STATE OF MARYLAND VS ADNAN SYED

CASE # 199103042, 43, 45 & 46 HELD ON- DECEMBER 13, 1999

BEFORE :THE HONORABLE: WILLIAM QUARLES, JUDGE

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STATE OF MARYLAND	*	IN THE
Plaintiff(s)	*	CIRCUIT COURT
vs.	*	FOR
ADNAN SYED	*	BALTIMORE CITY
Defendant(s)	*	Case No.: 199103042, 43, 45 & 46

* * * * * * * * * * *

TRANSCRIBER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS
(Trial)

BEFORE: THE HONORABLE WILLIAM QUARLES

HEARING DATE: December 13, 1999

APPEARANCES:

FOR THE PLAINTIFF: KEVIN URICK, ESQUIRE
KATHLEEN MURPHY, ESQUIRE

FOR THE DEFENDANT: CHRISTINA GUTIERREZ, ESQUIRE

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Plaintiff(s) * CIRCUIT COURT
vs. * FOR
ADNAN SYED * BALTIMORE CITY
Defendant(s) * Case No.: 199103042, 43, 45 & 46

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PROCEEDINGS

THE COURT: Would you please recall the case?

MR. URICK: Good morning, your Honor State of Maryland vs Adnan Syed, cases 199103042 through 46 Kevin Urick and Kathleen Murphy for the State

THE COURT: Mr. Urick, Ms. Murphy.

MS. MURPHY: Good morning.

MS. GUTIERREZ: Good morning, your Honor Christina Gutierrez on behalf Adnan Syed.

THE COURT: Ms. Gutierrez, Mr. Syed, good morning Counsel may we bring the jury down?(Jury enters the courtroom 11:07)

THE COURT: Good morning, ladies and gentlemen I trust you had good weekends.

JURY: Good morning.

THE COURT: Thank you very much for your promptness As those of you came a bit late saw, we had a courtroom full of people this morning because I handled arraignments for another judge. That will not be recurring so don't worry, we will continue to make the best use of your time as we can. But to permit one of our arraignment judges, who works very hard hearing literally dozens of cases a day, we took 26 cases for the judge this morning and we've handled 25 of them so we're in pretty good shape. Counsel?

MR. URICK: With the court's permission I'll call the first witness at this time. The State, at this time, will call Emmanuel Obot to the stand

EMMANUEL OBOT

a witness produced on call by the Plaintiff, having been duly sworn according to law was examined and testified as follows:

CLERK: State your name and assignment for the record.

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MR. OBOT: Emmanuel Obot, Baltimore City Police Crime Lab

THE COURT: How do you spell your name, sir?

MR. OBOT: O-B-O-T, last name.

THE COURT: First name?

MR. OBOT: O-B-O-T, last name. Emmanuel - - E-M-M-A-N-U-E-L

THE COURT: Thank you.

MR. URICK: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. URICK:

Q. *Good morning, Mr. Obot.*

A. *Good morning.*

Q. *How are you employed by the Baltimore City Police Department?*

A. *I was brought to work in the crime lab section of the Baltimore unit*

Q. *And what are your duties, very briefly, there?*

A. *My primary duties are to respond to crime scene, recriminate evidence and process it according to procedure.*

THE COURT: Mr. Obot, if I could get you to move just back a little bit from the microphone. Unlike our other witnesses, you do have a very loud good voice so I don't need you to right up on it.

Q. *Drawing your attention now to March 20th of 1999. Did you have occasion to be part of a team that executed a search and seizure warrant at the Defendant's residence of 7034 Johnnycake Road in Maryland?*

A. *Yes, I did.*

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Q. And did you have occasion to collect and package evidence on that date?
A. Yes, sir. We recovered few evidence from the crime scene at 7034 Johnnycake Road.
Q. And did you submit evidence to the evidence control unit that morning?
A. Yes, sir.
Q. Now at this time, I'm going to show you a bag -- an evidence bag which has previously been opened so the defense could view stuff in it. I'd like you take a few moments and look at this bag.
A. Yes, I recovered this evidence.
Q. And does that reference the offense number of 99885801 which was assigned to this instant?
A. Yes, sir.
Q. And is that property evidence, property number 99013364?
A. Yes.
Q. And that was one of the property numbers assigned to very evidence that you submitted?
A. Yes, sir.
Q. Okay. Now I'd like you take a look at this and see if you can identify that You. You can open it up and look at the item inside.
A. Yes. This is one of the items that was recovered at the scene.
Q. Have you had a chance to examine the evidence inside?
A. Yes, sir. This is what I found evidence at the crime scene.
Q. And is that in substantially the same condition as when it was recovered?
A. Yes, sir.
MR. URICK: At this time, I 'll mark for identification purposes the bag

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proper as State's exhibit 37. And at this time we move into evidence. State's exhibit 37.
THE COURT: What is it?
MR. URICK: It's a bag with a text book and various items in it.
MS. GUTIERREZ: Judge, there are dozens of items inside I challenge some on relevance. Obviously some may or may not be, but I would object at this time
THE COURT: Okay. State's 37 is admitted.
(Evidence bag containing text book, etc. received into evidence as State's Exhibit No. 37.)
BY MR. URICK:
Q. Now, Mr. Obot, I'm going to show you what's been marked for identification purposes State's exhibit 36A and 36B. Have you had a chance to examine those?
A. Yes, sir.
Q. And what are those?
A. This is the pictures (inaudible) and you can see the cars (inaudible).
Q. This time -- are those a fair and accurate depiction of where the book was found in the Defendant's bedroom?
A. Yes, sir.
MR. URICK: Would offer as State's exhibit 36A and B, the two photographs.
THE COURT: No objection to State's exhibit 36A and B.
(Photographs received into evidence as State's Exhibit Nos. 36A and 36B.)
MR. URICK: Would ask that they be published to the jury at this time so that everyone can have a chance to look at them.
THE COURT: May be published.

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MR. URICK: If you would hand them to the lady immediately to your right. Witness for the defense.
THE COURT: Cross.
CROSS EXAMINATION
BY MS. GUTIERREZ:
Q. Yes. Mr. Obot, the text book that you identified in State's exhibit 37 was found, as the picture shows, on the shelf above what appears to be a desk along with many other text books. Did you select that particular text book from other text books in that shelf?
A. What happened was the detective just went through - -
Q. And picked out things for you to then process?
A. (Indiscernible) that seems relevant to him.
Q. That he thought was relevant?
A. Yes.
Q. Not what you thought was relevant?
A. Well my duty, you know, is to recover evidence and (indiscernible)
Q. Okay. And that means to recover the evidence that's pointed out to you?
A. (Indiscernible)
Q. Okay. And so he pointed out - - the detective - - was that MacGilvary or Ritz? Do you remember?
A. Ritz.
Q. Ritz. He pointed out that text book that was on the book shelf along with other books and then you processed it.
A. I recovered it.
Q. Thank you.

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THE COURT: Anything else?
MS. GUTIERREZ: Nothing further.
THE COURT: Any redirect?
MR. URICK: No. Can this witness be excused at this time?
THE COURT: Yes, he may Thank you, Mr. Obot. Good day sir
MR. URICK: Thank you, sir. If I may with the court's permission get the next witness at this time.
THE COURT: Yes. Come up to the witness stand, sir.
MR. URICK: The State, at this time, would call Detective Joseph O'Shea of the Baltimore County Police Department.
DETECTIVE JOSEPH O'SHEA
a witness produced on the call by the Plaintiff, having been duly sworn according to law, was examined and testified as follows:
CLERK: State your name and assignment for the record, please.
DET. O'SHEA: Detective Joseph Michael O'Shea Baltimore County Police Department, Missing Persons/Homicide Unit.
DIRECT EXAMINATION
BY MR. URICK:
Q. Good morning, Detective O'Shea.
A. Good morning.
Q. Just very briefly, could you explain to the ladies and gentlemen of the jury what your duties are in Baltimore County?
A. Yes. I am a detective with the missing persons unit of Baltimore County and I handle adult missing persons cases - - anyone over the age of 18.
Q. Did there come a time when you became involved in the investigation of the

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disappearance of one Hae Min Lee?
A. Yes.
Q. When did you become involved?
A. It would have been the week after disappearance. I would say approximately January 21st of 1999.
Q. And, extremely briefly, would you tell the ladies and gentlemen of the jury what you did to investigate that disappearance?
A. Sure. I reviewed the original report that was taken by the distnct officers and interviewed friends and relatives of Hae's, went to the school and spoke with the staff at the school.
Q. Did there come a time when you contacted the Defendant in this case?
A. Yes.
Q. Now when you say the original report, was that the one written by Officer Scott Adcock?
A. That is correct.
Q. And did you discuss with the Defendant that statement? Did you talk to the Defendant about that statement?
MS. GUTIERREZ: Objection.
THE COURT: Basis?
MS. GUTIERREZ: As it establishes the statement was made --
THE COURT: Sustained.
Q. Did you review Officer Adcock's report?
A. Yes, I did.
Q. And did you contact the Defendant, Adnan Syed?
A. Yes, I did.

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Q. And did you ask him about the information that Officer Adcock provided in the report?
A. That's correct.
Q. And did the Defendant admit having spoken with Officer Adcock?
A. Yes.
Q. What did he tell you? What was the basis -- what was the content of the conversation? Well first of all, how did you contact the Defendant?
A. I originally went to Adnan Syed's residence on January 25th. He was not at home, he was at school, and I had left a card at the residence. I received a call from Adnan later that day. Regarding the conversation you're referring to, that would have been on February the 1st and I had asked -- I had asked if he had told Officer Adcock that Hae was waiting to give him a ride from school on the 13th. And he said that was incorrect because he had a car at school. He didn't need a ride.
Q. Now on that occasion, did you speak in -- have any other conversations with him other that occasion?
A. Yes, other than that occasion. Yes. We had tried to arrange a face to face meeting and that was going to take place with Adnan's brother on -- it was actually scheduled for February 10th but when Hae Lee's body was discovered on February 9th that meeting did not take place.
Q. Now you say you called the Defendant on his phone. What number did you dial?
A. It was 443-253-9023 which was a cellular phone.
Q. Now just if you could look at what been marked for identification as State's exhibit 34. Take a look at the cellular phone records (indiscernible) called. Is that the same number?

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A. Yes, it is.
Q. Did the age of the victim make any difference in terms of your involvement in the investigation?
A. Yes, the age of the victim -- yes, it did. If it was a juvenile, it would be handled by our family crimes unit.
Q. And the victim was how old in this case?
A. She was 18.
Q. And thus it was handled as an adult?
A. That's correct.
MR. URICK: If I may have the court's indulgence for just a second Witness for the defense.
THE COURT: Cross?
MS. GUTIERREZ: Thank you, your Honor.

CROSS EXAMINATION
BY MS. GUTIERREZ:

Q. Detective O'Shea, you refer to a February 1st conversation?
A. Yes, ma'am.
Q. Okay. I just want to make sure. Was that your conversation with Adnan Syed or Officer Adcock's conversation with him?
A. That was my conversation with Adnan.
Q. Okay. And that -- the conversation that you're speaking of -- the one in which you asked him if he had told Officer Adcock that he was waiting on Hae for a ride you asked him if that was correct?
A. Yes, ma'am.
Q. Because at that point you were new to the investigation, correct?

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A. That's correct.
Q. You. You were going back. Hae had not been found, correct?
A. That's correct.
Q. You. You were going back over all available information and verifying what information had been given to you. Is that correct?
A. Yes, ma'am.
Q. Now the information that you had about the previous conversation with Officer Adcock indicated that Officer Adcock spoke to the person on that phone by phone. Did it not?
A. Yes.
Q. Then Officer Adcock's conversation with the person that he indicated in his report was Adnan Syed was a phone conversation?
A. That's correct.
Q. And that Officer Adcock did not know Adnan Syed before that conversation?
A. I don't know that.
Q. Okay. Is there information given to you to suggest that Officer Adcock knew the person identified as Adnan Syed before he spoke to him?
A. (Indiscernible)
Q. You. You didn't know Adnan Syed before you spoke to him, did you?
A. No, ma'am.
Q. And the person that called you back identified themselves as Adnan Syed did they not?
A. Yes, you mean on the 24th?
Q. On the 24th - - the 24th?

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A. The 25th.
Q. The 25th. On that day, you had left your number and your card at this house correct?
A. That is correct.
Q. And you were told where he was?
A. That is correct.
Q. By a person who identified herself as his mother?
A. That's correct.
Q. Who has a business in the home. Is that correct?
A. I'm not sure about that.
Q. But she was home?
A. Yes.
Q. Okay. And that shortly thereafter in the same day, a person who identified themselves as Adnan Syed called you back?
A. That's correct.
Q. Is that correct? And that was an appropriate time frame, was it not?
A. Yes.
Q. Okay. Because you had been informed that he was in fact in school correct?
A. That's correct.
Q. The information that you had from Officer Adcock did not indicate that the person that you were trying to follow up on had in fact seen Hae Lee after school did it?
A. You're referring to Officer Adcock's report?
Q. Yes. There's only one report from Officer Adcock, isn't that correct?
A. Yes.

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Q. And it indicates that Officer Adcock spoke to someone by the name of Adnan Syed on the evening hours of January the 13th, the same day that Hae Lee was reported missing. But that's the only report we're discussing, is it not?
A. Yes, he took the original report There were follow ups but I don't believe there were any done by him.
Q. Okay. In any event, if there were, they weren't forwarded to you.
A. That's correct.
Q. Okay. So the answer that your asking that is correct is that the information that the person who identified himself as Adnan Syed on the 13th of January did not indicate that he had actually seen Hae Lee after school, did he?
A. That's correct.
Q. Okay. And in fact, gave no information that indicated that he had seen Hae Lee at all, only that he was waiting for her.
A. May I refer to one mine?
Q. Certainly.
A. Officer Adcock writes spoke to Mrs Pittman and Mr Syed- -
Q. That's - - Mrs. Pittman is another person, correct?
A. Yes.
Q. Who is also a student at the school?
A. Yes.
Q. Okay.
A. Both are friends of the victim and they advised that victim Lee was in school
Q. Okay. But after school - - you got no information from Officer Adcock's report that the person who identified himself as Adnan Syed to Officer Adcock indicated in any way that he saw Hae Lee after school ended?

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A. That is correct.
Q. And, in fact, the information that you received before you went to the house identified to you as belonging to a person by the name of Adnan Syed there was no - - you had already gotten information that clearly indicated Hae Lee had been in her classes all day up until the end of school. Isn't that correct?
A. Until 2:15.
Q. Until 2:15. And that in fact, somebody else had seen her in or around the school as late as a little bit before 3 o'clock?
A. Yes, that's correct.
Q. Okay. And that person who had seen her after school and at a little bit before 3 o'clock was not the person identified to you as Adnan Syed?
A. That's correct.
Q. Okay. Now Mr. Syed - - he called you at the number you had left correct?
A. Yes.
Q. From that call, it appeared to you that his mother had in fact given him your card promptly. Did it not?
A. Yes.
Q. And he called you and he identified himself as Adnan Syed correct?
A. That's correct.
Q. And he answered your questions, did he not?
A. Yes.
Q. One of the first questions you asked him was the report by Officer Adcock correct. Correct? Isn't that one of the first questions you asked him? You You don't say report, but that the information that Officer Adcock report - - you asked him if it was correct. Did you not?

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A. No, I think you're referring to two different dates
Q. Okay. On the first day that you went to Adnan Syed's house that was the same day that he called you, was it not?
A. Yes, but that would have been on the 25th
Q. Okay. On the 25th of January Prior to that date you had not spoken to Adnan Syed.
A. Correct.
Q. Correct?
A. That is correct.
Q. All you had gotten in regard to Adnan Syed was Officer Adcock's handwritten little paragraph that concerned both Ms. Pittman and Mr Syed correct?
A. Actually, I'm not sure I had even had that copy at that point It may have even come from one of the other friends that (indiscernible)
Q. You. You mean later?
A. Yes.
Q. You. You mean the information from Officer Adcock To your knowledge Officer Adcock wasn't sharing the information that he was collecting as a police officer investigating the disappearance of this young woman with other friends of this young woman, was he?
A. No, I don't believe so.
Q. When you were assigned the case, you were assigned as a detective to follow up on the missingness of Hae Lee, were you not?
A. Yes.
Q. Okay. And the bulk of your information - - the very first thing you did was to make sure that you understood what, if any, information had already been collected s

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that correct?
A. Yes. I attempted to do that.
Q. It was your question to Adnan Syed to verify the information that you had received from Officer Adcock's report, was it not?
A. Yes, but that verification did not take place until February the 1st. My initial conversation was on January 25th.
Q. And on January 25th, when you first spoke to Adnan Syed, he identified himself, did he not?
A. That's correct.
Q. As the person that was appropriately responding to your visit to your house, correct?
A. Yes.
Q. And he answered your questions, did he not?
A. Yes.
Q. He indicated he was a friend of Hae Lee's?
A. Yes.
Q. Okay. And did, at that point, you ask him was the information in Adcock's report correct. Yes or no?
A. I don't believe so.
Q. Okay. Some time later you asked him?
A. Yes.
Q. And that was the conversation that took place later on February 1st?
A. That's correct.
Q. And that conversation was at your instance, was is not?
A. Yes.

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Q. Okay. And, again, you did it by telephone, did you not?
A. Yes.
Q. And he identified himself to you as Adnan, did he not?
A. Yes.
Q. And you believed him to be Adnan, did you not?
A. Yes.
Q. You. You called him on his cell phone or on his home phone?
A. Cell phone.
Q. Okay. And he answered?
A. Yes.
Q. And at that point you asked him about the information that you had now received from Officer Adcock about supposedly him waiting at school for Hae Lee to pick him up?
A. That's correct.
Q. And he instantly said no that wasn't correct, did he not?
A. That's - - that's correct.
Q. And he said I wouldn't wait for her because I have my own car?
A. Yes.
Q. And you asked him if he remembered where he was that day, did you not?
A. Yes.
Q. And that was on February 1st?
A. Yes.
Q. Okay. And on that day, February 1st, he told you where he was after school, did he not?
A. Yes.

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Q. He told you he was at track practice?
A. That's correct.
Q. And did you know for a fact - - on February 1st, did you know for a fact that in fact, he was in the track team?
A. Did I know he was a member of the track team?
Q. Yes.
A. Yes, I did.
Q. Okay. So that wasn't a surprise to you, was it?
A. No.
Q. And did you, sir - - after February 1st - - before February 28th - - go back and verify any roster on the track team?
A. No. I did speak with somebody - - an assistant coach on the track team.
Q. But you yourself didn't go back and verify a sign-in sheet, did you?
A. For that particular day?
Q. Yes.
A. (Inaudible)
Q. The only day that you were questioning Adnan Syed about was the 13th, was it not?
A. That's correct.
Q. You. You weren't questioning about the 14th, correct?
A. That's right.
Q. Or the 15th? Or any other day, correct?
A. That's correct.
Q. The only day in question regarding any inquiry of Adnan Syed was the 13th of January, was it not?

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A. That's correct.
Q. And after you spoke to him on February 1st when he indicated to you that he was at track practice, did you go and verify with any source as to whether or not, in fact, he was there?
A. Yes, I did.
Q. And when did you do that?
A. May I refer to my notes?
Q. Yes, please.
A. That would also have been on February the 1st
Q. Same year - - 1999, correct?
A. That's correct.
Q. Okay. The same day you spoke with Adnan?
A. Yes.
Q. And with whom did you speak, sir?
A. It was a Gerald Russell.
Q. Okay. And he's one of the assistant coaches?
A. That's correct.
Q. And he indicated to you that there isn't a sign-in sheet for practice, did he not?
A. No.
Q. Did he indicate to you that there was a sign-in sheet for practice?
A. No.
Q. Okay.
A. He indicated to me - -
Q. I'm sorry. I haven't asked you that. Did he indicate to you whether or not

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he knew whether Adnan Syed was at track practice?
A. No, he did not specifically say whether or not Adnan was there that day.
Q. Okay. And you spoke with him further regarding the practice of Moslem students who ran for the track team, did you not?
A. Yes.
Q. And you learned from him that the policy was that they could practice but they were not required to if they were fasting?
A. That's correct?
Q. And did you, from him, gain any information about Adnan Syed's diligence on the track team? Did you ask him anything about his diligence in coming to practice and performing?
A. I don't believe so.
Q. Okay. And did you receive any information, whether you asked or not, about his diligence on the track team?
A. Not that I can specifically recall.
Q. And other than that conversation with the assistant coach, did you do anything to verify Adnan Syed's whereabouts based on what he told you in your February 1st conversation on the 13th?
A. Yes. I attempted to interview the actual track coach himself.
Q. Okay. And you did not?
A. No. I never received any calls back.
Q. The meeting that was set up on February the 10th, that came about as a result of your asking Adnan Syed if he would meet with you. Is that correct?
A. Yes.
Q. And he agreed to do so, did he not?

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A. Yes.
Q. Okay. He -- it ended up being set up with his older brother being present, did it not?
A. That's correct.
Q. And that wasn't at your request, was it?
A. No. That was at his request.
Q. That was at his request. And he told you why, did he not?
A. Yes.
Q. He told you that out of respect for his parents and their concern because they had not liked his relationship with Hae Lee. Is that correct?
A. That's correct.
Q. Okay. And you agreed to that, did you not?
A. Yes.
Q. Okay. And, in fact, the meeting was set up to occur at a specific time and date. Is that correct?
A. Yes.
Q. And it did not occur, did it?
A. No, it didn't.
Q. And it did not occur because you canceled it?
A. That's correct.
Q. Adnan didn't cancel it?
A. Not on that date, no.
Q. Okay. And so that never took place?
A. The face to face meeting did not take place.
MS. GUTIERREZ: I have nothing further.

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THE COURT: Redirect?
MR. URICK: No. Thank you, your Honor.
THE COURT: Thank you. Good day, detective.
MS. MURPHY: Your Honor, may I be excused to get the next witness?
THE COURT: Yes.
MS. MURPHY: Thank you, your Honor. At this time, the State would call Ms. Inez Butler.

INEZ BUTLER

a witness produced on call by the Plaintiff, having been duly sworn according to law, was examined and testified as follows:

CLERK: State your name and address for the record.
MS. BUTLER: My name is Inez Butler-Hendricks. My address is 12 (indiscernible) Court, 104, Baltimore, Maryland

DIRECT EXAMINATION
BY MS. MURPHY:

Q. Good morning, Ms. Butler.
A. Good morning.
Q. Can you please tell the ladies and gentlemen what you do for a living?
A. I'm a teacher at Woodlawn High School and I'm also an athletic trainer for Woodlawn High School.
Q. How long have you been doing that?
A. I've been doing it for over 10 years.
Q. What class or classes do you teach there?
A. I teach PSAT/SAT. That's the only class
Q. Okay. And what is PSAT/SAT?

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A. It's the training for kids who are aspiring to go to college and preparing them for the SAT test which is the scholastic aptitude test.
Q. Ms. Butler, did you know Hae Min Lee?
A. Yes, I did.
Q. How long did you know her?
A. About four years while she was at Woodlawn.
Q. Can you described your relationship with her?
A. I think it was pretty close. I never taught her as a student but I trained with her as she was an athletic student at Woodlawn.
Q. What athletics did she participate in?
A. She played field hockey and lacrosse. And she was the athletic manager for the wrestling team.
Q. Are you aware of her accomplishments in athletics?
A. Yes, I am.
Q. Can you describe those for the jurors, please?
A. She was a scholar athlete and -- which means that she had very good grades and she had very good SAT scores which means she that she could probably have get into any college that she had chosen to go to. She had scholarship offers.
Q. Do you also know the Defendant, Adnan Syed?
A. Yes, I do.
Q. How long have you known him?
A. Probably about three years.
Q. And how do you know him?
A. I know him as a student and I know him as an athlete.
Q. As a teacher at Woodlawn, did you become aware of a relationship between Mr. Syed and Hae Min Lee?
A. Yes, I did.

