93-300
26635

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

VERSUS INDICTMENT NOS. 199103042, 43, 45, 46

ADNAN SYED

/ FEBRUARY 16, 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 GUITERREZ, ESQUIRE

RECORDED BY: VIDEO TAPE

TRANSCRIBED BY:
Diane R. Walker
Official Court Reporter

This page courtesy of /w/stop saying right in response to requests for missing pages.

RETURN TO:
Office of the Attorney General
200 St. Paul Place
Baltimore, MD 21202
Attention: Tina Stavrou
410-576-6491
Please return by: 8-04-10

DIVISION
RECEIVED
SEP
OFFICE OF
THE ATTORNEY GENERAL

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

VERSUS INDICTMENT NOS. 199103042, 43, 45, 46

ADNAN SYED

/ FEBRUARY 16, 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 GUITERREZ, ESQUIRE

RECORDED BY: VIDEO TAPE

TRANSCRIBED BY:
Diane R. Walker
Official Court Reporter

INDEX

JENNIFER PUSATERI
CROSS EXAMINATION BY MS. GUTIERREZ PAGE 3
REDIRECT EXAMINATION BY MS. MURPHY PAGE 163
RECROSS EXAMINATION BY MS. GUTIERREZ PAGE 175
KRISTI VINSON
DIRECT EXAMINATION BY MS. MURPHY PAGE 205
CROSS EXAMINATION BY MS. GUTIERREZ PAGE 216
DEBORAH WARREN
DIRECT EXAMINATION BY MS. MURPHY PAGE 297

2007 SEP -5 AM 8:39
Received

PROCEEDINGS.

MS. GUTIERREZ: I'm ready, Judge.

THE COURT: All right, very well. Can we bring in the jury, Mr. White. Thank you.

(Whereupon, the jury entered the courtroom, after which the following proceedings ensued:)

THE COURT: Ladies and gentlemen, welcome back this morning. We're going to resume with the testimony of Ms. Pusateri. Witness was with you, Ms. Gutierrez.

MS. GUTIERREZ: Thank you, Your Honor.

CONTINUED CROSS EXAMINATION

BY MS. GUTIERREZ

Q Ms. Pusateri yesterday --

THE COURT: Before you do that, let me remind you, Ms. Pusateri, that you're still under oath and I believe we're on a new tape this morning. So why don't we have you resworn in. Restand up, please. Am I on the record, Mr. White? Has it started?

THE CLERK: Yes.

THE COURT: Okay, very well. Raise your right hand and listen to Mr. White.

JENNIFER PUSATERI,

a witness produced on call of the State, having

previously been duly sworn, according to law, was examined and testified as follows:

THE CLERK: Please keep your voice up. State your name and your address for the record.

THE WITNESS: Jennifer Pusateri, 1208 McAdoo Avenue.

BY MS. GUTERRIEZ

Q Ms. Pusateri, we were talking about several times you spoke to the police yesterday. The first time of which was when you rolled down your window and you spoke to them through your window?

A Yes.

Q Is that correct, while you were in Kristi Vinson's car?

A Yes.

Q Is that right? And at that time you weren't under oath, were you?

A No.

Q And before you saw them you thought that they were the police because of the kind of car that they were driving?

THE COURT: Ms. Gutierrez, I hate to interrupt you and I don't want us to go off, but yesterday and you can start anywhere you want in your cross examination, but yesterday when we stopped, we

This page provided by Susan Simpson in accordance with Fair Use for the Adnan Syed Legal Trust

Page 4

were at the police headquarters.
MS. GUTIERREZ: Yes, Judge, I know. I'll get there.
THE COURT: And MacGillivary was beckoning for her to come in the door.
MS. GUTIERREZ: Yes.
THE COURT: That's where we stopped off. So if we go back, you know, I don't want you to be upset if I sustain any objections to repeat testimony.
MS. GUTIERREZ: No, Judge, that's fine.
THE COURT: All right.
Q Anyway when you rolled down the window you weren't required to take any oath, were you?
A No.
Q And when you went down to police headquarters that night on Friday February 26th when you were accompanied by Kristi Vinson, you weren't required to take any oath when Detective MacGillivary brought you to another place than the lobby?
A No.
Q And the following day when you showed up in the late afternoon with the lawyer and with your mother, or your mother came along because she wanted to come along, you weren't required to take any oath,

Page 5

were you?
A No.
Q Now on Friday the 26th when Detective MacGillivary took you from Ms. Vinson or from the place where the two of you were that you thought was a lobby or looked like a lobby, nobody else was there?
A There was other people that worked there.
Q People that worked there meaning worked for the Police Department?
A Yes.
Q But nobody else was with you?
A No.
Q No lawyer?
A No.
Q Not your mother?
A No.
Q Ms. Vinson stayed in the lobby?
A Yes.
Q And you didn't bring or arrange to bring anybody else, right?
A No.
Q And on that night when you got to the place was it a room?
A Yes.

Page 6

Q Where you spoke to Detective MacGillivary, did he have a tape recorder with him?
A No, not that I could see.
Q Not that you could see?
A Right.
Q And did he ever ask your permission to tape record what you said to him?
A No, not that night.
Q And did you observe that he took notes of what you said?
A Yes.
Q And did he ask your permission to do so?
A No.
Q He identified himself as a Homicide detective before he started talking to you, did he not?
A Yes, back at my house.
Q And you believed him when he said that that's what he was, didn't you?
A Yea, he had I.D.
Q And before he started asking you questions, he identified that the subject of the inquiry was the death of Hae Min Lee?
A No.
Q At some point, did he?

Page 7

A I don't remember.
Q And at some point you came to understand that, did you not?
A Yes.
Q That night? On the 26th you came to understand that what he was investigating was the death of Hae Min Lee?
A He was a Homicide detective and he asked me questions about Hae Min Lee so, yes.
Q Okay. And he took notes throughout the time he questioned you, did he not?
A Yes.
Q And he had questioned you about the events of January 13th, did he not?
A Yes.
Q And he questioned you about phone calls that day, did he not?
A Yes.
Q And, in fact, he had records of phone calls that day, did he not?
A Yes.
Q And, in fact, it was him telling you, showing you these records, that triggered you into the 13th?
A Right.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 8

Q Was it not? Because you didn't independently remember that that was the day?
A Right.
Q Or what day of the week it was?
A Right.
Q And it was only by him drawing your attention through the records that you understood that he was asking about the date of January 13th?
A Right.
Q You had no independent recollection of what day these things occurred?
A No, I didn't know.
Q And Jay calling you on any day would not have been an unusual event?
A Right.
Q And when Jay called you, as he invariably did almost everyday, you, of course, would not have known where he was just by the act of calling you?
A Right.
Q Unless he told you where he was, right?
A Right.
Q And then you would be dependent upon the truth of what he said?
A Well, I would know where he's calling from because I have caller I.D. So most of the time I

Page 9

would know where he's calling from.
Q So at home you would know where he was calling from?
A Right.
Q Well, what you would get from caller I.D. is a phone number, right?
A And a name.
Q And a name that it was registered to?
A Yes.
Q And even if it was a cell phone?
A It would just say Maryland.
Q It would say?
A Maryland. Maryland.
Q Maryland?
A Yes.
Q The state?
A Yes.
Q Right? It wouldn't give you a name?
A No.
Q And it wouldn't give you a location?
A No.
Q And if it was a number with which you were not familiar, you, of course, would have no way of knowing where that phone was?
A Right.

Page 10

Q Right. Where it was being used to call you?
A Right.
Q And you really of your own knowledge would have no way of knowing whether it was a land line or a cell line, would you?
A If it's a -- I mean, yea, I can tell on the caller I.D., a Maryland phone. It's only a cell phone that comes up that way.
Q So your belief is that you could tell by your caller I.D.?
A Right, yep.
Q Is that right?
A Yes.
Q And do you have caller I.D. at work?
A No.
Q And do you have a cell phone?
A No.
Q And do you have a pager?
A Not right now.
Q No. But you did then?
A Yes.
Q Yes. And on your pager if somebody tried to reach you on your pager, can you answer, or could you answer it?

Page 11

A By calling back?
Q On the phone.
A No.
Q No. You'd have to call them back, right?
A Right.
Q And so if someone tried to page you, they could leave a message, right?
A Yes.
Q And then at some point later you could get that message, right?
A Right.
Q And do you have caller I.D. that gives you an idea where a person called from when they left you a pager message?
A No.
Q No. And what they actually showed you was what appeared to be phone records?
A He didn't show me anything that night.
Q But he told you?
A Yes.
Q And he told you that they had records that involved your phone number?
A Right.
Q Right? And your pager number?
A Right.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 12

Q And did you then explain to Detective MacGillivary on that night, Friday night on the tape recorder -- and the tape recorder was not on, right?
A Right.
Q Or at least that you saw, right?
A Right.
Q But he was taping us -- did he explain to you where those records came from?
A No.
Q Or whose phone they were?
A Whose phone?
Q That the records --
A No.
Q -- belonged to? No. And on that night did you explain to them that you spoke to Jay Wilds almost everyday?
A Probably, yes.
Q And did you ever explain to them that you had no idea, unless you checked, where he would be when he would be calling?
A What?
Q Well, what I've just asked you, unless he told you you might be able to get a number off of your land line, right?
A Right.

Page 13

Q And at the time you didn't have a cell phone, right?
A Right.
Q But you had a pager, right?
A Yes.
Q And off the pager you could only get the message?
A Right.
Q You didn't have a caller I.D.?
A No, if they leave a message --
Q Not on the pager?
A Right.
Q So it would be only be if the person calling you left a number that they were calling from, not expecting to leave a number that you should call back, would you know anything about the number from which the person was calling, right?
A Right.
Q And you weren't asked about all of that that night, were you?
A No.
Q And you didn't volunteer that information, did you?
A No.
Q And when they directed your attention to

Page 14

the 13th and indicated that your phone number was implicated on records from that day, that's the only thing that focused your attention on the 13th, was it not?
A Yes.
Q But you didn't independently recall that date?
A No.
Q And to your knowledge, you were aware on that day that your friend, your very, very good friend Jay Wilds didn't own a car, right?
A No, my friend Jay did not own a car.
Q And that he often borrowed other people's cars?
A Yes.
Q And some of which cars you knew, right?
A Right.
Q But of some which cars you didn't know?
A Right.
Q And you described for us on Friday that you -- I mean, yesterday that you remembered the cell phone because he put it on the table in your house, correct?
A Right.
Q And you didn't know he was calling from the

Page 15

cell phone until you saw that, did you?
A Right.
Q And that wasn't the only time he had somebody else's cell phone, was it?
A I don't know.
Q He could have?
A Sure.
MS. MURPHY: Objection.
MS. GUTIERREZ: The issue of --
THE COURT: Well, go ahead. Sustain the objection as to what could have happened.
Q The issue of what phone he might have been calling from had really never come up to you, had it?
A No.
Q It had never had any importance to you to establish?
A No.
Q And as far as you were concerned on that date, did the fact that he called you on the cell phone make any difference to you?
A No.
Q It really wasn't an important matter to you, was it?
A No.
Q And when he came to your house that day you

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 16

were already there, were you not?
A I think so, yes. I can't quite remember.
Q So maybe you were there and maybe you weren't there?
A Right.
Q When you spoke to Detective MacGillivary on Friday the 26th you told him that you were already there that day before he got there, were you not?
A Yes.
Q Yes. And when you spoke to him on the next day, I think sometime after four or right before four in the afternoon, you were asked that question, were you not?
A Yes.
Q And you recall that you told them that -- by them it was more than Detective MacGillivary there that second day, wasn't it?
A Yes.
Q And that included Detective MacGillivary, did it not?
A Yes.
Q It included another police officer by the name of Sergeant Lehmann?
A Yes.
Q And was Detective Ritz there?

Page 17

A Yes.
Q Yes. And your lawyer was there?
A Yes.
Q And was present throughout all of the time he asked you questions, right?
A Yes.
Q And your mother was there the whole time, was she not?
A Yes.
Q Were there other police officers or detectives?
A No, not in the room.
Q All right. And unlike the day before when Detective MacGillivary brought you into the room by yourself, he did ask you about a tape recorder, did he not?
A Yes.
Q And the tape recorder was visible, was it not?
A Yes.
Q And you could see it, could you not?
A Yes.
Q And he asked your permission if he could tape it, could he not?
A Yes.

Page 18

Q But you didn't have to raise your hand and take an oath like you did this morning?
A Right.
Q Or like you did yesterday?
A Right.
Q Okay. And it was with your permission that the tape recorder was on the entire time, was it not?
A Yes.
Q Except for a short little break when everybody went to use the facilities and get coffee or drinks?
A Right.
Q Is that right? And so that everything you said to them that night was tape recorded?
A To my knowledge, yes.
Q Okay. Or to at least what you observed, right?
A Right.
Q And you, of, course assumed that it was one of these little hand held tape recorders?
A No, it was a larger one.
Q It was a larger one. Was it a reel to reel or did it have a cassette?
A A cassette.
Q A cassette. And you could see the cassette

Page 19

moving, could you not?
A I didn't look at it.
Q But when they told you they were turning it on you assumed that it was on?
A Yes.
Q And when they asked you about your day you told them what you knew, did you not?
A Yes.
Q And what you told them was that you got to your house first that day?
A Okay.
Q Is that okay meaning yes?
A Yes.
Q Okay. And that Jay arrived afterwards?
A Yes.
Q And that day after Detective MacGillivary took you in the room, how long did that questioning take place?
A Awhile. Like maybe about an hour.
Q And during that hour the only questions that were discussed were questions about January 13th and things that occurred afterwards related to that?
A Yes.
Q Isn't that right? There was no other topic?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 20

A No.
Q On the table?
A No.
Q You all didn't talk about anything else?
A Not on the tape.
Q So all of the questions that you were asked related to what you knew about the death of Hae Min Lee?
A Yes.
Q And about the involvement of Jay Wilds?
A Yes.
Q And about any involvement you might have?
A About my day, yes.
Q Yes. And what you might know?
A Right.
Q And during that time you've told us yesterday you lied to them?
A Yes.
Q About certain things?
A Not on the tape, not that I remember. I remember things differently now.
Q Well, wasn't there a tape on --
MS. MURPHY: Objection.
THE COURT: Overruled.
Q There wasn't a tape on Friday night, right?

Page 21

A Right.
Q So however you lied to them is not caught on tape?
A Right.
Q It would only be caught if they wrote it down in their notes, in Detective MacGillivary's notes, right?
A Right.
Q Did Detective Ritz come into the room?
A No.
Q Not on Friday night?
A No.
Q So it was just you and Detective MacGillivary, correct?
A Yes.
Q And did you lie to them about what you did in the day?
A No.
Q Did you lie to them about anything Jay may have said to you?
A No.
Q Did you lie about the order in which events occurred?
A Perhaps. I can't remember them exactly anymore. I don't know.

Page 22

Q You can't remember exactly what lie you told them when you --
A No, I can't remember in what order the events occurred so --
Q Well, if you told --
MS. MURPHY: Objection.
THE COURT: Wait one moment, Ms. -- So go ahead you can finish your answer.
THE WITNESS: So I don't remember exactly in what order the events occurred. So I don't know if I lied to them about what happened that day.
Q Well, yesterday you told us that you knew that you lied?
A Yea, I did lie to them about what I knew.
Q And what you knew about these events all came from Jay Wilds?
A Yes.
Q And what you observed with your interaction with Jay Wilds that day?
A Right.
Q And the next couple days?
A Right.
Q And at any other occasion between that day the 13th and the 27th, it's actually the 26th, that Friday night when you were in that room with

Page 23

Detective MacGillivary; is that right?
A Right.
Q And you didn't mention Jay Wilds' name, did you?
A Yes, I did.
Q On Friday night?
A Yes, I did.
Q And did you give his address?
A Probably the road he lives on, yes.
Q The road he lives on?
A Where he works at.
Q Because you didn't know his exact address?
A Right.
Q Your very, very good friend you didn't know his exact address?
A Right.
MS. MURPHY: Objection.
A Right, I don't know the number.
THE COURT: Overruled.
Q And did you mention Kristi Vinson, your friend's name?
A I don't remember.
Q Did you advise them that the woman sitting out in the lobby may have knowledge about the same events?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 24

A I don't know.
Q Or may be able to back up your story?
A No.
Q No. And the police never went out to talk to Kristi Vinson, did they?
A No.
Q Did they even ask who she was?
A No.
Q And you didn't volunteer it, did you?
A No.
Q And Ms. Vinson stayed in the lobby the whole time, did she not?
A Yes.
Q And then took you home?
A Yes, no took me to her house.
Q Took you to her house?
A Yes.
Q Which is where you were planning to go when you were parked in your car parallel to the road, is that right?
A Right.
Q And to your knowledge, you said you could see to where she was, could you not?
A Not while I was in the room. The door was shut.

Page 25

Q Oh, the door was shut. If the door was open, you could see the lobby, right?
A Probably, yes.
Q But you didn't stop and talk to Kristi Vinson, did you?
A When?
Q Friday night during the time you were in the room with the detectives?
A No, we didn't stop, no, not to talk.
Q And you never asked to go speak to Kristi Vinson, did you?
A No.
Q And to your knowledge Detectives MacGillivary or Ritz didn't go do that, did they?
A Right.
Q They never excused themselves, did they?
A No.
Q They stayed in the room the whole time?
A Just MacGillivary, yes.
Q MacGillivary. And you; is that right?
A Yes.
Q And you answered all of his questions, did you not?
A Yes.
Q And did you tell him you didn't remember

Page 26

certain things?
A Yes.
Q And you knew at the time from the conversation and the questions that they had not spoken to your good friend Jay Wilds, did you not?
A Yes.
Q Did they tell you that?
A No.
Q No. But you could tell by what questions they asked you?
A I assumed that, yes.
Q And did you tell them everything that Jay had said?
A No.
Q No. And did you tell them anything that Jay said?
A About what? Just anything, yes. I told them that --
Q About these events?
A I told them that Jay said go down and see him.
Q Because you had spoken to Jay before you had gone down to see them that night, had you not?
A Yes.
Q And that was after they had identified

Page 27

themselves as cops outside of your house; is that right?
A Yes.
Q And then on February 26th did you own a cell phone?
A No.
Q Did your friend Kristi Vinson have a cell phone with her?
A I don't know.
Q You didn't use her cell phone that night, did you?
A I don't know.
Q But you reached your friend Jay Wilds?
A Yes.
Q By telephone or in person?
A The night that the police came, in person.
Q In person. That's when you went to take his dinner?
A Yes.
Q And you told him that detectives that had identified themselves as homicides detectives had just been at your house?
A Yes.
Q And you asked him what to do, did you not?
MS. MURPHY: Objection.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 28

THE COURT: Overruled.
A Yes.
THE COURT: Did you ask him what to do?
Q You asked him what to do, did you not?
A Yes.
Q About the fact that the detectives wanted to talk to you, right?
A Right.
Q Because prior to that day your very, very good friend Jay Wilds had asked you to keep it all to yourself, had he not?
A Yes, my friend Jay said that.
Q Jay said that. And you had kept it to yourself, had you not?
A Not completely, no.
Q You hadn't called the police?
A No.
Q To tell them what you knew?
A No.
Q Although later the next day you told them that you really thought about that, did you not?
A Yes.
Q You thought about ways to do that anonymously is what you told them?
A Yes.

Page 29

Q And you thought about ways to do that up front, did you not?
A I know how to do it up front.
Q But you told them that you thought about doing it?
A I thought about it.
Q Did you not?
A Yes.
Q Even though your friend Jay Wilds had asked you to keep quiet about the whole thing?
A Right.
Q And on Friday night all you said to the police about Jay Wilds was go see him?
A Yes.
Q And did you tell them that you had gone to speak to your friend Jay Wilds before coming down to see them?
A No.
Q And you, of course, did not let them know while you were still at your house that you might come down?
A Right.
Q And you hadn't made an appointment?
A No.
Q And you hadn't indicated to them that

Page 30

although they requested to speak to you that day that you, in fact, were going to show up, did you?
A No.
Q And at the video store you all stayed in the video store?
A For a moment.
Q And you spoke to Jay Wilds inside that store?
A Yes.
Q And how long did that take?
A About five to ten minutes.
Q And did Kristi Vinson come in the store with you?
A Yes.
Q And she was present when you spoke to Jay Wilds?
A Yes.
Q And Kristi Vinson had heard the police ask to speak to you, right?
A Right.
Q And you, of course, rode over with Kristi Vinson in the car because it was her car and she drove, right?
A Right.
Q And did you tell her what your concerns

Page 31

were?
A Yes.
Q And that they concerned your mutual friend Jay Wilds?
A Yes.
Q And so she was present during the conversation you had with Jay Wilds in which he said tell them to come by and see me?
A Right.
Q Okay. And did she participate in that conversation?
A No.
Q Did she have anything to offer?
A No.
Q Did she have any questions to ask?
A Yes.
Q It was a pretty serious matter for you, was it not, Ms. Pusateri, the police requesting to see you?
A Yes.
Q About events that your very, very good friend had asked you to be quiet about?
A Yes.
Q And it was pretty scary, was it not?
A A little bit.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 32

Q Jay Wilds thought it was a good idea for you to go to talk to the police, did he not?
A Yes.
Q Because you really went to him to ask for his permission, did you not?
A No, not permission.
Q You had promised to keep quiet, had you not?
A Yes.
Q And you had assured him before that day that you would do so?
A Yes.
Q And he knew that?
A Yes.
Q And you had done so, had you not?
A I told a few friends, a friend.
Q And those two friends were?
A Nicole and Josh.
Q And Nicole is a friend from?
A Work.
Q And that's at Garland's?
A Yes.
Q That's where you also work?
A Yes.
Q Garland's is a garden shop?

Page 33

A Yes.
Q At Ingleside Road, below -- I guess right before Ingleside meets Johnnycake Road?
A Yes.
Q Yes. And you had worked there for a long time?
A Yes.
Q And Nicole wasn't also a mutual friend of Jay's, was she?
A She has hung out with Jay before but --
Q Because he's hung out with you?
A Right.
Q So she's met him through you, right?
A Yes.
Q So you would call her sort of a mutual friend?
A Yes.
Q It wouldn't be unusual for the three of you to hang out together?
A More than just the three of us.
Q Okay. Along with other people?
A Yes.
Q And that the hanging out together included socializing, did it not?
A Yes.

Page 34

Q And did Nicole, was she also a mutual friend of Ms. Vinson?
A Yes.
Q And Ms. Vinson also hung out with the three of you and others, did she not?
A Yes.
Q And it was not unusual for your mutual friends to hang out at Kristi Vinson's, was it?
A No.
Q Another place that you all hung out together was a place named Champs?
A Yes.
Q That's like a bar restaurant?
A Yes.
Q And you've hung out there with Jay, had you not?
A Yes.
Q And with Ms. Vinson?
A Yes.
Q With Nicole?
A Yes.
Q Yes. And Ms. Vinson's house is a place that you and Jay and other friends hang out regularly, do you not?
A It was, yes.

Page 35

Q It was. It's no longer?
A No.
Q She is no longer a friend?
A Yes, she's still a friend.
Q But you no longer hang out there?
A Not as much, no.
Q Back then in January of 1999 it would regularly occur when you hung out at Ms. Vinson's that everyone would smoke weed, would they not?
A Sometimes, yes.
Q Sometimes yes. That would not be an unusual occurrence?
A No.
Q And people knew that it was okay to smoke weed at her house?
A Sure, it was fine.
Q Now, the other person that you told -- incidentally, did you tell Nicole that Jay told you that he was involved in the murder of Hae Lee?
A No.
Q Or that he was involved in the burial of Hae Lee?
A No.
Q Or in hiding any evidence relating to either of those events?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 36

A No, Jay never told me any of that. So I never told Nicole that.
Q You never told. All you really told Nicole was that you knew that Hae Min Lee was dead?
A Yes.
Q And another thing that Jay had told you was that he didn't know where the body was?
A Right.
Q That he had been asked by Adnan to help bury the body, right?
A Right.
Q But that he had admanantly refused to do so?
A Right.
Q And another thing was that you spoke to Detective MacGillivary first on Friday the 26th and then also on the tape on the 27th you said and explained that one of the reasons why you couldn't go to the police was that you didn't think you had enough information?
A Right.
Q Was that right?
A Yes.
Q Those were your words, were they not?
A Yes.

Page 37

Q And that the lack of information included that, well, we meaning Jay and I, we didn't even know where the body was, right?
A Right.
Q Because you were sure that he didn't know where the body was?
A Right.
Q Because that's what he told you?
A Yes.
Q Isn't that right?
A (Indicating.)
Q The only -- is that a yes?
A Yes.
Q And the only information that he gave you was what he says Adnan said; is that right?
A What he says Adnan said about what?
Q About those events?
A And about when he was there with Adnan.
Q Okay. But what he said happened while he was there didn't include the burial of the body?
A Right.
Q Right. What Jay told you is that he had no idea where the body was buried, right?
A Right.
Q And that was the critical piece of

Page 38

information that was lacking that prevented you from going to the police?
A Right.
Q Even though you thought about it?
A Right.
Q And you told that to Detective MacGillivary on Friday night, the 26th of February?
A I don't remember. I told him on the 27th.
Q You did tell them on the 27th; is that right?
A (Indicating.)
Q And when Jay told you that he didn't know where the body was buried you believed him, did you not?
A Yes.
Q Now, during the tape recording of your statement on the 27th the police kept referring to the person whom -- although you knew you did not consider yourself to be a close friend of, was the man we now as Adnan Syed, do you remember that?
A Yes.
Q And throughout the statement that you made to Detective MacGillivary while the tape recorder was on, both you, Detective MacGillivary, Sergeant Lehmann, and Detective Ritz referred to that person

Page 39

by the name of Adenar, did you all not?
A I called him Adnan.
Q You called him Adnan?
A Yes.
Q But they called him Adenar, did they not?
A I don't remember, I guess.
Q And would you be surprised to know that the transcript for everybody says that you all called him Adenar?
A No, I saw that. I saw that.
Q You saw that. Because you've looked at the transcript of what you said?
A Yes.
Q On more than one occasion?
A Yes.
Q Before testifying today?
A No.
Q You haven't looked at it before you testified today?
A No, not today. I haven't had time.
Q I didn't say today. Before you testified today?
A Oh, before?
Q Yes.
A Yes.

This copy provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 40

Q On more than one occasion?
A Yes.
Q On other days?
A Yes.
Q In order to prepare for your testimony?
A To make sure that what was transcribed was what I said.
Q Okay. And you had an opportunity to review the transcript, did you not?
A Yes.
Q And did you make any changes to the transcript?
A On my copy.
Q On your copy?
A Yes.
Q Were there things that were wrong?
A No.
Q And did you look at the tape? Did you listen to the tape?
A No.
Q Did you ask for the tape?
A No.
Q And did you do anything about whatever errors you may have found?
A No.

Page 41

Q And you were provided a copy of the transcript of what you said on the 27th by?
A My lawyer.
Q Your lawyer. Is that because that person has remained your lawyer, right?
A My what?
Q That person that appeared with you on the 27th has remained your lawyer, correct?
A Right.
Q So you've reviewed this transcript with your lawyer?
A No, he just sent me a copy.
MS. MURPHY: Objection.
THE COURT: Overruled.
Q He sent you a copy?
A Yes.
Q And did you know what the purpose was?
A I guess there was a little note that said please read over.
Q And you did so?
A Yes.
Q And you had some sessions where you discussed what you would say?
A With my lawyer.
Q Did you not?

Page 42

A Discussions about what I would say.
Q Today and yesterday?
MS. MURPHY: Objection.
THE COURT: Wait a minute, I'm not sure I understand the question. So if you would --
MS. GUTIERREZ: I will rephrase it.
THE COURT: Thank you.
Q Ms. Pusateri, you had some preparation sessions in regard to your testimony, have you not?
A No, I wouldn't call them preparation sessions. There was questions asked.
Q And was that over the telephone or in person?
A Both.
Q Both. And was that with Ms. Murphy?
A Yes.
Q And Mr. Urick?
A Yes.
Q Other than the two times that you've spoken about, have you spoken with Detectives MacGillivary, Ritz, or Lehmann on any other occasion?
A Yes.
Q Yes. And was that also in relationship to preparing for your testimony in this trial?
A Yes.

