

**Cited Excerpts of Trial Testimony  
from Jennifer Pusateri  
(2/15/2000) (Pages 191-196)**

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2 IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND3  
4 STATE OF MARYLAND5  
6 VERSUS INDICTMENT NOS. 199103042, 43, 45, 467  
8 ADNAN SYED

9 / FEBRUARY 15, 2000

10 REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS

11  
12 BEFORE:13 THE HONORABLE WANDA HEARD, JUDGE  
14 AND A JURY15  
16 APPEARANCES17 ON BEHALF OF THE STATE:18 KEVIN URICK, ESQUIRE  
19 KATHLEEN MURPHY, ESQUIRE  
20 ASSISTANT STATE'S ATTORNEYS21 ON BEHALF OF THE DEFENDANT:

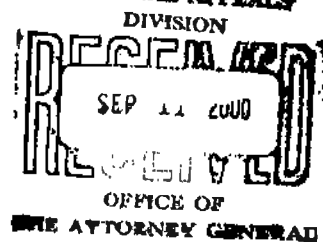
22 M. CRISTINA GUTIERREZ, ESQUIRE

23 RETURN TO:

24 RECORDED BY: VIDEO TAPE

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1 THE WITNESS: That is what I meant.

2 THE COURT: -- that's not something that  
3 you know, but you're guessing at it.

4 THE WITNESS: All right.

5 THE COURT: Well, I don't know what you  
6 knew. I'm just saying that if you start off a  
7 sentence with it must have, it means you're guessing  
8 unless it is. So that's an objection and it's  
9 sustained and you're being directed to answer the  
10 question from what you know, what you saw with your  
11 own eyes, what someone told you with your own -- you  
12 heard with your ears, not what someone else said that  
13 you didn't see or what you guessed at or what must  
14 have happened, do you understand?

15 THE WITNESS: Right.

16 THE COURT: Very well. Now, your next  
17 question, Ms. Murphy.

18 Q About what time, if you know, did you  
19 receive that message from Jay?

20 A About eight o'clock.

21 Q What time had you planned to meet him?

22 A Earlier. I don't know. I don't remember.

23 Q What do you remember next?

24 A After he paged me to tell me to come pick  
25 him up at Westview Mall parking lot, I left and went

1 to Westview Mall parking lot. He told me to meet him  
2 there like in fifteen minutes.

3 Q Now, is this a separate page from the one  
4 that you described as confusing?

5 A Yes.

6 Q Okay. When did this happen?

7 A Like right -- like probably about ten  
8 minutes after -- ten or fifteen minutes maybe after I  
9 had talked to someone on the cell phone. It all  
10 happened between like seven-thirty and eight-fifteen.

11 Q And what happened with this next page, Jay  
12 said what?

13 A To come and pick him up in front of  
14 Westview Mall parking lot, or maybe I talked to Jay  
15 on the phone, one or the other.

16 MS. GUTIERREZ: Objection. Move to strike.

17 THE COURT: Overruled. You're saying that  
18 you just don't recall the order of things?

19 THE WITNESS: Right.

20 THE COURT: Then you need to say so. You  
21 need to say I don't recall the order. Do you follow  
22 me?

23 THE WITNESS: Yes.

24 THE COURT: Very well. The objection is  
25 overruled. You may ask your next question.

1 MS. MURPHY: Thank you, Your Honor.

2 Q Ms. Pusateri, does your pager accept only  
3 numerical pages or can you receive voice messages  
4 also?

5 A Both.

6 Q So at some point then you picked up Mr.  
7 Wilds?

8 A Yes.

9 Q And where was that?

10 A In front of Value City at Westview Mall.

11 Q Was anybody with Jay?

12 A Yes.

13 Q Who was that?

14 A Adnan.

15 Q Now, did you know Adnan prior to that date?

16 A Yes.

17 Q How did you know him?

18 A From Woodlawn.

19 Q Now, the person you've described as Adnan,  
20 is that person present here today?

21 A Yes.

22 Q Can you point him out for the jury, please?

23 A Over there.

24 THE COURT: Indicating the defendant Mr.  
25 Syed for the record.

1 Q Thank you. Did you have any conversation  
2 with Adnan at that point?

3 A He spoke and said hello.

4 Q Where did you first see Adnan and Jay?

5 A In front of Westview Mall in the Value City  
6 parking lot.

7 Q In the parking lot. Were they walking?

8 A No, they were in the car. They pulled up  
9 after I was parked there.

10 Q Who was driving?

11 A Adnan.

12 Q Did you have any further discussions with  
13 him?

14 A No.

15 Q What happened next?

16 A Jay got in the car and we left the parking  
17 lot.

18 Q How was Jay behaving at that point in time?

19 A At that point he got in the car and the  
20 first thing he said was like put on your seat belt  
21 and let's go and --

22 Q Is that a normal thing to say?

23 A He didn't act normal, no, not like normal,  
24 not yet.

25 Q What happened next?

1           A     Then he proceeded to tell me about what had  
2 happened. First he said like --

3           MS. GUTIERREZ: Can I just note my  
4 objection for the record.

5           THE COURT: Okay. If we could back up. At  
6 the time he's telling you what happened, who is  
7 present?

8           THE WITNESS: Just me.

9           THE COURT: You and Mr. Wilds?

10          THE WITNESS: Yes.

11          THE COURT: Okay, overruled. You may  
12 proceed.

13          A     Jay's in the car.

14          MS. GUTIERREZ: I just want to make sure  
15 the records reflects a continuing objection.

16          THE COURT: Yes, the record's noted.

17          A     Jay gets in the car, tells me to put on my  
18 seat belt, we get ready to leave the parking lot, and  
19 he tells me he has something that he wants to tell  
20 me, but I can't tell anybody. It has to stay between  
21 me and him, that he feels like he needs to tell  
22 somebody in order to protect himself as well as --  
23 just because once he told me the information, I could  
24 understand why he needed to feel like he needed to  
25 tell somebody. So he went on to tell me that Adnan

1 had strangled Hae and then like he was like he wanted  
2 to go see his girlfriend Stephanie to make sure she  
3 was okay. It was her birthday. So we proceeded to  
4 Stephanie's house, and then he said that Adnan had  
5 used his shovels and he wanted to go around and make  
6 sure there wasn't any of his prints I guess on  
7 shovels from before.

8 So he had me drive him to the back of  
9 Westview Mall. Back to Westview Mall, so we went to  
10 the back of Westview Mall and Jay got out of the car  
11 and walked over towards some dumpsters. I sat in the  
12 car. He came back and got in the car and we went to  
13 go hang out at my friend's house.

14 Q Did he tell you where Adnan had strangled  
15 Hae?

16 A Yea, I think I remember him telling me that  
17 he had done it in, because I remember him saying that  
18 Adnan was going to get caught, that he had done it in  
19 the Best Buy parking lot.

20 Q Did Mr. Wilds indicate to you whether he  
21 had seen Hae?

22 A Yes, he told me that he saw her body in the  
23 trunk of a car.

24 Q Now, when you picked up Jay at the mall  
25 later that night did he still have the phone?



**Cited Excerpts of Trial Testimony  
from Kristina Vinson  
(2/16/2000) (Pages 209-15, 225-39)**

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

VERSUS INDICTMENT NOS. 199103042, 43, 45, 46

ADNAN SYED

/ FEBRUARY 16, 2000

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THE HONORABLE WANDA HEARD, JUDGE  
AND A JURY

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KATHLEEN MURPHY, ESQUIRE  
ASSISTANT STATE'S ATTORNEYS

ON BEHALF OF THE DEFENDANT:

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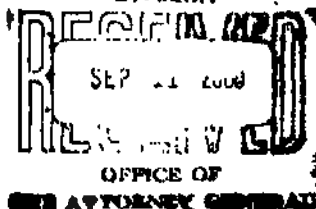
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1 clothes, watching TV, just hanging out.

2 Q Anything else happen?

3 A Then Jay and Adnan came to my apartment.

4 Q Was it strange that Jay would come to your  
5 house?

6 A No, it wasn't strange.

7 Q Why is it memorable to you then?

8 A Because they were acting real shady when  
9 they got there.

10 Q What do you mean by shady?

11 A Weird, funny. Something was going on, not  
12 how he usually acts.

13 Q Can you describe what they were doing?

14 A They weren't doing anything. I mean, they  
15 weren't talking, just quiet.

16 Q What were you doing at that point?

17 A Watching TV. We were all watching TV.

18 Q Do you recall at what time that was?

19 A Like around 6:00 o'clock.

20 Q And how do you know it was 6:00 o'clock?

21 A Judge Judy was on, watching Judge Judy.

22 Q That's something you watch frequently?

23 A When I can, when I have a chance.

24 Q Now, the person who you said was with Jay,  
25 did you know that person?

1 A Uh-uh.

2 Q Can you describe that person?

3 A Young, black hair.

4 Q Is that person here today?

5 A Uh-huh.

6 Q Can you point him out for the jury, please?

7 A The defendant.

8 MS. MURPHY: Indicating for the record,

9 Your Honor, the defendant.

10 THE COURT: Mr. Syed for the record.

11 Q Did Jay introduce to you to this person?

12 A No.

13 Q What did they do?

14 A Well, they rang the bell or knocked on the

15 door and I answered the door and Jay was like hey

16 what's up, can we come in and chill for awhile. I

17 was like sure, come on in, what's up. Then they came

18 in and Jay sat -- the way my house was configured at

19 the time was two chairs facing the TV. I had a bed

20 on the side that doubled for a couch sometimes, and

21 then I had a small like round table and like an

22 alcove with chairs, and Jeff was sitting on the left

23 chair. I was sitting on the right. Jay went and sat

24 on one of the chairs near the table and the bed

25 wasn't made, or, you know, the couch wasn't made up

1 or whatever. So there was pillows on the floor and  
2 stuff and Adnan went and just kind of just sat on the  
3 pillows.