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Q. When did you first become aware of that?
A. I guess when I saw them in the hallway together, and they were embracing, and then I asked them to move along in the hallway.
Q. Do you recall when that was?
A. It was probably the end of the sophomore, beginning of the junior year
Q. Did both of them discuss aspects of their relationship with you?
A. Yes.
Q. Were you aware of any particular problems in their relationship?
A. Yes.
Q. Can you describe that?
A. I know that they had problems with the parents on both sides not liking the relationship at that time and, at some point, there was a time when the parents asked them to break their relationship off.
Q. Were you present for the homecoming dance in the fall of 1998?
A. Yes, I was.
Q. What, if anything, happened at that dance regarding Mr. Syed and Ms. Lee?
A. Parents showed up at the homecoming dance and there were disturbance which is what they came there and asked Hae to move into the dance and I walked into the dance also.
Q. Do you recall whose parents came to the dance?
A. It was Adnan's parents.
Q. Is there anything else you remember about that particular incident?
A. No. Just a couple of kids said they caught you, and wanted to know what was going to happen, and I told Hae just to stay with me inside the building. It was in the cafeteria.

Q. Are you aware if, after that point, they were together or not?
A. I saw them together.
Q. Were you familiar with Ms. Lee's car?
A. Yes, I was.
Q. And had you actually ridden in her car?
A. Yes, I had.
Q. When was that?
A. When she got a brand new car, she insisted that I ride, and she wanted me to drive, and I said no. I didn't want to ride with her because she was driving so fast. And she came around the circle -- we call it the circles in front of the gym area -- and she came up to speed and said get in the car, and I said "no. Hae, until you drive a little bit more and slow down a little." And then one day, one of the volley ball players took my keys home so that I had to actually ride with her in the car to go get my keys and she took me to go get my keys from that girl's house.
MS. MURPHY: May I approach the witness, your Honor?
Q. Ms. Butler, I show you what has been entered as State's exhibit 12 and ask you to look at these bottom right photos. Is that the car you just described?
A. Yes.
Q. Thank you. Ms. Butler, are you aware of a point where Mr. Syed and Ms. Lee broke up for good?
A. Yes.
Q. Do you remember when that was?
A. It was basically before the Christmas holidays, and I thought they had broke up for good because she told me they had, and she said that she was dating someone from Owings Mills Mall.

Q. Did you also speak with Mr. Syed about it?
A. Yes.
Q. And what were his feelings?
A. He said that it was over.
Q. Did he indicate his state of mind at that point?
MS. GUTIERREZ: Objection.
THE COURT: Overruled.
Q. How he felt about the relationship ending?
A. I don't thing that he wasn't too happy. I know that he -- I think he still loved her.
Q. Ms. Butler, I'm going to ask you to remember back to January 13, 1999 -- the date that Ms. Lee disappeared. Do you remember seeing her that day?
A. Yes, I do.
Q. Can you describe when that was?
A. Baltimore County Athletic Program was taping a program -- scholar athlete program. They were going to interview several athletes from Woodlawn High School at the time. Hae was being filmed for scholar athlete of the year which meant that her grades were excellent. Her athletic ability by playing two sports in Baltimore County made her an excellent athlete. She had to come to my room because Mr. Graham -- who is the athletic director -- was in class and she came to my classroom to get my keys to get to get her uniform so she could tape the show.
Q. Did you see her at any other point that day?
A. At the end of the day.
Q. And what time would that be?
A. Between 2:15 and 2:25.

Q. What happened at that point?
A. She pulled up in from of the concession stand as she normally does, and went behind the concession stands because it was a little (indiscernible), and -- we have a little concession stand where we sell things after school -- drinks, and chips, and candy. And she went back there and got her own drink cause she knew what she wanted, and a bag of hot fries, and she said that she'd pay me later, and I knew she would because she was going to travel that afternoon with the wrestling team because she's the manager.
Q. Where is the concession stand?
A. In front of the gym lobby.
Q. Did she indicate why she couldn't wait in line with the other students?
A. She said she had to pick up her cousin who was in middle school that she had to pick up, and take home, and that she would be back in time before the team leave. We were traveling to Chesapeake.
Q. And that was for a wrestling match?
A. Wrestling match.
Q. Did you see her car?
A. Yes.
Q. Where was that? Where was it when you --
A. (Indiscernible). Back in front of the service driveway.
Q. Okay. Did you see her pull up in the car?
A. Yes.
Q. Can you described what you saw?
A. She speeded right in front of the gym lobby, jumped out, left the car running and came in, got the drink, the chips, and she got back -- told me what she was going to do, and what time she'd be back, and told me to make sure the team didn't leave her

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Q. And was that the last time you saw Ms. Lee?
A. Yes.
Q. Did you ever speak with the Defendant, Adnan Syed, after Ms. Lee disappeared?
A. Yes.
Q. Do you remember what that conversation was about?
A. Yes.
Q. Can you describe that, please?
A. I had picked my daughter up from her school, and I was coming back, and I told him I had been questioned. And I said "things look pretty bad", and I said "sweetheart, you don't anything about what's going on, you don't know what could've happened to her."
Q. And did he respond?
A. Yes.
Q. What did he say?
A. He said "I feel bad too". He said "my last memory is a bad memory."
Q. Did he explain what he meant by that?
A. Yes.
Q. What did he tell you?
A. He said they had a fight and I asked him - - I said "a fight? You You don't mean a fight." He said "we were arguing" and I said "about what?" And he said "about going to the senior prom."
Q. Did he explain anything more about why they were disagreeing?
A. No.
Q. Did you say anything else to him?

A. I said "honey, just be careful." I said "because, you know, they could be watching you, too. They're watching everybody."
Q. Did you have any conversations with Mr. Syed about the funeral services for Ms. Lee?
A. I asked him if he were able to attend the services, and I think he said something about the type of service that was going on, and you know, what was going to happen at the service, and how it was going to be done, and that he probably couldn't go
Q. And Ms. Butler, you're aware of Mr. Syed's participation on the track team?
A. Yes.
Q. Any other sports?
A. Football.
Q. As the athletic trainer, are you familiar with his attendance on the track team?
A. Yes.
Q. How would you describe that?
A. Sporadic.
Q. Do you know how many students participate on the track team?
A. Yes.
Q. How many?
A. For indoor track, there's basically any where from about 44, 45 children. For outdoor track, there's about the same amount.
Q. Are student required to try out for the track team?
A. Not for the track team. They have a training period. They go through the weight training. That's probably one of the only sports that don't have try-outs, excluding bowling, because they need more like numbers and if it was basketball or volleyball, they

basically go towards the skills.
Q. If you know, what would the consequences be for a student on the track team who didn't come to practice?
A. Probably nothing, unless there was an athlete who was doing direct training with our coach at that time.
Q. After Ms. Lee was missing, did you ever speak with Mr. Syed about his attendance at track at that point in time?
A. Not about his attendance because I know one day he came to track practice and brought a little bread - - I don't know what it's called. I think it's like a little cornbread thing. Cause he ran in late to practice and he said "my mom just made this and you know, try this and see if you like it." There was another guy on the track team standing right at the concession stand and I told him to try it first and then I'd try one
Q. After Ms. Lee was missing, do you have any knowledge Mr. Syed's participation in track?
A. He didn't come back.
MS. MURPHY: No further questions, your Honor
THE COURT: Cross?
MS. GUTIERREZ: Yes.

CROSS EXAMINATION
BY MS GUTIERREZ:

Q. Did you conduct any of the training for the track team?
A. No training.
Q. No training?
A. No.
Q. And were you present during every one of the track team's training sessions?

A. No, I was not.
Q. You. You were aware that they met every day after school?
A. Every day after school, I checked to see whether or not an athlete needed medication or needed any treatment because that's part of my job
Q. That's part of your job to check on all the athletes. Is that correct?
A. Right.
Q. And you were aware of Adnan because of his participation in the athletics after school?
A. Yes.
Q. You. You were aware that he was a receiver on the football team?
A. Yes.
Q. Yes. And you were aware, ma'am, were you not that subsequent to Hae Lee's disappearance that he appeared at a meet and medaled in a relay for the indoor track?
A. One.
Q. One. Okay. And that's because there was only one indoor track meet subsequent to her disappearance, isn't that correct?
A. Yes.
Q. Okay. So it's not like he picked and chose, and only showed up for one. He showed up for the one that occurred and he medaled in it, did he not?
A. He did.
Q. He would be called a scholar athlete also, would he not?
A. That would depend on the rules and regulations in Baltimore County. Baltimore County consider you a scholar athlete if you participated in a particular sport for more than a year and was a scholar at the same time.

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Q. And you were aware, for the three years that you knew Adnan, that he always participated in a sport, were you not?
A. No.
Q. Okay. And although you are the athletic director?
A. No, I'm the athletic trainer.
Q. The athletic trainer. And you were aware that he did very well in all of his courses?
A. Yes.
Q. Yes. Okay. Now, ma'am, let me ask you about the homecoming dance that you described. You. You said that his parents came to the dance?
A. Uh-huh.
Q. And the principal's name was?
A. The principal at the time was Dr. James Wilson who is no longer there
Q. Okay. Who was it that took care of Adnan's parents?
A. It was Lynette Woodley.
Q. Okay. And, in fact, when the parents came to the dance she did take care of it, did she not?
A. Yes, she did.
Q. And when you call a disturbance, there wasn't a Malay of people hitting each other, was there?
A. No, I can't say that.
Q. No. But when you used the word disturbance, you didn't mean to imply that kind of disturbance, did you?
A. No.
Q. It was just unusual for parents who were not scheduled to be chaperones to

show up at the homecoming dance, correct?
A. That's true.
Q. Okay. And to your knowledge, you saw Hae Lee -- whom you knew -- and Adnan Syed -- whom you knew -- after that homecoming dance?
A. Together?
Q. Together.
A. Yes.
Q. Okay. And in fact, their togetherness -- it wasn't like you just snuck up on them when you saw them embracing in the hallways. Everyone knew they were an item, did they not?
A. Okay. I didn't see them embracing after that time because I talked to Adnan also about what had occurred with his parents.
Q. So is it your belief that they were not together after the homecoming dance?
A. Together as a couple?
Q. As a couple?
A. I can't say that that's true because - -
Q. You. You don't know one way or another, correct?
A. (Shakes head no.)
Q. And none of your interaction with either Hae Lee or Adnan Syed after the homecoming dance lent any knowledge to you, did it?
A. No.
Q. No. Now the homecoming dance was when?
A. I can't remember the exact date.
Q. It was in early October, was it not?
A. Yes.

Q. The traditional homecoming time period - -
A. Right.
Q. - - for high schools and colleges?
A. Right.
Q. Is that correct?
A. Yes.
Q. And it was a yearly event, was it not?
A. Yes.
Q. And to your knowledge, Hae Lee and Adnan Syed went together to the homecoming dance as a couple?
A. I can't say that.
Q. Okay. When you saw them there, was there anything that occurred that made you assume that?
A. They were talking.
Q. They, of course, weren't the only students together talking, were they?
A. No.
Q. Okay. Now on the 13th of January, you said you saw Hae Lee between 2:15 and 2:25?
A. Yes.
Q. Okay. And where you've described the concession stand, is that - -
A. Concession. Concession.
Q. - - concession stand, is that right where you described the circle in front of the gym?
A. No.
Q. It's a different place?

A. No, no, let me explain. The circle goes around the school. The gym is facing the entrance of the circle. Now - -
Q. Not the entrance to the school itself?
A. Not to the main building. The gym is separate
Q. Okay. It's a separate building in the campus, correct?
A. Uh-huh.
Q. Okay. So what you've described it's facing - - is the concession facing the entrance of the gym area?
A. Yes, it is.
Q. Okay. And where track practice takes place - - that is also, of course, in the gym area?
A. For indoor track - -
Q. For indoor track.
A. - - they do it in the building.
Q. Outdoor track they run outside on the fields. Is that correct?
A. Right. Unless it's during indoor season
Q. Okay. And that's because that was January 13th. Is that correct?
A. Right.
Q. And in front of the concession stand - - is that where you would be every day?
A. In front of the concession stand?
Q. Yes. After school.
A. Every day.
Q. School ends at 2:15 every day?
A. Yes.

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Q. Okay. And practices start anywhere from 2:30 to 3:30, do they not?
A. No. Practices usually start after study hall.
Q. Okay. And study hall is from 2:15 to when?
A. Till three.
Q. Till three. So practices would not begin before three o'clock?
A. Unless it's a sport that has a meet or something that day - -
Q. And they have to go somewhere or do something like that?
A. Yeah. They report directly to me so I can make sure that I get them all straight and lined up and ready (indiscernible) - -
Q. Okay. Because of they're traveling - -
THE COURT: Ladies, please one at a time. Don't talk over each other
Q. If they're traveling, they travel as a group, do they not?
A. Yes.
Q. Now that day, the wrestling team - - and that 's all boys, is it not?
A. Yes.
Q. But Hae Lee was the manager of that, was she not?
A. Yes.
Q. And generally that would require the manager to accompany the team that she's managing to their meets?
A. Yes.
Q. Is that correct?
A. Yes.
Q. So it was not surprise to you when Hae told you that she was coming back to meet the team and then go with them to the meet, correct?
A. Most of the time she stayed at school, but that particular time she told me

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that she had to go pick up the cousin from the middle school.
Q. And that was as if, to you - - since most times she stayed - - an unusual event that she had to go somewhere else and then come back. Is that correct?
A. Yes.
Q. In terms of how you had observed her on a daily basis because you, in your job, would be at that concession stand?
A. Yes.
Q. Okay. And normally then, through lots of periods of time, you would have interaction with Hae on a daily basis?
A. Yes.
Q. Okay. And did you have daily interaction with Adnan on a daily basis?
A. Yes.
Q. And there was nothing unusual about that either, was there?
A. No.
Q. And often times you would see Hae and Adnan together near the concession stand, near the gym or around there, would you not?
A. I would.
Q. And there was nothing unusual about that. Is that correct?
A. No.
Q. And you said that you spoke up - - you spoke with Adnan after you had spoken with Hae in which she told you that they were broken off for good?
A. Yes.
Q. Okay. Now were you aware that there were many occasions in which they were so-called broken off for good?
A. I know occasions that they said that it was over.

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Q. That they said that it was broken off, correct?
A. Yes.
Q. And the terms that were described to you would indicate at the time, then that the break offs that they were describing were for good?
A. No.
Q. They weren't described to you as break offs for a day or break offs for a week or break off for a specific period of time, were they?
A. Well if you saw them together and when they talked to me, what they said was - - Adnan said it's over because and gave a because and - -
Q. And the because related to the religious and cultural differences?
A. Right
Q. Okay. And is that the same because that Hae Lee gave you?
A. No.
Q. Okay. Now did she indicate to you that it was her that had broken it off?
A. Yes.
Q. Okay. And were you aware that she had a new boyfriend?
A. Yes.
Q. Were you aware that she had taken her old boyfriend, Adnan Syed, to meet her new boyfriend?
A. No, I wasn't.
Q. And would that surprise you based on what she said?
A. Not with Hae, it wouldn't surprise me.
Q. Okay. And it wouldn't surprise you with Adnan either, would it?
A. No.
Q. He still liked her very much, did he not?

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A. Yes.
Q. And he spoke of her that way, did he not?
A. Yes.
Q. But he had been clear to you about the difficulties of him being a Moslem and her not being - - that that created for any relationship?
A. Yes.
Q. That was not a surprise to you either, was it?
A. No.
Q. Now Hae Lee, when you last spoke to her some time between 2:15 and 2:25 - - she indicated to you that she would be back before the team had to leave?
A. Yes.
Q. And the time the team had to leave was?
A. 3:45.
Q. Okay. And were you aware that day that she did not come back?
A. (Indiscernible)
Q. Then, is that correct?
A. Beg your pardon?
Q. Then, on the 13th, you were aware - -
A. I was aware because, since she didn't come back, I had to travel with the team.
Q. With the team.
A. That's why I was aware.
Q. Because there has to be a manager, correct?
A. Right. Somebody has to keep score.
Q. And if one of the student managers doesn't show up then it falls to you?

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A. No. There was two student managers but Hae was the only one who knew how to keep score because she had kept score for previous years.
Q. Okay. And so her failing to show was something unusual?
A. Yes.
Q. Is that correct?
A. Uh-huh.
Q. But her having to go pick up a cousin - - a young cousin was also something unusual, as far as you knew?
A. On that particular day, yes.
Q. Okay. Now let me ask you - - to you - - you said that to your knowledge. you thought the relationship started when they were sophomores?
A. It was towards the end of that season - - year.
Q. Okay. The day that we're talking about is January 13th of 1999 correct? This year, but last winter? Eleven months ago.
A. They were seeing each other before then. They were friends.
Q. Okay. But is it, to your knowledge - -
A. When they actually started dating?
Q. Yes.
A. I know it had to be a long time before junior prom because - -
Q. They went to the junior prom together?
A. No, they didn't go together.
Q. Okay. But - -
A. They met at the junior prom.
Q. Okay. And it became clear to everybody that they were becoming an item, did it not?

A. Yes.
Q. Okay. Not just - -
A. Everybody knew that they were an item before the junior prom.
Q. But it wasn't out there?
A. What do you mean by that?
Q. Well you said they didn't go together at the junior prom.
A. No. because she said to me point blank she was not allowed to go with him to the prom - -
Q. By her family?
A. By her family.
Q. And that was her mother?
A. Yes.
Q. And she said that to you?
A. Yes.
Q. So if they went to the junior prom together they did so in violation of her family's rules?
A. Right.
Q. It may also have been in violation of Adnan Syed's family and culture rules?
A. Probably.
Q. Probably, but you never found that out?
A. No.
Q. Did you go to the junior prom?
A. Yes, I did.
Q. Okay. And were you aware that at the junior prom they were pretty much together?

A. They were together.
Q. Okay. No mistake about it?
A. They took pictures together.
Q. Okay. And the junior prom would have occurred in May of 1998, is that correct?
A. Yes.
Q. Okay.
A. May or April, I'm not sure.
Q. May or - - whenever it was - - May or April. So at least by that point or shortly before, Adnan Syed and Hae Lee were an item?
A. Yes.
Q. And to your knowledge, an item against her family's wishes?
A. Yes.
Q. Not just, later, his family's wishes?
A. Yes.
MS. GUTIERREZ: Thank you. I have nothing further.
THE COURT: Redirect?
MS. MURPHY: No, your Honor.
THE COURT: May the witness be excused?
MS. MURPHY: Yes, your Honor.
THE COURT: Thank you, ma'am, for coming in
MR. URICK: With the court's permission, I'll get the next witness. At this time, the State will call Donald Cliendienst to the stand.

DONALD CLIENDIENST

a witness produced on call the by the Plaintiff, having been duly sworn according to law.

was examined and testified as follows:
CLERK: State your name and address for the record.
MR. CLIENDIENST: Donald Cliendienst.
THE COURT: Please lean forward and speak into the microphone.
MR. CLIENDIENST: Donald Cliendi[redacted]
CLERK: Spell your last name, sir.
MR. CLIENDIENST: C-L-I-E-N-D-I-E-N-S-T.

DIRECT EXAMINATION

BY MR. URICK:
Q. Good afternoon, Mr. Cliendienst. What is your date of birth?
A. [redacted]78.
Q. Now drawing your attention back to 1998. Did there come a time you came to know one Hae Min Lee?
A. Yes, sir.
Q. How did you come to know her?
A. We met at work and began seeing each other - - going out to movies and things.
Q. About when did - - where were you working at that time?
A. Lens Crafters in Owings Mills.
Q. And when did you start working there?
A. Some where in the middle of October.
Q. And when did Ms. Lee start working there?
A. Not really sure. Some time around the same time.
Q. And did you ever have occasion - - or did you ever have occasion to see the

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Defendant in this case?
A. Yes, sir.
Q. How did you come to see him?
A. He came in the store occasionally and (indiscernible) one night after work when it was snowing out.
Q. Now after you and Hae Min Lee started -- strike that When you say he would come to the store occasionally, why would he come to the store?
A. To see her.
Q. And did there come a time when you became aware that she'd broken up with him?
A. When she told me.
Q. And did you start dating her after that?
A. Yes, sir.
Q. After you started dating her, did you see the Defendant again?
A. Yes, I do believe so.
Q. I think that's the occasion you referred to when it was snowing?
A. When it was snowing, yes.
Q. Please tell the ladies and the gentlemen of the jury what happened on that occasion.
A. We were just speaking -- talking about, you know cars and such things Then when she was walking out, he said "well, I just wanted to check you out and make sure you were a nice guy."
Q. Did she bring him to the store on that occasion to meet you?
A. No, she did not.
Q. Did she ever bring him to meet you?

A. No, she did not.
Q. Now where were you when you first saw him that occasion?
A. I believe I was walking up to my car and he was -- and he drove up.
Q. What did he do as he drove up?
A. (Indiscernible) pulled up along side of my car got out and started talking to me.
Q. And this was after you had started dating Hae Lee?
A. Yes.
MR. URICK: At this time, we'd offer, pursuant to stipulation, the certified business documents of Lens Crafters Corporation as State's exhibit 29
THE COURT: State's 29 is admitted pursuant to the agreement.
(Certified business documents of Lens Crafters Corporation received into evidence as State's Exhibit No. 29)
MR. URICK: Approach the witness with the court's permission.
Q. Take a look at the second item. The item that's attached to that Now drawing your attention to January 13th of 1999 -- the day Hae Min Lee disappeared -- what were you doing that day?
A. I was filling in at another store on my day off.
Q. And which store was that?
A. It was the Hunt Valley store.
Q. And do you remember what hours you worked that day?
A. I worked open till six o'clock.
Q. And the item which has been admitted into evidence now that you're holding -- can you identify that?
A. Yes, that would be the computer printout for -- while I was at the store for

that day.
Q. In essence it's a computer time card, is it not?
A. Yes.
Q. Does it indicate what hours you were working in the store that day?
A. Yes, sir.
Q. Please read them off.
A. Punched in at 9.02 a.m., punched for lunch at 1.10 and back in at 1.42 and punching back out at 6 o'clock.
MR. URICK: May the document be published to the jury at this time?
THE COURT: Yes.
Q. If you could hand it to the lady at your right please How did you become aware that Ms. Lee was missing?
A. When I got home from work, my lab manager had called me up and asked me if I knew where she was at and that's how I found out.
Q. What time would that have been?
A. About seven o'clock.
MR. URICK: Witness for the defense.
THE COURT: Cross?
CROSS EXAMINATION
BY MS. GUTIERREZ:
Q. You You testified, Mr Cliendienst that the incident in the snow -- you were just referring to the snowing outside on that particular day?
A. Yes.
Q. And that's was at the Owings Mills Mall?
A. Yes.

Q. Which is where the Lens Crafters store was located where both you and Hae Lee worked. Is that correct?
A. Yes, ma'am.
Q. And on this particular day whatever day it was, it was snowing correct?
A. Yes.
Q. And it was after you and Hae had already started dating?
A. Yes, ma'am.
Q. Okay. That day that you started dating occurred when?
A. I'm not really sure when we started. It just --
Q. Was it before or after the New Year of 1999?
A. It depends on how you define dating. If you define going out a couple times, having dinner, maybe seeing a movie -- it was before. If you say officially when I asked her out, it was on the New Year.
Q. That was, in fact, on New Year's Day, was it not?
A. (Nods head yes.)
Q. And you're aware that Hae Lee kept a diary, are you not?
A. I am now.
Q. You. You are now as a result of this case, correct?
A. Yes.
Q. And you've been made aware, sir, that Hae Lee defines your first date as occurring on January the 1st of 1999. Is that correct?
A. Yes.
Q. And was she correct in that?
A. Yes, ma'am.
Q. Yes. Okay. Now the snowing day that you described at the Owings Mills

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Mail when you saw Adnan Syed. Did that occur before or after January 1st?
A. I really not sure. I believe it was after.
Q. So it could've occurred before or after?
A. I believe it was after.
Q. You believe it was after. So it occurred some time between January 1st when you had a date with her, correct?
A. Yes.
Q. It didn't occur on that date, did it?
A. No.
Q. You. You would've remembered if you met her old boyfriend driving around Owings Mills Malls on the very date you were about have your official first date with your new girlfriend, would you have not?
A. Yes.
Q. Okay. So you believe it occurred after and obviously it occurred some time before her body was recovered on the 9th of February, correct?
A. Yes.
Q. But other than that you have no recollection of exactly when?
A. I couldn't be sure, no.
Q. You. You remember, Mr. Clendienst, of the day that you saw him driving up, he was driving Hae Lee's car, was he not?
A. Yes, ma'am.
Q. And Hae Lee was in her car, was she not?
A. Not at that point, no.
Q. Okay. So you saw him driving her car which you recognized to be her car correct?

