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IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND,

vs. Indictment Nos. 199103042-46

ADNAN SYED,

Defendant.

_____/

REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS

(Trial on the Merits)

Baltimore, Maryland

Monday, January 31, 2000

BEFORE:

THE HONORABLE WANDA KEYES HEARD, Associate Judge

(and a jury)

APPEARANCES:

For the State:
KEVIN URICK, ESQ.
KATHLEEN C. MURPHY, ESQ.

For the Defendant:
M. CRISTINA GUTIERREZ, ESQ.

CRIMINAL DIVISION
FILED
2000 JAN 28 P 4:11

REPORTED BY:
Beverly A. Madden
Official Court Reporter
507 Courthouse West
Baltimore, Maryland 21202

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C O N T E N T S

STATE'S WITNESSES	DIRECT	CROSS	RE-DIRECT	RE-CROSS
SCOTT ADCOCK	5	11	20	21
JOSEPH MICHAEL O'SHEA	23	28	--	--
ROMANO THOMAS	48	80	116	123

STATE'S EXHIBITS	FOR IDENTIFICATION	RECEIVED IN EVIDENCE
14 - (Photograph)	--	59
15 - (Photographs)	--	61
16 & 17 (Map & torn out page)	66	67
40 - (Package)	70	--
19 - (Note)	71	71
20 - (Paper work)	72	72
41 - (Papers)	72	72
24 - (Ins. card & registration)	75	75
42 - (Items from back seat)	75	75
22 - (Floral paper)	76	77
26 - (Shirt)	78	79

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PROCEEDINGS

(2:09 p.m.)

(Jury present upon reconvening.)

THE COURT: Please be seated.

Ladies and gentlemen, I welcome you back to Part 9. I don't think I could have anticipated the snow and your having to be here at 1:30 any better than I did. I would also let you know that we're going to resume this case. I'm going to ask counsel to call the case formally for the record since we have a new stenographer so that she can note it for the record.

I would also, again, thank you for traveling this morning today in the snow and inclement weather to continue this case.

I did accomplish 24 cases this morning, -- I feel real good about that -- and I only postponed two. I also feel good about that.

We're going to continue this case. Mr. Urick, if you would formally call it and then, once counsel for the defense has entered her appearance again, call your next next witness.

MR. URICK: Thank you. Good afternoon, Your Honor.

State of Maryland versus Adnan Syed, Cases 199103042 through 46. Kevin Urick and Kathleen Murphy

for the State.

MS. GUTIERREZ: Good afternoon, Your Honor. I am Christina Gurierrez on behalf of Mr. Adnan Syed, who is present.

THE COURT: Good afternoon to you all.

Your next witness, Mr. Urick.

MR. URICK: Yes, Your Honor. First I will pass out the jurors' copies of State's Exhibit 34, I believe.

The State would call Police Officer Scott Adcock at this time.

THE COURT: Officer Adcock, if you would step up to the witness stand, please. Raise your right hand. Listen to Mr. White as he gives you the oath.

Whereupon,

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.

Please keep your voice up. State your name for the record.

THE WITNESS: Officer Scott Adcock, Baltimore County Police Department, assigned to Precinct 3.

THE CLERK: Spell your last name for the record.

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THE WITNESS: A-D-C-O-C-K.
THE COURT: You may continue.
MR. URICK: Thank you, Your Honor.
If I may have the Court's indulgence for just a second?
(Pause.)
DIRECT EXAMINATION
BY MR.URICK:
Q. Officer Adcock, where are you employed?
A. The Baltimore County Police Department.
Q. How long have you been employed there?
A. A little over two years.
Q. Now, drawing your attention back to January of 1999; specifically, January 13th of 1999, where were you stationed?
A. Precinct 3.
Q. And where is that?
A. That's in the Garrison Owings Mills Area, Baltimore County, Maryland.
Q. And what was your assignment on that day?
A. I was assigned to a patrol car.
Q. And when you're on patrol, what sorts of things do you do?
A. We handle various calls for service. Anything that's dispatched to us, we handle.

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Q. Did there come a time that day when you had occasion to respond to the Lee family residence?
A. Yes, I did.
Q. What drew you to that location on that day?
A. I was dispatched to that residence for a missing person's report.
Q. And upon your arrival, what, if anything, did you do?
A. I spoke to Mr. Yung Lee, the victim's brother, and he advised that his sister did not come from school and that she also failed to pick up her two cousins from school, and he has not heard from her.
Q. And what, if any, further information did you request of Mr. Lee?
A. I requested the basic information for the report, her name, if she was driving any kind of vehicles or anything like that, and also, if he could provide any kind of phone numbers that we could contact her friends and see if her friends had heard from her.
MR. URICK: May I approach the witness at this time?
THE COURT: Yes, you may.
BY MR. URICK:
Q. Officer Adcock, at this time, I am going to show you what's in evidence as State's Exhibit 2, and

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over here I am going to place what's in for identification purposes as State's Exhibit 34.
I'd like you to take a look at State's Exhibit 2; specifically, the page that has the sticky on it with a number. Take a few seconds and look at that, if you would.
A. (Perusing document.)
Q. Have you had a chance to look at the exhibit?
A. Yes, sir.
Q. And do you recognize that exhibit?
A. Yes, sir.
Q. How did you come to see that?
A. The victim's brother gave it -- brought it to my attention the day I was making the missing person's report.
Q. And the page that I drew your attention to, what, if anything, is significant about that page?
A. It provided a phone number.
Q. Did Mr. Lee indicate to you whose phone number that was at that time?
A. I don't recall.
Q. Did you take that number down?
A. Yes, I did.
Q. And did you call that number?
A. Yes, I did.

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Q. Please tell the ladies and gentlemen of the jury what conversation ensued after you called that number?
A. I called the number, and I spoke to a Mr. Adnan Syed. And he identified himself as a friend of Ms. Lee, and I asked him if he knew the whereabouts of Ms. Lee.
Q. And what, if anything, did he say in response to that question?
A. He advised me that he did see her at school and that Ms. Lee was going to give him a ride home from school, but he got detained and felt that she probably got tired of waiting for him and left.
Q. Now, did you make a record of the phone number you actually called?
A. Yes, I did.
Q. Will you please read that number for the ladies and gentlemen of the jury?
A. Area Code 443, 253-[redacted].
Q. Now, if you would look at the paper exhibit to your right up there, which I indicated is an identification of State's Exhibit 34, would you look at the top of that where it says "cellular phone" and there's a number there? Is that the same number you dialed?
A. Yes, sir.

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Q. About what time did you dial that number on the 13th of January, 1999?
A. That was between the times of 6:00 o'clock and 6:30 in the evening.
Q. And about how long did the conversation take -- how long did it take to have that conversation?
A. Probably no more than three or four minutes.
Q. Now, drawing your attention to that same exhibit, look down at line 14. You'll see if you read across it says it's an incoming call, and it occurred at approximately 6:24 p.m. The time of the call was approximately four minutes and 15 seconds.
Would that date and time and length of call be consistent with the telephone conversation you had?
A. Yes, it would.
Q. Now, the person you spoke to who identified himself as Adnan Syed, did you get any personal information from him?
A. Yes, I did. I asked for his full name, date of birth, and his residence.
Q. And what information did that person give you?
A. He provided me with the full name of Adnan Nassad Syed, date of birth of 5-21-81, and lives at [redacted], Area Code -- or ZIP Code 21228.
Q. Now, did you receive any other numbers from Mr.

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Lee?
A. Yes, I did.
Q. What, if any, numbers did you receive?
A. A friend's number. Mr. Lee provided me with a friend's of his sister, a Miss Aisha [redacted], and I believe also her -- a Mr. Don Cliendienst.
Q. And where did he get those numbers for you?
A. He was able to provide them from an address book of the victim's.
Q. Now, after you took this report, what, if anything, did you do?
A. After I took the report, I went to the precinct and had the desk officer enter into the computer system all the information, the vehicle information that she was driving. Also did a follow-up. I contacted Mr. Cliendienst at home later that evening. He could not provide any -- the whereabouts of Ms. Lee. And it was handed in to my supervisor.
Q. Did you have any further involvement in this incident?
A. No, I did not.
Q. Where was Mr. Cliendienst when you contacted him, if you know?
A. When I spoke to Mr. Cliendienst, he was at home. I spoke to him on January 14th at 1:30 in the

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morning at his house.
Q. Okay.
MR. URICK: Do you want to give me those exhibits back?
With the Court's permission, at this time I am going to mark line 14 of the exhibit with the following: "Police Officer Adcock," question mark.
THE COURT: Very well. Any objection?
MS. GUTIERREZ: I do object, Your Honor. That's not what this officer testified to. That time and date was consistent with his recollection but does not identify line 14 as the call that he made on that day.
THE COURT: Sustain the objection. Unless this witness can identify that the location or any other information that's contained on line 14 would allow him to identify that that was the call that he made, I will sustain the objection at this time.
MR. URICK: That was the purpose of the question mark.
THE COURT: All right.
MR. URICK: No further questions.
THE COURT: Very well.
CROSS-EXAMINATION
BY MS. GUTIERREZ:
Q. Officer Adcock, your first and only involvement

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in this case, then, was the time that you went to the Lee home, got information primarily from the brother, collected it, made phone calls all that evening, and then you turned that information over to your supervisor for whatever follow-up. Is that correct?
A. That's correct.
Q. And you were never assigned any follow-up; correct?
A. No, I was not.
Q. The person whose number you called when you got that number that you saw in the diary, you had no idea whose number that was?
A. That's correct.
Q. And you had no idea whether or not the phone number in the diary was, in fact, operational, did you?
A. No, I did not.
Q. And after you found out it was operational because it worked, when you dialed it you had no idea how long it had been operational?
A. That's correct.
Q. Whether or not, in fact, it had been turned on that same day or had been on for a long time?
A. That's correct.
Q. And when you looked at the diary, you, of course, had no information nor did you receive any other

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information indicating when, at any time, the notation of the number was made in the diary, did you?
A. No, I did not.
Q. Nor who made it?
A. No.
Q. Nor under what circumstances; is that correct?
A. That's correct.
Q. And you had not met the person who had written the diary?
A. That's correct.
Q. And you had not met Yung Lee before?
A. That's correct.
Q. And you had not met Ms. Lee, his sister, before?
A. That's correct.
Q. And when you dialed that phone number and you got someone on the phone, you had no idea who that was?
A. That's correct.
Q. That was not somebody with whom you had ever conversed before?
A. That's correct.
Q. You didn't recognize their voice?
A. No, I did not.
Q. You just wrote down the information that you got; is that correct?

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A. That's correct.
Q. But the person you spoke to readily answered your questions, did they not?
A. Yes, they did.
Q. And the answer to your questions was that, yes, they knew who Hae Min Lee was, right?
A. That's correct.
Q. And, yes, they had seen her in school that day?
A. That's correct.
Q. And, yes, they had some contact with her that day?
A. Yes.
Q. But that, no, they had no idea where she was; is that correct?
A. That's correct.
Q. And later you received other information, again, about persons that you didn't know and had no prior contact with from Yung Lee, her brother; correct?
A. That's correct.
Q. And, again, you didn't know who they were --
A. That's correct.
Q. -- or anything about them?
A. That's correct.
Q. And when you spoke to them, you asked them essentially the same questions that you asked whoever it

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was that answered the phone number provided to you by the diary; correct?
A. That is correct.
Q. And when you reached Mr. Cliendienst, you discovered that that, in fact, was the current boyfriend of the person that Mr. Lee was concerned about, his sister; correct?
A. That is correct.
Q. And that person identified himself; correct?
A. Yes.
Q. And you accepted the accuracy of that, did you not?
A. Yes, I did.
Q. And that person answered your questions and said he had not seen Hae Min Lee that day; correct?
A. That is correct.
Q. That his last contact with Hae Min Lee had been the evening before; is that correct?
A. Yes, on the 12th.
Q. On the 12th. And he also told you he had no idea of the whereabouts of Hae Min Lee; correct?
A. That is correct.
Q. And just like the person who had identified himself as Adnan Syed on the cell phone number that you called; correct?

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A. That is correct.
Q. And you equally accepted that person's assertion to be the truth, did you not?
A. Yes, I did.
Q. Okay. And then you later reached a person identified as the friend of Hae Min Lee, a young woman by the name of Aisha [redacted]?
A. That is correct.
Q. And again, she told you she saw Hae Min Lee, her best friend, in school that day; correct?
A. Uh-huh.
Q. And saw her -- you have to say yes or no.
A. I'm sorry. Yes.
Q. And that she saw her as she left school at the ending of school at about 2:15?
A. Yes.
Q. And that she had no idea of where her whereabouts were; is that correct?
A. That's correct.
Q. And again, Aisha [redacted] was not somebody with whom you had ever spoken before?
A. That is correct.
Q. Or had met?
A. That's correct.
Q. And you had no idea when you called of the

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accuracy of the information given to you by Yung Lee; correct?
A. That is correct.
Q. But you took it on faith, did you not?
A. Yes, I did.
Q. Because he was trying to find his sister; correct?
A. That is correct.
Q. And, again, that person identified herself readily?
A. That is correct.
Q. And didn't hesitate to answer your questions; correct?
A. That is correct.
Q. And you took that information as being the truth; is that correct?
A. Yes, ma'am.
Q. Now, the other two numbers of Ms. Aisha [redacted] and Mr. Donald Cliendienst were gotten from -- excuse me -- a place different than the cell phone number that you called; is that correct?
A. The -- Ms. [redacted] number?
Q. Yes. Ms. [redacted] and Mr. Cliendienst's number you told us were gotten from something that was an address book?

