1999. Were you a
3 student then?

4 A Yes, I was.

5 Q Where?

6 A At Mount Hebron High School.

7 Q And where is Mount Hebron High School located?

8 A In Ellicott City.

9 Q All right. And did you -- your home address
10 currently is located where?

11 A In Catonsville, Maryland.

12 Q In Catonsville. And did you live there last
13 year?

14 A At the end of last year, I moved to Catonsville.

15 Q All right. Now, Mr. Chaudry, let me direct your
16 attention back to the school year again, beginning in
17 September of '98, ending through May of '1999. Were you a
18 member of any religious faith?

19 A Yes.

20 Q And what faith was that?

21 A I'm Muslim.

22 Q You're Muslim. And did you practice at any
23 particular mosque that you practiced your faith or were a
24 member of?

25 A The mosque I attended was the Al Raqman Mosque.

1 Q And does it have another name?

2 A It's located on Johnnycake. Islamic Society of
3 Baltimore.

4 Q Okay. And where is it located?

5 A On Johnnycake Road.

6 Q And how long have you been a member of that
7 mosque?

8 A About four years.

9 Q And is your family a member of that mosque?

10 A Yes.

11 Q All right. Now, through that mosque, did you
12 come to know one Adnan Syed?

13 A Yes, I have.

14 Q Could you tell us how that came about?

15 A I met him the summer before my freshman year of
16 high school and I just met him at the basketball courts
17 outside of the mosque.

18 Q Okay. Now, is he your age?

19 A Yes, he is.

20 Q From the time that you met him, at some point
21 afterward, did you develop a relationship with him?

22 A Yes.

23 Q And how would you describe that relationship?

24 A Good friends.

25 Q All right. Now, how often did you have an

1 occasion to see him at the mosque?

2 A At times, it would be almost every other day but
3 sometimes it would be weekly.

4 Q Sometimes it would be weekly. And what would,
5 what would that depend upon?

6 A Whether we had school or not. In the summer, I'd
7 be there almost every day or every other day, but during
8 school, most likely, it was a weekly basis.

9 Q As between yourself and Adnan Syed, who was at
10 the mosque more often?

11 A Adnan.

12 Q And to your awareness, how close to the mosque
13 did he live?

14 A Less than a mile. He was very close.

15 Q Okay. And, Mr. Chaudry, did your -- the rest of
16 your family belong to the mosque?

17 A Yes.

18 Q And did the rest of Adnan's family belong to the
19 mosque?

20 A Yes, as far as I know.

21 Q What are the obligations of Muslims or the
22 encouragement of Muslims in regard to ordinary days of the
23 year and praying?

24 A The Muslims pray at least five times a day.

25 Q And is it required that the praying take place at

1 a specific location?

2 A No, it's not.

3 Q And is the mosque open to accommodate Muslims
4 coming to the mosque to pray?

5 A Yes, it is.

6 Q And does that include students such as yourself
7 who would still be in high school?

8 A Yes.

9 Q And are you encouraged to pray five times a day?

10 A Yes, I am.

11 Q And is there any tenet of the faith that requires
12 you to go to the mosque to pray?

13 A Nothing that requires me to go to the mosque to
14 pray.

15 Q But it urges you to do so?

16 A Yes.

17 Q All right. Now, during the regular year in
18 regard to attendance at the mosque for prayer in the
19 evening, were you a better attender or was Adnan?

20 A Adnan.

21 Q Okay. And how did you know that?

22 A Well, one of the ways I met him was going to the
23 mosque. You know, almost every time I went, which was
24 occasionally, he would be there. So that's how I met him.

25 Q Did you also speak to him about that? About

1 going to the mosque and --

2 A Not really. I just knew that he was there. I
3 didn't speak to him about it.

4 Q In addition to the mosque -- is that located
5 inside a building?

6 A Yes, it is.

7 Q Okay. And are there other activities that
8 involved, particularly, young men of high school age on the
9 mosque property?

10 A Yes. There's basketball courts there where a lot
11 of young men get together and play.

12 Q Okay. And is there a -- anything akin to what
13 Christians might call a Sunday School for young people?

14 A To some extent. They have, like, youth groups,
15 things like that.

16 Q Youth groups?

17 A Yeah.

18 Q Do they have different groups for girls and boys?

19 A Yes.

20 Q Okay. And did you participate in any of those?

21 A No, not really.

22 Q Did Adnan participate in those?

23 A More than I have -- more than I did, you know, to
24 what I thought.

25 Q Okay. Let me direct your attention to

1 approximately December of -- January, both of this year,
2 last year, and all other years in which you've belonged to
3 the mosque. Is there a special Holy Month in Islam?

4 A Yes.

5 Q What is that called?

6 A Ramadan.

7 Q And when does that occur?

8 A Every year it's a little different, just slightly
9 off because of the Islamic calendar, but last year it
10 occurred during December or January. Around January
11 sometime, I'm not really too sure.

12 Q And although it may vary from year to year, is it
13 predicted according to events of the calendar?

14 A Yeah.

15 Q I'm going to show you, Mr. Chaudry, something
16 that's been admitted into evidence as Defendant's
17 Exhibit 5. Could you take a look at that?

