IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

vs. Indictment No.199103042-46

ADNAN SYED,

Defendant.

_____/

REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS
(Trial on the merits)

Baltimore, Maryland

December, 10, 1999

BEFORE:

HONORABLE WILLIAM QUARLES, Associate Judge
(and a jury)

APPEARANCES:

For the State:

KEVIN URICK, ESQ.
KATHLEEN MURPHY, ESQ.

For the Defendant:

CRISTINA GUTIERREZ, ESQ.

RECORDED BY: VIDEOTAPE

TRANSCRIBED BY:

Christopher W. Metcalf
Official Court Reporter
507 Courthouse West
Baltimore, Maryland 21202

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PROCEEDINGS

(12:09 p.m.)

THE COURT: Same seats as yesterday. Good afternoon, ladies and gentlemen, thank you for being prompt. I've talked to some employers and if any of you need me to talk to others please let me know. Again, if you'll communicate individually with respect to your individual employment situations I have assured those employers I've talked to as I assure you that we will do everything possible to make sure this case is tried well and as quickly as possible. Obviously, you don't want to spend any more time here than you have to, no on does. On the other hand, you realize the importance of this matter and you know that if or some family member of yours was on trial you would not want the jury to rush through it. You would want them to take the time and do a proper job here, so I know you are all aware of the importance of this to everyone concerned. I know you are making a sacrifice, I appreciate that sacrifice, the parties appreciate the sacrifice. I just want you to know that we'll do everything possible to recognize the value of your time and to make sure that we don't waste any of your time. Mr. Urick.

MR. URICK: Thank you, Your Honor. The State would call Young Lee at this time.

THE COURT: Okay.

MR. URICK: If we may have the Court's permission to get him.

THE COURT: Ladies and gentlemen, you'll also notice I left you note pads, each of you has a note pad. If you would on the first sheet of the note pad just put your juror number. I'm talking about the juror numbers you'll have the rest of the trial which is juror number one, two, three, four, alternate one, two, three, four, five. These are to help you remember the evidence.

Again, your notes are not evidence, they're just memory aids for you. Please don't get so involved in note taking that you miss the testimony. Your most important thing to do here is to hear and see the testimony, to look at the witnesses, to hear and see the evidence.

So this is sort of a crib sheet you can make for yourself for your deliberations, but don't get so involved in taking notes that you miss the trial itself, that's the most important thing to do. Thank you. If it any time you can not hear if you'll just raise your hand or cup your ear and I'll know that you're having trouble hearing. I know the acoustics

are not the greatest.

Also, if you need water or something during the trial just make a little sign to me and I'll see that the clerks get you water as well. Please call your first witness. Ms. Murphy is going to handle this one, Your Honor.

MS. MURPHY: If I may, Your Honor.

THE COURT: Ms. Murphy.

MS. MURPHY: Thank you, Your Honor. At this time the State will call Ms. Young Lee.

THE COURT: Mr. Young Lee, please come up to the witness stand.

MS. MURPHY: May I approach the stand, Your Honor to -- never mind. Thank you, Mr. Clerk.

THE CLERK: Please step around. Would you raise your right hand please.

YOUNG LEE,

a witness produced on call of the State, having first been duly sworn, was examined and testified as follows:

THE CLERK: You may be seated. Keep your voice up for the record. Please state your name.

MR. LEE: My name is Young Lee.

THE CLERK: And your home address?

MR. LEE: [redacted]

THE COURT: Thank you. Ms. Murphy.

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MS. MURPHY: Thank you, Your Honor.
DIRECT EXAMINATION
BY MS. MURPHY:
Q Good afternoon, Mr. Lee.
MR. LEE:
A Good afternoon.
Q Mr. Lee, how old are you?
A I am 17 years old.
Q And do you attend school?
A Yes, I attend Milford Mill Academy.
Q Do you know Hae Min Lee?
A Yes.
Q How do you know her?
A She's my sister.
Q And in January of 1999 were you living with your sister, Ms. Lee?
A Yes.
Q How long had you lived with your sister?
A My whole life.
Q Who else was living at the house at that time?
A My grandfather, my grandmother and my two cousins.
Q Was your sister attending school at that time?

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A Yes, she was attending Woodlawn High School.
Q What if anything happened in January of 1999 regarding your sister?
A She was -- she was missing.
Q I'm going to ask you to remember back to January the 13th of that year. Do you remember what happened that day?
A Yes, I do. At first we knew something was wrong when we got a call from my cousin's teacher asking us to pick her up from school. This was strange because it was my sister's job to pick her up from school and drop her off at home and that's about it. That was strange, so we knew something was wrong.
Q How old was the cousin that she was suppose to pick up?
A I believe she was five or six, something like that.
Q Where were you at that point in time?
A I was at home.
Q What time did you get home?
A Around 2:30.
Q And that was a school day?
A Yes.
Q Do you know about what time you received a phone call that Hae had not picked up your cousins?

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A Around 3:30.
Q What if anything happened next?
A Then after a while I called my sister's work place, her best friend [redacted] and I called the school, but I was unable to get reach to her.
Q Where was you sister working at that point?
A At Lens Crafters in Owings Mills.
Q After you made those phone calls what happened?
A After a while my mom was real worried and asked me to call the police.
Q And did you do that?
A Yes I did.
Q What happened when you called the police?
A After awhile Officer Adcock showed up, he took the report and left.
MS. MURPHY: May I approach the witness, Your Honor?
THE COURT: Yes, you may.
BY MS. MURPHY:
Q Mr. Lee, I'm going to show you what's been marked as State's Exhibit One.
(State's Exhibit No. 1 is marked for identification.)
Q Do you recognize this photograph?

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MR. LEE:
A Yes, I do.
Q What does it show?
A My sister and I believe it's the Junior Prom.
Q And that's an accurate representation of your sister?
A Yes it is.
Q At that time?
A Um-hum.
Q Thank you.
MS. MURPHY: Your Honor, I'd asked that State's Exhibit One be moved at this time.
THE COURT: Without objection State's One is admitted.
(State's Exhibit No. 1, photo previously marked for identification was received into evidence.)
MS. MURPHY: May I publish it to the jurors, Your Honor?
THE COURT: Yes, you may.
BY MS. MURPHY:
Q Mr. Lee, after you called the police can you remember what happened next?
MR. LEE:

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A After I called the police and that's why he came over to our house took a report and call some people.
THE COURT: Mr. Lee, if you could be just a little louder.
MR. LEE: Okay.
THE COURT: And if you'll lean forward. Unfortunately, the chair doesn't move.
MR. LEE: Okay.
THE COURT: If you'll lean forward and talk right into the microphone.
MR. LEE: The police showed up to our house and he took a report and he called the same places that I called before he showed up.
BY MS. MURPHY:
Q Did you make any other efforts to contact acquaintances of your sister?
MR. LEE:
A My grandmother brought down the diary that my sister writes in and then I was looking for a phone number, then I found a phone number, then I called that number.
MS. MURPHY: May I approach, Your Honor?
THE COURT: Yes.
BY MS. MURPHY:

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Q Mr. Lee, I'll show you what's been premarked as State's Exhibit Two.
(State's Exhibit No. 2 marked for identification.)
Q If you can take a look at that and let the ladies and gentlemen of the jury know do you recognize that item?
MR. LEE:
A Yes I do.
Q What is it?
A It's my sister's diary.
Q And where had you seen that before?
A In the room.
Q Thank you. Your Honor, at this time I would ask that State's Exhibit Two be moved.
THE COURT: Without objection State's Two is admitted.
(State's Exhibit No. 2, previously marked for identification, was received into evidence.)
BY MS. MURPHY:
Q Mr. Lee, I'll ask you to refer to this particular page which has been marked in the diary. Do you recognize that page?
MR. LEE:

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A Yes.
Q Why do you recognize it?
A That's the page where I got the phone number from.
Q Can you please read that number for the ladies and gentlemen?
A [redacted]
Q Thank you. Who did you believe you were calling?
A I believe I was calling Adnan.
Q And did you know who Adnan was at that time?
A Yes. She -- he -- he use to be my sister's new boyfriend.
Q Why did you think that was Don's phone number.
A Because there was his name all over the page.
Q What happened when you called the number?
A When I called the number I asked, may I speak to Don, but after speaking to the person, the receiver I knew it was Adnan.
Q Okay. Now, who is Adnan?
A Him right there.
Q Indicating for the record the Defendant, Your Honor.
THE COURT: The record will indicate that.

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BY MS. MURPHY:
Q How did you know it was the Defendant Adnan?
MR. LEE:
A I recognized his voice and he recognized mine.
Q Do you remember what the conversation was about?
A It was about my sister. If he knew like where she could be.
Q Do you recall what he said about that?
A He said, no.
Q Was there any other conversation beyond that?
A No, that's about it.
Q How long do you think that conversation took? Was it long, was it short?
A It was very -- it was short.
Q Did you know who the Defendant was prior to January 13th?
A Yes, I did.
Q How did you know who he was?
A I knew him because my sister use to talk to him on the phone and I just knew that -- and I knew he was the boyfriend, use to be boyfriend of my sister.
Q Did you ever speak to him on the phone?
A Yes.

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Q Under what circumstances?
A When he use to call my house I use to pick up the phone first and he would ask for my sister.
Q Had you ever met the Defendant in person?
A Yes, I did.
Q When was that?
A Once in my store, in my mom's old store and once in the mall.
Q Was your sister with the Defendant on those occasions?
A No, no she wasn't.
Q To your knowledge did the Defendant ever call your home after that day when you called him?
A No.
MS. MURPHY: Your Honor, at this time the State would ask to move as State's Exhibit 31, the certified business records of AT&T showing the Defendant's cell phone records for January the 13th.
THE COURT: Without objection State's 31 is admitted.
(State's Exhibit No. 31 was admitted into evidence.)
MR. URICK: A copy for you and a copy for the Court. My apologies for not getting it in sooner.

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MS. MURPHY: Your Honor, may we move the easel into place?
THE COURT: Yes.
BY MS. MURPHY:
Q Mr. Lee, I'll show you what to be premarked as State's Exhibit 34.
(State's Exhibit No. 34, is premarked for identification.)
Q This is a blow-up showing the Defendant's cell phone records for January the 13th. Do you recognize any of the phone numbers listed on this page?
MR. LEE:
A Yes, I do.
Q Which number or numbers would that be?
A Thirty three and 34.
Q Are you referring to the bottom two phone numbers?
A Yes.
Q And how do you recognize those numbers?
A That's the phone number of my house.
Q Thank you.
THE COURT: Which is the phone number of the house?
MR. LEE: [redacted]
THE COURT: Thank you very much.

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MS. MURPHY: Your Honor, with the Court's indulgence we would like to provide the jurors with copies of what's been premarked as State's Exhibit 34 since the writing is small.
THE COURT: What is State's 34?
MS. MURPHY: It is a compilation, Your Honor of the Defendant's phone records along with additional information to be provided throughout the trial.
THE COURT: Is it a shell st this point? Is it blank?
MS. MURPHY: It is. The parts of it are blank, Your Honor.
THE COURT: Okay. Ladies and gentlemen, the State is handing out now State's Exhibit 34 which is going to be an exhibit that you will fill in as you go along with bits of information.
MS. MURPHY: Thank you, Your Honor.
THE COURT: Do you have copies for the Court?
MS. MURPHY: I do, Your Honor. There's extra copies.
THE COURT: Can I have one? Perhaps you can intercept one and pass it up.
MS. MURPHY: May I steal one of those? Thank you, Your Honor.
THE COURT: Sure.

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MS. MURPHY: Thank you, Your Honor.
THE COURT: There is some missing in the back row. Do we have everyone out? Entire back row is missing it looks like or is number twelve just not sharing? Okay. Everybody got a copy?
JURORS: Yes.
MS. MURPHY: Thank you, Your Honor.
THE COURT: Very good.
BY MS. MURPHY:
Q So, Mr. Lee, so we can be clear you've identified Number 33 and 34 to be the number of your home residence?
MR. LEE:
A Yes.
Q Thank you. Mr. Lee, I will know show you what's been premarked as State's Exhibit 13.
(State's Exhibit No. 13, was premarked for identification.)
Q It's three photographs. Do you recognize the item or items shown in these photographs?
A Yes, I do.
Q Beginning with the photograph on the left of the page. Can you describe what that shows?
A That shows a T-shirt shoved into the -- between the seats.