4 Q Now, is there a separate bedroom in the  
5 apartment or did you usually sleep on that couch that  
6 you described?

7 A I usually slept on the couch just because  
8 my apartment didn't have any air conditioning and I  
9 had the window. I had an air conditioner in the  
10 window. So I had moved my bed out into the main room  
11 just because it was cooler, but I did have a separate  
12 bedroom in the back.

13 Q Did the defendant say anything?

14 A Not at first.

15 Q At any time?

16 A Oh, okay. While we were all watching TV  
17 and he was like, you know, he was slumped over for  
18 awhile and nobody was talking. Like nobody had said  
19 anything basically when we were sitting down and then  
20 he just like kind of popped up and was like, you  
21 know, how do you get rid of a high, and so I was like  
22 --

23 Q What did you take that to mean?

24 A Oh. He was high? I don't know.

25 Q Did he say anything else?

1 A Not at that time.

2 Q What happened next?

3 A Next I think Jen called and I remember  
4 taking -- I remember talking to her in the back. I  
5 don't remember if Jeff answered the phone or if I  
6 answered the phone. I remember talking to her like  
7 in the hallway and then in my bedroom just --

8 Q Did Jen call you or did she call one of the  
9 other people in the apartment?

10 A No, Jen called me, yea.

11 Q Do you have a phone in your apartment?

12 A Uh-huh.

13 Q Is that the phone she called?

14 A Right.

15 Q What do you remember about that?

16 A I was like, you know, who is this person in  
17 my apartment and, you know, Jay and somebody else are  
18 here and, you know, they're acting really crazy. You  
19 know, they're acting real shady, what's going on, and  
20 she was like, you know, I don't know who's there. Is  
21 it so and so, and I said -- I don't remember what  
22 name she asked me, and I said, you know, I don't know  
23 who it is. It's a guy. He has black hair and she's  
24 like I don't know who it is, and I was like, well,  
25 you know, what's going on. She was like I don't

1 know, I'm supposed to meet Jay later, I'll find out  
2 then for you, I'll find out what's going on then.

3 Q What happened after you talked to Jen?

4 A I can't remember if I was -- I wasn't on  
5 the phone with Jen. I remember being in my chair  
6 watching TV. I don't remember if Jeff was on the  
7 phone with her or if I had hung up, but the next  
8 thing that happened was Adnan got a call on his cell  
9 phone and he answered the phone and --

10 Q Where was the cell phone?

11 A In his jacket pocket.

12 Q What happened?

13 A It was really quiet in the room. We were  
14 just watching TV. So you could really hear what he  
15 was saying. He was, you know, they're going to come  
16 talk to me. They're going to, you know, what should  
17 I say, what should I do, something to that effect.

18 Q Did you understand what he was talking  
19 about?

20 A No.

21 Q What happened next?

22 A This is the part where I really don't  
23 remember. I remember that Jeff was on the phone with  
24 Jen. I can't remember whether she called back,  
25 whether he had been on the phone with her while I was

1 watching TV, but I was sitting in my chair when Adnan  
2 just jumped up and left the apartment.

3 Q What was Jay Wilds doing at that point?

4 A He was sitting to the right of me just  
5 smoking a cigarette.

6 Q Did he stay there?

7 A For like a hot second. I mean, Adnan ran  
8 out of the apartment. I was like what's wrong with  
9 him. I said something to that effect, and Jay was  
10 like, I don't know and then he sat there for a minute  
11 and finished his cigarette and he was just like, you  
12 know, hang on a second and he liked jumped up and ran  
13 out of the apartment, too.

14 Q Did you see or hear anything after that?

15 A Not -- I mean, I went to the window to see,  
16 you know, if they were standing outside. My  
17 apartment looks over the street. I didn't know if  
18 they were standing outside or what they were doing.  
19 I remember walking to the window and being like, you  
20 know, they just got up and left. You know, I think  
21 they're sitting in the car and I remember Jeff saying  
22 that on the phone to Jen, but I don't remember  
23 whether we had hung up or not with her. And I said,  
24 you know, he just jumped up and left, and Jeff is  
25 like what, like what are they doing, and I was like I



1 think they're sitting in the car, and then the car  
2 drove away and I was like they're driving away, and  
3 so he was like, hmmm I guess they'll be back because  
4 Jay's hat and cigarettes were there so --

5 Q Did there come a time when you saw Jay  
6 again that night?

7 A Jay came back a couple of hours later.

8 Q Was he with anybody at that point?

9 A With Jen.

10 Q How about the defendant, was he there at  
11 that point?

12 A No.

13 Q How were Jay and Jennifer acting when they  
14 came to your apartment later on?

15 A Shady, like something was going on.

16 Q Are you still friendly with Jennifer  
17 Pusateri?

18 A Uh-huh.

19 Q How about Jay Wilds?

20 A Acquaintances. We're not so much friends  
21 anymore.

22 Q Why is that?

23 A Well, because he brought somebody to my  
24 apartment and I mean that's not really cool with me.  
25 I mean, I can't believe that he would bring some like

1 A Hmm, no, I wouldn't say that.  
2 Q No?  
3 A Some of them do.  
4 Q But you got to know Jen through --  
5 A Through the sorority.  
6 Q -- through that sorority?  
7 A Yes.  
8 Q Is that right?  
9 A Uh-huh.  
10 Q And are there sorority activities?  
11 A Yes.  
12 Q Now, you said after Jay and his friend got  
13 there, and incidentally was it okay with you before  
14 you knew anything that Jay brought another friend?  
15 A Yea, he had brought other friends to my  
16 house.  
17 Q Other friends to your house?  
18 A Uh-huh.  
19 Q And that had been okay?  
20 A Yea.  
21 Q Is that right? And this is a person that  
22 you had never met before?  
23 A The person he brought with him?  
24 Q Right?  
25 A That's correct.

1 Q Is that right?

2 A Uh-huh.

3 Q You'd never seen before?

4 A No.

5 Q You had never observed him in any setting?

6 A No.

7 Q You didn't know his name?

8 A No.

9 Q You had never heard his name mentioned?

10 A No, not at that time.

11 Q By either your friend Jay?

12 A Not at that time.

13 Q Meaning January 13th?

14 A That's correct.

15 Q And you had never heard his name mentioned

16 by your friend Jen?

17 A Not at that time.

18 Q Not at that time. And when he came in, did

19 you think that they had come to smoke weed?

20 A No.

21 Q Did you think they had come to watch Judge

22 Judy?

23 A No.

24 Q You described the period -- did your

25 boyfriend like Judge Judy?

1 A I don't remember, to tell you the truth.

2 Q When Judge Judy was on if you had the time  
3 and if you were home by watching it, you would watch  
4 it and you would pay attention, would you not?

5 A Uh-huh.

6 Q Is that a yes?

7 A That's a yes.

8 Q Because you liked it?

9 A That's correct.

10 Q You'd want to hear what was said, would you  
11 not?

12 A That's correct.

13 Q You wanted to hear what Judge Judy said to  
14 the people before her, would you not?

15 A That's correct.

16 Q And you wanted to hear what her decision  
17 was about whatever case was before her, right?

18 A That's correct.

19 Q And so there was nothing unusual while you  
20 would be watching TV and Jeff would be there and no  
21 conversation would be going on?

22 A I mean, sometimes we would watch TV and  
23 talk at the same time or other times we would just  
24 watch TV.

25 Q And have no conversation?

1 A That's correct.

2 Q So there would be no noise?

3 A Sometimes, yes.

4 Q So during the time period when you were

5 there that day and Jay, Adnan, and Jeff were there

6 and there were periods that were silent, there was

7 nothing unusual about that, was there?

8 A Wait, can you repeat it? I'm sorry.

9 Q On that day --

10 A Uh-huh.

11 Q -- you've described that there were periods

12 of time while the four of you were there in which

13 there was no conversation?

14 A Okay, that's right.

15 Q Right?

16 A Uh-huh.

17 Q There wasn't anything unusual about that,

18 right?

19 A Yea, there was something unusual about

20 that.

21 Q About not having any conversation?

22 A That day it was, yes.

23 Q That day it was, even though that

24 conversation would have taken place while Judge Judy

25 was on?

1 A Uh-huh.

2 Q And when you turned the TV on, do you do it  
3 to watch it?

4 A Yes.

5 Q And if you have guests there, do you do it  
6 for their entertainment also?

7 A Well, sometimes when guests come over the  
8 TV is already on. It doesn't necessarily mean we all  
9 sit there and pay a hundred percent attention to it.

10 Q And when you have guests in the room and  
11 your favorite show is on, do you ever go up and turn  
12 it off?

13 A Sometimes if we want to listen to music or  
14 I mean --

15 Q Or if you want to talk?

16 A Usually if we want to talk, it still stays  
17 on or more music stays on.

18 Q And that day did you ever turn Judge Judy  
19 off?

20 A No.

21 Q Even though there are occasions in which  
22 there might be complete silence while Judge Judy is  
23 on, that day it was unusual that there was?

24 A I would say it was unusual because other  
25 times Jay had come over and the TV would be on we

1 would talk still or we would attempt to have a  
2 conversation. It wasn't --

3 Q Jay was pretty talkative, wasn't he?

4 MS. MURPHY: Objection.

5 THE COURT: Sustained.

6 A We would still have a conversation. This  
7 time when I would like try to talk to him, he wasn't  
8 making any sense. He obviously did not want to talk  
9 so it was just very unsettling quiet.

10 THE COURT: Your next question.

11 Q So it was Jay who wasn't making any sense?

12 A Yea, that's correct.

13 Q Is that right?

14 A Yes.

15 Q You had never met this other person before,  
16 right?

17 A That's correct.

18 Q You had never smoked weed with him, right?

19 A That's correct.

20 Q He had never visited your home, right?

21 A Yes.

22 Q You had never observed him under any  
23 condition, right?

24 A That's correct.

25 Q You didn't know normal, what it was for

1 him, did you?