18 A Yeah, I know what it is.

19 Q And having looked at that, can you identify what
20 that was?

21 A Yeah. This is a calendar for the month of
22 Ramadan.

23 Q For what year?

24 A Well, the Islamic year is 1419 but --

25 Q But the A.D. year?

1 A Is 1998-1999, December and January.

2 Q Okay. And does that reflect the exact dates of
3 Ramadan?

4 A Yes, it does.

5 Q Now, Mr. Chaudry, during Ramadan, what if any
6 other obligations are imposed on Muslims?

7 A They're obligated to fast.

8 Q To fast, and what does fasting mean?

9 A Fasting is withstaining (sic) from food or drink
10 or, like, backbiting, lying, you know. Basically, you
11 restrain yourself from any, like, any, like -- I don't
12 know, like bad deeds or like bad things you could during
13 that time.

14 Q And fasting, when is it to occur?

15 A During the day, from sunrise to sunset.

16 Q Sunrise to sunset. And are there special other
17 obligations in regard to prayer?

18 A During the evenings, during each day of Ramadan,
19 they have, I guess, a congregation that they -- most of the
20 men -- most people come and pray in the evenings.

21 Q More on days outside of Ramadan?

22 A Yes, that's right.

23 Q Okay. And is there anything special or
24 proscribed about the prayers?

25 A They're supposed to be more meaningful and, you

1 know, it's best to go if you can go, because a lot of
2 people do attend.

3 Q Go to the mosque?

4 A Yeah.

5 Q Okay. And are there any occasions during the
6 month of Ramadan in which members of the community are
7 invited to lead the community in prayers?

8 A Yes.

9 Q And is there any honor associated with being
10 asked to lead the prayers?

11 A Yes, there is.

12 Q And what is that?

13 A Usually, the person that leads the prayers in an
14 honorable person in that, like, he has the respect of the
15 other members to follow behind him while he's leading.

16 Q During Ramadan of last year, which began in late
17 December of 1998, is that right?

18 A Yes.

19 Q And went through late January 1999, during that
20 period of time, was there any occasion that you became
21 aware of where Adnan led the prayers?

22 A Yes.

23 Q How did you become aware of that?

24 A I heard it through Adnan and through other
25 members of the community.

1 Q Okay. And were you present on the day that he
2 led the prayers?

3 A No, I was not.

4 Q Was there anything unusual about that?

5 A No, not really. I was -- I try to attend as much
6 as I can but it was off and on.

7 Q During that period of time, during December and
8 January, you were a full-time high school student?

9 A Yes.

10 Q And the high school student that you -- the high
11 school you attended was actually in Howard County?

12 A Yes, that's correct.

13 Q In driving distance, how long is that from the
14 mosque?

15 A About 10 miles.

16 Q All right. And during that time period,
17 specifically, in addition to your full-time duties at
18 school, did you participate in any extracurricular
19 activities?

20 A Yes. I played basketball.

21 Q You played basketball?

22 A Yeah.

23 Q And for whom did you play basketball?

24 A Mount Hebron High School.

25 Q And what did that require in regard to your time

1 and when?

2 A Every day we'd either have a game or practice
3 which would either -- would last about two, three hours.

4 Q And were some of those games located at places
5 other than Mount Hebron?

6 A Yes.

7 Q Did you fast during that Ramadan?

8 A Yes.

9 Q And did that impact on your basketball playing?

10 A To some extent, but most of the games were played
11 after sunset, so I was able to eat and drink.

12 Q So you would fast, then break the fast?

13 A Yeah, I was able to break it.

14 Q And then -- sir, were there -- did you ever not
15 fast?

16 A Yes.

17 Q Okay. And on days that you didn't fast did you
18 have to seek dispensation from anyone?

19 A No.

20 Q From your parents?

21 A No.

22 Q From elders at the mosque?

23 A No.

24 Q Or any other Muslim?

25 A No.

1 Q From the Creator?

2 A Well, I mean, I really didn't think of it like
3 that, but just a day I didn't fast for like -- it was my --
4 you know, it was like my business if I fasted or not, so I
5 didn't really discuss it.

6 Q Your business as to whether or not you, as a
7 young Muslim, follow what you're encouraged to do?

8 A Yeah.

9 Q And not anybody else's?

10 A Yes.

11 Q And if you did not follow that encouragement, was
12 there any other person alive anywhere who you would be
13 required to seek permission of --

14 A No.

15 Q -- for not following something such as fasting?

16 A No.

17 Q Or the requirement of praying?

18 A No.

19 Q When you couldn't make the prayers, particularly
20 at night, did you pray elsewhere?

21 A Yes.

22 MR. URICK: Objection as to the form of the
23 question.

24 THE COURT: Sustained.

25 BY MS. GUTIERREZ:

1 Q When you could not make prayers, as encouraged by
2 your religion, at the mosque, what did you do?
3 A I prayed at home.
4 Q And was that your custom?
5 A Yes.
6 Q And is praying at home acceptable in your
7 religion?
8 MR. URICK: Objection.
9 THE WITNESS: Yes, it is.
10 THE COURT: Sustained.
11 BY MS. GUTIERREZ:
12 Q Now, sir, let me direct your attention back again
13 to Ramadan of last year. Did you have occasion to see
14 Mr. Syed?
15 A Yes.
16 Q And was he your friend?
17 A Yes, he was.
18 Q And did that include the whole time period of
19 December-January, December '98-January '99?
20 A Yes.
21 Q And how was it that you had occasion to see him?
22 A Usually, on weekends or Friday nights we'd hang
23 out.
24 Q What would you do when you would hang out?
25 A Chill at his place, he'd come over to my house.

1 We'd go out, go to movies, get something to eat. Nothing
2 too much.

3 Q According to the Islamic faith, is there any
4 encouragement on behavior in regard to young people dating?

5 A Yes, there is.

6 Q And what is that?

7 A The encouragement is to not date and to separate
8 yourself from -- if you're a young man, to separate
9 yourself from young women.