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Q Seats of what if you know?
A My sister's car.
Q Okay. And what do the other two photos show?
A The blood stains on the T-shirt.
Q Okay.
MS. GUTIERREZ: Objection. Move to strike.
THE COURT: What's the basis?
MS. GUTIERREZ: This witness is not qualified to identify blood stains.
THE COURT: Okay. Overruled.
BY MS. MURPHY:
Q Now, the item you've described you've referred to as a T-shirt.
MR. LEE:
A Um-hum.
Q Do you recognize that shirt?
A Yes, I do.
Q How do you recognize it?
A That is my T-shirt.
Q Do these photographs fairly and accurately represent the way your T-shirt looked?
A Yes, it does.
Q Okay. Now, you did mention stains on the shirt. Were they on the shirt when you last saw it?
A No.

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Q So, aside from those stains does the shirt fairly depict your shirt?
A Yes.
MS. MURPHY: Your Honor, at this time I would ask to move State's Exhibit 13.
THE COURT: Without objection State's 13 is admitted.
(State's Exhibit No. 13, previously marked for identification is received into evidence.)
MS. MURPHY: Your Honor, would you like me to publish this to the jurors now or would you like to wait?
THE COURT: Well, can we just perhaps roll a bit, keep going?
BY MS. MURPHY:
Q When had you last seen that shirt, Mr. Lee?
MR. LEE:
A For a long time. I didn't see it for a long time.
THE COURT: Ms. Gutierrez, perhaps the State will move the easel back so you don't block alternate number three from the witness. I don't mind your watching what's going on, but just don't block the alternate.

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MS. GUTIERREZ: Well, I won't stand there if they're not going to use the easel, but they haven't seem to indicate --
THE COURT: Are you done with the easel?
MS. MURPHY: For the time being, Your Honor.
THE COURT: Very good. Lets get rid of the easel so that Ms. Gutierrez is not blocked from the jury as well.
MS. GUTIERREZ: Thank you, Your Honor.
BY MS. MURPHY:
Q Mr. Lee, do you remember when you last saw that shirt?
MR. LEE:
A No, I don't.
Q And who's possession was the shirt that you know of?
A She, my sister.
Q Okay. Did she wear the shirt?
A No, she didn't.
Q Do you know why she had the shirt?
A She use to have the shirt to like wipe off windshields in her car.
Q Do you know where she kept the shirt?
A The bottom -- the bottom part of the door.
Q The door of what?

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A The driver seat.
Q Did you ever see any stains on that shirt?
A No, I didn't.
MS. MURPHY: Court's indulgence please. May I approach the witness, Your Honor?
THE COURT: Yes.
BY MS. MURPHY:
Q Mr. Lee, I'll show you what's been premarked for identification as State's Exhibit Twelve.
(State's Exhibit No. 12, was marked for identification.)
Q This is another series of photographs.
MR. LEE:
A Okay.
Q And I'll ask you to look at three of these photographs. The two on the left side and the one on the bottom right. Do you recognize what those pictures show? I'm sorry. I'll ask you just to look at the bottom two photographs.
A Yeah, yes. That's the car my sister drives.
Q Okay. Are these pictures a fair and accurate depiction of your sister's car?
A Yes, it is.
Q Thank you. Mr. Lee, after January the 13th did you see your -- ever see you sister again?

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A No, I didn't.
Q Did you ever learn of her whereabouts?
A No.
MS. MURPHY: I have no other questions, Your Honor.
THE COURT: Cross?
MS. GUTIERREZ: Yes, Your Honor.
CROSS EXAMINATION
BY MS. GUTIERREZ:
Q Mr. Lee, the diary that you identified, State's Exhibit 2. You knew that to be the diary that belonged to your sister before your grandmother brought it down that day, did you not?
MR. LEE:
A Yes.
Q Okay. And you knew and can identify the handwriting in the diary as belonging exclusively to your sister, can you not?
A Yes.
Q Okay. And the handwriting that wrote out that number, [redacted], that is your sister Hae's handwriting, isn't it?
A Probably is.
Q Well, it looks like it, doesn't it?
A Yes.

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Q From your looking at it --
THE COURT: Please keep your voice up, Mr. Lee.
BY MS. GUTIERREZ:
Q It looked like it, did it not?
MR. LEE:
A Yes.
Q It looked like her handwriting back then on that day?
A Yes.
Q Is that correct?
A Um-hum.
Q On that day, on the 13th you knew that her then boyfriend, her current boyfriend was a man by the name of Don.
A Yes.
Q Did you not?
A Yes.
Q Okay. And that had been her recent new boyfriend?
A Yes.
Q Did your sister on the 13th of January of 1999 or before that date have a cell phone of her own?
A No.
Q And prior to the 13th of January when you saw

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that number and you made the call did you realize that it was a cell phone?
A No.
Q Were you aware that prior to January 13th that your sister had for a long period of time communicated on a daily basis with the boy that you knew as Adnan?
A Yes.
Q Okay. And were you aware whether or not he had a cell phone?
A No.
Q As opposed to -- and when you spoke to him did you become aware that it was a cell phone?
A No.
Q Okay. And so when you read it and after you called that number you had no idea whether it was his home phone or at some other location?
A Yes.
Q But, prior to that date you had met him?
A Yes.
Q You knew who he was?
A Um-hum.
Q You knew he was your sister's boyfriend?
A Um-hum.
Q That had gone --

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THE COURT: I need you to say yes or no, sir.
MR. LEE: Yes.
THE COURT: We're making a recording of it.
BY MS. GUTIERREZ:
Q And that he had been her boyfriend for what, close to ten and a half, almost eleven months?
MR. LEE:
A I'm not sure.
Q For a good while?
A I'm not sure.
Q Were you aware that they were boyfriend and girlfriend going back to their junior year at Woodlawn?
A Yes.
Q Your sister -- okay, yes. And your sister didn't hide that from you did she?
A Well, she kind of did.
Q She kind of did and she kind of hid that from the rest of your family too, did she not?
A She did.
MS. GUTIERREZ: Okay. Thank you. I have nothing further.
THE COURT: Redirect?
MS. MURPHY: No, Your Honor.
THE COURT: May the witness be excused? You may step down, sir. Call your next witness.

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MR. URICK: Thank you, Your Honor. If I may have the Court's permission to get the witness?
THE COURT: Yes. Okay. Would you move the bag that's blocking.
MS. MURPHY: Certainly.
THE COURT: Thank you. Please call your next witness.
MR. URICK: Thank you, Your Honor. At this time the State will call Nisha [redacted] to the stand.
THE CLERK: Would you raise your right hand please?
NISHA [redacted],
a witness produced on call of the State, having first been duly sworn, was examined and testified as follows:
THE CLERK: You may be seated. Speak into the microphone, keep your voice up for the record.
MS. [redacted]: Okay.
THE CLERK: State your name.
MS. [redacted]: My name is Nisha [redacted]
THE COURT: Okay. Ma'am, can you spell your name?
MS. [redacted]: N-I-S-H-A.
THE COURT: Last name.
MS. [redacted]
THE COURT: Okay. Now, unfortunately the

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seat doesn't move so I'll need you to move just forward in your seat.
MS. [redacted]: Okay.
THE COURT: Pull the microphone down if you need to.
MS. [redacted]: Okay.
THE COURT: And talk directly into it --
MS. [redacted] Okay.
THE COURT: As loud as you can. State?
MR. URICK: Thank you, Your Honor.
DIRECT EXAMINATION
BY MR. URICK:
Q Good afternoon, Ms. [redacted]
MS. [redacted]
A Good afternoon to you too, sir.
Q Thank you. Do you know the Defendant?
A Yes, I do.
Q How do you know the Defendant?
A I met him at a New Year's party. It was in Baltimore at the Scarlett.
Q And is that New Year's Eve of this year?
A Yes.
Q And just briefly tell us what happened that night.
A I met him through a mutual friend and we just

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like got together, we met, we exchanged names and I gave him my phone number and we danced and that's about it pretty much.
Q And did he ever call you after that?
A Yes he did.
Q Now, just to focus you in. Did there come a time where he called you and put a person named Jay on the phone?
A Yes.
Q Would you please tell the ladies and gentlemen of the jury what that conversation consisted of?
A It's a little hard to recall, but I remember him telling me that Jay invited him over to a video store that he worked at and he basically, well Adnan walked in with the cell phone and then he said, like he told me to speak with Jay and I was like okay, because Jay wanted to say hi, so I said hi to Jay and that's all I can really recall.
Q And did you recognize the voice of the Defendant on that phone call?
A Yes.
Q And about how long was the conversation?
A I wouldn't say it was that long. Maybe a couple minutes or so. It could be --

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Q About what time of day did that occur?
A I would think towards the evening, but I can't be exactly sure.
Q Can you remember the day that that phone call occurred today?
A No, I can't exactly remember the day, but I know it was some time in January.
Q Now, at this time with the Court's permission could I have the easel again? Do we have an extra copy? With the Court's permission may I approach the witness?
THE COURT: Yes.
BY MR. URICK:
Q Ms. [redacted] I'm going to show you a copy of an exhibit that's been marked as State's Exhibit 34, State's 34. And I would like to look starting up from the bottom down, the line that marked 24 on that.
MS. [redacted]
A Okay.
Q And the line marked 25. Do you recognize either of those numbers?
A Yes, I recognize number 25.
Q And that -- would you read that number aloud please?
A [redacted]

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Q And how do you recognize that number?
A Because it's my phone number.
Q And if you look across past the blank space do you see the time that's listed there?
A Yes.
Q And do you see the duration of call that's right after that?
A Yes.
Q And what was the duration of that call?
A Two minutes and twenty two seconds.
Q Now, looking up if you look up to line seven.
A Okay.
Q Do you recognize that number?
A Yes.
Q And would you read that for the record please?
A [redacted].
Q And who's number is that?
A Mine.
Q And going up to line four. I'll ask you to look at that number.
A Okay.
Q Do you recognize that number?
A Yes.
Q And what is that number?

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A [redacted]
Q Who's number is that?
A Mine.
Q Now, the phone conversation you had with the Defendant where Jay was put on the phone, is it possible that it is the call that is listed under line 25?
A It could be, but I'm not sure.
Q And do you remember any time -- do you remember in that general period after the Defendant got his phone -- talking to him on the phone?
A What? I'm sorry.
Q After he got his cell phone do you remember talking to him often --
A Yeah.
Q Or how often would you speak to him?
A I can't really recall, but I think -- I think I spoke to him pretty often. Like weekly definitely I guess.
THE COURT: I'm sorry I didn't hear your answer.
MS. [redacted] Weekly I'd say.
THE COURT: Okay.
BY MR. URICK:
Q Does your home phone have an answering

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machine?
MS. [redacted]
A Not this phone number, no.
MR. URICK: Witness with the Defense.
THE COURT: Okay.
CROSS EXAMINATION
BY MS. GUTIERREZ:
qQ Ms. [redacted] the first time that you met Adnan --
THE COURT: You don't have to move it all the way back, but if you can just move it back into the Defendant's area. Just clean out the line of sight if you would.
BY MS. GUTIERREZ:
Q Ms. [redacted], the first time that you met my client Adnan Syed was New Years a year ago.
THE COURT: Mr. Urick, just straight back.
MS. [redacted]
A Yes.
Q In 19 -- New Year's Eve, 1998.
A Yes.
Q Okay. And it was a social occasion, was it not?
A Yes it was.
Q It was a New Year's Eve party?

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A Um-hum.
Q Okay. And when you met him and he asked you for your phone number did you take that as him having some interest in you as a girl?
A Well, yes.
Q Okay. Were you flattered by that?
A Yeah, I'd say so.
Q And you chose to give him your home phone number?
A Yes, I did.
Q Okay. And so you were not surprised when he called you?
A No, I wasn't.
Q And after that day, after New Year's Day, after you got his cell phone he did begin to call you on a regular basis?
A Yes.
Q And there were occasions in fact, in which you spoke to him at least once a week?
A Yes.
Q And your phone number that you've identified on one particular day has always been -- that's the number that you gave him, was it not?
A Yes.
Q The 603?

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A Um-hum.
Q Is that correct?
A Yes.
Q So, and that's the number that he always called you on?
A Yes.
Q And you -- it was not capable -- the phone had no capability of a voice mail or message machine, correct?
A No, no.
Q And so if somebody called you at that number either you or somebody else was there to answer or --
A Yes.
Q You couldn't leave a message, correct?
A Yes. Mostly likely it was me because it's my own line.
Q It's your own line?
A Yeah.
Q Okay. And so it was appropriate because you're giving him the number for him to call you on that number.
A Yes.
Q And there never came a time when you told him to cease and desist --
A No I didn't.