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A. That is correct. Mr. Yung Lee.
Q. And Mr. Yung gave you that address book; correct?
A. That is correct.
Q. And it looked like an address book, did it not?
A. Yes.
Q. And did you seize it?
A. No, I did not.
Q. Did you do anything with it?
A. No, I did not.
Q. Did you write down any other numbers contained in that address book?
A. No, I did not.
Q. And did you indicate that your supervisor should seize that address book?
A. No.
Q. Or should refer to that address book in follow-up regarding the disappearance of Hae Min Lee?
A. No.
Q. And, sir, the -- it's not unusual for you to be sent to a scene to take a report from a citizen and collect some information and then just turn over the information back to your supervisor, is it?
A. No, that's not unusual at all.
Q. Sometimes you're assigned follow-up; correct?

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A. That's correct.
Q. But it's not unusual for you not to be assigned follow-up, for some other officer to be assigned follow-up; is that correct?
A. That is correct.
Q. And so, sir, you made no effort on your own to do any follow-up as to this?
A. That is correct.
Q. To interview or locate the person that indicated to you on the phone that their name was Adnan Syed?
A. That is correct.
Q. Or to recognize the voice of a person presented to you as Adnan Syed?
A. That's correct.
Q. Or to recognize the voices or to speak any further or to identify any parts of a conversation that you may have had with persons by the name of Donald Cliendienst or Ms. [redacted] that you had on the 13th?
A. That's correct.
Q. Okay. Thank you.
MS. GUTIERREZ: I have nothing further.
THE COURT: Anything further from the State?
MR. URICK: No. Thank you.
THE COURT: I do have a couple of questions.

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Officer, you indicated that you received the phone number of 253[redacted] and proceeded to call that number; correct?
THE WITNESS: Yes, ma'am.
THE COURT: Did you call it more than one time?
THE WITNESS: No, just once.
THE COURT: You called it once. And do you have an idea in your mind or a recollection as to how long that conversation was with the person that you spoke to on the other end?
THE WITNESS: I recall about three or four minutes. It was very brief.
THE COURT: Do you know where you were when you made the call?
THE WITNESS: Yes. I was at victim Lee's house.
THE COURT: Okay. And you used the victim's phone or some other phone?
THE WITNESS: The household phone.
THE COURT: You used the household phone?
THE WITNESS: Yes, ma'am.
THE COURT: As a result of the Court's questions, does the State have any additional questions?
REDIRECT EXAMINATION
BY MR. URICK:

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Q. Did you know what type of number of you were calling when you dialed it?
A. No, I did not.
Q. Was there anything about the conversation that gave you any hints as to what type of telephone you were calling?
A. No.
THE COURT: Any follow-up from the defense as a result of the Court's questions?
MS. GUTIERREZ: Yes, just briefly.
RECROSS-EXAMINATION
BY MS. GUTIERREZ:
Q. Officer, you made no notation as to the duration of the phone call, did you?
A. That's correct.
Q. And at the time you made the phone call, the duration was not particularly important to you?
A. That's correct.
Q. The only thing that was important to you was whether or not the person that you reached had any information that might lead you to locate the person you were looking for; is that correct?
A. That is correct.
Q. Thank you.
MS. GUTIERREZ: Nothing further.

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THE COURT: Very well. Thank you very much.
May this witness be excused?
Mr. Urick?
MR. URICK: Yes.
THE COURT: Ms. Gutierrez?
MS. GUTIERREZ: Yes.
THE COURT: And released from all subpoenas?
MS. GUTIERREZ: Yes.
THE COURT: Officer, you are free to go at this time. You also are welcome to stay in the courtroom, if you'd like.
I need to advise you that you are a sequestered witness. You may not discuss your testimony with anyone, either anyone who has been a witness or anyone who may be a witness in this case. Do you understand?
THE WITNESS: Yes, ma'am.
THE COURT: Thank you very much. You're excused.
(Witness excused.)
(Pause.)
THE COURT: We need you to step to the witness stand. Raise your right hand. Listen to Mr. White as he gives you the oath.
Whereupon,
JOSEPH MICHAEL O'SHEA,

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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.
MR. URICK: Before I begin questioning this witness, I would ask the Clerk, Mr. White, to collect the jury's copies of the forms.
THE COURT: Please pass the forms up and please send them to Mr. White. They will be returned to you at a later time if they're needed.
THE CLERK: State your name for the record.
THE WITNESS: Detective Joseph Michael O'Shea.
THE CLERK: State your assignment for the record.
THE WITNESS: Baltimore County Police Department, Missing Persons, Homicide Unit.
THE COURT REPORTER: May I have the spelling of your last name, please?
THE WITNESS: Yes. O'-S-H-E-A.
THE COURT REPORTER: Thank you.
DIRECT EXAMINATION
BY MR. URICK:
Q. Good afternoon, Detective O'Shea.
A. Good afternoon.
Q. How long have you been with the Baltimore County Police Force?

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A. Approximately 16 years.
Q. How long have you been with the Missing Persons Unit?
A. I've been specifically with the Missing Persons Unit for a little over two years. I've been with the Homicide Unit for five years.
Q. Now, in the Missing Persons Unit, what sort of duties do you have?
A. I handle all missing persons cases --
Q. Hold on just a second, please.
MR. URICK: We seem to be getting feedback. Would somebody know which microphone it is?
THE COURT: There's no way to know. I could ask you, perhaps, to sit back a little bit.
And the juror who's leaning, that affects the mike. It could be that it's your watch or whatever.
Now try again.
BY MR. URICK:
Q. What are your duties in the Missing Person Unit?
A. Yes. I handle all adult missing persons investigations that go beyond the 96-hour period, anyo... over the age of 18.
Q. And did there come a time when you took over the investigation of the -- investigation into Hae Min

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Lee's disappearance?
A. Yes. It would have been actually the week after the initial report was filed.
Q. And upon -- did you then take charge of the investigation?
A. Yes, I did.
Q. What sorts of things did you do to follow up on that report?
A. I contacted Hae Lee's friends, family members, work associates. Also went over to Woodlawn Senior High School and interviewed teachers and classmates.
Q. Did there come a time when you contacted one Adnan Syed?
A. Yes.
Q. How did you come to contact him?
A. On the 25th of January, 1999, I went to Adnan's residence, and I left a business card at the residence because he was at school that day. I received a phone call from Adnan later that day.
Q. And what, if anything, did the defendant say at that time?
A. We basically discussed his friendship with Hae Lee and the fact that they had dated at one time. I also asked him about whether or not he had seen Hae Lee the day of the 13th, the last day she was seen.

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He said he was in class with her that day from -- I believe it was 12:50 p.m. till 2:15 p.m. He did not see her after school because he had gone to track practice, and, basically, that school was closed the rest of that week -- would have been Thursday and Friday, due to bad weather.
Q. Had you read Officer Adcock's report by that time?
A. I believe so. I'm not sure, but I believe so.
Q. And did you ask the defendant at that point anything about information that he had given Officer Adcock?
A. Not at that time. It was actually on the 1st of February, 1999. And that was regarding a --
Q. Pardon me, before you do that.
Did he give you any means to contact him?
A. Yes, he did.
Q. And what means did he give you?
A. He gave me a cell phone number.
Q. And what was that cell phone number.
A. That phone number is 443-253-[redacted]
Q. Did he indicate any reason why he gave you a cell phone number as opposed to a home number?
A. Due to his relationship with Hae, he believed that his parents didn't approve of it, and he would

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rather have me contact him on the cell phone instead of calling his residence.
Q. Now, did you have occasion to speak to him again after that?
A. Yes, I did.
Q. And that date was?
A. It was on February 1st, 1999.
Q. And how did you contact the defendant on that day?
A. I called him on the cell phone.
Q. Please tell the ladies and gentlemen of the jury what that conversation consisted of?
A. That was regarding a statement from the report that Officer Adcock had initiated. And I asked Adnan if he told Officer Adcock that Hae was waiting to give him a ride on the 13th. Adnan told me that was incorrect because he drives his own car to school so he wouldn't have needed a ride from her.
Q. Did you have occasion to follow up on that conversation?
A. Yes, I did.
Q. What did you try to do?

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A. I tried to arrange a face-to-face meeting with Adnan, and there were some problems doing that because he didn't want his parents present during the face-to-face meeting. He asked me if his older brother could participate in that interview, and I said yes, and we did schedule that for February the 10th. However, that did not take place due to Hae Lee's body being discovered on the 9th.
Q. Now, drawing your attention back to the conversation of February the 1st, did the defendant admit having spoken with Officer Adcock?
A. Yes.
Q. After the body was discovered on February 9th, did you have any further involvement in this investigation?
A. Just assisting Baltimore City Homicide detectives.
MR. URICK: Witness with the defense.
MS. GUTIERREZ: Thank you.
CROSS-EXAMINATION
BY MS. GUTIERREZ:
Q. Detective O'Shea, when you went -- you said that it was ordinary that you got the case about a week after it had been opened?
A. That's correct.

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Q. And during that time, you -- at the time you took it over, all information that had been collected prior to your being assigned was turned over to you --
A. All information --
Q. -- by the Department? All information that had been collected by your department was turned over to you?
A. I probably didn't have the entire report at that time, no.
Q. But at some point you got it, did you not?
A. Yes.
Q. It would ordinarily have come to you, would it have not?
A. Yes.
Q. Because now you're the guy in charge; right?
A. That's correct.
Q. Once you were in charge, you went back over and decided where to pursue any leads to find the girl that had now been missing for a week or more?
A. That's correct.
Q. Is that correct?
A. Yes.
Q. And that's how's you got to Adnan Syed; is that correct?
A. Yes.
Q. You had already been up to the school, had you

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not --
A. On --
Q. -- when you first contacted Adnan Syed? On the 25th of January you said you went to Adnan Syed's house and you left a business card; is that correct?
A. That's correct.
Q. And you weren't surprised that he was in school, were you?
A. Actually, at that time, I didn't know he had even attended school with her.
Q. Had you already been up to the school, sir?
A. I don't believe so.
Q. Okay. At some point, you went up to the school and you interviewed the teachers -- many of the teachers of Hae Min Lee, did you not?
A. Yes.
Q. And you got information about the prior relationship between Adnan Syed and Hae Min Lee, did you not?
A. That's correct.
Q. Almost everyone knew about it, did they not?
A. Yes.
Q. And they knew about the difficulties regarding Adnan Syed's parents and his Muslim faith, disapproving of that relationship? Did you not get that information

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from almost everyone?
A. Yes.
Q. And that because of that difficulty, the relationship had been tumultuous?
A. Yes.
Q. And that it had been off again, on again on more than one occasion from the time they began having a relationship in the Spring of 1998 all the way up to the end, at the end of December, 1998?
A. That's correct.
Q. But that at the time that you spoke to them, everyone still described the two of them as very good friends?
A. Yes.
Q. And as students who saw each other every day?
A. Yes.
Q. And interacted with each other day?
A. Yes, ma'am.
Q. Okay. And when you left your business card, you left it so that the person whom you had not met named Adnan Syed, identified in Officer Adcock's report, would, in fact, call you?
A. That's correct.
Q. And he did call you?
A. Yes, he did.

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Q. And that was appropriate, was it not?
A. Yes.
Q. That was a response you wanted, was it not?
A. Yes.
Q. And he actually called the same day that you left the card; is that correct?
A. That's correct.
Q. Now, when you went to his home, were you aware -- did you speak to any adult?
A. I spoke to a woman. I believe it was his mother.
Q. And you were aware that his mother runs a business, a family day care, at his home?
A. No, I was not aware of that.
Q. Did you tell her why you wanted her son -- the person you believed to be her son -- to call you?
A. It was in reference to a missing person. I didn't go into any more details than that.
Q. And your card, I assume, Detective, identifies you as a Baltimore County Police detective, does it not?
A. Yes.
Q. Right on the card itself?
A. Yes.
Q. And you told this woman -- although you believed her to be the mother; you didn't know -- to have

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Adnan call you; is that correct?
A. That's correct.
Q. And from the phone call you received from a person who identified himself as Adnan, you certainly believed that that woman had done exactly what you asked?
A. Yes, ma'am.
Q. In a timely fashion?
A. Yes, ma'am.
Q. Because you got a call that very afternoon; correct?
A. That's correct.
Q. All right. And you asked that person identified to you on the phone, in response to your inquiry, certain questions, did you not?
A. Yes.
Q. And among them was about his relationship with Hae Min Lee?
A. Yes.
Q. And he readily answered your questions, did he not?
A. Yes, ma'am.
Q. He acknowledged that he had been girlfriend and boyfriend with her?
A. That's correct.
Q. But that they currently were no longer?