Page 43

Q Yes. And now going back to the 26th of February, did they ask you questions or did you just volunteer information?
A They asked questions.
Q They asked specific questions, did they not?
A Yes.
Q And you answered all of their questions?
A Both nights?
Q I'm just talking about the 26th?
A The 26th, no.
Q No. You refused to answer some questions, did you not?
A I kind of half answered them, yes.
Q And then, in fact, did you inquire of them might you not be entitled to a lawyer?
A No, I did not ask.
Q Did you tell them you were going to get a lawyer?
A No.
Q And who stopped the session that Friday night?
A MacGillivary.
Q MacGillivary stopped?
A Yes.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 44

Q MacGillivary indicated to you that he thought you were not being quite as forthcoming as you should, did he not?
A By his gestures but not directly.
Q But you understood that, did you not?
A I knew that I knew more than what I was saying, so I knew that I was lying to him about that.
Q You could tell by what you observed that he thought you were lying, too, did he not?
A Because of something that I had said earlier in our questioning that led him to believe that I knew more than what I was telling.
Q Okay. And what was the thing that you said?
A I had said that she had been strangled.
Q She meaning Hae Min Lee?
A Yes.
Q At that point did they ask you if you had strangled her?
A No.
Q And did they ask you how you knew she was strangled?
A Yes.
Q And did you tell them, oh, my good friend, my very good friend Jay told me?

Page 45

A No.
Q No. And --
A Because of his reaction I told him.
Q Pretty visceral, wasn't it?
MS. MURPHY: Objection.
THE COURT: Overruled -- sustained. I'm sustaining it only to the extent that the witness may finish her answer before the next question. Will you finish your answer.
THE WITNESS: Yes.
THE COURT: You were saying?
THE WITNESS: Because --
THE COURT: Only because I said earlier in the conversation that she was strangled and he?
THE WITNESS: Yea, the way that he reacted when he was asking me how did I know that she was strangled because that information was never released by the police.
Q And you could see his reaction on that, could you not?
A Yes, he said that.
Q But you could also see his reaction, could you not?
A Sure.
Q And now up until that point, Ms. Pusateri,

Page 46

you had gone down there of your own consent, right?
A Right.
Q Based on the advice of your very, very good friend Jay Wilds who felt that that would be a good idea, right?
A My friend Jay, yes.
Q Well, he is your very, very good friend, is he not?
A He's my friend.
Q Well, that night they asked you about what that relationship was, did they not?
A Yes.
Q And they asked you to describe exactly what the relationship was, did they not?
A Yes.
Q And they seemed very interested in what that relationship was, did they not?
A Yes.
Q In fact, they asked you were you girlfriend and boyfriend, did they not?
A Yes.
Q You answered their question. Do you recall this? Sergeant Lehmann said how would you describe your relationship with Jay, and you answered Jay, I'd say we're very close, very close, do you recall that?

Page 47

A Uh-huh.
Q Is that a yes?
A Yes.
Q And Sergeant Lehmann went on to say boyfriend girlfriend type, did he not?
A Yes.
Q And you recall him asking that, do you not?
A Yes.
Q And you answered no, not like, you know -- well, not really, but I mean we're close like I love Jay as a friend. I mean with all my heart. Jay is, like I trust Jay with my life?
A Not anymore.
Q But then that's what you told Sergeant Lehmann?
A That's what I said, but it was a bit of a -- it's not really like that.
Q It's not really like that?
A No.
Q That wasn't really like that then?
A No.
Q But that's how you described it when Sergeant Lehmann asked you?
A Yes.
Q And that was while the tape recorder was

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 48

on, was it not?
A Yes.
Q That was on the occasion on late Saturday, February 27th in the late afternoon after which Jay sort of told you it was okay to tell them, to send them in his way?
A Right.
Q And you, of course, took that as a pass on his earlier request that you keep it all to yourself?
A Right.
Q Right? According to the permission your good friend had given you, you could now tell them what he had earlier said keep to yourself?
MS. MURPHY: Objection.
THE COURT: Overruled. Can you answer that?
THE WITNESS: Yes, I didn't ask Jay for permission to speak to anyone. So I went on my own. It had nothing to do with -- I did ask Jay what I should do, but I did not ask permission to do anything and what he said had no -- no thing on what I was going to do.
Q What he said about it's okay to send them to him had no bearing on your decision to go down and talk to the police?

Page 49

A Right.
Q On Friday night the 26th?
A Right.
Q And you just went on your own?
A Well, after I spoke to him I went.
Q Now, when you spoke to them again on the 26th, they asked you to describe your relationship with Jay, did they not?
A Yes.
Q And did you do so?
A Yes.
Q Did you lie about that?
A No.
Q No. But now you're telling us what you said to Sergeant Lehmann not really, was not really the way it was?
A Right.
Q Right.
A We're just friends.
Q That he wasn't really --
A We're just friends, me and Jay.
Q Just friends?
A Just friends.
Q Not very close friends.
A No, home boys, whatever.

Page 50

Q Not very close friends?
A We're good friends, friends.
Q Less friends than you described to Sergeant Lehmann?
A Yes.
Q So when you told Sergeant Lehmann that you trusted Jay with your life you didn't mean it?
A In certain situations.
Q So that wasn't entirely accurate?
A Not a hundred percent.
Q And so was that a lie?
A It wasn't the truth.
Q It was not the truth?
A Right.
Q But it wasn't quite a lie?
A Right.
Q Was it like a half lie?
A I guess, yes, an exaggeration.
Q An exaggeration of what really was?
A Right.
Q So back in January of 1999, although it would not have been unusual to see and/or to speak Jay almost on a daily basis?
A Right.
Q You weren't quite as good of friends as you

Page 51

had intimated?
A As it may have appeared, right.
Q As you made it appear to Sergeant Lehmann?
A Right.
Q Had Jay suggested to you that you do that?
A No.
Q And was there anything important to you about portraying your relationship with Jay to Detectives MacGillivary, Ritz, and Lehmann, or anyone else who was there, including your lawyer?
A No.
Q No. You didn't have any hidden motive to declare Jay a better friend than he actually was?
A No.
Q But you did so anyway?
A It's just -- I just believe that what you all are reading into when I say very close friend is more than what I really meant.
Q Well, Ms. Pusateri, you answered my question and you recalled saying those words to Sergeant Lehmann, did you not?
A Right.
Q And this is the time the tape is on, right?
A Right.
Q And your lawyer's there, right?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 52

A Right.
Q And your mother's there?
A Right.
Q Right? Isn't that right?
A Yes.
Q And you were doing this consensually, were you not?
A Yes.
Q You weren't being forced, were you?
A No.
Q And you hadn't been threatened, had you?
A No.
Q And you hadn't been charged with any crime, had you?
A No.
Q But you chose to exaggerate your relationship with Jay?
A Yes.
Q And did you feel, Ms. Pusateri, that they were trying to make more out of your relationship than there really was?
A What?
Q Did you feel then on the 27th of February with your lawyer there, with your mother there, that someone was trying to make more out of your

Page 53

relationship with Jay than there really was?
A No.
Q No. So you chose those words?
A Yes.
Q Nobody put them in your mouth?
A No.
Q And there wasn't any hidden agenda that you could tell that somebody wanted to make more out of it than there was?
A Right.
Q But you chose to make more out of it than there was?
A Right.
Q Is that right? And at that point in time you had corrected the lie or lies or half truths that you had told them the day before?
A Yes.
Q On February 26th when you were in the room with Detective MacGillivary, were you ever threatened of being charged?
A No.
Q Were you afraid of being charged?
A Yes.
Q Yes. Because of something they said?
A The last thing he said when I left.

Page 54

Q And what was that?
A Everyone's a suspect and no one's a suspect.
Q Everyone you thought included you, did it not?
A Sure.
Q And before then you weren't scared?
A No.
Q No. Nothing scary about going down on a Friday night to Police Headquarters to be asked about a murder?
A Yes.
Q So you were scared or do you remember?
A Once the police came to my house, yes, but before then, no.
Q So you were still scared when you went down and spoke to Detective MacGillivary?
A Yes.
Q And is that why you lied or told a half truth?
A Yes.
Q Yes. And when Detective MacGillivary ended the conversation, had he asked you all of the questions he wanted?
A I don't know.

Page 55

Q Well, you didn't end the interview?
A Right.
Q You were very willing to answer questions he asked even though you elected to at least withhold some of the truth?
A Right.
Q Is that right? You weren't the one who said, oh, I have to go now, I have a very important engagement?
A Right.
Q Right? And in that hour or so your friend Kristi Vinson remained there?
A Yes.
Q And after -- and then you left?
A Yes.
Q And you went to her house?
A Yes.
Q Directly to her house?
A Yes.
Q And on the way home you spoke to your good friend Kristi Vinson?
A Huh?
Q On the way home to her home you spoke to her?
A Yes.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 56

Q You spoke to her?
A Yes.
Q And I'm sure she had questions about what you all were doing at the Police Headquarters in Baltimore City Homicide on Friday night, did she not?
A Yea.
Q She wanted to know what questions they had?
A No, she just wanted to know what was going on.
Q What was going on, but she didn't ask you any questions about what the police asked you?
A No.
Q And what it concerned?
A She knew that it concerned Hae Lee.
Q Because of what she heard?
A Earlier.
Q Earlier while she was still in the car right before you left?
A And because we talked.
Q And because?
A We talked on the way down to the police station, right.
Q And on the way down did you tell her things that she didn't appear to know?
A That she what?

Page 57

Q Did not appear to know?
A Yes, that she did not know.
Q So you filled her in?
A Right, she didn't -- right.
Q About your mutual friend Jay?
A About the events that happened on the 13th.
Q And on the way down -- do you recall Ms. Pusateri you answered me that until they focused your attention on the 13th you wouldn't have remembered what day?
A Right.
Q Right. So on the way down since you didn't remember, you couldn't have said, by the way, Kristi remember January 13th?
A Right, I didn't say the date.
Q You didn't say that, right?
A Right.
Q And you didn't focus her on the importance of the 13th, right?
A Not the date.
Q And you didn't focus her on the importance that she was in there somewhere as to things that involved her on that same day, did you?
A I'm not sure what you asked.
Q Well, Ms. Pusateri, what you told us on

Page 58

direct is that that date which you now remember is the 13th, at the end of the evening after you said you picked Jay up at the parking lot closest to Value City in Westview; is that right?
A Yes.
Q And after you took Jay to the F & M off Baltimore National Pike and went behind there and went to the dumpster?
A Right.
Q Right. That ultimately you landed at Kristi's house?
A No, we didn't -- no, I didn't take Jay to F & M until the day after the 13th.
Q That's what you tell us now?
A That's what I've been saying from the beginning.
Q And --
A The shovels --
Q At some point you told them --
THE COURT: I'm sorry, one moment. The shovels?
THE WITNESS: The shovels were behind Westview Mall parking lot. Then we went to Kristi's the night of the 13th.
Q All right, on the night of the 13th, okay?

Page 59

A Yes, we went back to Westview Mall, not F & M.
Q After you went back to Westview Mall is when you end up at Kristi's?
A That's when we went to UMBC and then Kristi's.
Q You went to where?
A UMBC, my school.
Q That was a sorority party, right?
A My friend Mike's party.
Q It was Mike's birthday, right?
A Yea.
Q Right? And you felt obligated to go, right?
A Right.
Q Because you liked to please your friends, right?
A Right.
Q And you stayed there for about an hour with your friend Jay?
A Yes.
Q And then you ended up at Kristi's, right?
A Yes.
Q And so you said that at that time Kristi's boyfriend Jeff Johnson lived with her?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 60

A He stayed there.
Q Well, you used the term lived in the transcript, did you not?
A Yes, but he didn't actually live there. It wasn't his residence.
Q So that was like a half truth, too?
A I mean it seems as if he lived there. He would stay there a lot, but it's not his residence. It's not his address, not where his mail is sent.
Q And, in fact, that is Kristi's address, right?
A Yes.
Q And she was present on that occasion, right?
A Yes.
Q And Jeff, whether he lived there or stayed there or whatever you call it, he was present, right?
A Yes.
Q And you stayed there with Jay for a little bit of time, did you not?
A Uh-huh.
Q And is that a yes?
A Oh, yes.
Q And during that time you told Detective MacGillivary on the 27th while the tape was running

Page 61

that you were acting pretty strange?
A Yes.
Q And that your friend Krista noticed how strange you were acting?
A Yes.
Q And that Jay was acting pretty strange?
A Yes.
Q And that your friend Krista noticed?
A Kristi, but yes.
Q Kristi noticed?
A Yes.
Q Is that right?
A Yes.
Q That's what you told them, right?
A Yes.
Q But on the 26th of February when you were riding down to the police station having spoken to Jay about whether or not you should go --
A I didn't --
Q -- you spoke to Krista, Kristi about these events, did you not?
A Yes, I spoke to Kristi.
Q Okay. But at that time you had no idea that the events occurred --
A On the 13th.

Page 62

Q -- on the 13th, right?
A Right.
Q So you couldn't have reminded her that, oh, you remember the night I was acting strange, could you of?
A She asked me after the detectives spoke about Hae Lee at the car, she asked me if it had anything to do with the night that Adnan was at her house.
Q You weren't there when Adnan was at her house?
A Right.
Q And you had not spoken to her about Adnan being there, had you?
A Yes.
Q You had?
A I was on the phone with --
Q You remember that date?
A I was on the phone with her when Adnan was at the house.
Q When Adnan was there?
A Yes.
Q And she told you he was there?
A Yes.
Q And she told you he acted strange?

Page 63

A Yes.
Q Okay. Later that evening when you got there with your friend Jay after having attended the sorority party, you had further conversations with her about that day?
A No.
Q No. Now, on the way down then was she the initiator of the conversation or were you? On the way down to the police station on Friday the 26th after leaving the porn store?
A She asked me about -- she asked me if what the detective was talking about was when Adnan came over and then that's when I went to tell her about --
Q Had the detectives --
THE COURT: Wait a minute, I went to tell her about?
THE WITNESS: That's when I went on to tell her about the -- about Jay's involvement and what happened to Hae Lee and what Jay had told me.
Q All right. Now, as to Jay's involvement, according to what you told the detectives, what he had told you was that he had nothing to do with killing Hae Lee?
A Right.
Q Right? That he wasn't present, right?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 64

A Right.
Q That he hadn't done anything ahead of time, right?
A Right.
Q And that although he had been asked to help bury the body he hadn't done a thing?
A Right.
Q And according to him as to what he told you, he didn't have any involvement, right?
A Right, he just drove Adnan around and picked him up and dropped him off at different places.
Q But that he had nothing to do with killing her or burying her, right?
A Right.
Q He didn't assist Adnan other than to drive him around, right?
A Right.
Q But he had no knowledge of what happened to Hae before it happened, right?
A Right.
Q But when asked to assist after he had knowledge he had refused?
A Right.
Q And you told them that you believed him,

Page 65

right?
A Yes.
Q And that he told you he had no idea where the body was?
A Right.
Q Because he had refused --
MS. MURPHY: Objection.
Q Because he had told you he had refused to help do anything with the body?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q And what else did you talk about with your friend Kristi Vinson --
MS. MURPHY: Objection.
Q -- on the way down?
THE COURT: Sustained.
Q On the way back over to her house did you tell her what the detectives had asked you?
A No.
Q And did you tell her about what Jay had said?
A I told her on the way down, not on the way back.
Q On the way back. And was there any other topic of conversation on the way back?

Page 66

A Just normal conversation.
Q Unrelated to these events?
A Right.
Q And was your good friend Kristi Vinson scared for you?
A Yes.
MS. MURPHY: Objection.
THE COURT: Overruled.
A Yes, we spoke.
THE COURT: Was she scared for you?
THE WITNESS: We spoke about the events that occurred because I had told Kristi that I had lied to the police, right, and she was concerned and said that yea I should probably go get a lawyer in the morning.
Q Get a lawyer?
A Right, because I had lied.
Q And that's what you discussed with her?
A Right.
Q Because you decided after you left, that if you had lied you'd better get a lawyer?
A Right.
Q Because you were scared of the consequences of lying, right?
A Right.

Page 67

Q You weren't scared of the consequences of being charged in these events?
A I didn't have anything to do with them.
Q And you were certain that the police believed you?
A No.
Q As to that?
A No.
Q Were you not?
A No.
Q You said that you were scared in part because of the last thing that Detective MacGillivary said, right?
A Right.
Q His statement about everybody being a suspect?
A Right.
Q You included yourself in that category, did you not?
A Yes.
Q Did you express that fear to your good friend Kristi Vinson?
A I couldn't hear you.
Q Did you express that fear to your good friend Kristi Vinson?

This page provided by Susan Simpson in support of donations to the Adnan Syed Legal Trust

Page 68

A No, not like that.
Q In any way?
A I told her that I was scared because I had lied. That's it.
Q Because you had lied?
A Right.
Q You didn't tell her you were also scared because MacGillivary was considering everybody, including you, a suspect in the homicide of Hae Min Lee?
A Right.
Q And now when you left that office had you made plans to speak to MacGillivary again?
A No.
Q Had you told him that you thought that perhaps you should get a lawyer?
A No.
Q In order to speak to him?
A No.
Q Had you ever during that evening told him -- well, did he ask you to use a tape recorder that evening?
A No.
Q Did you ever tell him that you had some difficulty in answering some of his questions?

Page 69

A No.
Q Or that you hadn't told him the whole truth?
A Did I ever tell him that?
Q Yes.
A No.
Q That you lied?
A No.
Q And there was no appointment set, was there?
A No.
Q And there had been no discussion about a lawyer?
A Right.
Q And he hadn't threatened you with being charged --
MS. MURPHY: Objection.
THE COURT: Sustained.
Q When your friend Kristi Vinson discussed with you and suggested it might be a good idea to go get a lawyer you acted on that, did you not?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q And when you arrived down at the police station on February 27th sometime around four o'clock

Page 70

in the afternoon you brought a lawyer with you?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Now, Ms. Pusateri, when you came down there the second day, did you call Detective MacGillivary and let him know you were coming?
MS. MURPHY: Objection.
THE COURT: Sustained. We've been over this, Ms. Gutierrez. Please move on.
Q Prior to arriving, not the night of the 26th when you said you hadn't made an appointment, did you make any arrangements for a specific time to be there?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Now, when you arrived they asked your permission to turn on the tape recorder, right?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q When you began the statement they began asking questions, did they not?
MS. MURPHY: Objection.
THE COURT: Overruled.
A Yes.
Q And they began asking questions by saying

Page 71

that this office was currently investigating a homicide, the victim's name is Hae Min Lee, she was found missing on the 13th of January, now, what, if anything, can you tell us about this event, did they not?
A Yes.
Q They threw it back to you, did they not?
A Yes.
Q And you then told them in a very lengthy way all that you knew, isn't that correct?
A Yes.
Q And you said that you heard all about the event from an individual by the name of Jay, right?
A Right.
Q And that he had told you that at around eight o'clock that evening that Adenar, Hae's ex-boyfriend, had killed her, did you not?
A It was eight o'clock when I had found out, not that it happened at eight o'clock but that it was eight o'clock when Jay had told me about it.
Q But the transcript reads Jay told me around eight o'clock that evening that Adenar, Hae's ex-boyfriend, had killed her?
MS. MURPHY: Objection.
A Right.

This page provided by Serving Up Justice in exchange for donations to the Adnan Syed Legal Trust

Page 72

Q Does it not?
THE COURT: Sustained.
Q And you told them about Adnan's car, right?
A Yes.
Q And that Jay had told you it was Adnan's car, right?
A I don't remember.
Q You weren't friendly with Mr. Syed in school, were you?
A No, we weren't good friends.
Q You barely knew him, did you not?
A So, so, enough to speak.
Q Had you ever gone on a social occasion with him?
MS. MURPHY: Objection.
THE COURT: Overruled. I think her answer was enough to speak. Your next question.
Q Had you ever gone on a social occasion with him?
A No.
Q Had he ever visited your house?
A No.
Q Other than this day had he ever called your house?
A No.

Page 73

Q Had you ever called him?
A No.
Q Had you ever met him with a group of others to socialize?
A Only at school.
Q Only at school?
A Yea.
Q Physically at school?
A Yes.
Q And you were a year ahead of him?
A Yes.
Q Now, you knew that he was friends with Stephanie, did you not?
A Yes.
Q And you knew Stephanie McPherson to be Jay's good friend?
A Jay's girlfriend.
Q And you knew that from Jay, did you not?
A And Stephanie.
Q And you told us that independently you had a relationship with Stephanie, did you not?
A In what?
Q Independently you had a relationship --
A Oh, yes.
Q -- with Stephanie, right?

Page 74

A Yes.
Q Because of softball, was it?
A Yes.
Q Is that right?
A Yes.
Q And you said Stephanie wasn't really a problem, did you not?
A Right.
Q And do you recall them asking you about Stephanie?
A Yes.
Q And do you recall telling them you didn't really like Stephanie?
A That we don't always see eye to eye on everything.
Q You don't always see eye to eye?
A Right.
Q So with Stephanie your relationship was one in which there were disagreements?
A Right.
Q And did some of those disagreements concern Jay?
A No.
Q No. About other things?
A Yes.

Page 75

Q But you knew from both Stephanie and from Jay that Adnan Syed was very, very close with Stephanie, did you not?
A From Jay, yes.
Q From Jay. And you didn't object to that, did you?
A No.
Q No. That night while you were there you answered all of their questions, did you not?
A Yes.
Q And they asked you questions about the chronology of events, did they not?
A Yes.
Q And they asked you whether or not you were at Stephanie's house, did you not?
A Yes.
Q And then you recalled that you thought you had taken Jay there, did you not?
A Yes.
Q And that you stayed in the car?
A Yes.
Q While he went to visit his girlfriend?
A Yes.
Q It took about fifteen minutes?
A Yes.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 76

Q And then you saw him go inside?
A Yes.
Q He didn't remain at the curb, did he?
A No.
Q He actually left your car, walked up, and went inside her house?
A Yes.
Q You could see that?
A Yes.
Q But you didn't go in?
A No.
Q And you were also asked about that occasion whether you saw a birthday present?
A Right.
Q And you said no?
A I don't remember seeing one.
Q That's what you told them, is that right?
A Yes.
Q And you had no further discussions with Stephanie, did you?
A No.
Q Not about any of these events?
A Later or that night?
Q That night.
A Ever?

Page 77

Q Yes.
A That night, no. Ever, yes.
Q Later?
A Yes.
Q Yes you had discussions with Stephanie?
A Yes, we have.
Q After the 13th?
A Yes.
Q When did those discussions take place?
A I don't know.
Q Would it have been in March?
A It could have been anywhere from now -- from March until today.
Q Until today. You don't know?
A No.
Q And where were you when those discussions took place?
A I don't even remember.
Q And that was after Jay Wilds talked to the police, was it not?
A Yes.
Q And that was during the time that Stephanie was still Jay Wilds' girlfriend?
A Right.
Q Correct? Now, on that night you were asked

Page 78

lots of questions to describe how Jay acted, were you not?
A Yes.
Q In addition to what he said, right?
A Right.
Q And in addition to the chronology of events; is that correct?
A Yes.
Q And you described for them that you saw him first sometime after 1:30 or about 1:30 or 1:00 o'clock or on another occasion you said after 12:30. You then stayed with him or he stayed with you at your house up until the time when you left, right?
A Right.
Q And the time you left you pinned it about 3:45, did you not?
A Yes.
Q And you pinned that time because you had to leave your house a little bit before 4:30?
A Right, around 4:15.
Q Because of your obligation to pick up your parents, correct?
A Correct.
Q And that was your daily routine, correct?
A Correct.

Page 79

Q So you were clear he arrived at your house after you did, is that right?
A Right.
Q And left before you got --
A Yes.
Q And you described him during that time as not being quite himself?
A Right.
Q Being upset?
A Just not himself.
Q Not himself. You had a hard time describing it then, right?
A Right.
Q And you used words like well he was sort of hyper?
A Right.
Q And that he was uptight?
A Right.
Q Is that right? But that he was not like he normally is?
A Right.
Q In how he acted; is that right?
A Right.
Q And you told them that you formed an opinion and when he left you had made plans to see

This page provided by Susan Simpson in accordance with donation to the Adnan Syed Legal Trust

Page 80

him again, correct?
A Correct.
Q In fact, you had a certain time?
A Sometime after six. I don't know if it was specific.
Q But you told the police there was a certain time, didn't you?
A I guess, yea.
Q And you had a certain place to meet, did you not?
A Yes.
Q The place you were supposed to meet was the park?
A Right, I didn't give that information until after I spoke to Jeff on the phone when Adnan and Jay were at Kristi's house.
Q And when you spoke to -- you spoke to Jeff on the phone?
A I spoke to Jeff and Kristi.
Q And Kristi. Who first?
A Kristi.
Q And did you tell Kristi how concerned you were about how odd your mutual friend Jay was?
A Yes, we were talking about it because she thought that he was acting strange as well.

Page 81

Q That Jay was acting strange?
A When they were at her house.
Q Okay. And strange, you understood that to mean different than normal?
A Right.
Q And that confirmed what you had seen earlier, right?
A Yes.
Q And during that, by the way, whatever that period of time was 12:30 to 12:45 or 1:30 to 3:45, you told them that you and he played video games, did you not?
A Him and Mark and me.
Q Well, you never mentioned Mark in your statement to Detective McGillivary on February 28th, did you?
A They asked what we did, and I said we played video games and with my dog, and we hung out, meaning me, my brother, and Jay.
Q And you meant to include your brother, right?
A Meaning we, yes.
Q But you never mentioned his name, did you?
A I had no reason to.
Q And you never mentioned that he was there?

Page 82

A No reason to.
Q And you never mentioned that it was really him and Jay playing the video games?
A We played video games.
Q Meaning you, Jay, and your brother Mark?
A Yes.
Q And you were then how old Ms. Pusateri?
A Nineteen.
Q And that was the day after your very good friend's birthday, right?
A Yes.
Q And he was how old?
A He would have turned twenty, nineteen, nineteen.
Q And your brother --
A No, I was eighteen at that time and Jay was turning nineteen.
Q And your brother Mark was?
A Fifteen.
Q And his name never appears in the transcript that you've reviewed of your tape recorded statement that was obtained on the 28th, was it?
A Right.
Q Well, what does appear is your direct observation that before Jay left he was not acting

Page 83

normal?
A Right.
Q And that you had formed a conviction that you were going to get out of him what was going on?
A No, my -- was not to get anything out of Jay. I was going to ask him what was going on. If he told me, he told me. If he didn't, he didn't.
Q Well, you told Detective MacGillivary that you weren't letting him back in your car unless you got answers to your concerns, did you not?
A Right.
Q That your good friend wasn't going to be allowed to get back into the car that he had ridden in many times, is that right?
A I was going to let him back in. That's just what I told MacGillivary.
Q And was that a half truth?
A That's how I felt at the time but I really wouldn't stick with that. I really wouldn't be like you really can't get in the car if you really don't tell me what's going on. I wouldn't be like that with my very good friend Jay.
Q Now, at the time you're referring to, the time you're speaking to Detective MacGillivary on February 28th?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 84

A February, I thought it was the 26th.
Q Oh, I'm sorry. Actually, it's the 27th when the tape recorder was on?
A Right, the 27th.
Q So at the time you mean that's how you felt then?
A The night of the 13th of January when I spoke to Kristi on the phone I had decided, from what she had told me how Jay and Adnan were acting at her house, I had decided that it would be in my best interests to find out what was going on before I allowed Jay to get in the car and that's what I told the detective on the 27th.
Q Well, in fact, you mentioned to the detective when asked about that you were concerned because you never knew with Jay?
A Right.
Q Did you not?
A Right.
Q You never knew what would have gone on, right?
A Right.
Q You never knew what might be upsetting him?
A Right.
Q Or making him act abnormal?