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Q That number, correct?
A Right.
Q And the day that you say you can not recall when it occurred that you spoke to a person by the name of Jay your belief is that that was the time when Adnan had been visiting by invitation Jay at a video store.
A Yes.
Q And you didn't know this person names Jay?
A No.
Q You had not met him before?
A No.
Q You had not talked about him with Adnan had you?
A No.
Q And you didn't know the location of this video store?
A No.
Q You didn't know what kind of videos were sold there?
A I was informed about that.
Q You were informed?
A Yes.
Q That it was an adult video?
A Yes.
Q That it was a pornographic video?

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A Yes.
Q You had not visited there?
A No.
Q Okay. And you didn't ask to speak to this person, did you?
A No.
Q You didn't object to it, did you?
A No.
Q But your understanding was that that person was working at the video store while they were talking to you?
A Yes.
Q And -- okay. And you can't remember the day that that conversation occurred?
A I can't -- I can't remember exactly everything about that day.
Q Okay. And you were at the time that you had this conversation with the person identified to you as Jay you were in your home, were you not?
A Yes.
Q And your home is located in Rockville, Maryland, is it not?
A No, Silver Spring, Maryland.
Q Silver Spring, Maryland?
A Yes.

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Q And that's where you lived then in January 2 199?
A Yes.
Q And that's where you live now?
A Yes.
MS. GUTIERREZ: Okay. Thank you. I have nothing further.
THE COURT: Any redirect?
MR. URICK: Yes, thank you.
REDIRECT EXAMINATION
BY MR. URICK:
Q Who informed you that it was a pornography store?
MS. [redacted]
A Adnan had told me before he walked in.
Q Now, everything you -- when you said your impression was -- that was all based on what Adnan told you during the course of the conversation was it not?
A Yes.
MR. URICK: Nothing further.
THE COURT: Any recross?
MS. GUTIERREZ: No, Your Honor.
THE COURT: May the witness be excused?
Thank you, Ms. [redacted]
MS. [redacted] Your welcome.

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THE COURT: Call your next witness.
MR. URICK: Thank you, Your Honor. If I may go get the witness?
THE COURT: Um-hum. Please come up to the witness stand.
MR. URICK: At this time the State would call police officer Scott Adcock to the stand.
THE CLERK: Please raise your right hand please.

SCOTT ADCOCK,

a witness produced on call of the State, having first been duly sworn, was examined and testified as follows:

THE CLERK: You may be seated. Speak into the microphone. For the record state your name and your current assignment.
MR. ADCOCK: My name is Officer Adcock of the Baltimore County Police Department. I work at --
THE COURT: First name is?
MR. ADCOCK: Scott Adcock. I work out of Garrison Precinct.
THE COURT: Officer, if you would just speak forward into the microphone. Unfortunately, the chair doesn't move so you have to move your body into it. Mr. Urick.
MR. URICK: Thank you, Your Honor.

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DIRECT EXAMINATION

BY MR. URICK:

Q Officer Adcock, drawing your attention back to January 13th of 1999, what were you doing on that date?

MR. ADCOCK:

A I was on routine patrol that day.
Q And where in Baltimore County are you stationed?
A The Garrison Precinct.
Q And just very extremely briefly when you have routine patrol what sorts of duties do you handle?
A Perform of variety of tasks. We respond to calls, multiple types of calls.
Q Now, did there come a time, drawing your attention to approximately 6 p.m. --
THE COURT: Please keep your voice up as loud as you can Mr. Urick.
MR. URICK: Thank you, Your Honor.

BY MR. URICK:

Q Did there come a time on that date, drawing your attention to around six o'clock when you got a call to respond to the Lee household?

MR. ADCOCK:

A That's correct. I was dispatched to the Lee

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household.
Q And what did you do upon your arrival there?
A Upon my arrival I spoke to the victim's brother, Mr. Young Lee and he advised me that his sister had not returned home.
Q And what if other -- what if any other information did you obtain at that time?
A I obtained the basic information for the report. Where she went to school, where she works. Things of that nature.
Q And did there come a time when you obtained any telephone numbers?
A That's correct.
Q And do you recall where you got those telephone numbers?
A I got the telephone numbers from the victim's brother.
Q And did you make a record of those numbers?
A Yes, I did.
Q And do you have that record with you today?
A That's correct.
Q Could you read those numbers off please?
A Certainly. The people I interviewed I have the brother and the grandmother and I have their phone numbers. Do you want me to list the numbers for you?

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Q Yes, if you would please.
A It's 4[redacted]. I also spoke to one of the victim's friends, Aisha [redacted] and her telephone number is 410 --
THE COURT: What was the first name?
MR. ADCOCK: Aisha.
THE COURT: How do you spell it?
MR. ADCOCK: A-I-S-H-A.
THE COURT: Last name is spelled how?
MR. ADCOCK: [redacted]
THE COURT: And slowly what is the phone number?
MR. ADCOCK: [redacted]. And also spoke to a Mr. Adnan Syed.
THE COURT: How do you spell that?
MR. ADCOCK: First name is A-D-N-A-N. Last name S-Y-E-D.

BY MR. URICK:

Q How did you -- and what phone number did you have for him?

MR. ADCOCK:

A I have a [redacted], and I have to apologize for the copy, it looks like it's [redacted]
Q Do you recall where you got that phone number from?

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A I got that from the victim's brother. He retrieved it from the victim's room.
Q Did he show it to you?
A Yes, he did show it to me.
Q Can I see State's Exhibit -- the diary please? If I may approach the witness, Your Honor?
THE COURT: You may.
BY MR. URICK: At this time I'm going to show you what's in evidence as State's Exhibit 2 and ask you to look at the page on the left hand side. Do you recognize that page?
MR. ADCOCK:
A Yes, sir I do.
Q And what's that page?
A That's the telephone number. It shows the telephone number of Mr. Syed.
Q And what number is there?
A [redacted]
Q And did you have an occasion to call that number?
A Yes, I did.
Q About what time did you call that number if you know?
A Roughly around 6:00 p.m.
Q And what happened when you called that

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number?
A I spoke to Mr. Syed and he advised me that he did see the victim in school that day and that he was suppose to get a ride home from the victim, but he got detained at school and felt that she just got tired of waiting and left.
Q And was there any further substance to that conversation?
A The only other thing I can really recall is that he asked if a police report was going to be make because I had told him the circumstances why I was calling him.
Q And what did you tell him if you remember?
A I told him, yes a police report is going to be made.
Q About how long did that telephone conversation last if you recall?
A Approximately three to five minutes maybe.
Q I'm going to show you a copy of what's been marked as State's Exhibit 34 and ask you to look as what's marked as line number 14.
A Okay.
Q For your information it's the Defendant's cell phone records for the 13th. That's the -- the number at the top that's the same number you dialed?

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A That is correct.
Q In line 14 did you see the time that that incoming call was received by the cell phone?
A Yes, I do.
Q And what was that time?
A 6:24, 37 seconds p.m.
Q And what was the duration of the call?
A Duration of the time was four minutes and fifteen seconds.
Q Is it possible that that's the call you made to that number that day?
A That is correct.
Q After you took this report what did you do?
A After I took the report I went to the precinct entered -- actually had the desk officer enter the information into the computer system. The vehicle's information and along with the victim's information.
Q And what if any further involvement did you have in this matter?
A Later on that evening I contacted the victim's boyfriend, a Mr. Klinestein and spoke to him and asked him if he knew the whereabouts of the victim.
Q And after that what if any further contact did you have with the matter?

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A That was all my contact through the investigation.
Q And you filed your report in this matter?
A That's correct.
MR. URICK: Witness with the Defense.
CROSS EXAMINATION
BY MS. GUTIERREZ:
Q Officer Adcock, when you got the numbers you got them from Young Lee, Hae Lee's brother?
MR. ADCOCK:
A That's correct.
Q Who was then 16 years old?
A I can give you his date of birth. I don't know exact age, but [redacted]
Q That would have made him 16, would it have not?
A I believe so, yes.
Q Okay. And he -- when he showed you that document that you've identified, he told you that it was his sister's diary, did he not?
A That's correct.
Q And so you looked at the page, correct?
A That's correct.
Q You weren't familiar with Hae Lee were you?
A No.

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Q You had never met her?
A No.
Q You had never seen her handwriting?
A That's correct.
Q But that's what the brother told you, correct?
A That's correct.
Q And you accepted that, did you not?
A Yes I did.
Q And did you call that number right there from the Lee house?
A That's correct I did.
Q Okay. And did you call Aisha Pittman right there from the Lee house?
A Yes, I did.
Q And the number that you called was answered by a person and did you first tell that person who you were?
A Yes, I believe so.
Q You identified yourself as a police officer, did you not?
A Yes, I did.
Q You first thought that that number was related to Don?
A No, I relate it to a friend.

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Q You already knew that it was a phone number that was connected to a person by the name of Adnan Syed?
A Correct.
Q Just as your notes review, correct?
A Correct.
Q Because you had been given that number by the brother.
A Correct.
Q As being related to Adnan Syed.
A That's correct.
Q Is that correct? Even though the number appeared on a page that said nothing, but the words Don, is that correct?
A That's correct.
Q You were also given Don's number, were you not?
A Yes I was.
Q Again by the brother, the 16 year old?
A That's correct.
Q Now, when you called that number that was identified as Adnan Syed after you identified yourself the person on the phone identified themselves?
A That's correct. I asked for information.
Q As to who it was?

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A Correct.
Q Did you ask them are you Adnan Syed or did you ask them what was your name?
A I asked what the subject's name was, his date of birth.
Q The subject, you didn't say, subject what's your name, did you?
A No, I didn't.
Q No, okay. But by subject you're referring to the name that had been given you by the 16 year old brother, correct?
A That's correct.
Q You had never met Adnan Syed had you?
A No, I have not.
Q You couldn't identify his voice, could you?
A No.
Q And you had been given no descriptive information about his voice or what he sounded like?
A None.
Q You were aware that the younger brother had just spoken to Adnan, were you not?
A No, I don't recall him.
Q Were you made aware by the younger brother that Adnan Syed had been for a period in excess of ten months the boyfriend of the missing sister of the 16

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year old?
A I don't recall how his relationship was. He didn't tell me the relationship other than maybe just being a friend.
Q But you knew him to be a friend?
A Correct.
Q Is that correct? Who might have information about the whereabouts of Hae Lee?
A Correct.
Q When you went to the house you went in response to what you list on your reports as a missing persons, correct?
A That's correct.
Q And to your knowledge the information that you were given was that she was missing for somewhere between 3:15 and 3:30 in the afternoon, the same afternoon that you were at the Lee house, correct?
A Correct.
Q At that point in time it was a missing persons investigation that you were conducting, correct?
A Correct.
Q To find out the location of a person whose family was reporting them missing, unable to be found, is that correct?

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A Correct.
Q And when you reached the person that either you identified or they identified as Adnan Syed you asked in fact, if that person had seen Hae Lee in school or thereafter, correct?
A Correct.
Q Because you were looking for any information that might lead you to Hae Lee's whereabouts were you not?
A Correct.
Q And that person told you I saw her in school, did he not?
A Yes, he did.
Q And that he was suppose to see her after school, but he was late to where he was suppose to go and so he did not.
A That's correct.
Q Correct? That person never indicated to you that after school they saw Hae Lee, correct?
A Correct.
Q And you relayed that information to Young Lee, did you not?
A I don't recall doing that, I might have.
Q It would be normal for you to do so, would it not?

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A Correct.
Q Because if somebody had given you information that you gave you a lead to go find Hae Lee or to identify the last person who had seen her that might well reassure the family who thought their sister, daughter, granddaughter was missing, would it not?
A Correct.
Q Okay. But that person on the other end of the line of a phone number given to you by Hae Lee's brother didn't give you any information that led you to believe that he, whoever was on the other end of the line knew where Hae Lee was, did he?
A They did not have any information in regards to the whereabouts of her.
Q Okay. And in fact, the remark that you remember although it does not appear in your report, you brought your report, did you not?
A Um-hum.
Q You didn't note in your report that the person on the other end of the line asked about whether or not there was going to be a police report made, did you?
A No.
Q No. That -- that wasn't signification enough for you back on the 13th of January to write in the

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report that you made of this incident.
A That's correct.
Q Is that correct? And when you spoke to the person that either identified themselves to you in some way as Adnan Syed, when you spoke to that person it appeared to you that that person had no idea that Hae Lee was missing --
A That's correct.
Q Did they? And you noted nothing otherwise in your report, did you?
A That's correct.
Q Okay. And you had never spoken to the person on the other end of the line to your knowledge, had you?
A No, that was the first time.
Q And in your dealings as a police officer you had never interacted with the person by the name if Adnan Syed --
A That's correct.
Q Had you. And at the time that you were speaking to that person in Young Lee's house you never asked Young Lee to get on the phone and identify that the person you were talking to was in fact the person you believed it to be --
A That's correct.