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A. That's right.
Q. And that they had not been girlfriend and boyfriend since close to the end of the 1998 year?
A. Yes.
Q. Just a couple of weeks before?
A. Yes.
Q. But that he considered her his good friend?
A. Yes.
Q. And he acknowledged seeing her on the 13th; is that correct?
A. That's correct.
Q. And immediately corrected the information that you presented to him that he had expected to be given a ride by Hae Min Lee on the day of her alleged disappearance?
A. Okay. Are you referring to my conversation on the 25th?
Q. Yes, or whenever. At some point, you presented him with the information that you subsequently got from Officer Adcock, did you not?
A. Yes, on February 1st.
Q. On the 25th, you spoke to him about the 13th, did you not?
A. Yes.
Q. And he indicated to you he remembered that day,

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did he not?
A. Yes.
Q. And that he went to track practice, did he not?
A. Yes.
Q. And that he saw Hae Min Lee, his friend, at their last period class right before school ended at 2:15?
A. Yes, ma'am.
Q. And he gave you all that information without any prompting, didn't he?
A. Yes, ma'am.
Q. He didn't hide anything, did he?
A. No.
Q. All right. Subsequently, when you called him, you again -- it was your insistence that you speak to him; correct?
A. Yes.
Q. He had given you his cell phone; right?
A. Yes.
Q. He had identified it as his?
A. Yes.
Q. Correct?
A. Yes, ma'am.
Q. And he asked that you call him on his cell phone; correct?

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A. Yes.
Q. And he, of course, is not the only teenager that you came in contact with in this investigation that had a cell phone, was he?
A. No, ma'am.
Q. And there was nothing unusual about him having a cell phone?
A. No, ma'am.
Q. Or your being asked to contact him on a cell phone?
A. No.
Q. And when you contacted him, you had other questions for him, did you not?
A. On which occasion, ma'am?
Q. On the 2nd -- on the 1st of February, 1999?
A. Yes.
Q. Okay. And one of the questions that you had for him was based on information that you had since read from Officer Adcock, that Officer Adcock had collected on the 13th; is that correct?
A. Yes, ma'am.
Q. And the information that Officer Adcock collected on the 13th indicated not that Hae Min Lee had given him a ride, but that she was supposed to give him a ride?

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A. May I refer to Officer Adcock's report?
Q. Sure.
A. (Perusing document.) That's correct.
Q. So the information in Officer Adcock's report in Officer Adcock's writing indicates that he wrote down on the 13th that Adnan said to him, "She was supposed to give me a ride, but I was late" -- "I," meaning Adnan Syed -- "and I assumed she had just left."
A. That's correct.
Q. Okay. So the information that Officer Adcock's report contained nowhere intimated or inferred in any way that on the 13th, outside of class, that Adnan Syed had ridden with Hae Min Lee, actually?
A. No, not according to the report.
Q. According to the report, it was just that he was supposed to, but because he was late he assumed that she had just gone on?
A. That's correct.
Q. Okay. And you were confirming that information; correct?
A. Yes.
Q. Because on the 1st of February you thought there might be some significance to her having had a plan to give Adnan Syed a ride somewhere, did you not?
A. That's correct.

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Q. In terms of your figuring out what actually happened, since she never actually -- according to the information you got, ever actually hooked up with Adnan Syed after 2:15?
A. No, not with the information I had.
Q. Not with what you had. And you didn't have any other information from any other source on the 1st of February that indicated to you that, in fact, Adnan Syed did have a plan to be picked up by Hae Min Lee and that he was, in fact, picked up, did you?
A. No.
Q. You were just confirming or rechecking information you already had?
A. That's correct.
Q. To see if it might lead you somewhere; is that correct?
A. Yes, ma'am.
Q. And when you asked Adnan Syed about that information, he said to you, "Oh, no, that's not correct. I drive to school every day. She was not going to take me anywhere. There was no reason for her to do that. Whatever Officer Adcock wrote down was wrong." Is that correct?
A. Yeah. He said that the statement concerning getting a ride from Hae Lee was incorrect.

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Q. Was incorrect. Is that correct?
And he didn't hesitate in answering that, did he?
A. No, he did not.
Q. He immediately said, "Oh, no, that part's wrong." Is that right?
A. Yes, ma'am.
Q. Did you recheck the other information contained in Officer Adcock's report with him?
A. What other information, ma'am?
Q. Wasn't there other information that he was the ex-boyfriend of Hae Min Lee?
A. I don't know if I went over that with Officer Adcock or not.
Q. Okay. And that he had broken up with Hae Min Lee right before the beginning of the new year?
A. Yes. As I stated earlier, at the end of 1998.
Q. No. My question is: Did you recheck that information with Adnan Syed?
A. Yes.
Q. Okay. And that he, in fact, still considered himself to be friends with Hae Min Lee on the 13th of January?
A. Yes, ma'am.
Q. And did you confirm with him any other

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information that you had gotten in the interim from any other source?
A. During my conversation on the 1st?
Q. Yes.
A. Not that I'm aware of, no.
Q. Now after the 1st of February, you had several more phone conversations with Adnan Syed, did you not?
A. That's correct.
Q. And one of the purposes of those phone conversations was to set up a face-to-face meeting with this person whom you had just spoken with on the phone but had not met; correct?
A. That's correct.
Q. And Mr. Syed answered all of your phone calls, did he not?
A. Yes, ma'am.
Q. He's not the one that expressed a desire to meet with you. It was you expressing a desire to meet with him; correct?
A. That's correct.
Q. And the reason his parents came into it is because he was 17, was it not?
A. That's correct.
Q. And he readily agreed to meet with you, did he not?

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A. Yes, he did.
Q. But he did not want his parents involved?
A. That's correct.
Q. You were aware, or you became aware, that his parents knew of this relationship, did you not?
A. That's correct.
Q. But that it was upsetting for them to even discuss it or talk about it?
A. Yes, that's correct.
Q. And that he had no desire to again upset or distress his mother or father about something that they disapproved of so deeply?
A. Yes, ma'am.
Q. And that's why he asked was it okay if his older brother, who is older than 18, attend the meeting in lieu of his parents?
A. Yes, that's what he told me.
Q. Okay. And you readily agreed to that, did you not?
A. Yes, ma'am.
Q. And you, in fact, set up a meeting and a date and time were selected, was it not?
A. That's correct.
Q. And that date and time was February the 10th, was it not?

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A. Yes.
Q. And wasn't that meeting supposed to take place at the school?
A. Yes.
Q. Okay. And you were aware, were you not, that, in fact, he had approached a counselor at school to also attend the meeting?
A. Yes.
Q. Okay. And that meeting, according to Adnan Syed, would have taken place, would it have not?
A. Yes. It was scheduled.
Q. Okay. It was canceled because you canceled it?
A. That's correct.
Q. Because of things that required your attention as a result of the finding of Hae Min Lee's body on the 9th of February in Baltimore City; is that correct?
A. That's correct.
Q. But Adnan Syed did not cancel the meeting?
A. No, he did not.
Q. And did not determine at any point that he would not talk to you?
A. No, ma'am.
Q. And Adnan Syed, in any of your phone conversations, always maintained and readily spoke about his relationship with Hae Min Lee?

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A. Yes, ma'am.
Q. And with the difficulties in that relationship caused by his parents' disapproval based on the Islam faith?
A. Yes, ma'am.
Q. And that information from him was consistent with all other information that you had received up until that point about the course of the relationship between Hae Min Lee and Adnan Syed?
A. Yes, ma'am.
Q. And that, in addition, the information that had come from Adnan Syed both to Officer Adcock and subsequently to you was consistent about his day on the 13th as well, was it not?
A. I'm sorry. Can you repeat that again?
Q. He also -- you spoke to him about his day on the 13th, as well, Adnan Syed's day on the 13th of January?
A. Yes.
Q. And all the information that he gave you, that he attended school, that he attended the last-period class with Hae Min Lee, and that thereafter he went to track practice was consistent from the very beginning, was it not?
A. From what I could confirm, yes.

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Q. And that was also from what else you could confirm from all other sources that you were seeking information from?
A. Yes.
Q. Isn't that correct?
A. Yes, ma'am.
Q. In the intervening time, from the time on the 1st of -- the first time you spoke with him was on the 25th of January; correct?
A. That's correct.
Q. All right. Up until the time that you settled on the meeting at which his brother instead of his parents would attend, did you ever attempt to speak to his parents?
A. No, I did not.
Q. And did you ever attempt to speak independently to his brother?
A. I don't believe so at that time.
Q. The net result of what Adnan Syed told you on the 1st of February about, no, Officer Adcock's report was not correct if it stated that he had planned for Hae Min Lee to pick him up because of his car, that that was incorrect, did that information in any way alter whether or not, based on the information that you knew then,

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Adnan had seen Hae Min Lee after 2:15?
A. During the course of my investigation, no, it did not.
Q. Thank you.
MS. GUTIERREZ: I have nothing further.
THE COURT: Any further questions from the State?
MR. URICK: No. Thank you, Your Honor.
THE COURT: Very well. May this witness be excused?
MR. URICK: Yes.
MS. GUTIERREZ: No, Your Honor. This witness is still under a subpoena from the defense, and we're not sure when we're going to --
THE COURT: Very well. Thank you very much.
You're still under subpoena, Detective, and I must advise you that you should contact either this Court or Ms. Gutierrez's office to determine when you will be called to testify again.
Ms. Gutierrez, I'm just going to inquire, which would you prefer, him to contact your office or --
MS. GUTIERREZ: Yes. He's been in touch with my office.
THE COURT: Okay. Have him contact your

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office?
MS. GUTIERREZ: Yes.
THE COURT: Also, let me advise you that we have sequestered witnesses, which means that you may not discuss your testimony with anyone, and you may not discuss your testimony with anyone who has yet to testify.
And I also have to advise you that you are still under subpoena, so if in doubt and you're not sure of whether we are even open for business, you may call my chambers in the morning, and that will also provide you with some information. If the Court is closed, you will be able to find that information by calling my chambers.
THE WITNESS: Okay.
THE COURT: All right?
THE WITNESS: Yes, ma'am.
THE COURT: Thank you very much.
THE WITNESS: Thank you, Your Honor.
THE COURT: And you may go at this time.
(Witness excused.)
THE COURT: The State's next witness, please.
MS. GUTIERREZ: Your Honor, Mr. Urick has stepped out to get him.
THE COURT: Very well.
(Pause.)

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THE COURT: I notice that it's a few minutes before three o'clock, and we've been going for almost an hour. Anyone need to take a break or recess? I would like to continue to go till 3:30 before taking an afternoon recess. Show by a hand if you would like to take a break now.
(No response.)
THE COURT: All right. We're going to continue then. Very well.
Please raise your right hand.
Whereupon,
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 keep your voice up. State your name and your assignment for the record.
THE WITNESS: My name is Romano Thomas, Crime Lab Technician, Baltimore Police Department.
THE COURT REPORTER: What's your first name?
THE WITNESS: Romano, R-O-M-A-N-O.
THE COURT: One moment, please.
(Pause.)
THE COURT: You may continue, Mr. Urick.
MR. URICK: Thank you.

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DIRECT EXAMINATION
BY MR. URICK:
Q. Good afternoon.
A. Good afternoon.
Q. Where are you employed?
A. I'm employed at the Baltimore Police Department, assigned to the Mobile Crime Lab Unit.
Q. And what are your duties with the Mobile Crime Unit?
A. My duties include responding to crime scenes, processing, packaging, and recovering of evidence.
Q. And about how long have you been doing that?
A. Approximately six years.
Q. And drawing your attention now to January -- February 9th of 1999, were you on duty?
A. Yes, sir, I was.
Q. And did there come a time when you had occasion to respond to Lincoln Park?
A. On that particular date?
Q. Yes.
A. Yes, sir.
Q. And what drew you to Lincoln Park?
A. I was dispatched in reference to a suspicious death scene.
Q. Now, when you arrive on a crime scene, how does

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the Mobile Unit decide who is going to supervise a given crime scene?
A. That's predetermined as far as the assignment goes in the Lab.
Q. And on that date when you went to Lincoln Park, who was assigned to supervise the crime scene?
A. I was.
Q. Now what, if anything, did you see upon your arrival?
A. Upon my arrival, the detectives were already on the scene and they directed me to what was believed to be a partially covered body.
MR. URICK: May I approach the witness?
THE COURT: Yes, you may.
BY MR. URICK:
Q. I'm going to show you what's already in evidence as State's Exhibit 9 and ask you to take a few seconds to examine that?
A. (Perusing document.)
Q. And have you had a chance to examine that?
A. Yes, sir.
Q. And can you identify that?
A. Yes, I can. These appear to be photographs taken of the crime scene on that particular day, February 9th, '99.

