

1 MS. GUTIERREZ: Yes.

2 THE COURT: Ms. Murphy?

3 MS. MURPHY: Yes, Your Honor.

4 THE COURT: All right, sir, you are free to go.

5 You may not discuss your testimony with anyone who is yet

6 to be a witness in this case. However, since you've been

7 released from the summonses as a sequestered witness, you

8 may remain in the courtroom since you will not be called

9 again.

10 THE WITNESS: Thank you.

11 THE COURT: You're welcome.

12 (Whereupon, at 3:08 p.m., the witness was

13 excused.)

14 MS. GUTIERREZ: Our next witness would be

15 Mr. Patel.

16 THE COURT: Sir, step all the way up here to the

17 witness stand. When you reach, I'd like you to direct your

18 attention to my courtroom clerk, raise your right hand, and

19 listen to what he has to say.

20 Whereupon,

21 MAQBOOL PATEL

22 was called as a witness at 3:08 p.m., and after having been

23 first duly sworn, was examined and testified as follows:

24 THE CLERK: You may be seated.

25 Keep your voice up, state your name for the

1 record.

2 THE WITNESS: My name is Maqbool, M-A-Q-B-O-O-L.
3 My last name is Patel, P-A-T-E-L.

4 THE CLERK: And state your address for the
5 record.

6 THE WITNESS: [REDACTED] Springs Court, 21228.

7 DIRECT EXAMINATION

8 BY MS. GUTIERREZ:

9 Q Mr. Patel, what is your religious faith?

10 A I can't hear you.

11 Q What is your faith, your religious faith?

12 A Islam.

13 Q Okay. And were you born a Muslim?

14 A I was born Muslim.

15 Q As a result of your faith, are you affiliated
16 with any mosque?

17 A Yes.

18 Q And what mosque is that?

19 A Islamic Society of Baltimore.

20 Q And where is that located?

21 A That's 6631 Johnnycake Road.

22 Q Through that mosque, have you ever met Adnan
23 Syed?

24 A Yes, many --

25 Q And how has that happened?

1 A -- many times.
2 I know the family for almost two decades now.
3 Q For almost two decades?
4 A Um-hum.
5 Q And have you known him since his birth?
6 A Yes.
7 Q Has he been raised in that mosque?
8 A Yes.
9 Q And have you seen him so raised?
10 A Yes.
11 Q Now, sir, let me direct your attention to the
12 whole month of Ramadan last year, that began in December of
13 1998 and continued through January 1999.
14 MS. GUTIERREZ: May I approach the witness,
15 Your Honor?
16 THE COURT: Yes, you may.
17 BY MS. GUTIERREZ:
18 Q First, let me have you look at Defendant's
19 Exhibit 5, and, if you would, does that calendar accurately
20 reflect the start and the end of the Holy Month of Ramadan?
21 A I believe so, yes.
22 Q And in the Muslim faith, could you tell us
23 basically what happens during Ramadan --
24 A During the month of Ramadan?
25 Q Yes.

1 A Well, you normally fast during the day, and we
2 have a special prayer -- prayers at night.

3 Q And special prayers include what?

4 A Special prayers include breaking our fast. It is
5 prayers, and then there's a break for a rest and there's
6 additional prayers in addition to our normal prayers at
7 night.

8 Q And by the normal prayers at night, is there a
9 special service that occurs?

10 A Yes.

11 Q And what time do those night prayers start?

12 A Normally, we arrange it between 7:45 and 8:00.

13 Q That's --

14 A That's starting 7:45 --

15 Q 7:45 or 8:00 in the evening?

16 A Yeah, it starts.

17 Q And that follows -- I want to make sure I'm
18 clear, that there's a rest?

19 A There is a rest between sunset time and that
20 time.

21 Q Oh, okay. And during that rest period, nothing's
22 happening at the mosque?

23 A People talk, socialize.

24 Q Socialize, but there's not any prayers or
25 anything --

1 A No.

2 Q -- that are led?

3 During the nightly prayers, are there other

4 activities in which people give talks or lead prayers?

5 A Yes. We encourage our youth to give a talk,

6 especially before and after the prayers.

7 Q By youth, what are you referring to?

8 A People, you know, anywhere from 12 to 22, 25, or

9 anybody who wants to participate.

10 Q And why do you encourage your young people to so

11 get involved?

12 A To give them the opportunity to learn.

13 Q Is there any honor associated with a member of

14 the mosque, whether adult or young, being asked to lead the

15 prayers or give a talk?

16 A Generally, it's a pride for the family.

17 Q It's pride?

18 A They feel much good that their children do it.

19 Q For the family, is it a happy occasion when

20 someone is asked to lead the prayers?

21 A I would say very happy for the family.

22 Q Okay. Now, in regard to the young people, have

23 you -- you've personally known Adnan Syed since he was

24 born?

25 A Yes.

1 Q And is he one to generally -- outside of Ramadan,
2 are Muslims -- is it recommended that they go to the mosque
3 on a daily basis to pray?

4 A The mosque is normally open for five times daily
5 prayers. Most people show up either early in the morning
6 and late in the afternoon, after either come back from the
7 school or come back from work.