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Q Did you? And even though Young Lee was available then, was he not?
A Yes, he was.
Q And you didn't take any of those precautions when you went to call any of the other numbers provided you by Young Lee --
A That's correct.
Q Either, did you?
A No, I did not.
Q When you went to call Aisha [redacted]nd she was also identified as a friend of Hae Lee's by Young Lee, was she not?
A That's correct.
Q You again did not ask Young Lee to get on the phone and verify that the person you reached was in fact the person that he had led you to believe it was, did you?
A That's correct.
MS. GUTIERREZ: Thank you. I have nothing further of the officer.
THE COURT: Any redirect?
MR. URICK: Yes, thank you, Your Honor. Extremely briefly.

REDIRECT EXAMINATION

BY MR. URICK:

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Q In essence you were dependant on what the person at the other end of the line told you as to what you knew that night, were you not?
MR. ADCOCK:
A That's correct.
MR. URICK: Nothing further.
THE COURT: Any recross?
MS. GUTIERREZ: No, Your Honor.
THE COURT: May the witness be excused?
MR. URICK: Yes, thank you.
THE COURT: Thank you, Officer Adcock.
MR. ADCOCK: Thank you.
MR. URICK: May Counsel approach?
THE COURT: Yes.
(Counsel approached the bench and following ensued:)
MR. URICK: I just didn't want to ask a scheduling question in open court. Do you plan to take an afternoon break?
THE COURT: Yes.
MR. URICK: It would be an appropriate time if you did.
THE COURT: No, I want to go around 3:30.
MR. URICK: Okay.
MS. GUTIERREZ: Judge, while we're up here

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I'd like to bring the Court's attention and ask for some relief. I believe that the first person is on my left, the closest seat to the jury is the victim's mother and that's an assumption I make that a mother like age relative of the victim who is very upset, who is having alternately difficulty breathing. She is at least as to two of the jurors less than three to five feet away. I have observed the jurors, it is distracting. I believe it is a tremendous pressure on jurors particularly given the proximity of the mother where almost every word and I certainly understand it must upset her a great deal. I'd ask that we make arrangements to either move her further back from the jury and see if it less disruptive or less intimidating. I think it's --
THE COURT: State can move her back at the -- after the break.
MS. MURPHY: That would be an appropriate time.
THE COURT: I won't make a point of it now, but at the end of the break I do think she is too close to the jury.
MS. GUTIERREZ: Thank you.
MS. MURPHY: Okay.
THE COURT: Okay.

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(Counsel returned to the trial tables and the following ensued:)
MR. URICK: If I could have the Court's indulgence for just one moment.
THE COURT: Yes, Mr. Urick, your next witness?
MR. URICK: May I have the Court's indulgence for just a second. Your Honor, may Counsel approach -- we need to use the video player at this time.
THE COURT: Pull it out.
MR. URICK: Where would the Court like it put?
THE COURT: Marianna, would you just pull it straight out. I assume you've also taken the tab out that permits that it can not be recorded over.
MR. URICK: Yes, it has been suitably --
THE COURT: Made Judge proof?
MR. URICK: Made machine proof.
THE COURT: No, make it Judge proof, that's the important one. Can all the members of the jury see the TV screen? Alternates? Alternates? Okay.
MR. URICK: Mr. Clerk, can you mark this for identification as State's Exhibit Six?
(State's Exhibit No. 6 was marked for identification.)

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THE COURT: Are we plugged in? Are we plugged in? Are you on playback deck 5? Okay. Good, that's fine.
MS. MURPHY: Should I leave it on for the time being?
THE COURT: Um-hum.
MS. MURPHY: Leave it on?
THE COURT: Well, when are you going to -- are you going to get to it right away?
MS. MURPHY: In a few minutes.
THE COURT: Okay. We can fix that. Who's your witness?
MR. URICK: The State at this time would call Sergeant Kevin Forrester to the stand.
THE CLERK: Raise your right hand please.
KEVIN FORRESTER,
a witness produced on call of the State, having first been duly sworn, was examined and testified as follows:
THE CLERK: You may be seated. Keep your voice up for the record. State your name and your current assignment.
MR. FORRESTER: Detective Sergeant Kevin Forrester, Baltimore City Homicide Unit.
THE COURT: How do you spell your name, Detective Sergeant?

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MR. FORRESTER: First name, K-E-V-I-N, last name, F-O-R-R-E-S-T-E-R.
THE COURT: Thank you very much. Mr. Urick.
MR. URICK: Thank you, Your Honor.
DIRECT EXAMINATION
BY MR. URICK:
Q Sergeant Forrester, what is your current assignment?
MR. FORRESTER:
A Area 1 Homicide which includes northwest, southwest and southern districts.
Q And did you have occasion to be involved in the investigation of a homicide that derived as a result of the finding of a body in Lincoln Park on February 9th of 1999?
A Yes, I was.
Q What were your -- tell the ladies and gentlemen of the jury in general what your duties consist of?
A Basically what happens is once the call comes in, homicide detectives which would be the up detective in this case was Detective Greg McGilavary are assigned the case. The go out and begin the investigation, establishing crime scene, maintaining the integrity of the crime scene, photographs as the case goes on.

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Basically my job is I review all their case folders, all their investigation documents, making sure everything is being done the right way.
Q Now, specifically drawing your attention to February 28th of 1999. Did you have occasion to be part of a team that was being led or directed to a location by one Jay Wilds?
A Yes, I was.
Q Where was Mr. Wilds directing you to?
A Basically once -- I wasn't sure the exact location, he said he knew where it was, he was in a vehicle with Detective McGilavary, Detective Ritz in the second vehicle was myself and Detective Scott Serio.
Q And did he direct you to a location?
A Yes. It was in the 300 block of Edgewood off Edmondson Avenue in the southwest district.
BY MR. URICK:
Q If I may approach the witness at this time. I'm going to show you, officer what's been marked for identification as State's Exhibit Number 12 and ask you to take a look at it. Have you had a chance to look at that?
MR. FORRESTER:
A Yes, I have.

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Q And do you recognize that?
A Yes, I do. They had approximately 2:45 that morning we observed our victim's car parked like in the rear lot behind the 300 block of Edgewood behind the row houses. It's partially grass, partially asphalt paved common area.
Q And do those photographs fairly and accurately depict the location where the car was found?
A Yes, it does.
MR. URICK: We would offer State's Exhibit 12 the photographs.
THE COURT: Without objection State's 12 is admitted.
(State's Exhibit No. 12, previously marked for identification, was received into evidence.)
MR. URICK: May I publish that exhibit to the jury at this time, Your Honor?
THE COURT: Yes.
MR. URICK: May I approach the witness at this time? I'd like to show him what's been marked for identification as State's Exhibit Number 8.
(State's Exhibit No. 8 was marked for identification.)
BY MR. URICK:

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Q Sergeant, if you can take a look at that for a moment. Have you had a chance to examine that?
MR. FORRESTER:
A Yes, I have.
Q And what if anything does that show?
A It shows the right side of the steering column of the victim's car with selector switch in a downward angle with a hole approximately that size in the side of the steering column.
Q By a selector switch, do you mean a windshield wiper control arm?
A Yeah, later on we learned that it was actually the windshield wiper control.
Q And did you have an occasion to observe that car on the scene?
A Yes, I did.
Q And what if anything did you observe about that upon seeing it?
A This is how it was when we first got on scene looking through the window. We did not enter the car until the car was processed later that morning down in the crime lab bay.
Q And does that photograph fairly and accurately depict the condition of the windshield wiper control arm when you first observed it?

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A Yes, it does.
MR. URICK: We would offer State's Exhibit 8. Let me, as State's Eight, the single photograph exhibit.
THE COURT: Without objection State's 8 is admitted.
(State's Exhibit No. 8, previously marked for identification, was received into evidence.)
MR. URICK: May that be published to the jury at this time?
THE COURT: If that's going to be helpful to them to them to publish now, yes you may.
BY MR. URICK: If you could hand it to the third alternate there.
Q At this point, Sergeant upon arrival at the scene where the car was located what if anything was done?
MR. FORRESTER:
A At that time district officer was called to help with the towing of the vehicle down to headquarters so it could be processed. No one entered the car, the remained as it was, I remained on scene, a ow truck was ordered which was a flat bed. We then -- the car was lifted up on the flat bed truck, the truck

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was taking directly to our crime lab processing bay with myself, detectives and along with the marc unit following down into the headquarters building where it was then put into a secured bay.
Q And when a car is processed what is done to it?
A That's when crime lab technicians will take more photographs of the car, they'll recover any property that's inside of it, if need be they'll try to recover any type of fingerprints, physical or trace evidence that may be inside the vehicle.
Q And were you present at the time the car was processed?
A Yes, I was.
Q If I may approach the witness at this time I'd like to show him what's been marked for identification as State's Exhibit 14 and 15.
(State's Exhibits No. 14 & 15 was marked for identification.)
BY MR. URICK:
Q Please take a look at those. Have you had a chance to examine the two exhibits?
MR. FORRESTER:
A Yes, I have.
Q And what do they depict?

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A How we observed the car when we first saw it in the 300 block of Edgewood on that lot and then when we first started processing down at the crime bay with different items that were inside of it.
Q And do those photographs fairly and accurately depict the car and it's contents at the time you observed them?
A Yes, I do.
MR. URICK: Would offer State's Exhibits 14 & 15, the two exhibits.
THE COURT: Without objection State's 14 & 15 are admitted.
(State's Exhibits No. 14 & 15, previously marked for identification, were received into evidence.)
MR. URICK: If those two could be published to the jury at this time. If I can approach the witness at this time I'm going to show him what's been marked for identification as State's Exhibit 6.
(State's Exhibit No. 6 was marked for identification.)
BY MR. URICK:
Q Have you had a chance to examine that object?
MR. FORRESTER:

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A Yes, I have.
Q Can you identify it?
A Yes, this is a videotape that we took of Hae Lee's vehicle on 3/16/99 at approximately 12:45 hours.
Q Will you tell the ladies and gentlemen of the jury how you came to take that videotape?
A One thing we noticed once going into the car when we saw the selector switch was in fact broken we had crime lab take pictures of that. However, you can not really observe that it is broke. It just shows that it's hanging down in a downward angle.
So, after talking with Detectives McGilavary and Ritz it was decided that the only proper way to show that the selector arm/windshield wiper was broken was to take a videotape of it where you could actually see lifting it up it would just fall automatically where you could actually see that it was in fact broken.
Q And did -- who ran the video camera for this?
A I did the video camera and Detective Hastings with me was opening the car doors and assisting.
Q And where was the car when it was -- this was done?
A I don't recall the exact address, but I believe it was at a body shop maybe, I believe it was an uncle of Hae Lee's.

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Q And does the videotape fairly and accurately depict the condition of the windshield wiper control arm at the time that you first found the vehicle?
A Yes, it does.
MR. URICK: Would offer State's Exhibit --
THE COURT: Six?
MR. URICK: Six.
THE COURT: Without objection State 6 is admitted.
(State Exhibit No. 6, previously marked for identification, was received into evidence.)
BY MR. URICK:
Q Why was it videotaped later?
MR. FORRESTER:
A It was an afterthought. If the photos itself, crime lab actually showing it. Like if we had a hand and then letting it go and then showing it at a downward angle. We probably done that, but we only had a still photograph of it and it was like an afterthought.
Well, we said the only way we can properly show that it was broken was to do a videotape of the actual car showing, you know an officer or Detective Hastings lifting it up and then letting go and you could see

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that it would fall.
MR. URICK: May we publish this exhibit to the jury at this time?
THE COURT: Yes, you may. Lets see if we can make this work. Is it queued up?
THE CLERK: It should be.
THE COURT: Are we in deck five?
THE CLERK: Yeah.
THE COURT: Okay. Lets see if this works.
(The videotape was played.)
MR. URICK: It's extremely short. I believe that may not be the start of it though, so after it's through playing I'd ask the Court to rewind it and play it a second time.
THE COURT: Is that it?
MR. URICK: It's almost over.
THE COURT: Yes, Mr. Urick.
BY MR. URICK:
Q This is a videotape of the car after it was processed?
MR. FORRESTER:
A Yes, it was.
Q What happened to the contents of the vehicle?
A It was recovered by crime lab and submitted to evidence control.