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Q. And do they fairly and accurately depict the crime scene as you remember it?
A. Yes, they do.
Q. Now the top row on the far -- if you go across, the third one -- yeah, where your left hand is now -- do you see some figures back in the woods?
A. Yes, sir, I do.
Q. And what, if anything, is significant about where those figures are standing?
A. That would indicate approximately where we determined that the partially buried body was located.
MR. URICK: May I have the Court's permission to have the witness step down from the stand and come to the map at this time?
THE COURT: Yes, you may.
(The witness approached the easel.)
BY MR. URICK:
Q. I'd like you to examine that map for a few moments, if you would?
THE COURT: And, Officer, I'm going to ask you -- you're going to have to move to the opposite side so that the defense and the jurors can all see what it is that you're doing.
I believe Mr. Urick is going to hand you a pen that actually has a red light beam on the end. If you

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squeeze it instead of having to put your finger on the map, you'll be able to put a red dot on the map.
BY MR. URICK:
Q. Have you had a chance to examine the map?
A. Yes, I have.
Q. And can you identify that?
A. It appears to be a map of the general area containing Lincoln Park.
Q. And let me give you the pointer at this time. You just press down on that right there.
Do you see the position where you located -- approximately where the body was found?
A. Approximately, the body was located right along this area of Lincoln Park.
Q. Just down a ways from where those two roads intersect right there?
A. Correct.
Q. Would you indicate that point again?
A. Right here. (Indicating.)
MR. URICK: With the Court's permission, I am now affixing a sticker with the letter "B" attached to it for "burial site."
THE COURT: Let the record reflect that the notation has been noted where the officer is indicating the body was buried, and that's been placed on the map.

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MR. URICK: I am going to put some Scotch tape over it to permanently affix it to that location.
THE COURT: Very well.
MR. URICK: Thank you. You may take the stand again.
(The witness resumed the witness stand.)
BY MR. URICK:
Q. Did you have occasion to --
THE COURT: One moment, please.
(Pause.)
THE COURT: All right, you may continue.
BY MR. URICK:
Q. Did you have occasion to examine the ground at the crime scene for anything that might potentially be of evidentiary value?
A. Yes, sir, I did.
Q. What sorts of things did you find?
A. We found a variety of things at the initial crime scene. We located six .9 millimeter cartridge casings, 13 .40-caliber cartridge casings, a liquor bottle. We also discovered two Block Buster video cases, one feather that was recovered atop a log which was near where we've indicated on the map as the burial site, one rolled condom, one condom wrapper, and a rope from the ground

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near the area where the burial site was.
Q. And did you ever -- did you also have occasion to take into custody fiber evidence that the Army forensics team found?
A. Yes, sir, we did.
Q. Now, drawing your attention to about February 28th of 1999, did you have occasion to supervise the inspection of the victim Hae Min Lee's car, a Nissan, '98 Nissan?
A. Yes, sir, I did.
Q. And where was that car examined?
A. That car was examined in our processing area at headquarters.
Q. When did you first have occasion to see the car?
A. On the 28th of February.
Q. Where did you first see it?
A. In the forensic processing bay.
Q. Now, what do you do when you process a vehicle?
A. When we process a vehicle, we look for any and all pertinent evidence that may be recovered in conjunction with the case. We process the vehicle for latent fingerprints and recover any evidence that we feel pertinent to the case.
Q. Now, when you say you process for latent

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prints, what sort of surfaces do you process for latent prints?
A. All suitable interior and exterior surfaces of the vehicle.
Q. Do you also process paper items?
A. Paper items we do not process; however, we do recover them so that they can be processed by our Latent Print Unit.
Q. Now, when you first looked at the car, what, if anything, did you observe?
A. Upon initial inspection of the vehicle, nothing unusual stood out other than usual school books and things of that nature that were in the trunk, and athletic equipment.
MR. URICK: If I may approach the witness at this time, I'm going to hand him what's already in evidence as State's Exhibit 8, what's already in evidence as State's 13, and what have been marked for identification purposes so far as 14 and 15.
THE COURT: All right. State's Exhibit No. 9, the previous exhibit that the witness had, -- State's 9 or 10 -- would you pass that to the Court please?
THE CLERK: (Complying with Court's request.)
THE COURT: Thank you.
You may continue.

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BY MR. URICK:
Q. Have you had a chance to examine the exhibits?
A. Yes, sir, I have.
Q. Now, if you would -- first looking at 13, can you identify that?
A. 13 is a photograph of the front seat area of the vehicle in question. And as you can see in the photograph, there is a shirt that's partially folded in the front seat of the vehicle which we later laid out on a flat surface at the processing bay to get some better photographs of it.
Q. And does the photograph on the left fairly and accurately represent where the shirt was seen when the vehicle was recovered?
A. Yes, sir, it does.
Q. And do the photographs on the right fairly and accurately depict the suspected stains that are on the T-shirt?
A. Yes, sir, they do.
Q. Thank you.
Now look at State's 14. Can you identify those?
A. Yes, I can.
Q. What are those?
A. These are items that are contained within the

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rear of the vehicle, the rear seat area of the vehicle.
Q. And do they fairly and accurately depict where the items were in the car?
A. Yes, sir, they do.
Q. Now, in the lower right-hand corner, what is that photograph?
A. This is close-up photograph of a map that was recovered from the rear seat of the vehicle, the rear seat area. Basically, what we did is, we wanted to lay the map out to get a better photograph of it.
Q. Why are there two sections to it?
A. One section was torn out of the book previously.
Q. And where was the torn out piece found, if you recall?
A. In the rear seat area of the vehicle.
Q. And do all those photographs fairly and accurately depict the subjects contained there and show their placement within the vehicle?
A. Yes, sir, they do.
MR. URICK: We would offer in evidence at this time State's Exhibit 14.
THE COURT: Any objection?
MS. GUTIERREZ: Judge, I would object to the photographs on the lower right side, given the testimony

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is that that item was laid out. So the question asked is: do they fairly and accurately represent where those items were as this officer found them. He answered yes and, in fact, according to his testimony they do not, since the map book was found in the rear seat, and the placement he laid out to better photograph are not as they appeared as he found them. So I would object to the lower right photograph.

THE COURT: With regard to the lower right photograph, counsel for the State, do you want to ask any other questions relative to the appearance of the item in the photograph?

MR. URICK: Yes, if I may, please.

BY MR. URICK:

Q. Do the pictures in the left and the top right fairly and accurately depict the placement of the objects in the car itself?

A. Yes, sir, they do.

Q. The lower right photograph, does that fairly and accurately depict the appearance of those two objects?

A. As indicated in the left and the upper right, no, they do not. However, these items were placed so that they could be better photographed.

Q. And does that photograph fairly and accurately

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depict them and their contents?

A. Yes, sir, they do.

MR. URICK: I would offer the exhibit at this time.

THE COURT: Any objection?

MS. GUTIERREZ: No, Your Honor.

THE COURT: I do have a question.

THE WITNESS: Yes, ma'am.

THE COURT: Before you photographed the map, did you turn the pages, or did you photograph the map as it appeared -- whatever page it was open to at the time you retrieved it from the seat?

THE WITNESS: That is actually indicated -- this would actually indicate the first photograph of how the rear back bench seat looked once the door was open. This is the first photograph, I'm sorry. The second photograph would indicate exactly how the book itself was found once we moved aside the book bag. This is what we found, the map lying there.

Before recovering and placement of same to be submitted to evidence, we removed these two items, placed them on a table, and then photographed them to get closer and better detail.

THE COURT: You did not turn the page of the map book?

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THE WITNESS: No, ma'am, we did not turn any pages of the map book.

THE COURT: And the piece of paper that was torn out, you then photographed as it was?

THE WITNESS: Exactly. The separate page along here in the lower left was a page that was already torn out of the booklet.

THE COURT: And the side of the page that was facing up at the time you recovered it, is the side of the page that you photographed?

THE WITNESS: Yes, ma'am.

THE COURT: Very well.

Any additional questions from the State as a result of the Court's questions?

MR. URICK: No.

THE COURT: Of the defense?

MS. GUTIERREZ: I do, Judge, but I'll reserve them until cross-examination.

THE COURT: All right, very well.

At this time I will accept that as an exhibit into evidence at this time with the qualifications noted by the witness.

(State's Exhibit No. 14, previously marked for identification, was received in evidence.)

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BY MR. URICK:

Q. Did you have occasion to examine the page that was torn out of the map?

A. Yes, sir, I did.

Q. And what, if anything, did you notice about that page?

A. That particular page stood out to me because it indicated a page that was torn out of the book that included the map area of Lincoln Park.

Q. Now, the next exhibit, State's 15, have you had a chance to examine that?

A. Yes, sir, I have.

Q. And what, if anything, does that indicate?

A. This indicates the rear trunk area of the vehicle and the contents contained inside of that area.

Q. And could you explain what each picture shows?

A. Yes. The top left picture shows a lacrosse stick, hockey stick, a jacket, umbrella, and the index card packet. The lower left photograph indicates an envelope that was found beneath the carpeted area of the trunk, like right on top of the spare tire.

The upper right photograph indicates papers that were found once the red jacket was moved to the side. These are the items that were found beneath the

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red jacket. And this is a close-up of the photograph in the lower left.
Q. And do those photographs fairly and accurately depict the items in the trunk as you found them?
A. Yes, sir, they do.
MR. URICK: We would offer into evidence State's Exhibit 15.
THE COURT: Any objection?
MS. GUTIERREZ: No, Your Honor.
THE COURT: Let it be admitted.
(State's Exhibit No. 15, having been previously marked for identification, was received in evidence.)
BY MR. URICK:
Q. Now, did you have occasion to examine the car itself?
A. Yes, sir.
Q. What, if anything, did you notice about the -- if you noticed anything -- about the controls?
A. The what again? I'm sorry.
Q. If you look at State's Exhibit 8 --
A. Uh-huh.
Q. Can you identify that?

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A. State's Exhibit 8 would be a close-up photograph of the ignition of the vehicle.
Q. And does that fairly and accurately depict that portion of the vehicle?
A. Yes, sir, it does.
Q. Did you have occasion to examine that part of the vehicle at all?
A. Yes.
Q. What, if anything, did you notice?
A. Nothing unusual.
Q. And your analysis was a visual one?
A. Yes.
MR. URICK: Now, with the Court's permission, I would like to publish State's 13, 14, and 15 to the jury at this time.
THE COURT: Any objection from the defense?
MR. GUTIERREZ: No, Your Honor.
THE COURT: You may do so at this time.
I ask that you resume questioning only if the jurors have finished examining the exhibits.
(Pause.)
MR. URICK: May I approach the witness at this time?
THE COURT: Yes, you may.
BY MR. URICK:

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Q. I am now going to hand you an exhibit and ask you to examine it.
A. (Complying with request of counsel.)
Q. Can you identify that item?
A. It's an item that was packaged. I can identify the packaging.
Q. And what is that packaging?
A. This is a piece of evidence that was packaged by Technician Sanders.
Q. And is that evidence that was recovered from the car on the 28th of February?
A. I do believe so; however, I'm not certain. I do not possess the property numbers list to be able to positively identify it as such.
MR. URICK: May I approach the witness?
THE COURT: You may.
MS. GUTIERREZ: Judge, I am going to object to showing this witness items of documentation that are not identified or in evidence.
THE COURT: Before you show the witness anything, perhaps you might ask him if there was anything that you could show him that might refresh his recollection.
BY MR. URICK:

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Q. Is there anything that I can show you that might refresh your recollection of the property numbers?
A. Yes, sir.
Q. And what is that document?
A. That would be a property list or "property sheet," as we refer to it.
THE COURT: I need you to mark it for identification purposes, and also show it to counsel so she can see what it is.
Just for identification purposes, please mark that exhibit.
MR. URICK: What number are we up to?
MS. MURPHY: 39.
MR. URICK: For identification purposes, 39.
(State's Exhibit No. 39 was marked for identification.)
BY MR. URICK:
Q. Please examine this for a second if you will, please?
A. (Complying with request of counsel.)
THE COURT: At this point, Ms. Gutierrez, your objection is overruled, and I will note your objection the initial question, for the record. With the clarification, it is now overruled.

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THE WITNESS: This particular item will refer to the map, the torn out page.
BY MR. URICK:
Q. And does it reference the property -- does the control list reference the particular property number?
A. Yes, sir, it does.
Q. And was that evidence seized and packaged in your presence and submitted to the Evidence Control Unit under that property number?
A. Yes, sir, it was.
Q. If you would, please, at this time, open the package and examine the contents?
THE COURT: Officer, before you do that, can you tell me what the property number is?
THE WITNESS: Yes, ma'am. The property number is 99008998.
THE COURT: And is that contained on some list that you just used to refresh your recollection?
THE WITNESS: Yes, ma'am, it is.
THE COURT: And what is that number on the list?
THE WITNESS: The number on the list is 99008998.
THE COURT: Very well. You may continue.
THE WITNESS: (Complying.)

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BY MR. URICK:
Q. Have you had a chance to examine the two items that were in there?
A. Yes, sir, I have.
Q. And what are those?
A. The items contained in this particular package are the map and the torn out page.
MR. URICK: These have been marked for identification as State's Exhibits 16 and 17.
(State's Exhibits Nos. 16 and 17 were marked for identification.)
BY MR. URICK:
Q. Now, other than having been opened and tagged -- opened for discovery and testing purposes and tagged for court purposes, are they in substantially the same shape and form as when they were seized?
A. Yes, sir, they are.
Q. At this time I would offer State's Exhibit 16, the map book, and as 17 -- pardon me. 16 is the page that's torn out of the map book; 17 is the map book itself. I would offer into evidence State's Exhibit 16 and 17 at this time.
THE COURT: Any objection?
MS. GUTIERREZ: No, Your Honor.