2 A That's correct.

3 Q You didn't know how he acted around people  
4 he had just met?

5 A That's correct.

6 Q And Jay never said to you, oh, by the way,  
7 here's this guy I really want you to get to know him,  
8 did he?

9 A No.

10 Q And nothing Jay said or did indicated that  
11 he was there to interact with you?

12 A Who was there to interact with me?

13 Q The person he brought.

14 A It was never specifically said this person  
15 is here to interact with you.

16 Q And he never introduced him to you, did he?

17 A No.

18 Q No. By name?

19 A No.

20 Q Is that right? And Jay never interacted  
21 and tried to get a conversation going that involved  
22 him, did he?

23 A Who?

24 Q Jay never interacted and attempted to get a  
25 conversation going with the person that you had never



1 met that he brought to your home, did he?

2 A That's correct.

3 Q And were you interested in this new person?

4 A When they came in, I kind of thought that  
5 Jay would say this is so and so and, you know, I know  
6 him from wherever, like he had done, like when he had  
7 brought other friends he would say, oh, this is, you  
8 know, so and so, and you know, I know them through  
9 whatever, and you know, and work, just hanging out,  
10 doing whatever.

11 Q So Jay's behavior about the person that he  
12 had brought into your house was odd based on your  
13 prior experience with Jay and others you didn't know,  
14 right?

15 A That's correct.

16 Q In fact, he didn't do it at first and that  
17 was strange?

18 A I'm sorry?

19 Q He didn't do it at first, introduce this  
20 person, right?

21 A Right.

22 Q And that was strange, right?

23 A A little, uh-huh.

24 Q At any time he didn't do it, did he?

25 A No.

1 Q Before he and this person left, he never  
2 introduced him to you?

3 A Nope.

4 Q And he never gave you any heads up as to  
5 why he was there; is that right?

6 A That's right.

7 Q And this person whom you had never met,  
8 you, of course, had no way of knowing what his norm  
9 of behavior was, did you?

10 A No.

11 Q And you had -- nobody smoked weed while you  
12 all were there, did they?

13 A I don't remember. We could have, but I'm  
14 not sure.

15 Q You could have smoked weed in the presence  
16 of someone you not only didn't know and had not even  
17 been introduced to you?

18 A I'm sorry, I can't hear you when you turn  
19 around.

20 Q You could have smoked weed together with  
21 the person whose name you didn't know and had not  
22 been introduced to you?

23 A That's correct.

24 Q And that you never smoked with before?

25 A That's correct.

1 Q And you just don't remember if that  
2 happened or not?

3 A I'm not sure.

4 Q It could have?

5 A It could have.

6 Q Now, the total time that they were there  
7 was how long?

8 A Hmm, I would say between twenty, thirty  
9 minutes to forty-five at the most.

10 Q So you remember Judge Judy was still on  
11 when they left?

12 A I don't remember. It could have been.

13 Q It could have been?

14 A I don't remember.

15 Q You wouldn't turn your favorite TV show  
16 off, right?

17 A Well, the TV wasn't off. I know the TV  
18 wasn't off. Whether that show had gone off or not,  
19 I'm not sure.

20 Q And nothing about -- for instance, if you  
21 had smoked weed while they were there would have made  
22 you turn off Judge Judy, would it?

23 A It would have made -- it wouldn't have made  
24 me turn off the TV?

25 Q Right, I'm asking you, would it have made

1 you --

2 A No.

3 Q Of course, you don't remember whether you  
4 did or didn't?

5 A No.

6 Q But you could have?

7 A Yep. I mean, I've even eaten shrimp  
8 before. I can't tell you when the last time I ate  
9 shrimp was, but I know I've eaten shrimp. It's kind  
10 of the same thing.

11 Q Well, Ms. Vinson eating shrimp and smoking  
12 marijuana aren't exactly the same kind of activities,  
13 are they?

14 MS. MURPHY: Objection.

15 THE COURT: Sustained.

16 Q There's nothing illegal about eating shrimp  
17 --

18 A No, I'm just trying to say that it was  
19 usual in the fact that, yes, I have before. It  
20 wasn't uncommon. I have before, but do I remember if  
21 I did that day? No, I don't remember.

22 Q Now, had you had -- did you expect Jen's  
23 phone call that day?

24 A Did I expect Jen's phone call? No.

25 Q It was nothing unusual about it though,

1 right?

2 A That's correct.

3 Q She was your friend and she called?

4 A Yes.

5 Q And she didn't call looking for Jay?

6 A I don't think so.

7 Q She could have?

8 A Well, I don't know how she would have known  
9 that Jay was there since Jay wasn't planning to come  
10 over, or I didn't know that Jay was planning to come  
11 over.

12 Q You didn't know whether or not he was  
13 planning to come over, right?

14 A Right.

15 Q But you wouldn't know if Jen perhaps knew  
16 that he was planning to come over?

17 MS. MURPHY: Objection.

18 THE COURT: Ms. Gutierrez, repeat that  
19 again.

20 Q You wouldn't have known if Jen knew that he  
21 meaning Jay, was planning to come over, would you  
22 have?

23 THE COURT: Sustained.

24 Q Now, when you got the call from Jen, Jay  
25 was still there, right?

1           A     That's correct.  
2           Q     And he was acting out of the norm?  
3           A     That's correct.  
4           Q     And you described -- and I want to make  
5     sure I heard it shady as in s-h-a-d-y?  
6           A     That's correct.  
7           Q     Shady?  
8           A     Shady.  
9           Q     Not right?  
10          A     Not right.  
11          Q     Not normal?  
12          A     Not normal.  
13          Q     Hiding something?  
14          A     Possibly.  
15          Q     That certainly came to mind, did it not?  
16          A     Yea.  
17          Q     Did you ask Jay if he were high?  
18          A     Did I ask Jay if he was high?  
19          Q     Yes.  
20          A     No, I did not.  
21          Q     Did he appear to be acting high as you had  
22     previously observed him to be?  
23          A     I can never tell if Jay is high or not. So  
24     he could have been.  
25          Q     He doesn't show?

1 A No.

2 Q Did he appear to be concealing something,  
3 that kind of shady?

4 A Concealing something?

5 Q Hiding something?

6 A He was appearing that something was going  
7 on that he did not tell me about.

8 Q Did you ask about it?

9 A I didn't say what is going on, tell me  
10 right now. No, I did not say that.

11 Q Not to him?

12 A No.

13 Q And the person with him, of course, you  
14 didn't know how he acted normally, right?

15 A No, I didn't know how he acted normally.

16 Q So you wouldn't know if how he appeared to  
17 you was different than he always appeared under other  
18 circumstances, did you?

19 A Well, he was slumped over on my floor  
20 hiding his face. I don't know if that's normal for  
21 him, but that wasn't I thought normal.

22 Q Well, he didn't hide his face such that you  
23 can't identify it, right?

24 A Well, I saw him when he came in and I saw  
25 him when he left and I saw him when he got his phone

1 call and when he looked at everybody and asked, you  
2 know, how do you get rid of a high. But the rest of  
3 the time he was slumped over like that.

4 Q But he didn't conceal his face from you  
5 such that you couldn't tell who he was; is that  
6 right?

7 A Uh-huh.

8 Q He was only in your apartment, you said he  
9 got there at six and maybe stayed at the most  
10 forty-five minutes?

11 A That's correct.

12 Q Is that right? And that's the only  
13 interaction you had with him?

14 A That's correct.

15 Q And the way that you described it, there's  
16 those two chairs in the alcove?

17 A Right.

18 Q And where he was, there were pillows, were  
19 there not?

20 A On the floor, uh-huh.

21 Q On the floor?

22 A Which he was sitting on, right.

23 Q And that's where he was, right?

24 A Right.

25 Q And the pillows on the floor, they weren't



**Cited Excerpts of Trial Testimony  
from Deborah Warren  
(2/16/2000) (Page 300)**

1 the homecoming dance?

2 A No.

3 Q Did you become aware of any break ups in  
4 their relationship?

5 A Yes, I did.

6 Q What do you remember about that?

7 A They had broken up probably two times  
8 before their final break up. Mae was upset at Adnan  
9 because he was becoming very over protective of her  
10 and she felt like she wasn't free in the relationship  
11 and she called it off.

12 Q You mentioned their final break up, do you  
13 remember when that was?

14 A Between December and January of '99.

15 Q Now, the first two break ups that you  
16 mentioned --

17 A Uh-huh.

18 Q -- during those periods of time were you  
19 ever aware that Mae dated anyone else?

20 A No, she didn't.

21 Q And how about after the final break up?

22 A Yes, she did.

23 Q Who was that?

24 A Donnie.

25 Q And did you ever meet Donnie?

**Cited Excerpts of Trial Testimony  
from Deborah Warren  
(2/17/2000) (Pages 136-37)**

923-00  
28835  
27

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

**COPY**

VERSUS INDICTMENT NOS. 199103042, 43, 45, 46

ADNAN SYED

/ FEBRUARY 17, 2000

REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS

BEFORE:

THE HONORABLE WANDA HEARD, JUDGE  
AND A JURY

APPEARANCES

ON BEHALF OF THE STATE:

KEVIN URICK, ESQUIRE  
KATHLEEN MURPHY, ESQUIRE  
ASSISTANT STATE'S ATTORNEYS

ON BEHALF OF THE DEFENDANT:

M. CRISTINA GUTIERREZ, ESQUIRE  
General Counsel

RECORDED BY: VIDEO TAPE

TRANSCRIBED BY:  
Diane R. Walker  
Official Court Reporter

Office of the Attorney General  
200 St. Paul Place  
Baltimore, MD 21202  
Attention: Tina Stavrou  
410-576-6491

Please return by: 8-04-10

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1 Q If she had contemplated running away at  
2 that point, do you believe she would have told you?

3 MS. GUTIERREZ: Objection.

4 A Yes.

5 THE COURT: Sustained.

6 Q Now, this rumor that perhaps Hae had gone  
7 to California to see this person that she may have  
8 referred to as her father, do you recall that Adnan  
9 was one of the people that suggested that?

10 A I don't recall.

11 Q I mean, you were asked did Adnan make Hae  
12 stop seeing her friends, and your response was, well,  
13 make, no. It was an issue between them, wasn't it?