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Q Now, I'm going to show you -- yes, it's in evidence. Mr. Clerk, if you can now move it, mark it as evidence State's Exhibit 6. Your Honor, I'm going to request the use of the easel again at this time if I may.
THE COURT: Um-hum. You've seem to have lost your assistance.
BY MR. URICK: Sometimes though, sir not even present. May I have the witness approach the exhibit at this time?
THE COURT: Yes.
BY MR. URICK:
Q Sir, if you could come over here. I'm going to ask you to take a few moments to look at what's been marked for identification as State's Exhibit 33.
(State's Exhibit No. 33 was marked for identification.)
Q Which is a map of a section of Baltimore City. Have you had a chance to look at the exhibit?
MR. FORRESTER:
A Yes, I have.
Q And are you familiar with that area?
A Yes, I am.
Q And does that area depict where the vehicle was recovered?

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A Yes, it was.
Q And do you see the place where the vehicle was found?
A Yes, I do.
Q Would you please point it out for the members of the jury?
A Since there are no real streets, this is a parkway, Edgewood is two blocks west. The parkway another good landmark --
THE COURT: At the moment we have a crowd of people around the map. Ms. Gutierrez, perhaps if you would move over to over here out of the way of the jury. Okay. Now, can all the members of the jury see?
MR. FORRESTER: Okay. This landmark would be Northern Parkway. Another landmark for anybody familiar with Edmondson Avenue is Saint Bernadines Church, the church with the real big gold top that would be right here on Edmondson Avenue. Edgewood Street starting right her would be the 500 block and 400 block in where it veers, where it goes down on an angle is the 300 block, that's where we located the vehicle right below Mulberry Street would be another -- one block south of Mulberry.
BY MR. URICK:
Q At this time I would ask you to take this dot

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that has a C on it for car and place that basically at the location where the car was found. Now, were you present on the day that the victim was found?

MR. FORRESTER:

A No, I was not.

Q You may return to the stand at this time. If I may have the Court's indulgence for just a second. If I may have the Court's indulgence. Ms. Gutierrez. Witness with the Defense.

THE COURT: Cross.

CROSS EXAMINATION

BY MS. GUTIERREZ:

Q Detective Sergeant, the person who directed you to where this car was found was Jay Wilds.

MR. FORRESTER:

A Yes, it was.

Q Nothing further.

THE COURT: Any redirect?

MR. URICK: No, thank you.

THE COURT: Very good. May the witness be excused?

MR. URICK: Yes.

THE COURT: Thank you, Lieutenant Sergeant. Ladies and gentlemen we're going to take our afternoon recess now. It will be twenty minutes, we'll be

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calling for you at 3:45. Again, please stay in your jury room until you are called for. Please now return to your jury room.

Please leave your note pads on the chair as you will at the end of each day just leave them there. We'll turn them over so no one can see them. Again, remember do not discuss the case with anybody either among yourselves or with anyone else.

(The jury was excused from the courtroom.)

THE COURT: Counsel, please be in place at 3:45. Also please make the seating changes we discussed.

THE CLERK: All rise.

(Brief recess.)

THE COURT: Please be seated. Yes, Mr. Urick.

(The jury returned to the courtroom.)

MS. GUTIERREZ: Excuse me, Judge, there's a juror missing.

THE COURT: Oh, yes. Are we missing? Thank you. Mr. Urick?

MR. URICK: With the Court's permission I'll go get the next witness. The State at this time would call Sal Bianca to the stand.

THE CLERK: Raise your right hand please.

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SALVATORE JOHN BIANCA,

a witness produced on call of the State, having first been duly sworn, was examined and testified as follows:

THE CLERK: You may be seated. Please keep your voice up for the record. State your name.

MR. BIANCA: My name is Salvatore John Bianca.

THE CLERK: And your work address?

MR. BIANCA: 601 East Fayette Street, that's the Baltimore Police Department.

MR. URICK: If I may have the Court's indulgence for just a second.

DIRECT EXAMINATION

BY MR. URICK:

Q Good afternoon, Mr. Bianca.

MR. BIANCA:

A Good afternoon, sir.

Q What do you do for the Baltimore City Police force?

A I'm currently a criminalist in the trace analysis unit, that's a portion of the crime lab. It analyzes physical evidence that's been recovered from crime scenes, individuals and objects.

Q And how long have you been doing that?

A I'm been doing the trace analysis work for

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the last eleven years and I've been with the department twenty six years, but the first fifteen years being in the crime lab.

Q Now, what is serology?

A Serology is the study of biological fluids such as blood or saliva or semen. Also included with that would be hairs and some skin.

Q And what if any training have you had in serology?

A Okay. I have a degree from the University of Maryland, Baltimore County in biology. Zoology falls within the field of biology. Since then I have study at a graduate school at Towson State University in a Master's program in biology. I worked two years in a hospital in a histology lab which works with tissues and assisted on autopsies during that period. Once I left that I worked in the -- I came to work for the Baltimore Police Department. I received training as a local crime lab technician. Part of their training was the recognition and recovery and preliminary testing of fluids and biological materials that would fall under zoology.

In 1980 along with other training I had the opportunity to go to the FBI Academy in Quantico, Virginia and received training in crime scene

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processing, evidence collection and some analysis. In 1988 I was promoted from the trace analysis unit -- from the mobile crime lab to the trace analysis unit and that started approximately a year and a half training in serology, that was given at the Baltimore Police Department by my current supervisor.

Aside from other instrumental courses that deal with that and working with peers that would be the training that I had that was specific to serology biological fluids and things of that nature.

Q What if any experience on the job have you had in serology?

A The last eleven years.

Q Have you ever been qualified for your expertise in training in serology by any of the courts in Baltimore City?

A In this court in Baltimore City. I've also been accepted as an expert in Carroll County, Harford County, Cecil County and I think that's all the counties that I was accepted as an expert in.

MR. URICK: At this time I would offer the witness for his expertise and training in the area of serology.

MS. GUTIERREZ: We would certainly accept Mr. Bianca as an expert.

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MR. URICK: Thank you very much.

THE COURT: Okay. Ladies and gentlemen, the expert Mr. Bianca has been qualified and as agreed by the Defense to be an expert. The rules of evidence don't usually permit witnesses to give their opinions. One exception is with experts who by knowledge, training, skills and experience have an additional layer of expertise, so we permit them to testify in terms of experience. You treat the experts testimony along with all of the other evidence as you consider it as a jury and you give it such weight that you think it's entitled to.

MR. URICK: If I may the Court's indulgence for just a second.

THE COURT: Yes.

MR. URICK: Mr. Clerk, will you mark this for identification purposes as State's Exhibit Number 26.

(State's Exhibit No. 26 was marked for identification.)

MR. URICK: If I may approach the witness at this time. I'm going to show the witness what's been marked for identification purposes as State's Exhibit 26, 27 and 28.

(State's Exhibits No. 27 & 28 was marked for identification.)

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MR. BIANCA: Yes, I have powder free ones, so it won't mess anything up. Is there a question?

BY MR. URICK:

Q Have you had a chance to examine them?

MR. BIANCA:

A I've examined 27, 28 and may I open 26?

Q Yes, please.

A Before I rip this open I just want to point out there's an SV on here, that's my initials across the seal.

Q Why would your initials be across the seal?

A When I examine a piece of evidence, property, I mark the item. I also when I'm finished close, staple the container and close it with evidence tape and write my initials on it. So, if somebody else has to examine it they know who the last person was who was in this bag.

Q Okay. Have you had a chance to examine the object?

A Yes, I have.

Q What is that object?

A It's a stripped shirt that I analyzed.

Q I'm going to show you what's already in evidence as State's Exhibit 13 and ask you to take a moment just to look at these photographs.

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A Yes.

Q Is that the same shirt that's depicted in these photographs?

A Yes, it is.

MR. URICK: Would offer at this time as State's Exhibit 26, the shirt that was recovered from the victim's car that Young Lee identified.

THE COURT: Without objection State's 26 is admitted.

(State's Exhibit No. 26, previously marked for identification, was admitted into evidence.)

BY MR. URICK:

Q Now, State's Exhibit 27, what is that?

MR. BIANCA:

A Items 27 is a two page report that I wrote and it's dated 8/31/99.

Q And that report examines what?

A That examines this particular shirt and other items that were submitted to the trace analysis unit for analysis.

Q And does that report present the findings of your examination of that shirt and the other items?

A Yes, it does and then there is an additional report.

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MR. URICK: We would offer State's Exhibit 27, the report.
THE COURT: Without objection State's 27 is admitted.
(State's Exhibit No. 27, previously marked for identification, was received into evidence.)
BY MR. URICK:
Q Based -- if you would read what the -- what your examination showed of that shirt.
MR. BIANCA:
A Okay. On this particular report it's item 9, stripped shirt and the results of the examination are as follows. The shirt exhibit red stains on the back lower right and went through from the rear to the front of the shirt. These stains were determined to be human blood. A sample of these stains were retained for future possible analysis. The shirt was examined for semen with negative results and two hairs were recovered from the shirt.
Q May the witness show the jury the shirt at this time?
THE COURT: Yes.
MR. URICK: If you would please hold -- move to the front of the jury and hold up the shirt so that

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everybody can see it and point out the areas that you examined.
MR. BIANCA: First off, you saw me fumbling with the shirt and what I was looking for was my initials, a little tag on the bottom. On every piece of evidence or item that I examine I mark the item if possible myself with my initials in case it becomes separated from the bag. Now, --
THE COURT: If you could show it to them in sections taking the alternates first.
MR. BIANCA: Sure. This is the front of the shirt.
THE COURT: And if you would stop it where it points rather than racing it along the edge.
MR. BIANCA: Sure.
THE COURT: So they can focus on it.
MR. BIANCA: I want to show you the back and that's the area that are outlined with red dots. See those? That's the area where human blood was found.
BY MR. URICK:
Q Now, besides what blood what if anything else can you see on that shirt?
MR. BIANCA:
A Okay. There are a fewer other stains with what's -- what's interesting is in the lower right

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front and on the back and I'll turn around and show you. See these little bumps of tan material and there's some on the back, you got to look around. I initially --
THE COURT: Did everybody get a chance to see on the jury?
MR. BIANCA: Initially we looked at these and they gave every appearance of being possibly human nasal mucus and I wrote that in my notes and at the time I was concerned about the time. And determining if it was necessary to look at we could go back to it. Here it is on the back in the center, tan material. And as time was going by the color of the blood has changed. Blood starts out it's red and as time goes by as it dries it becomes brown or a browner and if you leave it long enough it turns black. The stains on here are faded. When I looked at them they were more red.
THE COURT: Can he return to the witness stand now, Counsel?
BY MR. URICK:
Q Before you put that away. Where does mucus come when they come from?
MR. BIANCA:
A The nose.

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Q Now, after you examined that for blood what of anything did you do with the shirt?
A I took a sample of the blood, in fact of all the blood stains and froze those, so at a later time we could do -- have them sent out for DNA analysis.
Q How did it come to have holes in it?
A I put those holes in it. I cut out portions of the stains and froze those, so they would be available to us at a later time.
Q And did you in fact request a DNA analysis?
A I did request it at the request of a homicide detective.
Q And can you identify State's Exhibit 28?
A This is the chain of custody form that I personally filled out that would accompany the samples I took from the shirt along with standard samples of the victim's blood and the suspect's blood. And this would go to the Maryland State Police crime lab for them to have and establish a chain of custody coming from me to them and then returning back to our lab.
Q Who's samples of blood were asked to be compared to the stain on the shirt?
A Okay. Adnan Syed and Jay Wilds.
Q How about the victim's?
A Also the victim, Hae Min Lee.

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MR. URICK: Would offer as State's Exhibit 28, the DNA request form.
THE COURT: Without objection State's 28 is admitted.
(State's Exhibit No. 28, previously marked for identification, was received into evidence.)
MR. URICK: If I didn't move them and I would move in at this time State's 26 and 27.
THE COURT: Twenty six and 27 are in.
MR. URICK: Thank you. May 26 and 27 be published to the jury at this time?
THE COURT: Yes, they may.
MR. URICK: If I may have the --
MR. BIANCA: Do you want this back in the bag?
MR. URICK: You can return that to the bag if you would and hand it to the Court at this time. At this time pursuant to stipulation we'd offer as State's Exhibit 4, two fibers that were found at the time of this disinterment of the victim, one near the head, the other underneath the body and then as State's Exhibit Five, Daniel Van Gelder's trace analysis report on those fibers.
THE COURT: Very good.