8 Q Okay. And it's just -- is it just that the
9 prayers are different during Ramadan?

10 A The prayers are not different, there are just
11 additional prayers.

12 Q There are additional prayers?

13 A Um-hum.

14 Q And during that period of time, are faithful
15 Muslims recommended to pray the same five times a day?

16 A Right.

17 Q Is participation by the Muslims who belong to the
18 mosque in regard to praying at the mosque greater during
19 Ramadan?

20 A Yes.

21 Q And why is that?

22 A It is, it is a part of the belief and stated in
23 the Holy Book.

24 Q Okay. And what is the Holy Book.

25 A Koran.

1 Q Koran. And are the prayers that are recited by
2 the faithful directly from the Koran?

3 A Not the prayers by themselves, but fasting is
4 prescribed in the Koran itself and additional prayers are
5 recommended.

6 Q Directing your attention -- and is that an
7 accurate calendar of Ramadan that you've looked at?

8 A To the best of my knowledge, yes.

9 Q That indicates -- is there anything additional
10 recommended or required of the Muslim faith during the last
11 10 days of Ramadan?

12 A The last 10 days are -- from the spiritual point
13 of view, it's considered more rewarding.

14 Q More rewarding?

15 A Yes.

16 Q To do prayer?

17 A To do additional prayers --

18 Q Okay. And what --

19 A -- and, you know, some people opt to awake all
20 night.

21 Q Okay. Meaning -- do they stay at the mosque all
22 night?

23 A Some people opt to do that.

24 Q To try to use the terms holier, are the last 10
25 days holier than the first 20 days of Ramadan?

1 A I would say.

2 Q Okay. Now, directing your attention back to

3 Ramadan last year, do you recall that?

4 A Yes.

5 Q Okay. And, sir, back then you knew Adnan Syed?

6 A Yes.

7 Q And you knew his family?

8 A Yes.

9 Q Is Adnan Syed someone you saw during Ramadan?

10 A Yes.

11 Q And when and where would you see him?

12 A Normally, the Prayer Hall.

13 Q And is that during the night prayers that we've

14 discussed?

15 A I would say yes.

16 Q In whose company would he be?

17 A The young people of his age.

18 Q And did you see his father there?

19 A Yes.

20 Q Was his father someone who attended the mosque to

21 pray on a nightly basis?

22 A Yeah, he's pretty regular.

23 Q And did his -- when his father came to the

24 mosque, did he bring Adnan, if you know?

25 A I cannot recall that because I see most of the

1 people in the mosque itself.

2 Q Okay. But you can't recall any specific day?

3 A As soon as they get out of the car, I will --
4 different people take different routes.

5 Q In regard to -- did there come a day when Adnan
6 gave a talk or led a prayer?

7 A Yes.

8 Q And do you recall that day?

9 A Reason I recall it, that most of the arrangements
10 are made through me, the list --

11 Q Through you?

12 A Right. Those people, you know, normally -- one
13 of the person who's in charge will make the recommendation
14 and we will --

15 Q That's one of your jobs?

16 A Yes.

17 Q For the mosque?

18 A Yes.

19 Q Okay. And were you physically present when Adnan
20 did so?

21 A I have seen him talking in them mosque.

22 Q Okay. And was that an occasion -- was that a
23 good or bad occasion for his family, if you know?

24 A It's an excellent occasion for the family and the
25 community.

1 Q And why is it such a good occasion for his
2 family?
3 A See, normally, prayers are derived from the Koran
4 itself and --
5 Q Which is considered the Holy Book in --
6 A It's considered the Holy Book.
7 Q For Muslims?
8 A For the Muslims, yeah.
9 And then normally, the talk is given based on
10 that. So, you know, they are really prepared to talk from
11 the Book itself.
12 Q Is there some significance to a younger person,
13 such as 17, being afforded the opportunity to do so?
14 A Yes. The mosque always tries -- try to do that,
15 the younger people should be to --
16 Q And why is that?
17 A So that they know and they have a knowledge
18 because there is no other place to gain such knowledge.
19 Q Okay. And you remember that occasion?
20 A Yes.
21 Q And that occasion occurred on what date?
22 A I cannot say. What it is, is every night I am
23 there.
24 Q Oh, okay. So you recall the occasion but not
25 specific --

1 A I recall the occasion that he was there.

2 Q Okay, but -- and generally, during Ramadan that

3 began on December 20th, 1998, and ended in late January

4 1999, did Adnan attend regularly with his father?

5 A I would say yes.

6 Q Now, being familiar with Adnan all of his life,

7 what language does he speak?

8 A Normally, all of our children, including him,

9 tend to speak English.

10 Q Okay. And are you aware whether or not English

11 was his first language?

12 A First language is, I believe -- see, that's the

13 reason -- he originally come from a region where the Pashtu

14 was being spoken.

15 Q And that would have been the Pakistani language

16 of his parents?

17 A One of the Pakistani languages.

18 Q Are you aware of whether or not Adnan speaks

19 Arabic?

20 A I don't believe he can speak Arabic.

21 Q Is the Koran written in Arabic?

22 A Right. He can read it but --

23 Q Now, Mr Patel, are you familiar with the tenets

24 of the Islamic faith in regard to whether or not young

25 people are allowed to date each other or date others of the

1 opposite sex prior to a marriage?