A. Yes.
Q. And you recognized him to be - - you knew him to be her then old boyfriend. correct?
A. Yes.
Q. Because you had met him on other occasions, correct?
A. Well she had also said she was still friends with him.
Q. Okay. And you believed her, did you not?
A. Yes, ma'am.
Q. And that didn't upset you as you began this new relationship, did it?
A. No, ma'am.
Q. And when you say he said to you that he was - - after you were talking about cars - - that he came to check you out. He had met you before at Lens Crafters correct?
A. Yes, ma'am.
Q. Because he had come up to see his girlfriend while she was working correct?
A. Yes, ma'am.
Q. Okay. And there'd been nothing unusual about any of those occasions had there?
A. No.
Q. You. You had met him but not engaged in any prolonged conversation?
A. No, ma'am.
Q. Now on the day that you saw him driving, it was in the parking garage or in the - - just the parking lot?
A. Just the parking lot.
Q. Is that correct? And when you saw him in her car did you know that she had been in a slight mishap of an accident?

A. Yes. She told me when she came in.
Q. You. You knew it from her, correct?
A. Yes.
Q. Because the two of you had worked the same time on that day correct?
A. Yes, ma'am.
Q. When you came out from the time - - and she got off earlier than you?
A. I got off before she did.
Q. You. You got off before she did.
THE COURT: Please keep your voice up, Mr Clendienst
MR. CLIENDIENST: Sorry.
Q. After you saw Mr Syed driving up in her car, you noticed Hae, did you not?
A. After we had been (inaudible) and talking for about five, ten minutes
Q. Okay. Then Hae was there, was she not?
A. Yes.
Q. And it became apparent that Adnan was driving Hae's car at her request, so it not?
A. Yes.
Q. Based on both your conversation with her, correct?
A. Yes.
Q. And based on your conversation with him, correct?
A. Yes.
Q. And there was nothing unpleasant or hostile about your conversation with Adnan, was there?
A. Not really.
Q. Even when he said he was there to sort of check you out and make sure you

were a nice guy. Is that correct?
A. Yes.
Q. That was consistent with everything Hae, your new girlfriend had told her about Adnan, her ex-boyfriend, but still her friend. Is that correct?
A. Yes.
Q. And it was made clear to you by your conversation both with Hae Lee and with Adnan that he was there at her request, was it not?
A. Yes.
Q. Because when she had this little accident she was concerned about the safety of her car, was she not?
A. Yes.
Q. And didn't know whether or not to drive it from the parking lot where she'd ended up coming to or to leave it there and arrange to have it towed. Isn't that correct?
A. Yes.
Q. And so from work where she had reported, it became clear to you that she had called her old boyfriend but still her friend to come help her deal with the car. Is that correct?
A. Yes, ma'am.
Q. She hadn't asked you to deal with it, correct?
A. (Shakes head no.)
Q. And your belief, however, is that this day occurred after your first date?
A. Yes.
Q. After your first date on January 1st, would it be fair to say that you and Hae became an item?
A. Could you define what you mean by that?

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Q. Well did you consider yourself exclusively her boyfriend?
A. No.
Q. Okay. So you didn't expect exclusivity from her, is that correct?
A. (Indiscernible)
Q. And she should not, thereafter - - immediately after that first date expect exclusivity from you?
A. (Inaudible)
THE COURT: Keep your voice up, sir.
MR. CLIENDIENST: Sorry.
Q. And some time after the first date, but before the day she was noted as missing, did your relationship with her change?
A. No.
Q. So on the day that she was missing, you would've considered her your girlfriend or not?
A. Yes.
Q. But not your exclusive girlfriend?
A. No.
Q. You. You didn't love her?
A. On a level, yes.
Q. On a level. But you had professed undying love for her, had you?
A. No.
Q. And you still didn't expect exclusivity from her, correct?
A. Correct.
Q. So it would not have bothered you if she had other boyfriends, correct?
A. Correct.

Q. And you would expect it not to bother her if you had other boyfriends. Is that correct?
A. Correct.
Q. Now, Mr. Cliendienst - - am I saying it correctly?
A. Yes.
Q. Cliendienst. You. You were asked to review records that revealed that you worked at Lens Crafters but at another store on the day of January 13th. Is that correct?
A. Yes, ma'am.
Q. Okay. Were you ever asked to review your records of where and when you worked on the 14th?
A. No, ma'am.
Q. Or the 15th?
A. No, ma'am.
Q. The 16th?
A. No, ma'am.
Q. The 17th?
A. (Shakes head no.)
Q. The 18th?
A. (Shakes head no.)
Q. On any other day other than the 13th?
A. No, ma'am.
Q. And were you ever asked to provide your whereabouts on other day other than the 13th?
A. No, ma'am
Q. Now after you left Hunt Valley Mall - - you live in Bel Air, correct?

A. Yes, ma'am.
Q. And that's the same place where you lived back then?
A. Yes, ma'am.
Q. Or some place different? Is that at your parents' home?
A. (Indiscernible)
Q. And did after you began dating - - non-exclusive dating relationship with Hae Lee on January the 1st, did there come a time when Hae Lee spent the night at your house?
A. No, ma'am.
Q. Would there come a time when she stayed there very late?
A. Yes, ma'am.
Q. And were you aware of whether or not - - very late meaning through the middle of the night?
A. Eleven o'clock.
Q. Okay. And did you consider that to be late?
A. No, I don't think so.
Q. You. You knew that Hae Lee was a high school student did you not?
A. Yes, ma'am.
Q. And at the time you were 20?
A. Yes.
Q. You. You just turned 21 a couple months ago, correct?
A. (Shakes head yes.)
Q. So back in January, you were 20 already. Is that correct?
A. Yes, ma'am.
Q. You. You knew that she was 18 years old?
A. Yes, ma'am.

Q. And that she was a senior in high school, correct?
A. Yes, ma'am.
Q. In addition to working. Is that correct?
A. Yes.
Q. You. You worked full time at Lens Crafters?
A. Yes, ma'am.
Q. She worked part time, correct?
A. Yes.
Q. And from the time you knew her, she had her own car, did she not?
A. Yes, ma'am.
Q. The car that you knew to have been in an accident on whatever day the accident happened after January the 1st, correct?
A. Yes, ma'am.
Q. And that she had access to that car every day, correct?
A. Yes, ma'am.
Q. Did you ever drive that car?
A. No, ma'am, I did not.
Q. And are you aware that there was a day, after your first date date - - recorded as January 1st - - in which she got into trouble for staying so late at your house?
A. No, ma'am.
Q. No. And, sir, did you ever go to her house to meet her parents?
A. No, ma'am.
Q. Did you ever meet her grandparents?
A. No.
Q. Did you ever meet her brother?

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A. Only after she had been - -
Q. After she passed?
A. Yes.
Q. Okay. But prior to that, Hae never asked her to go meet her mother?
A. She had asked me to? Could be.
Q. But it hadn't happened?
A. Not yet.
Q. And the relationship hadn't quite progressed to something exclusive correct?
A. Correct.
Q. Did you think it was going to?
A. Yes, ma'am.
Q. Okay. And to your knowledge, based on your interaction with Hae, did she believe it was going to?
A. Yes, ma'am.
Q. Okay. And that was the state of your relationship with her on the 13th. Is that correct?
A. Yes, ma'am.
Q. Okay. Now up until the 13th, you were called that evening by your manager at the Owings Mills store, correct?
A. Yes, ma'am.
Q. Because the 13th was your ordinary day off. Is that correct?
A. Yes, ma'am.
Q. You. You always had - - did you have two days together or would they be scattered through the week?
A. They would be scattered through the week.

Q. Do you remember what you other day off - - that day was a Wednesday I believe, was it not?
A. Yes, ma'am.
Q. Okay. And do you remember what your other day off of that week was?
A. I don't recall.
Q. On that day, you didn't work at the regular store where you had met her at and worked with her at least the days she worked, correct?
A. Yes, ma'am.
Q. You. You were at the store more often then she was, correct?
A. That's correct.
Q. And on that day, on the 13th, you got off from Hunt Valley at six o'clock, correct?
A. Yes, ma'am.
Q. And Hunt Valley is closer - - is it closer to your home in Bel Air than the Owings Mills Mall?
A. No, ma'am.
Q. It's about the same distance?
A. Yes, ma'am.
Q. And did you proceed from the Hunt Valley Mall to home?
A. Yes, ma'am.
Q. Okay. And that would have been appropriate because you were home some time shortly after seven when you got the call from your manager, correct?
A. Yes, ma'am.
Q. And the call was to ask you if you knew where she was, correct?
A. Yes, ma'am.

Q. And usually you did, did you not?
A. Usually.
Q. Usually. But that particular day you did not, correct?
A. (Inaudible)
Q. You. You knew, however, that she was supposed to show up at Ten Crafters at six o'clock, correct?
A. Five o'clock.
Q. Five o'clock. And she was to work from five o'clock till close?
A. Yes, ma'am.
Q. And there was nothing unusual about her working on a day that you had off correct?
A. Correct.
Q. There would have also been nothing unusual about her working on a day that you worked. Is that correct?
A. Correct.
Q. And shortly thereafter, you were asked to account for your whereabouts on the 13th, correct?
A. Yes, ma'am.
Q. Is that correct? But not on any other day?
A. No, ma'am.
MS. GUTIERREZ: Thank you. I have nothing further
THE COURT: Redirect?
MR. URICK: Nothing. Thank you.
THE COURT: Very good. Thank you, Mr. Clendenst. You. You are excused. Ladies and gentlemen, if you will return to your jury room. When you are

released for lunch, please be back in place at five minutes before two. Thank you.
(Jury was excused from courtroom 12:27)
THE COURT: Counsel, please be in place at two p.m.
(Luncheon recess taken 12:28 - 14:00)
(Court handles another matter 14:00 - 14:02)
THE COURT: Counsel, may we bring the jury down?
MR. URICK: State's prepared, your Honor.
MS. GUTIERREZ: Yes, your Honor.
THE COURT: Thank you.
(Jury enters courtroom 14:02)
THE COURT: Ladies and gentlemen, let me again thank you for being prompt. It permits us to get started promptly. I continue to get to know your various employers and, if any of you have trouble with your employer and I can help, I'd be glad to talk to them personally. State?
MR. URICK: With the court's permission, we'll get our next witness. Thank you. At this time, the State would call Lynette Woodley to the stand

LYNETTE WOODLEY

a witness produced on call by the Plaintiff, having been duly sworn according to law, was examined and testified as follows:
CLERK: State your name and address for the record.
MS. WOODLEY: Full name is Ira Lynette Woodley. 9[redacted]
[redacted]

DIRECT EXAMINATION
BY MR. URICK:
Q. Good afternoon, Ms. Woodley. Where are you employed?

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A. Woodlawn Senior High School.
Q. And what is your position there today?
A. Today, I'm the principal.
Q. Back in January of this -- or actually in the fall of 1998 what was your position at that time?
A. Assistant principal.
Q. And at that time, did you know Hae Min Lee? Did you know Hae Min Lee?
A. Yes.
Q. How long had you known her?
A. Just for a couple of months. I started Woodlawn in the summer of -- in July of that school year.
Q. And did you know the Defendant?
A. Yes.
Q. How long had you known him?
A. The same period of time.
Q. Were you aware that they were dating?
A. I found out, yes.
Q. When was the homecoming dance, if you can remember?
A. I don't know the exact date. It was in October.
Q. Early or late?
A. I don't recall.
Q. And what were you doing at the homecoming dance?
A. I had to supervise the homecoming dance because when you have a dance the administration has to supervise.
Q. And drawing your attention to that night, did there come a time when your

attention was drawn to the Defendant?
A. Yes.
Q. How did that come about, if you'd tell the ladies and gentlemen of the jury?
A. On that night, Adnan's parents came to the dance. They were looking for him and they stood outside for awhile. And then they came and they asked for him. It was by circulating the, you know, cafetena looking for him, and they found him and brought him out. And they talked for awhile. And then Adnan went into the dance, and brought Hae out, and they were talking with the parents. And they were getting upset -- the parents were getting upset, and I -- I heard that. So I went over and I told them I can't allow them to talk to her, so I sent her back into the dance, and left him with his parents. And that was it.
Q. What did he do after that, if you know?
A. The only thing I can remember -- I know he talked with his parents. I saw him go outside with parents. So after that, I don't really know.
Q. Do you recall him ever coming back inside?
A. I didn't see him come. Another administrator saw him. I did not.
Q. Now after that, did you ever speak to Hae about what happened that night?
A. I spoke to Hae briefly because that -- she was -- they were saying that there was a situation between (indiscernible) -- they had a relationship going and I told -- I questioned her about did she really want to be involved at that time because it was creating -- it appeared to be creating a problem in the family.
Q. And after that night, did you have any more contact -- after that counseling session, did you have any more contact with either of the two?
A. Not anything like (indiscernible). I saw them in school and spoke to them
Q. Thank you.

MR. URICK: Witness for the defense.
THE COURT: Cross?
MS. GUTIERREZ: Thank you.
CROSS EXAMINATION
BY MS. GUTIERREZ:
Q. Ms. Lynette, when you asked Hae did she really want to be involved because of the problem that it was creating, that question was based on your observations of that night?
A. Yes, ma'am.
Q. Okay. And prior to the -- that conversation took place close in time to the homecoming dance?
A. That was after the homecoming dance, yes
Q. Okay. But close in time to it?
A. Yes.
Q. Within a week of it? Shortly thereafter.
A. Yeah. It was close in time. I don't know exactly --
Q. And prior to that date, you knew both these students, did you not?
A. Yes.
Q. But you had only been assigned to the school since that previous summer 's that correct?
A. Correct.
Q. So you didn't know either of them very well?
A. No.
Q. You. You were aware that they were both scholars in the gifted and talented program?

A. I knew.
Q. And that they were both very good students?
A. Yes.
Q. And that both of them were both scholar athletes also?
A. Yes.
Q. Okay. And you knew that Adnan Syed was a Moslem by religion and culture?
A. I found out, yes.
Q. Okay. Did you know that before the homecoming dance?
A. I didn't -- I know -- I don't know his religion but by appearance I knew that he was not -- that he --
Q. That he was what?
A. Not native American. Not native American, you know what I mean.
Q. Are you aware, in fact, that Adnan Syed was born in the United States?
A. No, ma'am.
Q. So that's a surprise to you?
A. Yes, ma'am.
Q. By his appearance, you would've -- you had decided that he was not native American?
A. That he was -- that he was from -- I didn't know he was born -- they said he's from Pakistan. I'm not sure.
Q. Okay. So your belief from the homecoming dance was that he was not a native born American?
A. That his family was not.
Q. Okay. But that, as to him, you said by looking at him, you believed him to

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also have been from Pakistan?
A. I don't even know if I really thought about that part.
Q. Okay. Well my original question to you, Ms. Woodley, was were you aware that, in fact, Adnan Syed -- back at the homecoming dance -- was a Moslem by religion?
A. By -- by looking at -- and I may be wrong, okay -- we have to go by appearance. I saw Adnan's parents had the dress of what I'd been told --
Q. Okay. But you didn't see his parents before the homecoming dance, did you?
A. No, not before.
Q. Okay. So before the homecoming dance, you knew who he was, did you not?
A. Yes, I knew he was a student there.
Q. Did you know he was Moslem?
A. No.
Q. Okay. And -- but by his appearance, you assumed that he was not a native born American, did you not?
A. I guess you're right.
Q. Okay. And you were aware that there were many Moslem students at Woodlawn, were you not?
A. Yes.
Q. Okay. And you believe that Moslem students can be recognized by their appearance?
A. It's not Moslem students that -- maybe I didn't make myself clear and I, you know, apologize for that. What -- what I was saying is that the origin or their decedents or the family --

Q. From being Pakistani?
A. Right.
Q. Okay.
A. That's what I was talking about. Not the religion. I didn't --
Q. Okay. But that, by appearance, he appears to be something other than a native born American?
A. By appearance, he appears to be coming from a family that's not native born American, is that what you're asking me?
Q. Where or not he is or not? And you didn't know whether he was --
A. Correct.
Q. -- a native born American, correct?
A. Correct.
Q. On the night of the homecoming, by looking at his parents, did you then know -- by looking at them -- that they were Moslems?
A. Okay. By the appearance, did I know absolutely? I can't say absolutely.
Q. Did you assume they were Moslems?
A. Yes. And by the fact that the mother was stating that "you -- you know what you're doing to our household. We don't have -- we don't, you know, associate."
THE COURT: Please --
A. I can't say --
THE COURT: Please move back a little bit -- just a little bit from the microphone.
MS. WOODLEY: I'm sorry.
A. I can't say -- I can't quote her verbatim.
Q. But she said was led you to believe that they were Moslems?

A. She wasn't speaking to me. She was fussing at Hae Lee.
Q. At Hae Lee. Okay. But what you heard?
A. Correct.
Q. What you heard, though -- did that lead you to believe that at least his mother was a Moslem?
A. It led me to believe that the mother had beliefs that did not agree with the two of them seeing each other.
Q. Okay. That's based on what you heard?
A. Right. Whether it's Moslem or not, I don't know.
Q. Okay. So but that was based on what you heard that was going on between Adnan and Hae Lee and Adnan's parents?
A. That's who was -- who was involved, yes.
Q. Is that who you observed?
A. I observed those people.
Q. Okay. And you weren't part of that conversation, were you?
A. No, ma'am.
Q. But you remained observing because that was part of your function there that night, correct?
A. Correct.
Q. And Adnan's parents showing up at homecoming was an unusual event, was it not?
A. Only because of -- it wasn't unusual for parents to come. That's what I'm saying.
Q. Okay. So it wasn't an unusual event.
MR. URICK: Objection.

Q. You. You state --
THE COURT: I'll say again, we're making a recording of it so we have to have one of you speaking one at a time.
MS. WOODLEY: Okay.
THE COURT: Okay? Ms. Gutierrez?
Q. You. You observed the parents come in and then at their request you went to find their son?
A. Correct.
Q. You. You knew that their son was their already, did you not?
A. Correct.
Q. But you had to actually physically locate him inside the cafetena, correct?
A. That's correct.
Q. You. You then observed -- you brought their son to them, did you not?
A. Correct.
Q. He came alone, did he not?
A. Correct.
Q. And then you heard them request of him that he go get Hae Lee?
A. No. I didn't hear them request. I saw him go in and bring Hae Lee out.
Q. And then bring Hae Lee out. But you heard or observed them speaking to him, correct?
A. Correct.
Q. And when he went back in the cafetena, they remained where they were, correct?
A. That's correct.
Q. And shortly thereafter, Hae Lee came out with Adnan?

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A. That's correct.
Q. Is that correct?
A. That's correct.
Q. And she appeared to come out willingly, did she not?
A. Yes.
Q. And then you observed the two teenagers talking to one of the teenager's parents. Is that correct?
A. Correct.
Q. And from what you then observed, you formed a conclusion that at least as the parents were concerned, it was not okay that the two teenagers had a relationship?
A. Correct.
Q. Is that correct?
A. Yes, it is.
Q. But you at no time participated in the conversation?
A. Only to go up and tell them - -
Q. That they could no longer talk to Hae?
A. Correct.
Q. And nobody told you to do that, did they?
A. No, ma'am.
Q. That was a judgment call that you made based on the fact that it was homecoming, correct?
A. That's correct.
Q. And were a lot of people there in the cafeteria, were there not?
A. There were several students, several - - I guess 100, 200 students.
Q. 200 students there, correct?

A. Approximately.
Q. And some of them were with dates, correct?
A. Correct.
Q. And some of them were not with dates, correct?
A. Correct.
Q. And there were parents there chaperoning?
A. We had parents and teachers there.
Q. And teachers. There were other adults there, correct?
A. Correct.
Q. Okay. And at some point, you came up and said that they could no longer talk to Hae?
A. Correct.
Q. Hae had not asked you to intervene, had she?
A. That's correct.
Q. That was your decision?
A. That's correct.
Q. And you then took Hae back into the cafetena, correct?
A. That's correct.
Q. And then you then stayed with her?
A. I didn't - - I sent her in. I stayed at my position at the door.
Q. Okay. And at that point you saw the parents go outside?
A. Yes.
Q. And Adnan went out with them?
A. Yes.
Q. But you didn't observe them any further?

A. Only just shortly while they were outside I saw them and then they - -
Q. Okay. And were you aware that, in fact, Adnan left with his parents?
A. That part was - - I - -
Q. You. You didn't see?
A. Correct.
Q. So you didn't know?
A. Correct.
Q. And since you didn't know that, you were not then aware that after Adnan had left that he, in fact, returned to the homecoming dance?
A. And that's when I said another administrator had said it, but I didn't see it
Q. But you didn't see it?
A. Right.
Q. But you became aware of the fact that Adnan came back to the homecoming dance?
A. After the fact.
Q. Okay. Now at that point - - at the homecoming dance, before you observed any of this, did you know that Hae Lee and Adnan were girlfriend and boyfriend?
A. No.
Q. And that they had been boyfriend and girlfriend, at least openly to their friends in the school, since the previous spring - - since early April, if not March of 1998?
A. That information came out - -
Q. Came out later.
A. - - later.
Q. But you didn't know that then?
A. No, because I was still new - - new to the school

Q. But there was nothing unusual, in and of itself, for either parents to be there or for children to be dating each other to attend the homecoming?
A. No, there's not.
Q. Okay. And other than taking Hae away from the discussion with Adnan's parents, did you take any other action?
A. No.
MS. GUTIERREZ: Okay. Nothing further.
THE COURT: Any redirect?
MR. URICK: Yes.
REDIRECT EXAMINATION
BY MR. URICK:
Q. I'd like you to think back, if you would. After you intervened and took Hae out of the situation and it seemed to be over, what, if anything, did you observe at the windows?
A. As I said they were standing outside at the windows for awhile - - the parents - - looking into the dance. I don't know how long, and they weren't doing anything where I would have to say anything. They were just into the window.
Q. Was the Defendant with them at that time?
A. I don't recall seeing him.
MR. URICK: Nothing further.
THE COURT: Recross?
MS. GUTIERREZ: No, your Honor.
THE COURT: Thank you. Good day, Ms. Woodley.
MS. WOODLEY: Thank you.
MR. URICK: May the witness be excused?

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THE COURT: Yes.
MR. URICK: At this time, the State would call Sharon Watts to the stand.

SHARON WATTS

a witness produced on call by the Plaintiff, having been duly sworn according to law, was examined and testified as follows:

CLERK: State your name and address for the record.
MS. WATTS: Sharon Watts. 421[redacted]Maryland 21042.
THE COURT: Turn the microphone down and point it at your mouth, please.
MS. WATTS: Sure.
THE COURT: Thank you.
MS. WATTS: Is that a little better?
THE COURT: Great.
MS. WATTS: Thank you.

DIRECT EXAMINATION - VOIR DIRE
BY MR. URICK:

Q. *Good afternoon, Ms. Watts.*
A. *Good afternoon.*
Q. *Where are you employed today?*
A. *I'm with the Baltimore County Board of Education I'm at Southwest Academy Middle School.*
Q. *And back in the school year of 1998/1999 where were you employed?*
A. *I was the school nurse at Woodlawn High School*

Q. *And what, if any, professional training do you have?*
A. *I'm a professional registered nurse. Along with 25 years experience. I also have my masters in education and am - - am - - am a certified guidance counselor in the State of Maryland. I'm a CPR instructor so my job is educator first aid responder just various (indiscernible) service certifications (Indiscernible) 25 years.*
Q. *Now to become a registered nurse what sort of training did you have to have?*
A. *Well I had (indiscernible) program and then two years of that time was extensive education and practice in surgical nursing and obstetrical nursing and (indiscernible) nursing and psychiatric nursing and with a few different variations - -*
MS. GUTIERREZ: Judge I'm gonna object to anything further This witness has not been proffered as an expert witness in any way
THE COURT: Well I overrule that for purposes of background.
MR. URICK: Your Honor, when we prayed discovery, we told the defense counsel that we were going offer this witness as a - - for her expertise - - as an expert witness and we told her what the conclusion would be.
THE COURT: Continue.