14 A Correct.

15 Q Can you describe that for the jury, please?

16 A Adnan was very over protective of Hae. He  
17 never made her sustain from seeing her friends but he  
18 did suggest that she spend more time with him. He  
19 wanted to know where she was going, when she was  
20 going, who she was with, almost like he was her  
21 father.

22 Q And you stated that only part of the reason  
23 for their break up were their religious difficulties,  
24 what is the rest of the problem?

25 A The control issue between the two of them

1 and his possessiveness, his aggressiveness verbally,  
2 and him keeping tabs on her all of the time, that  
3 really irked her and she felt like she wasn't free in  
4 the relationship.

5 MS. MURPHY: May I approach the witness,  
6 Your Honor?

7 THE COURT: Yes, you may.

8 Q I'm showing you State's Exhibit 2 and  
9 you've seen this a couple of times now. I ask you  
10 just to look over all of the entries from December  
11 29th until the end of the entries?

12 A (Witness complied with request.)

13 Q Thank you. Now, the entries that Ms.  
14 Gutierrez pointed out to you on cross examination  
15 were from December; is that correct?

16 A Correct.

17 Q Some of these entries you've already read  
18 to the jury, right?

19 A Yes.

20 Q Is it fair to say that in all of these  
21 entries from December 29th to January 12th, the day  
22 before Hae disappeared, the defendant Adnan Syed is  
23 mentioned only once?

24 A Correct.

25 Q Can you please read, and I'll refer you to

**Cited Excerpts of Trial Testimony  
from Detective Gregory MacGillivray  
(2/17/2000) (Pages 154-55, 314-15)**

1 Crime Lab technicians to collect evidence, photograph  
2 evidence, and also have the Medical Examiner's Office  
3 come out and, naturally, remove the remains.

4 Q And were you the primary detective assigned  
5 to the investigation of the Hae Min Lee murder?

6 A Yes, I was.

7 Q Now, in the course of your investigation  
8 did you have occasion to interview Detective O'Shea  
9 of the Baltimore County police force concerning his  
10 missing persons investigation of Hae Min Lee?

11 A Yes, I did.

12 Q Based on information that you obtained from  
13 him, what, if anything, did you do?

14 A I obtained cell phone records of a phone  
15 that Adnan Syed had.

16 Q And drawing your attention now to on or  
17 about February 26th of 1999, did you have occasion to  
18 be in Baltimore County pursuant to your  
19 investigation?

20 A Yes, I did.

21 Q What were you doing on that date and time?

22 MS. GUTIERREZ: I'm sorry, what date was  
23 that?

24 Q February 26th?

25 A On the 26th I had the occasion to be in the



1 Woodlawn area and I responded to a residence in that  
2 area, 1208 McAdoo.

3 Q What took you to that residence?

4 A After getting the cell phone numbers we had  
5 gotten the subscriber information for each of the  
6 numbers. One of the subscribers lived -- one of the  
7 numbers that we had gotten from the cell phone, the  
8 subscriber information came back to 1208 McAdoo. So  
9 I responded to that location.

10 Q What, if anything, did you find when you  
11 got there?

12 A When I responded, I got out of my car and  
13 started to walk towards the residence and a young  
14 lady had rolled down her window. She was in a car  
15 out front of the residence and inquired as to why I  
16 was going to her home.

17 Q Did you have occasion to speak to her at  
18 that time?

19 A Yes, I did.

20 Q As a result of that conversation what, if  
21 anything, did you do?

22 A She identified herself as Jennifer Pusateri  
23 and I learned that she had gone to --

24 Q Please don't tell us what she told you.  
25 Tell us what you did?

1           Q     But she didn't indicate to you that she had  
2 any knowledge of any event that led up to the death  
3 of Hae Min Lee?

4           A     No.

5           Q     Or that she had heard from someone else  
6 some information about the death of Hae Min Lee?

7           A     No.

8           Q     Or about the burial?

9           A     She had heard that Hae had been killed.

10          Q     Before the body was found?

11          A     No.

12          Q     And did she indicate where she heard that  
13 from? You, of course, would have been interested in  
14 the answer to that question, would you have not?

15          A     Yes.

16                THE COURT: One moment. Why don't we let  
17 him finish answering the first question. You can  
18 answer that question.

19                THE WITNESS: Yes. On the 26th when I was  
20 speaking to her, I asked her if she knew how Hae had  
21 been killed.

22                THE COURT: Next question.

23          Q     And she answered you?

24          A     Yes.

25          Q     And?

1 A She had heard that Hae was strangled.  
2 Q Was strangled?  
3 A Correct.  
4 Q And she --  
5 A She heard that information from a friend of  
6 hers by the name of Nicole.  
7 Q Of?  
8 A A friend of hers, Nicole.  
9 Q That was important to you, was it not?  
10 A Very important, since that information had  
11 not been released.  
12 Q But you knew that, right?  
13 A I knew that.  
14 Q Because you had gotten the heads up from  
15 Dr. Korell?  
16 A Correct.  
17 Q So anybody that might know the details of  
18 Hae Min Lee's death, that got your ears perking,  
19 didn't it?  
20 A Correct.  
21 Q You, of course, got Nicole's full name and  
22 address?  
23 A Just Nicole Parks.  
24 Q And no phone number?  
25 A Somewhere on Washington Boulevard,

**Cited Excerpts of Trial Testimony  
from Detective Gregory MacGillivray  
(2/18/2000) (Page 186)**

923-00  
29835

## IN THE CIRCUIT COURT FOR BALTIMORE CITY

STATE OF MARYLAND

\*

v.

\*

CASE NOS. 199103042-46

ADNAN SYED,

\*

Defendant

\* \* \* \* \*

( TRIAL ON THE MERITS )

FEBRUARY 18TH, 2000

BALTIMORE, MARYLAND

BEFORE:

THE HONORABLE WANDA KEYES HEARD, ASSOCIATE JUDGE  
( And a Jury )

APPEARANCES:

For the State:

KEVIN URIK, ESQUIRE  
KATHLEEN MURPHY, ESQUIRE

For the Defendant:

CHRISTINA GUTIERREZ, ESQUIRE

RECORDED BY: VIDEO TAPE

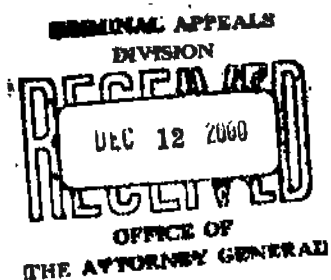
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200 St. Paul Place 21202  
Baltimore, MD  
Attention: Tina Stavrou  
410-576-6491

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1 A Correct.

2 Q Was he under arrest at the time?

3 A No, he was not.

4 Q How close were you standing to him?

5 A Sitting on the living room couch. He was seated

6 in the chair.

7 Q Where was he?

8 A In the living room of his home.

9 Q Who, if anyone, else was there?

10 A Detective Ritz, the defendant, Adnan, and his

11 father.

12 Q Had you threatened him at all?

13 A No.

14 Q Now, did there come a time when you learned that

15 the defendant had an opportunity to use this particular

16 cellphone?

17 A Yes.

18 Q Do you recall what date he got this cellphone?

19 A No.

20 Q Please look at page, the second page of State's

21 Exhibit 31 and see if that refreshes your memory.

22 A It was activated on 1/11/99.

23 Q And that is how many days in relation to the

24 disappearance of Hey Lee?

25 A Two days.

**Cited Excerpts of Trial Testimony  
from Alonzo Sellers  
(2/23/2000) (Pages 4, 22-23, 38, 79-81)**

923-00  
31835IN THE CIRCUIT COURT FOR BALTIMORE CITY  
(PART 9)

STATE OF MARYLAND \*

v. \*

\* CASE NO. 199103042, 43, 45, 46

ADNAN SYED \*

Defendant \*

\_\_\_\_\_/\*

BALTIMORE, MARYLAND

WEDNESDAY, FEBRUARY 23, 2000

(TRIAL ON THE MERITS)

BEFORE:

THE HONORABLE WANDA K. HEARD, ASSOCIATE JUDGE

(AND A JURY)

APPEARANCES:

FOR THE STATE:

KEVIN URICK, ESQUIRE

KATHLEEN C. MURPHY, ESQUIRE

FOR THE DEFENDANT:

CRISTINA GUTIERREZ, ESQUIRE

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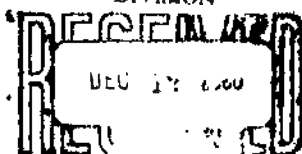
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CRIMINAL APPEALS  
DIVISION

THE ATTORNEY

FRAD



1 THE COURT: Okay.

2 BY MS. GUTIERREZ:

3 Q Mr. Sellers, I'd like to direct your attention to  
4 February 9th, 1999, do you recall that day?

5 A Not really, but I --

6 Q We spoke about that day yesterday, did we not?

7 A Yes, yes.

8 Q Okay. There was a day, whether or not you recall  
9 the exact date, wherein you found a body or what you  
10 thought to be a body --

11 A Right.

12 Q -- inside Leakin Park, is that correct?

13 A Correct.

14 Q That's the day I'd like to direct your attention  
15 to.

16 A Right.

17 Q Yesterday you told us that you left your work at  
18 lunchtime to drive home to get a plane, is that correct?

19 A Yes, correct.

20 Q Now, when you got home, having driven through  
21 Leakin Park, there were several people at your home?

22 A Two.

23 Q Okay. And that was your stepson Tyrone?

24 A Yes.

25 Q And his girlfriend?

1 urinate and then stopped or had you not begun to urinate at  
2 all?

3 A No, I did not start to urinate.

4 Q You did not start to urinate?

5 A I mean -- no, I did not. No, I did not.

6 Q Okay. Now, when you saw what you saw, was it on  
7 the other side of the tree that you were stepping over or  
8 was it --

9 THE WITNESS: Yes, it was. Excuse me, I'm sorry.

10 BY MS. GUTIERREZ:

11 Q It was on the other side from where you came  
12 from, is that right?

13 A Yes.

14 Q And what you saw was what?

15 A What I thought it was a body.

16 Q You thought it was a body?

17 A Um-hum.

18 Q And did it appear to be the outlines of a body?

19 A No, not until I seen what looked like a foot was  
20 sticking up.

21 Q You saw a foot?

22 A Um-hum.

23 Q And you saw something else, didn't you?

24 A Yeah. It looked like the head.

25 Q Hair?

1 A The hair, right, exactly.

2 Q Did you see the head or was it the hair?

3 A Just hair.

4 Q It was hair, okay.

5 And after you saw that, did you do anything to

6 investigate whether or not it really was a body?