Page 85

A Right.
Q Now, you were one who back then had smoked weed often with Jay, had you not?
A Yes.
Q And you could tell when he was high, could you not?
A Yes.
Q And that night when the tape recorder was on, you never said to Detective MacGillivary, oh, I thought he was high by how he was acting, did you?
A No.
Q You never suggested that that might account for what it was that was making him act not the normal way he was?
A Weed wouldn't make him act like he was acting.
Q Huh?
A I said weed wouldn't make him act like he was acting. So it wasn't because he was high.
Q And you're saying that from experience, correct?
A Yes.
Q Because you've observed him when he's high, right?
A Yea.

Page 86

Q So you could tell that day whether or not he was high?
A I can't tell all of the time, no.
Q But generally you can?
A I don't examine him. I mean, I know that he's high when I'm high because if we smoke together then that's when I know.
Q You know --
A But if we haven't smoked together, then no I couldn't tell you if he was high or not.
Q And you hadn't asked him if he was high?
A No.
Q You and he hadn't smoked in that time period that early afternoon, had you?
A I don't know, probably not.
Q But maybe so?
A Maybe so.
Q But if you had, that wasn't what gave rise to your concern, was it?
A No.
Q So even if he was high that wasn't the thing that led you to tell, to tell Detective MacGillivary that you never know with Jay, was it?
A Right.
Q Your remark that you never know with Jay

Page 87

was based on your experience with him?
A Right.
Q What might upset him?
A Right.
Q What he might be involved with?
A What would upset him, I mean, yea, would he be involved with.
Q Now, again, I'm asking you about the 28th after --
A The 27th.
Q The 27th after the tape recorder was on, they were asking again about the time between 1:30 and the 3:45 time that you say he left, right? You told them that he had told you he was waiting for a phone call, right?
A Right.
Q And you couldn't recall -- you recalled that phone calls came in, right? Is that right?
A Yes.
Q But you couldn't tell whether those phone calls came in on your land line, right?
A I don't remember.
Q Or the cell phone, right?
A Right.
Q So what you told them is that the calls

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 88

that you heard coming in could have come in either on the land line, right?
A Right.
Q Or on the cell phone?
A Right.
Q Is that right?
A Right.
Q But that you back then on the 27th couldn't remember which?
A Right.
Q Is that right? And they asked you did he appear anxious or nervous waiting for that phone call, did they not?
A Yes.
Q And you recall that you answered, hum, I could tell, I could tell that there was something wrong?
A Right.
Q Is that not right?
A That's right.
Q Clearly your sense was not that there was something right that you didn't know about, right?
A Right.
Q But whatever it was that you didn't know about that caused your good friend Jay to act

Page 89

abnormal was something wrong; is that right?
A What I believed, yes.
Q And those were the words that you chose to describe your friend's behavior back on September -- I mean, February 27th; is that right?
A Yes.
Q Now, they asked you a number of other questions about that day and it included what happened after the time you picked him up at a location that you described as the Value City parking lot on Westview Mall?
A Yes.
Q Now, Jay's house you said you know the road it's on, right?
A Yes.
Q But not the number, right?
A Right.
Q But you know where the location is, right?
A Right.
Q You've been there before, have you not?
A Yes.
Q And Jay's house is not Westview Mall, is it?
A No.
Q It's not inside of Westview Mall?

Page 90

A No.
Q It's not off of the parking lot, is it?
A No.
Q And Value City is at one of the end of the mall, is it not?
A Yes.
Q And where Value City is, right beyond the end of it is the beginning of an underground parking lot, right?
A Yes.
Q And that's where you told the police you went that night?
A No, I told the police I was parked under a light and it got transcribed wrong. I never said I was parked underground because I didn't park underground anything.
Q But you parked near Value City, did you not?
A Under a light in front of Value City by Westview Mall parking lot, yes.
Q So the transcriber made a mistake?
A Yes.
Q And that, of course, is one of the mistakes that you observed?
A Yes.

Page 91

Q And that you never brought to anybody's attention?
A No.
Q In any event, where you were was in close proximity to the Value City that is connected to Westview Mall?
A Yes.
Q The mall that's off of Route 40/Baltimore Baltimore National Pike?
A Right.
Q And that's where you picked?
A Jay up.
Q Jay up; is that right?
A Yes.
Q And that you got there first, right?
A Yes.
Q And you waited about fifteen minutes; is that right?
A I don't believe it was quite fifteen minutes. I don't know how long it was.
Q Not a long time?
A Right.
Q Right? And that ultimately Jay came up in a car?
A Yes.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 92

Q You were asked to remember and you really couldn't, in fact, you said something, I sort of want to say Adnan was driving but you really couldn't remember, could you?
A Right.
Q That that's where you picked him up?
A Yes.
Q And you described what he was wearing, did you not?
A What I thought he could have been wearing but I really don't know.
Q You really weren't sure?
A Right.
Q All you really did was describe what he wore a lot of, right?
A Right.
Q What you call dickey outfits?
A Yep.
Q And you described that he wore black pants; is that right?
A Uh-huh.
Q Not jeans?
A Right.
Q And you actually described the description of his outer coat?

Page 93

A Yes.
Q It was plaid?
A From what I think, yea.
Q Okay. And so you were just sort of guessing at it?
A Yes.
Q Because you really didn't notice his clothes?
A Right.
Q And they asked you if they appeared dirty, did they not?
A Right.
Q And you said well, I really don't know but I didn't notice anything, right?
A Right.
Q They even asked you if you saw dirt on his hands?
A Right.
Q And, again, you told them I didn't really notice?
A Right, I didn't examine him.
Q Now from that point -- and you were asked to describe his boots, were you not?
A Yea.
Q And you said they weren't really

Page 94

Timberland's but they looked like Timberland's?
A Right.
Q And those were the boots you knew him to wear all of time?
A Those are the boots that I remember seeing.
Q Seeing?
A Yea, I remember seeing them.
Q That night?
A You're saying like -- I remember them.
Q Again, you didn't describe anything out of the ordinary?
A Right.
Q After you picked him up before you took him home for the last time sometime after midnight, which would be the 14th, right?
A Right.
Q Did you take him home?
A Yes.
Q Before then?
A Oh, in between?
Q Yes.
A I don't think so, no.
Q You don't think so. And you didn't describe doing so, did you?
A No.

Page 95

Q You described everything else you did, didn't you?
A Yes.
Q In fact, you described going places at Jay's direction, did you not?
A Yes.
Q And one of the places where you went was to a dumpster?
A Yes.
Q And you knew why you were going there, did you tell them that on the 28th?
A On the 27th?
Q On the 27th.
A I told them we were going to the dumpster because Jay told me that he knew where the shovels were that Adnan used to bury the body.
Q That Adnan used?
A Right.
Q Not Jay?
A Right, that's what Jay told me.
Q Jay never told you that he might have used the shovels?
A Right, he told me he didn't.
Q That he did not?
A Right.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 96

Q Affirmtively he told you that?
A He told me he didn't help bury the body so I guess he wouldn't use a shovel.
Q And what he told you was that those were the shovels and you connected them to Adnan, is that right?
A Right.
Q But then he drove you to the place where he told you the shovels were?
A I drove him, yes.
Q I'm sorry, you drove him, right? He told you where to go, did he not?
A Yes.
Q And you took him there, right?
A Yes.
Q And on that day, on the 28th when you're telling this, you were aware because you used the same words to describe the relationship as Jay had, that Jay and Adnan were mere acquaintances, did you not?
A Yes.
Q That's how you described them, right?
A From my knowledge, yes.
Q From your knowledge. And you had pretty good knowledge about Jay's time, did you not?

Page 97

A Right.
Q You saw him sometimes everyday, right?
A Right.
Q And you had never hung out with him and Adnan, right?
A Right.
Q And you knew that Adnan was not a close friend?
A Right, of mine or Jay's, right.
Q And when Jay had told you about what he says Adnan said, did he express concern about helping conceal the crime to cover up for Adnan?
A How to help to cover up for Adnan?
Q Yes.
A No.
Q Did he express any concern?
A For Adnan?
Q About Adnan?
A No.
Q And did he express any sentiment that he should help cover up this crime?
A No.
Q Now, when you went to the location that location was back at Westview, right?
A Yes.

Page 98

Q And you went back there because you had already left the Westview Mall parking lot, had you not?
A Yes.
Q And he asked you to go back, right?
A Right.
Q And after he told you, oh, I know where the shovels are that Adnan used, right?
A He didn't say it like that, no.
Q But he said that's why?
A He wanted me to take him to Westview Mall.
Q Is that right?
A Yes.
Q He said what?
A Why he wanted me to take him back to Westview Mall.
Q Okay. And you did so, right?
A Yes.
Q And he got out of the car, did he not?
A Yes.
Q And he went to a dumpster, did he not?
A Yes.
Q You could see that from the car, could you not?
A I saw him walk in the direction of the

Page 99

dumpsters.
Q Was there anything else there other than the dumpster?
A A fence, a wall maybe. I don't remember.
Q Did you watch him?
A No.
Q You never got out of the car, did you?
A No.
Q And he ultimately -- and he asked you to keep a lookout, did he not?
A Yes.
Q In case somebody else came around the back, right?
A Well, he didn't ask me to keep a lookout. I guess -- well, maybe he asked, but I just would because it's not where I should be.
Q And you knew that?
A Yea.
Q In the back of Westview?
A Right.
Q Right? While your friend went to a dumpster, right?
A Right.
Q And you kept a lookout so that you could warn him if anybody came around?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 100

A I kept a lookout so I could move if security came.
Q That you could move?
A Yea.
Q To protect yourself?
A Yea.
Q And you would have just taken off and left your friend there?
A Probably not.
Q But maybe?
A Whatever had to happen.
Q Now, he then -- could you see him getting near the dumpster that you could see?
A Yes.
Q Did he reach into the dumpster?
A No.
Q Did you see shovels?
A No.
Q Did you see him do anything?
A No, I wasn't watching him.
Q Well, were you aware from any source, your own observations or what you were told, that he was wiping off shovels?
A That's why he wanted to go to the shovels was to wipe them off because he said the shovels were

Page 101

his and he didn't want any of his old prints on the shovels.
Q His old prints?
A Right.
Q So as far as what he said, he would not have touched the shovels that day?
A Right. Well, I mean I guess giving them to Adnan he might have.
Q Is that a guess?
A He might have touched them.
Q Is that a guess or is that something you remember he said?
A Remember him saying what? I remember him saying that he wanted to wipe down the shovels to get his prints off.
Q To get his, meaning Jay's prints off the shovel?
A Right. Well, I just assumed -- he said he wanted to go wipe the shovels down because they were his shovels. That's what he said.
Q And you assumed it was to wipe his prints off?
A Right.
Q Jay's prints off?
A Right.

Page 102

Q Not Adnan's prints off?
A Right.
Q Because you would not have seen him as doing something to protect his mere acquaintance Adnan?
A Right.
Q You made the assumption whatever prints that were there were old prints?
A Sure.
Q Because he had indicated to you that he didn't even touch the shovels that day?
A Right.
Q But he identified them as his shovels?
A Right.
Q Is that correct? And then after you did that -- and no security came by, right?
A Right.
Q So you never had to face that issue, right?
A Right.
Q And after he came back from the dumpster, did he?
A Yes.
Q And did he say, oh, yea, I got the prints?
A No.
Q And did he say he had wiped the shovels?

Page 103

A No.
Q Did he say he had found the shovels?
A No.
Q Did he appear less agitated than he appeared before?
A No.
Q And after that you then went to the sorority party?
A Yes.
Q That had been pre-planned, had it not?
A Yes.
Q It wasn't something that you found out about?
A I knew about it probably that day. I don't know when I found out about it. It was Mike's party. It wasn't a sorority party.
Q And Mike was a friend of yours, was he not?
A Yes.
Q Well, the word sorority is a word that you used while the tape was on, was it not?
A The detectives thought -- yea, because some of my sorority sisters live in the apartment where the birthday party was for Mike.
Q But you used the term sorority party, did you not?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

A I don't know.
Q If sorority was used it would have been from you, would it not?
A Yes.
Q And the occasion of the party was a birthday party for a friend of yours?
A Yes.
Q And had you planned to take along your friend Jay Wilds?
A Yes.
Q And so that was a pre-planned activity?
A Yea.
Q And you went there with him?
A Yes.
Q And he stayed in the car with you?
A What?
Q He stayed in the car with you?
A With me, yes. He rode in the car with me to UMBC.
Q And you didn't have any other detours?
A No.
Q You went to the party; is that right?
A Yes.
Q And UMBC is located off of Walker Avenue, is it not?

This page courtesy of Wiretap_Playing_right to response to requests for missing pages.

A Yes.
Q And off of exit 12 on 695?
A I don't know what exit it is.
Q You go there?
A I don't take the beltway.
Q I didn't ask you that. You go there --
MS. MURPHY: Objection.
Q -- don't you?
A Yes. Yes, I go there.
THE COURT: Sustained.
Q And he stayed with you during the time that you were at the party, right?
A Yes.
Q He never disappeared somewhere else, did he?
A Not that I remember, no.
Q And you never observed him in different clothes than you saw him, when you first saw him at the Value City?
A I don't remember if he went home and changed his clothes. We did a lot of stuff between then and there. I don't know.
Q You would have noticed if he changed his clothes on you, wouldn't you of?
A Yea, but I don't remember.

This page courtesy of Avston saying right in response to requests for missing pages.

Q You don't remember that he did so?
A I don't know if he did.
Q So maybe he did but you just didn't notice it?
A I don't know.
MS. MURPHY: Objection.
THE COURT: Sustained.
A I don't know.
THE COURT: Move on.
Q What were those many other things that you did that night?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Did you go to another location with him other than Kristi Vinson's house?
A Stephanie's house and UMBC. Westview Mall parking lot for the shovels, that's --
Q That's it.
Q That's all I remember. We might have went to Jay's house for him to change his clothes. I don't remember.
Q On the 27th when you spoke while the tape recording was on, you never mentioned any other location, did you?
A No.

This page courtesy of www.top-saying_right in response to requests for missing pages.

Q You stayed at the sorority party, the party for Mike, Mike's birthday party, was at the place where your sorority sisters were, for more than an hour?

A About an hour, yes.

Q And there were a lot of people there?

A Not a lot, ten, fifteen.

Q You knew those people?

A Not all of them, no.

Q Did some of those people know Jay?

A Only through me.

Q Only through you. But knew him?

A They had met him before.

Q And what were the names of the people at the party?

A I don't know all of their names. I don't know who all was there.

Q Were you asked that by Detective MacGillivary or Sergeant Lehmann or Detective Ritz on the 27th?

A No.

Q No. You weren't asked to provide the names of any of the people at the party who would have been present at the same time you and Jay were there?

MS. MURPHY: Objection.

This page courtesy of kvston_saying_right in response to request for missing pages.

THE COURT: Sustained. She's answered the question already, no.

Q And have you ever been asked by anyone since that time to supply names?

A No.

Q And to your knowledge, has anybody else who was at the party ever been spoken to that you know of?

A Somebody told me they spoke -- someone at the party told me they spoke to some detective about something, but I don't know how truthful she is so, but from what she told me then, yes. Do I believe her? No.

Q And after the party you then left with Jay and went to Kristi Vinson's house, correct?

A Yes.

Q That was a pre-planned activity, was it not?

A Yes.

Q That's what you told Detective MacGillivary, wasn't it?

A Yes.

Q But you ended up getting there later than you had expected, correct?

A Right.

This page courtesy of Wusted_sa(tm)_right in response to requests for missing pages.

Q And the purpose of going there, was there a specific event?

A No.

Q Or a specific activity that you were going to do?

A No.

Q And when you got there both Jeff Johnson and Kristi Vinson were there?

A Yes.

Q And you stayed there for a little while, did you not?

A Yes.

Q And you told the detectives on the 27th that Kristi Vinson would have had to notice your being upset, right?

A Right.

Q And did you smoke weed while you were there?

A I don't know.

Q You could have?

A Could have.

Q You usually do?

A Sometimes, yes.

Q And when all of you are together?

A Sometimes, yes.

The page courtesy Dalton_Jaying_Light in response to requests for missing pages.

Q And when you do and whatever times you do, whose weed is it?

A Whoever brings it.

Q So that could include Jay?

A Sure.

Q Or you?

A Yes.

Q Or Krista?

A Yes.

Q Or Jeff?

A Well, Kristi and Jeff didn't really get it that much, no.

Q Now, you had a discussion with Jay after you went to the dumpster before you went to the party, did you ask Jay why he went to the dumpster or what he did?

A He told me when --

THE COURT: Sustained.

Q Did you continue to converse with him about what he had told you had happened that day?

A Yes.

Q And did he indicate to you that it had happened before he got to your house at 1:30 in the afternoon?

A That what had happened?

This page courtesy of Justice Saying right in response to requests for missing pages.

Note:

Pages 111 is missing.

•

Note:

Page 111 was missing from the files sent to /u/stop_saying_right, who filed for, and paid for the missing pages.

The reason why these same pages of testimony are missing from the UndisclosedWiki is that they get their documents from us, not from Undisclosed, or anyone on Adnan's defense team.

Page 112

Q And did he ever indicate to you that he knew about it ahead of time?
A No.
Q Did you ask him after he left the dumpster, well, why were you upset before 1:30 in the afternoon?
A No.
Q No. And did you ask him any more questions about going -- about what he had said?
A I didn't ask Jay any questions.
Q Ever?
A No, not really.
Q After he told you whatever it was he told you, right?
A Right.
Q And when you got to Krista's and Jeff's, did you ask him any questions there?
A No.
Q Did you tell them what had happened?
A No.
Q And did you ever explain why you were acting so weird?
A Not until after the 26th when the police came to my house when Kristi was there.
Q Which was at least six weeks after the

Page 113

night that you're saying that all of this occurred, right?
A Right.
Q And did they that night the 13th ask you directly why you were acting so weird?
A No.
Q Neither of them?
A No.
Q You stayed there for quite awhile; is that right?
A Awhile.
Q And then you left out and then you drove Jay home; is that right?
A Yes.
Q Is that right?
A Yes.
Q And you've told us that the next day you hooked back up with Jay?
A Yes.
Q And when you hooked up with him he had his boots?
A Yes.
Q You could see, right, the Timberland boots that you say you recall at some point him wearing?
A Right.

Page 114

Q And he had clothes with him, right?
A Right.
Q And you don't remember whether they were in a bag or not? In fact, you told the detective you weren't sure. You thought not because you could see that they were clothes; is that right?
A Right.
Q And that he had identified them as the clothes that he had on the night before; is that right?
A I assumed they were the clothes he had on the night before. He didn't tell me.
Q Based on what he said about them though, right?
A He didn't tell me nothing about the clothes. I didn't ask him anything about the clothes.
Q On the 14th when you picked him up he had those clothes with him, did he not?
A Yes.
Q Not on his body?
A Right.
Q He wasn't dressed in these clothes?
A Right.
Q He was dressed, right?

Page 115

A Right.
Q In different clothes than he had on the day before when you had seen him?
A I don't remember what he wears.
Q And you then went some place, did you not?
A Yes.
Q You went to a different dumpster than you had been the day before?
A Right.
Q Right. This dumpster was at least close to F & M?
A Yes.
Q And behind F & M?
A Yes.
Q And you once again parked close there, did you not?
A Yes.
Q And Jay got out?
A Yes.
Q And he threw the clothes and the boots in the dumpster, did he not?
A Yes.
Q The same dumpster? I mean, the boots and the clothes together in the same dumpster?
A I think there was only one dumpster there

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 116

so yes.
Q And you watched him, did you not?
A Yes.
Q And once again you were on the lookout in case somebody came around, right?
A I was just watching him. I mean, he had trash.
Q I mean, you came back?
A It wasn't as big of a deal.
Q He had trash?
A I mean, he didn't have trash, but like it wasn't late at night. It wasn't as big of a deal if we were behind F & M as it was when we were behind Westview Mall.
Q This is in broad daylight?
A It was daytime, yes.
Q And this was the 14th?
A Yes.
Q If those events occurred on the 13th, right?
A Right.
Q But in any event, the day after the events we talked about?
A Right.
Q And you drove to that dumpster because Jay

Page 117

told you to do so or asked you to do so?
A Yea.
Q He picked out the dumpster?
A Yes.
Q You didn't?
A No.
Q You had no discussion about what was the best place to conceal clothes that he had on?
A No, it was nothing about concealing anything.
Q Up until this point he still maintained to you that he had no idea where the body was?
A Right.
Q And he still maintained to you that he had nothing to do with the burial of the body, although he had been asked to do so?
A You mean up until today?
Q No, up until then this day?
A Right, right.
Q This day you were at the dumpster?
A Right, right, right, right.
Q He had still maintained the same thing, right?
A Right.
Q And that he had nothing to do with the

Page 118

killing of Hae Min Lee?
A Right.
Q And he indicated he had never been in her car, right?
A I never asked. He never said that he was not in the car, no.
Q And did you ask him why he had to hide the clothes if he had nothing to do with it?
A No, I don't ask questions.
Q You did have a conversation with him about his boots though, did you not?
A A conversation about the boots?
Q Yes.
A Hmm, I don't know.
Q Well, do you recall that you told Detective MacGillivary about the boots, that he threw them away because he didn't want any question of his footprints?
A Right.
Q Footprints of his boots would show up in Adnan's car?
A Dirt prints, anything. I'm saying he just told me, the night of the 13th he told me that he was going to get rid of his boots. That's all. I don't ask questions.

Page 119

Q On the 27th when you were asked questions by Detectives MacGillivary, Sergeant Lehmann or Detective Ritz, you recalled that he told you why he wanted to get rid of his boots though, did you not?
A Right.
Q And you related to them that you did have a conversation with Jay and he said he didn't want any footprints of his boots found in Adnan's car, isn't that right?
A Yea.
Q And did you tell them that you didn't ask any questions of your good friend Jay Wilds?
A Yes.
Q Excuse me. And then after you then left that dumpster with him?
A Yes.
Q And did you say, by the way, Jay, what are you afraid of?
A No.
Q You didn't have anything to do with it, right, did you?
A No, I didn't say that to him.
Q And you asked him no other questions?
A No.
Q And you had no other conversation regarding

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 120

why he had to throw away the clothes that he had on?
A No.
Q On a day in which he had told you he had done nothing wrong?
A No questions.
Q Now, you also were asked about and you described that Jay at some point had told you the events that Adnan had spoken about had started out at Best Buy, is that not correct?
A Yes.
Q And you told Detective MacGillivary that according to Jay, Jay wasn't there, right?
A Right.
Q That he had just been told that?
A Right.
Q Correct? And you described for Detective MacGillivary that you did have a subsequent conversation with Jay about a video camera on top of Best Buy, did you not?
A Right.
Q That you brought that to Jay's attention?
A Yes.
Q Correct?
A Yes.
Q And the conversation in which that took

Page 121

place took place when?
A When Jay told me that he did it in Best Buy parking lot, the 13th, the night when I picked Jay up at Westview Mall.
Q And according to what Jay told you that camera should have been able to pick up what would have happened on the Best Buy?
A I brought up the camera. I'm not even sure if it was a camera out there but I think there is.
Q But you brought it up, right?
A Yes.
Q And you brought it up out of concern that the camera would have shown what happened; is that right?
A Right.
Q And according to what Jay told you what that would have shown would have been Adnan, correct?
A Jay told me that Adnan was going to get caught because he did it in Best Buy parking lot and that's all we even talked about Best Buy.
Q Well, you brought up the video camera, right?
A Right.
Q So there was more than what Jay said. You said, oh, there's a video camera there, right?

Page 122

A Right.
Q And Jay never mentioned the place down on Edmondson Avenue, did he?
A He said some places in the city.
Q In the city?
A Yes.
Q He never mentioned the city as the location of what Adnan said or where Adnan said the death of Hae Min Lee had occurred, did he?
A I don't know where Adnan said anything.
Q You only know what Jay told you?
A Right.
Q Is that right? And Jay told you on the 13th that the location was the Best Buy?
A Yea.
Q And you knew where it was that he was talking about, did you not?
A I assumed that it was the Best Buy by Woodlawn.
Q By Woodlawn. Off of Security Boulevard?
A Security Boulevard, yes.
Q That faces Security Mall?
A Yes.
Q And you then brought up the camera to him?
A Yes.

Page 123

Q Did he respond to that?
MS. MURPHY: Objection.
A I don't remember.
THE COURT: Overruled.
A I don't remember.
Q You don't remember whether or not he responded?
A I don't know what he said.
Q That evening after he was -- did he tell you all of these things all at once or was it over a course of time?
A He told me a lot that night and we talked about it a couple of days afterwards. Information came out the whole time, I don't know.
Q And you don't remember when what came out, do you?
A What?
Q You don't remember when what came out?
A Right.
Q Now, at the end of that night before you dropped him off at his house was he acting normal then?
A At the end of the 13th?
Q Yes.
A No.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 124

Q No. And on the 14th when you picked him up you picked him up at his house again, right?
A Yes.
Q Because he didn't have somebody else's car, right?
A Right.
Q And when you picked him up then was he acting normal?
A No, not yet.
Q No, not yet. At any time during the 14th did he start acting normal?
A I mean, it was something that was on both of our minds for awhile. So, I mean, we didn't act as strange as on the night of the 13th, but I mean to say that we were normal, no.
Q That took some time, right?
A Right.
Q And did you see him again on the 15th?
A I don't know, probably so.
Q That's a guess?
A Yes.
Q And on the 16th?
A Probably so.
Q Now, after those events there were other occasions when and you Jay discussed these things,

Page 125

right?
A Right.
Q One of those occasions that you told Detective MacGillivary about was an occasion in which you were in Champs, correct?
A Right.
Q And Jay was there, correct?
A Correct.
Q And you described for Detective MacGillivary that somehow on the news it then came out that Hae was missing; is that right?
A Right.
Q And you described that that upset you, did you not?
A Yes.
Q And that that upset Jay?
A Yes.
Q And Detective MacGillivary said, but you already she was dead according to you, didn't you?
A Yea.
Q And he was surprised that event upset you, wasn't he?
A It wasn't upsetting. It was like reality, I guess. A shock more so, like I don't know, you know.

Page 126

Q Because starting on the 13th there really wasn't reality that hit you?
A Right. I mean, when Jay first told me I didn't even really believe him at first.
Q You didn't believe it had happened?
A Right.
Q And you didn't conduct any independent investigation, right?
A No.
Q And nobody had spoken to you or brought it up to you, other than you and Jay, up until the time you first saw Detective MacGillivary and Ritz --
A Right.
Q -- on the street on the 26th, right?
A Well, I had heard that she hadn't been in school.
Q And so you just didn't believe these things?
A Well, I mean -- I wasn't --
Q That didn't surprise you though, did it?
MS. MURPHY: Objection.
THE COURT: Sustained. One second. You may finish your answer. Were you finished with your answer?
THE WITNESS: Yes.

Page 127

THE COURT: All right, your next question.
Q The fact that your friend, your very good friend about whom you've commented, you never know about with Jay, that he would tell you something that wasn't true was not a surprise to you, was it?
A Oh. Yea, he would usually tell the truth. I really don't have reason to doubt.
Q Well, you said you didn't believe it?
A Well, not completely. It's not something that I would hear everyday and be like, you know what I mean. It was shocking.
Q After you heard from whatever source you heard it from that Hae wasn't in school, did you go confront your friend Jay and say, by the way, why did you tell me that horrible story that upset me so that your friend told you that he had killed someone?
A Did I? No.
Q Did you ever have a conversation akin to that?
A No.
Q Did you ever go to your good friend Jay and say, hey, I've heard that Hae's alive, so why did you need to go to the dumpster about the shovels?
A No, because I never heard that. So I never went to him and said that.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 128

Q You just told us that you heard that Hae was in school?
A Hadn't been in school.
Q Had not been in school?
A Had not been in school.
Q So it really wasn't a surprise to you at all when that night at Champs it came out on the news that Hae was missing?
A Not like a surprise, more like a scare. I don't know what that means like now the police are involved, you know what I mean.
Q And the police being involved made things different?
A Yes.
Q For you?
A Yes.
Q And for Jay?
A Sure.
Q You described that as a scare?
A Yes.
Q On the day that you went to the police with your good friend Kristi Vinson on the 26th of February, after you left did you speak to your good friend Jay?
A I couldn't even hear what you said.