BY MR. URICK:

A. *Okay. I've had 25 years of active nursing experience My nursing education was very, very extensive and (indiscernible).*
Q. *And what, if any, training did you have to have to become a certified counselor?*
A. *I had to receive my masters in education and I also had to spend a year in an institution or a setting where I could assess (indiscernible) counseling.*
Q. *And since that time, how much employment have you had in those areas?*

A. *I've been full time since that time.*
Q. *And have you had any continuing education in that time?*
A. *Yes All nurses and certified counselors in the State of Maryland have to have continuing education units and I have at least six a year.*
MR. URICK: I would offer this witness for her expertise and training as a registered nurse and certified guidance counselor
MS. GUTIERREZ: Object for the same reason, Judge
THE COURT: Okay. A voir dire on qualification?
MS. GUTIERREZ: Just a couple.

CROSS EXAMINATION - VOIR DIRE
BY MS GUTIERREZ:

Q. *Ms. Watts, you said you've had 25 years of nursing?*
A. *That's correct.*
Q. *How long have you worked for the Baltimore County Board of Education?*
A. *I'm in my 10th year.*
Q. *Tenth year. So that's - - is that 10 of the 25 years or is that 25 years plus 10 years?*
A. *No, that's 10 of the 25 years. For 15 years I was a pediatric nurse*
Q. *Okay. A pediatric nurse where?*
A. *Various places - - St. Agnes pediatric emergency room I was also at St Agnes in-service. I was at Howard County terminal child health in-servicing*
Q. *Okay. But for the last 10 years, you worked for the Baltimore County Board of Education - -*
A. *That is correct.*
Q. *- - effectively as a school nurse?*

A. *Actually as a pedic (phonetically) manager. Baltimore County has expanded their role of school nurses and I started the first clinic - - school based clinic of Baltimore County nine years ago.*
Q. *And is there such a clinic at Woodlawn High School?*
A. *Yes, there is.*
Q. *And is that what you did?*
A. *I was the manager of the wellness center. It's called a wellness center*
Q. *Okay. And did you - - as a certified counselor - - is that part of your employment at Baltimore County Board of Education*
A. *That's part of my job description that I counsel students but that's not my title. My title was the manager of the Woodlawn wellness center*
Q. *Of the Woodlawn what?*
A. *Wellness center.*
Q. *Okay. And at that wellness center do you get patients there by students requesting or do you assigned specific students?*
A. *No. It's by parent request or student request or referral*
MS. GUTIERREZ: Okay. Thank you.
THE COURT: Wish to be heard?
MS. GUTIERREZ: No, your Honor.
THE COURT: Okay Ladies and gentlemen, the witness is qualified as an expert registered nurse and guidance counselor. As I think we may have explained before, the rules of evidence don't ordinarily permit witnesses to testify in terms of opinion. Expert witnesses can, however, give opinion testimony. You. You are to consider that testimony with all of the other evidence in the case and you're to give it such weight and importance as you think it deserves. Yes, sir

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MR. URICK: Thank you.

DIRECT EXAMINATION

BY MR. URICK:

Q. Did you know Hae Lee Min?

A. Yes, I did.

Q. How long had you known her?

A. I knew her more in the last year of my experience at Woodlawn so it was as a sophomore and then also as a junior.

Q. And did you know the Defendant?

A. Yes, I knew him.

Q. And what, if anything, did you know about them?

A. I knew they were a couple dating. I also knew that they'd had a break up. I knew that they were good students. They were -- I knew Hae Lee was a very good athlete. I knew Hae Lee to come through the wellness center and see our physician. I didn't know them on a personal basis -- a very deep basis -- but I knew them as students. I saw them almost daily in the hallway or in the cafeteria. I knew them to be good students, to be good athletes, and to be a couple

Q. When you would see them in the hallway, was there anything about their behavior that would draw your attention?

A. Well when they were together, it was a relationship that seemed to be very close. They were holding hands or they spent their time together when they broke up. When they were no longer a couple, I would see Adnan speaking with Hae Lee. There was incident that I saw him where they were going to down the hallway past the nurse's office -- the health suite -- to the cafeteria and -- they were on the right side of the wall -- and he went to go behind her, and grab her hand, and then put his hand up against the

wall, and talk to her on this little overpass. But that was something that specifically stood out in my mind because she had just come in through the wellness center for a physical. I don't know if that's what you're looking for.

Q. That's fine. Thank you. Now just to focus you. Hae Lee vanished on about January 13th. A body was found on February 9th. On February 10th, it was identified as Hae Lee. And on the 11th, I believe it was -- I'm not exactly certain of the date, but I think that's accurate -- there was a crisis intervention team that came to Woodlawn High School.

A. Yes.

Q. Would you tell the ladies and gentlemen of the jury what that was done for?

A. Whenever there is a death or a serious incident in the school, we bring in extra counsel, we bring in extra psychologist, and hopefully extra teacher to help mediate and control the (indiscernible) factor and make sure the students always receive services if they're upset, or if they need to go home, or they need to seek counseling from the nurse, or a counselor, or the physiologist. They're available. And on that day, we had heard -- well let me retract. Let me go back. That morning early -- about five o'clock in the morning -- I was notified by the assistant principal that Hae Lee's body had been found, and that he anticipated a problem with a lot of the students, and that the crisis team would be in that day, and if I could come in early -- about 6:30 or 7 -- to help direct where things would -- how things would flow. And I met the principal in the library, and we decided that the nurse's office would be the central location. Everybody would flow through the nurse's office and I would refer them either to the psychologist, or to another counselor, or I could counsel, or I could send them to the school counselors. On that day, the psychologist and the school counselor and myself and another teacher were in the health suite waiting for the students that had problems to come and get counseling, or

send them home, or do what we needed to.

Q. Did you have occasion to see the Defendant that day?

A. Yes, I did. The first time. I saw Adnan was in the hallway right outside the health suite door and he was just standing there. And he really wasn't talking, he wasn't running -- he was just standing there. And I really wasn't concerned about Adnan at that point because there were a lot of students coming into crisis, and they were crying, and they were upset, and some were angry, and the atmosphere was very, very charged. And Adnan was just standing outside of the door. And after about 10 minutes, a teacher came and said that she was very, very concerned that Adnan wasn't talking, he wasn't moving, and seemed to be unable to be reached -- I can't remember her exact words -- but that nobody could reach him. Then this other psychologist from the crisis team came in -- Dwayne -- and was very concerned, too, that he's tried to see Adnan and some other people had tried to talk to Adnan. Again, he was not responding. So at that time, I went out in the hall, and Adnan with some friends, and I put my arms around Adnan, and said "Adnan, come with me. We're going to go back in my health suite." I brought Adnan back in the back room in the examination room and sat him down in a chair. And it was just, at that point, he and I. And I began to talk to Adnan and finally he did then begin to speak.

Q. When you first saw him, how did he appear?

A. He appeared shocked. His eyes were big. He was mute. He wasn't talking. He wasn't crying. He was just absolutely stone still.

Q. What is a catatonic state?

A. That's pretty much what I just described. A person being unable to express any emotion, any activity, and just almost freeze in time. As if a frame has been frozen. A catatonic state -- that person freezes and doesn't progress or doesn't regress, just stays in

one -- one frame of mind in one position.

Q. Have you had much occasion to counsel people in times of grief?

A. Absolutely. I have to do a lot of that in my job.

Q. Are there any other symptoms of catatonic state besides the ones that you listed there?

A. It usually is an extended period of time. Catatonic state also usually does not remedy itself to just brief counseling. It usually needs a psychotherapeutic approach and sometimes it needs medication or different treatments. It usually doesn't just rectify itself with a brief counseling one episode.

Q. Was there anything about the Defendant's symptoms that did not conform with a catatonic state?

A. Absolutely. As soon as I touched Adnan and started to walk him into the health suite, the look changed. The eyes weren't so big. His posture wasn't so erect. He walked easily. He didn't need any leading. He walked into the health suite into the back room and sat of his own volition. There was no intervention on my part, at that point, except touching him and saying "come on, Adnan, we need to talk." And just with that alone, his supposedly catatonic appearance changed

Q. And based on your expertise and training, did you form any opinion at that time?

A. My opinion was that this was a very contrived emotion -- very, very rehearsed -- very insincere.

Q. Now did you talk to him that day?

A. Yes, I did.

Q. What, if anything, did he tell you?

A. When he first sat down, I began and I said "Adnan, I know this must be

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really hard. I know you loved Hae Lee. I know she's gone and that this is very hard on you." And not quoting, but this was the context, that how could I be sure it was Hae Lee? I said "well the police have identified the body. I don't know if they've done it through fingerprinting or what method they did it, but they're certain it was Hae Lee." And his comment is that all Asians look alike and that the police were stupid. That they had tried to trace Hae Lee back through a visit to her father in California and her father - - the lady that lived in California, and that he didn't think it was really Hae Lee. I assured him it was Hae Lee, and he started to cry. And I started to hug him, and pat him shoulder, and told him I knew that he loved her, and to think back when - - to a good time. And he said the night before Hae Lee disappeared she had called him. She had wanted to get back together with him, that she still loved him, but that he didn't want to get back into that relationship in that manner - - that they would always be friends. And that was unusual - - that was an unusual comment to me after he had just learning that she had died.

Q. Did you have any further contact with him after that day?

A. After that Adnan began talking to friends, and friends were in and out of the health suite all day. A group of friends went to another student's house to (indiscernible) together, or to talk, or to just be together to share their experiences. And I called Adnan's mother and asked permission for him to go, because I had to receive permission for every child to leave the school. And when I hung up from the - - from speaking to his mother and told Adnan that his mother had given permission to let him go, he - - he was fine. He was laughing, and he was smiling, and he left with his friends. It was a complete change - - a complete change. After that time, I saw Adnan two or three times - - maybe - - maybe a little bit more. Just, you know, he would drop by and say, you know, hi - - how are you. I though we had established some communication if he would drop by just to say hello.

MR. URICK: Witness for the defense.

THE COURT: Cross?

CROSS EXAMINATION

BY MS. GUTIERREZ:

Q. He'd drop by just to say hello to you? From what you observed.

A. Well initially he did.

Q. Was that appropriate?

A. Yes.

Q. Was there anything inappropriate about him dropping by?

A. No - - no.

Q. You. You felt that you had established a level of communication with him, correct?

A. A relationship where he would have someone to talk to if he needed someone to - -

Q. And he would feel comfortable enough to stop by to seek out your guidance as a guidance counselor?

A. For support, right.

Q. That was your purpose, wasn't it?

A. Yes.

Q. That's what you had told him on that very - -

A. Right.

Q. - - first day that you saw him on the 11th, correct?

A. Right.

Q. Okay. Catatonic was a word of yours, was it not?

A. It might have been - -

Q. Well Adnan didn't come into your office and describe himself as catatonic.

did he?

A. No, he didn't.

Q. And you did not receive information from the other two teachers who observed him and thought that you should intervene. They didn't come and tell you that Adnan said I'm catatonic, I need help.

A. You're right. That is a medical term.

Q. Right. And it's not term that Adnan ever used that day or any other day to describe himself.

A. No. That's correct.

Q. Is that correct?

A. That's a medical term. That's correct.

Q. And prior to your intervening with Adnan Syed on that day you had gotten reports from two separate adults, had you not?

A. Yes, I had.

Q. That Adnan needed your attention.

A. Yes.

Q. Is that correct?

A. That's right.

Q. And on the day that you walked in you were, before the students arrived already prepared for the onslaught of inspected needs of students who would be affected by this news that the body that had been recovered two days before, in fact, turned out to be the body of Hae Lee. Is that correct?

A. That's correct.

Q. And you saw Adnan there in the health suite, did you not?

A. I called Adnan into the health suite, he was out in the hallway

Q. Okay. But you saw him out in the hallway?

A. I saw him, at some point, out in the hallway when I was looking out - -

Q. Okay. Because you told us on your direct - -

THE COURT: I really do need you both to talk one at a time. We're making a recording of it, so please don't talk over each other

Q. What you told us was that you weren't really concerned about Adnan because there were so many other students who were acting out their grief. Is that correct?

A. I was giving aid to other students.

Q. Okay. There were a lot of students there that morning, were there not? Hundreds or less?

A. Less.

Q. Less. But more than 50? Some where between 100 - - between 50 - -

A. Less.

Q. Less than 50. More than 20?

A. Probably 20 to 30 is a good estimate.

Q. Okay. And that's a large number of students, particularly if they're all grieving. Is that correct?

A. I don't consider it a large number when the student population was 1,700 but it's - -

Q. In terms of how many students you - - as the trained nurse and the guidance counselor - - had to deal with on that day. It was a large number of students, was it not?

A. That's why I wasn't there by myself.

Q. Okay. But you told us on direct that you really weren't concerned about Adnan at first.

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A. Not at 7:30 - - 8 o'clock in the morning.
Q. Okay. And it was only after two other adults brought Adnan's condition or appearance to your attention and suggested that you intervene then did they not?
A. I don't agree with what you said.
Q. So your answer is no?
A. My answer's no.
Q. Okay. Now when those teachers brought Adnan's condition to your attention, had you addressed him with any measure of counseling prior to then - - that morning - - on that particular morning? Yes or no?
A. Yes.
Q. Okay. And after those teachers brought his condition to your attention you did so, did you not?
A. Yes.
Q. Okay. And initially you told us that he was essentially into asking you to verify what he clearly was expressing that he couldn't be sure that the body identified was Hae Min Lee's. Wasn't that his initial position?
A. His initial position was he could not believe that it was Hae Lee.
Q. You. You told us on direct that you said he said "how can he be sure that it was Hae Min Lee?" Isn't that correct? Yes or no?
A. No.
Q. Is that what he said?
A. He said how did the police know it was Hae Lee not how does Adnan know it was Hae Lee, how does the police know - -
Q. By his question, ma'am, you assumed that he was asserting that he wasn't sure it was Hae Min Lee, wasn't he?

A. Not at 7:30 - - 8 o'clock in the morning.
Q. Okay. And it was only after two other adults brought Adnan's condition or appearance to your attention and suggested that you intervene then did they not?
A. I don't agree with what you said.
Q. So your answer is no? Please let the lawyer finish her question One of you at a time.
MS. GUTIERREZ: You. You answered - -
THE COURT: Finish your answer to the last question.
MS. WOODLEY: I like the last question repeated I lost it in the - -
THE COURT: You. You just put another question, please, Ms. Gutierrez.
MS. GUTIERREZ: I'll put another question.
BY MS. GUTIERREZ:
Q. You. You told us on direct that the first thing out of Adnan Syed's mouth was to question how could the police be sure that it was Hae Lee, was it not?
A. Yes, that's correct.
Q. And you've already answered that by that very question it appeared to you - - did it not - - that he himself - - Adnan was questioning whether or not it was Hae Min Lee, did it not?
A. No, it did not.
Q. No. Okay. But you thought that the only question that caused his upset was related to his question wanting reassurance that the police really knew that the body that had been identified was of a woman that you knew to be Hae Min Lee?
A. No.
Q. No. Okay. Notwithstanding that he asked you the question about how was

the police sure - - now you, ma'am, had just spoken to the police before you spoke to Adnan or before you spoke to any other student?
A. No, I did not.
Q. And who were some of the students that were right there - - either in or outside the health suite that morning?
A. His friends - - the friends that - -
Q. The friends of Adnan?
A. Yes.
Q. Okay. And who were they?
A. I can't give you their names.
Q. Did you know them then?
A. I knew them as students at Woodlawn High School I don't know all of them.
Q. Other than Adnan's friends, were there others?
A. When Adnan was outside of the health suite, there - - he was with his two male friends.
Q. Were they - -
A. All of the other friends were in the health suite with me.
Q. Okay. And is there any single student's name whom you knew?
A. I can't recall the two boys' names by names.
Q. What about the other people, boys or girls, who - -
A. Who were inside the health suite?
Q. - - were inside the health suite with you?
A. Absolutely.
Q. Who were they?

A. There was Theresa Pusari. There was Debbie Warren There was Alicia.
Q. Is that Alicia?
A. Something like Alicia.
Q. I'm just asking you to repeat it, ma'am?
A. Well - -
MR. URICK: Objection.
Q. What is Alicia?
THE COURT: Overruled.
A. I'm not certain.
Q. Okay. Anyone else?
A. I see 13 to 14 thousand students per school year.
Q. It's hard to remember them all?
A. No. It's not hard to remember the students. I don't remember names.
Q. Okay. Did you write on that day - - the 11th of February, 1999 or any day thereafter, a report about what took place on the 11th starting with your phone call from someone alerting you to the fact that her body had been identified?
A. No - - no.
Q. No written report?
A. No.
Q. And you weren't required to do so as part of your job?
A. Right. I'm required not to do so.
Q. Not to write a report. So you took no contemporaneous - -
THE COURT: Please don't talk over the witness. Please don't talk over the witness.
Q. So you took no - -

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THE COURT: Please do not talk over the witness. Thank you.
MS. GUTIERREZ: May I continue?
THE COURT: Yes.
MS. GUTIERREZ: Thank you, Judge.

Q. You. You did not take contemporaneous notes as you spoke to all these children whose names you now cannot totally remember?
A. That's correct.
Q. Other than - - were all of these children in the health suite before Adnan Syed appeared outside of it?
A. I'm sorry. Repeat the question.
Q. Were the children some of whose names you remembered - - Theresa, Debbie, Alicia as you said, or others - - were they already inside the health suite when Adnan Syed appeared outside the health suite?
A. They were - - had - - no.
Q. No.
A. Those names that I named were not there before Adnan. Other students had been in and had been referred to different counselors and psychologists. The names that I gave did not come in until after I had spoken with Adnan.
Q. Okay. So they weren't there, to your knowledge, before you asked Adnan to come inside the suite?
A. They were not.
Q. Was there a system to set up for students to sign in or out?
A. Yes, there was.
Q. So there was a sign-in sheet?
A. There was a sign-in sheet.

Q. So that students got seen by yourself and others brought on just for that specific purpose in order that they came?
A. No, not for that specific purpose. Just so that any student who came into the health suite any day during the school year would be signed in and signed out.
Q. And so there was nothing different about that day in regard to that procedure for signing in?
A. That's correct.
Q. Okay. But on that day there were adults there brought in for the specific purpose to deal with this specific crisis?
A. That's correct.
Q. Is that correct? And one of those persons name was Dwight?
A. Dwayne.
Q. Dwayne. And what is Dwayne's last name?
A. I couldn't repeat it. He's - -
Q. Is Dwayne a counselor, the psychologist, or the teacher?
A. He's the psychologist.
Q. Okay. That meaning that he has a degree in psychology. Isn't that correct?
A. School psychologists are degreed in many ways. He does not have to have a degree in psychology to be a school psychologist.
Q. Do you knew whether or not he did?
A. I don't know what he did - -
Q. You. You called him a psychologist?
MR. URICK: Objection.
THE COURT: Sustained.
A. He is a school psychologist.

Q. Okay. And are you aware that psychologists - - to call themselves such - - have to be degreed with a degree - - a doctorate degree in psychology in the State of Maryland?
A. That's incorrect with the Baltimore County Board of Education. The school system has school psychologists that are not degreed in psychology. My sister-in-law is a school psychologist. She has a degree - -
Q. She wasn't - -
MR. URICK: Objection.
THE COURT: Sustained. Again, for purposes of a record in case somebody wants to read the trial at some point, we're going to need you all to listen and talk one at a time. Now - -
Q. Your - -
THE COURT: Go ahead.
Q. Your sister-in-law wasn't there that morning, was she?
A. No, she wasn't.
Q. Not as a psychologist?
A. No.
Q. Or as a non-psychologist?
A. No.
Q. As a counselor?
THE COURT: Sustained as to the relevance. Let's get back to the facts of this case. Can we, Ms. Gutierrez?
Q. You. You said, ma'am, that you thought there were three others - - hopefully you said an extra teacher, a counselor, and a psychologist - - sent there as part of the crisis intervention team.

A. That's right.
Q. A person by the name of Dwayne - - whose last name you don't know - - was the psychologist. Is that correct?
A. That's correct.
Q. And do you remember the name of the person who was sent there as an additional counselor to deal with the specific demands of these days?
A. I don't remember her name. She's a school counselor. Now she's been a school counselor for 20 years, and she's a short African American woman, and her name eludes me. I'm not good with names.
Q. Okay. That's her first name or her last name?
A. That's correct.
Q. Okay. And the extra teacher - - was that person there that day?
A. That person was not there. That person was on call if we needed that person.
Q. Okay. And you didn't call for them?
A. No.
Q. Okay. Now as to when Adnan came any where near the health suite - -
MR. URICK: Objection.
Q. - - do you remember the time that he showed up?
THE COURT: Overruled.
A. My health suite at Woodlawn High School was entered or exited by two doors. There's a large window that's covered with a Venetian blind for privacy. Because of the nature of the counseling, the Venetian blinds were closed. I would not see Adnan in the hall unless I exited the health suite. And when I exited the health suite to direct someone over to the counselor, Adnan was already standing there.

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Q. And what time of day was that?
A. About 8:10 in the morning.
Q. And school starts at what time?
A. 7:45.
Q. Okay. And there were other students there at 8.10 in the morning were there not?
A. There were two other students with Adnan and there were 1 700 other students in the school hallways.
Q. Okay. And you said there were other students but they came later - -
MR. URICK: Objection.
Q. - - that were in the health suite itself?
THE COURT: Sustained.
Q. Were there other students in the health suite when you walked out a student to go direct to counseling when you first saw Adnan? Yes or no?
A. No.
Q. Okay. And had there been other students in that health suite?
A. Yes, there had.
Q. Okay. So prior to - - and before then, you had not see Adnan near the health suite?
A. No.
Q. Okay. Now that day, on the 11th, you already knew who Adnan was did you not?
A. Yes, I did.
Q. And you knew Hae Lee was, did you not?
A. Yes, I did.

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Q. You. You knew that she had been missing?
A. Yes, I did.
Q. And you knew that, prior to her disappearance that there had been a point where Adnan and Hae Lee were girlfriend and boyfriend?
A. That's correct.
Q. And you knew that from your own observations, correct?
A. That's correct.
Q. And you knew that from being told that by other students?
A. No, that's not correct.
Q. Only from your own observations?
A. Yes, that's correct.
Q. And from talking to Hae Lee?
A. No, not from talking to Hae Lee.
Q. And from talking to Adnan?
A. No, not from talking to Adnan.
Q. So you only had formed your opinion based on what you had observed?
A. What I observed.
Q. Because they acted like they were girlfriend and boyfriend from what you could see?
A. Hand holding, and hugging and kissing - - observable boyfriend/girlfriend behavior.
Q. Okay. And there was nothing inappropriate in what you observed that led you to form that conclusion, was there?
A. I find it inappropriate to be kissing in school but that's just my personal philosophy. Students kiss in school.