7 A No. I left out there quickly.

8 Q You left out there?

9 A I left quickly because I was, you know,

10 frightened and --

11 Q Because?

12 A I was frightened, scared.

13 Q You were frightened of what you thought you saw?

14 A Yes.

15 Q Now, sir, did you take a stick and investigate?

16 A No.

17 Q Not at all?

18 A Not really. I don't think so.

19 Q You just left quickly. Did you return to your

20 truck?

21 A Of course.

22 Q And you pulled your truck out of there?

23 A Yes.

24 Q And did you return to Coppin State College?

25 A Yes.

1 A Yes, I went to see him.

2 Q And how long did all this take?

3 A I'm not sure. I don't know. It happened so

4 fast.

5 Q Sir, you had been the one that thought that what

6 you saw on the far side of that tree was a body?

7 A Yes, right.

8 Q And you weren't sure but you pretty strongly

9 thought that?

10 A Yeah. In a way, yeah.

11 Q And having been at that location, sir, where the

12 body was was not an easy location to find, was it?

13 A I mean, you could find -- I don't know. If

14 you're just walking to get back in the woods to do your

15 business, I guess you can find it, yeah.

16 Q So if anybody else happened to be walking in that

17 exact place at the park there, then they would have found

18 the body?

19 A Yes.

20 MR. URICK: Objection.

21 MS. GUTIERREZ: Would that --

22 THE COURT: Overruled.

23 BY MS. GUTIERREZ:

24 Q Would that have been easily?

25 A Yes, because a lot of people do fishing there.

1 MR. URICK: He has not denied making the  
2 statements, his only statement is I can't recollect it.  
3 That has not been authenticated as, it has not been  
4 authenticated as a prior recollection recorded. There's  
5 been no foundation under any basis for the admission of  
6 these exhibits.

7 THE COURT: I would agree that the only thing  
8 missing, the only thing missing, the only thing missing is  
9 him seeing the statement and at least asking him that.

10 MS. GUTIERREZ: I thought I asked him in the  
11 beginning. I don't think he's ever seen the statement,  
12 which is why I didn't bother --

13 THE COURT: The date that it was taken?

14 MS. GUTIERREZ: Right. It was recorded.

15 THE COURT: Was he asked to sign it?

16 MS. GUTIERREZ: No, Judge, it's a -- and we got  
17 this from them. They made this statement from the  
18 recording. We've never heard the recording, all we've ever  
19 gotten is the transcript prepared by either their office or  
20 the police department. It was not prepared on the same  
21 day, he didn't sign it, there was no indication, and I  
22 thought he answered -- I asked that question yesterday.

23 THE COURT: Which is why you were planning on  
24 calling Ritz?

25 MS. GUTIERREZ: No, Judge. I was if I had to. I

1 have other reasons that I would call Ritz. And certainly,  
2 I could call either Ritz or McGilvery, both of who are  
3 still listed.

4 THE COURT: Well, what's missing is a foundation  
5 question, as far as I'm concerned, to the admissibility of  
6 this. I think you've covered everything under 5-613. He's  
7 been confronted with the statement.

8 MR. URICK: He has not been asked to look at it.  
9 If he looks at it and reviews it, then he can be asked now  
10 do you recall making that statement.

11 MS. GUTIERREZ: Judge, I disagree with that. I  
12 read him the exact words --

13 THE COURT: Well, under 612, under 612, a writing  
14 used to refresh a recollection, the witness looks at it.  
15 Under 613, the statement, if it was written, does not have  
16 to be shown to the witness. It says does not.

17 The party examining a witness about a prior  
18 written or oral statement made by the  
19 witness need not show it to the witness or  
20 disclose its content at the time, provided  
21 that before the end of the examination the  
22 statement, if written, is disclosed to the  
23 witness and the parties or, if the statement  
24 is oral, the contents of the statement and  
25 the circumstances under which it was made,

1 including the persons to whom it was made,  
2 are disclosed to the witness and the witness  
3 is given an opportunity to explain or deny  
4 it.

5 Now, everything seems to be there, except I'm not  
6 satisfied that it has been properly -- a foundation for  
7 it --

8 MS. GUTIERREZ: The only thing is that this is  
9 the only thing that we were given. There's no indication  
10 on it as to who did the transcriptions. I don't know that  
11 information. I assume that the police did it because they  
12 did everything else, but I'm not --

13 THE COURT: Detective Litz can do that because  
14 he's present, he's one of the speakers.

15 MS. GUTIERREZ: Yes, that's fine.

16 THE COURT: Which is why I said at this point the  
17 only thing that's missing is a foundation question because,  
18 frankly, counsel, I don't know where you got this from.  
19 And as the Court --

20 MS. GUTIERREZ: Well, I'm telling you, as an  
21 officer of the Court, Mr. Urick gave it to me.

22 THE COURT: I understand that. I can see that  
23 they've been left out of what appears to be a transcript of  
24 Alonzo Sellers.

25 MS. GUTIERREZ: Yes.

**Cited Excerpts of Trial Testimony  
from Michael Sye  
(2/23/2000) (Pages 100-104)**



- 1 A Yes, he did.
- 2 Q And did he participate as a member of the indoor  
3 track team from the beginning of the season?
- 4 A Yes, he did.
- 5 Q Were there meets that took place between your  
6 track team and other schools' track teams?
- 7 A Yes.
- 8 Q And did they start taking place in November?
- 9 A Yes -- no. Early December.
- 10 Q Early December?
- 11 A Early December.
- 12 Q And throughout all of December?
- 13 A Yes, throughout December.
- 14 Q And January?
- 15 A Yes.
- 16 Q And February?
- 17 A Yes.
- 18 Q All right. Now, sir, did Adnan Syed participate  
19 in those track meets?
- 20 A Yes, he did.
- 21 Q And how did he perform?
- 22 A He performed fairly well.
- 23 Q Did he medal or win his events in some of the  
24 meets?
- 25 A Yes, some of the meets he did place.

1 Q Okay. Now, let me direct your attention -- as to  
2 track practices, did they take place?  
3 A Yes, they did.  
4 Q And when and where did they take place?  
5 A Practice was every day after school, after their  
6 study hall, from --  
7 Q And what time would that be?  
8 A Approximately 4:00 to 5:30, 6.  
9 Q And was that a regular time every day?  
10 A Regular time every day.  
11 Q Okay. And were members of the track team  
12 expected to be at practice?  
13 A Everyone was expected to be at practice.  
14 Q To be at practice?  
15 A Yes.  
16 Q And did you take roll of people who came to  
17 practice?  
18 A Not a physical actual, written roll, more of a  
19 mental roll.  
20 Q Just a mental --  
21 A Yes.  
22 Q Okay. You sort of knew -- did you sort of know  
23 when there would be track team participants who didn't come  
24 regularly?  
25 A Yes.

1 Q Okay. And what, if any, action did you take  
2 against people who didn't bother to come to practice?

3 A Well, those who didn't bother to come to  
4 practice, you know, it usually started with a warning and  
5 then I would sit them down for the next meet, if that was  
6 necessary.

7 Q They weren't allowed to participate in the meets?

8 A Yeah.

9 Q And even though you didn't take a formal roll,  
10 was there anyplace that track team members had to go to  
11 sign in to show that they were there at practice?

12 A Well, they were -- all the athletes had to go to  
13 study hall right after school.

14 Q And that was at a specific place?

15 A Yes.

16 Q Okay. And -- but you didn't have anyplace for  
17 them to sign in once they came over to track practice?

18 A No.

19 Q Okay. Now, back in November, December, January,  
20 and February, Adnan was a regular member of the track team?

21 A November, December, and January, yes.

22 Q Okay. And did he regularly come to practice?

23 A Yes, for the most part.

24 Q Sir, you're aware that Woodlawn had a couple  
25 dozen Muslim students?

1 A Was I aware that the school had? Yes.

2 Q Yes.

3 A Yes.

4 Q And are you aware of the Muslim religious month  
5 of Ramadan?

6 A Yes.

7 Q And that during Ramadan, Muslims, the tenets of  
8 their faith suggests that they should fast from daybreak to  
9 after, I guess after sundown?

10 A Yes.

11 Q Okay. Now, did you come -- ever come to know  
12 whether Adnan Syed was a Muslim?

13 A Yes, I did.

14 Q And did you know about Ramadan back then?

15 A Yes.

16 Q And were you aware that Ramadan started in mid-  
17 December of 1998 and went through -- or late December of  
18 1998 and went through to the end of January 1999?

19 A Well, I didn't know really about December but I  
20 knew during the month of January.

21 Q Okay. How did you know about that?

22 A One day we were at practice and Adnan was there,  
23 and we had a lengthy conversation. I knew that he was  
24 fasting for his religion, and he just sat down and  
25 explained to me the whole purpose of it.

1 Q Was there any treatment that was extended in  
2 regard to whether or not athletes had to actually practice  
3 during the time that they were fasting?

4 A No.

5 Q So did they have to practice, even though they  
6 were fasting?

7 A No. He knew -- we talked about it and, as long  
8 as he came to practice, he was exempt from the actual  
9 practice.