Page 129

Q On the 26th of February when you went down to police headquarters when your friend Kristi Vinson drove you, after you left that evening or the early morning hours of the 27th, did you speak to your friend Jay?
A I don't know.
MS. MURPHY: Objection.
THE COURT: Sustained.
Q And did you have an occasion to tell him what had occurred while the police were questioning you?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q On the 27th after you left -- there came a time when you left, right?
A Uh-huh, yes.
Q That night, that Saturday night?
A When I left the police station, yes.
Q At that time did you speak to your friend Jay?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Did you telephone him?
MS. MURPHY: Objection.
THE COURT: Sustained.

Page 130

Q Did you go to the porn store?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Did you know, based on your conversations on the 27th, that the police were going to speak to Jay?
A No.
Q Did you tell them what Jay said?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Did you tell them that Jay said that he said just send them, meaning the police, to him?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Did you on the 27th give his phone number?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Did you give them his address?
MS. MURPHY: Objection.
THE COURT: Ms. Gutierrez, sustained.
Q Did you give them his whole name?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q The park that you described, there is a park that you and Jay go to often?

Page 131

A Sometimes, yes.
Q Is that Gilston Park?
A Gilston.
Q And how do you spell that?
A G-i-l-s-t-o-n.
Q And is that located off of Crosby and Chesworth?
A I believe so, yes.
Q Is that a park that you go at times with your friend Jay and your dog?
A Yes.
Q And its location if you can describe it from the intersection of Rolling Road and Route 40/Baltimore National Pike?
A Yes.
Q Can you describe that for us? Where is it in relationship to that intersection?
A Right on Rolling Road and a right, I guess it's Chesworth. I don't know the name of it.
Q If you made a right would that take you more towards Security Mall?
A Yes.
Q In that direction?
A Yes.
Q And then after you go on Rolling Road, then

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 132

you take another right; is that right?
A Right.
Q And that was the location -- was that a location you visited with Jay on the 13th?
A No.
Q No. And was that a location that you visited with Jay the day before these events --
A I don't know.
Q -- the 12th? You don't know?
A Uh-uh.
Q Was there an occasion when you visited Gilston Park with your good friend Jay on the 12th or any other day before the 13th in which he told you that he believed Adnan was going to kill his girlfriend?
A No.
Q And since that didn't happen, of course, you never mentioned that to the detectives?
A Right.
Q If it had happened you, of course, would have done so?
A If they -- yes.
Q You had no advanced notice --
A No.
Q -- that these events would have happened?

Page 133

A No.
Q And if you had had advanced notice, would you have done anything different on the 13th?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q You told us in direct that in regard to meeting up with Jay you could not quite understand what the message was about where it was to meet him or where you were to pick him up?
A Right.
Q And that's why you made an attempt to call him?
A Right.
Q Did your lack of being able to understand, is that related to that his message wasn't understandable?
A No, he sounded clear. It was just there was a -- Jay never told me to pick him up at Gilston Park. I got that message from Jeff.
Q From Jeff Johnson?
A Right.
Q The boyfriend of Kristi Vinson?
A Right.
Q And did you get that message while you were talking to --

Page 134

A While I was speaking to Jeff, Jeff told me to go to Gilston Park that Jay -- when Jay and Adnan were at his house, Jay had told him that I was supposed to pick Jay up at Gilston Park.
Q Okay.
A But that was not -- right.
Q That conversation with Jeff took place at a time when Jay was not there?
A Right, Jay was out in a car in front of Kristi's house.
Q Out in a car and had already left there, right?
A They sat in the car for awhile. That's what they told me on the phone.
Q That's what they meaning Krista --
A And Jeff.
Q And Jeff, right?
A Yes.
Q Because on that occasion you didn't speak to Jay?
A I might have spoke to Jay before he left out of the house. I don't remember.
Q When he left out of your house about 3:45, you didn't know exactly where he was going, did you?
A No.

Page 135

Q He didn't tell you where he was going, did he?
A No.
Q But the two of you were supposed to hook up --
A Later.
Q -- later; is that right?
A Yes.
Q Sometime after six?
A Yes.
Q Right? And six o'clock would be when, according to your routine that you told us about, you would really just be returning from picking up your parents from their respective work places?
A Right.
Q But that you didn't have a firm place to meet Jay; is that right?
A Right.
Q But you called Kristi's house looking for him, didn't you?
A No, I called Kristi's house just to talk to Kristi.
Q But Jeff gave you a message from Jay?
A Uh-huh.
Q That message wasn't clear to you?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 136

A No, I understood what Jeff was saying but then when Jay called and left a message on my pager there was some conflicting things. I didn't understand it. So I felt it necessary to try and contact Jay.
Q Well, in regard to Jay's message was it garbled?
A I don't know. I don't remember.
Q But it didn't make sense to you?
A Right.
Q It conflicted with other information you had?
A There was some confusion so I felt it necessary to call the cell phone. I don't know what it was from.
Q Did you know at the time that you got the message whether or not Jay had smoked weed while he was at Krista's house?
A No, I did not know.
Q And did you know whether or not Jay was high?
A No, I did not know.
Q After he left you?
A No.
Q And back at Westview where you tell us that

Page 137

you picked up Jay and he was riding in the car with Adnan --
A Yes.
Q -- you were asked to describe Adnan's behavior, were you not?
A Yes.
Q And you told Detective MacGillivary on the 28th that he acted just normal, didn't he?
A Sure.
Q Sure --
A Yes.
Q -- does that mean yes that's what you told him?
A Yes.
Q You chose the word normal, did you not?
A Yes.
Q And by normal you meant just the way you had always seen him act before?
A Right.
Q You were asked how he was dressed, were you not?
A Yes.
Q And you described that he always dresses nice?
A Usually, yes.

Page 138

Q Usually. Every time you had seen him?
A Yes.
Q And you didn't describe that there was anything out of the ordinary in how he appeared to you, right?
A Right.
Q Not in how he acted?
A No.
Q Not in how he was dressed?
A No.
Q You didn't observe or express that you observed any dirt on him?
A I didn't see him that well to see if there was dirt. I didn't observe any dirt, right.
Q They asked you about that, didn't they?
A Yes.
Q All right. And you were also asked about every detail that you could remember about what Jay said?
A Right.
Q Right. And one of the details you described was that Jay made a reference to going down into the city?
A Uh-huh, yes.
Q Now, Ms. Pusateri, are you familiar with

Page 139

the term strip?
A Yes.
Q And that means a place where you buy drugs?
A Yes.
Q Does it not?
A It can.
Q And that's a term that has come up in conversation between you and Jay, has it not?
A Yes.
Q He refers to strips all of the time, does he not?
A Yes.
Q And strips are sort of not necessarily fixed locations, they might be moving where one would know where to get drugs?
A Right.
Q Including marijuana?
A Right.
Q Including other drugs?
A Right.
Q And you were asked by Detective MacGillivary about what Jay had said about what locations in the city, did you not?
A Yes.
Q And the only thing that you remembered was

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 140

that he said that when he dropped him, meaning Adnan off, that it was at a different broad's house. He said a different chick's house, right?
A Right.
Q Because that's what you remembered Jay said to you?
A Right.
Q And you also told them that another thing that Jay said is that he was downtown with Adnan?
A Yes.
Q Did he not?
A Yes.
Q Those were your words, right?
A Yes.
Q That you told Detective MacGillivary?
A Yes.
Q In answer to his questions; is that right?
A Yes.
Q On the day that you saw on television, the day that you were at Champs when you heard the news that Hae Min Lee was missing, you had a conversation with Jay about what do we do, did you not?
A Yes.
Q Those were Jay's words to you in Champs?
A Yes.

Page 141

Q Regarding that it was now out in public that Hae Min Lee was missing?
A Right.
Q Is that right? And at that time you were still under the impression from Jay that he had nothing to do with killing Hae, right?
A Yes.
Q And nothing to do with the burial of Hae, right?
A Yes.
Q After you told the detectives that on the 28th while the tape recorder was running, they asked you why that was such a surprise to you, was it not?
A Yes.
Q And then they asked you again are you sure he told you that he didn't know where the body was, did you not?
A I don't know. I guess so, yes.
Q And then -- well, you remember talking to them about these events, did you not?
A Yes.
Q And you then told them that if he knew where the body was that he would have told you?
A Yes.
Q That was your belief then, right?

Page 142

A Yes.
Q Was that an exaggeration?
A No.
Q Was that a half truth?
A No.
Q Back then you believed that anything that he knew he would have shared with you?
A Right.
Q Is that right? Now, Ms. Pusateri, would it surprise you to know that Jay knew where the body was according to him but that he didn't tell you?
MS. MURPHY: Objection.
THE COURT: Overruled. Would it surprise you?
THE WITNESS: No.
Q Would there be anything that would surprise you about Jay?
A No.
Q About anything he said?
A No.
Q Not about anything he did?
A No.
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Then they asked you about -- I forgot to

Page 143

ask you this. You said you spoke to others about it and you talked about Nicole, right? Right?
A Yes.
Q There was another person about which you spoke?
A Yes.
Q And that person, was that Josh?
A Yes.
Q Okay. And Josh's last name is?
A Jones.
Q Jones. Joshua Jones. Is that someone you know from school?
A No.
Q Is that someone who knows Jay?
A Yes.
Q Yes. He's met him before?
A Yes.
Q He'd know who he was?
A Yes.
Q And, in fact, you told Detective MacGillivary that on the night which is a separate night when you found out the body had been found, right?
A Right.
Q You had a conversation with Josh about

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 144

that, did you not?
A Josh was in the car when I was talking about it, yes.
Q Okay. And so you did have a conversation with him?
A Yes.
Q You knew about Leakin Park, did you not?
A Yes.
Q In fact, you told Detective MacGillivary, I mean dead bodies always gets dumped in Leakin Park --
A Yea.
Q -- did you not?
A Yes.
Q And you told them that Josh had heard your conversations about those other things?
A Yes.
Q And you were asked for his full name?
A Yes.
Q And his phone number?
A Yes.
Q Yes. And you gave that to them, did you not?
A Yes.
Q You were asked about what you thought of the whole thing about Jay throwing away all of his

Page 145

clothes and going back to the dumpster to do something with the shovel, were you not?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q And were you asked about what you observed?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q In that conversation you were asked about whether or not you thought Jay would lie, were you not?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q And you were asked about what, if anything, Jay would have told you --
MS. MURPHY: Objection.
Q -- were you not?
THE COURT: Sustained.
Q You were asked about Jay and money, were you not?
THE COURT: And I'm sorry, money?
MS. GUTIERREZ: Money.
A I don't remember, yes.
Q Weren't you asked about whether or not Jay had told you --
A Oh, yes.

Page 146

Q -- that he was paid money?
A Yes, yes.
Q By Adnan?
A Yea.
Q Is that right?
A Yes.
Q In fact, you sort of laughed, didn't you?
A Yea.
Q Because you told them unless Adnan paid Jay a good sum of money you didn't see him helping?
A Right.
Q Right. And you also told them that you didn't think that Jay would lie to you at all?
A Right.
Q Didn't you? Because that was your belief then?
A Right.
Q Although that wasn't really the whole truth?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Were you ever asked if you knew a person by the name of Alonso Sellers?
A No.
Q Or the stepson of Alonso Sellers?

Page 147

A Who?
Q The stepson of Alonso Sellers?
A No.
Q Were you ever shown a picture of the person who found the body?
A No.
Q Were you ever asked if you knew the person who found the body?
A No.
Q You never went to the Super Fresh, did you, with Jay on the 13th?
A Not that I remember, no.
Q Long before today you've been asked to remember those events, right?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q At the time that you were on the recorder on the 27th of February you didn't volunteer anything about the Super Fresh, did you?
A No.
Q And you didn't go to another dumpster that you haven't spoken to us about?
A No.
Q You told us on the record that when you spoke with Jay before you went down to speak with

This page provided by Susan Simpson in accordance with the Adnan Syed Legal Trust

Page 148

them on the 26th that he told you it's okay to send them to him, right?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q You also told us that he told you to go down there and tell them enough to keep me, meaning Jay Wilds, out of trouble?
A Not meaning Jay Wilds, me meaning myself.
Q Tell them enough to keep you Jen Pusateri out of trouble?
A Right.
Q So your lies, although they included lying about Jay, were designed to help you?
MS. MURPHY: Objection.
THE COURT: Overruled.
A The only thing I lied about was what I knew. Detective MacGillivary asked me -- after I had told her -- after I told him that I knew that the body was strangled, he asked me did I know anything else. I told him no and that is the only lie. It had nothing to do to protect myself. I mean, yea, to protect -- yea, I told him no.
Q To protect yourself?
A Right, so I didn't have to be involved.
Q Wasn't it also designed to protect your

Page 149

very good friend Jay?
A I wasn't thinking about Jay at that time, no.
Q You were only thinking about yourself?
A Yea.
MS. GUTIERREZ: That's all.
THE COURT: Do you have any brief questions or are you going to be awhile?
MS. MURPHY: I have a few. I can probably do it in about ten minutes worth if you want to take a break or whatever.
THE COURT: At this time we would normally take an hour lunch break until two o'clock. So I suggest that we do that at this time. It is one and we've been sitting for sometime. I'm going to ask that ladies and gentlemen you put your note pads --
MR. URICK: May we approach before we break?
THE COURT: I know what you're going to say that there is a scheduling problem.
MR. URICK: Yes, which we brought to the Court's attention Friday.
THE COURT: It has already been brought to my attention and there's nothing we can do about it. We are now at one o'clock and if there are -- is a

Page 150

scheduling problem you will have to accommodate whatever that problem is because we're going to take a lunch break until two o'clock.
And at two o'clock we're going to come back and we're going to resume with this witness. I'm assuming the scheduling problem was something that Ms. Murphy brought to my attention before we started today and there's nothing I can do about that because we're going to take a luncheon recess until two o'clock.
My staff and I have been going since early this morning to resolve our docket and I think it's getting to be inhuman for me, inhumane for me to make them go beyond an hour. I mean, beyond one o'clock at this time and the jury has been sitting. So we are going to take a luncheon recess until two o'clock.
Ladies and gentlemen, I'm going to try to start this case just as close to two o'clock. In fact, be advised that I will be sitting on this bench at two o'clock. Now, I don't know where everyone else is going to be at two o'clock, but I'm going to be sitting right here at two o'clock and at that time I know that I'm going to turn on that little button and it will record who else is present at two o'clock

Page 151

when I am here at two o'clock.
And with that said, ladies and gentlemen, I'm going to ask that you have a wonderful lunch and ask that you be back just a moment or two before two o'clock because at that time I would like to start this case again.
Leave your notepads face down. Please do not discuss the testimony that you have heard today and please be advised that I would like to go until 4:45 because at 5:00 o'clock I do have another hearing and I'm going to ask that you return to the jury room and as soon as we are ready to go at two o'clock, we will resume this case. Have a wonderful lunch. I will see you back at two o'clock.
Ms. Pusateri, let me advise you that you are still a witness. You're on the stand and I know there have been some scheduling difficulties but there's nothing the Court could do and I have no idea what time we're going to finish with you today. It could be good news for you. It could be bad news but I do not know. With that said, I must tell you you are ordered to be back here at two o'clock at which time you are welcome to come into the courtroom and have a seat on that witness stand so that I will know at least you're here and we will resume.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 152

You cannot discuss your testimony with the State or the defense or with anyone else because you are still a sequestered witness. Do you understand?
THE WITNESS: Yes.
THE COURT: Very well. You are excused to lunch until two o'clock.
MS. MURPHY: With regard to the scheduling problem, Your Honor, would the Court be willing to assist us in perhaps making a phone call so that someone does not suffer --
THE COURT: Yes, Ms. Pusateri, if you would like me to make a phone call to your professor or anyone else regarding any exam you may have --
THE WITNESS: Yes.
THE COURT: -- you let me know when you need me to make that call. I will tell you I will recess court to make the call or I will make the call over my lunch break.
THE WITNESS: Yes, if you would do that.
THE COURT: If you go around to Judge Gordy's chambers, Cindy is seated there. She is the the secretary. You can give her the name and the information or if you'd like there's a pad and pen right at the end of this table.
THE WITNESS: I have to go get the

Page 153

information. It's in my car.
THE COURT: If you will return to that room, can you remember this, room 343?
THE WITNESS: 343.
THE COURT: That is my chambers. That's on the third floor.
THE WITNESS: With the information.
THE COURT: With the information I'll be there.
THE WITNESS: Yes.
THE COURT: Very well.
MS. MURPHY: Thank you very much, Your Honor.
THE COURT: This Court stands in recess then until 2:00 o'clock and, Officer Gilmore, I am going to advise you that I will be here at two o'clock and if you bring Mr. Syed here at two o'clock, that would make me very happy. This Court will stand in recess then until two o'clock.
(Whereupon the Court recessed, following which the proceedings in this matter resumed:)
THE COURT: We're on the record now.
MS. GUTIERREZ: Judge, I am going to object to the predistribution to the jury prior to Ms. Murphy beginning the redirect of this witness.

Page 154

THE COURT: You don't mind making this objection outside the presence of your client?
MS. GUTIERREZ: No, Your Honor.
THE COURT: Who is on his way --
MS. GUTIERREZ: Yes.
THE COURT: -- here?
MS. GUTIERREZ: Yes. We discussed this before. There may be evidentiary issues that I raise outside of his presence. He has consented to that. I will note that they want predistribution of State's Exhibit 34 which is --
THE COURT: Well, actually it's not State's Exhibit 34. It is a blank copy of the --
MS. GUTIERREZ: Right.
THE COURT: Because State's Exhibit 34 is is in evidence and it has writing on it.
MS. GUTIERREZ: Yes, but they want distributed blank copies that the jurors may or may not have notes on them --
THE COURT: Right exactly.
MS. GUTIERREZ: I believe they numbered them. It has been distributed to them on occasions when both the State has used that exhibit --
THE COURT: Exactly.
MS. GUTIERREZ: -- and we've used that

Page 155

exhibit. I would object to it on the scope grounds of the cross examination of this witness. I will note that I asked no questions using this exhibit. I remember I asked some questions related to did she have a cell phone and most of the questions that I asked were related to did -- you know, when she saw the cell phone which were covered on direct, but I don't believe that there's any question that I asked that related to this. So I would not want it presumptively given to the jurors by it being passed out that there's something important there and then, in fact, if the scope objection is granted the jurors getting the mistaken misleading impression that something is being hidden from them since I haven't heard anything. Those are my grounds for objection.
THE COURT: Ms. Murphy.
MS. MURPHY: Your Honor, the reason for using this exhibit at this point would be to clarify some points that were brought up on cross examination regarding pages to Ms. Pusateri and whether the calls came to her house or to her pager and the use of the caller I.D. Because the witness is present, I'm not going to proffer what I believe she would say but I think the use of the exhibit will help make it clear. I do believe this issue was raised on cross

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

examination and I believe the State should have the ability to clarify it in the ways available to it.

THE COURT: Ms. Gutierrez.

MS. GUTIERREZ: Judge, she testified she wasn't shown. She was just told about records. There's no evidence establishing that this is an exhibit that she in any way shared or viewed records or reviewed anything. I think it's an improper use of the exhibit. I believe it's misleading. I also believe it is still beyond the scope.

THE COURT: I do have an inquiry. Has this witness seen that exhibit before?

MS. MURPHY: I believe the witness has seen the State's --

THE COURT: Blank version.

MS. MURPHY: Blank version when we discussed identification of various phone numbers.

THE COURT: Okay. And if I'm not mistaken State's Exhibit number 34 is a composite of a number of other exhibits which through the course of the trial have been identified, correct?

MS. MURPHY: That's correct.

THE COURT: And there are specific lines of State's Exhibit number 34 that you're going to direct her attention to?

This Page Courtesy of Laptop_Saving_Light in response to request to fill missing Pages.

MS. MURPHY: Yes, Your Honor.

THE COURT: Relative to this witness?

MS. MURPHY: Yes, and relative to the cross examination.

THE COURT: Okay. I will allow it but I will not allow the distribution of the exhibit because I would say at this point the notes that the jurors may have made on the exhibit at this point are not going to be relevant to any questions you're going to ask because you're not going to ask her to add anything to the exhibit, correct?

MS. MURPHY: Correct.

THE COURT: And you're just going to say do you recognize any numbers, correct? I mean in --

MS. MURPHY: May I make reference to the time of day it is?

THE COURT: Right. You may ask those kinds of questions.

MS. MURPHY: As long as the jury is oriented to generally what I'm talking about, that would be fine, Your Honor. I mean, as to time and call number that would probably be sufficient and I don't intend to spend a lot of time on this point anyway and that's why I suggested that we go ahead and pass them out just so as not to spend a lot of

This page courtesy Plus-10 Software, LLC - visit us at www.plus10software.com to request a response to

time.

THE COURT: All right, I see your point. I will allow you to distribute the exhibit. I'm going to overrule your objection, but I am going to limit the State only to the extent that the questions are directly related to this witness and numbers she can identify by specific lines.

MS. GUTIERREZ: Well then Judge I would ask that they not be predistributed. That they only be distributed at that point where she --

THE COURT: That's fine.

MS. GUTIERREZ: -- she gets there and establishes that.

THE COURT: I have no problem with that. It's just a time thing, but if the defense is just saying for the point of the question coming about, the timing of the distribution of papers I have no problem with that and I ask the State to just distribute it at the particular time and, Ms. Murphy, I appreciate your attempt to be more efficient and it's noted.

MS. MURPHY: Your Honor, I plan to start with that issue and that was --

THE COURT: Well, we'll do it as they come in.

This page courtesy of Justin_sarin_light in response to requests for missing pages

MS. MURPHY: All right.

THE COURT: Or as you start your first question.

MS. MURPHY: Thank you.

THE COURT: Whatever. But we will do that and at this point as soon as Mr. Syed gets here, we will be able to start. I would also ask Mr. White, I am directing Mr. White where it says alternate number one her notes in the right hand corner, would you put a six under there, juror number six on the top in the event we have a --

THE CLERK: She changed hers yesterday.

THE COURT: She did change it? Okay, good. She changed it herself. Sometimes I don't get Mr. White as the clerk and he is very diligent in making sure that mistakes like that don't happen. What I don't want is for juror number six to get old juror number six's notes because again these exhibits were used only for the purpose of assisting them to follow along with the testimony.

MS. GUTIERREZ: Judge, since we're waiting I thought I would bring this up. I understand from what you said that Ms. Benaroya would be calling your chambers every morning.

THE COURT: Yes.

This page courtesy of Murder Sawing_Right requests for missing pages in response to

MS. GUTIERREZ: I haven't heard -- I can't quite tell, but it appears clear to me that the State's case is going to take us through tomorrow. I do have some out of town witnesses that we had to fuzzle. So I want to be prepared for Friday.

THE COURT: You want her Friday?

MS. GUTIERREZ: That would be fine, and you know but since she's here based on your assertion that they have four witnesses and who the other three witnesses are, I think we have a shot at finishing them on Thursday. If not, in the morning on Friday. So I would ask that Ms. Benaroya, whom I've been unable to reach, I've left messages, be available on Friday afternoon.

THE COURT: Okay.

MS. GUTIERREZ: Because some of my witnesses are coming from out of town on a holiday, I have arranged for them to arrive on Tuesday or to be available for Tuesday.

THE COURT: Okay.

MS. GUTIERREZ: And so I need to have my available witnesses to be around and Ms. Benaroya would be someone I intend to call.

THE COURT: All right, very well. I will have her available Friday afternoon; is that

This page courtesy of Justop_ca (right-click to request missing pages or post)

correct?

MS. GUTIERREZ: Yes, I think that's correct. I do have some other --

THE COURT: If I tell her one o'clock?

MS. GUTIERREZ: Yes, I think that's fine.

THE COURT: All right, Mr. White, can you call my chambers and tell my secretary to advise Ms. Benaroya when she calls tomorrow morning to be here Friday at one o'clock. That her testimony would be needed Friday at one o'clock.

And did you get the information that you needed from Ms. Benaroya about the date?

MS. GUTIERREZ: No, Judge. I have made efforts to call her.

THE COURT: Ask Ms. --

MS. GUTIERREZ: As I told you my last conversation with her was that if she couldn't reach me to leave just the date with your chambers.

THE COURT: Ask Ms. McCoy if she has received any messages from Ms. Benaroya that she should bring them to my -- to the courtroom right now, yesterday or today. Any messages that she has received from Ms. Benaroya from yesterday or from today she needs to bring them to this courtroom now. Thank you, Mr. White. Thank you very much Deputy

This page courtesy of Watch Tower Bible and Tract Society of Pennsylvania. Right to request omission of missing pages is reserved.

Sheriff for refilling our water cooler and if you could bring the jury out.

(Whereupon, the jury entered the courtroom, after which the following proceedings ensued:)

THE COURT: Please be advised that the scheduling problem with the witness has been alleviated and so you may proceed. At this time I would remind Ms. Pusateri you are still under oath. Welcome the jury back from lunch. Ms. Murphy, the witness is with you for redirect.

MS. MURPHY: Thank you, Your Honor.

REDIRECT EXAMINATION

BY MS. MURPHY

Q Ms. Pusateri, you stated your address is 1208 McAdoo Avenue?

A Yes.

Q Can you describe generally where that is?

A Off of Baltimore National Pike between Johnnycake Road and Cooks Lane, close to Garland's off of Ingleside Avenue.

Q Close to, I'm sorry?

A Close to Garland's around Ingleside.

MS. MURPHY: Your Honor, at this time I would ask if the jurors' copies of State's Exhibit 34 could be distributed.

The page courtesy of Usher Scaling - right resolution requests for missing pages

Note:

Pages 163 is missing.

•

Note:

Page 163 was missing from the files sent to /u/stop_saying_right, who filed for, and paid for the missing pages.

The reason why these same pages of testimony are missing from the UndisclosedWiki is that they get their documents from us, not from Undisclosed, or anyone on Adnan's defense team.

Page 164

A That's Jay's number.
Q Okay. And 31?
A That's my home number.
Q Okay. And any others?
A 30, 26, they're both home. 23, that's a friend of mine and Jay's.
Q Okay. And who is that?
A Patrice.
Q And any others?
A 12.
Q And what number is that?
A My pager.
Q Okay.
A And that's it.
Q Okay. I'll ask you to look at call number 22?
A Yes.
Q Is that call familiar?
A Yes.
Q And what is that?
A That's to my house.
Q Okay. And how about calls 8 and 9?
MS. GUTIERREZ: I'm going to object. These are leading questions. She has already identified the numbers that she knows.

Page 165

THE COURT: All right, sustained as to the leading nature of the question, but you can reword the question if you would like.
Q Were there any other numbers, Ms. Pusateri, that you recognize?
A Starting with which one?
MS. GUTIERREZ: Objection.
THE COURT: The question is do you recognize any others and if you recognize any others then you have to indicate to her what they are? You don't get to ask her questions.
THE WITNESS: All right.
THE COURT: Okay.
THE WITNESS: Well 23, 22, right? 12, 9, 8.
THE COURT: You're using the numbers on the far left to identify the line?
THE WITNESS: Yes.
THE COURT: Okay.
Q Now, you said 9 and 8. What are those numbers?
A That's my pager.
Q Now, going back to when Ms. Gutierrez asked you about the times on January 13th when Jay Wilds paged you?