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Q. Lots of students kiss in school, do they not?
A. (Shakes head no.) (Indiscernible)
Q. Only Hae Lee and Adnan kissed in school?
A. No, that's not what I'm saying.
Q. Okay. So there was nothing inappropriate in and of itself based on what you observed in school, though you didn't think it appropriate that they kiss and how they acted toward each other?
A. That's correct.
Q. You You said you became aware that there was a time when they broke up
A. Yes.
Q. And do you remember when that was?
A. At the start of last school year - - which would've been the end of August beginning of September - - they were not together in the hallways
Q. They were not together, you mean, at the beginning of school?
A. In September. In September.
Q. Had they been together to your observation in the previous junior year?
A. The previous year - - that spring year I had seen them together and the very very beginning of the school year.
Q. Meaning September/August of 1997?
A. I saw them talking.
Q. Or 98?
A. In 98, when Hae Lee was a junior and Adnan was a senior their relationship was not visibly demonstrative as boyfriend/girlfriend
Q. Okay. So your understanding was that Adnan Syed was a year ahead of Hae

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Lee? She was a junior while he was a senior.
A. I believe that to be so.
Q. Based on your own - -
A. I don't know it as a fact.
MR. URICK: Objection.
THE COURT: Sustained for the siren. Let's let the siren pass
Q. Your answer was based on your own observations Is that correct?
A. What answer?
Q. That you believed it but you know how That Adnan was senior and Hae Lee was a junior. Did you - -
A. I'm not sure why I thought that. I'm not sure why I thought that
Q. Okay. Did you investigate either of these young people?
MR. URICK: Objection.
THE COURT: Sustained.
Q. Did you inquire of any other source once you observed them acting like a girlfriend and boyfriend?
MR. URICK: Objection.
THE COURT: Sustained.
Q. After the beginning of the school year - - now we're talking about the end of August the early part of September 1998 - - did you see them together again?
A. I saw them together talking a lot in the hall, but I didn't - -
Q. But not acting like girlfriend and boyfriend?
MR. URICK: Objection.
THE COURT: Sustained. Will you let her finish her answer, Ms Gutierrez?

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MS. GUTIERREZ: She had answered the question, Judge.
THE COURT: Please let her finish her answer. Had you completed your answer, ma'am?
MS. WOODLEY: No, sir, I hadn't. I - -
THE COURT: Thank you.
A. I had seen them together, and that was the reference I made where I saw Adnan approach Hae Lee outside of the health suite, and grab her and put his arm against the wall while he was leaning over talking to her. So I did see them together then.
Q. Okay. And did you see them together ever again acting as like they were girlfriend/boyfriend? Yes or no?
A. No.
Q. No. And so you were not aware of whether or not they continued to be boyfriend and girlfriend after you saw them in the very beginning of the year?
MR. URICK: Objection.
THE COURT: Basis?
MR. URICK: Relevance.
THE COURT: Overruled.
A. When I saw Adnan holding another girl's hand, I made the natural assumption that Adnan was seeing someone else.
Q. Because that's how it appeared to you from what you observed?
A. Yes.
Q. That's how he appeared to be acting with a girl other than Hae Lee?
A. Yes.
MS. GUTIERREZ: Nothing further.
THE COURT: Any redirect?

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MR. URICK: Yes, very quickly, your Honor. What is a pathological liar?
MS. GUTIERREZ: Objection.
THE COURT: Sustained.
MR. URICK: No further questions.
THE COURT: You. You may step down.
MS. MURPHY: Your Honor, may I step outside and get the next witness?
THE COURT: Come up on the witness stand.
MS. MURPHY: Your Honor, the State calls the next witness, Ms. Sharon Talmadge.

SHARON TALMADGE

a witness produced on call by the Plaintiff, having been duly sworn according to law, was examined and testified as follows:

CLERK: Please state your name and assignment for the record.
MS. TALMADGE: Sharon Talmadge I'm assigned (indiscernible)
THE COURT: Yes.
MS. MURPHY: Thank you, your Honor.

DIRECT EXAMINATION
BY MS. MURPHY:

Q. Ms. Talmadge, good afternoon.
A. Good afternoon.
Q. Could you briefly describe your duties in the latent print unit for the ladies and gentlemen?
A. I evaluate partial latent print studies recovered from crime scenes to

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determine their suitability. I compare single, partial latent prints to the prints of suspects eliminations, (indiscernible) as evidence. I testify in court. I lecture to various organizations in the latent print identification field. I supervise two employees in the latent print unit and I also supervise the (indiscernible) room. I respond to crime scenes (indiscernible) technical assistance when necessary. I also respond to the medical examiner's office to render technical assistance when necessary.
Q. What type of training and experience have you had in this area?
A. I was trained by the Federal Bureau of Investigation in the identification field. I was employed by them for approximately two years. After leaving there I came to the Baltimore Police Department. I received another two week course on classification conducted by the FBI and an advanced latent course conducted by the FBI. I've been with the Baltimore Police Department - - I started my 29th year last month and during that time I've been assigned to the latent print unit of the lab division.
Q. While you've been with the latent print unit, if you can approximate how many times you've been asked to examine latent prints?
A. Hundreds of thousands of times.
Q. Ms. Talmadge, have you ever testified as an expert in court - - either district court, circuit court, federal court?
A. Yes. I've testified since 1973 in all of the courts that were mentioned
MS. MURPHY: Your Honor, at this time, the State would offer Ms Talmadge as an expert in the development, examination and identification of both latent and inked prints.
THE COURT: Any voir dire of qualifications?
MS. GUTIERREZ: No, your Honor.
THE COURT: Then the witness is qualified as an expert in the

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development, examination and identification of both latent and inked prints and may testify as an expert.
MS. MURPHY: Thank you, your Honor.

BY MS. MURPHY:

Q. Ms. Talmadge, what is an inked print?
A. An inked print is the reproduction of the ridge detail that stand on your - - on your sides of your hands and also on your feet, and it's done by placing a thin film of printer's ink over the area that you want to fingerprint or palm print, and then rolling it on a contrasting background.
Q. What is a latent print?
A. A latent print is a reproduction of the ridge detail that I just mentioned only it's a oil, or perspiration, or a foreign matter and it's placed on an object when you touch the object.
Q. What are the methods used to process prints?
A. Depending upon the type of surface, there are several different methods that are used. The most common method for non-course surfaces - - such as glass or metal - - would be a graphite palette that's applied with a (indiscernible) brush. If it's on a course material - - which would be paper, cardboard, raw wood - - we use a chemical to develop the prints that might be on the object. The chemical used most often and in this particular case is (indiscernible).
Q. What factors effect whether or not a print is left on a particular surface?
A. Well fingerprints and palm prints are very fragile and they're easy to destroy. Even a technician that's processing it, if it's not done properly, they can destroy the print. The condition of the surface - - if it's a very rough surface, chances are you're not going to leave or develop a latent print. If you're wearing gloves, you're not going to leave

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latent prints. If you don't have enough oil, or perspiration, or a foreign matter on these areas, you're not going to leave a latent print.

Q. Ms. Talmadge, I'm going to ask you to remember back to February 10th of 1999. Did you reason, around that time, to respond to the office of the medical examiner?

A. Yes, I did.

Q. For what reason?

A. I was requested to respond to try and obtain prints from a female victim that was at the medical examiner's office at that time.

Q. Can you describe what you saw there - - what the condition of the body was that you observed?

A. It was a young female with long black hair and her hands were fairly decomposed so it was difficult to get a print from her fingers and palms.

Q. If you know, had the autopsy already been performed when you arrived?

A. Under normal conditions, yes, the autopsy is already performed.

Q. Why is that done first?

A. The medical examiner likes to do everything that they have to do with the body including the hands because they usually clip the fingernails. If I were to put ink on the fingers that might interfere with anything that could be under or on the fingernails so they wait until everything's done and then I respond.

MS. MURPHY: May I approach the witness, your Honor?

THE COURT: Yes.

MS. MURPHY: Thank you.

Q. Ms. Talmadge, I'm showing you what's been marked for identification as State's exhibit 3A. I'll ask you if you can identify that photograph?

A. Yes. This is the person that I printed at the medical examiner's office

Q. And is this photograph show the person as the same or more (inaudible) then you observed that day?

A. Yes.

MS. MURPHY: Your Honor, at this I'd move to State's exhibit 3A.

THE COURT: Without objection, State's 3A is admitted.

(Photograph received into evidence as State's Exhibit No. 3A.)

BY MS. MURPHY:

Q. Ms. Talmadge, what did you do in your efforts to identify the body at the medical examiner's?

A. Well as I said the hands and the fingers were particularly decomposed. So it, basically was a matter of taking my time in blotting the fingers and trying to apply the ink until I got something I though I could work with to identify this person. And eventually I was able to obtain two fingers and a palm print from the victim.

Q. And were you able to identify the victim?

A. Yes, I was.

Q. And what was the victim's identity?

A. She was identified as Ms. Hae Lee.

Q. What did you use to make the comparison?

A. I was given a permanent resident card by the detective in the case and I compared her print that got from the victim at the medical examiner's office to the print on the identification card, and was able to identify it as the right index finger of Ms. Lee

Q. Now did you have occasion to receive a report from a crime lab technician, Frank Sanders, with respect to this case?

A. Yes, I did.

Q. And did Technician Sanders submit to you lift cards?

A. Yes, he did.

Q. Can you explain to the ladies and gentlemen what lift cards are?

A. Lift cards are - - basically, if I were to respond to a crime scene and they said a partial print was on the podium. I would take my (indiscernible) brush that is load with graphite powder, twirl it over that area until I see ridge detail developing. Once I see that, I use a tape which is similar to scotch tape, put over the area where I see the ridge detail. The tape will adhere to the graphite powder which is adherent to the ridge detail, and when I lift the tape, the print comes off with the tape. And it's then placed on a 3 by 5 inch note card, such as this.

Q. Did you have occasion to receive evidence to process under property number 99008994?

A. Yes, I did.

Q. What were you requested to do?

A. I was requested to process evidence that was found in the trunk of 98 Nissan.

Q. And what were the results?

A. I processed the evidence from the car, and I developed prints on an envelope and a card from the envelope.

MS. MURPHY: May I approach the witness, your Honor?

THE COURT: Yes.

Q. Ms. Talmadge, I'm showing you what's been marked as State's exhibit 21 for identification. Do you recognize that item?

A. Yes, that's a copy of my report in reference to property number 99008994 which was evidence from the trunk of the 98 Nissan.

Q. And that report states your conclusions?

A. That's correct.

MS. MURPHY: Your Honor, at this time I'd ask to move State's exhibit 21.

THE COURT: Without objection, State's 21 is admitted.

(Report of Sharon Talmadge received into evidence as State's Exhibit No. 21.)

BY MS. MURPHY:

Q. Ms. Talmadge, I'll also ask you to look at what's been admitted as State's exhibit 20A and 20B. Do you recognize those items?

A. Yes. This is the envelope and the card from property number 99008994.

Q. Now I noticed the handwriting on those exhibits and that you seem to pay particular attention to that writing. What does that?

A. It has been marked as exhibit one and exhibit two along with the case number and the property number, and the date that the prints were developed, along with my initials.

Q. Did you make those notations?

A. Yes.

Q. So these are, in fact, the items you examined with respect this report. Is that correct?

A. Yes.

Q. What were your findings with respect to these items?

A. Partial latent prints that were developed on the envelope, marked as exhibit one, and the card, which is marked exhibit two, under property number 99008994 were identified as impressions of the right middle finger, the left thumb, and the left index finger as Adnan Syed.

Q. Now were the print cards received in this case examined with any other

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fingerprints other than Adnan Syed?
A. Yes. They were also compared to Jay Wilds with negative results.
Q. And by that you mean that they were found not to be the same as Jay Wilds?
A. That's correct.
Q. Ms. Talmadge, did you also receive property under property 99008895 in this case?
A. Yes, I did.
MS. MURPHY: May I approach the witness, your Honor?
THE COURT: Yes.
BY MS. MURPHY:
Q. I'll show you what's been pre-marked as State's exhibit number 25 and ask you to identify that.
A. This is a copy of the report that was issued from the latent print unit on property number 99008995.
Q. And what were you asked to do?
A. To process evidence from the glove box of the 98 Nissan.
Q. Does that report clearly state your conclusions with respect to those items?
A. Yes.
MS. MURPHY: Your Honor, I offer State's exhibit 25 at this time.
THE COURT: Without objection, State's 25 is admitted.
(Fingerprint report of Sharon Talmadge received into evidence as State's Exhibit No. 25.)
BY MS. MURPHY:
Q. What were your conclusions with respect to those particular items?
A. A partial latent print was developed on a Nationwide Insurance identification

card, which is marked exhibit two, and it was identified as an impression of the right middle of Adnan Syed.
Q. Ms. Talmadge, I'll show you what's been admitted as State's exhibit 24. Do you recognize that item?
(Insurance identification card received into evidence as State's Exhibit No. 24.)
A. Yes.
Q. Can you identify it?
A. This is the identification card that's marked exhibit two and this is an MVA registration certificate marked exhibit one.
Q. And with respect to State's exhibit 24, what were your results?
A. That a partial print that was developed on the insurance identification card was identified as an impression of the middle finger of Adnan Syed.
Q. And were the items submitted to you under that property number compared with any other prints?
A. The remaining prints were compared with Jay Wilds with negative results.
Q. Did you also receive property under property number 99008998?
A. Yes, I did.
MS. MURPHY: May I approach, your Honor?
THE COURT: Yes, you may.
BY MS. MURPHY:
Q. I'll shall you now what's been pre-marked as State's exhibit 18. Can you identify that, please.
A. It's a copy of the report issued from the latent print unit in reference to a map recovered from the 98 Nissan under property number 99008998.
Q. And does that report accurately state your conclusions?

A. Yes.
MS. MURPHY: I offer the report, your Honor, as State's exhibit number 18.
THE COURT: Without objection, State's 18 is admitted.
(Latent print report of Sharon Talmadge received into evidence as State's Exhibit No. 18.)
BY MS. MURPHY:
Q. And what were you conclusions, Ms. Talmadge, with respect to that property number?
A. A partial print that was developed on the back cover of a map book marked exhibit 1-I under property number 99008998 was identified as an impression of the left palm of Adnan Syed.
Q. I'll show you now what's been admitted as State's exhibit 17 into evidence and ask you if you recognize this item.
(Map book received into evidence as State's Exhibit No. 17.)
A. Yes. This is the map book that was marked as exhibit 1 under case number 885801, property number 99008998.
Q. Can you please state for the ladies and gentlemen of the jury, what were your conclusions with respect to this item?
A. Several partial prints were developed in the map book -- in and on the map book, and a partial print that was developed on the back cover was identified as the left palm of Adnan Syed.
Q. And again, were those prints under that property number compared with any others?
A. Remaining prints were compared to the prints of Jay Wilds with negative

results.
Q. And finally, Ms. Talmadge, did you also receive property under property number 99009000?
A. Yes, I did.
MS. MURPHY: May I approach, your Honor?
Q. I'll show you what's been marked as State's exhibit 23 for identification. Can you identify this item?
A. This is also a report form the latent print unit in reference to evidence from the back seat of the 98 Nissan under property number 99009000.
Q. Does this report accurately state your results?
A. Yes.
MS. MURPHY: Your Honor, I offer to the court State's exhibit 23.
THE COURT: Okay. Twenty-three is admitted.
(Latent print report received into evidence as State's Exhibit No. 23.)
Q. Ms. Talmadge, I'll show you what's part of property that has been admitted as State's exhibit 22 in this case. Can you identify this item?
(Floral paper received into evidence as State's Exhibit No. 22.)
A. Yes. This is the floral paper that was recovered from the back seat of the 98 Nissan and it's marked exhibit one, the case number -- a property number of 99009000.
Q. Thank you. And what are your conclusions regarding this item?
A. Partial right prints that were developed on this floral paper were identified as impressions of the left index finger, the left thumb, and the left palm of Adnan Syed.
Q. And were those prints compared with any others?
A. They were compared with Jay Wilds with negative results.
Q. Now the items that you have just identified as being -- showing positive

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prints for the Defendant, those are not the only prints that were developed. Is that correct?
A. That's correct.
Q. What efforts did you make with respect to the other developed prints to identify where those prints came from?
A. Well as I said, any remaining print that might have been on any of those items along with prints that Mr. Sanders might have recovered from the crime scene were then entered into our - - into our automated print identification system, and searched against the data base, and it's a total of 16 prints that were entered into the computer system with negative results.
Q. Thank you, Ms. Talmadge.
MS. MURPHY: I have no other questions, your Honor.
THE COURT: Cross?
MS. GUTIERREZ: Yes. May I approach the witness, your Honor?
THE COURT: You. You may.

CROSS EXAMINATION
BY MS. GUTIERREZ:

Q. You. You were asked - - I think it's State's exhibit 23 - - floral paper. Ms Talmadge. This floral paper describes an outer wrapping, does it not?
A. Yes.
Q. And there is inside a sort of waxy tissue paper?
A. On the tissue paper, if we were to spray that with a chemical the green that's on there would run all over everything.
Q. So you didn't?
A. No.

Q. I just wanted to make sure. From the way you described it, this floral paper that's on the outside and it's green tissue on the inside.
A. That's correct.
Q. And inside the green tissue paper is an impression of the tree, the thorns, or some kind of once living - -
A. I did not process that.
Q. You. You didn't process that?
A. No.
Q. But that's inside here, is it not?
A. Yes.
Q. And what appear to be fragments of leaves?
A. That's correct. I did not process that.
Q. Okay. Now you don't know what was inside here, do you?
A. No, I do not.
Q. You. You don't, in fact, know whether anything was ever inside of here?
A. No, I don't.
Q. And you don't know where it was in the car?
A. Only from the report that it was in the back seat.
Q. In the back seat of the car?
A. Yes.
Q. You. You got a description of that which is submitted to you to see if in fact, it's a surface from which you can lift fingerprints. Is that correct?
A. That is correct.
Q. Because Ms. Talmadge, as you told us, there are variations on the surface of materials that retain fingerprints, are there not?

A. That's correct.
Q. And those variations would account for different chemicals that you might use to see if, in fact, you can recover latent prints that you - - to recover prints that you might be able to then compare to something else, correct?
A. That's correct.
Q. Okay. And there are - - depending upon the surface, they may or may not pick up fingerprints of a person who's prints or palm touched that surface. Isn't that correct?
A. That's correct.
Q. Because there are variations of the angle that somebody might hit, even a flat non-course surface like paper. Is that correct?
A. That's correct.
Q. Even a flat non-course surface like flat metal that has no coarseness to absorb oils and perspiration. Is that correct?
A. That's correct.
Q. Or even if it's a service like glass, correct?
A. Correct.
Q. The more non-course a surface, the longer that it is likely a print can remain there, is it not?
A. Actually, on a non-course surface - -
Q. Right. That's what I meant.
A. - - it's less likely to remain.
Q. Less likely to remain. Because it's non-course, there's not place for it to go - - the oils and the perspirations, correct?
A. That's correct.

Q. Okay. And also because a non-course flat service, like glass, can be easily wiped off. Is that correct?
A. That's correct.
Q. Where as a course surface can absorb the oils and the perspirations contained in human skin, particularly at the extremities, for a much longer period of time. Can they not?
A. That's correct.
Q. In fact, the term that you used - - latent - - signifies that they are fingerprints that would not be visible to the naked eye - - even a trained one, correct?
A. That is correct.
Q. Even you - - a trained fingerprint examiner - - would not ordinarily see all the fingerprints available to the naked eye, correct?
A. Not unit it's processed.
Q. Okay. And it's generally processed depending on the surface with some type of chemical of some sort, is it not?
A. That's correct.
Q. And that chemical highlights the fingerprints. Is that correct?
A. (Indiscernible) reaction to the latent print residue and makes the print visible
Q. Okay. And then you lift it off with this tape so that you can then compare it first by the naked eye, correct?
A. Well on coarse services such as paper, we actually have to have it photographed.
Q. Photographed. But because of the contrast, you can then see the ridge detail that gives you something to compare something with. Is that correct?
A. That is correct.

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Q. Now you told us at the end of your direct, Ms. Talmadge, that you submitted 16 other found latent prints to be processed through a computer. Is that correct?
A. That's correct.
Q. Okay. Now that means that other than the three you have told us about -- if that's a correct summarization of three -- ones on the floral paper, correct?
A. Floral paper.
Q. Okay. And the ones on the note and the envelope, correct?
A. The card and the envelope.
Q. And the ones on the map book, correct?
A. Correct.
Q. And when you say the map book, you are referring to this whole item in my hand that has been marked as State's exhibit 17, are you not?
A. I processed about 40 pages of it.
Q. Okay. And you were looking for latent prints, were you not?
A. Yes.
Q. You didn't pre-determine where you would look, did you?
A. Well I determined what areas I was going to process within the book.
Q. Okay. But I'm saying you didn't pre-determine before you picked the book that you're going to pick page one, two, or whatever, did you?
A. No.
Q. Okay. You were randomly looking for something that your experience told you was the best shot to retrieve latent fingerprints from an object such as this. Is that correct?
A. That's correct.
Q. And the fingerprint that you've identified you've recovered is actually on the

cover of the book, is it not?
A. The back cover.
Q. The back cover. The one that's sort of torn off?
A. Yes.
Q. And you, of course, don't know how it got torn off, do you?
A. It was torn off by our photographer so that he could better photograph the print that was on there.
Q. Okay. So when you got this book, the back cover was as intact as the front cover is, isn't it?
A. That's correct.
Q. Okay. And it was torn off of the binding in order to assist you and your photographer in the process. Is that correct?
A. That's correct.
Q. And the fingerprint was found somewhere on the back cover. Is that correct?
A. It was actually found on - - right under that exhibit tab.
Q. Right up here?
A. (Shakes head yes.)
Q. Right where my finger is? Right up there. And that was the fingerprint that you identified as being compared to the prints of Adnan Syed. Is that correct?
A. It was a palm print, yes.
Q. A palm print. Okay. And other than this map book, you were submitted pages separately from this map book, were you not?
A. I believe it was one page that was separate.
Q. Okay. May I ask - -

MS. GUTIERREZ: May I approach the witness, your Honor?
Q. May I ask you to look at what's been marked as State's exhibit 15 now, Ms. Talmadge? If you could take a look at that. Can you tell us if that's the page that was submitted to you?
A. Yes, it was submitted.
Q. Okay. And it's because it has some identification on it that you may (indiscernible) it?
A. I can actually see the remainder of the residue from the chemical that we used.
Q. And from this page, you picked up no known latent print that you were able to compare with the print that was submitted to you of my client, Adnan Syed?
A. That's correct.
Q. That's correct. Meaning that there was not anything that could be compared to and as identified as his print, could there?
A. That's correct.
Q. Okay. Now as to fingerprinting, the palm print that you've identified as being on the back once intact cover where the seam is, you can't - - although you can identify it as belonging to the prints that were submitted to you as belonging to Adnan you of course - - even in your expertise - - can't tell us when that palm print was put there, can you?
A. Scientifically I cannot tell you when the palm print was on the map book.
Q. And you wouldn't attempt to do so, would you?
A. No.
Q. Because that's outside of your expertise, is it not?
A. That's correct.

Q. In your expertise, however, you are aware that fingerprints can be put on surfaces - - course and non-course alike - - and remain there almost indefinitely, are you not?
A. Yes.
Q. Unless they are inadvertently wiped away?
A. Under ideal circumstances.
Q. Okay. Meaning, under ideal circumstances, if a palm print is deposited on some surface like this glossy back cover of the Greater Baltimore map and it was not disturbed, it might remain there forever, could it not?
A. That's correct.
Q. And this is a particularly good surface for it to remain on, is it not? Well let me ask another way. I don't mean to botch you.
A. I don't even know if I can answer that question.
Q. That's fine. I'll ask you another question. There's nothing about this surface that indicates to you that it's not a good surface on which fingerprints are made?
A. No.
Q. Most surfaces - - any of us human being who have fingerprints, which is most of us, when we touch things ordinarily we leave fingerprints, correct?
A. You leave finger marks. It has to be determined if they are suitable or not suitable for comparison.
Q. Meaning they might be there but there's no way to correctly retrieve them?
A. Or identify them.
Q. Or identify them as being whoever the person was. Is that correct?
A. That's correct.
Q. That's your expertise, correct?