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THE COURT: Let them be admitted as State's Exhibits 16 and 17.
(State's Exhibits 16 and 17, previously marked for identification, were received in evidence.)
MR. URICK: If I could have the Court's permission at this time, I'd like to publish the page that's torn out by having the witness come over in front of the jury and show that page to the jury.
THE COURT: You may.
(The witness left the witness stand and approached the jury box.)
THE WITNESS: Exhibit 16 would indicate the torn out page from the map which contains Lincoln Park. It's right along here, right here. Here's Lincoln Park right here.
THE COURT: The witness is showing the exhibit to the members of the jury, using his hands to circle the area on the map in a circular motion that indicates the area of Lincoln Park.
MR. URICK: Thank you. If you could return to the stand at this time?
(The witness returned to the witness stand.)

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MR. URICK: I will give the two exhibits to the Clerk to mark into evidence at this time.
BY MR. URICK:
Q. At this time, I'd ask you to take a look at this object. Examine it, if you would, please?
A. This appears to be a package containing papers from the trunk area of the vehicle.
Q. And were those seized and packaged in your presence on -- were they seized and packaged in your presence?
A. Yes, sir, they were.
Q. And, if you would, what's the property control number on that item?
A. The property control number on this item is 99008994.
Q. And is that property number cross-referenced in the evidence control list?
And, if you would, before you determine that, be sure to look at the last page as well?
A. Okay. Yes, sir, it is contained in the list.
Q. And please read the number off the list?
A. The number on the list is indicated as 99008994.
Q. Please open the package at this time and examine the contents?

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THE COURT: For the record, is that part of what was contained in either exhibits previously offered, or has this got its own number?
THE WITNESS: It has its own property number. These are items from the trunk of the car.
THE COURT: I understand. But it doesn't have an exhibit number?
THE WITNESS: There are exhibits contained within the package.
THE COURT: Okay. And that is part of Part 17 --
MR. URICK: No, it will be a new exhibit in a second.
THE COURT: All right.
For the record, counsel, I need to have a number given to this item that he's identifying. If we could, just for the purpose of identifying it, so that the record's clear what it is this witness has been testifying about and what it is that he's about to open. If we could have a number?
MR. URICK: We will assign No. 40 for identification purposes.
THE COURT: Very well.
BY MR. URICK:
Q. What's the property control number again?

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A. The property control number is 99008994.
THE COURT: Thank you.
Let that be State's Exhibit No. 40 for identification purposes.
(State's Exhibit No. 40 was marked for identification.)
BY MR. URICK:
Q. Please open the package and examine the contents?
A. (Complying with request of counsel.)
Q. In going through those objects, you should find two that are marked, one as State's Exhibit 19 for identification, the other State's Exhibit 20. Please see if you can find those?
A. Yes, sir, I found them.
Q. Please examine them at this time?
A. (Complying.) I've examined them.
Q. Okay. Now, State's Exhibit 19 -- can you identify that?
A. State's Exhibit 19 is a single sheet of looseleaf notebook paper, and it appears to be a note.
Q. And is there a name on it?
A. On the exterior of the note, which would be the back side of the single sheet of paper, there's the name "Don" written twice.

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Q. And is that in substantially -- other than being processed and prepared as a trial exhibit, is it in substantially the same shape and form as when it wa seized?
A. Yes, sir, it is.
MR. URICK: I would offer State's Exhibit 19 the note to Don.
THE COURT: Any objection?
MS. GUTIERREZ: No, Your Honor.
THE COURT: Let it be admitted.
(State's Exhibit 19 was marked for identification and was received in evidence.)
BY MR. URICK:
Q. Now, have you found Exhibit 20?
A. Yes, sir, I have.
Q. And can you identify that?
A. Yes, sir. State's Exhibit 20 appears to be a small envelope with a paper clip. Contained in the envelope is a thank-you card and an address label.
Q. And does that paper work have affixed to it the markings of the Latent Prints Unit?
A. Yes, they do.
MR. URICK: I would offer as State's Exhibit 20 the paper work.

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THE COURT: Any objection?
MS. GUTIERREZ: No, Your Honor.
THE COURT: Let it be admitted as State's Exhibit 20.
(State's Exhibit No. 20 was marked for identification and was received in evidence.)
MR. URICK: I'll take those back now and ask you to examine this exhibit, if you would?
THE COURT: For the record, the items that have been admitted are two single portions of items contained in what was identified as State's Exhibit No. 40, generally, but only two items within that State's Exhibit No. 40 have been admitted into evidence, and those are items 19 and 20.
MR. URICK: And the item that he's looking at now, for identification purposes, we're going to mark it as Exhibit 41.
THE COURT: Mark it as 41 -- so noted -- for identification purposes only.
(State's Exhibit No. 41 was marked for identification.)
THE COURT: Ladies and gentlemen, just so you know what the Court's doing, we're not a video courtroom. If we were, what is happening, moving around in terms of

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papers, would be visible to anyone who would review this record.

Unfortunately, we have only the -- well, not unfortunately -- we have only the stenographer, so when things happen in the courtroom that are only seen and not necessarily heard, I'm making sure that the record shows what's going on. In the event someone were to review the record, they'd actually know what was taking place and what you all were seeing as part of the record in this case.

You may continue with regard to what's been marked as Exhibit No. 41 for identification purposes.

BY MR. URICK:

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

A. Yes, sir, I have.

Q. And can you identify that object?

A. Yes. This object appears to be papers that were recovered from the glove box of the vehicle.

Q. And does it have a property control number affixed to the package itself?

A. Yes, sir, it does.

Q. And what is that property control number?

A. That property control number is 99008995.

Q. And is that cross-referenced in the property control list?

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A. Yes, sir, it is.

Q. And, again, what is the number on the property control list?

A. The number on the property control list is 99008995.

Q. Now, if you would open that exhibit and examine the contents inside?

And among the items there, you should find one marked for identification as State's Exhibit 34 -- pardon me, 24.

A. Yes, I've found that particular item.

Q. I think it had something paper clipped to it that you pulled off?

A. Yes.

Q. That was part of the exhibit itself.

Please examine the object marked as State's -- for identification as State's Exhibit 24?

A. The object marked as State's Exhibit 24 is an auto insurance card and a vehicle registration card.

Q. And do those cards show visibly that they have been processed by the Latent Prints Unit, as well as having markings from the Latent Prints Unit on them?

A. Yes, sir, they do.

MR. URICK: We would offer as State's Exhibit No. 4, the Nationwide Insurance I.D. from the glove box.

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THE COURT: Any objection? You said State's Exhibit No. 4? I'm sorry.

MR. URICK: 24.

MS. GUTIERREZ: No objection.

THE COURT: Let it be admitted as State's Exhibit No. 24.

(State's Exhibit No. 24 was marked for identification and was received in evidence.)

BY MR. URICK:

Q. I am now going to show you what has been marked for identification as State's Exhibit 42, and ask you to examine that, if you would?

(State's Exhibit No. 42 was marked for identification.)

THE WITNESS: (Complying.) I have identified it.

BY MR. URICK:

Q. Can you identify it?

A. Yes sir, I can.

Q. And what is that object that has been marked for identification purposes?

A. These are items I recovered from the back seat of the vehicle.

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Q. And does the bag proper have an Evidence Control Unit number affixed to it?

A. Yes, sir, it does.

Q. And what is that number?

A. That particular number is 99009000.

Q. And please examine the items within it. You should find one that's been pre-marked for identification purposes as State's Exhibit 22.

MR. URICK: I'm sorry, there's a -- my mistake. We inadvertently pre-marked the entire bag. I do not want the entire bag. I believe it should be this item right here. Yes. Let me mark this for identification as State's Exhibit 22.

(State's Exhibit No. 22 was marked for identification.)

THE COURT: For the record, the item that's being marked as State's Exhibit No. 22 is one item contained in Exhibit No. 42, which is the envelope or the bag covering.

THE WITNESS: I have examined same.

BY MR. URICK:

Q. Okay. It is in -- other than -- does it show evidence of having been processed by the Latent Prints Unit, including having affixed to it markings by the Latent Prints Unit?

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A. Yes, sir, it does.
Q. And other than having been processed by the unit and marked for identification purposes, is it substantially the same shape as when it was seized?
A. Yes, sir, it is.
Q. And was it seized and processed in your presence?
A. It was seized in my presence, yes.
Q. Okay.
MR. URICK: Offer State's Exhibit 22 the floral paper.
THE COURT: Any objection?
MS. GUTIERREZ: No, Your Honor.
THE COURT: Let it be admitted.
(State's Exhibit No. 22, previously marked for identification, was received in evidence.)
BY MR. URICK:
Q. This is actually part of the previous exhibit. I ask you to take a look at that while I --
MR. URICK: Mr. Clerk, the previous exhibit, the large bag, could you just slip this in the bag?
BY MR. URICK:
Q. Have you had a chance to examine the exhibit?
A. Yes, sir, I have.

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Q. And can you identify that?
A. This, according to the property sheet, is a shirt with suspected blood on same.
Q. And does the bag have affixed to it a property control number?
A. Yes, sir, it does.
Q. And what is that property control number?
A. 99008991.
Q. Please read that again?
A. 99008991.
Q. And is that cross-referenced in the property control list?
A. Yes, sir, it is.
Q. Now, please open the bag and just -- you know, I don't think you have to take it out, but visually examine the contents, if you would?
Is the bag pre-marked for identification purposes as State's Exhibit 26?
A. Yes, sir, it is.
THE COURT: Let the record note that he is opening what's been pre-marked as State's Exhibit 26 for identification purposes.
(State's Exhibit No. 26 was marked for identification.)
BY MR. URICK:

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Q. Can you identify the object in the bag?
A. Yes, sir, I can.
Q. What is that object?
A. This is the shirt that was recovered from the front left seat of the vehicle.
Q. And that was the shirt that was depicted in the photographs that constituted State's Exhibit 13?
A. I do believe so.
Q. The one that had the shirt on the front seat and then --
A. Correct.
Q. And other than having been processed by the Crime Lab, is the shirt in substantially the shape and form as when it was seized?
A. Yes, sir, it is.
MR. URICK: We would offer as State's Exhibit 26 the bag with the shirt contained within it.
THE COURT: Any objection?
MS. GUTIERREZ: No, Your Honor.
THE COURT: Let it be admitted.
(State's Exhibit No. 26, previously marked for identification, was received in evidence.)
MR. URICK: May I have the Court's indulgence for just a second?

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THE COURT: You may.
(Pause.)
MR. URICK: Witness with the defense.
THE COURT: Ms. Gutierrez?
MS. GUTIERREZ: Yes, Your Honor.
CROSS-EXAMINATION
BY MS. GUTIERREZ:
Q. Mr. Thomas, I think, for convenience, I'm going to go backwards, so let's start with --
MS. GUTIERREZ: Mr. Clerk, could I have State's Exhibit 24 and 19 and 20 and 22?
(The Clerk handing exhibits to Ms. Gutierrez.)
MS. GUTIERREZ: May I approach the witness, Your Honor?
THE COURT: Yes, you may.
BY MS. GUTIERREZ:
Q. Mr. Thomas, you've already identified these as four separate exhibits, one of which is two papers. All of these came out of the car that you've already described to us you examined on February 28 in the bay down at police headquarters that is used for that purpose to examine cars or vehicles; correct?
A. Correct.
Q. And that vehicle was the vehicle that you know to be identified as belonging to the victim?

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A. Correct.
Q. Okay. And there's nothing unusual about you knowing that ahead of time; is that correct?
A. No, there's nothing unusual.
Q. And there's nothing unusual about your finding an insurance card that is the insurance for the victim's family member covering that car in the glove compartment?
A. No.
Q. Or the M.V.A. registration for the car that turned out to be also in the glove compartment of the car that you knew belonged to the victim?
A. That would also be correct.
Q. Okay. And, incidentally, out of the bags that you picked up all of these things, there's nothing unusual about finding a group of papers in a glove compartment of a car that you were forensically examining?
A. No, nothing unusual.
Q. Some papers which related to the car and other papers which did not?
A. I wouldn't have any prior knowledge of that.
Q. Okay. But there's nothing unusual about finding papers that both relate to the car and don't relate to the car in the glove compartment of a car you're forensically examining, is there?

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A. I'm sorry, can you repeat that question?
Q. There is nothing unusual about finding inside the glove compartment of a car you are forensically examining both papers that relate to that car and papers that do not?
A. I wouldn't have any prior knowledge whether they related to the vehicle or not.
Q. I'm not asking you that, sir. You forensically examine other cars, don't you?
MR. URICK: Objection.
THE COURT: Overruled. Just listen to her question.
BY MS. GUTIERREZ:
Q. Do you not?
A. Yes.
Q. And you have before February 28, 1999, have you not?
A. Yes, ma'am, I have.
Q. And oftentimes in glove compartments inside vehicles you are examining, you find papers, do you not?
A. We find papers, yes, we do.
Q. And there's nothing unusual about that, is there?
A. Nothing unusual to find papers.