10 Q And if you're a young girl?

11 A The same. Separate yourself from young men.

12 Q And is there any encouragement in regard to
13 premarital sex between young men and women?

14 A Yes, there is.

15 Q And what is that?

16 A Not to do it.

17 Q Not to have any premarital sex?

18 A Yes.

19 Q And to again direct your attention back to the
20 school year beginning in September of 1998 through May of
21 1999, did you become aware of whether or not your friend
22 Adnan Syed was dating a young woman?

23 A Yes.

24 Q And how did you become aware of that?

25 A He told me.

1 Q And did you come across what the young woman's
2 name was?
3 A Her name was Hey.
4 Q And did you meet her?
5 A Yes.
6 Q On how many occasions did you meet her?
7 A I met her once.
8 Q In regard to you, did Adnan, after having told
9 you about it, even hide the fact that he was dating her?
10 MR. URICK: Objection.
11 THE COURT: Sustained.
12 BY MS. GUTIERREZ:
13 Q On the occasion that you met her, what was that?
14 A I met her at the Woodlawn Spring Musical.
15 Q All right. And was that a school function?
16 A Yes, it was.
17 Q And was that a function in which Adnan did any
18 performance?
19 A No, he did not.
20 Q And was there anybody that you knew that was
21 doing a performance at that function?
22 A She was.
23 Q Who is the she?
24 A Hey.
25 Q Okay. And was that the occasion in which you met

1 her?

2 A Yes.

3 Q And why -- you never attended Woodlawn, did you?

4 A No.

5 Q Okay. And why is it or how is it that you came
6 to be there?

7 A I came with Adnan.

8 Q Okay. And had he invited you?

9 A Yes.

10 Q And did you know of his relationship with Hey and
11 dating prior to that event?

12 MR. URICK: Objection.

13 THE COURT: Overruled.

14 Did you know about the relation prior to that,
15 yes or no?

16 THE WITNESS: I think the relationship was just
17 starting then.

18 BY MS. GUTIERREZ:

19 Q And did you continue to receive information about
20 that relationship?

21 A Yes.

22 Q From whom?

23 A Adnan.

24 Q Okay. And was it a regular topic of
25 conversation?

1 A To some extent. Yeah, occasionally we'd talk
2 about it.

3 Q Prior to your receiving information about his
4 dating relationship with Hey Men Lee, had you ever known
5 him to date anyone else?

6 A Yes.

7 Q And when had that occurred?

8 A He would date other girls but it wasn't like,
9 like regularly. Like, he didn't have a girlfriend, but I
10 know him for dating girls.

11 Q Do you know when that occurred?

12 A Not a precise date but, I mean, before he met
13 her, like, just occasionally -- I mean, every weekend or
14 so. I don't know.

15 Q Did you become aware of any time in which Adnan
16 and Hey Men Lee stopped dating?

17 A From what I heard, it was after Homecoming,
18 Woodlawn's Homecoming.

19 Q And when would that have been, if you know?

20 A About the fall of 1998.

21 Q And after you heard about that -- and from whom
22 did you hear about that breakup?

23 A Adnan.

24 Q And after you heard about that breakup, did there
25 come a time when you got further information about their

1 relationship?

2 A Not really, no.

3 Q Did you ever hear from any source that they were
4 back again dating?

5 A Later on, from Adnan I did.

6 Q Okay. And after you heard that they were back
7 again dating, did you ever hear further that they again
8 stopped dating?

9 A Yes, I did.

10 Q And from whom did you get that information?

11 A Adnan.

12 Q And if you know, can you tell us when that was
13 when they stopped dating?

14 A The second time?

15 Q Yes.

16 A That was, I guess, around Christmastime,
17 somewhere around there.

18 Q Before Christmastime?

19 A I'm not really sure. Just around it.

20 Q Just to make sure, Mr. Chaudry, is Christmas an
21 event that Muslims celebrate?

22 A No.

23 Q Is Christmas an event that is marked in any way
24 on the Islamic calendar?

25 A Not that I'm aware of.

1 Q Now, Mr. Chaudry, when you heard that Adnan had
2 broken up for the second time, from whom did you hear that?
3 A Adnan.
4 Q And at the time that he told you, what was his
5 demeanor, in what you could observe?
6 A He was pretty laid back. He just told me that
7 they broke up, and I wasn't too surprised.
8 Q And why was that?
9 A Because Adnan was showing interest in other
10 girls.
11 Q And how did you know that?
12 A From him. He told me that he had met some other
13 girls.
14 Q And what else did you become aware of? Did you
15 know any of the girls?
16 A Yeah. He told me he met this one girl and he
17 even went to visit her at --
18 Q And was that?
19 A Her name's Angeli.
20 Q Angeli, and where is it that Angeli lived?
21 A She is near Philadelphia at college, at Bryn Mawr
22 Q Bryn Mawr College?
23 A Yes.
24 Q And to your knowledge, did Adnan share that
25 information with Hey Men Lee prior to the breakup?

1 A No.

2 Q Did that surprise you?

3 A No.

4 Q And were there any other girls that you were
5 aware of?

6 A I knew Adnan had met, you know, a few girls but
7 not that -- you know, not too much. I didn't ask him too
8 much about it.

9 Q Now, in the entire time, from the time that you
10 heard that Hey Men Lee and Adnan began dating, were you
11 aware that that was against the advice of the Muslim
12 religion?

