

STATE OF MARYLAND

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY

v.

ADNAN SYED

*
* Case No. 5B00351587/HC0467
*

* * * * *

MEMORANDUM AND ORDER

Mitchell, J.

The above captioned matter comes before this Court as a result of the Court granting petitioner Adnan Syed's application for a Writ of Habeas Corpus pursuant to Maryland Rules of Procedure 15-301 through 15-312.

DISCUSSION

On February 28, 1999, Petitioner was arrested on charges of first degree murder. Following his arrest he was denied bail by the Honorable John Hargrove of the District Court for Baltimore City.

On March 16, 1999, Petitioner filed an application for writ of habeas corpus in the Circuit Court for Baltimore City to address Petitioner's no bail status. The Court granted the writ and a hearing was held on March 31, 1999, to determine Petitioner's pretrial bail status. At the hearing the State was represented by Vickie Wash and Marc Cohen, while Petitioner was represented by Douglas Colbert and Chris Flohr.

At the hearing, Mr. Colbert argued persuasively that, among many factors, Petitioner's stable family background and the tremendous

support he has received from his community support make him a good candidate for bail. Conversely, the State asserted that there is a high risk that Petitioner will flee the Baltimore area due to his alleged familial ties in another country. In addition, a representative from Pre-Trial Services recommended that the Court maintain Petitioner's no bail status.

The Court does not take issue with Petitioner's contentions relating to the strong support he has received from his family and community or the offers of financial support from his community to secure his bail. However, Maryland Rule 4-216(f) provides that "in determining which conditions of release will reasonably ensure the appearance of the defendant as required" the Court may consider "the nature and circumstances of the offense charged, the nature of the evidence against the defendant, and the potential sentence upon conviction, in so far as these factors are relevant to the risk of nonappearance." In the instant matter, the Court is concerned that, if given bail status, Petitioner will not appear for trial given he is charged with the most serious charge that can be placed against an individual. The Court finds that the risk of Petitioner's nonappearance at trial outweighs his lack of a criminal record, the strength of his family and community ties, and his life long residency in Baltimore.

Therefore, after careful consideration of the arguments provided by the State and Petitioner, the Court is denying Petitioner bail status at this time.

Accordingly, it is this 1st day of April, 1999, by the Circuit

Court for Baltimore City, hereby **ORDERED** that Petitioner's Request
for Bail is **DENIED**.

David B. Mitchell

Judge

{signature appears on original}

Copy to-

Doug Colbert, Attorney for Petitioner
Vickie Wash, Office of State's Attorney
Clerk of the Court
Chamber's File

ADNAN SYED,
Petitioner

v.

WARDEN, BALTIMORE CITY
DETENTION CENTER

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* Case No. 5B00351587/HCO467

* * * * *

ORDER

It is this 1st day of April, 1999, by the Circuit Court for Baltimore City, hereby **ORDERED** that for the reasons stated in the **MEMORANDUM** of this date, Petitioner's Request for Bail is **DENIED**.

DAVID B. MITCHELL
Judge
(signature appears on original)

Copy to-
Doug Colbert, Attorney for Petitioner
Vickie Wash, Office of State's Attorney
Clerk of the Court
Chamber Files