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Q. And sometimes you find papers that are related to the car you're examining; correct?
A. That is correct.
Q. And sometimes you find papers that have nothing to do with the car?
A. That would also --
Q. Is that correct?
A. That would also be correct.
Q. All right. In regard to the notes that you found, the one that says "Don" -- that actually says "Don," as it's folded, in two places, does it not?
A. Yes, ma'am, it does.
Q. And on the other side is a note that -- there's no place it refers to Don -- it says "Hey, Cutie," does it not?
A. Yes, ma'am, it does.
Q. Okay. There's no date on this note, is it?
A. No, ma'am.
Q. There's nothing on either side of this that indicates to you when it was written?
A. No, ma'am, it doesn't.
Q. Or who the Don person is?
A. No, ma'am.
Q. Or who the signatory is?
A. No, ma'am.

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Q. Or under what circumstances it was written?
A. No, ma'am.
Q. And whether or not it was ever given to the person to whom it was written by the person, whomever it may be, who wrote it?
A. No, ma'am.
Q. And in regard to the other note that you identified -- and again, this was found where?
A. These are papers that were recovered from the glove box area.
Q. From the glove box. The same place where the insurance card was?
A. (No response.)
THE COURT: Is that right?
THE WITNESS: I'm sorry.
BY MS. GUTIERREZ:
Q. It's a question.
A. I'm --
Q. The glove box, the same place where the insurance card was recovered?
A. I would need to go back and refresh my recollection as to where that was.
Q. Is there something that would refresh your recollection as to that?
A. Yes, the exhibit that it came from.

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Q. The bag number --
A. The packaging.
Q. -- out of which -- do you recall which that is?
A. No, I do not.
MR. URICK: State's 40.
MS. GUTIERREZ: If I could have State's 40, which has only been marked for identification?

BY MR. GUTIERREZ:
Q. Mr. Thomas, if you could review that and see if that refreshes your recollection as to where this item about which you just testified came from, where it came from in the car?
A. Exhibit 24 were items that were recovered from the glove box area.
Q. Okay. And Exhibit 19?
A. Exhibit 19 is from Exhibit 40.
Q. Which is also from the glove box?
A. That would be incorrect. This was recovered from the trunk area of the vehicle.
Q. Okay. So the notes came from the trunk area?
A. Correct.
Q. Okay. And does that include the note addressed to the Lee family at [redacted] Road?
A. That would also be correct.

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Q. Where the trunk area of the car was?
A. The trunk area, yes.
Q. And there is a stamped document indicating that it was posted on a certain date, does it not?
A. Yes, ma'am, it does.
Q. And what date is that?
A. That date would be the -- that would be the 3rd of October, 1998.
Q. Okay. Now, sir, when you examined that car, you had no idea of how many people drove it, if more than one did, do you?
A. No, ma'am.
Q. And how often people drove it?
A. No, ma'am.
Q. And what their purposes were?
A. No, ma'am.
Q. And under what conditions?
A. No, ma'am.
Q. Now, Mr. Thomas, you identified State's Exhibit 22. It appears to be a flowered paper -- flowers printed on the paper -- but also appears to be the wrapping for flowers, does it not?
A. Yes, it appears to be.

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Q. And based on where you found it and the circumstances it appeared to be, could you tell whether or not there had ever been flowers in there?
A. I was unable to determine that; however, there was some slight residue of what looked like a rose petal, but I'm not a flower expert.
Q. Okay. But it appears exactly what it appears to be, a wrapper for some flowers; correct?
A. Correct.
Q. And if there were flowers in there, you, of course, from your examination, couldn't tell to whom they were given?
A. No, ma'am.
Q. Or by whom?
A. No, ma'am.
Q. Or under what circumstances?
A. No, ma'am.
Q. Or any idea of when?
A. No, ma'am.
Q. The item number 26, which you've described as the shirt with suspected blood, the pictures that you've shown us show that that shirt, not laid out as you later laid it out to better photograph it, but, in fact, was found folded or jumbled up on the very driver's seat in

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the front of that vehicle, was it not? A. Yes, ma'am, that is correct.
Q. And at the time that you laid it out to photograph what appeared to you to be suspected blood, you, of course, had no idea what that substance was?
A. No, ma'am, I did not.
Q. And whatever substance appeared to be on the shirt, sir, you had no idea what, if any, relevance it had to what, if any, events occurred in the car, did you?
A. No. That would be correct.
Q. You, sir, were not privy, at that juncture, to determining what was the cause of death of the driver of the car that had last been known to drive it?
A. No, ma'am.
Q. And whether or not anything related to the cause of death involved the blood of that person?
A. No, ma'am.
Q. And you, of course, had not been made privy to any information leading you to believe that whoever caused the death of the body that you observed in the other search on February 9th of the person's body in the grave in Lincoln Park involved blood from any source were you?
A. No, ma'am.

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Q. And that, of course, is not part of your expertise in the collection of evidence; correct?
A. No, ma'am. It would be impossible to determine that.
Q. And at the time, for instance, it looked to you like blood; correct?
A. It could have been a number of --
Q. Could have been something other than blood; correct?
A. Correct.
Q. And that's why, because you're not a blood expert, you call it "suspected blood"; correct?
A. That is correct.
Q. That's what you suspected it to be when you saw it; correct?
A. That would be correct.
Q. But you had you no idea whether your suspicions were founded; correct?
A. That would be correct.
Q. Or if they were founded, if they were related in any way to what happened to the person in that car on or about January 13th?
A. Yes, ma'am, that would be correct.
Q. Is that correct?
A. Yes, ma'am, that's correct.

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Q. You had no idea when and how whatever it was, you saw on that shirt got there?
A. That's correct.
Q. Or under what circumstances?
A. Yes, ma'am.
Q. And by whom it was put?
A. That would be correct as well.
Q. Now, in regard to the map, I believe that --
MS. GUTIERREZ: Do you have the map?
(Clerk handing exhibit to Ms. Gutierrez.)
BY MS. GUTIERREZ:
Q. Mr. Thomas, you were asked to examine, and you told us that in regard to State's Exhibit 14, the photograph identified as the bottom photograph on the right-hand side shows this book; correct?
A. That would be correct.
Q. But it's opened up to a specific page, is it not?
A. Yes, ma'am, it is.
Q. And what page number is that?
A. The page number indicated in the photograph is 23.
Q. Page number 23. And is that number on the top or the bottom?
A. The number is indicated on the top of the page.

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Q. Okay. And, in fact, there are numbers both at the top and the bottom, are there not?
A. They do have numbers at the bottom as well as the top.
Q. It's hard to see that in the picture, is it not?
A. Yes, it is.
Q. But if you look at the map itself, it has a map number with a number on it at the top, either on the left-hand side or the right, and also a number that indicates a page number at the bottom, does it not?
A. Yes, ma'am.
Q. The picture shows that the map book was opened to Map 23 on Page 33, does it not?
A. (No response.)
Q. It's hard to see, isn't it?
A. It's a little difficult to see, yes.
Q. You can't actually see the page number, but you can see the map number, can you not?
A. You can see the map number.
Q. And that map, as you photographed it, all you did was spread it out so that you could better photograph it; right?
A. That would be correct.

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Q. That's the same map book that was laying underneath the book bag that you also recovered and processed?
A. That is correct.
Q. Isn't that correct?
A. That is correct.
Q. And it was under the book bag folded up to Map 23; correct?
A. Yes, ma'am.
Q. Now, the page number on the piece of paper says "Map 33," does it not?
A. Yes, ma'am, it does.
Q. And it says "Page Number 43" at the bottom; is that correct?
A. That is correct.
Q. Not relative in order to Map 23 on Page 33; correct?
A. Right.
Q. And the appearance of the sheet itself appears to be more aged or exposed, does it not?
A. At that particular time, no.
Q. At that time, it does not?
A. Correct.
Q. It's your testimony that now it appears more aged and exposed?

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A. Yes, ma'am.
Q. Even though this book and this paper have been inside the sealed brown bag that you opened up?
A. That would be correct.
Q. Okay. And to your knowledge, that's how evidence is kept, is it not?
A. To my knowledge unless -- until it's processed.
Q. Until it's processed. And then it's put back in the bag, is it not?
A. That is correct.
Q. That's why you had to unseal things before you could retrieve items from them?
A. That is correct.
Q. And to your knowledge, items that you retrieve and then submit are assigned property numbers and turned over to Evidence Control?
A. That is correct.
Q. Where they remain unless and until they are taken out of Evidence Control for an official approved reason?
A. That is correct.
Q. Such as analysis by somebody else?
A. Correct.
Q. Or view by the prosecutor?
A. Correct.

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Q. Or view by the defense?
A. Correct.
Q. Or some other legitimate purpose?
A. Correct.
Q. Such as your testifying and opening up the seal in court; is that correct?
A. That would be correct.
Q. The page that appears in here, -- and although it doesn't show the map number, it shows essentially the same page, does it not?
A. Essentially, yes.
Q. You can tell by the drawings of the lines that represent the major highways, does it not?
A. That would be correct.
Q. And in addition to Lincoln Park, it shows, the bulk of that page, of the terrain of the Baltimore County area that is next to the City line, does it not?
A. Yes, ma'am, it does.
Q. There's a differentiation with a yellow tint to the page that shows the part that's in Baltimore City, does it not?
A. Yes, ma'am.
Q. And the part that's Baltimore County?
A. That would be correct.

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Q. And the major part of that map is Baltimore County, is it not?
A. Yes.
Q. And on the other side, it shows other areas of Baltimore City, does it not?
A. Yes, it does.
Q. Including the Gwynn's Falls Park?
A. Correct.
Q. And Druid Hill Park?
A. Correct.
Q. Is that correct?
A. That would be correct.
Q. And other green areas inside Baltimore City, including the Cylburn Arboretum; is that correct?
A. That is also correct.
Q. Now, this one particular page, sir, was found where in relationship to this map book?
A. That particular page was found just beneath the map book.
Q. Beneath the map book?
A. Right.
Q. And to your knowledge, you don't know how long that map book had been there?
A. No, not to my knowledge.
Q. Or how it got there?

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A. No, ma'am.
Q. Or who placed it there?
A. No, ma'am.
Q. And you, of course, couldn't tell from your examination, whether or not the map book and the page had been placed where you found them at or near the same time?
A. I'm sorry. Can you reiterate the question?
Q. You, from your examination of that map book, and the page, and the car, could not, of course, tell whether they were placed there at or near the same time to each other?
A. No, ma'am.
Q. Or whether or not they had been placed at two separate events?
A. No, ma'am.
Q. Or whether or not they had actually been placed by the same person?
A. No, ma'am.
Q. Or what their purpose was in being inside the car?
A. No, ma'am.
Q. And your examination, of course, couldn't reveal who had last handled them?
A. No, ma'am.

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Q. Or when whoever it was that last handled them handled them?
A. No, ma'am, that could not be determined.
Q. Or, again, whether or not they were handled by the same or by different people?
A. No, ma'am.
Q. Or what the purpose was?
A. No, ma'am.
Q. Now, the other thing that you were asked about was the February 9th incident when you were dispatched to Lincoln Park. Do you remember that?
A. Yes, ma'am.
Q. Now, you were dispatched there in order for you to conduct what, in your expertise, is the collection of evidence from what appeared to be, perhaps, a crime scene?
A. Correct.
Q. Is that correct?
A. That is correct.
Q. And your job was to go and look at the crime scene and see what might be significant from what you saw; is that correct?
A. That is correct.
Q. Now, you viewed State's Exhibit --

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MS. GUTIERREZ: Do you have the other big sheets of photos?
THE CLERK: These?
MS. GUTIERREZ: Yes.
BY MS. GUTIERREZ:
Q. Mr. Thomas, I'm going to show you State's Exhibit 9, which is in evidence. And you've identified that that looks like the crime scene that you were called to by dispatch on the 9th of February; correct?
A. Correct.
Q. Now, first of all, let me clarify. You were called there in the middle of the day; is that correct?
A. That is correct.
Q. And the lighting conditions during the middle of the day were as the photographs depicted?
A. That's correct.
Q. You would agree that the lighting conditions in the middle of the day make it easier for you to see whatever it was in that area where you went; is that correct?
A. That is correct.
Q. Those photographs, at least four of those photographs and sort of partly on the fifth, show the road that runs through Lincoln Park, do they not?
A. Yes, they do.

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Q. That road is called Franklintown Road; is that correct?
A. Yes, ma'am.
Q. And Mr. Urick asked you to identify, and you did, after looking at State's Exhibit 9 for a while, that through the picture in the top right corner, that you could identify figures through the brush; is that correct?
A. That's correct.
Q. And is that easy to do?
A. No, ma'am, that's not easy to do.
Q. You have to really stare at that picture, do you not?
A. Yes.
Q. And, in fact, you really have to know what you're looking for, do you not?
A. In the picture, yes.
Q. In the picture. If you had never seen this picture, and you go up to look, it's real hard to figure out if there's anything back behind that brush, isn't it?
A. Correct.
Q. And, Mr. Thomas, you were aware that at the scene that day, the day that you collected this evidence, there was a City surveyor at the scene, were you not?
A. As my recollection, yes.

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Q. A Mr. Budemeyer, who was making measurements at the request also of the Homicide detective. Do you recall that?
A. That, I do not recall.
Q. Do you recall, sir, that the distance from the street that is shown in these photographs to back where you saw would appear to be a partially covered body, that the distance was 127 feet?
A. That's an approximate measurement, yes.
Q. Okay. And that conforms to your memory and notes of the events, does it not?
A. Yes.
Q. And that's a significant amount of feet, is it not?
A. It is.
Q. A distance far greater than any dimension that could be registered inside this room, is it not?
A. That is correct.
Q. Okay. And a dimension, from your recollection of the 9th, where the grave site was, that's not readily visible from the road, on any portion?
A. That is correct.
Q. Now, Mr. Thomas, did you take these pictures?
A. Yes, ma'am, I did.