2 A Premarital mating is actually not encouraged
3 unless -- it's not encouraged unless there is a pure
4 intention of getting married.

5 Q Okay. So under Muslim faith, one must have an
6 intent of marriage --

7 A Um-hum.

8 Q -- or else the young sexes shouldn't really --

9 A They should not --

10 Q -- have a relationship?

11 A That's correct.

12 Q And when you use the term not encouraged, could
13 you explain to us what you mean by that?

14 A Like I said, the concept of dating that we see
15 here, or these days anyway, that is not encouraged, means
16 we don't ask our youngsters to go out and meet, you know,
17 in public two opposite sexes independently.

18 Q Are young people, whether or not they are dating,
19 encouraged to have sex with each other?

20 A Say it again, please?

21 Q Are they -- I don't want to make the double
22 negative. Are they encouraged to have sex with each other?
23 Is that something that's allowed?

24 A No.

25 Q No. And is it the same way of encouraging young

1 A No.

2 Q No. And is it the same way of encouraging young
3 people as it is in regard to not encouraging dating?

4 A Like I say, the concept of dating does not exist
5 is Islamic teaching.

6 Q Okay.

7 A Unless, unless you have intent to get married to
8 that person.

9 Q Now, what happens when young people don't listen
10 to not being encouraged to date?

11 A Normally, young people are not really exposed to
12 that situation, but the consultation of advice begins from
13 the family and then, if the family opt, they get the mosque
14 involved to counsel or advise the children.

15 Q In regard to -- you said the consultation of the
16 family, what does that mean? Is there punishment for
17 ignoring the encouragement?

18 A The one thing you must understand, that we are
19 living in a society where, even by the law, that we cannot
20 really punish the child. So there is no physical or any
21 other punishment, other than strongly advising them.

22 Q Once they break the encouragement or do something
23 wrong, are they banished from a community?

24 MR. URICK: Objection.

25 THE COURT: Sustained.

1 BY MS. GUTIERREZ:

2 Q Is there any punishment extracted on young
3 Muslims who may not live up to these things that they are
4 encouraged to do or not to do?

5 MR. URICK: Objection.

6 THE COURT: Sustained

7 BY MS. GUTIERREZ:

8 Q Was there ever any action in the mosque
9 community, at the Islamic Society of Baltimore, ever taken
10 against Adnan Syed for dating, though he was not encouraged
11 to do so?

12 A I was not aware of the situation.

13 Q And if you had become aware, would there ever
14 have been any action taken against him?

15 A No.

16 MR. URICK: Objection

17 THE COURT: Sustained.

18 BY MS. GUTIERREZ:

19 Q Is there any sign-in sheet for Muslims who belong
20 to the mosque to document their presence?

21 A No.

22 Q And did you become aware of when Adnan Syed was
23 arrested?

24 A Yes, later.

25 Q And was it before or after that time that you

1 A The arrest was made, I believe, after I see him
2 in Ramadan.

3 MS. GUTIERREZ: Thank you. Nothing further.

4 THE COURT: Thank you.

5 Any questions? Mr. Urick, is there any --

6 MR. URICK: Thank you, Your Honor, extremely
7 briefly.

8 CROSS-EXAMINATION

9 BY MR. URICK:

10 Q Good afternoon, Mr. Patel.

11 A Good afternoon, sir.

12 Q Are you the father of the young man that was in
13 here a moment ago?

14 A Yes.

15 Q Now, you just testified that the Defendant speaks
16 Pashtu, is that correct?

17 A Right. I mean, I believe so. That's the
18 region -- I mean, the family is originally from there. And
19 he might be able to speak some Pashtu. Whether he does
20 normally or not, I do not know.

21 Q Are you a Pashtu speaker, yourself?

22 A No.

23 Q His family is Pashtu-speaking?

24 A Yes. And they also speak Urdu as a second
25 language.

1 MR. URICK: No further questions. Thank you,
2 Your Honor.
3 THE COURT: Thank you.
4 You may step down. Let me advise you -- one
5 moment.
6 Ms. Gutierrez, are you going to need him again?
7 MS. GUTIERREZ: No, Judge, he's released.
8 THE COURT: May he be released from the summons?
9 MS. GUTIERREZ: Yes.
10 MR. URICK: Nothing further.
11 THE COURT: Released from the summons?
12 Sir, you may step down. You are a sequestered
13 witness. What that means is you may not discuss your
14 testimony with anyone who is yet to be a witness. However,
15 since you've been released from the summons, you may remain
16 in the courtroom, if you would like, or you're free to go
17 at this time.
18 THE WITNESS: Thank you.
19 (Whereupon, at 3:25 p.m., the witness was
20 excused.)
21 THE COURT: Your next witness, Ms. Gutierrez.
22 MS. GUTIERREZ: My next witness would be
23 Ms. Bettye Stuckey.
24 Ms. Stuckey, if you'll go up and take the stand.
25 THE COURT: Walk all the way up here,