Page 166

A Uh-huh.
Q Where were you when you received those pages?
A Depending on the time I was either at my house, in the car picking up my parents, or at work.
Q On any other day besides January the 13th had you ever received a page to the cell phone number that you called on that day?
A No.
MS. MURPHY: Your Honor, I'm finished with those exhibits at this point if the Court would like to --
THE COURT: Ladies and gentlemen, if you will pass the exhibits back. Ms. Gutierrez, do you think or anticipate that you'll need them?
MS. GUTIERREZ: No.
THE COURT: Pass them back.
MS. GUTIERREZ: Well, actually yes.
THE COURT: All right. Well, why don't you still pass them back to the end and we'll give them back to you. Just rest them in that chair, that's fine. Pass them up to the front. There's an empty chair next to alternate number three. He can let them sit there and if we need them back we can redistribute them. Thank you very much. Your next

Page 167

question, Ms. Murphy.
MS. MURPHY: Thank you, Your Honor.
Q Ms. Pusateri, does your friendship with Jay Wilds remain the same after January the 13th?
A Pretty much.
Q When you described on cross examination that you exaggerated the relationship, can you explain that?
A Just -- like it's just when everyone refers to him as my very, very close friend, I don't really feel that that's correct. So I guess when I exaggerated I meant that he's not necessarily my very, very, very close friend. He's just a good friend of mine and that's it.
Q Were your words to the police an exaggeration?
A No, not exactly. It was just an explanation to the police.
Q So is it fair to say that your description that Ms. Gutierrez read to you of your relationship with Mr. Wilds is pretty accurate?
A Pretty accurate. We're good friends.
Q But he's not your boyfriend?
A No.
Q Never has been?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 168

A No.
Q Now, you also testified on cross examination that you didn't know the date January 13th apart from any other day until the detectives pointed that day out?
A Right.
Q When you woke up that morning did you know someone was going to tell you about a murder?
A No.
Q So is it fair to say that you weren't really keeping track of time as the day went by?
A Yes.
Q Is it fair to say most of your frame of reference comes from your daily schedule?
A Yes.
Q And you testified earlier that you don't really know what time Jay got there?
A Right.
Q Do you recall also telling the police that Jay left anywhere between 2:30 and 4:15?
A Yes.
Q And you simply aren't sure when?
A Not exactly, no.
Q You were also asked on cross examination whether what you know all came from Jay?

Page 169

A Right.
Q Is it true that when you returned that page to Mr. Wilds you heard the person you describe answer that phone with your own ears?
A Yes.
Q It wasn't something Jay Wilds told you about?
A No.
Q Was the voice clear?
A Yes.
Q Can you describe that voice?
A It was a male's voice, like an older male, not like a young kid or nothing like that but not like a --
Q What do you mean by older?
A Like he had a deeper voice than if he was younger.
Q Well, older and younger are relative terms. Can you --
A I don't know. I would say someone that I would like normally talk to around my age.
Q Anything else about that voice?
A Not distinctly, no.
Q Are you certain that it was not Jay Wilds?
A Yes.

Page 170

Q How is that?
A Because I speak to Jay on the phone on a normal basis and I know what his voice sounds like on the phone.
Q Now, when Jay came to your house on January 13th you saw the car he was driving with your own eyes; is that right?
A Yes.
Q And when picked Jay up at Westview Mall that night you saw that with your own eyes also?
A Yes.
Q And you saw the defendant with Jay Wilds?
A Yes.
Q With your own eyes?
A Yes.
Q And that wasn't something told to you?
A No.
Q Where was the defendant when you saw him?
A In the car.
Q Can you say whether that car was the same car Jay was driving earlier?
A Yes, it was.
Q How long did that meeting last?
A Not long at all, five, ten minutes.
Q But are you certain that it was the

Page 171

defendant you saw driving it?
A Yes.
Q You testified a little bit on cross examination about a conversation you had with Kristi and Jeff?
A Yes.
Q When Jay and Adnan were at their apartment?
A Yes.
Q Can you tell the the ladies and gentlemen about that conversation?
A Yea, I just called Kristi just to talk to her.
Q About what time was that, if you know?
A Oh, it would probably be between 6:30 and 7:00 because I had just eaten dinner. So after I had eaten dinner, it had to be around 6:30, 7:00 o'clock. I remember Kristi was watching Judge Judy and I think that comes on around 6:30. So we were just talking on the phone.
She had asked me who this guy was that Jay had brought into her house. She had told me that he had mentioned something about how to get rid of a high and he just kind of like came in and laid down on her floor and she didn't understand what was wrong with him and he was acting kind of weird and then he

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 172

got on a cell phone talking about the police or something like that she said to me. She said what is this guy talking about because Kristi was paranoid a little bit about some of the activity that was going on in her house, you know, smoking weed or whatever. So she didn't really appreciate anyone in her house on the phone talking about the police. So she was concerned about that. She wanted to know who this guy was.

Q Did you know who it was?

A No, I didn't know like -- I mean, I'm saying I told her that it was probably Adnan because Jay had told me that he was with Adnan earlier that day. So I just assumed. I'm saying like Kristi gave me a description of the guy that was in her house and I just was like, oh, it must be Adnan.

Q Were you under the impression this was happening right about the time you talked to her?

A Yea, I'm saying she said that it was happening at the time that I was talking to her. She was telling me what was going on in the room while I was on the phone with her, and then she said that while me and her were still on the phone Jay and Adnan just kind of got up and just like left out of the house very abruptly. I'm thinking that Jay left

Page 173

his cigarettes and something else there, I believe she had told me. So she thought that they were coming back in the house. Then she also said that for a moment there was a car sitting out front of the house with people in it, but you know that it -- what she thought was that they had went out of her apartment.

MS. GUTIERREZ: Objection to what she thought.

THE COURT: Sustained.

Q When you spoke to Kristi on the night of the 26th --

A Uh-huh.

Q -- when the Homicide detectives first approached you, did she make reference to that night?

A Kristi?

Q Kristi Vinson.

A Meaning?

MS. GUTIERREZ: The 26th, I would object on hearsay grounds.

THE COURT: Can you restate your question.

Q You were asked on cross examination whether Kristina questioned you about the detectives coming to you? What did Kristina ask you?

MS. GUTIERREZ: Objection.

Page 174

THE COURT: On what date?

MS. MURPHY: On the 26th.

THE COURT: Are you objecting to that?

MS. GUTIERREZ: Yes.

THE COURT: Sustained.

MS. MURPHY: Nothing further, Your Honor.

THE COURT: Thank you very much. Any recross?

MS. GUTIERREZ: Yes, Judge, and I would ask that these copies be handed out again.

THE COURT: If the alternate would be so kind as to just pass the pile back and if the jurors would take the one that represents the number of the copy of exhibit number 34 where you have been making your notes.

RECROSS EXAMINATION

BY MS. GUTIERREZ

Q Ms. Pusateri, the cell phone that you saw sitting on the coffee table you had never seen before, did you?

A No.

Q And you had no knowledge from yourself and your own personal knowledge whose phone it was --

MS. MURPHY: Objection.

Q -- did you?

Page 175

MS. MURPHY: As to scope.

THE COURT: Overruled.

Q Did you?

A No.

Q No. And when you were asked to look at -- let us look down to line 34, that number 744-2609, that's your phone, right?

A At number 31, yes.

Q Is that right? That's your phone?

A That's my home line, my parents' phone.

Q A land line --

A They pay the bills.

Q -- is it not?

A Yes.

Q It's not a cell phone?

A No.

Q Is it? It's what we call a hard line; is that right?

A Sure.

Q And this chart -- and you've identified it, that call was made at 12:07?

A Yes.

Q And at 21 seconds?

A Yes.

Q The next line. That means that if you look

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 176

up at the top of the call the duration, so that phone call was for 21 seconds; is that right?
A Right.
Q From this chart you can't tell who was at your address?
A No one answered the phone. There was a message left.
Q Okay. But you can't tell, ma'am, from this chart if anybody was home?
MS. MURPHY: Objection.
Q Can you?
A From the chart, no.
Q No.
THE COURT: The objection is overruled.
Q And you can't tell if someone was home who might have answered it, can you?
A Not from the chart, no.
Q Not from the chart. And it doesn't tell you if that 21 seconds represents a phone call, does it?
A No.
Q That was actually received by someone?
A Right.
Q In which people actually talked?
A Right.

Page 177

Q And if they actually talked, who they were?
A Right.
Q And the next line if you go up on 30, that is also that same hard line that's in 31, is it not?
A Yes.
Q And under the duration column it says one minute and 21 seconds, right?
A Yes.
Q And you don't know where that one minute and 21 seconds information came from, do you?
A Where it came from?
Q Yes, ma'am.
A No.
Q You didn't provide that information, did you?
A No.
Q And as you told us you weren't asked to ever look at phone records, were you?
A No.
Q Not yours?
A No.
Q Not anyone's?
A No.
Q You were never asked even to produce your own phone records, were you?

Page 178

A No.
Q Right. And once again you can't tell from any information on that chart whether anybody answered the phone, could you?
A Not from the chart.
Q Not from the chart. And you, of course, from the chart can't tell if anybody was at your home when that phone rang, can you?
A Not from the chart, but I know I was there.
Q But you can't tell from the chart?
A Not from the chart.
Q No. Now, ma'am, on line 26 that's again the hard line, is it not?
A Yes.
Q And that indicates a duration of --
A 42 seconds.
Q 42 seconds?
A Yes.
Q And you didn't provide that information, did you?
A No.
Q And you don't know where that information came from, do you?
A No.
Q And once again that's your land line,

Page 179

right?
A Yes.
Q And nothing in the chart indicates who was home, does it?
A No.
Q And if it was answered who answered it?
A Right.
Q And if the call was made who made it?
A Right.
Q And if you go up again you identified line 23 as a number that you recognized, right?
A Yes.
Q And you identified it as the number of Patrice Furlow?
A Yes.
Q There's also Patrick Furlow, is there not?
A Yes.
Q And Patrick Furlow is somebody that you and Jay know, is it not?
A Yes.
Q And that is a person from whom you and Jay get weed, is it not?
A No, not anymore.
Q Do you recall that day, this day, the 13th, that this chart appears to indicate some things

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 180

happened as a day when you were at all concerned about getting weed?
A What? Was I worried about getting weed on that day?
Q On that day, do you recall that?
A No, I don't know if I was trying to get weed or not.
Q And that's not something that you ever mentioned to Detective MacGillivary?
A No.
Q Either at the time that he took notes on the Friday night or on the Saturday night in the tape recorded statement, right?
A Right.
Q And you also -- you don't recall that you got lots of calls from Jay in regard to tracking down some weed?
A No, Jay wouldn't call me to get any weed.
Q Because he knew how to get it on his own?
A Right.
Q And he knew how to get in touch with the people that you knew that he got weed from, right?
A Right.
Q And he wouldn't call you to track them down?

Page 181

A No.
Q And he wouldn't call you to track down Patrice Furlow?
A No.
Q Or Patrick Furlow?
A No.
Q And if he said that he did, then he wouldn't be telling the truth would he?
A I don't know.
Q You don't know, okay. Now, if you'd move up again on line 22. That's again the land line, right?
A Yes.
Q And the duration says 28 seconds, right?
A Yes.
Q And it says that the call time was 4:12, does it not?
A Yes.
Q Now, that was as close as it gets to the time that you always every work day leave to go get your parents?
A Right.
Q Is it not? Is that not right?
A Right.
Q And this chart doesn't tell you if you were

Page 182

there, does it?
A No.
Q And it doesn't tell you if you answered that phone, does it?
A No.
Q And it doesn't tell you if anybody answered tnat phone, does it?
A Right.
Q Ms. Pusateri, if you would go back up to 12, 9, and 8. That number 390-0384, that's your pager number, right?
A Right.
Q And that's the pager as distinct from the land line in your home, right?
A Right.
Q That's the pager that you can't answer and speak to, right?
A Right.
Q It has no phone mechanism --
A No.
Q -- attached to it, does it?
A No.
Q All you can do is leave a message on that pager?
MS. MURPHY: Objection.

Page 183

Q Isn't that right?
THE COURT: Sustained.
Q Ms. Pusateri, you've told us that you had made plans with Jay Wilds to meet up with him sometime after six, right?
A Right.
Q And that you, even though you had this confusion about the message and where it was you were going to pick him up or hook up with him, you, in essence, waited at your house until you got through and got that stuff settled, right?
A Right.
Q Until you got the alternate information that you would pick him up at Value City, right?
A Right.
Q And so you would have been available from the time you returned from picking up your parents at your home, right?
A Yes.
Q And available on your land line, right?
A Yes.
Q And if someone knew that that's where you were that's where they would have called you, would they have not?
A No,

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 184

Q They would have called you on your pager?
A Very often I get pages instead of land line phone calls, yes.
Q All of the phone calls made up to the time when you went to pick up your parents, every single one of them that involves you was made on the hard line, was it not?
A Yea.
Q Okay. And the three telephone calls, one was made at seven o'clock if you look at 1 and 12?
A Yes.
Q For 23 seconds?
A Yes.
Q This chart can't tell you where you were when that pager was made --
A Right.
Q -- can it? And it can't tell you on line nine, the phone call that lasted for 32 seconds, where you were, right?
A Right.
Q Or the call on line 8 the pager for 13 seconds, it can't tell us where you were, right?
A Right.
Q But all of those times 8:05, 8:04, and 7:00 o'clock were all times from what you just told us

Page 185

today were times when you were at your house, right?
A Right.
Q Waiting to go pick up Jay, right?
A I was getting ready waiting for him to call me so I could find out when we were going to go out.
Q To call you?
A Right, get in touch with me, let me know how --
Q You hadn't told him --
A Get in touch with me.
Q -- don't call me on my land line, had you?
A No.
Q You hadn't told him only reach me on my pager because you won't know where I am, had you?
A He wouldn't know where I was at. So if he wanted to get in touch with me, he would rather page me than use the land line.
Q That's what he would rather do?
A Right.
Q And did he tell you that on the 13th?
A No, but that's how it always is.
Q Did he tell you that on the 13th?
A Not on the 13th.
MS. MURPHY: Objection.
Q Did he tell you that after the 13th?

Page 186

THE COURT: Sustained.
Q Did he tell you that after the 13th?
A That's just how it is.
Q That's just how it is?
A It's never been said.
Q Now, some of the calls that you've been asked about you told us you remember came from Jay, right?
A Right.
Q Including the calls on the residence number that occurred before four o'clock, right?
A Right.
Q You recall talking to Kristi while Judge Judy was on?
A Right.
Q And that's something that you watch?
A Uh-huh.
Q And were you watching it at the time that you talked to Kristi?
A I don't remember.
Q You don't remember that?
A No.
Q You heard Judge Judy on her phone?
A We were talking about what was going on with Judge Judy, yea.

Page 187

Q Oh, and she mentioned, oh, Judge Judy is on?
A Yea.
Q Okay. Your recollection is that Judge Judy came on about 6:30 then?
A I think so, 6:30.
Q 6:30 to 7:00?
A I think it comes on like twice. I think 6:30 to 7:00 and maybe 7:00 to 7:30 or 7:30 to 8:00 or somewhere in between there.
Q So the phone call could have been about either one of those times?
A No, the phone call was between 6:30 and 7:00.
Q And you're sure about that?
A Yea.
Q Now, the conversation with Kristi was independent of anything that had happened with Jay?
A Yes.
Q You weren't looking for Jay?
A No.
Q And you weren't so concerned about your friend's abnormal behavior that you asked her about that, did you?
A She told me about his behavior.

This page provided by Susan Simpson in exchange for donations to the Adrian Syed Legal Trust

Page 188

Q Well, I thought you said she told you about Adnan's behavior?
A She told me about both of their behavior.
Q And she described it as abnormal?
A Yes.
Q And weird?
A Yes.
Q And did she specifically describe what it was they did that made her describe it as abnormal?
A Yes.
Q And did she say he was high?
A She said that he asked how to get rid of a high so --
Q Did she say that he was high, that she observed that?
A No, I don't think so.
Q Now, the meeting that Ms. Murphy asked you about when she was asking you about the time at Value City in Westview Mall, Adnan, did he get out of the car?
A I don't think so, no.
Q Did he wait while Jay got into your car?
A I don't know.
Q And did you hold a major conversation through your window to him?

Page 189

A We spoke. He said hey what's up.
Q He said hey what's up?
A Yea, I said hey, what's up.
Q And you spoke back?
A Yea.
Q You didn't say to him, oh, what's up is that our friend is really acting weird, did you?
A No.
Q And there wasn't any information conveyed, was there?
A No.
Q It was really just a greeting, wasn't it?
A That's exactly what it was.
Q It isn't what you would call a meeting, would it?
A No.
Q You didn't meet with him?
A No.
Q And he answered you or you answered him when he said what's up?
A Yea.
Q And did you give him any information?
A Information, no.
Q Did you just answer like hi nothing's up?
MS. MURPHY: Objection.

Page 190

THE COURT: Sustained.
Q In your answer to him did you convey any information?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q About what was up?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q And that's the meeting that you answered Ms. Murphy took five to ten minutes?
A I'm saying in all of the time between Jay getting out of the car and coming in and getting in my car we were probably in the parking lot in the spot for about five minutes, yes.
Q The whole thing took five minutes?
A Yes.
Q Not just that little part where he said hey what's up?
A Right.
Q Whether or not you answered?
A What?
Q Whether or not you answered him?
A I answered him.
MS. MURPHY: Objection.
THE COURT: Sustained.

Page 191

Q Now, whatever time Jay left your house in the early afternoon and you would agree you told the detectives several different things, did you not?
A Several different times, yes.
Q Several different times about what time he left, right?
A Yes.
Q But whatever time he left he came after you got home, right?
A Yes.
Q And during that time you personally observed him, did you not?
A Yes.
Q And during the time that you observed him it was your conclusion that he was not acting normal based on what you observed?
MS. MURPHY: Objection.
Q Correct?
THE COURT: Sustained.
Q Now, you said and you were asked about the exaggeration, do you recall that?
A Yes.
Q Okay. And the exaggeration was how you described your relationship with Jay, right?
A Right.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 192

Q When -- well, what you told them was what words you chose?
A Right.
Q And when they tried to imply that maybe you were girlfriend and boyfriend with Jay, your answer in the words that you chose was not really?
A Was no, not really.
Q No, not really?
A No, not really.
Q Those were words that you chose and you spoke, right?
A Right.
Q Nobody forced you to say that, did they?
A No.
Q Nobody suggested to you what words there should be?
A No.
Q You chose the words further to describe him as your very, very, very, very, I think you used four, good friend. Again, those were words that you chose?
A Yes.
Q Nobody forced you to?
A No.
Q Nobody selected the words for you?

Page 193

A No.
Q Nobody suggested to you --
A No.
Q -- what was the relationship --
A No.
Q -- before you described it, did they?
A No.
Q And when you chose the words I would trust him with my life, those were your choice of words?
A Yes.
Q Nobody threatened you or made you say some words?
A No.
Q Nobody suggested what words you would use?
A No.
Q So nobody chose whatever exaggeration it might be?
A Right.
Q You were asked about 1208 McAdoo you described as between off of Route 40 between, the words you used were Cooks Lane and Johnnycake?
A Yea.
Q All right, now, Johnnycake Road cuts across Route 40, does it not?
A Yes.

Page 194

Q But once it cuts across it then goes upward so that it actually runs parallel to run 40 for awhile, does it not?
A Not on my side, no.
Q On the side where Garland's is, right?
A Johnnycake is not parallel, perpendicular.
Q At Garland's, Garland's is right below the intersection of Ingleside, is it not?
A Yes.
Q And Johnnycake Road, is it not?
A Yes.
Q And at that corner Ingleside Avenue then goes and crosses Route 40, does it not?
A Yes.
Q At a perpendicular angle, does it not?
A Yes.
Q But Johnnycake is thereupon running in exactly the same direction but in a parallel location to Route 40, is it not?
A I don't know. I'm confused.
Q Well, there is an intersection at which Johnnycake and Ingleside are perpendicular to each other, are they not?
A Yes.
Q They cross as a straight intersection,

Page 195

right?
A Right.
Q And Ingleside Avenue goes over so that it is again perpendicular to Route 40, right?
A Yes.
Q And that's just like a light away, isn't it?
A Yes, there's a light in between two lights.
Q And at that light away that's the bottom of Westview Mall, isn't it?
A Yes.
Q So the intersection is like this of Ingleside and Route 40, right?
A Right.
Q And the intersection of Ingleside two lights away is Ingleside and Johnnycake, is it not?
A Ingleside and Johnnycake.
Q Perpendicular to each other?
A Yes.
Q In exactly the same direction in which Route 40 is?
A Ingleside runs parallel with 40. Johnnycake runs perpendicular with 40.
Q Except that Ingleside ends up being perpendicular to Route 40 at Route 40?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 196

A At Route 40.
Q Does it not?
A Yes.
Q And there's an intersection in which Ingleside and Johnnycake are running entirely different directions?
A Yes.
Q Right? Just like Route 40 and Ingleside are running entirely different directions, right?
A Yes.
Q And Cooks Lane is a street that intersects with Route 40, Baltimore National Pike, does it not?
A Yes.
Q And Cooks Lane at that intersection is inside of Baltimore City, is it not?
A Yes.
Q And the city line is actually between Johnnycake and Cooks Lane, is it not?
A Yes.
Q Up above Cooks Lane on Route 40 there's a big sign in the middle of the median, is there not?
A Uh-huh.
Q Is that a yes?
A Oh, yes.
Q That marks the end of Baltimore City, is it

Page 197

not?
A Yes.
Q And you live on the same side of Route 40 as Garland's would be if you took Johnnycake, not Ingleside, Johnnycake off of Route 40?
A Yes.
Q Yes. Well, are you just saying yes to get rid of it?
A I have no idea where you're talking about.
Q Do you understand the question?
A I'm very confused.
Q All right. Ms. Pusateri, you answered Ms. Murphy's question about your address, did you not?
A Right.
Q And you live at 1208 McAdoo, right?
A Right.
Q And McAdoo is a street that ends up being perpendicular at some point to Route 40, does it not?
A It's parallel to 40.
Q Meaning Route 40 runs this way and McAdoo runs that way?
A Parallel the same way, right.
Q Okay. That's what I want to make sure. The same way, right?
A Right.

Page 198

Q And McAdoo doesn't intersect with Route 40, right?
A Right, never.
Q But Johnnycake, which is the road that you said was marking the one end of where your street was, Johnnycake is a road that does intersect with Route 40, isn't it?
A Yes.
Q And the intersection is below, meaning closer to the city, than the intersection of Ingleside?
A Yes.
Q Is that right?
A (Indicating.)
Q So Johnnycake would be further away from Westview Mall than Ingleside Avenue; is that right?
A Yes.
Q Johnnycake is where that intersection is closer to the city line, right?
A Right.
Q Than Ingleside is?
A Right.
Q And the other edge at which you said defined where your road is was Cooks Lane?
A My road doesn't go all of the way to Cooks

Page 199

Lane, no but --
Q Well, I understand that but you said it was off of Route 40 between Johnnycake and Cooks Lane?
A Yea, right.
Q And Cooks Lane is already in the city, right?
A Right.
Q So it's even further away from Westview Mall, right?
A Right.
Q And your street, McAdoo, to get to it you have to take another street off of Route 40, do you not?
A Yes.
Q And then you turn off onto your road, right?
A Right.
Q And your road, is it closer to Johnnycake or closer to Cooks Lane?
A Johnnycake.
Q Johnnycake. And the name of this street that you take to get to your street?
A From where?
Q From Route 40.
A It depends on what direction. I can take

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 200

Ingleside, Johnnycake or the one between Mr. Gee's and the car wash.
Q Mr. Gee's is the --
A The ice cream place.
Q The ice cream, the sub place --
A Yes.
Q -- on the side? Right south of the intersection of Johnnycake where it crosses?
A Right.
Q And the next one; is that right?
A Right, Ingleside or I could take Cooks Lane, any of them.
Q Or you could take Cooks Lane. And if you took Cooks Lane, you would come up?
A Right.
Q Right? And in terms of direction, just so that we're clear, do you live on the same side of Route 40 as Garland's --
MS. MURPHY: Objection.
Q -- is?
A I live --
THE COURT: I think we've answered this question, but let's one more time. Do you live on the same side of Route 40 as Garland's?
THE WITNESS: Yes.

Page 201

Q Yes.
A I live three blocks from Garland's, three blocks.
Q The place where you work?
A Yes.
Q The place where Nicole works?
A Yes.
Q The woman whom you spoke to about these events?
MS. MURPHY: Objection.
THE COURT: Beyond the scope, but does Nicole work there?
THE WITNESS: Yes.
MS. GUTIERREZ: I'm done.
THE COURT: Thank you very much. Any re redirect?
MS. MURPHY: No, Your Honor.
THE COURT: Very well. May this witness be excused?
MS. MURPHY: Yes, Your Honor.
THE COURT: Ms. --
MS. GUTIERREZ: Yes, Judge.
THE COURT: And released from the summons?
MS. GUTIERREZ: I didn't summons her.
THE COURT: Well, I'm just making sure that

Page 202

you don't need her.
MS. GUTIERREZ: No, Judge.
THE WITNESS: I didn't get a summons. I have no summons from her.
THE COURT: Well she's now releasing you so that's why I asked. It doesn't matter who summonsed you? At this point no one needs you any longer. So let me advise you that at this time since no one needs you any longer, you're free to go. Two things, you're no longer under subpoena but you're still technically a sequestered witness but because you won't be needed you can stay in the courtroom if you'd like or you are free to go.
THE WITNESS: Okay.
THE COURT: All right?
THE WITNESS: Yes.
THE COURT: Very well.
THE WITNESS: Thank you.
THE COURT: You can give that to Mr. White since you had it in your hand, and, for the record, I'm going to ask that a blank copy of exhibit number 34 be marked and we're going to call it 34 C because during the course of the trial there have been blank forms provided to the witnesses which are different than the exhibit 34 which is in evidence, which has

Page 203

markings on it. So just to make sure that the record is clear the blank form which we've all referred to as the blank form 34 is going to be marked as an exhibit for identification purposes only and for this record. Your next witness.
MS. MURPHY: Thank you. The State's next witness is Ms. Kristina Vinson.
THE COURT: Is Ms. Vinson in the hall? If she is, please ask her to step in.
MS. MURPHY: She is. She's right outside.
THE COURT: Ms. Vinson, please step all of the way up here, please, all of the way to the witness stand which is over here to my right. I'm going to ask that when you get there that you remain standing, face this gentleman here, Mr. White. Raise your right hand.
KRISTINA VINSON,
a witness produced on call of the State, having first been duly sworn, according to law, was examined and testified as follows:
THE CLERK: Keep your voice up. State your name and your address for the record.
THE WITNESS: Kristina Vinson, 4703 Gateway Terrace, apartment C, Baltimore, Maryland.
THE COURT: Before we start I'm going to

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 204

tell the jurors that at any time you would like a break, I know we started pretty close to two, a little after, if you need a break, not you, the jurors, I need you to raise your hand or indicate so and I'll be happy to take a break and if it is just to get water, let me know. We can just stop a moment and allow you to get some water and then continue on. I'm without my clerk, law clerk to assist today, so if you could just indicate so. At this point the witness is with you.

MS. MURPHY: Thank you, Your Honor.

DIRECT EXAMINATION

BY MS. MURPHY

Q Ms. Vinson, can you state your age, please?
A I'm twenty-two.
Q Are you currently attending school?
A I have one more class left at UMBC.
Q What are you studying there?
A Social work.
Q And where did you go to high school?
A Sherwood High School in Montgomery County.
Q Were you attending school in January of 1999 a little over a year ago?
A Uh-huh.
Q Where was that?

Page 205

A At UMBC.
Q And were you working at that time also?
A I think I was working part time. Oh, no, I wasn't. I was interning at that time so I wasn't working part time.
Q Where were you living at that point in time?
A I have an apartment right outside of UMBC.
Q And what was the address?

MS. GUTIERREZ: I'm sorry, right outside?

A Right outside of UMBC like in Arbutus. The address is 4703 Gateway Terrace, apartment C.
Q You said right outside Arbutus. What are the main roads near there?
A Wilkens, Maiden Choice. It's in walking -- I mean, it's a long walk but in walking distance of UMBC.
Q Was anyone else living with you at that point in time?
A No, I was the only one.
Q But you were dating someone?
A Uh-huh.
Q Who was that?
A Jeff Johnson.
Q Are you still dating him now?