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Q. Okay. And, they accurately reflect, if you're standing in the road looking from different angles, to an area that's surrounded by logs and Jersey walls; is that correct?
A. That is correct.
Q. If you look carefully at all of the pictures, it shows the dimension of that area to be totally closed off by either Jersey walls or logs, does it not?
A. That is correct.
Q. There is no easy defined pathway outside of that pull-off, if I'm calling it, that appears to be covered with some kind of gravel and dirt that had been there for awhile? There is no discernible pathway out of that squared-off area, is there?
A. Yes, there is.
Q. And where is that?
A. That would face the road side.
Q. Okay. Facing the road side. But is there any discernible pathway from inside that once you enter from the road side into the interior of the park beyond the border of that pull-off area?
A. If you're referring to proximity to the body, no, there is not.
Q. There is not. In fact, every -- what might appear to be -- if you look closely, there are fairly

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large logs covering up all the entryways that might go into the park?
A. That is correct.
Q. One has to climb to get out of that area that's defined in part by the Jersey walls, does one not?
A. Yes, ma'am.
Q. Okay. And one has to travel a fair distance beyond that to get to where this body was?
A. That is correct.
Q. Now, the photograph on the lower left side has some numbers of what looks like little yellow cards -- letters, does it not?
A. Yes, it does.
Q. An "E" and an "F"?
A. That is correct.
Q. Is that correct?
A. That is correct.
Q. Those numbers are numbers that you and members of your crews put down to identify where items were retrieved from?
A. That is correct.
Q. Isn't that correct?
A. That is correct.

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Q. And where you've identified the cards with the letters "E" and "F" are close to the road itself, are they not?
A. They are.
Q. I mean, they are within three or four feet from the edge of the roadway, are they not?
A. Yes. That would indicate that.
Q. And those items were, in fact, retrieved by you or members of your crew on that day; isn't that correct?
A. That is also correct.
Q. And those items are plainly visible. One appears to be either a can, or a cup, and a can and/or a cup; is that correct?
A. I would need to take a look at the crime scene sketch in order to refresh my recollection.
Q. And did you bring that sketch with you?
A. I did not. The prosecution has that.
Q. The sketch -- okay. Well, we'll pull that out in a minute.
And the item under the letter "E," can you tell what that was?
A. No. I am unable to determine what --
Q. Okay. But if you reviewed the crime scene sketch, you could possibly define what they were?
A. Yes.

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Q. Now, all you can tell us, though, from your photographs is that these are items that you or your crew visibly saw in the daylight on February 9th; is that correct?
A. That is correct.
Q. And these items shown in this photograph are nowhere near the body; correct?
A. That is correct.
Q. And from your examination of the crime scene, you, of course, couldn't tell how the body, 127 feet off of this road where the letter "E" is got there, could you?
A. No, ma'am.
Q. Or when it got there?
A. No, ma'am.
Q. Or under what circumstances?
A. No, ma'am.
Q. Or by who or whom, in the plural, took that body there; correct?
A. No, ma'am.
Q. And you, of course, couldn't tell whether any of the things that you've identified and taken photographs of have any relationship to that body?
A. At that particular time, no.
Q. Or to how it got there?

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A. No.
Q. Or to the person or persons who may have brought the body there?
A. No, ma'am.
Q. At any given day, whenever that was, prior to your arrival there on February 9th; is that correct?
A. That is correct.
Q. In addition, back where the body was, you said that you recovered other things, cartridges of different calibers -- casings, cartridge casings; is that correct?
A. That is incorrect. They were actually recovered from the roadway.
Q. Oh, they were -- so they weren't recovered back by the body; is that correct?
A. That is correct.
Q. Okay. Now, at the time you went and looked at that, you had no idea what had happened to that body; correct?
A. That is correct.
Q. You had no idea whether cartridge casings were involved or not; correct?
A. That would be correct.
Q. Whether or not there were any injuries on this body that would indicate that she had ever been injured by a firearm of any kind; is that correct?

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A. That is correct.
Q. And at the time that you viewed these cartridge casings of various calibers, you had no idea of how they got close to the roadway near where those pictures define that sort of pull-off area that's now been crowded out by the Jersey walls and the big logs; is that correct?
A. That is also correct.
Q. So you had no idea if they had any relevance to what happened to that body; right?
A. That is correct.
Q. At any time --
A. Correct.
Q. -- by anybody; correct?
A. That is correct.
Q. But your job is to process a crime scene and see if, in fact, by processing it, you might come up with evidence that might have some relevanced, depending on information collected at a later date or examination performed at a later date by some other expert with expertise different from yours; is that correct?
A. That is correct.
Q. And the same thing would go with the condom, both the wrapped one and the wrapper for the condom; correct?
A. Correct.

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Q. You had no idea whether or not that related to this body; correct?
A. That is correct.
Q. You just collected it because it was out near the roadway; correct?
A. No. We collected it because at that particular time we did not know what exactly we had, whether it involved a sexual assault, whether the body had any firearms injury to it, or whatnot.
Q. Right. So you collected everything you saw; correct?
A. Not everything we saw.
Q. You collected a lot of what you saw, did you not?
A. No, ma'am, we did not.
Q. Okay. You collected what you thought might be important, based on your experience; correct?
A. That is correct.
Q. And what else the detectives directed you to collect?
A. Correct.
Q. Correct?
A. Right.
Q. Well, the condoms and their wrapper were also found near to the roadway?

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A. That is correct.
Q. And those pictures that you've examined in State's Exhibit 9 show what would be the only available way readily that might lead back to where that body was found, do they not?
A. Yes, those photographs do.
Q. There aren't any other pathways that are readily apparent, are there?
A. Actually, you probably could have gotten to the body by crossing a stream that is behind the body, but the likelihood of that --
Q. From the other way?
A. Right. But the likelihood of that happening was not --
Q. And in that area, beyond --
THE COURT: I'm sorry, was not --
THE WITNESS: Was not considered.
THE COURT: Was not considered?
THE WITNESS: Right.
THE COURT: You may continue.
BY MS. GUTIERREZ:
Q. Because of the terrain?
A. Correct.

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Q. On the other side of the stream -- and that's actually the Gwynn Falls, is it not?
A. Yes, that is.
Q. That's a stocked stream that actually runs through the breadth and length of Lincoln Park all the way into Baltimore City, does it not?
A. Yes, it does.
Q. And that stream meanders, does not go through a straight path; is that correct?
A. That is correct.
Q. When you are back where the body was disinterred on February 9th that you observed, if you walked another 50 feet, you would run into the banks of the stream, would you not?
A. I am not exactly sure what the length is on that.
Q. It's not as long as it is from the roadway to the grave; correct?
A. That is correct.
Q. And the stream is audible, is it not?
A. Yes.
Q. Because the stream bed is comprised of a lot of rocks and stones, is it not?
A. Yes, it is.

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Q. So when one is standing where the body is, the stream, if it's not readily visible, it's readily audible once you are there; isn't that correct?
A. That's correct.
Q. And if you go across the stream, the terrain, then, rises up, does it not?
A. I have no knowledge of that.
Q. Well, there's no housing there, is there?
A. I have no knowledge of that.
Q. Well, you didn't observe any, did you?
A. No.
Q. Any time that you were anywhere near where the body was located that was pointed out to you by the detectives, or back and forth between the body and the road, did you observe any housing?
A. No, I did not.
Q. Did you observe on the way into the park any housing?
A. On Winan's Way, yes, I did.
Q. On Winan's Way, --
A. Right.
Q. -- which comes from Edmondson Avenue; correct?
A. That is correct.
Q. But there's a point when the housing clearly stops, is there not?

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A. Yes, there is.
Q. And from that point, there is no other housing inside the park, is there?
A. Not to my recollection.
Q. Now, Officer Thomas, if I may, if you would look again on State's Exhibit 9 at the lower -- I'l hold it so it doesn't interfere with the microphone. On the lower, left-hand photograph beyond the painted white Jersey wall, what appears in the picture relative to separating the road from the park?
A. It's a guardrail.
Q. And that's in the part of the picture closest to us; correct?
A. Correct.
Q. On the side of this area, is there also a guardrail depicted?
A. Yes, there is.
Q. And is entrance to the park -- other than the opening that is depicted by that photographs, is entrance to the park directly from the roadway apparent to anyone who drives through the Franklintown Road that is depicted in the photographs?
A. I'm sorry? Are you referring to the pull-off areas, as previously noted?
Q. Yes.

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A. Yes.
Q. Okay. And by that, what is it you mean?
A. I'm sorry?
Q. Can one -- the guardrail that is depicted in the photograph I just showed you, sir, --
A. Uh-huh.
Q. -- is that guardrail present on both sides of Franklintown Road throughout the bulk of the park?
A. I'm not too familiar with the bulk of the park, but in that particular area, yes.
Q. Yes. So, there is no other readily accessible area for a car or vehicle to pull off of Franklintown Road there, is there?
A. No, not to my knowledge.
Q. Now, you were asked about the road that you came in on. You actually came in from Edmondson Avenue?
A. Yes, I did.
Q. And then turned onto a road called Winan's Way?
A. Yes, I did.
Q. And Winan's Way actually takes you at an angle directly into the park, does it not?
A. Yes, it does.
Q. And then at the end of Winan's Way, you must turn left to get to the area that's depicted in these pictures,

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do you not?
A. Yes, you do.
Q. And if you went right, you would just be continuing on Franklintown Road, going further?
A. Yes, you would.
Q. Is that correct?
A. That is correct.
Q. Can you see that street in any of these pictures?
A. Are we referring to Winan's Way or Franklintown?
Q. Yes, Winan's Way.
A. Okay.
Q. Franklintown is the roadway actually shown in these pictures, is it not?
A. Yes, it is.
Q. Okay. So can you see in -- the roadway you've identified as Winan's Way in the pictures?
A. Winan's Way appears to be in the furthest of the lower --
Q. -- of the lower right. Looking at the same photograph that shows the guardrails; correct?
A. Correct. The lower left photo.

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Q. Okay. And between that place, Winan's Way, in the sort of cut-off, pull-off, is there anything else that appears -- any structure of any kind?
A. When you say "structure," what are you referring to?
Q. Any house?
A. No houses.
Q. Any buildings?
A. No buildings.
Q. Any restaurant?
A. No.
Q. Any anything else?
A. No.
Q. And is there any external lighting source that you became aware of that exists between Winan's Way and what these pictures depict?
A. Not that I'm aware of.
Q. The other thing that you were asked about that you recovered were fibers that were recovered at or near where the body was disinterred. Do you recall that?
A. Yes, I do.
Q. Those fibers were recovered by somebody other than yourself; correct?
A. That is correct.

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Q. And you, sir, as the supervisor on the search and recovery of evidence from this potential crime scene, observed the disinterment of this body, did you not?
A. Yes, I did.
Q. And that was actually done by members of the Armed Forces Medical Unit from D.C. or Bethesda?
A. Yes, that is correct.
Q. And you were aware of that, were you not?
A. I was aware of that.
Q. And you were aware that they used an additional light source -- in fact, more than one -- in order to carefully examine the terrain around the body?
A. That is correct.
Q. And that they examined the soil and leaves and anything else around the body with great care?
A. Yes, they did.
Q. The only pieces of evidence that you were asked to process from those members from the Armed Forces were two fibers recovered from both above where the body was and right underneath where it was?
A. That is correct.
Q. Isn't that correct?
A. That is correct.

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Q. And you processed that duly in the same way that you processed all other things in both searches in which you participated?
A. That is correct.
MS. GUTIERREZ: I have nothing further. Thank you.
THE COURT: Anything further from the State?
MR. URICK: Yes.
REDIRECT EXAMINATION
BY MR. URICK:
Q. Mr. Thomas, when you were there at the scene standing in the roadway, did you have any trouble seeing the figures back by the burial site?
A. Not while I was standing in the roadway, no, I did not.
Q. Now, you said that you only recovered certain things, but you saw a lot more. What other types of things did you see there on the scene?
A. There was all different types of debris that people obviously discarded as they were riding by, things of that nature, your normal trash.
Q. There's debris scattered all the way back to the stream, isn't there?
A. Correct.

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Q. That's used by a lot of people, isn't it, that area?
A. Yes, sir.
Q. And it's obviously used by a lot of people because of all the trash that's strewn between the roadway and the stream?
A. That would be correct.
Q. Now, was that the sort of crime scene -- have you photographed many crimes scenes?
A. Yes, I have.
Q. Was this a crime scene that could be clearly and adequately represented by photographs?
A. Clearly, yes, with some difficulty due to the woods taken into consideration.
Q. Now, I would like you to -- did somebody write on this?
A. No. Actually, it's been like that for a while.
Q. That's State's 14. I would like you to look at this again. And up here on the seat is what?
A. That appears to be the map that was recovered from the rear seat.
Q. And right here in front of the back seat is what?
A. That appears to -- that appears to be part of the map.