10 Q From actually running the course?

11 A Actually running, yeah.

12 Q And was that related to the effects of fasting on  
13 the body?

14 A Yes.

15 Q Okay. And was that accommodation extended to  
16 Adnan?

17 A Yes, it was.

18 Q And was Adnan one who came regularly to practice?

19 A Yes.

20 Q And did he come even when he was fasting?

21 A Yes.

22 Q And were there times when he came when he was  
23 fasting that he did not actually run?

24 A Excuse me, what was that again?

25 Q I don't know what to call it. That he came while

**Cited Excerpts of Trial Testimony  
from Syed Rahman  
(2/23/2000) (Pages 274-75)**

1 A No, actually we did not.

2 Q And why not?

3 A Because we wanted him to give -- his top  
4 priority, number one, is his studies.

5 Q To your knowledge, was he a good student?

6 A Yeah.

7 Q Okay. But you wanted him to devote all of his  
8 energy to that?

9 A And because he was top 5 percent student of the  
10 class.

11 Q Now, sir, again going back to Ramadan, beginning  
12 on December 20th, 1998, through January 18th, 1999, you  
13 were starting to tell us that you would go to the mosque.

14 A That's right.

15 Q And what time would that be?

16 A I ordinarily would go before 8:00.

17 Q Okay. And how much before 8:00?

18 A Well, it depends. Maybe 7:30, quarter to 8 or  
19 things like that.

20 Q Would you appear in the mosque close in time to  
21 the time when you would break your fast?

22 A Beg your pardon?

23 Q Would you go to the mosque at any time that was  
24 close in time to the time that you would break your fast?

25 A We could, but mostly -- sometimes at mosque and

1 sometimes at home.

2 Q Okay. On the times that you went to the mosque  
3 to break the fast, how would you break it?

4 A We just take sip of water or some dates, that's  
5 it.

6 Q Okay. And then after -- so you break the fast  
7 with very little to go in your stomach?

8 A That's right.

9 Q Just sometimes water?

10 A Yeah, water.

11 Q And after you broke your fast and on the days  
12 that you did it at the mosque, would you then remain there  
13 until the 8:00 prayers or would you go home?

14 A Well, actually, we tried to go home so that we  
15 could have meals, have a little bit rest and then come  
16 back.

17 Q Okay. So you'd break your fast with just a  
18 little bit, then you'd go home to have a meal?

19 A That's right.

20 Q Okay. Now, who would you go to the mosque with  
21 on the days that you would go?

22 A Well, I will definitely take Adnan with me.

23 Q Okay. And did sometimes your other son, Tanvir,  
24 go?

25 A He may accompany us, he may not.



**Cited Excerpts of Trial Testimony  
from Syed Rahman  
(2/24/2000) (Pages 16-17)**

923-00  
32835IN THE CIRCUIT COURT FOR BALTIMORE CITY  
(PART 9)

STATE OF MARYLAND

\*

v.

\* CASE NO. 199103042,43,45,46

ADNAN SYED

\*

Defendant

\*

/\*

BALTIMORE, MARYLAND  
THURSDAY, FEBRUARY 24, 2000

(TRIAL ON THE MERITS)

BEFORE:

THE HONORABLE WANDA K. HEARD, ASSOCIATE JUDGE

(AND A JURY)

APPEARANCES:

FOR THE STATE:

KEVIN URICK, ESQUIRE

KATHLEEN C. MURPHY, ESQUIRE

FOR THE DEFENDANT:

CRISTINE GUTIERREZ, ESQUIRE

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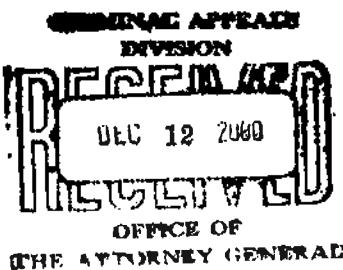
Office of the Attorney General  
200 St. Paul Place  
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Attention: Tina Stavrou  
410-576-6491

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OFFICIAL COURT REPORTER  
517 COURTHOUSE EAST  
111 NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202

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

2           Q     But during Ramadan, very specifically, the last

3     10 days of Ramadan 1999, did your son Adnan go with you to

4     the mosque every night for the Ramadan prayers that began

5     at 8?

6           A     That is correct.

7           Q     Is that correct?

8           A     That's correct.

9           Q     And so, he went with you on the 14th and you

10    specifically recollect an additional fact about that day,

11    right?

12          A     That's right.

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

14          A     That's right.

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

16          A     Yeah.

17                MR. URICK: Objection.

18                MS. GUTIERREZ: And the 16th?

19                THE WITNESS: That's correct.

20                THE COURT: Overruled.

21                BY MS. GUTIERREZ:

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

23          A     That's correct.

24          Q     And the 12th?

25          A     That's correct.

1 Q And the 11th?

2 A That's correct.

3 Q And the 10th?

4 A That's correct.

5 Q And the 9th?

6 A That's correct.

7 Q And the 8th?

8 A That's correct.

9 Q You weren't just merely testifying that he  
10 usually went with you?

11 A He was every day with me.

12 Q He was with you every day?

13 A That's correct, yeah.

14 Q To go back and, after you broke the fast, to  
15 return to the mosque physically?

16 A That's correct.

17 Q With you?

18 A That's correct.

19 MS. GUTIERREZ: That's all, thank you.

20 THE COURT: Very well. Any further?

21 MR. URICK: Very briefly, Your Honor, based on  
22 that.

23 RECROSS EXAMINATION

24 BY MR. URICK:

25 Q At the mosque, the prayer from 8 to roughly 10,



**Cited Excerpts of Trial Testimony  
from Detective William Ritz  
(2/24/2000) (Pages 58-60)**

1 MR. URICK: Mr. Clerk, will you give that to the  
2 witness, please?

3 THE CLERK: Which one, No. 3?

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

5 MS. GUTIERREZ: Seventeen, Judge.

6 MR. URICK: Three.

7 THE COURT: Three.

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

9 THE COURT: Exhibit 3?

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

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

14 THE WITNESS: Yes, Your Honor.

15 THE COURT: From top to bottom.

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

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

1 suspect in the murder. The caller further  
2 advised that the boyfriend has taken the  
3 victim to Leakin Park on past occasions for  
4 sexual encounter. Prior to concluding the  
5 phone interview, the caller further stated  
6 that the victim broke off the relationship  
7 with her boyfriend about a week before she  
8 was reported missing.

9 At this point, the caller terminated the  
10 conversation. Simultaneously, your writer  
11 activated Star 57 on extension 2100. The  
12 recording informed your writer the service  
13 was not available due to the caller not  
14 being in the service area.

15 On February 12th, 1999, approximately 1525  
16 hours, the above anonymous person called the  
17 Homicide Unit. This time the caller  
18 remembered that a year ago the suspect  
19 informed a friend of his (Baser Ali, Asian  
20 male, 17) if he ever hurt his girlfriend he  
21 would drive her car into a lake. The caller  
22 stated the suspect's friend attends  
23 Centennial High School in Columbia,  
24 Maryland, and his home phone number is area  
25 code 410-203-0522. Again Star 57 was



1 activated. The recording stated the service  
2 was not available due to the caller not  
3 being in the service area.

4 Respectfully, Darryl Massey.

5 THE COURT: Thank you.

6 BY MR. URICK:

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

9 A That is correct.

10 Q And that number came back listed to who?

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

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

17 A Yes, sir, I am.

18 MS. GUTIERREZ: Objection.

19 THE COURT: Overruled.

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

23 THE COURT: Overruled.

24 BY MR. URICK:

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

**Cited Excerpts of Trial Testimony  
from Saad Chaudry  
(2/24/2000) (Pages 116-17, 151)**



1 Q All right. Now, how often did you have an  
2 occasion to see him at the mosque?

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

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

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

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

12 A Adnan.

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

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

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

18 A Yes.

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

21 A Yes, as far as I know.

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

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

1 Q And is it required that the praying take place at  
2 a specific location?

3 A No, it's not.

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

6 A Yes, it is.

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

9 A Yes.

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

11 A Yes, I am.

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

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

16 Q But it urges you to do so?

17 A Yes.

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

21 A Adnan.

22 Q Okay. And how did you know that?

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

1 phone, correct?

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

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

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

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

11 MS. GUTIERREZ: Objection.

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

14 THE COURT: Sustained.

15 BY MR. URICK:

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

18 A No.

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

21 MS. GUTIERREZ: Objection. Beyond the scope.

22 THE COURT: Overruled.

23 And you can answer that yes or no.

24 THE WITNESS: Yes.

25 BY MR. URICK:

**Cited Excerpts of Trial Testimony  
from Saad Patel  
(2/24/2000) (Page 185)**

1 actually been at the mosque but not actually praying --

2 A Yes.

3 Q -- or able to listen to him?

4 A Yes.

5 Q But generally, otherwise, you were there every  
6 day of Ramadan?

7 A Most of the time I was there.

8 Q Because it was recommended?

9 A It was recommended.

10 Q And every time you were there, was Adnan there?

11 MS. MURPHY: Objection as to form.

12 THE COURT: Overruled.

13 Do you recall?

14 THE WITNESS: Yes. He was there most of the  
15 time. Most of the time he was there.

16 BY MS. GUTIERREZ:

17 Q Much more than you?

18 A Oh, he was there more than I was.

19 MS. GUTIERREZ: Thank you. I have nothing  
20 further.

21 THE COURT: Anything further, Ms. Murphy?

22 MS. MURPHY: No, Your Honor. Thank you.

23 THE COURT: May this witness be excused,  
24 Ms. Gutierrez?

25 MS. GUTIERREZ: Yes, Your Honor.



**Cited Excerpts of Trial Testimony  
from Maqbool Patel  
(2/24/2000) (Pages 193-96)**

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

3 A I would say.

4 Q Okay. Now, directing your attention back to  
5 Ramadan last year, do you recall that?

6 A Yes.

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

8 A Yes.

9 Q And you knew his family?

10 A Yes.

11 Q Is Adnan Syed someone you saw during Ramadan?

12 A Yes.

13 Q And when and where would you see him?

14 A Normally, the Prayer Hall.

15 Q And is that during the night prayers that we've  
16 discussed?

17 A I would say yes.

18 Q In whose company would he be?

19 A The young people of his age.

20 Q And did you see his father there?

21 A Yes.

22 Q Was his father someone who attended the mosque to  
23 pray on a nightly basis?

24 A Yeah, he's pretty regular.

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

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

2 A I cannot recall that because I see most of the  
3 people in the mosque itself.

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

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

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

9 A Yes.

10 Q And do you recall that day?

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

13 Q Through you?

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

17 Q That's one of your jobs?

18 A Yes.

19 Q For the mosque?

20 A Yes.

21 Q Okay. And were you physically present when Adnan  
22 did so?

23 A I have seen him talking in them mosque.

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

1           A     It's an excellent occasion for the family and the  
2 community.

3           Q     And why is it such a good occasion for his  
4 family?

5           A     See, normally, prayers are derived from the Koran  
6 itself and --

7           Q     Which is considered the Holy Book in --

8           A     It's considered the Holy Book.

9           Q     For Muslims?

10          A     For the Muslims, yeah.

11                 And then normally, the talk is given based on  
12 that. So, you know, they are really prepared to talk from  
13 the Book itself.