Page 206

A No.
Q Did he stay with you on occasion during the period of January of 1999?
A Uh-huh, he stayed off and on.
Q Do you know Jennifer Pusateri?
A Uh-huh.
Q How long have you known her?
A About a year and a half, two years, somewhere around there.
Q How is it that you know her?
A We are in the same sorority at UMBC together.
Q And how would you describe your relationship with Ms. Pusateri?
A Friends.
Q How about Jay Wilds, do you know him?
A Uh-huh.
Q How long have you known him?
A Hmm, a little under a year, a year and a half.
Q And how is it that you know Jay Wilds?
A I know Jay through Jen.
Q Do you know Hae Min Lee?
A No.
Q I'm going to ask you to remember back to

Page 207

January 13th, 1999, you've since answerd a lot of questions about that night?
A Uh-huh.
Q Do you remember that night?
A Yes, I do.
Q Why?
A Well, first of all, I had a conference down here for my internship that I had to attend.
Q You say down here?
A Oh, in the city at UMAB, which is the graduate school, and Jay and Adnan came to my apartment.
Q What time did you get home from that conference?
A I think it was over like at four-thirty and someone dropped me off between then and five, five-fifteen, somewhere around there.
Q Was anybody else at your house at that point in time?
A Jeff was already there at that time.
Q Would that be unusual for Jeff to be at your apartment when you weren't there?
A It wasn't unusual.
Q What happened next?
A Came in, talked for awhile, changed my

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 208

clothes, watching TV, just hanging out.
Q Anything else happen?
A Then Jay and Adnan came to my apartment.
Q Was it strange that Jay would come to your house?
A No, it wasn't strange.
Q Why is it memorable to you then?
A Because they were acting real shady when they got there.
Q What do you mean by shady?
A Weird, funny. Something was going on, not how he usually acts.
Q Can you describe what they were doing?
A They weren't doing anything. I mean, they weren't talking, just quiet.
Q What were you doing at that point?
A Watching TV. We were all watching TV.
Q Do you recall at what time that was?
A Like around 6:00 o'clock.
Q And how do you know it was 6:00 o'clock?
A Judge Judy was on, watching Judge Judy.
Q That's something you watch frequently?
A When I can, when I have a chance.
Q Now, the person who you said was with Jay, did you know that person?

Page 209

A Uh-uh.
Q Can you describe that person?
A Young, black hair.
Q Is that person here today?
A Uh-huh.
Q Can you point him out for the jury, please?
A The defendant.
MS. MURPHY: Indicating for the record, Your Honor, the defendant.
THE COURT: Mr. Syed for the record.
Q Did Jay introduce to you to this person?
A No.
Q What did they do?
A Well, they rang the bell or knocked on the door and I answered the door and Jay was like hey what's up, can we come in and chill for awhile. I was like sure, come on in, what's up. Then they came in and Jay sat -- the way my house was configured at the time was two chairs facing the TV. I had a bed on the side that doubled for a couch sometimes, and then I had a small like round table and like an alcove with chairs, and Jeff was sitting on the left chair. I was sitting on the right. Jay went and sat on one of the chairs near the table and the bed wasn't made, or, you know, the couch wasn't made up

Page 210

or whatever. So there was pillows on the floor and stuff and Adnan went and just kind of just sat on the pillows.
Q Now, is there a separate bedroom in the apartment or did you usually sleep on that couch that you described?
A I usually slept on the couch just because my apartment didn't have any air conditioning and I had the window. I had an air conditioner in the window. So I had moved my bed out into the main room just because it was cooler, but I did have a separate bedroom in the back.
Q Did the defendant say anything?
A Not at first.
Q At any time?
A Oh, okay. While we were all watching TV and he was like, you know, he was slumped over for awhile and nobody was talking. Like nobody had said anything basically when we were sitting down and then he just like kind of popped up and was like, you know, how do you get rid of a high, and so I was like --
Q What did you take that to mean?
A Oh. He was high? I don't know.
Q Did he say anything else?

Page 211

A Not at that time.
Q What happened next?
A Next I think Jen called and I remember taking -- I remember talking to her in the back. I don't remember if Jeff answered the phone or if I answered the phone. I remember talking to her like in the hallway and then in my bedroom just --
Q Did Jen call you or did she call one of the other people in the apartment?
A No, Jen called me, yea.
Q Do you have a phone in your apartment?
A Uh-huh.
Q Is that the phone she called?
A Right.
Q What do you remember about that?
A I was like, you know, who is this person in my apartment and, you know, Jay and somebody else are here and, you know, they're acting really crazy. You know, they're acting real shady, what's going on, and she was like, you know, I don't know who's there. Is it so and so, and I said -- I don't remember what name she asked me, and I said, you know, I don't know who it is. It's a guy. He has black hair and she's like I don't know who it is, and I was like, well, you know, what's going on. She was like I don't

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 212

know, I'm supposed to meet Jay later, I'll find out then for you, I'll find out what's going on then.
Q What happened after you talked to Jen?
A I can't remember if I was -- I wasn't on the phone with Jen. I remember being in my chair watching TV. I don't remember if Jeff was on the phone with her or if I had hung up, but the next thing that happened was Adnan got a call on his cell phone and he answered the phone and --
Q Where was the cell phone?
A In his jacket pocket.
Q What happened?
A It was really quiet in the room. We were just watching TV. So you could really hear what he was saying. He was, you know, they're going to come talk to me. They're going to, you know, what should I say, what should I do, something to that effect.
Q Did you understand what he was talking about?
A No.
Q What happened next?
A This is the part where I really don't remember. I remember that Jeff was on the phone with Jen. I can't remember whether she called back, whether he had been on the phone with her while I was

Page 213

watching TV. but I was sitting in my chair when Adnan just jumped up and left the apartment.
Q What was Jay Wilds doing at that point?
A He was sitting to the right of me just smoking a cigarette.
Q Did he stay there?
A For like a hot second. I mean, Adnan ran out of the apartment. I was like what's wrong with him. I said something to that effect, and Jay was like, I don't know and then he sat there for a minute and finished his cigarette and he was just like, you know, hang on a second and he liked jumped up and ran out of the apartment, too.
Q Did you see or hear anything after that?
A Not -- I mean, I went to the window to see, you know, if they were standing outside. My apartment looks over the street. I didn't know if they were standing outside or what they were doing. I remember walking to the window and being like, you know, they just got up and left. You know, I think they're sitting in the car and I remember Jeff saying that on the phone to Jen, but I don't remember whether we had hung up or not with her. And I said, you know, he just jumped up and left, and Jeff is like what, like what are they doing, and I was like I

Page 214

think they're sitting in the car, and then the car drove away and I was like they're driving away, and so he was like, hmm I guess they'll be back because Jay's hat and cigarettes were there so --
Q Did there come a time when you saw Jay again that night?
A Jay came back a couple of hours later.
Q Was he with anybody at that point?
A With Jen.
Q How about the defendant, was he there at that point?
A No.
Q How were Jay and Jennifer acting when they came to your apartment later on?
A Shady, like something was going on.
Q Are you still friendly with Jennifer Pusateri?
A Uh-huh.
Q How about Jay Wilds?
A Acquaintances. We're not so much friends anymore.
Q Why is that?
A Well, because he brought somebody to my apartment and I mean that's not really cool with me. I mean, I can't believe that he would bring some like

Page 215

heat to my apartment. You know, I don't know, just it's not cool.
MS. MURPHY: We have no other questions at this time, Your Honor.
THE COURT: Thank you. Witness with you, Ms. Gutierrez.
MS. GUTIERREZ: Yes, Judge.
CROSS EXAMINATION
BY MS. GUTIERREZ
Q Ms. Vinson, when you talked about Judge Judy, you like Judge Judy, do you not?
A Okay, yea.
Q In fact, that's yes?
A Yes.
Q And it was your choice that when you could you watched her on TV, right?
A If I had the time, yes.
Q And she came on the same time everyday, did she not?
A I think so, yes.
Q Okay. And that time was 6:00 o'clock to 6:30, right?
A Yes.
Q The show that you liked to watch and you made time to watch; is that right?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 216

A Right.
Q All right, now, on that day before you got home and you watched Judge Judy, you said you had a conference down here, meaning downtown?
A Right.
Q You said at UMAB, meaning University of Maryland at Baltimore?
A Right.
Q Meaning downtown Baltimore?
A Right.
Q Was that conference at the school of social work?
A Yes, I think it was.
Q And that's between the law school and the hospital?
A That's correct.
Q Okay. And that's where your conference was, was it not?
A That's correct.
Q That was pretty important to you, right?
A Yes, it was mandatory.
Q To your recollection, you didn't -- you got a ride home from somebody?
A Right, my car was stolen at that time.
Q And you arrived home you thought between

Page 217

5:00 and 5:15?
A Somewhere around there.
Q Your conference began you thought, you said between 4:00 and 4:30?
A No, that's when it ended.
Q Oh, that's when it ended?
A Right.
Q So your conference was long before then?
A I think it started at 9:00, I think.
Q At 9:00 o'clock in the morning?
A Right.
Q So you were in downtown Baltimore all day long?
A That's correct.
Q And when you got home, shortly thereafter Jay came?
A Okay.
Q Right? Is that right?
A At 6:00, yes.
Q That's what you told us, isn't it?
A At 6:00, that's correct.
Q At 6:00 o'clock. So forty-five minutes to an hour after you got home?
A Yes, that's correct.
Q 6:00 o'clock would be just the time when

Page 218

Judge Judy is beginning, right?
A Right.
Q And you didn't expect him there?
A No, I wasn't --
Q You hadn't seen him all that day?
A That's correct.
Q And you had no notice of any plans that he might have to drop by and visit you?
A That's correct.
Q But there was nothing unusual about him just dropping by?
A No.
Q And it was okay with you that he dropped by?
A At that time, yes.
Q Because you considered him a friend, did you not?
A Hmm, yes, that's right.
Q He had dropped by on other occasions, had he not?
A Uh-huh.
Q And there was nothing unusual about any of those other occasions?
A I'm sorry, I didn't hear you.
Q There was nothing unusual --

Page 219

A Unusual --
Q -- about any of those other occasions?
A No.
Q And when he dropped by without notice at your apartment, you generally invited him inside, did you not?
A Yes.
Q And Jay knew that your house was a place in which it was comfortable enough to smoke weed, did he not?
A Sometimes, yes.
Q And that was an activity that you all engaged in?
A Sometimes, yes.
Q And that had been okay with you?
A Uh-huh.
Q And since he had engaged in that activity, you were familiar with him, meaning Jay, when he was high, were you not?
A I don't understand your question.
Q Well, you had smoked weed with him, hadn't you?
A Yes.
Q Weed meaning marijuana?
A That's correct.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 220

Q And to your knowledge weed is a substance that makes people high, does it not?
A Yes.
Q And you've gotten high when you've smoked marijuana?
A Yes.
Q And you've smoked marijuana with Jay?
A Yes.
Q And you've observed him getting high from marijuana, had you not?
A Yea.
Q And so you had previously seen him in a high state; is that right?
A That's correct.
Q On this day your friend Jeff Johnson, was he already home when you got there?
A Yes, that's correct.
Q And there was nothing unusual about that, was there?
A No.
Q Sometimes he was there and sometimes he wasn't, right?
A Yes, that's right.
Q Sometimes he spent the night and sometimes he didn't, right?

Page 221

A That's correct.
Q He had his own key, did he not?
A Oh, no.
Q So was he there when you left?
A Yes.
Q And he stayed there all day?
A That's correct.
Q And so if someone came, to your knowledge, right?
A He stayed there all day to my knowledge, that's correct.
Q To your knowledge?
A That's correct.
Q That's what you expected, right?
A Well, I think when I got home I asked him, you know, what was up, how was your day, or whatever. He didn't tell me he went anywhere so --
Q And if someone came to visit you in the middle of the day when you weren't there and Jeff were there, that would be okay if he invited them in, wouldn't it?
A Yea, that would be okay.
Q And Jay was someone that your boyfriend knew?
A Uh-huh, he knew him.

Page 222

Q And he knew him to be a friend of yours?
A Yes, that's right.
Q And your boyfriend Jeff -- his name is Jeff Johnson?
A Yes.
Q And he was a participant on occasions in which you and Jay smoked weed, was he not?
A Uh-huh.
Q Because Jeff also smoked weed, did he not?
A Occasionally.
Q And so -- and Jeff regarded Jay as your friend or his or both?
A I'm not sure.
Q Now, back at that time you told us today that you've known Jay, you said about a year to a year and a half?
A I can't be certain but something --
Q Is that from today, back a year, a year and a half?
A Yes.
Q So you knew him either, Jay, for just a month or two, or for six months, right?
A Somewhere between those times.
Q Somewhere between that time?
A Uh-huh.

Page 223

Q You hadn't known him long?
A No, not long.
Q And you hadn't known Jen for much longer?
A Maybe a few months longer but not much.
Q And you met Jay through Jen?
A That's correct.
Q And you would have described their relationship as very, very good friends, would you have not?
A Hmm, I would just describe their relationship as friends.
Q As friends. And you had become friends with Jen through your sorority?
A That's correct.
Q Okay. And the sorority was an organization that you became affiliated with during the time you were at UMBC?
A That's correct.
Q Is that right?
A Uh-huh.
Q You would agree the sorority is an organization of young women in school?
A That's correct.
Q And they affiliate more closely with each other than nonsorority members?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 224

A Hmm, no, I wouldn't say that.
Q No?
A Some of them do.
Q But you got to know Jen through --
A Through the sorority.
Q -- through that sorority?
A Yes.
Q Is that right?
A Uh-huh.
Q And are there sorority activities?
A Yes.
Q Now, you said after Jay and his friend got there, and incidentally was it okay with you before you knew anything that Jay brought another friend?
A Yea, he had brought other friends to my house.
Q Other friends to your house?
A Uh-huh.
Q And that had been okay?
A Yea.
Q Is that right? And this is a person that you had never met before?
A The person he brought with him?
Q Right?
A That's correct.

Page 225

Q Is that right?
A Uh-huh.
Q You'd never seen before?
A No.
Q You had never observed him in any setting?
A No.
Q You didn't know his name?
A No.
Q You had never heard his name mentioned?
A No, not at that time.
Q By either your friend Jay?
A Not at that time.
Q Meaning January 13th?
A That's correct.
Q And you had never heard his name mentioned by your friend Jen?
A Not at that time.
Q Not at that time. And when he came in, did you think that they had come to smoke weed?
A No.
Q Did you think they had come to watch Judge Judy?
A No.
Q You described the period -- did your boyfriend like Judge Judy?

Page 226

A I don't remember, to tell you the truth.
Q When Judge Judy was on if you had the time and if you were home by watching it, you would watch it and you would pay attention, would you not?
A Uh-huh.
Q Is that a yes?
A That's a yes.
Q Because you liked it?
A That's correct.
Q You'd want to hear what was said, would you not?
A That's correct.
Q You wanted to hear what Judge Judy said to the people before her, would you not?
A That's correct.
Q And you wanted to hear what her decision was about whatever case was before her, right?
A That's correct.
Q And so there was nothing unusual while you would be watching TV and Jeff would be there and no conversation would be going on?
A I mean, sometimes we would watch TV and talk at the same time or other times we would just watch TV.
Q And have no conversation?

Page 227

A That's correct.
Q So there would be no noise?
A Sometimes, yes.
Q So during the time period when you were there that day and Jay, Adnan, and Jeff were there and there were periods that were silent, there was nothing unusual about that, was there?
A Wait, can you repeat it? I'm sorry.
Q On that day --
A Uh-huh.
Q -- you've described that there were periods of time while the four of you were there in which there was no conversation?
A Okay, that's right.
Q Right?
A Uh-huh.
Q There wasn't anything unusual about that, right?
A Yea, there was something unusual about that.
Q About not having any conversation?
A That day it was, yes.
Q That day it was, even though that conversation would have taken place while Judge Judy was on?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 228

A Uh-huh.
Q And when you turned the TV on, do you do it to watch it?
A Yes.
Q And if you have guests there, do you do it for their entertainment also?
A Well, sometimes when guests come over the TV is already on. It doesn't necessarily mean we all sit there and pay a hundred percent attention to it.
Q And when you have guests in the room and your favorite show is on, do you ever go up and turn it off?
A Sometimes if we want to listen to music or I mean --
Q Or if you want to talk?
A Usually if we want to talk, it still stays on or more music stays on.
Q And that day did you ever turn Judge Judy off?
A No.
Q Even though there are occasions in which there might be complete silence while Judge Judy is on, that day it was unusual that there was?
A I would say it was unusual because other times Jay had come over and the TV would be on we

Page 229

would talk still or we would attempt to have a conversation. It wasn't --
Q Jay was pretty talkative, wasn't he?
MS. MURPHY: Objection.
THE COURT: Sustained.
A We would still have a conversation. This time when I would like try to talk to him, he wasn't making any sense. He obviously did not want to talk so it was just very unsettling quiet.
THE COURT: Your next question.
Q So it was Jay who wasn't making any sense?
A Yea, that's correct.
Q Is that right?
A Yes.
Q You had never met this other person before, right?
A That's correct.
Q You had never smoked weed with him, right?
A That's correct.
Q He had never visited your home, right?
A Yes.
Q You had never observed him under any condition, right?
A That's correct.
Q You didn't know normal, what it was for

Page 230

him, did you?
A That's correct.
Q You didn't know how he acted around people he had just met?
A That's correct.
Q And Jay never said to you, oh, by the way, here's this guy I really want you to get to know him, did he?
A No.
Q And nothing Jay said or did indicated that he was there to interact with you?
A Who was there to interact with me?
Q The person he brought.
A It was never specifically said this person is here to interact with you.
Q And he never introduced him to you, did he?
A No.
Q No. By name?
A No.
Q Is that right? And Jay never interacted and tried to get a conversation going that involved him, did he?
A Who?
Q Jay never interacted and attempted to get a conversation going with the person that you had never

Page 231

met that he brought to your home, did he?
A That's correct.
Q And were you interested in this new person?
A When they came in, I kind of thought that Jay would say this is so and so and, you know, I know him from wherever, like he had done, like when he had brought other friends he would say, oh, this is, you know, so and so, and you know, I know them through whatever, and you know, and work, just hanging out, doing whatever.
Q So Jay's behavior about the person that he had brought into your house was odd based on your prior experience with Jay and others you didn't know, right?
A That's correct.
Q In fact, he didn't do it at first and that was strange?
A I'm sorry?
Q He didn't do it at first, introduce this person, right?
A Right.
Q And that was strange, right?
A A little, uh-huh.
Q At any time he didn't do it, did he?
A No.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 232

Q Before he and this person left, he never introduced him to you?
A Nope.
Q And he never gave you any heads up as to why he was there; is that right?
A That's right.
Q And this person whom you had never met, you, of course, had no way of knowing what his norm of behavior was, did you?
A No.
Q And you had -- nobody smoked weed while you all were there, did they?
A I don't remember. We could have, but I'm not sure.
Q You could have smoked weed in the presence of someone you not only didn't know and had not even been introduced to you?
A I'm sorry, I can't hear you when you turn around.
Q You could have smoked weed together with the person whose name you didn't know and had not been introduced to you?
A That's correct.
Q And that you never smoked with before?
A That's correct.

Page 233

Q And you just don't remember if that happened or not?
A I'm not sure.
Q It could have?
A It could have.
Q Now, the total time that they were there was how long?
A Hmm, I would say between twenty, thirty minutes to forty-five at the most.
Q So you remember Judge Judy was still on when they left?
A I don't remember. It could have been.
Q It could have been?
A I don't remember.
Q You wouldn't turn your favorite TV show off, right?
A Well, the TV wasn't off. I know the TV wasn't off. Whether that show had gone off or not, I'm not sure.
Q And nothing about -- for instance, if you had smoked weed while they were there would have made you turn off Judge Judy, would it?
A It would have made -- it wouldn't have made me turn off the TV?
Q Right, I'm asking you, would it have made

Page 234

you --
A No.
Q Of course, you don't remember whether you did or didn't?
A No.
Q But you could have?
A Yep. I mean, I've even eaten shrimp before. I can't tell you when the last time I ate shrimp was, but I know I've eaten shrimp. It's kind of the same thing.
Q Well, Ms. Vinson eating shrimp and smoking marijuana aren't exactly the same kind of activities, are they?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q There's nothing illegal about eating shrimp --
A No, I'm just trying to say that it was usual in the fact that, yes, I have before. It wasn't uncommon. I have before, but do I remember if I did that day? No, I don't remember.
Q Now, had you had -- did you expect Jen's phone call that day?
A Did I expect Jen's phone call? No.
Q It was nothing unusual about it though,

Page 235

right?
A That's correct.
Q She was your friend and she called?
A Yes.
Q And she didn't call looking for Jay?
A I don't think so.
Q She could have?
A Well, I don't know how she would have known that Jay was there since Jay wasn't planning to come over, or I didn't know that Jay was planning to come over.
Q You didn't know whether or not he was planning to come over, right?
A Right.
Q But you wouldn't know if Jen perhaps knew that he was planning to come over?
MS. MURPHY: Objection.
THE COURT: Ms. Gutierrez, repeat that again.
Q You wouldn't have known if Jen knew that he meaning Jay, was planning to come over, would you have?
THE COURT: Sustained.
Q Now, when you got the call from Jen, Jay was still there, right?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 236

A That's correct.
Q And he was acting out of the norm?
A That's correct.
Q And you described -- and I want to make sure I heard it shady as in s-h-a-d-y?
A That's correct.
Q Shady?
A Shady.
Q Not right?
A Not right.
Q Not normal?
A Not normal.
Q Hiding something?
A Possibly.
Q That certainly came to mind, did it not?
A Yea.
Q Did you ask Jay if he were high?
A Did I ask Jay if he was high?
Q Yes.
A No, I did not.
Q Did he appear to be acting high as you had previously observed him to be?
A I can never tell if Jay is high or not. So he could have been.
Q He doesn't show?

Page 237

A No.
Q Did he appear to be concealing something, that kind of shady?
A Concealing something?
Q Hiding something?
A He was appearing that something was going on that he did not tell me about.
Q Did you ask about it?
A I didn't say what is going on, tell me right now. No, I did not say that.
Q Not to him?
A No.
Q And the person with him, of course, you didn't know how he acted normally, right?
A No, I didn't know how he acted normally.
Q So you wouldn't know if how he appeared to you was different than he always appeared under other circumstances, did you?
A Well, he was slumped over on my floor hiding his face. I don't know if that's normal for him, but that wasn't I thought normal.
Q Well, he didn't hide his face such that you can't identify it, right?
A Well, I saw him when he came in and I saw him when he left and I saw him when he got his phone

Page 238

call and when he looked at everybody and asked, you know, how do you get rid of a high. But the rest of the time he was slumped over like that.
Q But he didn't conceal his face from you such that you couldn't tell who he was; is that right?
A Uh-huh.
Q He was only in your apartment, you said he got there at six and maybe stayed at the most forty-five minutes?
A That's correct.
Q Is that right? And that's the only interaction you had with him?
A That's correct.
Q And the way that you described it, there's those two chairs in the alcove?
A Right.
Q And where he was, there were pillows, were there not?
A On the floor, uh-huh.
Q On the floor?
A Which he was sitting on, right.
Q And that's where he was, right?
A Right.
Q And the pillows on the floor, they weren't

Page 239

for people to sit on?
A I'm sure, yea, they could have been, but not to like slump over. I mean, I didn't think that was normal.
Q Oh, the rules in your house require guests that sit on the floors -- pillows that are on the floor to sit upright and not slump?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Did you object to him at any time he was sitting there?
A Did I object to him?
Q Yes.
A No.
Q Did you ask him to leave?
A No.
Q And, of course, you don't remember if you had any illicit activities with him that involved drugs?
A I don't remember.
Q Incidentally, Ms. Vinson, is your father a police officer?
A No.
Q Now, later, much later Jen and Jay were together in your house?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 240

A That's correct.
Q And what time was it when they got there?
A I would say ten or elevenish. I really can't be sure.
Q But late?
A Later, yes.
Q And did you know that they were coming?
A I don't think I did.
Q That wasn't a prearranged plan?
A No, I don't think it was.
Q Even on the phone with Jen while Jay was there?
A I think she -- I said she said something to the effect of I'll figure out what's going on, but I don't recall making like plans with her to come over.
Q Did you get a call from her later that said we're coming?
A No, I don't think so.
Q And when she arrived, whether or not it was a surprise, that was okay with you, was it not?
A Yea.
Q And at that time was Jay still acting --
A Both of them were acting shady.
Q And Jen was somebody whom you were close to, right?

Page 241

A Closer than Jay.
Q You had spent a lot of time with her, had you not?
A Yes.
Q And so you had observed her under a lot of different circumstances?
A Uh-huh.
Q Is that a yes?
A That's a yes.
Q And you had observed her high before?
A Yes.
Q Okay. And she now appeared to you be shady?
A Uh-huh, yes.
Q Concealing something perhaps?
A Not telling what was going on.
Q Not telling what was going on?
A That's right.
Q And you didn't know what the what was?
A That's correct.
Q But what you observed you could tell that there was a what?
A That's correct.
Q And that was based on your observations of two people you knew?

Page 242

A That's correct.
Q And liked?
A That's correct.
Q Regarded as friends?
A That's correct.
Q And shady is the word that you applied to them when they appeared at your house at ten or eleven o'clock at night?
A That's correct.
Q And your boyfriend Jeff, he was still there?
A Yep.
Q In between the time that Jay left and Jay and Jen came back, did you discuss this with your boyfriend?
A I think -- yea, I think we did like right when they left.
Q That would have been normal would it have not?
A Yea, what is going on, what was wrong with them.
Q Did he indicate his -- he had observations of these two people?
A Hmm, I don't remember to tell you the truth.

Page 243

Q And to your knowledge had he ever met Adnan?
A To my knowledge?
Q Yes.
A No.
Q No, not before?
A No.
Q And he confirmed that?
A And he confirmed that?
Q That he had not met Adnan.
A Oh, he didn't say either way. He didn't --
Q That he had never smoked with him, smoked weed?
A I'm sorry?
Q That he had never smoked --
A Jeff?
Q -- weed with him? Jeff.
A I don't know if Jeff has ever smoked weed with him or not.
Q Well, did he tell you that he had?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q All right, now, you used the term to describe Jay as well weird?
A I'm sorry, could you repeat that?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 244

Q The terms that you used to describe Jay's behavior was weird?
A Yes.
Q Funny?
A Yes.
Q Okay. Meaning odd or meaning hillarious?
A Odd.
Q Odd. And you also said that he was quiet, not talking?
A That's correct.
Q And normally Jay talked, did he not?
A Yea.
Q He made conversation easily?
A Yes.
Q He was a good conversationalist?
A Yes.
Q You were asked by Ms. Murphy a question about did you sleep in the bedroom -- or did you sleep in the bedroom or did you -- when you said the couch, was there a couch there or was it the pillows?
A It's a This End Up bed that I have big bolster pillows that sit on the back of it.
Q It acts as a couch?
A Yea.
Q And it's in a separate place than the

Page 245

bedroom?
A That's correct.
Q And you said usually you slept on that place?
A Yep.
Q Because of the air conditioning?
A Right.
Q On January 13th that was winter, was it not?
A That's correct.
Q That would not have been a time when you had the air conditioning on in the apartment, was it?
A No, but the This End Up bed is pretty heavy and I just don't move it back and forth. Once I bought the air conditioner and I put it in the window and moved the bed in there.
Q So at that time the place where you slept was disconnected to what you slept on?
A I don't understand.
Q You slept on the bed on which you had put pillows?
A That's correct.
Q But then at the time it was in the living room?
A That's correct.