13 A Yes.

14 Q As a result of being so aware, did you tell
15 anybody?

16 A No.

17 Q Did you report him to anybody?

18 A No.

19 Q Did you chastise him?

20 A No.

21 Q Why not?

22 A It was pretty common.

23 Q What do you mean by that?

24 A A lot of young Muslim men date, so it wasn't, you
25 know, anything special to me. It wasn't anything --

1 Q Even though they're not supposed to?

2 A Yeah, that's right.

3 Q And does nobody report them?

4 A Not that I know of, no.

5 Q And is there any punishment that is meted out for

6 a young man who chooses to date against his religion?

7 A Not that I know of.

8 Q And when you say it's common, it's common among

9 whom?

10 A Among young men at our -- in our community

11 center, in our community.

12 Q At your mosque?

13 A Yes.

14 Q The one off of Johnnycake Road?

15 A Yes, that's right.

16 Q Are the adults in the mosque aware of how common

17 it is?

18 A To some extent, maybe, but it seems like they

19 turn -- you know, they don't know too much.

20 Q Is their state of ignorance of all that a state

21 of ignorance that is encouraged by the young people?

22 A Yeah.

23 Q Do the young men that you're aware of that date

24 against the encouragement of their faith, do they date

25 young women from the mosque community?

1 A Some of them do but most of them don't, I don't
2 think.
3 Q And why is that?
4 A Well, as far as, like, from my family, it's --
5 like, my sisters were a lot sheltered than I was.
6 Q Is that common in your community?
7 A Yes, I think it is.
8 Q Okay. So who do they date, if not --
9 A Usually, non-Muslim girls.
10 Q Non-Muslim girls?
11 A Yes, that's right.
12 Q From other communities?
13 A Yes.
14 Q Okay. Did you become aware if Adnan, after his
15 breakup with Hey, increased interest in other young women?
16 A Yes.
17 Q And what communities did those young women come
18 from?
19 A They were Indian but they weren't Muslim.
20 Q They were not Muslim?
21 A Yeah.
22 Q What religion were they?
23 A I believe they were Hindu but I'm not --
24 Q Hindu?
25 A Yeah.

1 Q And are you aware of any proscriptions, meaning
2 any edicts, that prohibit dating among Hindu young women?

3 A From having friends from that culture and from
4 that religion, it's also not looked upon to be good,
5 either.

6 Q Similar to the Muslim community?

7 A Yes, that's right.

8 Q But in your experience, do the young people of
9 the Hindu community also greatly ignore that?

10 A Yes.

11 MR. URICK: Objection.

12 THE COURT: Overruled.

13 BY MS. GUTIERREZ:

14 Q During that period of time, Mr. Chaudry, were you
15 dating?

16 A Yes, I was.

17 Q And were you dating -- when you were dating, were
18 you fully aware that that was behavior that at least was
19 not encouraged by your community?

20 A Yes.

21 MR. URICK: Objection.

22 THE COURT: Sustained.

23 BY MS. GUTIERREZ:

24 Q And was your dating -- did you ever bring your
25 dating to the attention of your parents?

1 MR. URICK: Objection.
2 THE COURT: Sustained.
3 BY MS. GUTIERREZ:
4 Q Sir, let me direct your attention to early
5 January 1999.
6 MS. GUTIERREZ: Could I see the --
7 May I approach the witness, Your Honor?
8 THE COURT: Yes, you may.
9 BY MS. GUTIERREZ:
10 Q Mr. Chaudry, I'm going to show you what's in
11 evidence as State's Exhibit 30 -- could you tell us what
12 that is?
13 A A cellular phone.
14 Q And what kind of cellular phone is it?
15 A A Nokia.
16 Q Did you become aware of whether or not -- during
17 the time that you knew him, did Adnan Syed ever have a
18 cellular phone?
19 A Yes.
20 Q Did he always have a cellular phone or did there
21 come a time where he got one?
22 A There came a time where he got one.
23 Q And were you aware of that time when it happened?
24 A I'm not sure of exact dates but it was his senior
25 year.

1 Q Okay, but were you aware of when -- the point in
2 time when he got it, whether you remember the date or not?
3 A Oh, yes.
4 Q Okay. And do you recognize that cell phone to be
5 any specific cell phone?
6 A Yes. It's about the same type as mine.
7 Q Okay. And what, if any, relationship -- is there
8 any similarity between the type of cell phone you had and
9 the type of cell phone Adnan had?
10 A Yes. It's basically the same phone, except mine
11 has a flip cover on it.
12 Q Okay. Instead of the leather cover that just
13 shows through the numbers --
14 A Yes, that's right.
15 Q -- that's on that phone?
16 And when you became aware of Adnan getting a cell
17 phone, did you have his cell phone number?
18 A Yes.
19 Q And did you reach him on that cell phone?
20 A Yes.
21 Q And in reaching him, did that occur with his
22 consent?
23 A Yes.
24 Q At the time, did you have a cell phone number?
25 A No.

1 Q Okay. Did you subsequently get one?

2 A Yes.

3 Q Being familiar with the model number, is there a
4 feature on that cell phone that stores the numbers that you
5 want stored?

6 MR. URICK: Objection.

7 THE COURT: May I see counsel at the bench?

8 (Whereupon, counsel and the Defendant approached
9 the bench and the following ensued.)

10 THE COURT: Your objection?

11 MR. URICK: There's been no testimony from this
12 witness that he's familiar with that model number. He said
13 he has a Nokia himself that's got a flip-up. He said it's
14 similar. That has nothing to do with the model type or
15 number.