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A. Yes.
Q. Okay. Now you were asked to review in this case more than those three items, were you not?
A. Yes, I was.
Q. The 16 items that you submitted for the computer, you did not get just from those three items, did you -- the note and it's envelope, the floral paper, or the map book?
A. There were several -- as I said -- several prints from the map book and (indiscernible) exhibits a through i.
Q. And did you ever identify who was the person, by their fingerprints or their palm, that deposited the other fingerprints that were left on the map book?
A. No, I did not.
Q. And you, of course -- because it's outside of your expertise -- can't assist us in determining when any of those several fingerprints that you were able to lift from the surfact of the map book were put there, can you?
A. No, I cannot.
Q. You can't tell that any more than you can tell when the palm print that you saw and identified on the back cover of that map book was put there?
A. No, I cannot.
Q. You can't tell if this one came before the other, correct?
A. That's correct.
Q. Or at the same time?
A. That's correct.
Q. Or under what circumstances?
A. That's correct.
Q. You can't even tell us, for instance, if my client, Adnan Syed, was the owner

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of that map book, can you?
A. No, I cannot.
Q. Or how it got to the place from where it was recovered that led to it being submitted to you to be analyzed. You can't tell us that, can you?
A. No, I cannot.
Q. You couldn't tell us, for instance, if it was his book in his car and moved more than a year before it ever got to you into somebody else's car from whence it was recovered. You can't tell us that, can you?
A. No, I cannot.
Q. Okay. Now other than the fingerprints in addition to the three that we've discussed -- the paper, the note, and the map book -- that you recovered on the map book itself, you also recovered some of those fingerprints that you submitted to the computer data bank from other surfaces, did you not?
A. That's correct.
Q. And what were some of those other surfaces?
A. A property assessment, a Discover card envelope, a -- an envelope that was addressed to Kim, I think it's Yaun. There were several prints on that.
Q. Do you know or were you given the exact location of any of those items --
A. These were - -
Q. -- that you were asked to attempt to locate fingerprints from?
A. These papers were from the glove box of a 98 Nissan.
Q. Nissan. And you, of course, didn't see the Nissan, did you?
A. No, I did not.
Q. And that would not have been out of the ordinary, would it have been?
A. No.

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Q. Ordinarily you're asked to compare latent prints with known prints or latent prints with a computer based on someone else's submitting it and asking you to do so, isn't that correct?
A. That's correct.
Q. You don't ordinarily retrieve or identify evidence from wherever it comes do you?
A. I only process what is submitted to me.
Q. Submitted to you. You don't pick and choose what the evidence is, correct?
A. That's correct.
Q. You only look at what's submitted to you. Is that correct?
A. That's correct.
Q. Okay. And what other -- other than knowing that they were inside the Nissan -- what other information were you given? Were you given, for instance, every single item that was discovered to be inside the Nissan at the same time that any of that evidence was collected? Do you know?
A. I would've received everything that was collected by the technician from the glove box, the trunk, the - -
Q. So that's means whatever that technician -- and by technician -- let me clarify - - are you referring to a mobile crime lab technician?
A. That's correct.
Q. Okay. So everything that that technician identified, marked, and then bagged to be submitted to you?
A. That's correct.
Q. But it's not the technician that fills out the requisition form that is a request - - a formal request to you as an expert to take that evidence and try to see if you can get

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prints from it, is it?
A. No, it isn't.
Q. You receive that request, ordinarily, from a police detective. Is that correct?
A. That's correct.
Q. Or a police officer. Is that correct?
A. That's correct.
Q. In this case, you received a request to retrieve latents and/or compare with other latent prints or known prints -- ink or otherwise -- from a detective in this case, did you not?
A. That's correct.
Q. And who asked you to do such a comparison?
A. Detective MacGilivary.
Q. Detective MacGilivary. And did you -- on the request itself it indicates you should compare any latent prints that you can observe to the prints of two separate suspects. Isn't that correct?
A. Two separate people, yes.
Q. Okay. And, in fact, those people are marked as suspects right on your requisition form, are they not?
A. They're listed in that section of the request form, yes.
Q. Okay. And that section of the request form has it as an identification of any suspects, does it not?
A. It says section one request form comparison and then in parenthesis it has enter suspects/Defendants underneath the (indiscernible) numbers.
Q. Okay. And there are suspects/Defendants entered in that specific space, is there not?

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A. There are two names, yes.
Q. And one is Adnan Syed?
A. Correct.
Q. And one is Jay Wilds. Is that correct?
A. That is correct.
Q. And the date of the request submitted to you is dated? For you to do such analysis.
A. March 24th.
Q. Now in regard -- you were talking about the difficulty in obtaining a good set of fingerprints on the victim's body -- Hae Lee's. I think that was February the 10th of 1999, correct?
A. Around February the 10th, yes.
Q. Okay. And as you said, it was normal that you be called in last if you're going to do something like fingerprints to a body, correct?
A. That's correct.
Q. And that's because the medical examiner wanted to have first go to do things, for instance, on the hands like clip the nails, correct?
A. That's correct.
Q. Okay. And touching somebody's fingerprints -- dead or alive -- touching their fingertips does not remove their fingerprint, does it?
A. Under normal circumstances, no, it does not.
Q. Okay. But under these circumstances, it was clear that this body had been dead for quite awhile, was it not?
A. That's correct.
Q. It was clear even to you -- a non-medical personnel -- was it not?

A. Yes.
Q. That there was a great deal of decomposition to the body?
A. On the hands, yes.
Q. Particularly on the hands -- on the extremities, correct?
A. That's correct.
Q. Okay. But you were able to obtain a good set of prints from which -- that you ultimately were able to -- with another set of fingerprints submitted to you -- make a positive identification, were you not?
A. That's correct.
Q. Okay. And you said one of the reasons is the clipping of fingernails. Do you recall whether or not the fingernails of Hae Min Lee's body were clipped --
MS. MURPHY: Objection.
Q. -- before --
THE COURT: Overruled.
Q. -- you got there?
A. I really don't recall but I do have a Polaroid photograph that I took.
Q. May I see that? If you could look at it for a minute. Can you tell whether or not her fingernails were clipped?
A. It appears that they were clipped.
Q. Okay. And there wasn't anything unusual about that to you, was there?
A. No.
Q. Okay. All three fingers -- all three Polaroids are all of portions of her body. Are they -- those two are clearly fingers. Can you tell that?
A. That's the palm.
Q. That's the palm of her hand. And these are all taken by you or your

photographer on the same day that you actually obtained her fingerprints. Is that correct?
A. That's correct.
MS. GUTIERREZ: We would like to have these marked as defense exhibit one.
Q. Ms. Talmadge, I'm going to show you again what's now been marked as defense exhibit A, B, and C. On A and B, they clearly show the digits of the fingers of Ms. Lee, do they not?
A. Yes, and a portion of the palm.
Q. And a portion of the palm. Just referring your eye to the digits, it is clear from looking at the fingernail beds that, in fact, the tip of them have been clipped, is it not?
A. It does appear that way.
Q. It does appear to be. Is that correct?
A. Yes.
Q. And though you do not recall, that is not out of the ordinary in this case, is that correct?
A. No.
Q. Because that would have been one of the reasons you had to wait until the very end before you were allowed to touch this young girl's body, correct?
A. That's correct.
Q. When you used the terminology, Ms. Talmadge, you said you compared the fingerprints that you retrieved -- the latent fingerprints that you were able to retrieve from various evidence, and you ultimately compared them also with the prints of Jay Wilds. Do you recall that?
A. Yes.
Q. And in answer to each question, you used the language that "the remaining

were compared with negative results." Do you recall that?
A. Yes.
Q. By that you meant to tell us that you couldn't find a match between what you saw in the latent fingerprints recovered from the evidence and the ink blots of Jay Wilds' fingers and palms. Is that correct?
A. That's correct.
Q. Okay. It just meant that you could not compare those two things. Is that correct?
A. I did compare them and they were negative.
Q. Okay. By negative though, you mean you're comparing what you recovered from the evidence, correct?
A. Yes.
Q. And his actual prints as taken by someone. Is that correct?
A. That's correct.
Q. Okay. And submitted to you on a card where you could identify each finger. Is that correct?
A. That's correct.
Q. Okay. But again, you were not submitted all of the evidence that was collected from that car, correct?
A. I was only submitted the evidence that --
Q. The technician got, correct?
A. Correct.
Q. And the technician thought -- to your knowledge -- what the technician chose to collect or the what the detectives chose to collect?
A. What they perceived as evidence.

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Q. Okay. Other than the request that you got that's dated on March the 10th, did you receive any other request for comparison for any other evidence? As to either any other evidence or as to any other suspect?

A. I received two other requests. I did process a pair of shoes from the back seat of the 98 Nissan.

Q. That's the same car that we've been talking about, correct?

A. That's correct.

Q. The same car from which all this other evidence was taken, correct?

A. That's correct.

Q. Okay. And to do what with those shoes?

A. Process them for latent prints.

Q. Okay. The shoes themselves. Is that correct?

A. Yes.

Q. One of those pairs of those shoes, was a pair of women's dress shoes?

A. As I recall they were, yes.

Q. Okay. And the other pair of shoes was a pair of sneakers?

A. I really don't recall the sneakers.

Q. Okay. But in any event, another pair of shoes, correct?

A. Yes.

Q. To compare -- look on the surface or the sole of those shoes to see if you could recover any latent prints. Is that correct?

A. That's correct.

Q. And that was subsequent to the March 10th request?

A. March 24th.

Q. Okay. And as a result of that request, did you find any matches or

comparisons?

A. We processed them with negative results

Q. Negative results meaning you couldn't find anything with which to compare. Is that correct?

A. That's correct.

Q. And at that point, you had the fingerprints and palm prints of Adnan Syed. Is that correct?

A. That's correct.

Q. And the fingerprints and palm prints of Jay Wilds?

A. That's correct.

Q. Did there come a time when the fingerprints and the palm prints of a person by the name of [redacted] were submitted to you?

A. No, they were not. "Mr. S" referred to here

Q. Have you ever heard that name in connection with your work on this case -- on any part of it?

A. No, I have not.

Q. And did you, Ms. Talmadge, put any restrictions on the police department as to how many names -- of how many suspects they could submit evidence against which you were to compare any evidence that you could recover?

A. No.

Q. If they had submitted to you a list of 10 names would you have conducted the very same thorough analysis that you did as you've described to us today?

A. Yes.

Q. If they had submitted 20 names, would you have done the same thing?

A. Yes.

Q. Okay. And nothing else was ever submitted to you Ms Talmadge let me ask -- if there were a person who was in and out of that car -- let's say the owner of the car were in and out of that car on a daily or almost daily basis, would you expect to find their fingerprints inside of the car?

A. It would be possible.

Q. It would be possible. And it would be possible, in fact that even if the car had been washed on a regular basis, would it have not?

A. It would depend upon what was processed on the inside -- what was recovered from the inside.

Q. And what the surface of was -- materials on the inside of the car would it not?

A. That's correct.

Q. If there were a family member of the owner of the car who regularly drove the car or was in and out of the car, it would also be possible to retrieve that person's fingerprints from inside surfaces of the car Would that not be correct?

A. That's correct.

Q. And from items inside the car. Is that correct?

A. That's correct.

Q. And you would be able to retrieve those kind of fingerprints, notwithstanding your other lack of knowledge as to when and under what circumstances that person had been in the car, correct?

A. That correct.

Q. And so if there were a rider of that car, you would expect to find their fingerprints, correct?

A. Correct.

Q. And there was nothing about any of the material submitted to you, other than what you've read off, that identified the things in the car as belonging to any given person. Did they?

A. No, they were not identified as being to a particular person, just from the particular vehicle.

MR. GUTIERREZ: Thank you, Ms. Talmadge. I have nothing further.

THE COURT: Any redirect?

MS. MURPHY: Just briefly, your Honor.

REDIRECT EXAMINATION

BY MS. MURPHY:

Q. Ms Talmadge, the request that you've testified about came through the Baltimore City Police Department. Is that correct?

A. You mean for the request for comparison?

Q. Yes.

A. Yes.

Q. Is the police department the only source for a request? In other words, are the detectives the only people that can ask you to make a comparison of evidence and fingerprints?

A. No, they are not.

Q. Who can make requests?

MS. GUTIERREZ: Objection.

THE COURT: Overruled.

A. Basically, anyone that has a knowledge of how the system works can ask us to compare the prints of someone to prints recovered from a crime scenes and, if at all possible, we will honor their request.

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Q. What do they have to do to make a request?
A. Basically, they have to know certain information like who the person is, and are we going to use prints that were obtained for elimination purposes, or does that person have record so that we have a record on file, and then what particular case number that they want the prints checked against.
Q. And they would just put this in writing?
A. We prefer they put it in writing, yes, so that we have a record of - - evidencing that we process.
Q. If you received such a request from anyone, you would conduct the same analysis that you've described here today?
A. It would be within reason of who everyone would be, but anyone that (indiscernible) we would try to the comparison
Q. And if I understand the cross examination, your testimony is that you received no other names - - no other requests than the ones you've described here today?
A. That's correct.
Q. Also on cross examination, you were shown State's exhibit 16 - - the page from the map?
A. Yes.
Q. So that I understand your responses to those questions, were there any suitable prints developed from this page?
A. No, there was not.
Q. So if I understand your testimony, even if this page was handled, there were no suitable prints developed?
A. That's correct.
Q. Ms. Talmadge - - to be clear - - you didn't find a match between the prints

that were developed on the items you've identified and any person other than the Defendant, Adnan Syed.

MS. MURPHY: Thank you. No other questions, your Honor.
THE COURT: Recross?

RECROSS EXAMINATION
BY MS. GUTIERREZ:

Q. Ms. Talmadge, the only other person whose prints you were asked to examine was Jay Wilds. Is that correct?
A. That's correct.
Q. So you didn't attempt to find anyone else's on anything except for Adnan Syed and Jay Wilds. Is that correct?
A. And the computer search.
Q. And the computer search. Is that correct?
A. That's correct.
Q. Okay. And that's done to just compare the prints that you get with what's in the computer bank. Is that correct?
A. That's correct.
Q. And you got no positive information. Is that correct?
A. That's correct.
Q. There weren't any other suspects submitted to you. Is that correct?
A. That's correct.
Q. By any name. Is that correct?
A. That's correct.
Q. Not just the name of [redacted] - - that wasn't submitted to you, correct?

Again, Mr. S referred to here

A. Correct.
Q. Donald Cliendienst wasn't submitted to you, was he?
A. No.
Q. Any other name of any other student who was student a student at Woodlawn wasn't submitted to you, was it?
A. No, they were not.
Q. No other name was submitted to you?
A. That's correct.

MS. GUTIERREZ: Thank you.
THE COURT: Very good. May the witness be excused?
MS. MURPHY: Yes, your Honor.
THE COURT: Thank you, Ms. Talmadge. You are free to go. Ladies and gentlemen, we're going to take our afternoon break now. Please return to the jury room. We will call on you by 10 minutes after 4. Thank you.

(Jury was excused from courtroom 15:50)
THE COURT: Counsel, please be in place at 10 minutes after 4
(Court takes a brief recess 15:51 - 16:09)
THE COURT: Counsel, are you ready for the jury?
MR. URICK: Yes, your Honor.
MS. GUTIERREZ: Yes, your Honor.
(Jury enters courtroom 16:10)
MR. URICK: With the court's permission, I'll get the next witness at this time.
THE COURT: Please come up to the witness stand.
MR. URICK: At this time, the State will call Krista [redacted] to the stand

KRISTA [redacted]

a witness produced on call by the Plaintiff., having been duly sworn according to law, was examined and testified as follows:

CLERK: State your name and address for the record.
MS. MEYERS: Krista [redacted], Maryland 21033.

DIRECT EXAMINATION
BY MR. URICK:

Q. Good afternoon, Ms. [redacted]
A. Good afternoon.
Q. Do you know the Defendant in this case?
A. Yes.
Q. How do you know him?
A. A friend of mine.
Q. And when did you first become friends?
A. I've known him for four years - - since we were freshmen. We entered the (indiscernible) program at Woodlawn High School together, and I started talking to him more this year, I guess, and we became closer friends.
Q. And since the time the charges have been brought against him, have you remained in contact with him?
A. Yes, I have.
Q. Did you know Hae Min Lee?
A. Yes.
Q. I want to draw your attention back to January 13th of this year, 1999. Do you remember that day?

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A. Vaguely, yeah.
Q. At that time, were you a student?
A. Yes, at Woodlawn.
Q. And what hours would you be at Woodlawn?
A. I only went to school in the morning so be there from about 7 30 in the morning to about 10:40 in the morning and then I'd go - - from school I'd go to work.
Q. When did you get through work?
A. I'd go to work usually from 12 to 4 or 1 to 5 - - usually at 5 o'clock.
Q. Now drawing to your attention to that morning of January 13th did you see the Defendant at school?
A. Yes, he's in my first period class.
Q. And what, if anything, did he tell you that morning?
A. I recall him mentioning - - since he was on time for class that day - - that Hae was supposed to pick him - - pick up his car that afternoon from school because he didn't have it for whatever reason. Either because it was in the shop or his brother had it I'm not sure which. And that's about it.
Q. Okay. Now after work, did you receive a call from one Aisha [redacted]
A. Yes, I did.
Q. What did she inform you?
A. She informed me that Hae's mother, I believe, had called Aisha to see if - - if Hae was at her house - - which she was not - - and asked if she had known where Hae was - - and she wasn't. And as it turns out, the police had reported her missing because they couldn't find her because she didn't pick her cousin up from school. I believe it was
Q. When you got that call from Ms. [redacted] what did you do?
A. I, in turn, tried to call Adnan and left a message on his voice mail asking him

to call me, but I didn't get in contact with him until later that evening.
Q. If you'd hold on just a second, please. I'm now going to show you a copy of what's been marked for identification as State's exhibit 34, and I'll ask you to look at line number 17, and there's a telephone number in that line which is 410-922-9704. Do you recognize that number?
A. Yeah, that's my private line.
Q. When did you receive that phone?
A. It says here - -
Q. No, I mean when did you get your phone?
A. My phone line - - about November of last year.
Q. At that time, in January, did you have caller ID on your line?
A. No, I did not.
Q. Now look at the line immediately beneath that - - line 18. And as you look at 18 and 19, you'll see line 18 says number 443-253-9023. Now if you look up at the top, you'll see that that is the cellular phone number for Adnan Syed (indiscernible) and right beneath it, it says incoming call. If you go over to the time area, they both occurred 5:14:07 at they both list 107. Now that is the means that AT&T wireless uses to record someone checking their voice mail
MS. GUTIERREZ: Objection.
THE COURT: Is that a proffer or a representation?
MS. URICK: That's a proffer just to ask the question.
THE COURT: Okay. Assume it to be true for the purposes of the question. Overruled.
BY MR. URICK:
Q. Is that possible that when the Defendant is checking his voice mail at 5:14

that he's checking the message that you left?
A. It could be possible. I don't believe it is, because usually I don't arrive home from work till about 5:20 so it's not likely that I would've been home on the phone at 5:14 - - that early.
Q. If you check that entire evening, you'll see he never - - there's no other listing like that where the Defendant checks his voice mail. And now on the line that I showed you with your number - - number 17 - - you see across there, the time that call was made to your number?
A. At 5:38 and 24 seconds.
Q. Now would anyone other than yourself at your home answer that line?
A. No.
Q. Now if you across, you see the duration of that call. Do you see that duration? What was that duration?
A. Two seconds.
Q. You remember at about 5:40 that day, receiving a hang up call?
A. It could've been on my answering machine. I know that I wouldn't've gotten it if it only last two seconds. But I can't exactly remember getting a hang up call on that one day.
Q. Now if you up to lines five and six, do you recognize those numbers?
A. Yeah, there are the same numbers (Indiscernible)
Q. Do you remember what those two conversations were about?
A. That evening after I'd spoken with Arsha, when he called - - I had asked him if he went - - if Hae took him to get his car. Then he said that she had not, and then I had told him that she was reported missing, and he just said that that was very strange. I believe he told me that evening that the police had also tried to contact him as well

Q. Did he tell you which police department?
A. It would've been Baltimore County.
Q. And did he tell you what he told the Baltimore County officer?
A. No.
THE COURT: Yes?
MR. URICK: If I may have the court's indulgence for just a second.
BY MR. URICK:
Q. Now when you talked to him that night, did he tell you where he was?
A. At that time he was in his vehicle because, I believe, he had just gotten his cell phone the day before and I don't think his parents had known that he had it yet. So he didn't use it in his house but I know he used it in his car
Q. Could he make calls to you or receive calls from you in his home?
A. It may - - it maybe true. I'm not really sure. I know eventually I could call him when he was in his home and he would answer the phone, but I think at that time his parents didn't know about it and so he never brought it in
Q. That night when you talked to him, did he tell you how the police had contacted him?
A. I believe it was through his cell phone.
Q. Now did the Defendant confide in you about his relationship with Hae Lee?
A. Yes - - some what - - yes.
Q. And did he indicate or discuss any problems in that relationship with you?
A. Yeah.
Q. And what did he say to you?
A. Well I believe they had started going out in about April of last year because it was around junior prom. And in October, I became aware of some problems that they

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were having and they did break up for a short amount of time, but they got back together. Then I believe it was December 20th, I had spoken with both of them on the phone and they were having problems within their relationship and I believe that that evening they did, in fact, break up. And they were both upset about it. And basically I just listened to whatever either one of them had to say.

Q. How many times did they break up?
A. Twice.
Q. And the first time was when?
A. I believe it was right after accompanied Hae our church youth group to Hallow Scream which would've been on Halloween night and it was a short time after that.

MR. URICK: Madam clerk, can I have what's been entered into evidence as State's exhibit 37 which was the bag that was admitted this morning?
THE COURT: Mr. Urick?
MR. URICK: Just giving the defense a chance to examine, your Honor. If I may approach the witness?
THE COURT: Yes. Go forward.
MR. URICK: Ma'am, I'm now going to show you what's been marked for identification purposes as State's exhibit 38 which is now an exhibit which has already in evidence -- 37 -- which was a text book and various papers that were ceased from the Defendant's room. Now I'd like you to take a few seconds and just read through that side of the sheet, if you would?
THE COURT: Have you finished reading it?
MS. [redacted] Yes.
THE COURT: Okay.

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BY MR. URICK:
Q. Are you able to identify that handwriting?
A. Yeah, that's Hae's handwriting.
THE COURT: Say again? Can't hear you. Speak into the microphone.
MS. [redacted] It was Hae Lee's handwriting.
THE COURT: Hae Lee's handwriting?
MS. [redacted] Yes.
BY MR. URICK:
Q. And that's on the front side of the sheet that's got the red sticker on it. Is that correct?
A. Yes, that's correct.
Q. Now I'd like you to turn the sheet over and, for now, ignore the first line at the top. What follows looks to be like a series of notes being written back and forth between two people. Please read those through.
A. Starting with the first one?
Q. You can avoid the first line. That's a separate line. Begin with the "here's the thing." Don't read it aloud. Just read it to yourself like you did the front side. Have you had a chance to read them through?
A. Yes.
Q. Can you identify any of the handwriting on that page?
A. Not definitely. It looks like the blue ink is Adnan's handwriting.
Q. Which is his?
A. The blue ink on the paper and the pencil looks like it may have been Aisha [redacted]
Q. Indicating that there is an alternating blue ink and pencil on there and, again,

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the blue ink looks like Adnan's?
A. Yes.
MR. URICK: Move into evidence as State's exhibit 38 the letter at this time.
THE COURT: With no objection, State's 38 is admitted.
(Letter received into evidence as State's Exhibit No. 38.)
MR. URICK: I plan to publish this document but I would ask to do it with a later witness rather than this one.
THE COURT: Very good.
BY MR. URICK:
Q. Ma'am, on that side of the page, about -- I'm going to call them paragraphs -- where it -- the one that begins "maybe" -- it ends up with -- it appears to be talking about Hae -- "on Saturday, while we went to Adventure World." Was there an occasion where a group of people went to Adventure World and Hae did not go even though she was supposed to?
A. Yes.
Q. What was that occassion?
A. We went with my church youth group to Hallow Scream which was on Halloween night, and Adnan had bought he and Hae tickets. And at the last minute she backed out on him. And Aisha [redacted]d (indiscernible) also went with us
Q. And what was the date of that trip?
A. October 31st.
Q. And what other significance did it have between the Defendant and Hae Lee?
A. I'm not sure.
Q. Was that about the time of the first break up?