Page 246

Q You had moved it there at a time when you were concerned about air conditioning?
A The bed couch was always in the living room.
Q Always?
A Always in the living room.
Q Whether it was summer or winter?
A Yes.
Q It was a separate bedroom?
A I'm sorry?
Q You had a separate bedroom?
A That's correct.
Q And in that bedroom you had a separate bed?
A That's correct.
Q So you always had a choice of where to sleep?
A No.
THE COURT: One second.
THE WITNESS: I'm sorry.
THE COURT: The objection is sustained. The witness is going to be permitted to answer the question, finish her answer. You were about to say.
THE WITNESS: Right.
THE COURT: But?
THE WITNESS: But the bed in the bedroom

Page 247

was just a frame and when I moved my bed like my good mattress, I had an old mattress on the one in the living room, when I moved my good mattress on the bed, I took the frame home. So the only place I could sleep was in the living room unless I went home to my parents' house got the frame and brought it all of the way back.
Q So on January 13th you really had only one place to sleep, right?
A That's correct.
Q And that was in the living room, right?
A That's correct.
Q But it wasn't because of the air conditioner then, was it?
A No, it wasn't.
Q No. Now, when you spoke to your friend Jen on the phone you described there's this strange guy here and he's slumped over, right?
A Right.
Q And you described him as best you could, right?
A That's correct.
Q And she made you aware that shortly before Jay had been at her house, did she not?
A No, she said that she had plans to meet up

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 248

with Jay but she didn't say that he was at her house.
Q That he had been at her house. And she didn't mention to you that he had somebody else's car, did he?
A No.
Q And you knew your friend Jay did not have a car then, did you not?
A Not of his own.
Q Not of his own. But borrowed cars?
A Sometimes his girlfriend's or yea.
Q And sometimes others?
A Oh, I don't know about others. I know about his girlfriend's car.
Q But Jen never mentioned that she had just seen Jay?
A Oh, no.
Q And she never mentioned whether or not she had observed the same things you had that led you to describe them as shady?
A No, she didn't say that.
Q And when you described him, Jen never volunteered well maybe that's the guy whose car it was?
A No, I don't think so.
Q Or maybe that's the guy that I expected him

Page 249

to be with because he was going to pick him up when he left my house?
A No, she didn't say anything of that --
Q And she didn't say something to the effect of that she shared your concern about the shadiness of how he was acting?
A I don't recall.
Q Were you concerned about your friend Jay when you observed him acting shady?
A Jay?
Q Yes.
A Concerned like -- no, I wouldn't say concerned.
Q Now, when he got -- the person that you've identified as being in your living room, when he got the phone call you could only hear what he said, if at all, right?
A I heard what he said, yes.
Q But you couldn't hear what was being said on the phone?
A No.
Q You couldn't tell who he had called?
A That's correct.
Q Who was on the other end of the line?
A I had no idea.

Page 250

Q Or what they were saying?
A That's correct.
Q Is that right? And when he got the call did you eavesdrop in?
A Well, considering that nobody was talking and it was extremely quiet and my living room is not that big so when he's talking --
MS. MURPHY: Objection.
THE COURT: Sustained. You have to answer the question and may I ask that one question at a time be asked to allow the witness to answer just the question asked.
THE WITNESS: Okay.
THE COURT: Your question, Ms. Gutierrez.
MS. GUTIERREZ: I don't remember it, Judge.
Q Was Judge Judy still on?
A Yes.
MS. MURPHY: Objection.
Q And if Judge Judy was --
THE COURT: Overruled.
Q -- was still on, the sound was on, was it not?
A Yes.
Q And if Judge Judy was on, given that it was

Page 251

your favorite show, before you said you were paying attention --
THE COURT: I couldn't hear the end of that.
Q Given that you told us it was your favorite show you would be paying attention?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q And what you heard him say was something like they're going to come talk with me; is that right?
A That's one of the things he said, yes.
Q And the other thing he said was what should I tell them?
A Yes, or what should I say.
Q What should you say?
A Something to that effect.
Q From what you heard the they that he was referring to, they were going to come talk to him, was a different they than he was talking to?
A Yes.
Q Based on what you heard?
A Yes.
Q And that he appeared to be asking advice of someone as to what he should tell the they in his

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 252

first statement?
A Yes.
Q And that's all that you heard him say?
A Yes.
Q Now, you've continued to remain -- oh, Jay didn't have a key to your apartment, did he?
A No.
Q Not then?
A He never had a key to my apartment.
Q Not ever. And he wasn't allowed to just go in your apartment by himself, was he?
A No.
Q While you weren't there?
A No.
Q And when he got there your boyfriend Jeff Johnson didn't tell you, oh, he was just here a couple of hours ago, did he?
A No.
Q And he didn't express to you that he and Jay had smoked weed?
A No.
Q Or done any other drug?
A No.
Q And you, of course, expressed your observations about Jay to Jeff later, right?

Page 253

A Yes.
Q And at that time did he indicate that he had seen Jay earlier in the day, the same day?
A No.
Q Or that he had seen him any time that same day and he had observed the same behavior?
A No, he did not tell me that.
Q And would you have expected him to tell you if that had happened?
MS. MURPHY: Objection.
THE COURT: Overruled. Would you have expected him to be told that?
THE WITNESS: Would I expect him to tell me that? Yes.
Q Especially after Jay showed up and he brought his shady behavior visiting to Jeff's attention?
A Well, I think Jeff saw his shady behavior on his own.
Q And would it have been unusual if Jay came to your house, you weren't home but Jeff was, for Jay to stay?
A Stay, I think one other time he came because he was waiting for the bus and it was cold outside and I wasn't there I think, but Jeff told me

Page 254

about that.
Q Did he wait for you or for the bus?
A Did he wait- - who Jay?
Q At that time, Jay?
A He waited for the bus.
Q For the bus, not you?
A Not me.
Q But on that occasion Jeff told you right away, didn't he?
A Well, when I got home.
Q When you got home?
A Yea.
Q Now, much later than this day did there come a time when you spoke to the police about this day?
A Sure did.
Q And when did that happen?
A I can't really recall the date, maybe a month.
Q Was it long after?
THE COURT: One moment, Ms. Gutierrez. One moment. Can I see counsel at the bench, please.
(Whereupon, counsel and the Defendant approached the bench and the following conference ensued:)

Page 255

THE COURT: I was told that Ms. Benaroya called my chambers and you spoke to Ms. Benaroya on the phone, did you not?
A VOICE: Yes.
THE COURT: And that was yesterday?
A VOICE: Yes.
THE COURT: What is it that it she told you?
A VOICE: Yesterday she told me she would be available after one. That was like the message.
THE COURT: Did she provide some information about --
A VOICE: She said that --
THE COURT: -- coming to court or something like that?
A VOICE: As far as a motion that she would like to talk to you or Ms. Gutierrez about. She wanted to let the Judge know whatever she had spoke to you about, some kind of a motion in front of Judge McCurdy.
THE COURT: Anything about the date?
A VOICE: About a date? I don't have the information with me. I think it was.
THE COURT: Did you take a message?
A VOICE: I took the message. I don't have

This page provided by Susan Simpson in exchange for donations to the Bohan Syed Legal Trust

Page 256

it with me.
THE COURT: Where is the message?
A VOICE: In the office.
THE COURT: Go downstairs and get the note and that's what I asked Mr. White to tell you, to bring any notes regarding Ms. Benaroya upstairs.
A VOICE: Okay.
THE COURT: So please go and do that and bring the note back up. Whatever that information is, I'll bring you back.
MS. GUTIERREZ: Thank you. Is that all?
THE COURT: Yes, I just wanted to make sure that that information -- I was told that she was on her way here. I apologize for interrupting you.
MS. GUTIERREZ: That's all right.
THE COURT: But it was information that you requested and I wanted to make sure --
MS. GUTIERREZ: Yes.
THE COURT: -- before the day ended that Ms. Benaroya received that information and I did want to make sure that it was done in front of the presence of counsel. The Court did not want to be involved in any --
MS. GUTIERREZ: Right.
THE COURT: -- ex parte investigations or

Page 257

anything of that sort, and that is the reason I said if you had contacted the witness that you directly contact rather than go through my chambers.
MS. GUTIERREZ: Right, and, Judge, I have left messages.
THE COURT: I understand.
MS. GUTIERREZ: And she gave me her cell phone, but I've been unable to have direct contact with her since the day that she was here.
THE COURT: That's why I didn't the want the information, whatever the information was I wanted it to go directly to you and I wanted to make sure that the State was present when that occurred. So when she returns, I'll have her do that.
MS. GUTIERREZ: That's fine. I'm not going to be that much longer so if she returns before then I would appreciate just waiting because I only have a little bit more to cover.
THE COURT: Very well.
(Whereupon, counsel returned to the trial table and proceedings resumed in open court.)
THE COURT: I apologize to the jury. We had a matter that we had to take up, but at this point we can continue. Ms. Gutierrez, if you could continue with your questions.

Page 258

MS. GUTIERREZ: Thank you, Your Honor.
Q The time when you think you heard about a month after, and by a month after you mean after this date, the 13th; is that right?
A Yes.
Q There came a time when you spoke to the police?
A I can't hear you.
Q There came a time when you spoke to the police?
A Yes.
Q And where did that take place?
A When I spoke to them it was at their office.
Q At their office?
A Yes.
Q And was that the office of the Baltimore City Police Department?
A Yes.
Q And was that down here at 601 East Fayette Street?
A I guess that's the address.
Q At Police Headquarters?
A I think, yes.
Q In the Homicide Division?

Page 259

A Yes.
Q And how did you get down there?
A I drove.
Q And was anybody else there with you?
A No, nobody was with me.
Q And was that during the day or the evening?
A At night.
Q And that was the first time that you spoke to anyone about these events?
A Yes.
Q Was it that day that you knew that they wanted to speak to you?
A No.
Q Had they called you up previously and set up this appointment and asked you to come down?
A Yes.
Q And at that time was it Detectives MacGillivary or Ritz that called you?
A MacGillivary.
Q MacGillivary. And he had told you what it was about?
A He told me what it was -- no, I already knew what it was about.
Q Okay. He set up an interview that you consented to come to?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 260

A Yes.
Q And at the time when he called you, you were at your home?
A At my apartment, yes.
Q Prior to that day, was that a day -- the same day or days before that event?
A I think it was a couple of days before that he called me.
Q So the time that you went to see them was a pre-planned event?
A Yes.
Q When you went down there did you speak to Detective MacGillivary?
A Yes.
Q Was Detective Ritz present?
A No.
Q And did you consent to speaking to him about it?
A Yes.
Q Was there a tape recording?
A Yes.
Q And did they accuse you of anything?
A No.
Q Did they give you any pictures to see?
A No.

Page 261

Q And did they threaten you in any way?
A To speak to my father about it, but that was it.
Q Speak to your father about it?
A Yes.
Q Did he go with you?
A No.
Q They spoke to him on the phone?
A No.
Q They threatened to speak to him?
A Yes.
Q And you regarded that as a threat?
A Yes.
Q You didn't want your father to know about these events?
A I didn't think it was important, no.
Q You didn't think it was important?
A No.
Q At least not important enough for your father to know about it, right?
A Right.
Q When they said that and you regarded it as a threat, did you say anything to them?
A No.
Q They knew who your father was?

Page 262

A Hmm, no.
Q Did you tell them?
A No.
Q Ms. Vinson, you're how old now?
A Twenty-two.
Q So you were twenty-one --
A Yes.
Q -- last year?
A Uh-huh.
Q And you've been in college for how long?
A Four years. Three years at that time.
Q And you had lived alone for how long?
A A year at that time.
Q But they threatened you with going to your father?
A Well, my father was paying for school at that point and my living expenses.
Q That was a threat to you?
A Yes.
Q And did you tell them that, that your dad was paying?
A No.
Q Did they ask about that?
A No.
Q All right, now, when you got down there on

Page 263

that day had you spoken about the events of the 13th to your good friend Jen Pusateri subsequent to the 13th?
A Subsequent to the 13th, yes.
Q Yes. And when had you done that?
A The night that they came and talked to her.
Q The night that they came, meaning the police?
A Right.
Q Had come to talk to her?
A Right.
Q And that day occurred before the day that you went down to speak to them?
A That's correct.
Q All right. And the day that they came to talk to her that was a Friday night, was it not?
A I don't recall. It was at night.
Q You had gone over to her house to pick her up?
A That's correct.
Q In your car?
A That's correct.
Q Is that right? And did you run into some detectives who appeared to be lost?
A No.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 264

Q No. They didn't --
A They weren't lost.
Q And you weren't lost?
A I wasn't lost.
Q You were parked right in front of her house?
A Right.
Q And how is it that you knew the detectives -- you came to know that they were detectives, right?
A That's correct.
Q Coming to her house to speak to her about the events of January 13th?
A I found that out in the course of the conversation, but yes.
Q Okay. And where did that conversation take place?
A On the street.
Q On the street in front of her house?
A That's correct.
Q And were you outside of the car?
A We both were inside of the car at that point.
Q And were they inside or outside of their car?

Page 265

A Outside of their car in front of my car or on the side, the passenger side of my car.
Q Which was right in front of her house?
A That's correct.
Q Okay. And they physically appeared to be looking to come up to her house, did they not?
A Yes.
Q Did she tell them who she was?
A I don't think so.
Q And did they tell her whom they were looking for?
A Not at that point. They asked is this such and such address. She said can help you. They said does Jennifer live here or are you Jennifer or something to that effect, and she said can I help you, and that's when they identified themselves.
Q Now, where you were when you picked her up was a location that you are familiar with?
A Her house, yes.
Q And you knew that she lived there with her parents?
A That's correct.
Q And her younger brother?
A That's correct.
Q And how long did this conversation while

Page 266

they were outside the car and you all were inside the car take place?
A Five minutes probably at the most.
Q Did she identify herself as Jennifer?
A No, I never think she said I'm Jennifer, no.
Q But her name was Jennifer then, wasn't it?
A Yes.
Q Okay. And did anything else happen in that conversation?
A Meaning?
Q Did they ever tell either you or her why they were looking for Jennifer?
A Oh, yea, uh-huh.
Q And what it had to do with?
A Yep.
Q And it had to do with the murder of Hae Min Lee, did it not?
A That's correct.
Q And they mentioned the name?
A That's correct.
Q And they mentioned the date January 13th, did they not?
A I don't remember if they mentioned the date or not.

Page 267

Q Did they mention Jay Wilds' name?
A No, I don't think so.
Q Or anyone else's name?
A I think Adnan's name.
Q Adnan's. And did they ask her if they -- if she knew him?
A I think so, yes.
Q And did she say she knew him?
A Yes.
Q And did she say she knew anything about the murder of Hae Min Lee?
A No.
Q In the five minutes did they threaten her?
A Threaten her? I don't believe so, no.
Q Did they try to arrest her?
A No.
Q Did they ask her --
Q Well, they tried to convince her that she needed to -- I can't remember whether to come with them or to go down to the station at that very minute.
Q And talk to them?
A Yes.
Q And they directly asked that, did they not?
A Asked her to come down, yes.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 268

Q And during the time that you were out there did she or you ever go get her parents?
A No.
Q She made you aware that her parents were both inside the house, did she not?
A I don't remember if she made me aware or not.
Q All right. And she never left the car?
A She never left the car, no.
Q And she did not refuse to speak to them, did she?
A She did not refuse.
Q But she didn't agree to go with them?
A Not at that very second, but she did --
Q Did she make an appointment?
A Yes.
Q And when was that appointment for?
A That same night.
Q That same night. And at this point when you went and picked her up it was dark, was it not?
A Yes.
Q And after there came a time when they left, right?
A Yes.
Q And --

Page 269

A Well, I think we left before they did but yea.
Q And you came to pick her up for a specific reason, did you not?
A She was coming to hang out.
Q Over your house?
A Uh-huh.
Q Okay. And there was nothing unusual about that, was there?
A No.
Q And you left her house and you went where?
A To Jay's work.
Q To Jay's work. And where he worked then was at the porno shop?
A That's right.
Q And you knew that, did you not?
A Yes.
Q It's on Southwestern Boulevard?
A Something like that.
Q Southwestern Video?
A Okay.
Q Did you plan before the police got there to go over there?
A I think we were going to pick him up from work.

Page 270

Q To pick him up from work?
A Yea.
Q Because he was going to go over to your house with you all?
A No, I don't remember if he was coming over or not. I remember that we were going to pick him up because he didn't have a car.
Q He never had a car, did he?
A No, but he didn't -- he wasn't borrowing anybody's car, and I don't think Jen had her car at that point. So he had asked us to go pick him up from work, but I don't remember whether he was going home or whether he was coming to my apartment. I don't recall.
Q If he was going home, you all would take him home?
A Right.
Q And that wasn't objectionable to you, was it?
A No.
Q If he needed a ride you would have given him a ride, right?
A Yea, at that time.
Q And did you have any other purpose in going to see him?

Page 271

A No.
Q Did you speak to him before you got there?
A Before I got there, no.
Q Did you have a cell phone?
A Not at that time, no.
Q Did Jen have a cell phone?
A No.
Q And you didn't stop to make a call?
A No, we were going right there.
Q And you didn't go back inside the house to make a call?
A No.
Q Okay. Did you get him food?
A I don't recall. I'm not sure.
Q So you went over there?
A Right.
Q And was he there?
A Yea.
Q Did you go inside?
A Yep.
Q And did you speak to him?
A I think I said hey like what's up or something but --
Q Were you upset by what you had heard from Detective MacGillivary or Ritz?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 272

A Yes.
Q About their conversation with Jen?
A Yes.
Q And did she appear to be upset?
A Yes.
Q Was she acting shady?
A No, she wasn't acting shady.
Q No she wasn't?
A No.
Q So she was acting very differently than the time that you saw her acting shady?
A Well, she wasn't acting shady because as soon as we pulled away she told me what was going on.
Q She told you that she expected them?
A She expected -- no, I don't think she expected them, but I'm not sure.
Q That she knew why they were there?
A I think -- yea.
Q And that it concerned the death of Hae Min Lee?
A Yes.
Q Did she ever tell you that she had anything to do with it?
A No, no, I don't think so. Well, when we pulled away, the first thing I said was that was --

Page 273

you know, this is about that guy at my apartment, isn't it, and she said yea that was Adnan, and I said what is going on and she told me.
Q She never saw the guy in your apartment, did she?
A No.
Q And you didn't know his name back then, did you?
A No.
Q You never got it from him, right?
A No.
Q And you never asked Jay for it?
A No.
Q Even though you felt that he should introduce the person he brought with him to you, right?
A That was normal.
Q When you described the person to her over the phone that night, she didn't say, oh, that's Adnan with him?
A No, I don't think so.
Q Or describe anybody by name?
A She said one name but I can't remember what it is.
Q You can't remember what it was?

Page 274

A No.
Q And to your knowledge -- well, when she came back later that night that person whom you had never seen before was no longer there, was he?
A No.
Q All right, now, on the way over to see Jay who you may have had to take home or take with you, did you and Jen talk about anything else?
A I don't remember. I don't think so.
Q When you say well it was different because she told you what it was about, right? She never -- did she ever intimate at all that she was involved in anything?
MS. MURPHY: Objection.
THE COURT: Sustained as to that question.
Q Did she appear to be scared?
A Nervous, not scared.
Q Nervous. About the police?
A Well, it's not everyday that a Homicide detective comes and wants to talk to you.
Q Did she appear scared while the Homicide detective was there?
A Not scared, nervous.
Q And you and she speak, did she intimate to you that Jay was involved?

Page 275

A You know, I really don't remember. She could have. All I remember about that conversation is me asking about the guy in my apartment, her saying yes, and I don't remember if at that time she told me what was -- I don't remember. I just remember the first part of the conversation extremely clear. I don't remember.
Q He was still your good friend then, wasn't he?
A Yea, he was my friend.
Q And you had seen him subsequent to that time that he had showed up with this guy that he didn't introduce, right?
A I seen him -- I'm not sure. I could have.
Q Before that day it would not have been unusual for you to see Jay more than once a week, would it have not?
A No, I didn't see him more than once a week.
Q And you can't recall whether or not you saw him in the month between that time and the day that you recall the police coming or looking for Jen?
A The only time I remember seeing Jay after that is at Jeff's party which we had at my house.
Q And that was when?
A The 22nd.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 276

Q The 22nd?
A Of February.
Q Of February; is that correct?
A That's correct.
Q And that's more than a month after that date that you saw him and he brought somebody you didn't know with him to the house?
A Right.
Q So that would have occurred before the date the police came looking for Jen?
A Well, I don't remember the date the police came looking for Jen.
Q Okay. Whatever that date was, Ms. Vinson, it would be fair to say that if your friend Jen told you that your friend Jay was involved in a homicide, that would have been noteworthy to you, would it have not?
A That would be what?
Q That would have made an impression on you would it have not?
A Yes, that would have made an impression on me.
Q That would have been pretty strong news, would it have not?
A Yea.

Page 277

Q But you don't remember whether she said that?
A I remember finding out about what had happened, but I don't remember the exact moment I found out.
Q Or from whom?
A Or from whom. It could have been Jay. It could have been from Jen.
Q Whatever conversation you had with Jen going over on the way to the porn store, you actually got out of your car and went in the porn store with Jen, right?
A That's correct.
Q Even though your purpose may have been only to pick him up?
A Yea.
Q And take him somewhere else?
A Okay.
Q Is that right?
A That's correct.
Q You just don't remember?
A Don't remember what?
Q What your purpose was?
A I'm sure -- I'm pretty sure our purpose was to pick him up and take him home.

Page 278

Q Or?
A Or pick him up and go to my apartment. Pick him up. That was our purpose.
Q Did the picking him up involve getting something that needed to be carried from the store?
A I can't hear you, something.
Q Did picking him up involve going in and getting something that needed to be carried from the store?
A No.
Q And there was nobody else you had to pick up, was there?
A No.
Q Was there any requirement that you leave your car and go in?
A Well, I didn't feel like sitting in the parking lot by myself.
Q In the parking lot?
A Yea.
Q Waiting for him to come out?
A Yea.
Q So you went in together with Jen, right?
A Yea.
Q And did you speak to Jay in there?
A Like I said, hi, what's up or something

Page 279

like that.
Q That's it?
A That I recall.
Q And did you observe Jen having a conversation with him?
A Yea.
Q And was that in your presence?
A Yes.
Q Could you hear them?
A Yes.
Q And what was that about?
A She said that the detectives had come to talk to her and he said --
Q Did she say what about?
A I don't remember. I'm not sure. I remember her saying something to the effect the detectives came to talk to me and Jay saying well tell them everything you know, tell them the truth.
Q Just tell them the truth?
A Tell them everything you know, tell them the truth.
Q And did Jen react to that?
A React?
Q To when he said tell them the truth?
A I don't -- I think she was just like okay.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 280

Q Did she get less upset?
A Less upset?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q Well, Ms. Vinson, you've told us that when the detectives were there it was pretty scary, wasn't it?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q It was scary for you even though they didn't ask to speak to you, right?
A It wasn't scary for me. It was weird and maybe a little upsetting but not scary. They weren't coming for me.
Q And you could observe that it was upsetting for your friend whom they were asking about, right?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q When the detectives left outside the front of Jen's house, did she appear less upset or more upset?
MS. MURPHY: Objection.
THE COURT: Sustained.
Q When you were in the porn store was there anything else to the conversation between Jen and

Page 281

Jay?
A He said he wasn't ready. He had to work longer or he wasn't ready to get off, something to that effect. He wasn't ready to go yet. So she said something like, you know, well, they want me to go down right now and talk to them. He was like okay.
Q He was saying okay, it was all right to go down and talk to them?
A No, like okay we're not going to probably be able to come and pick him up for awhile.
Q For awhile?
A Well, it was all of the way in the city.
Q Did you make arrangements to pick him up later?
A No, I think he made arrangements. We made arrangements to call.
Q To call him?
A I'm not sure, maybe.
Q Did you speak to him about going down to the police?
MS. MURPHY: Objection.
THE COURT: Did you speak to him about going down to see the police? Is that your question?
MS. GUTIERREZ: Yes.

Page 282

THE COURT: Overruled.
A When -- that night did I -- about Jen going to see the police?
Q Yes.
A Oh, I didn't speak to him about that.
Q And did you make arrangements with Jen to go with her?
A She didn't have a car.
Q So --
A So I offered to take her.
Q The answer is yes?
A Yes.
Q Yes. And when you left there did you proceed down to the police Headquarters?
A Yes.
Q Okay. And do you remember then?
A Do I remember driving down there?
Q Yes.
A Yea.
Q Did you talk with her about what was going to happen?
A I think a little bit, yea.
Q Did she indicate to you that Jay might be involved?
A Jay might be involved? I don't remember if

Page 283

she did at that time or not.
Q She might have said that?
A She could have.
Q She could have. You just don't remember?
A Well, it's pretty hard to think of the exact moment where you learned each one of these little pieces of the story. I don't remember if right that second she was like this is what happened blaise a blah, I don't remember.
Q At some point she told you that Jay might be involved?
A Yes.
Q Yes. From her mouth?
A Yes.
Q Now, when you got down to police Headquarters were you there when she spoke to the police?
A I was waiting outside in the --
Q Outside the building or in the lobby?
A In the lobby.
Q Okay. And did they ever ask you who you were?
A Hmm, I don't think so.
Q And did you ever ask her not to mention your name?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 284

A No.
Q Or Jeff's name?
A No.
Q Or that you may have met this person that visited your house with Jay on a certain day?
A She already knew that.
Q Did you ever ask her not to mention it?
MS. MURPHY: Objection.
THE COURT: Overruled. Did you ever ask her not to mention that?
THE WITNESS: No.
Q And were you concerned about that day?
A Concerned about the day that we went down there.
Q No, the day that this person came with Jay?
A Was I concerned? Yes.
Q And on the day, a month later when that day came up in conversation, did you remember that it was the 13th of January?
A I don't think I remembered the specific date, no.
Q Somebody told you that day, did they not?
A I think it was Detective MacGillivary.
Q Detective MacGillivary. You did not have any independent recollection of your own that the day

Page 285

that this person came with Jay occurred actually on the 13th?
A No, I don't think so.
Q You didn't make any documentation of that visit, did you?
A Hmm, I had a day timer at that point which I kept everything in. I could have written it down. I think I even wrote that Jeff was there but I don't recall if I put Jay and friend there. I don't think I did.
Q You mean on the calendar?
A Right.
Q Was that important for you to keep track of who visited when?
A No.
Q Or when your friends were there or not there?
A No, I mean I didn't record everyday that Jen was there, but Jeff wasn't always there and Jeff didn't live right around the corner. So when we would make plans to see each other, I would write it down in my book.
Q But it was Detective MacGillivary that brought the date up to you; is that right?
A Yes.

Page 286

Q From your own recollection you couldn't tell us whether these events took place on the 13th for instance or on the 12th?
A No, except that I had a conference that day that was the only other way I know.
Q And the time when you were asked to speak -- well, first the time that you went down when Jen went that same night --
A Uh-huh.
Q -- that they came to her house, you never went inside the room where she was speaking to them?
A No.
Q And they never came out to talk to you?
A No.
Q Or to ask any questions of you?
A I don't believe so.
Q And to your knowledge, you weren't even introduced to them?
A I wasn't even introduced to the detectives?
Q Yes.
A Well, I had known their name from when they were outside Jen's house.
Q But they hadn't known yours?
A I don't believe so, no.

Page 287

Q You hadn't been asked what your name was, right?
A No.
Q Now, when your good friend -- your friend Jennifer Pusateri came out, you took her home or did you go back to your house?
A I think we went to my house.
Q And was that a day that you smoked weed with her?
A I don't remember. It could have been.
Q You don't keep any notation on your calendar of days that you get high or not high, do you?
A Nope, sure don't.
Q Now, did you have a conversation with her on the ride back?
A I'm sure but I don't recall it.
Q Did she appear upset to you?
A Did she appear upset? No.
Q Or shady?
A No.
Q Or in any way concerned about what had taken place out of your presence?
A I don't think so.
Q Did she tell you she had lied to the

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

police?

A I don't think so.

Q And did she tell you she now needed a lawyer?

A She told me she was going to get a lawyer.

Q She said she was going to get a lawyer?