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MR. URICK: Mr. Clerk, if you could mark these as evidence 5, 4 and 5 at this time.
THE COURT: Exhibits 4 and 5 are admitted.
(State's Exhibits No. 4 & 5 are received into evidence.)
THE COURT: Ladies and gentlemen, during the course of the trial you will hear the word stipulation. That just means that the parties have agreed about certain things. One of the things they've agreed about is that two fibers, State's Exhibit 4 are admissible as evidence and they have also agreed about a report, State's Exhibit Number 5 and that comes into evidence as well.
BY MR. URICK:
Q Mr. Bianca, who's Daniel Van Gelder?
MR. BIANCA:
A Daniel Van Gelder is a co-worker of mine. He's a criminalist too, with the baltimore Police Department. He's been there approximately 28 years.
MR. URICK: At this time I'd ask for State's Exhibit 5 to be published by having the witness read Mr. Van Gelder's conclusions of his analysis.
THE COURT: The witness may publish it.
MR. URICK: If you could take a few seconds to look at the exhibit and familiarize yourself with

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it.
THE COURT: As you can see, ladies and gentlemen these agreements mean that we don't actually have to call the witnesses in, so that means we save some of your time that way by just having these agreements. And of course I'm sure that you as well as I appreciate when the attorneys are able to make these agreements among themselves because it does help the trial move a little faster.
MR. BIANCA: Okay.
BY MR. URICK:
Q Have you had a chance to examine the report?
MR. BIANCA:
A Yes, I did.
Q Very briefly, can you explain what Mr. Van Gelder was doing?
A Mr. Van Gelder was comparing some fibers that had been recovered from the victim's clothing and from the body bag and the grave site where the victim was found. His conclusions are as such. A thorough search of the jacket and boots reveal no fibers comparable to the victim's skirt fibers. The red fibers found on the victim's body and the tufted red fibers found on the victim's blouse have not been associated each other with the multi colored T shirt or the weight lifting

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glove.
BY MR. URICK: Thank you. If I may return the exhibit to the Clerk at this time. If I may have the Court's indulgence for just a second. Witness with the Defense.
THE COURT: Cross.
MS. GUTIERREZ: Thank you, Your Honor.
CROSS EXAMINATION
BY MS. GUTIERREZ:
Q Mr. Bianca, you are as a trained criminologist and serologist able to determine if the substance is submitted to you is in fact semen, are you not?
MR. BIANCA:
A That is correct.
Q And there was no substance that you either discovered or was submitted directly to you that you checked for the presence of semen?
A I checked it and there was no semen.
Q There was no semen on anything that was submitted to you?
A There was no semen found. That is correct.
Q In regard to this case?
A That is correct.
Q Okay. And you also you told us one of the

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things that serology does is that it can determine other biological elements such as the presence of skin or -- what is it called? Ephethelial cells.
A Ephephelial cells.
Q And again you did not determine the existence of any skin or ephethelial cells related to anybody in regard to anything that you examined?
A In reference to the report item 11.
Q Yes.
A That had ephethelial cells on the --
Q Okay. What was item 11?
A Item 11 was a liquor bottle.
Q Okay. And that liquor bottle to your knowledge it was just submitted to you as recovered from the scene where the body of this victim was discovered, is that correct?
A Okay. It was recovered from the crime scene and at the time had been finger printed and I examined the lid and the cap in the case that it may or may not be relevant and I looked at the top, swabbed it and found ephethelial cells. I retained those, reported that in the report and gave that information to detectives for them to do with as their investigation would lead them.
Q And nothing else was ever submitted to you to

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compare the cells that you recovered or notated on that liquor body was it?
A No, because that would be a request from -- and let me just explain this if I may? Requests come to our lab from the detectives, from the prosecutors and defense attorneys interested investigators in the case and it's not up to me to make the decision, that the investigator's decision.
Q You decide what to do because it's submitted to you on a form, is it not?
A I receive information on a form requesting a particular type of analysis.
Q And that form is a Baltimore City Police Department form, is it not?
A Yes, it is.
Q And that form is attached to some piece of physical evidence, is it not?
A No, it can be sent to me in the mail.
Q Okay. But it usually relates to a piece of physical evidence, does it not?
A That is true.
Q Because that's what you do, is that correct?
A That's correct.
Q As a result of any of your analysis and the analysis that you refer to in the report that has been

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introduced into evidence that is dated on August 31st of this year, is it not?
A That is correct.
Q Okay. And when you got that request -- that's the date of your report, correct?
A No, the date of my report was August 31st, correct.
Q 1999.
A 1999.
Q And, sir does that indicate the date that the evidence was forwarded to you?
A No, that is the date --
Q That's just the date of your report.
A Report.
Q So, that means you would have concluded your analysis, correct?
A That's correct.
Q Does it take you months to conclude your analysis once physical evidence is directed your way?
A Sometimes.
Q Can you tell us when you received a request attached to some or to one or more pieces of evidence for you to analyze --
A Sure.
Q As a criminalist?

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A I can tell you today that the evidence came in when I first looked at it.
Q Okay. Could you tell us that date, sir?
A Sure. I'm just going to look at my notes if that's okay. March 10th was the first day of 1999, the first --
Q When that evidence was submitted to you?
A That I had it in my possession.
Q Okay. And was there anything about the analysis that you conducted on the shirt that you've identified and shown the jury to determine the presence of human blood that took from March 10th to August 31st?
A No, that was done that particular day.
Q It was just done on the 31st?
A No, it was done March 10th.
Q Okay. And is there anything about your analysis that took until the 31st of August to write the report? Was there any other information you were waiting on to determine that the substance on the shirt that you suspected to be blood was in fact human blood?
A Yeah, I knew it was human blood at that particular time back in March.
Q Now, at that particular time you're referring to March of 1999?

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A That's correct.
Q Is there anything that took time for your to conclude your analysis from March the 10th '99 to August 31st?
A Correct.
Q No, sir, it's just a simple question. Is there anything --
MR. URICK: Objection.
BY MS. GUTIERREZ:
Q Is there anything about your analysis that specifically took the time between March the 10th, 1999 and August 31st, was there anything? That requires a yes or no answer?
MR. BIANCA:
A No.
Q Okay.
A But there is no, yes or no answer to that question.
MS. GUTIERREZ: Well, no, sir. My question only requires --
MR. URICK: Objection.
THE COURT: Sustained. No dialogue between the witness and the lawyer. Please replace -- rephrase the question.
BY MS. GUTIERREZ:

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Q Mr. Bianca, there was nothing in your analysis that required the time period from March 10th to August 31st was there?
MR. BIANCA:
A For that particular item.
Q To determine whether or not the substance that you suspected was human blood was in fact human blood. There was nothing in that part of the analysis in regard to that shirt which you just stood up and showed the jury that took the time from March 10th to August 31st was there?
A That is correct.
Q Okay. Now, Mr. Bianca, you also referred to and identified what has been marked as State's Exhibit 28, the request for DNA analysis form, sir.
A Okay. Could I see the form please?
THE COURT: State's 28 to the witness please. Does the jury still have State's 28?
JUROR: Yes.
THE COURT: Would someone hand it back to the witness please. Also if you will hold onto the exhibits or pass them back to the witness or the lawyers when they're near so we don't loose them on the floor. Anything else back there? Okay.
BY MS. GUTIERREZ:

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Q Mr. Bianca, I'm going to show you what's already been admitted as State's Exhibit 28. That is the form request for the laboratory examination and the chain of custody log, is it not?
MR. BIANCA:
A That is correct.
Q Okay. And on the chain of custody log at the bottom of the page your name is listed.
A That is correct.
Q And your name is listed and dated as 9/24/99 at 4:00 p.m., is it not?
A That is correct.
Q And that's the last time that you would have handled the blood sample that you've described to us that you cut from the shirt and froze?
A I didn't handle it then, I had it in a package and this is the date and time that I turned that package over to the Maryland State Police for analysis.
Q On this form, Mr. Bianca, there is a part of a form, a block that says examination requested by, is there not?
A That is correct.
Q And this examination that is of DNA, RFIP is requested by yourself, is it not?

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A That is -- that is correct.
Q Your name is in that blank, is it not?
A That is correct.
Q And that requested was to take the frozen blood sample that you've described to us and submit it to a lab that was capable of comparing those frozen blood samples with other evidence?
A That sample with standard samples of the victim and suspects.
Q Okay. And you said suspects with an S, did you not?
A Yes.
Q And that indicates more than one suspect, does it not?
A No, that means there's a victim sample and there's people to be tested against.
Q Okay. But you chose the word suspect when I asked you that question, did you not?
A Yes and that's a force of habit.
Q And you used it -- you used it in the plural, did you not?
A There's two names on there besides the victim.
Q Okay. And those two names are Adnan Syed, correct?

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A That is correct.
Q And Jay Wilds, is that correct?
A That is correct.
Q And the form indicated what was submitted were blood samples from both Adnan Syed and Jay Wilds, is that correct?
A That is correct.
Q Together with a blood sample from the victim Hae Lee?
A Correct.
Q And those submitted together with the blood sample from the shirt that you had excised and then frozen from the shirt, is that correct?
A That is correct.
Q And that was submitted to a lab who could compare those blood samples with the frozen sample that you made to determine who's if anyone's blood that was, is that correct?
A That is correct.
Q Okay. And you were correct it's the proper procedure for you having identified that the substance that you froze was human blood would be to pass it on to someone else to determine if further identification of that blood could be made, is it not? It's proper procedure for you to do that, is it not?

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A That is once it's been requested of me to do so.
Q Okay. And that form, sir is there a date on the request itself?
A Heres the date I took the sample there.
Q And that date is?
A 9/24/99.
Q Just a couple of months ago?
A That is correct.
Q On the shirt you indicated when you were showing it that there are -- there appears on the shirt red dots, do you recall that?
A That is correct.
Q Okay. Those red dots are marks on the shirt that you made, is that correct?
A That is correct.
Q They were not there on the shirt when it was submitted to you?
A That's correct.
Q You made them to be able to identify from where you were extracting or noticing what appeared to you to be blood before you tested to confirm that in fact, it was human blood?
A Correct.
Q Is that correct? Okay.

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A The red stains that you see red that are circled are the blood stains and some of the red marks on there are not blood stains. In fact, they're more like perspiration, body fluid stains.
Q There are often time stains that appear to be human blood, but are not?
A No.
MR. URICK: Objection.
THE COURT: Sustained. If you'll let the witness answer the question before posing another question.
MS. GUTIERREZ: Well, I imposed --
THE COURT: It will make the transcript a lot clearer that way. Thank you.
MS. GUTIERREZ: Thank you, Your Honor. For the record he was not answering the question that I posed.
THE COURT: He was trying to answer the question, Ms. Gutierrez. We'll have no debate between you and me about those objections.
MS. GUTIERREZ: Yes, Your Honor.
THE COURT: We'll just move on in hopes of getting this case tried this year, is that correct?
MS. GUTIERREZ: Yes, Your Honor.
THE COURT: Thank you, Ms. Gutierrez.

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BY MS. GUTIERREZ:
Q Mr. Bianca, what question are you answering?
MR. BIANCA:
A I am answering the question about the red dots and they're made by a magic marker that I make. Now, there are red dots on there for a reason and the red dots are so that I can see them in normal light. One of the tests that I did on this shirt was to see if there was semen, I explained that earlier. And the way we test for that, the first test we do is to use a laser in a darkened room. Body fluids, some of our juices and fluids come out, urine is one of them that will glow, but semen glows very strongly and intensely. Unfortunately, because of the decomposition of the body and wearing of the -- excuse me, because of the fluids from perspiration and other things we test the samples in a darkened room with a laser and anything that glows you see those little circles, you see those dots in red. Then we come out -- I come out into the normal light and look at these areas and test those areas because you can't see the glowing in normal light.
So, that's why you see red stains that are obviously blood and some of the red marks around those and then you see other areas that appear to be nothing

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circled in red dots. They are areas that glowed under the laser light and when I tested them it turned out to be nothing.
Q It turned out not to be blood and not to be semen?
A Not to be semen and not to be --
Q And not to be anything else that you reported on that report, is that correct?
A That is correct.
Q But those reds dots were not there when the shirt was submitted to you?
A No, I placed them on there.
Q And, sir, other than whatever analysis you conducted and reported in your report dated 8/31/99, you've done nothing else with that evidence have you? Other then send it forward for the DNA analysis?
A The shirt in particular, yes.
Q Okay. Thank you. Nothing further.
THE COURT: Redirect?
MR. URICK: Yes, thank you, Your Honor.
REDIRECT EXAMINATION
BY MR. URICK:
Q Did you ever get the results of that analysis back?
MR. BIANCA:

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A Yes, I did.
Q And what were they?
A The blood, the human blood matched --
MS. GUTIERREZ: Objection.
THE COURT: Basis?
MS. GUTIERREZ: That's not the person that did the results. The results are not in evidence, they can not be admitted through this witness.
THE COURT: Are the results in evidence? I thought the report was in.
MS. GUTIERREZ: Not the DNA report.
MR. URICK: No, just the request.
MS. GUTIERREZ: Only the request.
THE COURT: Then sustained.
MR. URICK: I'm showing the Defense an item I wish to approach the witness with.
THE COURT: Okay.
MS. GUTIERREZ: I would object and ask to approach the bench.
THE COURT: Okay.
(Counsel approached the bench and following ensued:)
THE COURT: What is it?
MS. GUTIERREZ: Judge --
THE COURT: No, no what is this?