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Q. In fact, that's the page that's torn out, isn't it?
A. I'm unable to tell whether it is or not. It's not --
THE COURT: There's a magnifying piece that's been provided. I don't know if it will assist you in any way, but you're welcome to utilize it.
For the record, there's a small magnifying glass that's been given to the witness.
BY MR. URICK:
Q. Can you identify that now?
A. Yes.
Q. What is that?
A. That appears to be a map page.
Q. That's the page that was torn out of the map; correct?
MS. GUTIERREZ: Objection. Form of the question.
THE COURT: Overruled. You may answer the question.
Can you identify it, and if so, what is it?
THE WITNESS: It appears to be the page that's from the map.
BY MR. URICK:
Q. And it's stuffed where?

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A. In the rear seat area of the -- of the vehicle.
Q. Is that within arm's reach of where someone who was sitting in the driver's seat would be able to reach?
A. Yes, it would be.
Q. And if someone were sitting in the driver's seat and they wanted to put that in the back, is that a natural place where they would have put it?
A. It's --
MS. GUTIERREZ: Objection.
THE COURT: Sustained. Do not answer that question.
BY MR. URICK:
Q. Now, the page from the map that was torn out, if you know, why is that discolored now?
MS. GUTIERREZ: Objection.
THE COURT: Overruled. If you know.
THE WITNESS: Generally, what happens when we submit paper products to be processed by the Latent Prints Unit, they process it with a chemical known as an anhydrin, and that apparently is what happened to that particular map page. It was processed with an anhydrin which turned it the color that it is now.
MS. GUTIERREZ: Objection. There's no basis of knowledge of knowing that. Move to strike.

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THE COURT: At this juncture, in light of the fact that there's been no foundation, the motion will be granted to strike the testimony.
Ladies and gentlemen, the witness has just provided you with information for which no foundation has been provided to his basis of knowledge or how he would even know the information that he's provided to you. So, the Court is, upon motion, striking that and ask that you disregard that portion of his testimony.
Counsel, if you're able to qualify this witness based on his background and experience, then I may reconsider my position with regard to that.
BY MR. URICK:
Q. Is it part of your duties to take prints?
A. Yes, sir, it is.
Q. What, if any, training have you had in latent prints?
A. I have recertification --
MS. GUTIERREZ: I'm going to object to this, Judge.
THE COURT: Overruled.
MS. GUTIERREZ: The basis is that he didn't process this particular piece of paper.
THE COURT: I understand.

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MS. GUTIERREZ: There's no basis of knowledge of determining that, in fact, it was or was not processed.
THE COURT: I understand.
Overruled. You may continue.
BY MR. URICK:
Q. You may continue.
A. I'm sorry -- there's a -- I'm sorry -- there's a yearly recertification that we go through as far as latent print processing is concerned, which is taught to us by the Latent Print supervisor, in which we are shown pieces of paper that are processed -- I'm sorry -- we are shown evidence prior to being processed and evidence after being processed, when it is chemically sprayed with an anhydrin.
Q. And based on your experience and training that you've had, are you able to identify from the map page that was torn out that was shown to you how it was processed?
A. Yes.
Q. And how was it processed?
A. With an anhydrin.
Q. And what does that do to a sheet of paper?
A. I'm sorry?
Q. What will that do to a sheet of paper?

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A. That will help develop any fingerprints that are on that particular piece of paper that's processed.
Q. And how would it make the paper look after it's been processed?
A. It will give a purplish tint to the paper.
MR. URICK: Nothing else. Thank you.
THE COURT: Are you now going to ask him about what he observed with the paper? Because, remember, I struck the portion of the testimony that you have indicated.
MR. URICK: Yes, I'm sorry. You're right.
BY MR. URICK:
Q. What, if anything did you observe about the map page --
MS. GUTIERREZ: I'm going to object.
THE COURT: I understand. Let's get to the bottom of it.
Simply, did you see the map before, when you recovered it?
THE WITNESS: Yes, ma'am, I did.
THE COURT: And was the paper the same color it was when you saw it today?
THE WITNESS: No, ma'am.
THE COURT: What was the difference?

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THE WITNESS: The difference was that it appeared to have been processed with an anhydrin solution.
THE COURT: I understand your objection. It's noted for the record.
The testimony of this witness at this point will be admitted.
Your next question.
MR. URICK: Nothing further. Thank you.
THE COURT: Anything further, Ms. Gutierrez?
MS. GUTIERREZ: Yes.
RECROSS-EXAMINATION
BY MS. GUTIERREZ:
Q. Did you process that?
A. No, ma'am.
Q. You just collected it?
A. I just collected it, that is correct.
Q. And you then processed it to go in Evidence Control; correct?
A. Correct.
Q. Okay. The decision to process anything for fingerprints is not something that you make?
A. I'm sorry, the actual request?
Q. The decision, yes.
A. The decision -- the decision is left up to --

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Q. To process something?
A. No. The decision is left up to the detective.
Q. Okay. And that's on all crime scenes; isn't that correct?
A. That is correct.
Q. Okay. You just collect whatever it is you collect, whether you're directed to it or whether you choose because you see it, and then you submit it to Evidence Control; is that correct?
A. That is correct.
Q. And you were asked, Technician, and you responded that you thought that that park was used by a lot of people. Do you recall that question?
A. Yes.
Q. And is that something you know from your own personal knowledge?
A. Yes.
Q. From where you observed the body partially buried and then disinterred, is there any attraction back there?
A. None that I know of.
Q. Are there any benches?
A. No.
Q. Is there any picnic area?
A. No.

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Q. Is there any monument?
A. No.
Q. Is there any sightseeing something?
A. Not to my knowledge.
Q. Is there any statue?
A. Not to my knowledge.
Q. Is there any reserved area for children to play?
A. Not to my knowledge.
Q. To do anything near where the body was found?
A. Not to my knowledge.
Q. And what about from where the body is to where the stream is, anything there that exists?
A. Not to my knowledge.
Q. Is there anything that you observed that might attract people to where the body was found?
A. No, ma'am.
Q. The body -- you observed the grave, did you not?
A. Yes, I did.
Q. Did you observe the disinterment?
A. Yes, I did.
Q. The body was beyond a very large and long dead log, was it not?
A. Yes.

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Q. By beyond, meaning further away from the road, closer to the stream; is that correct?
A. Actually, the body was next to the log; however, the log appeared to be running in a northwest direction.
Q. Well, my question is: was it closer, the body, where it was beyond the log to the stream or to Franklintown Road?
A. Neither.
Q. Well, sir, however it was located, you've agreed that there was a surveyor there that day that you observed; correct?
A. Correct. Whether he did anything or not, --
Q. Was that surveyor --
A. -- I have no knowledge.
Q. -- that was --
THE COURT: Hold on one second. Can you let her finish the question, and can you let him finish his answer?
If we can do that, the two of you might be able to get us something on the record.
BY MS. GUTIERREZ:
Q. That surveyor was not there to do the things that you did, was he?
A. No, ma'am.

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Q. He was to be a surveyor and to measure distances and placements, was he not?
A. I have no knowledge of that.
Q. Okay. Well, you understood that he was there and that he measured distances; correct?
A. I had no knowledge of that.
Q. You didn't measure distances from every vantage point, did you?
A. No, ma'am, I did not.
Q. You measured only distances of things to each other in what you made a map of; is that correct?
A. That is correct.
Q. If you come from Franklintown Road and you go through the area that the photographs depict, first you have to get through that area where the Jersey walls and the logs are; correct?
A. That is correct.
Q. Then you have to get out of that area where there's no defined entrance; correct?
MR. URICK: Objection.
THE COURT: Overruled.
BY MS. GUTIERREZ:
Q. Correct?
A. That is correct.

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Q. Then you have to go back further toward the stream, before you encounter the log?
A. That is correct.
Q. And the body was buried on the far side of the wall, was it not?
A. From my recollection, that would be incorrect.
Q. Okay. Your recollection is that the body was on the near side of the log?
A. According to your description, it would be on neither side being nearer the road or to the stream.
Q. Okay. Because your recollection is that the log isn't perpendicular to the road; right?
A. That is correct.
Q. It's -- I don't know what the opposite of perpendicular is -- is going -- I mean, it's not parallel to the road, it's perpendicular to the road?
A. That is correct.
Q. Is that your recollection?
A. That's my recollection?
Q. And so the body in regard to the log, sir, was it at one end or another end or more toward the middle?
A. Of the log itself?
Q. Yes.
A. That couldn't be determined.
Q. That couldn't be determined?

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A. No, ma'am.
Q. How long was the log?
A. The log -- it was not measured.
Q. You didn't measure it.
Does the log appear on your crime scene map?
A. Yes, it does.
Q. Okay.
MS. GUTIERREZ: Mr. Urick, could I ask for the production of the crime scene map?
MR. URICK: I gave you a copy. I didn't bring mine.
MS. GUTIERREZ: I didn't bring it today, obviously. I wouldn't ask otherwise.
THE COURT: Why don't we stop here because obviously there's an item that counsel wishes to use, and perhaps we could get that for tomorrow.
At this time, I note that we have gone far past what I would normally do as an afternoon break, so for that reason, I'm going to end our testimony today at this point. I'm going to excuse the jury until tomorrow.
And I must advise you that I have one case -- actually, it's three cases put into one. But in any event, I should be finished with that matter by no later than 9:45,
10:00 o'clock.

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So, as a result, I'd ask that you be here tomorrow by 9:30. That means going over to the Jury Commissioner's office tomorrow between 9:00 and 9:30, getting paid, and then returning to the jury room around the corner by no later than 9:30.
I would ask you, ladies and gentlemen, to leave your note pads face down on your chairs, as you've done for the last couple of days, that you not discuss the testimony amongst yourselves or with anyone else.
As I indicated to you before, you should not do that because you have not heard all the testimony, nor have you heard the law, nor have you heard closing arguments, and you must hear all of that before you make any determination and before you deliberate. So it would be inappropriate to discuss the testimony or this case with yourselves or with anyone else.
I ask that you leave the note pads. Mr. White will lock them away with the other evidence and return them to your chairs for tomorrow.
I ask that you take yourselves home. Be careful, have a safe evening, and I'll see you tomorrow morning at 9:30.
Mr. Urick, if you could kindly move your map so that the jurors can get by?
(The jury was excused from the courtroom.)

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THE COURT: As the jurors are going out, I need to advise you, Officer, you are still a witness in this case, and you are still on the witness stand, which means that you cannot discuss your testimony with anyone, anyone at all, including the State's Attorney or the defense attorney, as you are already on the stand and testifying.
Likewise, you cannot discuss your testimony with anyone that may be a witness in this case as you are a sequestered witness.
I'm going to direct you to be present tomorrow morning at 9:30, as I've told the jurors, where we will resume with your testimony.
I ask that you collect your items, those that are not in evidence or have been marked. Any items that have been marked, please leave them there at the witness stand so that they can be placed in our court file for tomorrow.
THE WITNESS: That is understood.
THE COURT: And I'd ask you to -- if you have a copy of this chart, that you've been making reference to, I'd ask that you bring that along with you tomorrow.
THE WITNESS: Yes, ma'am.
THE COURT: And for the record, counsel, if you have an extra copy of this chart that they're making

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reference to, I'd ask that you provide that. I know you've said you've given it to the defense already, but if you happen to have another copy and you could make a copy of that, if you could also bring that along, I would greatly appreciate it.
MS. GUTIERREZ: Thank you, Judge. Can I leave my bag here?
THE COURT: You may leave your belongings and items, but I would like the evidence -- those items that have been marked for identification or placed in evidence, secured by the Clerk.
And if I may -- I note someone said something about there being a mark on one of my exhibits?
MR. URICK: It looks like somebody a pen to it.
THE COURT: I would ask that be whited out and removed so that --
MS. GUTIERREZ: The pen mark is on the edges, it's not on the exhibit itself.
THE COURT: I would rather have -- yes, it's on the edges, but I still would rather have the exhibit not have any markings. I made that rule that once it's put in evidence, that there shouldn't be any markings put on it, and I ask that that be done, and those items given to the Clerk for him to secure overnight.

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Ladies and gentlemen, this Court is going to stand in recess until tomorrow morning at 9:30, and I'd ask that you all be here promptly.

The only matter on my docket is a three co-defendant trial which, obviously, I cannot do, so it will be postponed as soon as it's called, and then I'll immediately start with this case.

This Court stands in recess, then, until tomorrow at 9:30.

THE CLERK: All rise.

(The trial was recessed at 4:44 p.m.)

REPORTER'S CERTIFICATE

I, Beverly A. Madden, an Official Court Reporter of the Circuit Court for Baltimore City, do hereby certify that I stenographically recorded the proceedings in the matter of State of Maryland versus Adnan Syed, Case Numbers 199103042 through 46, in the Circuit Court for Baltimore City on January 31, 2000, before the Honorable Wanda Keyes Heard, Associate Judge (and a jury).

I further certify that the page numbers 1 through 99 constitute the official transcript of the proceedings as transcribed by me or under my direction to the within typewritten matter in a complete and accurate manner.

In Witness Whereof, I have affixed my signature this 21st day of October, 2000.

_____

Beverly A. Madden
Official Court Reporter

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