A Well, I don't recall if it was that night or --

Q Later?

A I don't remember. I knew around that time that she was going to get a lawyer.

Q About these events?

A Uh-huh.

Q About answering questions from the police?

A Right.

Q And you didn't question that, did you?

A I don't remember if I did or not. I'm sure I did, but I don't remember.

Q On any other day, not that day, did she tell you that she lied to the police?

A That she lied to the police? No, I don't think so.

Q Now, the day that you talked to the police, that you made an appointment for, that was how long after that date, that day that you were there when

This page courtesy of Justice Savings Right in response to requests for missing pages.

they came to talk to her?

A A couple of weeks, a week maybe. I can't be exact.

Q And when you went down to talk to them did you advise her that you were doing so?

A Yea, I think I told her.

Q Did you talk to her about what was going on?

A What do you mean what was going on? Like what they were going to ask me?

Q Among other things, yes.

MS. MURPHY: Objection.

THE COURT: Sustained as among other things.

Q Did you ask her about what she had told the police?

A I don't think so.

Q And did you ask Detective MacGillivary when he called how he got your name?

A No.

Q And any reason why not?

A Any reason why I didn't ask him how he got my name?

Q Yes, ma'am.

A No, there was no reason why I didn't ask

This page courtesy of /u/stop_saving_right in response to requests for missing pages

him how he got my name.

Q You just didn't ask?

A I knew how he got my name.

Q And you hadn't given him your name?

A I hadn't given him what?

Q You hadn't given him your name?

A Detective MacGillivary, no.

Q Not on the day that you were down there?

A No.

Q After that night you had many conversations with Jen?

A I had what?

Q Many conversations with your good friend Jen?

A Yes.

Q About these events?

A Yes.

Q And how they involved her?

A Yes.

Q And about how they involved your friend Jay Wilds?

A Yes.

Q And you had conversations with Jay about these things?

A Yes.

This page courtesy of /u/stop_saying_right in response to requests for missing pages.

Q On more than one occasion?
A I'm sure on more than one, but I can only think of one.
Q And at the one you can remember Jay, of course, told you that he was involved?
A That he wasn't involved?
Q That he was?
A Yes.
Q Yes. In the death of Hae Min Lee?
A No.
Q The burial of Hae Min Lee?
A No, he didn't tell me that.
Q In fact, he told you the opposite, did he not?
A Told me the opposite. I'm trying to think of what he exactly said. I don't know what he exactly said.
Q Were these events important to you?
A Important to me?
Q Yes.
A They weren't important but they were kind of alarming.
Q Was it important to you to know whether your very good friends might be involved in a murder?
A Yes.

This page courtesy of /u/stop_saving_right in response to requests for missing pages

Q In any part of a homicide?
A Yes.
Q You described while you were on the phone or shortly thereafter that you looked out the window?
A Yes, that's correct.
Q This person had not been introduced to you, right?
A That's correct.
Q And although you had no base line to know how he acted normally, in your view he wasn't acting right, right?
A That's correct.
Q And it would be fair to say that you didn't really want him there, did you?
A Want him there? No, not after I felt that something was going on.
Q And after you thought he was acting strange, right?
A Right.
Q So you didn't object when he got up and left suddenly, did you?
A I didn't run after him, no.
Q You didn't object to his leaving --
A No.
Q -- did you? You didn't do anything to stop

This page courtesy of Justia - saving you time in reviewing cases for missing pages

it, did you?

A No.

Q And when you looked out the window were you hoping he would come back?

A No.

Q Did you care about who he was?

A No, not really.

Q Did you care whether or not he returned?

A No.

Q And the person who you did know what his behavior was, his behavior you described as shady, did you want him to continue to be in your house while he was acting that way?

A No.

Q And did you look out the window in an effort to locate him?

A Yes, I wanted to see where they had gone.

Q You had some interest in knowing their next destination?

A No.

Q Were you concerned about his welfare?

A No.

Q And were you so interested in finding out what you thought he might be concealing?

A No, I just thought it was odd that they

This page courtesy of www.top_gavin_knight.com in response to requests for missing pages.

jumped up and left.

Q You really didn't want them back in your house, did you?

MS. MURPHY: Objection.

THE COURT: Did you want him back in your house?

THE WITNESS: No.

MS. GUTIERREZ: No. Thank you. Nothing further.

THE WITNESS: Thank you.

THE COURT: Any redirect?

MS. MURPHY: Nothing further, Your Honor.

THE COURT: Thank you. May this witness be excused?

MS. MURPHY: Yes, Your Honor.

THE COURT: Ms. Gutierrez, may she be released from any summonses or subpoenas?

MS. GUTIERREZ: Yes, Your Honor.

MS. MURPHY: Yes, Your Honor.

THE COURT: You're a sequestered witness. You cannot discuss your testimony with anyone who has yet to be a witness but if you'd like to sit in the courtroom you're welcome to do so. At this moment you're free to go.

THE WITNESS: Thank you.

This page courtesy of JusTop_saving_right in response to requests for missing pages.

Note:

Pages 295 is missing.

•

Note:

Page 295 was missing from the files sent to /u/stop_saying_right, who filed for, and paid for the missing pages.

The reason why these same pages of testimony are missing from the UndisclosedWiki is that they get their documents from us, not from Undisclosed, or anyone on Adnan's defense team.

Page 296

THE COURT: Witness with you, Ms. Murphy.
MS. MURPHY: Thank you, Your Honor.
DIRECT EXAMINATION
BY MS. MURPHY
Q Ms. Warren, how old are you?
A Eighteen.
Q Are you attending school?
A Yes.
Q And where is that?
A Catonsville Community College.
Q What are you studying there?
A Romance languages.
Q Where did you attend high school?
A Woodlawn High School.
Q When did you graduate?
A 1999, May.
Q Did you know Hae Min Lee?
A Yes, I did.
Q Can you describe your relationship with her?
A We were very close friends.
Q And how did you know her?
A On a personal level as well as in school. We hung out together on weekends. We talked a lot. She told me a lot of personal things about her life.

Page 297

Q Do you know the defendant Adnan Syed?
A Yes, I do.
Q And how do you know him?
A From school.
Q And how long have you known him?
A Seven years.
Q Can you describe Hae Lee for the jurors? What type of friend she was, what type of activities she did?
A She was very active in school. She played a lot of sports. She was involved in a lot of clubs. She had good grades and she was a happy person in general.
Q Did you become aware at some point in time that Hae Lee was having a romantic relationship with the defendant?
A Yes, I did.
Q Can you tell us about that?
A Back when we were freshmen in high school, they had both liked each other. They both told me that but they never told each other that. Later in our junior year right before prom time Hae told me that she wanted to go the prom with Adnan and she asked me to ask him if he would ask her. So I did that and he asked her and after that point they

Page 298

became boyfriend and girlfriend.
Q Were you aware of their relationship that following summer?
A The summer before they were together?
Q The summer following the junior prom.
A Yes.
Q How serious was their relationship?
A It was pretty serious.
Q Can you explain that?
A They would spend a lot of time together. They were sexually active with each other. They shared a lot of things with each other. He knew a lot about her. She knew a lot about him.
Q To you knowledge, was this the defendant's first sexual relationship?
A No, it wasn't.
Q And how do you know that?
A He told me.
MS. GUTIERREZ: Objection.
THE COURT: Overruled.
A He told me.
Q Did you attend the homecoming dance? I guess that would be your senior year.
A No, I didn't.
Q Were you aware of anything that happened at

Page 299

the homecoming dance?
A No.
Q Did you become aware of any break ups in their relationship?
A Yes, I did.
Q What do you remember about that?
A They had broken up probably two times before their final break up. Hae was upset at Adnan because he was becoming very over protective of her and she felt like she wasn't free in the relationship and she called it off.
Q You mentioned their final break up, do you remember when that was?
A Between December and January of '99.
Q Now, the first two break ups that you mentioned --
A Uh-huh.
Q -- during those periods of time were you ever aware that Hae dated anyone else?
A No, she didn't.
Q And how about after the final break up?
A Yes, she did.
Q Who was that?
A Donnie.
Q And did you ever meet Donnie?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 300

A Yes, I did.
Q How did you meet him?
A After Hae turned up missing, I thought that he might have something to do with it. I contacted him by E-mail and later we became friends.
Q To your knowledge, was Adnan Syed aware of Donnie?
A Yes, he was.
Q And how do you know that?
A Hae and him both had told me that he met him at Hae's job before a couple of times. Adnan went to pick Hae up at work and that's where he met Donnie.
Q Did the defendant ever discuss the fact of Donnie with you?
MS. GUTIERREZ: Objection.
THE COURT: Did the defendant ever discuss Donnie with this witness?
MS. MURPHY: Yes.
THE COURT: Overruled. You can answer that.
THE WITNESS: Yes, he did.
Q What did those conversations entail?
A He assumed or thought that Hae was having relations with him before Adnan --

Page 301

MS. GUTIERREZ: Objection to what he thought.
THE COURT: Okay.
MS. GUTIERREZ: Or what he assumed.
THE COURT: Right. Well, sustained as to what your intention is for your objection and I will sustain the objection, and now I will direct the witness. You can't tell us what you thought based on something you thought up in your mind as it relates to -- the question was whether he told you. That is did Mr. Syed tell you what he thought.
THE WITNESS: Yes.
THE COURT: Not you thought he thought. Do you follow what I'm saying?
THE WITNESS: Uh-huh.
THE COURT: In other words, you can't tell us what you think he may have thought, but you can say if Mr. Syed said I think that, and so now that I've clarified it, you may answer the question that was asked, and, Ms. Murphy, would you restate your question.
MS. MURPHY: Thank you, Your Honor.
Q What did the defendant's conversations with you entail regarding Donnie?
A He told me that he thought that Hae was

Page 302

having relations with him and a relationship with him while she was still with Adnan.
Q Did you have any response to that?
A I reassured him that she didn't because she told me that she hadn't had any relations with him. They were just friends. They knew each other at work. They talked but they didn't have a relationship outside of that.
Q I'm going to ask you to think back to January 13th, was that the last time you saw her?
A Yes.
Q How did she seem to you that day?
A She was very happy.
Q Where did you see her?
A At school you mean? What location at school? Near the gymnasium.
Q And what time of day would that have been?
A About three o'clock.
Q What was she doing at that particular point in time?
A She was in a rush to go somewhere.
MS. GUTIERREZ: Do you know where?
A I don't recall at this point. It has been awhile.
THE COURT: She's asking you to say what

Page 303

you just said which was she was in a rush to go somewhere. Next question, Ms. Murphy.
Q What makes you think she was in a rush?
A She told me she was. We just stopped and had a short conversation but she had to go.
Q To your knowledge, was there anything in particular that she was happy about?
A Her relationship with Donnie.
Q How do you know that?
A She told me. Previously that week she had spent a lot of time with him, spent the night over his house. Their relationship was progressing and she doodled his name all over her stuff and she really enjoyed the relationship.
Q Would it be fair to say that this was a noticeable thing with Hae?
A Yes, absolutely.
MS. MURPHY: Your Honor, may I ask Mr. White for State's Exhibit number two?
THE COURT: Yes.
MS. MURPHY: May I approach the witness?
THE COURT: Yes, you may, State's Exhibit two.
Q Ms. Warren, I'll ask you to take a look at State's Exhibit two. Have you seen this item before?

This page provided by Susan Simpson in exchange for donations to the Appeal Fund

Page 304

A Yes, I have.
Q Can you identify that item?
A It's Hae's diary.
Q Had you -- when had you seen it?
A I saw it the day that she bought it.
Q Had you seen her carry it before?
A Uh-huh, yes, I had.
Q If I may, I'll ask you to read for the jurors the entry under May 14th, 1998?
MS. GUTIERREZ: Objection.
THE COURT: Overruled.
A I think I'll try that one week recess Deb suggested. I hope forth and went out with Iesha, Deb, and Sean in Sean's new car. It is so fly with those tinted windows. We went to Baskins Robbins and I got some cappuccino blast. I couldn't be with my baby because he had to go to D.C. for his religious stuff. That's what I need to figure out. Do I dare to pull him away from his religion? Ms. Savic was all up in my face about it. She said stuff like well Adnan used to be so religious and strict last year but this year he is so loose, like I changed him. Actually, I did and I don't want to pull him away from who he is. I think I need time to organize these things but I do not know that -- but I do know

Page 305

one thing. I love him and he loves me. Nothing will change that. I'll try the recess week and see what happens. I'll probably kill myself if I lose him but I'll go crazy with things complicating. I wish he'll call back soon.
MS. MURPHY: Thank you.
Q Now, in the entry she mentions a one week recess?
A Yes.
Q Do you know what she was talking about?
A Yes, I suggested to her --
Q Can you explain?
A Sure. I suggested to her that she and Adnan take at least a week off from each other because their relationship was becoming very stressful. They were both coming to me with things about their relationship that were really bothering them and I suggested that they take some time off from each other to figure things out personally.
Q I ask you now to read the entry under May 15th?
MS. GUTIERREZ: Again objection.
THE COURT: Overruled.
A I did it. Me and Adnan are officially on recess week or time out. I don't know what's going

Page 306

to happen to us. Although I'm in love with him, I don't know about him. He actually suggests that what we have is like, not love. I heard the doubt in his voice. Although he couldn't pick up mine, I felt the same way. I like him. No, I love him. It's just all the things that stand in the middle, his religion and Muslim customs all are in the way. It irks me to know that I am against his religion. He called me a devil a few times. I knew he was only joking, but it's somewhat true. I hate that. It's like making him choose between me and his religion.
The second thing is the possessiveness. Independence rather. I'm a very independent person. I rarely rely on my parents. Although I love him it's not like I need him. I know I'll do just fine without him. I need time for myself and with my friends other than him. How dare he get mad at me for planning to hang out with Iesha.
The third thing is the mind play. I've matured out of my jealousy shit. I don't get jealous over trying to get him jealous is a fool -- him trying to get me jealous is a fool because I'll definitely loose him -- me. I prefer a straight relationship that don't get in people mixed up just because he want to play mind games.

Page 307

The fourth thing is nothing. Because I do love him. It's just all of the shitty things that are messing with my mind. I'm just too confused. If I don't take the time to set things straight, the whole thing will blow up on my -- blow up in my head making me mad and do something I'll regret forever. That's why I need the time out. I just hope that I don't lose him because of this. I love him. When I hold him, I want it to be forever. I feel secure and comfy with him. I think he expected more of a spontaneous combustion. That's not going to happen all of the time. Our relationship burns lightly at first and then it eventually calms down. We started strong and now we settle in a boring but secure and loving relationship. I don't know what he wants. All I want is him to hold on to, to cuddle up to, kiss when I feel empty inside. Maybe I'm not supposed to be loved but supposed to love and I thought I had found another keeper and maybe I have. Hopefully, we'll go through this and come out much stronger -- with a much stronger foundation. I love him. I can live without him but I love him and want him with me. Please Adnan be patient with me, love.
Q Thank you. Now, she had discussed with you that recess week which she talked about?

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 308

A Yes.
Q The entry mentions religious issues between she and Adnan Syed, did she discuss those with you?
A Yes, she did.
Q What did she tell you about them?
A That it was against Adnan's religion to date anyone or see anyone and especially to sleep with them, and also that they were different races and different religions, that caused problems in the relationship.
Q I also ask you to read the entry from January 2nd, 1999.
A Happy '99. Ready to party and graduate. Anyways I got to tell you about yesterday, guess who had a date with Donald R. Klinedinst, III? Me. On Thursday December 31st I picked up Adnan from his work and dropped him off at Sears so he could pick up his car. I thought of waiting for him but for some reason I had to go up to him -- had to go up to Owings Mills Mall. When I got there I saw his Camaro, which was surprising since he wasn't working that day. When I was going to pull up next to his car, he was walking towards his car. I stopped and talked to him, flirting around with him as usual. Well, he actually let me drive his car around Owings

Page 309

Mills Mall. What a car. Well, we flirted around a little more. Finally, decided to go for dinner on the first. I mean, what a day to start a new year. Well, I got to work on the first week. I spent the New Year's Eve at Iesha's with Krista and the crew, Amber, Becky, and Dee, Sean and Ryan, but the guys had to leave at two but I fell asleep around one because he had to wake up at nine to get to work. When I got to work, Don was there of course. He is so cute and funny. Cool, I found my favorite red pen. Anyways, he changed into a green sweater and jeans. His sweater made his green eyes look so incredible. Since his eyes turned green to blue to gray. He has real beautiful eyes, real beautiful. Well, after work we went all of the way up to Aberdeen. We got to the Olive Tree where we sat and ate. I had crab cake which was really good, I loved it. Me and Don had a fun conversation. We were talking about a lot of things from Lens Crafters to cars to his name Donald Robert Klinedinst III. Wow, I don't think I've ever felt this weird before but I really do think I like him. We came back to the Owings Mills Mall and we just sat and talked. I really wanted him to kiss me but not -- he's too much of a gentleman for that. Wow, what a guy. He was so

Page 310

kind, caring, intelligent, incredibly cute, funny, amusing, and very down to earth.
MS. MURPHY: Thank you.
Q If you could read the dates and the next two entries?
A January 6th, 1999. I just got back from the movies with Don. I really do like him so much. January 12th, 1999, I love you Don. I think I've found my soul mate. I love you so much. I feel in love with you the moment I open my eyes to see you in the break room for the first time.
MS. MURPHY: Thank you, Ms. Warren.
Q Do you need some water?
A Yea.
MS. MURPHY: Can I get the witness some water?
THE COURT: Yes, you may.
Q Ms. Warren, thinking back to the last day you saw Hae, the following day do you recall whether school was held that day?
A I don't recall if it was the next day but sometime that week we had a snow -- a couple of snow days off. It was a Thursday and a Friday, I think.
Q Do you recall during that period of time was this heavy snow, was it snow that lasted for some

Page 311

time?
A Yes, it was. It was also ice, a lot of ice.
Q At this -- around that point in time did Hae have discussions with you about any problems at home?
A Yes, she was having --
MS. GUTIERREZ: Judge, there's been no identification of that time, I ask we specify the time.
THE COURT: Certainly. This would be the last question, was the day after or sometime after she was last seen in school, so if you want to reask the question, the objection is sustained.
Q In the weeks preceding her disappearance did she have conversations with you about problems at home?
A Yes, she did.
Q What kind of problems did she tell you about?
A Her mom and her weren't getting along. Her mom held a lot things over her head like her car and her freedom and it really irked her.
Q On January 13th did Hae communicate anything to you that these problems were particularly

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 312

on her mind that day?
A No, she didn't.
Q Now, you said you've been in school with the defendant for how long?
A Seven years.
Q Are you aware of any medical training the defendant has had?
MS. GUTIERREZ: Objection.
THE COURT: If she knows, and it's not because of someone told you, do you have any personal knowledge of any medical training that he has received?
THE WITNESS: If he told me, does that count?
THE COURT: If he told you he had some medical training, yes, you can tell us that.
THE WITNESS: Yes.
Q Can you describe that, please?
A He had an EMTB training class which means he's certified for basic medical administration. He could work --
MS. GUTIERREZ: Objection. Move to strike.
THE COURT: The information that you can testify to is what you know. Unless you took the course yourself --

Page 313

THE WITNESS: I did.
THE COURT: -- you can't -- you did?
THE WITNESS: I took that course.
THE COURT: Very well. You may answer. And you know that he took the very same course that you took?
THE WITNESS: Uh-huh.
THE COURT: From your own personal knowledge?
THE WITNESS: Yes, not at the same place but --
THE COURT: The same course?
THE WITNESS: The same course.
THE COURT: Very well. You may answer the question and you may tell us what it is that the course entails. Objection overruled.
A Okay, the course entails basic medical administration, like if you first came to a fire site or someone's in a fire you could administer certain medicines but not many. You could administer oxygen and you basically take notes on the past medical history of the patient, things like that, and Adnan had that same training course that I had and he had a certification for it.
Q Are you aware of a Best Buy store near

Page 314

Security Square?
A Yes.
Q If you know, how long would it take you to drive from Woodlawn High School to that Best Buy?
A About eight minutes maximum.
Q Now, there came a time when detectives began talking to you as well as other people at Woodlawn High School?
A Uh-huh.
Q Do you recall that time?
A Yes, I do.
Q Did you ever discuss that time with Adnan?
A Yes, I did.
Q What, if anything, do you remember about that conversation?
MS. GUTIERREZ: Objection.
THE COURT: Your time limit. She's known him for seven years.
MS. GUTIERREZ: Well, no pre-discussions that the time limit after the disappearance of Hae Min Lee.
THE COURT: After the disappearance of Hae Min Lee?
MS. GUTIERREZ: Yes.
THE COURT: Knowledge of the Best Buy. I'm

Page 315

going to sustain the question as asked and ask that you rephrase the question.
MS. MURPHY: Thank you, Your Honor.
Q Ms. Warren, did you have discussions with the defendant regarding the investigation surrounding Hae's disappearance during the time from when she disappeared until March?
A Yes, I did.
MS. GUTIERREZ: Objection.
THE COURT: Overruled.
Q What do you remember about those conversations?
A Adnan told me that the detectives had been questioning him and somewhat harassing him about things he didn't know, or suggesting that he had something to do with it, and that bothered him.
Q Now, the detectives talked to you. Did they ask you to communicate specific questions or to answer specific questions?
A Yes, they did.
Q Tell us about that?
A They asked me some questions. Some of them I knew --
MS. GUTIERREZ: Objection to they and I ask for a specific identification.

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 316

THE COURT: Certainly.
MS. GUTIERREZ: That's hearsay.
THE COURT: Sustained. Sustained. In order for you to tell us what someone else has said, you're going to have to tell us who it is that was speaking to you first.
THE WITNESS: Okay. As I recall, Detective MacGillivary, Detective Ritz, and Detective O'Shea.
THE COURT: Okay. Now, you may tell us what they said.
THE WITNESS: They asked me several questions. Some of them I knew. Some of them I didn't. Some questions they asked me to find out. So I wrote a couple of them down and I kept them in a journal of mine.
Q What happened to that journal?
A I let Adnan borrow it one day and when he gave it back to me all of the papers I had had in it along with the questions were missing.
Q Going back to January 13th, the day that Hae disappeared, did you have any discussions with the defendant regarding his car?
A Not that I recall.
MS. MURPHY: Thank you, Your Honor. No other questions.

Page 317

THE COURT: At this point we're going to stop. We'll save cross examination for tomorrow. It is now quarter of and I need to stop for today. I must advise you that you are a witness, Ms. Warren, who has been sworn and you are still on the witness stand, which means you cannot discuss your testimony with anyone, with the State's Attorneys or with the defense attorneys, or with anyone who may be a witness, anyone at all, even your parents because you're sworn and you're on the stand and you're sequestered. So you can't talk to anybody.
But tomorrow morning at nine-thirty you are to be here promptly because I will be able to start at nine-thirty promptly since I have no docket tomorrow. So when you arrive tomorrow, I'd ask that you come right into this courtroom and have a seat in that witness box because we're going to start promptly at nine-thirty. At this time you're excused to go home. You may leave for the day and you may step down at this time.
Ladies and gentlemen, I'm going to ask you to leave your notepads face down. Go home today. Don't discuss the testimony amongst yourselves or with anyone else. Also advise you that luckily one of the other judges out of the kindness of his heart

Page 318

has taken my docket for tomorrow morning, which means I have no docket and I will be able to start at nine-thirty promptly, and I'm going to tell you, as I did after lunch, at 9:30 I'm going to be sitting up here, right here and I will be turning on the button to see who else is ready to start with me, and I'm going to ask, ladies and gentlemen, that you be here as promptly as you can because if you go across the street between 9:00 and 9:30, they will pay you and if you come here you can stop off on your way, but at 9:30 I'm going to send Mr. White in to count heads and if all fifteen of you are there we will start this case. I would like you all to have a safe and pleasant journey home and I will see you tomorrow at nine-thirty.
Now, counsel, please be advised as you heard, someone is taking my docket tomorrow. I have not been fortunate enough to find anyone to take my docket for Friday but I'm still in search of. If I do find someone, then we'll start early on Friday at eight-thirty and even if I don't I'm going to advise counsel that if you will kindly make arrangements so that even if I have a docket I can start this case at nine-thirty, let the docket pull itself together, recess, and then come back to this case because I

Page 319

really would like to try to get as many witnesses in.
Please be advised also. I have a note, Ms. Benaroya has been contacted and advised to come in Friday at one o'clock. That's done. Please be advised that I have my secretary's note. This is a note that she took from Ms. Benaroyra on 2/15 and the note gives a cell phone where she can be reached. It also indicates that she would prefer when dealing with you, Ms. Gutierrez, that I be present. That's not going to happen. Asked if she will be needed today. Of course, no one told her. Other than this morning, she did make her routine call and we told her we hadn't heard that she would be needed.
MS. GUTIERREZ: Right.
THE COURT: And also she said she will be happy to provide notes to you, Ms. Gutierrez, and also says that in front of Judge McCurdy she was there on 9/27.
MS. GUTIERREZ: 9/27.
THE COURT: '99, believes Judge McCurdy has a video tape of the hearing. That is her note. That's all it says. If you would like to see that note, you're welcome.
MS. GUTIERREZ: I just want to cross check

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust

Page 320

the cell phone number with the cell phone number she gave me.
THE COURT: 410 336-5851.
MS. GUTIERREZ: Thank you.
THE COURT: That's what I have. She will call me tomorrow morning, but she has been already advised to come in at one o'clock on Friday. And if there is nothing further, and I would ask Ms. Gutierrez if you do need to contact her, you have all of the information, I would prefer not to --
MS. GUTIERREZ: I understand.
THE COURT: -- have any contact with my chambers because the Court does not want to get involved in taking messages of this nature. However, my able secretary has done her duty and taken the information. I'm going to actually put these notes -- if you would put these notes in the court file just so that --
MS. GUTIERREZ: I would stop down but it is likely that Ms. Sheldon is already gone for the day. Now, that we have a date I would expect that we be able to find it since it occurred before Judge McCurdy, but again, because it's on the video tape I need a court order.
THE COURT: Not necessarily. Ms. Benaroya

Page 321

may agree to assist you in getting that tape. You have her cell number and so I would ask that you --
MS. GUTIERREZ: I will try.
THE COURT: First do that and if it works out that she agrees then --
MS. GUTIERREZ: That's fine.
THE COURT: It's all done. In fact, since she's told to come in Friday at one she might even agree to come in early, perhaps. Well, you know, I'd like to think hopefully, positively, I would like to hope that this case will resolve itself by Friday. I have a feeling that things might move --
MS. GUTIERREZ: Resolve itself by Friday?
THE COURT: When I say resolve, that means the State's finished its case and the defense has started or at least gotten some of its witnesses on. To me that is resolving the case. That is moving it along. You know, that's also assuming that we even get past any motions. You know, that is resolving the case. That's moving it along and to the extent counsel can be prompt tomorrow and assist me in doing that, I would not want to be here alone at 9:30. I would not be happy if I were sitting here alone at 9:30. So far I've been very happy. So with that said, I'm going to recess for five minutes because

Page 322

I'm going to have a courtroom full of people because although you all are leaving, I am not.
MS. GUTIERREZ: I hope it's fun, Judge.
THE COURT: I don't have to answer that, do I?
MS. GUTIERREZ: No.
THE COURT: This Court stands in recess for this case until tomorrow at nine-thirty, for everyone else for five minutes.
CONCLUSION OF PROCEEDINGS

Page 323

CERTIFICATE

This is to certify that the proceedings in the matter of State of Maryland versus Adnan Syed, indictment numbers 199103042, 43, 45, 46 held on February 16, 2000 were recorded by means of video tape.

I do hereby certify that the aforegoing 324 pages constitute the official transcript as transcribed by me from said videotaped proceedings to the best of my ability in a complete and accurate manner.

In Witness Whereof, I have hereunto subscribed my name this 24th day of August, 2000.

Diane R. Walker
Official Court Reporter

This page provided by Susan Simpson in exchange for donations to the Adnan Syed Legal Trust