16 MS. GUTIERREZ: Judge, I spent a little more time
17 with it, I've laid the foundation. It is exactly the same
18 phone. The only difference is the cover. And I will ask
19 the witness questions to establish it's the cover. It
20 contains no features -- that the features of this phone and
21 his phone are the same, that the features of his phone and
22 Adnan's phone, which he's previously examined, but there's
23 nothing in this phone to tell that it's exactly Adnan's
24 phone, but that the features are the same, to establish his
25 familiarity and then to describe a feature that can be

1 exercised if this phone were on and which he knew to be a
2 feature on Adnan's phone that stores -- is capable of
3 storing numbers that one dials and then be scrolled down to
4 locate any other numbers that one has stored as being
5 dialed numbers or numbers desired to be dialed.

6 THE COURT: Anything else that you want to say
7 about this?

8 MR. URICK: No.

9 THE COURT: Okay. Assuming that the witness can
10 testify that the numbers can be stored and scrolled down to
11 recover or retrieve the numbers, what relevance does that
12 have?

13 MS. GUTIERREZ: Well, the -- that he knows that
14 Adnan's phone has that. And the testimony in regard to the
15 cell phone is only intended to put a location on the phone
16 and cannot establish who had the phone in one's hand. I
17 believe the evidence has established the relationships
18 between Adnan and the persons at the numbers that appear in
19 the chart for the 13th as being people who had his cell
20 phone number, he had theirs, he had ways to reach them,
21 they called him, he called them, to establish that if those
22 phone numbers were in -- which, of course, you can't since
23 the cell phone has been turned off since Mr. Syed's arrest
24 and the seizure of the phone by the police, but that this
25 witness knows, for instance, that his own number was in

1 there and that all someone had to do is to push the button
2 that caused all the numbers to be scrolled down and then
3 push a single button that would then cause any number that
4 one identified in that scrolled portion to be dialed, to
5 show what I believe has been made relevant since there is
6 no testimony other than from Jay Wilds, who specifically
7 said that he dialed certain numbers, that there are only
8 numbers that the only evidence before the jury is that
9 those numbers were dialed at specific times and they
10 triggered specific cell tower locations. But there is no
11 testimony as to who had the cell phone in their hand during
12 the dialing of most of those numbers, absent from Jay
13 Wilds, and --

14 THE COURT: Is there any -- you're not disputing
15 the Exhibit No. 34 that lists --

16 MS. GUTIERREZ: The list?

17 THE COURT: -- all the phone calls that were
18 made?

19 MS. GUTIERREZ: No.

20 THE COURT: And so, in fact --

21 MS. GUTIERREZ: But that list doesn't establish
22 who dialed the numbers. Other evidence --

23 THE COURT: Mr. Chaudry is not going to be able
24 to do that for you.

25 MS. GUTIERREZ: No, no, but Mr. Chaudry can

1 establish on this phone, which he knows of and which his
2 number was once there, was capable of speed dialing numbers
3 and that that feature of the phone is simple to operate and
4 simple to discover. It involves the pushing of one button
5 and then another button to actually actuate (sic) the call
6 to the number. And I believe from that information, we can
7 certainly establish enough to argue that anyone who's
8 admittedly having the phone in their hand could well be the
9 dialer of the numbers that are established in 34 since all
10 those are people who had his cell phone number, he had
11 theirs, were in contact with him, were good friends of his
12 and --

13 Right, right.

14 And none of those people, when asked,
15 specifically recall speaking to him that day or the date in
16 which, although they acknowledge they talked to him on
17 other occasions, and that then puts into evidence,
18 certainly --

19 THE COURT: What you're getting at is merely the
20 assumption that the numbers that he would have known --

21 MS. GUTIERREZ: But because they were dialed --

22 THE COURT: -- the numbers themselves wouldn't
23 have had to be punched in by the person who was holding the
24 phone?

25 MS. GUTIERREZ: That's right.

1 THE COURT: I understand.

2 MS. GUTIERREZ: And that, therefore, those cell
3 phone calls could have been dialed by Jay Wilds or anyone
4 else --

5 THE COURT: Understood.

6 MS. GUTIERREZ: -- who had that cell phone in
7 their hands.

8 THE COURT: Understood. I would ask that you ask
9 the witness a question, just generally, is he familiar with
10 how the phone works --

11 MS. GUTIERREZ: Okay.

12 THE COURT: -- with regard to speed dialing or
13 calling without punching in numbers. And if so, to tell
14 the jurors how it works, if you could get to that.

15 MS. GUTIERREZ: That's fine.

16 THE COURT: And that will be --

17 MS. GUTIERREZ: That would draw the immediate
18 objection --

19 THE COURT: Well, no, but that will be a non --

20 MS. GUTIERREZ: But yes, yes.

21 THE COURT: That's a nonleading question and it
22 will allow the witness to answer the question.

23 Your objection is overruled.

24 (Whereupon, counsel and the Defendant returned to
25 trial tables and the following ensued.)