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MR. URICK: It is rec sheet by a mobile unit technician.
THE COURT: Um-hum. And what are you trying to elicit it for?
MR. URICK: A business record made by the police department in the ordinary course of business where the information on it was entered by a person who has information roughly at the time that the information is entered on it.
THE COURT: What is it that you're trying to get it in for?
MR. URICK: On the second page, second page.
THE COURT: The page I had?
MR. URICK: Yeah. Lets see. Shirt with suspected blood.
THE COURT: Okay.
MS. GUTIERREZ: Well, Judge this is rebuttal and has not been admitted as a business record, it can't be established as a business record through this witness. There's nothing that challenges anything that was brought out on cross regarding the shirt. The only thing that was asked about the shirt was connected to the red dots that certainly don't appear on that and that's written by a person who can only characterize as suspected blood. It's beyond the scope and it would be

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improper to introduce or attempt to even ask this witness to look at it.
THE COURT: What does it add?
MR. URICK: It adds that the Defense has been on notice since February 28th.
THE COURT: No, no what does it add? I mean don't you have that blood stains were recovered from the shirt and you have the shirt in place in the truck with the photo? Is there something extra that comes in from this exhibit?
MR. URICK: I believe so.
THE COURT: What is it?
MR. URICK: The date that the Defense has been on notice and they've done absolutely nothing to request any analysis of this blood stain.
THE COURT: They offered?
MR. URICK: No, but they have a burden?
THE COURT: Sustained.
MR. URICK: Ms. Murphy would like to raise a point.
MS. MURPHY: Judge, I'm going to object to Defense Counsel calling my co-Counsel an ass hole at the trial table that she did just a moment ago.
THE COURT: Okay. I did not hear that. I know Ms. Gutierrez. Although a pitbull on the pet leg

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of justice is, at least in my experience has been a courteous person. I'll assume for the moment that you misheard her and I will assume that all Counsel will conduct themselves with decor and properly in trial because that would be just a horrible crisis to pay for all of you if you don't. So, shall we do this and try to stay on schedule.

(Counsel returned to the trial tables and the following ensued:)

THE COURT: Objection was sustained.

BY MR. URICK:

Q Mr. Bianca, are Defense attorneys free to make request of you to analyze items?

MS. GUTIERREZ: Objection.

THE COURT: Overruled.

MR. BIANCA:

A Yes. In fact, we received -- I've received some personally.

BY MR. URICK:

Q As of today, December 10th, 1999 has any request come from the Defense to analyze any of these items?

MS. GUTIERREZ: Objection.

THE COURT: Overruled.

MR. BIANCA: No.

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MR. URICK: No further questions.

THE COURT: Cross.

RECROSS EXAMINATION

BY MS. GUTIERREZ:

Q Do defense attorneys have any obligations to make any request to analyze any piece of evidence against their clients, Mr. Bianca?

MR. URICK: Objection.

THE COURT: Overruled.

MR. BIANCA: I'm not a lawyer.

MS. GUTIERREZ: Thank you.

THE COURT: Good day, sir. Thank you very much.

MR. BIANCA: Your welcome.

MR. URICK: May Counsel approach, Your Honor?

THE COURT: Yes.

(Counsel approached the bench and following ensued:)

THE COURT: Marianne, can you get those bar stools here so Counsel can get --

MS. GUTIERREZ: With wheels, with wheels.

MR. URICK: Your Honor, may the witness be excused?

THE COURT: Yes, good day, sir. Okay. Here we are again.

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MR. URICK: We've gotten through five witnesses, we're rolling very quickly. We haven't the witness, but I'm not certain how long it will take.

THE COURT: Lets get this out of the witness shall we?

(Counsel returned to the trial tables and the following ensued:)

MR. URICK: If I may have the Court's indulgence for just a second.

THE COURT: Yes.

MR. URICK: If I may continue to have the Court's indulgence for just a second.

THE COURT: Yes, sir. State call it's next witness please.

MR. URICK: Thank you, Your Honor. At this time the State would call Romano Thomas to the stand.

THE CLERK: Please stand and raise your right hand.

ROMANO THOMAS,

a witness produced on call of the State, having first been duly sworn, was examined and testified as follows:

THE CLERK: You may be seated. Please speak into the microphone, keep your voice up. For the record state your name and your assignment.

MR. THOMAS: My name is Romano Thomas, I'm

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assistant supervisor with the mobile crime lab unit, Baltimore Police Department.

DIRECT EXAMINATION

BY MR. URICK:

Q Good afternoon, Mr. Thomas.

MR. THOMAS:

A Good afternoon.

Q What is the mobile unit for the crime lab?

A The mobile unit is a specialized unit that responds to crime scenes to photograph, document, package and recover evidence.

Q And how long have you been employed by the Baltimore City Police Department?

A Six years.

Q And what have your duties been during that time?

A During that time, the first three years I was assigned to the mobile unit classified as a crime lab technician 1 in which I responded to various crime scenes, crimes against persons and also property crimes as well including burglaries. The past three years I've been employed with the police department in the mobile unit as an assistant supervisor.

Q And drawing your attention now to February the 9th of 1999. Did you have occasion to respond to

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the 4400 block of Franklin Town Road which is in Lincoln Park in the city of Baltimore, State of Maryland?
A Yes, sir I did.
Q What duties were you performing on that date?
A On that date I was performing supervisory duties during that time.
Q And upon your arrival what did you observe?
A Upon my arrival there were several detectives who were already present at the scene scouring the crime scene for evidence. Upon my arrival they directed me to what we believed to have been at that time a human body that was buried.
Q If I may approach the witness at this time, I'm going to ask him to examine what have been marked for identification purposes as State's Exhibits 9 and 10 and 11.
(State's Exhibits No. 9, 10 & 11 was marked for identification.)
THE COURT: Yes you may.
BY MR. URICK:
Q You want to take a few moments and examine those items.
MR. THOMAS:

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A Okay.
Q Have you had a chance to examine the exhibits?
A Yes, sir I have.
Q If you would please first find the one that's marked as State's Exhibit 9.
A Okay.
Q Can you identify that exhibit?
A Yes, sir. These appear to be overall photographs of the area, 4400 block of Franklin Town Road.
Q And do those fairly and accurately depiction the -- depict the scene as you saw it that morning?
A Yes, sir.
Q Or that afternoon rather.
A Yes, sir they do.
MR. URICK: We would offer State's Exhibit 9, the photographs.
THE COURT: Without objection State's 9 is admitted.
(State's Exhibit No, 9, previously marked for identification, was received into evidence.)
MR. URICK: May that exhibit be published to the jury at this time?

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THE COURT: Yes it may.
MR. URICK:
Q If you would please would you hand that exhibit to the woman to your right there so she can pass it around. Please look now at State's Exhibit 10. Can you identify those photographs?
MR. THOMAS:
A Yes, sir I can.
Q What do those represent?
A These photographs represent closer -- closer photographs of the area where we believed the body was found.
Q Do they fairly and accurately depict the scene as you found it that day?
A Yes, sir they do.
MR. URICK: Would offer State's Exhibit 10, the exhibit of photographs.
THE COURT: Without objection State's 10 is admitted.
(State's Exhibit No. 10, previously marked for identification, is received into evidence.)
MR. URICK: I would ask that it be published to the jury at this time.
THE COURT: It may be published.

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BY MR. URICK:
Q And can you identify what's in State's Exhibit 11?
MR. THOMAS:
A Yes, sir. These are close up photography shots of the victim as we were unearthing her.
Q And do they fairly and accurately depict the disinterment of the body on that date in question?
A Yes, sir they do.
MR. URICK: Would offer State's Exhibit 11 at this time, the photographs.
THE COURT: Without objection State's Exhibit Number 11 is admitted.
(State's Exhibit No. 11, previously marked for identification, was received into evidence.)
MR. URICK: Now --
THE COURT: And it may be published.
MR. URICK: Mr. Mack, do you have the other photographs at this time? The ones of the car. No, the ones of the items in the car. There should be another one too.
THE COURT: Fourteen and 15.
BY MR. URICK:
Q Mr. Thomas, these are already in evidence.

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but I'm going to ask you to take a look at them anyway.
MR. THOMAS:
A Okay. Okay.
Q Do you recognize those?
A Yes, sir I do.
Q Drawing your attention to February -- on or about February 28th of 1999, did you have occasion to respond to headquarters at which time the vehicle was being processed?
A Yes, sir.
Q What was your duties on that date?
A My duties on that date was supervisory.
Q On both dates in question was all evidence that was seized, seized in your presence?
A Yes, sir it was.
Q And was it packaged in your presence?
A Yes, sir.
Q Now, what is an offense report number?
A I'm sorry. What was that again?
Q What is an offense report number?
A An offense report number is a central complain number that's used with the Baltimore City Police Department.
Q And was this incident involving the body in Lincoln Park given an offense report number or a

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central complaint number?
A Yes. Yes, sir. One was generated at the time of the original crime scene.
Q And what was that number?
A That number would be 998B, boy, 05801.
Q And all further reports and evidence is referenced back to that number, is that correct?
A Yes, sir that is correct.
Q Now, what is the evidence control unit?
A The evidence control unit is a section that's within the basement of the headquarters building. That is where all evidence that is seized not only throughout the crime lab, but police officers throughout the city submit all evidence.
Q And what is a property control number?
A A property control number is a number that's issued by the evidence control unit to identify property that's recovered from different individuals.
Q Now, if I may approach the witness at this time? I'd ask you to examine that object and see if you can identify it.
THE COURT: Is there an evidence number?
MR. URICK: There's no number attached to it yet, I --
MR. THOMAS: Okay. Okay.

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BY MR. URICK:
Q Have you had a chance to examine that?
MR. THOMAS:
A Yes, sir.
Q And can you identify that object or objects?
A This appears to be a map that was recovered from the vehicle on the 28th of February of '99, same case.
Q If you look at the photographs, do you see an object in the photographs?
A Yes, sir I do.
Q And you actually have two objects, don't you?
A Yes, sir that would be correct.
Q And what is the item on top?
A The item on top is one particularly case that was torn out of the map in question.
Q And do you see the map book on these pictures?
A Yes, sir I do.
Q Where was the map book?
A The map book itself was located in the rear seat of the vehicle.
Q And do you see the page that was torn out?
A Yes, sir.
Q And where was that?

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A Again it was also located in the rear of the vehicle.
Q At this time I'd ask is there -- if I may just for the jury's information. How is paper processed when it's seized?
A Generally, when paper is seized by one of our units it's sent to our latent crime unit in which it is processed in a different manner other then the normal fingerprint powder which is a bi-chromatic powder.
Q And has that paperwork been processed?
A As far as I can tell, yes.
Q Now, is there any reason it shouldn't be touched at this point or anything?
A No, not at any time.
Q I'd ask --
THE COURT: Is the book 17 and the may itself 16?
MR. URICK: Yes, with the Court's permission at this time I will affix the labels to that affect.
THE COURT: Okay.
MR. URICK: For identification purposes the single page.
THE COURT: Okay.
MR. URICK: And the map book proper I'm affixing for identification purposes State's Exhibit

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17.

(State's Exhibit No. 17 was marked for identification.)

BY MR. URICK:

Q Was that item assigned a property control number when it was submitted to the evidence control unit?

MR. THOMAS:

A Yes, sir it was.

Q And how is the paperwork filled out on that?

A There's generally -- the general paperwork that's filled out is a form known as a 56 form. Basically that form is a property form which is filled out. It includes the investigating officer's name, the person who was recovering the evidence name as well as what the items that are contained within the recovery.

Q And was that paperwork filled out on those -- that item?

A Yes, sir it was.

Q Was it filled out in your presence?

A Yes, sir it was.

Q Okay. And who's handwriting is on the form?

A It should be Franklin Sanders, technician Sanders.