14          Q     Is there some significance to a younger person,  
15 such as 17, being afforded the opportunity to do so?

16          A     Yes. The mosque always tries -- try to do that,  
17 the younger people should be to --

18          Q     And why is that?

19          A     So that they know and they have a knowledge  
20 because there is no other place to gain such knowledge.

21          Q     Okay. And you remember that occasion?

22          A     Yes.

23          Q     And that occasion occurred on what date?

24          A     I cannot say. What it is, is every night I am  
25 there.

1 Q Oh, okay. So you recall the occasion but not  
2 specific --

3 A I recall the occasion that he was there.

4 Q Okay, but -- and generally, during Ramadan that  
5 began on December 20th, 1998, and ended in late January  
6 1999, did Adnan attend regularly with his father?

7 A I would say yes.

8 Q Now, being familiar with Adnan all of his life,  
9 what language does he speak?

10 A Normally, all of our children, including him,  
11 tend to speak English.

12 Q Okay. And are you aware whether or not English  
13 was his first language?

14 A First language is, I believe -- see, that's the  
15 reason -- he originally come from a region where the Pashtu  
16 was being spoken.

17 Q And that would have been the Pakistani language  
18 of his parents?

19 A One of the Pakistani languages.

20 Q Are you aware of whether or not Adnan speaks  
21 Arabic?

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

23 Q Is the Koran written in Arabic?

24 A Right. He can read it but --

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

# **Cited Excerpts of Jury Instructions (2/25/2000) (Pages 32-33)**

923-00  
33835

IN THE CIRCUIT COURT FOR BALTIMORE CITY  
(PART 9)

STATE OF MARYLAND

\*

v.

\* CASE NO. 199103042,43,45,46;

ADNAN SYED

\*

Defendant

\*

/\*

BALTIMORE, MARYLAND  
FRIDAY, FEBRUARY 25, 2000

(TRIAL ON THE MERITS)

BEFORE:

THE HONORABLE WANDA K. HEARD, ASSOCIATE JUDGE

(AND A JURY)

APPEARANCES:

FOR THE STATE:

KEVIN URICK, ESQUIRE  
KATHLEEN C. MURPHY, ESQUIRE

FOR THE DEFENDANT:

CRISTINE GUTIERREZ, ESQUIRE

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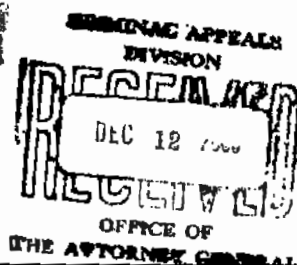
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517 COURTHOUSE EAST  
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BALTIMORE, MARYLAND 21202

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DEC 12 2000

1           You need not believe any witness, even if the  
2 witness's testimony is uncontradicted. You may believe  
3 all, part or none of the testimony of any witness.

4           Now, there was expert witness testimony given in  
5 this case. An expert is a witness who has special training  
6 or expertise in a given field. You should give expert  
7 testimony the weight and value you believe it should have.  
8 You are not required to accept any expert opinion. You  
9 should consider an expert's opinion together with all other  
10 evidence in the case.

11           The weight of the evidence, as I've indicated  
12 previously, does not depend on the number of witnesses on  
13 either side. You may find that the testimony of a smaller  
14 number of witnesses for one side is more believable than  
15 the testimony of a greater number of witnesses on the other  
16 side.

17           The Defendant, Mr. Syed, has an absolute  
18 constitutional right not to testify. The fact that  
19 Mr. Syed did not testify must not be held against him. It  
20 is not to be considered by you in any way, or even  
21 discussed by you.

22           The mere presence of a person at the time and  
23 place of the commission of an offense is not by itself  
24 sufficient to establish his guilt but may be considered  
25 with all the other surrounding circumstances. Evidence has



1    been presented at this case that the Defendant was not  
2    there when the crime was committed. You should consider  
3    this evidence along with all other evidence in the case.  
4    Thus, in order to convict the Defendant, the State must  
5    prove beyond a reasonable doubt that the crime was  
6    committed and that the Defendant committed it.

7            You've also heard testimony from a witness, Jay,  
8    Wilds, who may have been an accomplice. An accomplice is  
9    one who knowingly and voluntarily cooperated with, aided,  
10   advised or encouraged another person in the commission of a  
11   crime. If you are not convinced that Jay Wilds was an  
12   accomplice, you should treat that testimony as you would  
13   treat the testimony of any other witness. On the other  
14   hand, if you are convinced that Jay Wilds was an  
15   accomplice, then you must decide whether that testimony was  
16   corroborated before you may consider it. The Defendant  
17   cannot be convicted solely on the uncorroborated testimony  
18   of an accomplice. However, only slight corroboration is  
19   required. This means there must be some evidence in  
20   addition to the testimony tending to show either that, one,  
21   the Defendant committed the crime charged or, two, that the  
22   Defendant was with others who committed the crime at the  
23   time and place that the crime was committed.

24            If you find that the testimony of Jay Wilds has  
25   been corroborated, it should be considered with caution and

**Cited Excerpts of State's  
Closing Statement at Trial  
(2/25/2000)(Page 50, 54, 65-66, 125)**

1 1999. She was buried in Leakin Park. She was killed in  
2 her own car. These are facts that we know from all the  
3 evidence in the case.

4 We know this is a murder. You heard from  
5 Dr. Corell (phon. sp.), the medical examiner. She told you  
6 in great detail why we know that Hey Lee was strangled.  
7 And we know more than that. She was strangled by someone's  
8 bare hands, with the Defendant's bare hands. Dr. Corell  
9 told you about the bruised muscles in her neck, about the  
10 tiny blood vessels in her eyes that burst, about the bone,  
11 the hyoid bone in her throat. It was broken by the force  
12 of human hands. She told you all these things.

13 We know that this occurred in Hey Lee's car. We  
14 know this because the Defendant told Jay Wilds that's where  
15 he did it, but we know much more about it. Think again  
16 about Dr. Corell's testimony and what this autopsy report  
17 tells you. We know that Hey Lee was a passenger in the  
18 car. The Defendant told Jay Wilds that as she struggled,  
19 as she tried to get away, she kicked the wiper lever. You  
20 saw a video showing this wiper lever, how it dangled from  
21 the steering column on the car. That was consistent with  
22 what Jay Wilds said. In order for Hey Lee to kick this  
23 wiper lever, we know she was in that passenger seat.

24 Dr. Corell told you about bruises on the right  
25 side of her head. Think about it. She struggled, she's

1 trouble with her mother's rules, which is not unusual for  
2 teenagers, she doesn't mention it once in any of the  
3 January entries. She was planning to go somewhere but she  
4 didn't take her diary. And the very last entry,  
5 January 12th, 1999.

6 And most importantly, ladies and gentlemen,  
7 consider what we know about Hey Lee. She's a bright girl,  
8 she's a busy girl. And on January 13th, 1999, she had lots  
9 of things to do. What does her schedule that day tell us?  
10 We know she was in class at 2:15. Ayisha Pittman had that  
11 class with her, and so did the Defendant. Ayisha Pittman  
12 told you that at the end of class at 2:15 Hey was talking  
13 to the Defendant. We know she immediately went to the gym  
14 area because that's where Inez Butler him. They told you  
15 in great detail about their encounter.

16 We know that she left immediately to pick up her  
17 young cousins who were just in elementary school. By 3:00,  
18 it was known to her family that she had not done this.  
19 Ladies and gentlemen, Hey Lee was dead in 20 to 25 minutes  
20 from when she left school. And we know that she was dead  
21 because she was supposed to return to Woodlawn High School  
22 and travel with the rest of the team. We know this didn't  
23 happen because Ms. Inez Butler, who remembers so well  
24 seeing Hey that afternoon, had to go in Hey's place with  
25 the rest of the team because she didn't show up.

1 go to the mall. Sure enough, the records show you  
2 10:45 a.m. the Defendant calls Jay Wilds to go shopping.  
3 The Defendant calls Jay Wilds. The records will show you,  
4 if you look at call no. 32, that cell phone was in the  
5 coverage area of L651A, up here in the orange, the area  
6 that covers Woodlawn High School, which is where the  
7 Defendant was that morning. Krista Meyers told you she saw  
8 him in first period class.

9 The Defendant picks Jay up and they go to the  
10 mall. At some point, the Defendant goes back to school and  
11 he gives his car and his cell phone to Jay Wilds at that  
12 point in time. Where Jay Wilds goes in this period is not  
13 clear. It's not clear from Jay, it's not clear. Nobody  
14 knows. But it is clear from these cell phone records that  
15 Jay Wilds is nowhere near Hey Men Lee. He is nowhere near  
16 Woodlawn High School where we know she is. Jay Wilds is  
17 over here and Jay Wilds is downtown. He thinks he may have  
18 gone to -- looking for marijuana. Maybe he did. But the  
19 records are clear, he's nowhere near Hey Men Lee.

20 Jay does remember at 12:43 p.m., while he's  
21 downtown, he gets a call from the Defendant. The Defendant  
22 says I'm not ready for you yet but pick me up at 3:45. At  
23 this point, Jay is still in the city, L652A.

24 We know that class ended at 2:15 that day. And  
25 remember back to Ayisha Pittman's testimony. The Defendant

1 was talking to Hey Lee at that point in time and Inez  
2 Butler sees Hey as she rushes out of school, grabs her  
3 snack, and heads out the door. Ladies and gentlemen, she's  
4 dead within 20 minutes.