1 BY MS. GUTIERREZ:

2 Q Mr. Chaudry, you were describing the similarities
3 between that phone -- do you still have it in your hand?

4 A Yes.

5 Q -- and the cell phone that you ultimately got?

6 A Um-hum.

7 Q Okay. And you said yours had a flip cover?

8 A Yeah.

9 Q Did the flip cover have anything at all to do
10 with the operation of the phone?

11 A The only thing that it had to do is if the phone
12 rang, instead of hitting talk, I just have to open the
13 flip.

14 Q And that would activate your receipt of the call?

15 A Yes.

16 Q Are you familiar with the operation of the phone
17 in your hand?

18 A Yes.

19 Q And is that the same model that you had?

20 A Yes.

21 Q And is that the same model that Adnan Syed had?

22 A Yes.

23 Q And being familiar with the operation of the
24 phone, is there a mechanism for storing numbers in the
25 phone?

1 A There's a directory.

2 Q Okay. And how is that directory activated?

3 A There's a scroll feature. It's --

4 Q Are you saying the word scroll?

5 A Scroll, yeah. It just arrows up or down, and you

6 can --

7 Q Okay.

8 A -- get into the directory.

9 Q And if you -- does that involve pushing a button?

10 A Yes.

11 Q And if someone puts numbers inside the directory,

12 then you activate it by doing what?

13 A Hitting the down button or the up button.

14 Q Okay. And once you arrive at a number and locate

15 a number, are you familiar with then what happens to dial

16 that number that's been scrolled onto?

17 A If the number is in front -- if you've scrolled

18 down to a number and you see it, all you have to do is hit

19 talk and it automatically calls that number.

20 Q And is talk a one-button --

21 A Yes.

22 Q -- command?

23 And once you hit talk, does the number that

24 appears on the scroll, does that have to be punched in?

25 A No.

1 Q And if you hit talk, what happens?
2 A It automatically calls the number.
3 Q What's the it?
4 A The phone.
5 Q The phone automatically calls the number?
6 A Yes.
7 Q And what number would it automatically call?
8 MR. URICK: Objection.
9 THE COURT: Overruled.
10 You can answer.
11 THE WITNESS: Okay. It calls the number that was
12 on the screen that you scrolled down to.
13 BY MS. GUTIERREZ:
14 Q Okay. And is putting numbers in that directory
15 that can be scrolled, is that something that has to be done
16 all at once?
17 MR. URICK: Objection.
18 THE COURT: Sustained.
19 BY MS. GUTIERREZ:
20 Q Are you familiar with how the directory works?
21 A Yes.
22 Q Is one required to make a single entry of
23 numbers?
24 A Yes.
25 Q Are you allowed to add new numbers to that

1 directory?

2 A Yes.

3 Q And are you allowed to delete numbers from that
4 directory?

5 MR. URICK: Objection.

6 THE COURT: Sustained.

7 Mr. Chaudry, how does the phone work as it
8 relates to phone numbers you want to call of people you
9 know or people who have called you in the past?

10 THE WITNESS: Just by these arrow buttons, you
11 need to go up, and when you go up it goes up to -- it
12 starts at Z and then it goes backwards in alphabet or down.
13 And it basically gives a name and the person's phone number
14 with the name -- if you go down, it starts with a A,
15 whoever's name start with A, B, whatever, and it goes down.
16 And all you have to do is -- when you see the person that
17 you're looking for, you see their name, you see their
18 phone, and if you want to call them you can hit talk and it
19 will call them automatically.

20 BY MS. GUTIERREZ:

21 Q And you wouldn't have to dial a phone number?

22 MR. URICK: Objection.

23 THE COURT: Sustained.

24 BY MS. GUTIERREZ:

25 Q Is there -- on your phone, do you have such a

1 directory?

2 A Yes, I do.

3 Q And a scroll feature?

4 A Yes, I do.

5 Q And to your knowledge, did Adnan's phone have
6 such a directory?

7 A Yes.

8 Q And a scroll feature?

9 A Yes.

10 Q And on your phone, are you familiar -- if you
11 gave me your phone, could I activate that directory
12 feature --

13 MR. URICK: Objection.

14 MS. GUTIERREZ: -- and scroll?

15 THE COURT: Sustained.

16 BY MS. GUTIERREZ:

17 Q Let me just direct your attention, because I'm
18 not sure I asked this question, Mr. Chaudry. After you
19 became aware of the breakup between Hey Men Lee and Adnan
20 were the holidays, the Christmas holidays that we spoke of?

21 MR. URICK: Objection.

22 THE COURT: Sustained.

23 BY MS. GUTIERREZ:

24 Q Directing your attention to the time, whenever it
25 was, before Christmas that Hey and Adnan broke up, after

1 that time, did you attend any social functions with Adnan
2 outside of the mosque?

3 A Yes.

4 Q And did you attend any parties that may have been
5 related to holidays that you don't celebrate as a Muslim?

6 MR. URICK: Objection.

7 THE COURT: Could we put a time frame after
8 that --

9 BY MS. GUTIERREZ:

10 Q After that, up until the New Year's?

11 A Yes.

12 Q Yes. And were those parties which both young men
13 and young women attended?

14 A Yes.

15 Q And did you ever become aware of Adnan meeting
16 any young women at any of those parties?

17 MR. URICK: Objection.

18 THE COURT: Sustained.

19 BY MS. GUTIERREZ:

20 Q After the breakup, you became aware of when Adnan
21 got the cell phone?

22 MR. URICK: Objection.

23 THE COURT: I believe we've been over this and
24 described the phone and how it works.

25 MS. GUTIERREZ: I'm now tying it together,

1 Judge.

2 THE COURT: All right. Your next question.
3 Right now it's sustained. If you can ask another question.

4 BY MS. GUTIERREZ:

5 Q After you became aware of Adnan having a cell
6 phone, did you have any conversations with him as to why he
7 got it?