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A. Yes, after that.
Q. If I may have the document back at this time for -- I'll let you hold on to that (indiscernible) evidence at this time. Now the day of the crisis -- that the crisis intervention team was at Woodlawn High School -- were you among those who went to Aisha [redacted] house after school?
A. The day that we were there we -- actually, I believe there was only about three of us who went to Aisha's house directly after school.
Q. And who was that?
A. I believe it was me, Aisha and Mark (indiscernible). And the rest of the people went back to Peter [redacted] house.
Q. Did, at some point that night, did the Defendant come to Aisha [redacted] house?
A. Yeah, around five o'clock.
Q. And how did he leave on that occassion?
A. After we watched the news, he was rather upset because the story was on -- on TV and he left. He said his spiritual advisor was coming to pick him up.
MR. URICK: Witness for the defense.
THE COURT: Cross?

CROSS EXAMINATION
BY MS. GUTIERREZ:
Q. Ms. [redacted] you described yourself as a friend of Adnan Syed's?
A. Yes.
Q. Okay. And you were also a friend of Hae Lee's?
A. Yes.
Q. The person that you've identified as Aisha [redacted] was also your friend, was

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she not?
A. Yes, she was.
Q. You were all - - back in January of 1999 - - seniors, were you not?
A. Yes, we were.
Q. Okay. And in your senior year, throughout the whole year you followed the schedule - - class in the morning and then you would leave to be at work either by noon or one o'clock depending upon your schedule. Is that right?
A. Yes.
Q. And that was ordinary. It occurred every day, five days a week. Is that correct?
A. That's correct.
Q. That's why you know you weren't home and - - that call that Mr Urick asked you about. you would not have been home to have gotten the information about Hae and then to talk to Adnan.
A. It appears that there wouldn't've been enough time for that.
Q. Okay. Because to your recollection - - now the first time you were asked - - wait a minute. Let me finish asking you about Aisha Aisha was also a friend and a fellow senior together with Adnan?
A. Yes.
Q. And with Hae?
A. Yes.
Q. And Aisha's house was a place where many of you seniors who were friends with each other gathered often.
A. Yeah.
Q. Even during the school week?

A. During the school year?
Q. I said even during the school week.
A. Yeah, occasionally.
Q. Okay. And Aisha [redacted] and Hae were particularly close were they not?
A. Yeah, they were best friends.
Q. And Aisha [redacted] house was a location where Adnan and Hae would get together?
A. Yes.
Q. Okay. And everybody knew, at least from April or May up until the first break up, that Hae Lee and Adnan were girlfriend and boyfriend?
A. Yes.
Q. And pretty much exclusive to each other?
A. Yes.
Q. And they sort of acted that way, did they not?
A. That's correct.
Q. Okay. And everyone in your group knew about that?
A. Yes.
Q. Woodlawn is a particularly large high school, is it not?
A. It is.
Q. There's about 1,700 kids that go to Woodlawn?
A. Yeah.
Q. Okay. Now the classes that you were in were you in the gifted and talented program?
A. Yeah. I was in the gifted and talented, and the magnet program.
Q. And the magnet. And that meant you all had most of your classes together -

- not necessarily all, but most of them?
A. Yes.
Q. And that had been true throughout your four years at Woodlawn
A. Yes.
Q. Is that correct?
A. That's correct.
Q. Would you agree that the group as a whole - - that everybody regarded each other as friends?
A. Yes.
Q. And that that cut across racial lines?
A. Yes.
Q. And that it cut across cultural lines?
A. Yes.
Q. And it cut across religious lines?
A. Yes.
Q. You knew that Adnan Syed was a Moslem, did you not?
A. Yes, I did.
Q. You knew it prior to October of 1998. Is that correct?
A. Yes.
Q. And had you known Adnan prior to his coming to Woodlawn? Where did you go to middle school?
A. I went to Deer Park.
Q. Okay. So you didn't know him in middle school. Is that correct?
A. No.
Q. When you first met him, you knew shortly thereafter that he was a Moslem?

A. Yes.
Q. And you knew that as a Moslem, he didn't date girls?
A. Yes.
Q. And for all of his freshman year that was true, was it not?
A. To my knowledge, it was.
Q. To your knowledge. And you'd consider yourself pretty close to Adnan?
A. Yeah, I would.
Q. Would you not?
A. Yes, I would.
Q. You and he talked a lot as friends?
A. Uh-huh.
Q. And you talked about problems in life, did you not?
A. Yes, we did.
Q. And not just the fun times, but the bad times. Is that correct?
A. Yes.
Q. To your knowledge, Adnan remained a devout Moslem and did not date any girl throughout his freshman year, did he?
A. To my knowledge, no. I wasn't as close friends with him freshman year as I was senior year.
Q. In senior year. Okay. Well prior to getting to senior year, you did know him and articulated in classes with him in sophomore year, did you not?
A. Yes, I did.
Q. And in junior year, you became aware at the end of that year - - in April or May of 1998 - - that he and Hae had gotten together?
A. Yes.

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Q. You knew Hae, did you not?
A. Yes, I did.
Q. Okay. And you'd consider her a friend, would you not?
A. Yes.
Q. But prior to that time, you had not known Adnan to date anyone else?
A. Not to my knowledge.
Q. Of any race?
A. No.
Q. Of any religion?
A. Not that I know of.
Q. Okay. And Adnan was particularly forthcoming about his being a Moslem was he not?
A. He was.
Q. He was pretty outspoken about things in class, was he not?
A. Yes.
Q. And the differences of people in religion were something that he spent a lot of time thinking about, was it not?
A. Yeah, he contemplated it.
Q. He contemplated it. And he'd share his contemplations, would he not?
A. Yes, he would.
Q. Adnan seemed to be liked by both the girls and the boys in the group that sort of clustered around the magnet program.
A. Yes.
Q. Isn't that correct?
A. That's correct.

Q. And that, again, cut across racial lines?
A. Yes.
Q. And it cut across cultural lines?
A. Yes.
Q. And it cut across religious lines?
A. Yes.
Q. Is that correct?
A. Uh-huh.
Q. And when you became aware that Adnan and Hae were an item did it concern you?
A. Not particularly. I did know them as friends but not as well as I've grown to know them through the last year.
Q. Okay. And the last year you're now referring to started in the fall of 1998 through January of 1999. Is that correct?
A. Yes.
Q. The event that you are talking about related to Adventure World was an outing by your youth group related to your church. Is that correct?
A. Yes.
Q. And your church is where and what?
A. Milford Mill United Methodist Church in Pikesville, Maryland.
Q. Okay. And that was a prearranged date. Is that correct?
A. Yes.
Q. And you had asked Adnan?
A. Yes.
Q. He was going to that outing as a result of your invitation. Is that correct?

A. Correct.
Q. And you knew ahead of time that he had also invited Hae?
A. Yes.
Q. And that was okay with you, was it not?
A. Yeah, it was fine.
Q. Okay. And were there other friends that you invited to go on that outing with you?
A. Yes.
Q. And other friends had also accepted. Is that correct?
A. Correct.
Q. And that event took place on Halloween day. Is that correct?
A. Correct.
Q. Because it was related to Halloween, was it not?
A. Yes.
Q. And it was all - - the event was for all young people of your age?
A. Correct.
Q. Is that correct?
A. Yes.
Q. Okay. And Adnan and other of your friends attended, correct?
A. Correct.
Q. Now did you attend the homecoming dance at Woodlawn?
A. No, I did not.
Q. Okay. And that was your choice, correct?
A. Correct.
Q. Nobody kept you from going, did they?

A. No.
Q. You were aware that Adnan and Hae Lee had gone as a girlfriend and boyfriend - - as a date, were you not?
A. Yes, I was.
Q. Okay. And you were that Adnan and Hae Lee had attended in the spring before - - on May 5th of 1998, the junior prom together?
A. Actually, I believe that it was April 25th.
Q. April 25th. Okay. And you were aware that they attended that date - - as a date to go together?
A. Correct.
Q. And you knew that because of your capacity as being their friend?
A. Yeah.
Q. Okay. Now you were aware and you knew Hae you spoke to her outside of school, did you not?
A. Yeah, usually through Aisha.
Q. Okay. And through Aisha [redacted] because a lot of people went through Aisha, did they not?
A. Yes.
Q. She was sort of like the core of the group. Is that correct?
A. Yes.
Q. And Aisha was also friendly with Hae, correct?
A. Correct.
Q. And she was friendly with Adnan?
A. Correct.
Q. And friendly with other boys and other girls?

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A. Correct.
Q. It was a fairly large group of boys and girls, was it not?
A. Yes.
Q. Okay. And often time, girls stayed over at Aisha's, did they not?
A. Yes.
Q. Particularly on the weekends?
A. Yes.
Q. And that group of girls that would do that would include Hae?
A. Yes.
Q. And when Hae was there over the weekends, she would make arrangements to see Adnan?
A. From what I've heard, yes.
Q. Okay. And Adnan and Hae were an item - - a topic of conversation among the whole group, were they not?
A. Yeah, you could say that, I guess.
Q. Okay. And that people would speculate on how their relationship was going, would they not?
A. They would.
Q. Okay. And do you remember when the homecoming dance was - - the one that you didn't attend but that you knew Adnan and Hae attended?
A. I believe it was October 30th, the night before we went to Adventure World
Q. Okay. And were you aware of what events had transpired at the homecoming dance?
A. I believe that his - - I heard that his father - - or his parents came and took him away from the dance.

Q. From the homecoming dance?
A. Right.
Q. But you heard that from other people?
A. From Aisha.
Q. Because there was a big to-do about it?
A. Yes.
Q. It was kind of exciting? Or interesting?
A. Kind of, yeah.
Q. And all the kids talked about it?
A. Uh-huh.
Q. And you understood that shortly thereafter, either that next day - - Halloween - - or at some point, Hae and Adnan chilled their relationship?
A. Correct.
Q. Were you aware that they had chilled their relationship prior to that date?
A. Prior to the date of?
Q. Either the Halloween event that you - - and Adnan joined you and Hae did not or on the homecoming dance
A. I believe it was after we went to the Halloween Scream and the Adventure World trip.
Q. Okay. But to your knowledge the only time they cooled their relationship was then.
A. Right
Q. At the end of October?
A. Right.
Q. That they had gone non-stop from the time they became an item shortly

before the junior prom up until the Halloween event - - Adventure World.
A. Correct.
Q. That was the basis of knowledge that you knew?
A. Right.
Q. And that was the combined knowledge that you got from what you observed?
A. Yes.
Q. And your information from Adnan, your friend?
A. Uh-huh.
Q. And your information from Hae Lee?
A. Yes.
Q. And that also included information that you got from other kids. Is that correct?
A. Correct.
Q. And you became aware that after that break up, there also came a point in time where they got back together?
A. Yes.
Q. And you knew about when that occurred?
A. Yeah. It was shortly after their break up. I wouldn't say longer than a week
Q. Okay. So then to your knowledge, they were broken for about a week or less?
A. Yeah.
Q. Is that correct?
A. About - - less than two weeks.
Q. Less than two weeks. And they then, once they got back together, they were

like they were before, were they not?
A. Correct
Q. Okay. And you were aware of the reasons for the break up, were you not?
A. That both of them were having doubts.
Q. About the relationship?
A. Yeah.
Q. And that wasn't unusual for 17 year olds, was it?
A. No, not really.
Q. And they remained friends afterwards, did they not?
A. Yes, they did.
Q. Okay. And it appeared that they cared for each other a great deal?
A. Yes.
Q. And were you aware that during that time before Halloween - - or the day after or the day before - - that Adnan was, in fact, talking to other girls?
A. I wasn't particularly aware of that, no.
Q. Would you be surprised to learn that?
A. I would say no. I mean, I'm not really sure.
Q. No, based on Adnan? Or no based on other information you had?
A. Based on, I guess, his personality and his commitment to her.
Q. He was very gregarious, was he not?
A. Yes.
Q. And he was very easily liked, was he not?
A. Yes.
Q. And most of the girls considered him pretty attractive?
A. I wasn't really aware.

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Q. And pretty generous and sweet?
A. Uh-huh.
Q. Is that correct?
A. Yes.
Q. Okay. And so if there were other girls that were interested in his affections you would not be surprised as his friend?
A. No.
Q. Even knowing Hae?
A. Yes.
Q. And even knowing the intensity of their relationship?
A. Yes.
Q. Were you aware of whether or not before Halloween, October 30th or the day after Halloween of whether or not your friend, Hae, was speaking to or going out with other boys?
A. I wasn't aware of that.
Q. Would you expect to be aware of that?
A. Not really. Anything's possible. I couldn't say for sure.
Q. Well I'm saying because of your relationship with Hae if she were in fact seeing someone else at the time that she saw Adnan, would you expect to have known about it?
A. At that point in time - - no, I wouldn't've.
Q. No. Based on the nature of your relationship with her, is that correct?
A. Yes.
Q. So you - - but the information wouldn't necessarily surprise you?
A. No.

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Q. You discussed with Mr. Urick the date of January 13th. Do you recall that day?
A. Yes.
Q. And that date was, again, the same as all other days. You would've left school before noon, generally, correct?
A. Correct?
Q. Would you go home before you would go to work?
A. On most days, yes. I did go home or I'd go out to lunch with somebody
Q. And then go to work?
A. Right.
Q. And you were a person who was punctual in your work, were you not?
A. Yes.
Q. Sort of like an internship?
A. Yes.
Q. Okay. But you worked five days a week, did you not?
A. Right.
Q. And you were expected to be on time whatever time you were supposed to be there. Is that correct?
A. Correct.
Q. And you generally were on time, were you not?
A. Correct.
Q. Then you worked to a set time every afternoon?
A. Yes.
Q. So on the 13th, the latest you would've been at the school would have been like 11:30ish?

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A. Well my last class was at 10:40, so I'd leave right after that class.
Q. So you don't hang around for any reason?
A. No, because everyone else is in class at that time.
Q. Okay. And therefore there wouldn't be anybody around to hang around with, correct?
A. No.
Q. So you would then leave home. Is that correct?
A. Yes.
Q. I mean, leave for home.
A. Yes.
Q. And after you left, you didn't return to school for any reason, did you?
A. No.
Q. You didn't participate in athletics?
A. No.
Q. Though you knew most of your friends did?
A. Yes.
Q. You knew Adnan did, did you not?
A. Yes.
Q. You knew that he participated in indoor track?
A. Yes.
Q. And you knew that he participated in the football season. Is that correct?
A. Yes.
Q. You knew Hae participated in field hockey?
A. Uh-huh.
Q. And in girls' lacrosse?

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A. Yes.
Q. And it was your choice to not participate in those things?
A. Correct.
Q. You were aware that students who did had to participate in them after school ended for the day, meaning after 2:15.
A. Right
Q. Is that correct?
A. Correct.
Q. But so you never saw any of them participating in any of those events?
A. Not unless I was scheduled to go to game
Q. Okay. But that would take special arrangements?
A. Right.
Q. Or the game would have to be outside of your work schedule, correct?
A. Correct.
Q. And sometimes that happened?
A. Uh-huh.
Q. And sometimes you went to those games, correct?
A. Correct.
Q. Okay. Now on the 13th, you got a call from Aisha.
A. Yes.
Q. Is that right?
A. Yes.
Q. On your own line?
A. Yes.
Q. And that's a line - - was that in your bedroom?

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A. Yes.
Q. Okay. And normally nobody else in your family would answer that would they?
A. No.
Q. That was for you. Is that correct?
A. Yes.
Q. And it has a voice mail on it?
A. My phone has an answering machine on it.
Q. So that someone who's calling, if you're not there, can leave a message is that correct?
A. Correct.
Q. And you can retrieve them?
A. Yes.
Q. And that message system was operational back on January 13, 1999, was it not?
A. Yes.
Q. Okay. And your recollection then -- when was the first time that you were asked to recall these events of January 13th and before?
A. When I was questioned by the police on March 1st.
Q. On March 1st. So March 1st was the first time that you were asked to recall all of these events. Is that correct?
A. Correct.
Q. That was after Adnan Syed was arrested, was it not?
A. Yes.
Q. He was arrested on February the 28th. Is that correct?

A. Correct.
Q. So the first time you were asked to recall anything that occurred on the 13th of January was on March 1st when the police asked you. Is that correct?
A. Correct.
Q. Okay. Now on the date, did you speak to a detective?
A. On?
Q. On March the 1st.
A. Yes, I did.
Q. Okay. And was your statement recorded?
A. No.
Q. Was it written down in any way?
A. They took notes while they questioned me about the letter.
Q. Okay. And they questioned you exactly about what Mr. Urick asked you about, did they not?
A. Correct.
Q. Okay. Your phone number appearing on Adnan's cell phone?
A. Yes.
Q. And you gave them essentially the same answers?
A. Yes.
Q. But between January the 13th and March 1st nobody asked you about these events, did they?
A. No.
Q. No. Okay. Now you understand that generally you stayed at work till five o'clock or so?
A. Yes.

Q. Although there were some days that you worked earlier?
A. That would be on Tuesdays.
Q. Just on Tuesdays. And January the 13th was not a Tuesday -- it was a Wednesday, was it not?
A. Yes, it was.
Q. You know that now, correct?
A. Yeah.
Q. Because that's been brought out to your attention, correct?
A. Correct.
Q. You didn't independently remember that it was a Wednesday though, did you?
A. Well I would've only because my birthday was on that Friday which is the 15th.
Q. Okay.
A. So I would have been able to recall it.
Q. And that's because there was that specific reason. Is that correct?
A. Yes.
Q. Okay. And your recollection is that, on a Wednesday, you would have not gotten home before 20 after 5 at the earliest?
A. Well it's usually around 5:15 or, if I -- I go to the bank for my boss sometimes, which puts me in around 5:30.
Q. Okay. So but then normally then your arrival time would be some where between 5:15 and 5:30?
A. Correct.
Q. And it's your recollection, not that Aisha Pittman called you the minute you

walked in.
A. No.
Q. That is was much later?
A. Yes, any time after 5:30.
Q. Okay. But you have no recollection of when that call took place?
A. No.
Q. And when she called you, you had no idea where Hae was?
A. No.
Q. You had not seen Hae since before 10:40 in the morning?
A. Correct.
Q. And there was nothing unusual about that.
A. No.
Q. Is that correct?
A. Correct.
Q. And was Aisha asking you to spread the word?
A. No, not particularly. She just wanted to know if I would've known where she was.
Q. Where she was. Okay. Aisha [redacted] your friend, knew that you worked every day, did she not?
A. She knew.
Q. And knew that you left school at 10:40, did she not?
A. Yes.
Q. And knew that you didn't come home till 5:15 or 5:30?
A. Yes.
Q. Okay. And that that was your every day routine during the five days of the

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regular work week. Is that right?
A. Correct.
Q. And she asked you to do nothing. Is that correct?
A. Correct.
Q. And based on the fact that you didn't get any request, you didn't go around calling everybody, did you?
A. No.
Q. But Hae's not being able to be located was of concern to you as a friend, was it not?
A. Correct.
Q. And you, of course, had no idea of anything that might of led to her disappearance?
A. Correct.
Q. You hadn't noticed or heard anything from her or from any other source that had made you believe that Hae Lee's life was in danger?
A. No.
Q. Or that there was something else going on with her life?
A. No.
Q. At the time, on January 13th, you knew that Adnan and Hae were no longer an item - - a couple, did you not?
A. Correct.
Q. You knew that from Hae, correct?
A. Yes.
Q. And you knew it from Adnan, correct?
A. Correct.

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Q. And you were still friends with both of them, were you not?
A. I was.
Q. And from your observation they were both still friends with each other, were they not?
A. Yes, they were.
Q. Because you still observed them every day in the morning hours from the time you got to school.
A. Correct.
Q. Did you not?
A. Yes.
Q. And there was never an opportunity that you observed that the two of them didn't speak to each other, was there?
A. No.
Q. They still appeared to be close?
A. Yes.
Q. And they still appeared to be caring people about each other. Is that correct?
A. Yes.
Q. Okay. Now you were asked, Ms. Meyers - - if I may - - Ms. Meyers, do you know - - you said - - you identified this as Hae Lee's writing?
A. Correct.
Q. It appears to be her signature, doesn't it?
A. Yes.
Q. And is it because you recognize her writing or because you recognize her signature?
A. Well it's a combination of the two. She has a very distinctive handwriting - -

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different from everyone else.
Q. Now on the front side, the side where the State's exhibit's red sign is, is there indication as to who this note or letter is addressed to?
A. No.
Q. Can you tell from the body of the letter to whom it's addressed to?
A. Yes.
Q. Okay. And it seems to be addressed to Adnan, does it not?
A. Correct.
Q. Because it discusses their relationship, does it not?
A. Yes.
Q. Okay. And did you have any idea of how the writing got on the back?
A. No.
Q. Do you recognize like Aisha [redacted] handwriting?
A. Yes, the pencil.
Q. The pencil. And the pencil, you - - it appears to be appears that two people are talking to each other, each using different - - one's using a pencil, one's using a pen
A. Yes.
Q. And it appears that those are two separate people, are they not?
A. Correct.
Q. Okay. And the person in pencil is asking the person who responds something about whether or not Hae Lee is pregnant.
A. Yes.
Q. Does that not appear to be?
A. It does.
Q. And the person who's writing in pencil who you've identified (indiscernible)

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it may be Adnan, right?
A. In pen.
Q. In pen?
A. Yes.
Q. In the blue ink, right?
A. Right.
Q. That person in the blue ink first asked the person in pencil to have her - - relating to Hae - - make a list of all her symptoms and compare it with the list on the overhead, did they not?
A. They did.
Q. Okay. And that's the writing that you're identify as you think it's Adnan's, correct?
A. Yes.
Q. When were you first asked to identify that?
A. In this courtroom.
Q. In this courtroom today?
A. Right.
Q. Okay. In December of 1999?
A. Yes.
Q. Have you ever been asked to identify Adnan's writing on any other occasion?
A. No.
Q. And were you ever asked to identify this at the time that spoke to the detective back on March the 1st of 1999?
A. No.
Q. And were you ever asked to identify any piece of known writing - - meaning

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writing known to have been written by Adnan, your friend?
A. No.
Q. Would you have done so if you had been asked?
A. Yes.
Q. Just like you were asked in this courtroom. Is that correct?
A. Yes.
Q. You answered Mr. Urick's questions about you were sure that you received the call - - when you left the message to Adnan, after speaking to Aisha, was on his cell phone. Is that correct?
A. Uh-huh.
Q. Okay. And you were aware that he had a cell phone because he had recently gotten it, were you not?
A. Yes.
Q. Okay. And Mr. Urick asked you a series of questions about had you ever called at his home. You had called at his home, had you not?
A. To his parents line, no, I never - - to this day - - have called that line.
Q. And prior to his getting a cell phone, did you call ever at his?
A. No. The only time I would contact him was through his pager.
Q. Okay. He had a pager, did he not?
A. Yes.
Q. And you could reach him and then he would call back, correct?
A. Yes.
Q. And that was always an okay way to get in touch with him was it not?
A. Yes.
Q. As far as you were concerned?

A. Uh-huh.
Q. As his friend?
A. Yes.
Q. Is that correct?
A. Yes.
Q. And that's how you made arrangements to meet with him or to go out or to do anything, correct?
A. Yes. We usually made the arrangements in school.
Q. Pardon?
A. Usually arrangements were made in school.
Q. In school, itself. Okay. Had you ever been told not to call his house?
A. I guess it was more like public knowledge that because he wasn't allowed to talk to certain people because of his religion.
Q. Meaning girls?
A. Right. That we weren't supposed to call his home because he would get in trouble.
Q. Okay. And you all honored that, did you not?
A. Yes.
Q. Because for the most part, until his open caring of Hae in the spring of 1998 Adnan, your friend, appeared to be a devout Moslem who wanted to follow those rules?
A. Yes.
Q. Even though they might make somebody else uncomfortable?
A. Yes.
Q. When he got his cell phone though, you had his number the day after did you not?

A. The day of.
Q. The day that he got his cell phone. Is the correct?
A. Yes.
Q. And you got that number from your friend, Adnan Syed, did you not?
A. Yes, I did.
Q. And you were aware that others got his number, too, were you not?
A. Yes.
Q. The group I'm discussing, at Woodlawn, that were scholar athletes in the magnet program there - - you were a pretty talkative bunch among each other, were you not?
A. That's correct.
Q. About each of your own's business, correct?
A. Uh-huh.
Q. And about each other's business, correct?
A. At times, yes.
Q. About boy/girl stuff?
A. Yes.
Q. Whether it was with each other or with someone outside of the group Is that correct?
A. Correct.
Q. And that occurred almost on a daily basis, did it not?
A. Yes.
Q. Okay. On March 1st, when you were asked to speak to the detective and they took notes - - between then - - that day. March 1st - - and today, were you asked to recount those events again?