5 2:36 p.m. the Defendant calls Jay Wilds, come get  
6 me at Best Buy. Jay Wilds is at the home of Jennifer  
7 Pusitari at this point, and the records are clear. Call  
8 no. 28 occurs in the cell area covered by L651B. This is  
9 the area that the AT&T engineer told you covers Jennifer  
10 Pusitari's house --

11 So Jay drives to the Best Buy, and it is there  
12 that the Defendant, for the first time, opens his trunk and  
13 shows Jay Wilds the body of Hey Lee. By 3 p.m., by 3 p.m.,  
14 her family knows she hasn't picked up her cousins.

15 The Defendant gets Jay to follow him to the I-70  
16 parking lot where they leave Hey's car, and they then head  
17 back towards Woodlawn from the park and ride together.  
18 It's at that point, at 3:32 p.m., that the Defendant calls  
19 Neisha Tanner in Silver Spring. She says hello to Jay. We  
20 know they are together at that point in time. That call  
21 lasts for 2 minutes and 22 seconds. Jay Wilds doesn't know  
22 Neisha Tanner, and Neisha Tanner told you this is her own  
23 private line, nobody answers that line but her, and the  
24 Defendant is the only one who knows her. This occurs in  
25 the coverage area of L651C, the pink area, which would be

1 that there were two almost identical strength signals,  
2 either one of which a cell phone could originate a call  
3 through and that those were cells 608C and 605A. And lo  
4 and behold, three calls in the time period that two  
5 different witnesses put them at that location, both of  
6 those sites originate calls out of this cell phone.

7 The Defense tells you well, they can't place you  
8 specifically within any place by this. Absolutely true,  
9 but look at 7:09 and 7:16, 689B, which is the Leakin Park  
10 coverage area. There's a witness who says they were in  
11 Leakin Park. If the cell coverage area comes back as that  
12 that includes Leakin Park, that is reasonable  
13 circumstantial evidence that you can use to say they were  
14 in Leakin Park. You've got it two ways: through the cell  
15 phone records, through the witness testimony. The two mesh  
16 together. And notice again that cell phone is nowhere near  
17 the mosque, which would be at the corner of Johnnycake and  
18 Rolling Road, which is over here, which is right near the  
19 Defendant's house, too. That cell phone is way downtown at  
20 689B. That's another inference from which you can say the  
21 Defendant was not at the mosque.

22 And immediately following that are the two calls  
23 in the 653A and C areas that would be consistent with a car  
24 on Edmondson Avenue, moving back towards Woodlawn, and  
25 those are at 8:04, 8:05. That cell phone is not at the

# **Cited Excerpt of Trial Verdict (2/25/2000) (Pages 133-35)**



1 THE CLERK: Who shall say for you?

2 THE JURY: Juror 1.

3 THE CLERK: Madam Foreperson, please stand.

4 Madam Foreperson, as to the case of State of  
5 Maryland versus Adnan Syed, Cases No. 199103042, 43, 46, as  
6 to Case No. 199103042, question 1 as to Count 1, charge of  
7 first degree murder of Hey Men Lee, how do you find the  
8 Defendant Adnan Syed, not guilty or guilty?

9 THE FOREPERSON: Guilty.

10 THE CLERK: Case No. 199103043, question 3 as to  
11 Count 1, charge of kidnapping by fraudulently carrying  
12 Hey Men Lee within the State, how do you find the Defendant  
13 Adnan Syed, not guilty or guilty?

14 THE FOREPERSON: Guilty.

15 THE CLERK: As to Case No. 199103045, question  
16 no. 4 as to Count 1, charge of robbery of Hey Men Lee, how  
17 do you find the Defendant Adnan Syed, not guilty or guilty?

18 THE FOREPERSON: Guilty.

19 THE CLERK: Case No. 199103046, question no. 5,  
20 as to the charge of false imprisonment by deception of  
21 Hey Men Lee, how do you find the Defendant Adnan Syed, not  
22 guilty or guilty?

23 THE FOREPERSON: Guilty.

24 THE CLERK: Is there a request to poll the jury?

25 MS. GUTIERREZ: Yes.

1 THE CLERK: Madam Foreperson, have a seat.  
2 Juror No. 2, you heard the verdict, is your  
3 verdict the same?  
4 JUROR NO. 2: Yes.  
5 THE CLERK: Juror No. 3, is your verdict the  
6 same?  
7 JUROR NO. 3: Yes.  
8 THE CLERK: Juror No. 4, is your verdict the  
9 same?  
10 JUROR NO. 4: Yes.  
11 THE CLERK: Juror No. 5, is your verdict the  
12 same?  
13 JUROR NO. 5: Yes.  
14 THE CLERK: Juror No. 6, is your verdict the  
15 same?  
16 JUROR NO. 6: Yes.  
17 THE CLERK: Juror No. 7, is your verdict the  
18 same?  
19 JUROR NO. 7: Yes.  
20 THE CLERK: Juror No. 8, is your verdict the  
21 same?  
22 JUROR NO. 8: Yes.  
23 THE CLERK: Juror No. 9, is your verdict the  
24 same?  
25 JUROR NO. 9: (No audible response)

1 THE CLERK: Juror No. 10, is your verdict the  
2 same?

3 JUROR NO. 10: Yes.

4 THE CLERK: Juror No. 11, is your verdict the  
5 same?

6 JUROR NO. 11: Yes.

7 THE CLERK: Juror No. 12, is your verdict the  
8 same?

9 JUROR NO. 12: Yes.

10 THE CLERK: Members of the jury, hearken to the  
11 verdict as the Court has recorded it. As to Case No.  
12 199103042, as to Count 1, charge of first degree murder,  
13 you find the Defendant guilty; as to Case No. 199103043, as  
14 to Count 1, charge of kidnapping, you find the Defendant  
15 guilty; as to Case No. 199103045, Count 1, charge of  
16 robbery, you find the Defendant guilty; as to Case  
17 No. 199103046, false imprisonment, you find the Defendant  
18 guilty, and so say you all? If so, please say I do.

19 THE JURY: I do.

20 THE COURT: Ladies and gentlemen, I want to thank  
21 you for your time. If you'll just remain seated for one  
22 moment, I do want to address you in just a moment.

23 Counsel, there having been a guilty finding as to  
24 the counts that were sent to the jury, at this time is  
25 there a request by the Defense with regard to any

**Cited Excerpt of State's Post-Conviction  
Motion for Court Order  
(11/29/2010) (Pages 5-6)**

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1

ADNAN SYED VS. STATE OF MARYLAND  
November 29, 2010 BEFORE JUDGE MARTIN P. WELCH

ADNAN SYED	*	IN THE
Petitioner	*	CIRCUIT COURT
vs	*	FOR
STATE OF MARYLAND	*	BALTIMORE CITY
Respondent	*	1991036042-46

\* \* \* \* \*

## TRANSCRIPT OF OFFICIAL PROCEEDINGS

(Motions Hearing)

--- --

BEFORE: THE HONORABLE MARTIN P. WELCH, JUDGE

--- --

DATE: November 29, 2010

--- --

### APPEARANCES:

For the Petitioner: Justin Brown, Esq.

For the Respondent: Kathleen Murphy, Esq.

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ADNAN SYED VS. STATE OF MARYLAND  
November 29, 2010 BEFORE JUDGE MARTIN P. WELCH

1 MR. BROWN: Yes, we are, Your Honor.

2 MS. MURPHY: Your Honor, this is the State's --

3 THE COURT: Ms. Murphy.

4 MS. MURPHY: -- motion. We are requesting an  
5 order from Your Honor directing Mr. Brown to release  
6 portions of Ms. Gutierrez's file.

7 As Your Honor is aware, the defendant in this case,  
8 Adnan Syed, was convicted of first degree murder and  
9 related charges following a six week trial in 2000 that  
10 took place before Judge Kerr.

11 Mr. Syed strangled his classmate and former  
12 girlfriend, Hai Min Lee, and buried her body in Lincoln  
13 Park where it was not discovered for many weeks. Following  
14 the conviction Mr. Syed's appeal was litigated and denied,  
15 and he filed this post -- this petition for post conviction  
16 relief.

17 Primary allegation, Your Honor, is ineffective  
18 assistance of counsel. His trial counsel was Christina  
19 Gutierrez, who as Your Honor is aware is deceased.

20 THE COURT: The late Christina Gutierrez, yes.

21 MS. MURPHY: And counsel alleges numerous grounds  
22 on which he bases the petition, including failure to  
23 establish a timeline, failure to investigate an alibi  
24 witness, failure to move for a new trial, failure to  
25 effectively cross examine a certain witness, failure to

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ADNAN SYED VS. STATE OF MARYLAND  
November 29, 2010 BEFORE JUDGE MARTIN P. WELCH

1 pursue a plea offer, failure to request change of venue,  
2 failure to investigate an accessory. And in the end he  
3 alleges a cumulative ineffective assistance of counsel.

4 Attached to the petition are documents, including a  
5 letter from this alleged alibi witness to the defendant,  
6 and also an affidavit from the alleged alibi witness. I  
7 think these documents exemplify that the State is in need  
8 of documentation from Ms. Gutierrez's file because without  
9 her input in this situation, we don't know all the facts  
10 she considered in preparing her defense. We do know there  
11 was a defense utilized in this case. And as I mentioned,  
12 the trial was six weeks long.

13 The Strickland case, which is the seminal case on  
14 ineffective assistance, initially suggested the requirement  
15 that inquiry into a counsel's conversation to the defendant  
16 may be critical to the proper assessment of counsel's  
17 litigation decisions.

18 And the Maryland case on point is State vs Thomas  
19 which refers to the idea that the attorney client privilege  
20 is subsequently waived pursuant to a claim of ineffective  
21 assistance. It refers to that as the universally accepted  
22 rule.

23 The State does acknowledge in reviewing petitioner's  
24 response to our motion that the waiver is, of course, not  
25 open ended. That materials that we are seeking do need to