8 A No.

9 Q Okay. Why did you get your cell phone?

10 MR. URICK: Objection.

11 THE COURT: Sustained.

12 BY MS. GUTIERREZ:

13 Q And did you ever become aware of any difficulties
14 that Adnan had with talking to girls on his home phone?

15 MR. URICK: Objection.

16 THE COURT: Overruled.

17 You may answer that.

18 THE WITNESS: Adnan had trouble talking to girls
19 at home.

20 BY MS. GUTIERREZ:

21 Q And where did you get that -- had trouble talking
22 to girls?

23 A On the phone.

24 Q On the phone --

25 A At home.

1 Q -- and where did you get that information from?

2 A From Adnan.

3 Q Okay. And did you ever become aware from him of
4 the reasons why he got the cell phone?

5 MR. URICK: Objection.

6 THE COURT: Sustained.

7 MS. GUTIERREZ: Nothing further.

8 THE COURT: Thank you very much.

9 Any cross-examination?

10 MR. URICK: Yes, thank you.

11 Good afternoon, Mr. Chaudry.

12 THE COURT: Mr. Chaudry, a few questions.

13 You may proceed.

14 CROSS-EXAMINATION

15 BY MR. URICK:

16 Q Would you like a glass of water?

17 A No, I'm fine, thank you.

18 Q Now, you just testified that the Defendant told
19 you that he had trouble talking on the home phone to girls,
20 correct?

21 A Yes.

22 Q But it's also your testimony that from the time
23 he began dating Hey Men Lee, which was sometime in the
24 spring of 1998, through December of 1998 he had no cell
25 phone, correct?

1 A No. For some time that he was dating Hey Men
2 Lee, he didn't have a cell phone.

3 Q And it wasn't till after the second breakup with
4 her that he actually got a cell phone, correct?

5 A I don't remember the exact date he got the cell
6 phone, but I do know that while he was going out with Hey,
7 for some time, he did not have a cell phone.

8 Q Now, you appeared before the Grand Jury on
9 April 2nd --

10 MS. GUTIERREZ: Objection.

11 MR. URICK: -- April 5th, April 6th, and
12 April 7th, correct?

13 THE COURT: Sustained.

14 BY MR. URICK:

15 Q Do you have any recollection of seeing the
16 Defendant on January 13th?

17 A No.

18 Q Is it a fact the Defendant told you that his
19 parents came to the Homecoming Dance?

20 MS. GUTIERREZ: Objection. Beyond the scope.

21 THE COURT: Overruled.

22 And you can answer that yes or no.

23 THE WITNESS: Yes.

24 BY MR. URICK:

25 Q And is it a fact that he told you that Hey broke

1 up with him because she thought that she was interfering
2 with -- coming between him and his family?

3 A Yes.

4 Q And you've testified on direct that within Islam
5 premarital dating is generally not accepted, didn't you?

6 A That's right.

7 Q All right. And the Defendant told you that he
8 was dating, is that correct?

9 A Yes.

10 Q And also on direct, you testified that premarital
11 sex is generally not accepted within Islam, isn't that
12 correct?

13 A That's right.

14 Q And he had told you that he had had sex, hadn't
15 he?

16 A Yes.

17 Q Where did he tell you he would have sex?

18 A He'd tell me mostly -- like, if I were to ask, he
19 said in the car, in his car.

20 Q Did he ever tell you that it was in parking lots?

21 A No.

22 Q Do you recall having testified on a previous
23 occasion that the Defendant may have mentioned the Best Buy
24 parking lot but that you weren't positive?

25 A Yes.

1 Q And that he had told you that he had sex in cars
2 and in hotel rooms and that was with Hey?

3 A Yes.

4 Q Did you ever have conversations with the
5 Defendant about where Hey Men Lee may have gone when she
6 was missing?

7 MS. GUTIERREZ: Objection.

8 THE COURT: Overruled.

9 THE WITNESS: Yes.

10 BY MR. URICK:

11 Q And do you recall him telling you that she may
12 have gone to California to be with her real father?

13 A Yes.

14 Q Have you ever known the Defendant to smoke
15 marijuana?

16 A Yes.

17 Q Have you ever known him to drink alcohol?

18 A Yes.

19 Q And you've actually seen him do both?

20 MS. GUTIERREZ: Objection.

21 THE COURT: Overruled.

22 THE WITNESS: Yes.

23 BY MR. URICK:

24 Q And it was your testimony on direct about the
25 older, more devout Muslim community that they don't know

1 too much about the actions of the younger males, is that
2 correct?

3 MS. GUTIERREZ: Objection.

4 THE COURT: Overruled.

5 If you can answer that.

6 THE WITNESS: Yes.

7 BY MR. URICK:

8 Q And all these things were things that the
9 Defendant kept from his father, is that correct?

10 A That I'm aware of, yes.

11 Q His father would not have approved, would he?

12 MS. GUTIERREZ: Objection.

13 THE COURT: Sustained.

14 BY MR. URICK:

15 Q Did the Defendant ever talk to you about how his
16 father viewed premarital sex, dating, smoking marijuana?

17 MS. GUTIERREZ: Objection.

18 THE COURT: Overruled.

19 THE WITNESS: No.

20 BY MR. URICK:

21 Q Do you know who got the Defendant his phone?

22 A As far as I know, Mr. Ahmad helped him get the
23 phone.

24 Q Do you know his correct name or his full name?

25 A Mallah Ahmed.

1 Q And who is that?

2 A That was his acquaintance, his, like, mentor, I
3 guess. He was a teacher, an Islamic mentor at our mosque.

4 Q And did you ever have the occasion to see the two
5 of them together?

6 MS. GUTIERREZ: Objection.

7 THE COURT: Sustained.

8 MR. URICK: May I have State's Exhibit 34, the --

9 THE COURT: I believe that has got a letter next
10 to it, 34-something. C?

11 MR. URICK: Exhibit 34-C for identification.

12 THE COURT: Yes.

13 MR. URICK: And may I approach the witness and
14 have him look at that?

15 BY MR. URICK:

16 Q Now, please examine line no. 2 there.
17 In the second column, there's a number, 410-
18 869-9498, do you recognize that number?