A. (Indiscernible) phone conversations with the attorney (indiscernible).
Q. With Mr. Urick?
A. Yes.
Q. In preparation for your testimony today?
A. Correct.
Q. And that's been recent, has it not?
A. Yes, it has.
Q. Okay. Other than that, have you been asked to recollect the events of January the 13th - -
A. No.
Q. - - in any other way?
A. No.
Q. Okay. Now on the 13th, you did, in fact, have two conversations that you remember with Adnan Syed?
A. One actually that I distinctly remember. The other one I don't recall.
Q. And that conversation was when he actually called you?
A. Yes.
Q. In response to the voice mail message that you had left on his new cell phone?
A. Actually, I don't believe - - when I had asked him, he said that he didn't know how to get the voice mail message because at that time he'd only had the phone for about a day and it wasn't sure how to check the messages yet.
Q. But he was just calling you?
A. Right.
Q. Okay. And you told him about Hae's - - what then appeared to be an

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apparent disappearance, and you had not received any further information than what you told us you had received by Aisha [redacted]. Is that correct?
A. Correct.
Q. Just that she had not shown up where ever she was supposed to show up. Is that correct?
A. Yes.
Q. Do you know a person by the name of Jay Wilds?
A. I know of him. I don't know him personally, as friends.
Q. Okay. You had never gone out with him?
A. No.
Q. Not in a group?
A. One time, I believe, in a group, yes.
Q. Okay. You believe that this person, who is not a friend of yours?
A. Right.
Q. And you know Stephanie M[redacted]
A. Yes.
Q. And were you aware of the closeness of the relationship between Stephanie [redacted] and Adnan Syed?
A. I had known that they were good friends.
Q. Okay. And that they were good friends dating back to their time in middle school?
A. Correct.
Q. Okay. And you are aware that Stephanie [redacted] dated a person by the name of Jay Wilds?
A. Yes.

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Q. Okay. And did you know that then, on the 13th of January 1999 -- the day that you got the call from Aisha [redacted]
A. Yes.
MS. GUTIERREZ: Okay. I have nothing further. Thank you.
THE COURT: Redirect?
MR. URICK: Extremely briefly, your Honor.
REDIRECT EXAMINATION
BY MR. URICK:
Q. If I can -- just so I can understand what you said on cross examination. In trying to pin down times, what you're saying is you don't have a specific recollection of that day, you're trying to put it in what your usual pattern of behavior was. Is that correct?
A. Correct.
MR. URICK: Nothing else.
THE COURT: Any recross?
MS. GUTIERREZ: No, your Honor.
THE COURT: Very good. You're excused. Next witness. Just come up to the witness stand. Yes, Mr. Urick?
MR. URICK: At this time the State would call Deborah Warren to the stand.
DEBORAH [redacted]
a witness produced on call by the Plaintiff, having been duly sworn according to law, was examined and testified as follows:
CLERK: State your name and address for the record.
MS. WARREN: Deborah El[redacted]

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Baltimore, Maryland 21207.
MR. URICK: With the court's permission, at this time I will publish certain documents to the jury. First the diary of Hae Min Lee that's in evidence. Certain sections that were the subject of the State's pre-trial motion. The first exhibit that I'd ask this witness to read would be the May 14th of 1999 -- pardon me, 1998 entry in the diary. I believe it should be open to that page at this time.
MS. GUTIERREZ: We're gonna object, Judge, the diary isn't --
THE COURT: Sustained. Come up, counsel.
(Counsel and Defendant approached the bench and the following ensued:)
THE COURT: First of all, who is the witness?
MR. URICK: Deborah [redacted]
THE COURT: Yes. Who is she? What is she to?
MR. URICK: She's a friend of Hae Lee's. She was a fellow student at Woodlawn.
THE COURT: Okay. Are you calling for any purpose other than to read the diary?
MR. URICK: Yes. It's just that we -- when we entered the diary with Young, we indicated we would publish certain sections but we said we wanted to do it with a later witness. We thought maybe Young Lee's accent made it inappropriate for him to read it. We thought one of the females would be a better voice for reading it, so that's why we wanted to do that with Debbie [redacted]
THE COURT: How long will this take?
MR. URICK: It wouldn't think it'd take more than 10 minutes.
THE COURT: Okay. What was your objection?
MS. GUTIERREZ: Well, Judge, the diary is in evidence and speaks for

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itself -- the entire diary.
THE COURT: I'd say most documents are remarkably still voiced.
MS. GUTIERREZ: Well this diary does. And first of all, we'd object to any further commentary by the State's attorney referring to while this specific exert was a subject of a pre-trial motion by the State to let the diary in.
THE COURT: (Indiscernible). Okay? Let's go on.
MS. GUTIERREZ: To allow a witness unrelated to the diary -- now they have not bothered to identify any specific section that they're going to ask this witness to read. I don't think that I would withdraw my objection based on that, but I would like to know that. But to just have a witness unrelated to the diary. There are no other notations by anyone else in this diary then there is made by Hae Min Lee.
THE COURT: My object basically is do you -- for some reason, do you have to publish these portions of it. If you want to publish portions of it, at some point, I might let you just read it. But is there any particular reason for her --
MR. URICK: I thought we had the court's permission when we entered that to do that with a future witness and we were taking this opportunity to do that.
THE COURT: I am just trying to save things. I mean, I would have no trouble giving -- whether you read, at the appropriate time, from the diary, if you wanted to. I'm just wondering, again, is there any particular reason for getting this witness to do this as opposed -- directly to her testimony.
MR. URICK: Yes, I will -- think it does, because her testimony will elaborate upon those sections and fill in the background for the jury.
THE COURT: Okay. Well I will overrule the judgment for the moment. I'll see where you go with it and if you're out on there on the limb, I'll saw it off for you.
MS. GUTIERREZ: Well then I would ask that the since the prosecutor

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didn't bother to do that.

THE COURT: Direct her to a portion and go from there You can open the diary to the location - -

MR. URICK: Just before we get into that.

DIRECT EXAMINATION

BY MR. URICK:

Q. *Ms. [redacted] did you know Hae Min Lee?*

A. *Yes.*

Q. *How long did you know Hae Min Lee?*

A. *Four years.*

Q. *In what capacity did you know her?*

A. *I knew her through school and we were very good friends*

Q. *And did you know the Defendant?*

A. *Yes.*

Q. *And how long did you know the Defendant?*

A. *(Inaudible)*

Q. *In what capacity did you know the Defendant?*

A. *School.*

Q. *And did there come a time that Ms. Lee and the Defendant started dating?*

A. *Yes.*

Q. *How did they come to start dating?*

A. *It was about junior prom which would be 98 - -*

THE COURT: Ma'am, if you would pull the microphone down, and point it at your mouth, and then if you would talk directly into it, please.

A. *It was about April of 98, it was (indiscernible) ready for junior prom*

(indiscernible).

Q. *How did they come to arrange their first date?*

A. *One came to me and told me that they liked the other and the other did the same. And I told Adnan to go up to Hae and say something to her He finally did it He asked her to the prom and they started dating from that point on.*

Q. *Now I'd like to draw your attention to the document in front of you Can you identify the handwriting there? Yes, the book to your left.*

A. *This is Hae's handwriting. This is her diary.*

Q. *Now I'd like to draw your attention the May - -*

MS. GUTIERREZ: Can you identify it for me, Mr. Urick?

MR. URICK: I am.

MR. URICK: I draw your attention to the entry of May 14, 1998 Have you found that entry?

MS. [redacted] Yes.

MR. URICK: I would ask you to read that to the jury at this time.

THE COURT: Are you there, Ms Gutierrez?

MS. GUTIERREZ: Objection. Yes, your Honor, I am.

THE COURT: Okay. Overruled You may read it.

MS. [redacted] "I think I'll try that one week recess Deb suggested I (indiscernible) and went out with Aisha, Deb and Shawn in Shawn's new car It's so fly with those tinted windows. We went to Baskin Robbins and I got some cappachino blast. I couldn't be with my baby because he to go to DC for his religious stuff That's what I need to figure out. Do I (indiscernible) pull him away from his religion? Mrs Slavic all up in my face about it. She said stuff like well Adnan used to be 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 know one thing. I love him and he loves me. Nothing will change that. I'll try a recess week and see what happens. I'll probably kill myself if I lose him, but I'll go crazy if things - - complicating things. I wish he'd call back soon."

MR. URICK: The Deb in the beginning of that section, do you know who that refers to?

MS. GUTIERREZ: Objection.

THE COURT: Basis?

MS. GUTIERREZ: Asking this witness to render her opinion as to what a reference by a dead person meant when it was made.

THE COURT: Alright. You made your objection It's overruled

BY MR. URICK:

Q. *Do you know who the Deb is that's referred to there?*

A. *That would be me.*

Q. *And this recess week that's referred to Do you know what that was?*

A. *Yes.*

Q. *What was that?*

MS. GUTIERREZ: Again, objection. Same basis

THE COURT: Overruled.

BY MR. URICK:

Q. *What was that?*

A. *That was a time period that Adnan and Hae Lee would take a break for their relationship and go their separate ways.*

Q. *And who suggested to them that that might be a wise thing to do?*

A. *I did.*

Q. *And why did you advise them of that?*

A. *Because they were having problems They were both coming to me on a regular basis talking about the problems that were in their relationship and I suggested that they take some time away from each other.*

Q. *And what were those problems that they would tell you about?*

A. *Well since Adnan is a Moslem and Hae was aware that he should not have been dating her because he's not allowed to do that. It's against their religion. And (indiscernible) relationship. And he was very possessive of her. He didn't like her to do things that he didn't know about, and he didn't want her around other guys a lot because that really bothered him.*

Q. *Now I'll draw your attention to the next entry which is May 15th of 1998 I'd ask you to read that at this time.*

A. *"One o'clock a.m I did it. Me and Adnan are officially on recess week - - a time out I don't know what's going to happen to us. Although I'm in love 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 pressed in in the middle His religion and Moslem customs are the main thing It irks me to know that I'm against his religion. He called me a devil a few times. I know he's 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 (indiscernible). 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 be just fine without him, and I need some time for myself, and (indiscernible) other than him. How dare he get mad at me for planning to hang to with Aisha? The third thing is the mind play I'm sure it's out*

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of jealousy. Shit, I don't get jealous. And I think whoever trying to get me jealous is a fool because you'll definitely lose me. I prefer a straight relationship that don't get people mixed in just he wanted to play mind games. The fourth thing is nothing. It's just that I do love him. It's just all the shitty things 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 build up on 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, and I told him I wanted 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 the time. Our relationship was great for me out first, then eventually calmed down. We started to strong and now we've settled in the very secure and loving relationship. I don't what he wants. All I want is him - - to hold on to, to cuddle up to, to kiss when I feel empty. Sigh. Maybe I'm 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 even with a stronger foundation. I love him. I can live without him, but I love him and I want him with me. Please, Adnan, be patient with me."

Q. To your knowledge, did the Defendant and Ms. Lee have a sexual relationship?

A. Yes, they did.

Q. How did you know that?

A. They both discussed it with me.

Q. And about how many occasions would the Defendant have discussed it with you?

A. Quite often.

Q. To your knowledge, had the Defendant had sexual relations with other

women before Hae Lee?

A. One woman before Hae.

Q. How do you know that?

A. He told me.

Q. I'd like you turn toward the end of the book now to 10/7 if you find that please - - October the 7th. Have you found that page?

A. Uh-huh.

Q. Would you read it, please?

A. "Wow I am a lazy writer but I just red over every single entry and I decided to take my time to make them college scholarship applications. etc. Well for a few days up till last Friday, he's was going to move out of his house and for the longest time I felt guilty as hell for being part of that severed tie between him and his mother. But he didn't move out of his house, and I just found out, because his father is pretty sick."

Q. And if you would the very next entry - - November 3rd of '998 at this time

MS. GUTIERREZ: Your Honor, for the record, I'd like an objection noted to all of this.

THE COURT: You have your objection to this portion. And the objection is overruled.

BY MR. URICK:

Q. You may read it.

A. "Very late, late. Yawning. Who would have thought we would end of this? Who would've imagined the amount of pain that comes with a broken heart? I know I'm doing the right thing. Call me selfish but this pain is way less than what it would be if we stayed together. More hostility at his house. I loved you. Oh, screw it - - I still love you. I would give any and everything to be in your arms and my heart's not that strong.

Forgive me, love. All the pain I've caused you will end soon if you'll move on."

Q. If you would now please move to December - - December the 10th - - 12/10. Have you found that page? I believe it's 12/10. Let's see if. That is the page - - 12/10. If you'd read that, please.

A. "Sorry I fell asleep on you. Anyways, I finally got myself back together. Today I went to my baby's track meet and since old memories. Anyways, I love my Adnan so much. So much to say that I love him brings tears to my eyes. I love you to death. I'd love to be with you right now. I saw him at (indiscernible) when he ran into that four by two. He's so dedicated to running and it makes him seem very sexy. Our table as usual where he kissed me and sighed when I drove away from him. Then we're gone. I know, as I always have, that Adnan's warm smile is the one I can't live without. You love the one you can't live without. I can't imagine my life without his smile, his tough, and most importantly his love. I feel so guilty though - - about Don. I don't know why in hell I have such thoughts. It's all because of (indiscernible) and her ideas. I really kind of want to tell Adnan about the whole Don thing, but I was so afraid. What if he pushes him away? Will he (indiscernible) me? Will he still love me? I would die without his love. I will just keep it a secret. But what if he finds out and hates me? No, I can't tell him. He wouldn't forgive me because I don't forgive myself. I can't believe myself at all. Maybe I should commit suicide. Should I get on my knees and beg for forgiveness? Would he forgive me, or would he build up his walls again? I love you so much, Adnan. What have I done? Why do I keep on hurting you? I swear I don't mean to. Can't you find it in your heart to forgive me? You're my one and only forever."

Q. Did there come a time that you became aware of a Don in Hae Lee's life?

A. Yes.

Q. What, if anything, did she ask you to do concerning Don?

A. She asked me not to tell Adnan about him.

Q. And what, if any, questions did Adnan start asking you?

A. He asked me if she was cheating on him with Don.

Q. And how did you handle that situation?

A. I told him no, but I didn't tell him anything more than that because I didn't want to breach my friendship with Hae Min Lee.

Q. Now I'd like you to turn to January 6th, if you can find that. Did there come a time that you became aware that the two of them had broken up for good?

A. Adnan and Hae?

Q. Yes.

A. Yes.

Q. How did that come about?

A. Do you mean what she told me?

Q. What did they told you?

A. Hae told me that she had finally broken up with him (indiscernible) they had broken up and Adnan hadn't taken it very well. That's what she told me. And he told me as well that they had broken up and he was over her.

Q. Now if you would, read the entry for January 6th.

A. "I just got done from being with Don. I really do like him so much."

Q. And if you would, right below that - - January the 12th.

A. "I love you, Don. I think I found my soul mate. I love you so much. I fell in love with you the moment I opened my eyes to see you (inaudible) the first time.

Q. Okay. If you would close that exhibit and take a look at the other one. Have you seen that before now?

A. Yes.

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THE COURT: Does that exhibit have a number?
MR. URICK: That is the State's exhibit 38 -- the letter that was ceased from the Defendant's room. That's already been entered into evidence.
BY MR. URICK"
Q. We ask if you can identify the handwriting. Is that correct?
A. It's Hae's.
Q. And that's the handwriting on the front where the red tag is?
A. Yes.
MR. URICK: At this time, I'd ask for this witness to publish the document by reading it to the jury.
MS. GUTIERREZ: Objection.
THE COURT: Overruled.
BY MR. URICK:
Q. You may read it at this time.
A. "Okay. Here it goes. I'm really getting annoyed that this situation is going the way it is. I (inaudible) for me and for you, you know. People break up all the time. Your life is not going to end. You'll move on and I'll move on, but apparently you don't respect me enough to accept my decision. I really couldn't give a damn about whatever you want to say. With the way things have been since 7 45 a.m. this morning now I'm more certain that I made the right choice. The more fuss you make, the more I'm determined to do what I've got to do. I really don't think I can be in a relationship like we had. Not between us, but mostly about the stuff around us. I seriously did expect you to accept, although not understand. I'll busy today, tomorrow and probably till Thursday I've got other things to do. Better than give you any hope that we'll get back together. I really don't see that happening, especially now. I never wanted to end this like this, so

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hostile and cold. But I really don't know what to do. Hate me if you will, but you should remember that I could never hate you."
Q. Okay. Now if you would, turn it over. You were able to identify some of that handwriting as the handwriting of Aisha. Is that correct?
A. Yes.
Q. A previous witness has identified the blue ink as the handwriting of the Defendant in this case and the pencil - -
MS. GUTIERREZ: Objection.
THE COURT: Sustained.
MS. GUTIERREZ: Ask the witness to disregard that remark.
THE COURT: Overruled. Your motion is denied. Go on.
BY MR. URICK:
Q. Which handwriting did you identify?
A. I identified Aisha [redacted] - - the pencil.
Q. Okay. At this time -- ignore the first sentence up on the top -- read it blue ink, read what it -- say blue ink, say what it says, say pencil, read what it says in pencil, and go through the entire thing like that.
MS. GUTIERREZ: Objection. Same reason.
THE COURT: Overruled.
MS. WARREN: "Blue ink. You should ask her to make a list of all the symptoms and compare it with the list of the overhead. Pencil. Let me ask her. Are your breasts tender? Pencil. Maybe she was pregnant so she had an abortion on Saturday while we went to Adventure World. Blue ink. Her clumsy self probably tripped and fell on the way to the clinic and caused an abortion. Pencil. She would never think she's pregnant any time. I'd do anything with the guy I think I am. Blue ink. When I wouldn't

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kiss a guy, you probably think your pregnant. She's scheduled for sonograms and she's still in denial. Pencil. Not that bad for me. For her, hell yeah."
MR. URICK: Now please read what it says in blue ink at the top of the page.
MS. GUTIERREZ: Objection.
THE COURT: Overruled.
MS. WARREN: "I'm going to kill."
MR. URICK: I'd ask that the document be passed on for the jury to look at at this time.
THE COURT: Okay.
MR. URICK: Witness for the defense.
THE COURT: Cross?
CROSS EXAMINATION
BY MS. GUTIERREZ:
Q. Ms. Warren, you were asked to identify the book and you immediately identified it as Hae's diary, did you not?
A. Yes.
Q. Because you were already familiar with that book, were you not?
A. Yes.
Q. You knew it was Hae's diary because she shown it to you, hadn't she?
A. Yes.
Q. And, in fact, you had read it, prior to her death, in part, had you not?
A. No.
Q. Hae carried that diary around with her generally on an every day basis, did she not?

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A. No.
Q. Well you knew that it was her diary without even look at it, correct?
A. Yes.
Q. It wasn't identified to you as her diary before you read it here today by anybody other than Hae, was it?
A. Yes.
Q. And by whom was that?
A. The State's attorney.
Q. Okay. Mr. Urick?
A. Yes.
Q. Whom you spoke to to prepare your testimony for today. Is that correct?
A. Yes.
Q. So is it your testimony that it was a surprise to you - - that it was information you didn't know when he pointed out and identified that book as Hae's diary?
A. No.
Q. Okay. So it wasn't a surprise?
A. No.
Q. You knew it ahead of time?
A. Yes.
Q. Okay. And you knew that from Hae?
A. I'm sorry. I didn't understand the question.
Q. Hae told you it was her diary, did she not?
A. Yes.
Q. She carried it around with her, did she not?
A. On occasion, yes.

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Q. On occasion. And she wrote in it, did she not?
A. Yes.
Q. And you knew that as her friend, did you not?
A. Yes.
Q. Mr. Urick asked you to read dated entries in that diary, did he not?
A. Yes.
Q. You, however, only read what appears in the book, did you not?
A. Yes.
Q. You don't know when the entries were made, do you?
A. No.
Q. Okay. Thank you. Nothing further. Oh, I did have one other question. You spoke to Detective Ritz and Detective MacGillvray on March 26, 1999, did you not?
A. I don't remember the date.
Q. Okay. But you remember speaking to them?
A. Yes.
Q. And you remember that they tape recorded their interview with you, do you not?
A. Yes.
Q. And you remember that they asked you about the school schedule on January the 13th?
A. Yes.
Q. Okay. And do you remember that they asked you what you did after afternoon announcements on the 13th. Do you remember that?
A. Yes.
Q. Okay. And you recall that you told them that generally you would "wait

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until the halls cleared out and then, on that day, I think I went to the guidance counselor. I had to get a recommendation or something like that -- scholarship information. So I went and got that. And I'm positive just about then I saw Adnan that day before he went to practice. I spoke to him and a couple other kids. And then that was very short -- that wasn't a long period of time that we did that." And then probably about 2:45 you left. Do you remember telling them that?
A. Yes.

MS. GUTIERREZ: Yes. Thank you. Nothing further.
THE COURT: Any redirect?
MR. URICK: If I may have the court's indulgence.

REDIRECT EXAMINATION
BY MR. URICK:

Q. Counsel asked you about your attendance at school. Was it easy for a student at Woodlawn to skip out for a particular class or classes.
A. Yes.

MS. GUTIERREZ: Objection.
THE COURT: Basis?
MS. GUTIERREZ: Beyond the scope of direct. I asked her a question about the specific question that she was asked - -
THE COURT: But that's not beyond the scope of your cross though which is was scheduling.
MS. GUTIERREZ: Yeah, but I only asked her was she asked about her scheduling on the afternoon of the 13th of January and that was the only question on cross
THE COURT: Thank you, Ms. Gutierrez. Overruled
BY MR.URICK:

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Q. You may answer. Was it easy for students to skip out of a class or classes?
A. Yes.

MR. URICK: Nothing else. Thank you, your Honor.
MS. GUTIERREZ: Nothing further.
THE COURT: Very good. The witness is excused. Ladies and gentlemen, if you would return to your jury room. When you are released to go home this evening, please, first of all, have a good evening, well rested, good dinners. And then if you'll come back tomorrow between 9 and 9:15, pick up what we refer to as the jury fee, and then come upstairs and back to your jury room. Please be in place by 9:30 a.m. tomorrow morning. Thank you very much. Good evening to all of you.
MR. URICK: Your Honor, just for the record, I would note that the last exhibit has only gotten to the forelady of the jury. Tomorrow morning, I would ask in the morning that it be continued to be passed around to all.
THE COURT: You'll make a note of that and ask me in the morning to do that.
MR. URICK: Thank you, your Honor.
THE COURT: Just leave your notepads in the chair. Remember, don't discuss the case with anyone -- among yourselves, or with your family members. No news stories about crime and no investigation on your own.
(Jury was excused from the jury room 17:28)
THE COURT: Okay.
MS. GUTIERREZ: I'm sorry, Judge. I missed what time you told us to be here in the morning.
THE COURT: Yes, ma'am?
MS. GUTIERREZ: I'm sorry. I missed what time you told us to --

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THE COURT: Getting ready to do that right now.
MS. GUTIERREZ: I thought maybe I'd missed it.
THE COURT: Counsel, please be in place tomorrow at 9:30. We have a question from a juror. That questions is has there been a psychological evaluation of the accused? First question. Second question -- can I request one? See you tomorrow morning at 9:30, counsel.
(Court retired for the evening 17:29)

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TRANSCRIBER'S CERTIFICATE

This is to certify that the foregoing proceedings in the matter of State of Maryland vs. Adnan Syed, Case Nos. 199103042, 43, 45 and 46, heard in the Circuit Court for Baltimore City, on December 9 and 13. 1999 were recorded by means of videotape

I hereby certify that the proceedings, transcribed by me to the best of my ability, in a complete and accurate manner, constitutes the office transcript thereof.

In Witness Whereof, I have hereunto subscribed my name this 29th day of January, 2001.

Sandra Miller, Transcriptionist

Sandra Miller

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