Q Now, what's the tape on the side for?

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A The tape on the bag is evidence tape that's used to seal all evidence that's submitted to evidence control section for purpose of -- for purposes of chain of custody.

Q And was that bag sealed in your presence on the day the item was seized?

A Yes, sir it was.

Q And is it substantially the same form as it was on the day it was seized?

A Yes, sir.

MR. URICK: Would offer as State's 16 and 17, the map book and the map page.

THE COURT: Without objection State's 16 and 17 are admitted.

(State's Exhibits No. 16 & 17, previously marked for identification, are received into evidence.)

BY MR. URICK: If I may approach the witness at this time, Your Honor I would like to direct his attention to one spot on the map.

Q Officer Thomas, was it that I just pointed to?

THE COURT: On State 16?

MR. URICK: Yes.

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MR. THOMAS: That would be the area on Lincoln Park. Would you like for me to present --

MR. URICK: I don't know if the Court would want him to physically show it. It is a little bit dusty and gritty.

THE COURT: Why don't you let him get off the stand and then show it to the various sections of the jury.

MR. URICK: Showing the side outward that had that Lincoln Park on it. Start over there with the lady on the far right. Thank you.

THE COURT: Does anyone on the jury have any of our evidence by the way? Do we have everything back? Thank you.

MR. URICK: At this time I would ask to return those items to the Clerk and submit them as evidence. You mine as well leave those on for a while.

MR. THOMAS: Too late, I took them off.

BY MR. URICK: Do you have a sticker?

Q I'd ask you to -- does that package reference the offense report number in this case?

MR. THOMAS:

A Yes, sir it does.

Q And does it have a property control number to items of evidence that are seized in this case?

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A Yes, sir it does.

Q And was that bag packaged in your presence?

A Yes, sir it was.

Q I'd ask you to open it at this time an examine the contents.

A Okay.

Q Have you had a chance to examine those items?

A Yes, sir I have.

Q Can you identify those items?

A Yes, sir I can.

Q What are they?

A These are items that were also recovered from the vehicle in reference to this case.

Q All right. I show you know what's already in evidence as State's Exhibit 15 which is items in the trunk of the vehicle. Do you see the items in there?

A Yes, sir.

Q At this time I would mark as State's Exhibit 19.

(State's Exhibit No. 19 was marked for identification.)

Q A note that's labeled "Don".

A I lost a little piece.

Q And I'm marking for identification 20A and 20B. 20A being an envelope addressed to the Lee family

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and 20 B being a note that's inside the item I previously just listed it as a single Exhibit 20 because there are two paper objects there. At this time we're marking them as A and B.

(State's Exhibits No. 20A & 20B are marked for identification.)

Q If you would put the other items back in the bag at this time. Now, the three items that I pulled up, are those in substantially the same shape as they were on the date that you received them?

A Yes, sir.

Q And did they seized the package in your presence?

A Yes, sir they were.

MR. URICK: I would offer State's Exhibit 19 and 20A and B at this time.

THE COURT: Without objection State's 19 and 20A and 20B are admitted.

(State's Exhibit No. 19, 20A & 20B, previously marked for identification, are received into evidence.)

MR. URICK: I would ask that State's Exhibit 19 be published to the jury at this time by the witness reading it.

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THE COURT: Okay.

MR. THOMAS: State's Exhibit 19 reads, Hey, cutie sorry I can't stay I have to go to a wresting match at Randallstown High, but I promise to page you as soon as I get home. K? Till then take care and drive safely. Always, Hai, H-A-I. P.S. -- P.S. the interview went well and I promise to tape it -- to tape it so you can see me as many as -- as many and as often as you want.

BY MR. URICK:

Q And the note is addressed to whom on the other side?

MR. THOMAS:

A Don.

MR. URICK: At this time I would ask the exhibits be given to the Clerk to be entered into evidence.

THE COURT: Yes.

BY MR. URICK:

Q If I may approach the witness again at this time I'd ask him to examine this package. Have you had a chance to examine the package?

MR. THOMAS:

A Yes, sir I have.

Q And what is that package?

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A This package contains papers that were recovered from the glove box of the vehicle.

Q I'd ask you to open the package at this time and examine the contents. Specifically, I'd like to see if there's a Nationwide Insurance card among the papers.

A Okay. Yes, sir it is.

Q At this I'd mark it for identification as State's Exhibit 22. Pardon me 24, the Nationwide Insurance ID from the glove box.

(State's Exhibit No. 24 marked for identification.)

Q Can I see that please?

A Yes.

Q Is that 24?

THE COURT: Yes.

MR. URICK:

Q This exhibit which has been marked for identification purposes as State's Exhibit 24 and substantially the same shape and form as it was when it was received?

MR. THOMAS:

A Yes, sir it is.

Q And was it seized and submitted and packaged in your presence?

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A Yes, sir it was.

MR. URICK: We would offer as State's Exhibit 24, the Nationwide Insurance card.

THE COURT: Without objection State's 24 is admitted.

(State's Exhibit No. 24, previously marked for identification, was received into evidence.)

BY MR. URICK: If you could put those back in the bag at this time. And I'll return that to the Clerk at this time for safe keeping.

Q At this time I would like you to examine the contents of what's labeled as property number 99009000. Specifically, what I would like you to do is to see if you can find this floral paper right on the items in that bag. First of all can you identify that bag?

A Yes, I can.

Q And does it reference the offense report of this incident?

A Yes, it does.

Q And does it have one of the property numbers that was assigned to property that was submitted to the ECU in this case?

A Yes, sir it does.

Q If you would please open the bag at this

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time.
A And this would be the floral paper that's represented in the photograph.
THE COURT: As loud as you can, sir so I can get you near a microphone.
MR. THOMAS: Yeah, the floral paper contained with that package here would be the floral paper that's referenced to in the photographs.
BY MR. URICK:
Q Okay. I'm going to mark for identification purposes that bag of various items and we'll just leave that as one exhibit at this time.
(State's Exhibit No, 22 was marked for identification.)
Was this item seized, packaged and submitted in your presence?
MR. THOMAS:
A Yes, sir it was.
Q And is it in substantially the same condition and shape as when it was seized?
A Yes, sir it is.
MR. URICK: Would offer as State's Exhibit 22, the floral paper exhibit.
THE COURT: Without objection State's 22 is admitted.

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(State's Exhibit No. 22, previously marked for identification, was received into evidence.)
BY MR. URICK: And I will give that to the Clerk for (inaudible) to evidence at this time. Prepackaged the larger bag.
Q Is there anything remaining in there at this time?
MR. THOMAS:
A No, sir.
Q Mr. Mack you can use that larger bag to keep it in. That one's apparently torn.
Q Do you recollect today approximately where the body was located on Franklin Town Road in Lincoln Park?
A As far as from the roadway or --
Q Just vaguely in the general geographical terms. Let me show you a map and you take a look at it.
A Okay.
Q If I may use the easel again at this time. May the witness come down from the stand at this time?
THE COURT: Yes.
BY MR. URICK:
Q I'd ask you to take a few seconds and take a

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look at this map.
THE COURT: Please don't block my jurors, Ms. Gutierrez.
BY MR. URICK:
Q Have you had a chance to review the exhibit?
MR. THOMAS:
A Yes, sir I have.
Q And based on that can you in general terms identify approximately where the body was located?
A In general terms the body was have been located along this area in Lincoln Park. (inaudible) Edmondson Avenue.
Q Please take the sticker which is marked B for body and place it where the body would have been. You may return to the seat at this time. If I may have the Court's indulgence for just a second. Mr. Clerk, I'd like you to mark for identification as State's Exhibit 30. We're marking for identification at this time as State's Exhibit 30, the cell phone, the Defendant's cell phone that was seized at his house pursuant to a search and seizure warrant.
(State's Exhibit No. 30 premarked for identification.)
MR. URICK: Pursuant to stipulation we'd now offer into evidence State's Exhibit 30, the Defendant's

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cell phone.
THE COURT: Without objection and pursuant to the stipulation or agreement State's Exhibit Number 30 is admitted.
(State's Exhibit No. 30, previously marked for identification, was received into evidence.)
MR. URICK: And if I may have the Court's permission just to publish it by showing it to the jury at this time.
THE COURT: You may.
MR. URICK: Mr. Clerk, here's the item I'd ask you to mark it in as evidence now. Witness with the Defense at this point.
THE COURT: Cross.
MS. GUTIERREZ: No questions.
THE COURT: May the witness be excused?
MR. URICK: Yes.
THE COURT: Thank you, Mr. Thomas. Good day, sir. Ladies and gentlemen, we've come to the end of our first day of trial. I will send you back to your jury room and when you're dismissed I'll ask you to go home and have good weekends. Please be back here between 9 and 9:15 on Monday morning to be paid. After you have been paid if you will report to your jury room

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on 2.
Remember over the course of the weekend don't discuss the case with anyone, no family members, not among yourselves. Don't go out and visit any of the scenes. Again your evidence has to be -- your verdict has to be based on the evidence that you see and hear inside this courtroom. Also remember don't read any newspaper generally, any story at all or listen to any story at all obviously about this case or about crime in general or sentencing in general or any of those things.
So, take a much needed break from the cities' crime news if you would during the course of this trial, have good weekends. Please return to the jury room.
(The jury was excused from the courtroom.)
THE COURT: Alternate number 1 if you would come up for a moment. Come up. You had asked to see me. Don't cover it. Come over and talk into it.
JUROR: Yes, Your Honor. I was sitting in the, Wednesday, there was a couple of questions I missed. One is my sister she is a 911 operator with the police department, the question I missed and the second question was I'm also a victim of a violent crime.

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THE COURT: Sir?
JUROR: I've been a victim of a violent crime.
THE COURT: Okay. Counsel, please approach.
(Counsel approached the bench and following ensued:)
THE COURT: This is alternate number 1 who has just remembered that he's been a victim of a violent crime. Yes, what violent crime slipped your memory, sir?
JUROR: I was shot in a hold up attempt.
THE COURT: And you forgot about that?
JUROR: It was a question you said related to a murder case, that's a violent crime, but it's not related to a murder case.
THE COURT: What were the circumstances under which you were shot?
JUROR: I was going to a chinese restaurant for some chinese food, two assailants came in there, held me up?
THE COURT: When was this?
JUROR: It was last year.
THE COURT: Okay. When last year?
JUROR: I'm not sure the exact date, its been about --

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THE COURT: What time of the year was it last year?
JUROR: June, July.
THE COURT: So, we can find a police report on it?
JUROR: Yes.
THE COURT: Okay. Go on.
JUROR: And the assailants found I didn't have anything on me and they shot me in the rib.
THE COURT: Now, would the fact that you had been a victim of a shooting keep you from reaching a fair and impartial verdict at this trial?
JUROR: I think it would, Your Honor.
THE COURT: So, you just remembered that you were shot and you just remembered that that would stop you from being a good witness. Did you remember anything else over yesterday?
JUROR: That's it, Your Honor.
THE COURT: Okay. Well, you are going to obviously be excused from the jury. You'll also be serving jury duty for the next month as well anyway. So, you are excused number 4. Don't discuss this testimony with anyone else and be prepared to spend the next month -- the rest of this month in another trial.
JUROR: Okay.

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THE COURT: Do you have any belongings upstairs?
JUROR: Yes, sir.
THE COURT: Stay -- stay down here if you will number 4. Number 1, I'm sorry alternate, number 1 if you'll go out into the hallway and wait out on the bench outside in the hall. Come here. Alternate 1, alternate 1. Go get alternate 1. Go upstairs, get your belongings, don't discuss anything we've discussed here with anybody up there and stay up there until we dismiss the jury. Okay? Okay. Counsel, is there anything else?
MS. GUTIERREZ: No, Your Honor, but what time precisely do you want us here?
THE COURT: If you will be in place at 10:30.
MS. GUTIERREZ: At 10:30?
THE COURT: 10:30 on Monday morning. Okay. Counsel, have good weekends, everybody else thanks for your help. Good night.
THE CLERK: All rise.
(The trial was recessed.)

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CERTIFICATE

This is to certify that the proceedings in the matter of State of Maryland views. Adnan Syed, 199103042-46, held on December 10, 1999, were recorded by means of videotape.

I do hereby certify that the aforegoing 128 pages constitute the official transcript as transcribed by me from said videotaped proceedings in a complete and accurate manner.

In Witness Whereof, I have hereunto subscribed my name this 22nd day of September, 2000.

CHRISTOPHER W. METCALF, CVR
Official Court Reporter

CHRISTOPHER W. METCALF, CVR
Official Court Reporter
507 Courthouse West
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