19 A Yes, I do.

20 Q Whose number is that?

21 A That's mine.

22 Q And that shows that the call was placed on 10:29
23 and 40 seconds p.m. This is at the top, on January 13th,
24 1999, and the length of the call was 18 seconds.

25 A Yes.

1 Q Do you recall receiving a telephone call from the
2 Defendant on January 13th?

3 A No, I do not recall receiving it.

4 Q But that is your number?

5 A That's right.

6 Q Do you recall when and where the Defendant told
7 you that Hey Men Lee was missing?

8 MS. GUTIERREZ: Objection.

9 THE COURT: Overruled.

10 THE WITNESS: When, I guess it was sometime in
11 January. Where, no, I'm not --

12 BY MR. URICK:

13 Q Was that conversation relayed to you in person?

14 MS. GUTIERREZ: Objection.

15 THE COURT: Overruled.

16 THE WITNESS: He was speaking to me and he just
17 brought it up: Did you know that she's been missing for a
18 little while?

19 BY MR. URICK:

20 Q And was that while you were physically with him?

21 A Yes, that's right.

22 MR. URICK: Thank you, Your Honor.

23 THE COURT: Thank you, Mr. Urick.

24 Anything further, Ms. Gutierrez?

25 REDIRECT EXAMINATION

1 BY MS. GUTIERREZ:

2 Q At the time, Mr. Chaudry, that you learned from
3 your friend Adnan Syed that Hey Men Lee was missing, were
4 she and Adnan broken up or together?

5 A As far as I knew, they were broken up.

6 Q And how long, if you recall, had they been broken
7 up?

8 A I'm not sure exactly but it had been some time,
9 maybe a week, couple weeks, I don't know.

10 Q The information that you said you learned from
11 him in your conversation with him, meaning Adnan, that she
12 may be in California with her father?

13 A Yes.

14 Q Did you know the origin of that information?

15 A Well, I asked him where do you think she might
16 be, and that's one of the reasons he said.

17 Q And did you know where he had gotten that
18 information?

19 MR. URICK: Objection.

20 THE COURT: Sustained as to that question as
21 asked.

22 BY MS. GUTIERREZ:

23 Q Do you know a person by the name of Deborah
24 Warren?

25 A No.

1 Q Do you know any of his friends from Woodlawn High
2 School?

3 A Of Adnan's?

4 Q Yes.

5 A Yes.

6 Q And had you ever attended social occasions with
7 friends of his from Woodlawn with him?

8 A Yes.

9 Q Yes. Okay, and you had never met a person by the
10 name of Deborah Warren?

11 A I don't remember her.

12 Q At the time that you had the conversation with
13 him about the dad in California, did you know that Hey Men
14 Lee's father was in Korea?

15 MR. URICK: Objection.

16 THE COURT: Sustained.

17 BY MS. GUTIERREZ:

18 Q And, sir, in regard to -- Mr. Urick asked you
19 about smoking marijuana and drinking alcohol, is that an
20 activity that you've engaged in?

21 A No.

22 Q Are those activities that other Muslim young men
23 in your mosque have engaged in?

24 MR. URICK: Objection.

25 THE COURT: Sustained.

1 MS. GUTIERREZ: Nothing further.

2 THE COURT: Thank you.

3 MR. URICK: I have one follow-up question in
4 regards to that.

5 THE COURT: Yes, Mr. Urick.

6 RE CROSS-EXAMINATION

7 BY MR. URICK:

8 Q Ms. Gutierrez asked you about friends of the
9 Defendant from Woodlawn High School that you had met. Did
10 you ever meet a somewhat tall, skinny, African American by
11 the name of Jay?

12 A Yes.

13 Q How did you meet him?

14 A I met him once at a party, at a birthday party,
15 some girl's birthday party.

16 Q Who introduced you to him?

17 A Adnan did.

18 Q And he introduced him as what?

19 A Jay. He said -- I asked him who that was and he
20 brought him over and introduced us.

21 Q Thank you.

22 THE COURT: Anything further?

23 MS. GUTIERREZ: No.

24 THE COURT: Very well. May this witness be
25 excused?

1 MS. GUTIERREZ: Yes.

2 MR. URICK: Yes.

3 THE COURT: May he be released from the summons?

4 MR. URICK: Yes.

5 MS. GUTIERREZ: Yes.

6 THE COURT: Sir, you are now released from the
7 summons, which means you're free to go. I must advise you
8 you cannot discuss your testimony with anyone who will be a
9 witness in this case, but if you'd like to remain in the
10 courtroom, you're welcome to do that, do you understand?

11 THE WITNESS: All right.

12 THE COURT: With that, you're free to go.

13 THE WITNESS: Okay, thank you.

14 (Whereupon, at 2:44 p.m., the witness was
15 excused.)

16 THE COURT: Your next witness?

17 MS. GUTIERREZ: The Defense would call Saad Patel
18 to the stand.

19 THE COURT: Step up, please. Raise your right
20 hand, please, and listen to Mr. White, this gentleman right
21 here.

22 Whereupon,

23 SAAD PATEL

24 was called as a witness at 2:44 p.m., and after having been
25 first duly sworn, was examined and testified as follows: