

In The  
**Court of Special Appeals  
of Maryland**

**No. 1291**  
September Term, 2022  
MDEC No. CSA-REG-1291-2022

YOUNG LEE, AS VICTIM'S REPRESENTATIVE,  
*Appellant,*  
v.  
STATE OF MARYLAND,  
*Appellee.*  
*Appeal from the Circuit Court for Baltimore City  
in Case No. 199103042 (Hon. Melissa Phinn, Judge)*

**CORRECTED RECORD EXTRACT**

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12:24:57 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 DCM TRACK C DATE 060399 FELONY DRUG INIT  
CASE 199103042 STATUS C DATE 101122 PREV ST A 101122 CODEF NO CHANGE 111722  
DEF SYED, ADNAN ID 928334 SID 002005477 R: X S: M DOB 052180  
ADDRESS 7034 JOHNNYCAKE RD BALTIMORE MD 21207  
DOA 000000 Cmpl 8B5801 PHYS LOC CASE LOC DOC 101922  
DOF 041399 TRACK NO 99-1001-14489-5 DIST CASE 5B00351587 WAR 00 CJIS R RI I  
001 000 C USER MUR01 CODE 2 0900 MURDER-FIRST DEGREE DISP NP 101122  
ARREST/CITATION NO 0  
PLEA DATE VERDICT DATE  
SENTENCE TYPE DATE TIME BEG SUSP  
PROBATION TIME TYPE COST FINE  
002 000 C USER MUR05 CODE 1 0999 MURDER-2ND DEGREE DISP NP 101122  
ARREST/CITATION NO 0  
PLEA DATE VERDICT DATE  
SENTENCE TYPE DATE TIME BEG SUSP  
PROBATION TIME TYPE COST FINE  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
CONV 010100 CASE HAS BEEN CONVERTED FOR DCM UPGRADE ON 20010330  
CONV 010100 CASE HAS BEEN CONVERTED FOR W/Y2K UPGRADE ON 19990423  
CAST 041399 CGS CASE ADDED THROUGH ON-LINE ON THIS DATE 990414  
COMM 041399 CGS INDICTMENT FILED

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11/30/22 CRIMINAL COURT OF BALTIMORE  
CASE 199103042 ST C SYED, ADNAN 928334 CASE INQUIRY 12:24  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT COD N DCM C 060399  
COMM 041399 CGS FILED ASA - WASH, VICKI , ESQ 868429  
COMM 041499 CVS COMMITMENT PENDING HEARING - HELD WITHOUT BALL  
COMM 042199 CEM CSET EM  
COMM 051399 CHT MOTION FOR STAY OF ORDER DENYING MOTION TO QUASH A  
COMM 051399 CHT SUBPOENA REGARDING CONFIDENTIAL SCHOOL RECORDS FLD  
COMM 051399 CHT STATE'S RESPONSE TO MOTION TO QUASH SUBPEONA FLD  
COMM 051399 CHT MOTION TO QUASH A SUBPOENA REGARDING CONFIDENTIAL SCHOOL  
COMM 051399 CHT RECORDS SUBPOENAED BEFORE THE GRAND JURY FLD  
COMM 051799 CHT ENTRY OF APPEARANCE FLD  
COMM 051799 CHT DEPT'S OMNIBUS MOTION UNDER RULE 4-252 FLD  
COMM 052599 SCJ STATE'S MOTION TO DISQUALIFY DEFENSE ATTYN M CRISTINA  
COMM 052599 SCJ GUTIERREZ, FD - CC: JUDGE BROWN, 6/3/99, PT 14  
COMM 052599 SCJ MOTION TO QUASH, FD - CC: JUDGE BROWN, 6-3-99, PT 14  
HCL 060399 1 SBA P14;0930;33CB;ARRG; ;TSET; ;BROWN, R.W. ;849  
COMM 060399 SBA TSET FOR 10/13/99 PT 27 DEFT. SERVED  
COMM 060399 SBA FILED ASA - MURPHY, KATHLEEN , ESQ 599824  
TRAK 060399 CHR ASSIGNED TO TRACK C - 120 DAYS ON 06/03/1999  
COMM 060899 CLS PMOT RESET FROM ADD-ON SUBMITTED BY LAW CLERK PT 11. LS  
COMM 061199 CBD MOTION TO EXTEND TIME TO FILE RESPONSIVE PLEADING, 07-09-99

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COD N DCM C 060399  
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COMM 061199 CBD CC MITCHELL FLD  
FILE 061199 CBD FILED ADF - MILLEMAN, MICHAEL , ESQ  
COMM 061499 CEM CSET EM  
COMM 061499 S8A STATE'S MOTION TO EXTEND TIME TO FILE DISCOVERY FLD  
COMM 061499 S8A ORDER/MOTION TO EXTEND TIME TO FILE RESPONSIVE PLEADING  
COMM 061499 S8A EXTENDED TO AND INCLUDING 06/28/99 STATE SHALL FILE ITS  
COMM 061499 S8A PLEADING BY 07/06/99 PER JUDGE MITCHELL  
COMM 062899 CGS DEPT'S. RESPONSE TO STATES MOTION TO DISQUALIFY DEFENSE  
COMM 062899 CGS ATTORNEY M CHRISTINA GUTIERREZ  
COMM 063099 CHT CC JUDGE MITCHELL 07/05/99 PT11 FLD  
COMM 070199 CHT MOTION TO COMPEL DISCOVERY FLD  
COMM 070199 CHT ENTRY OF APPEARANCE FOR KEVIN URICK (8/5151) STATE'S  
COMM 070199 CHT REQUEST FOR DISCOVERY STATE'S DISCLOSURE MOTION FOR JOINT  
COMM 070199 CHT TRIAL OF DEFT'S & OFFENSES NOTICE OF PLEA BARGAIN POLICY  
COMM 070199 CHT MOTION TO COMPEL PRODUCTION OF TANGIBLE EVIDENCE -  
COMM 070299 CHT STATE'S REPLY TO DEPT'S RESPONSE TO STATE'S MOTION TO  
COMM 070299 CHT DISQUALIFY DEFENSE ATTORNEY M CRISTINA GUTIERREZ FLD  
COMM 070799 CHT STATE'S MOTION FOR PROTECTIVE ORDER FLD  
COMM 070799 S8A MOTION IN LIMINE FLD

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11/30/22 CRIMINAL COURT OF BALTIMORE  
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COD N DCM C 060399

EVENT DATE	OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 070899	CBD AMENDED STATE'S DISCLSURE FILED
HCAL 070999	1 CHT P11:0300:230 ;PMOT;HR;SUBC; ;MITCHELL, D.B. ;842
COMM 070999	CHT STATE'S MOTION TO HAVE THE APPEARANCE OF C. GUITERRIEZ
COMM 070999	CHT STRICKEN HEARD AND HELD SUB-CURIA PENDING COURT'S DECISION -
COMM 071999	CHT LETTER REC - MOTION TO DISQUALIFY M CRISTINA GUTIERREZ FLD
COMM 072199	SCJ ADNAN SYED'S SUPPLEMENTAL RESPONSE BASED ON STATE'S DIS-
COMM 072199	SCJ CLOSURES RECEIVED BY THE DEPT SUBSEQUENT TO THE JULY 9TH HRG
COMM 072199	SCJ ON THE STATE'S MOTION TO DISQUALIFY HIS COUNSEL OF CHOICE,FD
COMM 072199	SCJ REQUEST FOR HEARING, FD
COMM 072199	SCJ AMENDED STATE'S DISCLOSURE, FD
COMM 072199	SCJ AFFIDAVIT OF M. CRISTINA GUTIERREZ, FD
COMM 072199	SCJ MOTION FOR LIMITED DISCLOSURE OF THE GRAND JURY TESTIMONY
COMM 072199	SCJ AND THE SEALED HRG BEFORE THE GRAND JURY JUDGE, FD
COMM 072199	SCJ TRANSCRIPT EXCERPT 7/9/99, FD
COMM 072299	CGS CORRESPONDENCE FROM ATTORNEY M. CHRISTINA GUTIERREZ
COMM 072299	CGS MOTION FOR LIMITED DISCLOSURE OF THE GRAND JURY TESTI-
COMM 072299	CGS MONY AND THE SEALED HEARING BEFORE THE GRAND JURY JUDGE
HCAL 072399	1 S8A P11:0930:230 ;HEAR; ;TSET; ;MITCHELL, D.B. ;842
COMM 072399	S8A STATE'S MOTION TO DISQUALIFY C GUTIERREZ AS DEFENSE

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CASE 199103042 ST C SYED, ADNAN  
928334 COD N DCM C 060399 CASE INQUIRY 12:24

EVENT DATE	OPER	PART	TIME	ROOM	REAS /	EVENT	COMMENT
COMM 072399	SBA					COUNSEL	HEARD AND DENIED
COMM 080299	CGS					AMENDED	STATE'S DISCLOSURE FD
COMM 080299	CBF					AMENDED	STATE'S DISCLOSURE FILED
COMM 081799	CGS					DEFENDANTS	ADNAN SYED'S RESPONSE TO STATE'S MOTION FOR
COMM 081799	CGS					PROTECTIVE	ORDER FD
COMM 082399	SBA					AMENDED	STATE'S DISCLOSURE FLD
COMM 090399	CGS					AMENDED	STATE'S DISCLOSURE FD
COMM 090399	SBA					AMENDED	STATE'S DISCLOSURE FILED
COMM 090399	SBA					AMENDED	STATE'S DISCLOSURE FILED
COMM 090799	CGS					DEFT'S.	RESPONSE TO STATE'S MOTION IN LIMINE AND
COMM 090799	CGS					RENEWED	MOTION TO COMPEL CC ASA KEVIN URICK & JUDGE QUARLES
HCAL 090899	CHT		P27,0930;406		JT ; ;	OTHR; ;	QUARLES, WILLIA;BA9
COMM 090899	CHT					DEFT'S	MOTION RE: DISCOVERY MATERIAL HEARD AND HELD
COMM 090899	CHT					SUB-CURLA	- (TO BE SET BY COURT PT27)
COMM 091399	CJF					AMENDED	STATE'S DISCLOSURE FLD
COMM 091499	SBA					MEMORANUM	OPINION AND ORDER
COMM 092499	CGS					AMENDED	STATE'S DISCLOSURE FD
COMM 092499	CGS					DEFT.	ADNAN MASUD SYED'S MOTION FOR REVIEW OF NO BAIL
COMM 092499	CGS					STATUS	BASED ON CHANGE OF CIRCUMSTANCES

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 092799 S8A ORDER/ORDERED THAT THE DEFT. SYED'S MOTIONS SUBMITTED UNDER  
COMM 092799 S8A SEAL ON 09/24/99 SHALL REMAIN SEALED PER, JUDGE QUARLES  
COMM 100199 S8A STATE'S REQUEST FOR ADMISSION OF EXCERPTS OF VICTIM DIARY FD  
COMM 100199 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 100699 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 100899 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 101299 CJF MOTION FOR CONTINUANCE FLD  
COMM 101299 CGS AMENDED STATE'S DISCLOSURE  
COMM 101299 CGS STATE'S OPPOSITION TO THE DEFT'S. MOTION FOR CONTINUANCE  
COMM 101299 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 101299 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 101399 S8A REFERRED TO ADMIN. COURT  
HCAL 101399 S8A P27;0900;406 ;JT ; ;MOVE; ;QUARLES, WILLIA;8A9  
HCAL 101399 CEM P27;0900;406 ;JT ; ;POST;PX ;QUARLES, WILLIA;8A9  
COMM 101499 SCJ CONT'D TO 10/18/99, PT 27 AT 9:30 AM  
COMM 101599 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 101599 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 101899 S8A REFERRED TO ADMIN. COURT  
COMM 102199 CEM CSE' EM JT

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
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COMM 102199 CJF POSTPONEMENT FORM-WAIVER OF MD RULE 4-271 REQUIREMENTS FLD  
COMM 102899 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 110999 CJF AMENDED STATE'S DISCLOSURE FLD  
COMM 111899 S8F AMENDED STATE'S DISCLOSURE FILED  
COMM 112299 CBD EX PARTE MOTION FOR THE ISSUANCE OF A SUBPOENA FOR  
COMM 112299 CBD TANGIBLE EVIDENCE BEFORE TRIAL & OTHER APPROPRIATE RELIEF FD  
COMM 112299 CBD ORDER OF COURT GRANTING EX PARTE MOTION FOR THE  
COMM 112299 CBD ISSUANCE OF A SUBPOENA FOR TANGIBLE EVIDENCE FILED  
COMM 112499 CSJ AMENDED STATE'S DISCLOSURE FILED  
COMM 120199 CJF EX-PARTE MOTION FOR THE ISSUANCE OF A SUBPOENA FOR TANGIBLE  
COMM 120199 CJF EVIDENCE BEFORE TRIAL AND OTHER APPROPRIATE RELIEF FLD  
COMM 120199 CJF ORDER, FLD  
COMM 120199 CBD MOTION FIR A JURY VIEWING OF THE CRIME SCENE, JUDGE  
COMM 120199 CBD QUARLES PT-27, 10-03-99  
COMM 120399 CGS AMENDED STATE'S DISCLOSURE FD  
HCAL 120399 1 CHT P27;0900;406 ;JT ; ;CONT; ;QUARLES, WILLIA;8A9  
COMM 120399 CHT RESET ON 12/07/99 PT27  
COMM 120499 CBD AMENDED STATE'S DISCLOSURE FILED  
HCAL 120899 1 CHT P27;0930;406 ;JT ; ;CONT; ;QUARLES, WILLIA;8A9

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EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 120899 CHT VOIR DIRE ADMINISTERED  
COMM 120899 CHT CONT UNTIL 12/09/99  
COMM 120899 CHT DEFT PLEAS NOT GUILTY  
HCAL 120999 1 SCJ P27;0930;406 ;JT ; ;CONT; ;QUARLES, WILLIA;8A9  
COMM 120999 SCJ NEW PANEL SWORN ON VOIR DIRE; JURY SWORN, ETC. STATE'S  
COMM 120999 SCJ MOTION RE: BATSON, HEARD AND DENIED. CASE NOT CONCLUDED TO  
COMM 120999 SCJ RESUME ON 12/10/99, PT 27 AT 2:00 PM. DEFT PLEA NOT GUILTY  
HCAL 121099 1 S8A E27;0930;406 ;JT ; ;CONT; ;QUARLES, WILLIA;8A9  
COMM 121099 S8A STATE'S MOTION FOR SEQUESTRATION GRANTED:CASE CONT. TO  
COMM 121099 S8A TO 12/13/99 PT 27  
HCAL 121399 1 SCJ P27;0930;406 ;JT ; ;CONT; ;QUARLES, WILLIA;8A9  
COMM 121399 SCJ DEFT PLEA NOT GUILTY  
HCAL 121499 1 S8A E27;0930;406 ;JT ; ;CONT; ;QUARLES, WILLIA;8A9  
COMM 121499 S8A CONT. TO 12/15/99 PT 27  
COMM 121599 S8A DEFT. MOTION FOR MISTRIAL HEARD AND GRANTED/MOVE TO ADMIN.  
COMM 121599 S8A COURT  
COMM 121599 S8A NOT GUILTY PLEA ENTERED  
COMM 121699 CPH RESET PE  
COMM 123099 S8A AMENDED STATE'S DISCLOSURE FILED

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 010700 CHT MOTION IN LIMINE TO EXCLUDE TESTIMONY OF SHARON WATTS FLD  
COMM 010700 CHT DEFT'S MOTION FOR A BRADY HEARING FLD  
HCAL 011000 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8E7  
COMM 011000 CHT MOTION FOR RECONSIDERATION OF BAIL HEARD AND CONT  
COMM 011000 CHT TO 01/11/00 PT09  
COMM 011100 CHT FILE IN COURT  
HCAL 011100 CHT P09;0930;339 ;JT ; ;OTHR; ;HEARD, WANDA KE;8E7  
COMM 011100 CHT MOTION FOR RECONSIDERATION OF BAIL HEARD AND DENIED  
COMM 011100 CHT CASE SET FOR TRIAL 01/14/00 PT09  
COMM 011300 S8A STATE'S OPPOSITION TO DEFT. MOTION FOR A BRADY HEARING FLD  
COMM 011300 S8A STATE'S OPPOSITION TO DEFT. MOTION IN LIMINE TO EXCLUDE  
COMM 011300 S8A TESTIMONY OF SHARON WATTS FLD  
HCAL 011400 1 CHT P09;0900;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8E7  
COMM 011400 CHT MOTION IN LIMINE TO EXCLUDE TESTIMONY OF SHARON WATTS  
COMM 011400 CHT HEARD AND HELD SUB-CURIA  
COMM 011400 CHT MOTION FOR BRADY HEARING HEARD & HELD SUB-CURIA  
COMM 011800 S8A ORDER/MOTION IN LIMINE BE AND IS HEREBY GRANTED UNDER TERMS  
COMM 011800 S8A MS WATTS MAY TESTIFY TO HER PERSONAL OBSERVATIONS OF DEFT.  
COMM 011800 S8A ONLY/ORDER THAT THE MOTION FOR BRADY HEARING IS DENIED

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COMM 011800 SSA PER, JUDGE HEARD  
COMM 011800 SSA MEMORANDUM OPINION FLD  
COMM 011800 SSA AMENDED STATE'S DISCLOSURE FILED  
HCAL 012100 1 SCJ P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8E7  
COMM 012100 SCJ ARRAIGNED & SUBMITS UNDER PLEA OF NOT GUILTY. JURY TRIAL  
COMM 012100 SCJ PRAYED. JURY SWORN ON VOIR DIRE. DEFT PLEA NOT GUILTY  
HCAL 012400 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 012400 CHT JURY SELECTED AND SWORN  
COMM 012400 CHT CONT TO 01/27/00 PT09  
COMM 012400 CHT DEFT PLEAS NOT GUILTY  
HCAL 012700 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 012700 CHT MOTION TO SEQUESTER WITNESS HEARD AND GRANTED  
COMM 012700 CHT CASE CONT TO 01/28/00 PT09  
COMM 012700 CHT DEFT PLEAS NOT GUILTY  
COMM 012700 CHT DEFT'S REQUEST TO DISMISS PANEL HEARD & DENIED  
COMM 012700 CHT DEFT'S MOTION TO HAVE JURY REVIEW CRIME SCENE HEARD &  
COMM 012700 CHT RESERVED -  
COMM 012700 CHT FILE IN COURT  
HCAL 012800 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7

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COMM 012800 CHT CASE CONT TO 01/31/00 PT09  
COMM 012800 CHT FILE IN COURT  
HCAL 013100 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 013100 CHT CASE CONT TO 02/01/00 PT09 AT 9:30 AM  
COMM 013100 CHT DEFT PLEAS NOT GUILTY  
HCAL 020100 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 020100 CHT CASE CONT TO 02/02/00 PT09  
COMM 020200 S8A CONT. TO 02/03/00 PT 09 DEFT. PLEA NOT GUILTY  
COMM 020400 CHT CASE CONT TO 02/08/00 PT09  
COMM 020400 CHT DEFT PLEAS NOT GUILTY  
HCAL 020800 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 020800 CHT MOTION IN LIMINE TO PRECLUDE ASKING ABOUT ALL PERFORM  
COMM 020800 CHT HEARD & GRANTED - NO FILE IN COURT  
HCAL 020800 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 020800 CHT DEFT PLEAS NOT GUILTY -  
HCAL 020900 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 020900 CHT MOTION FOR MISTRIAL HEARD AND DENIED  
COMM 020900 CHT MOTION THAT DEFT NOT BRING UP POSSIBLE MISTAKES IN FRONT  
COMM 020900 CHT OF JURORS HEARD AND DENIED

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EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 020900 CHT MOTION TO STALK MR WARANOWITZ TESTIMONY HEARD AND DENIED  
COMM 020900 CHT JUROR #6 TO BE REPLACED WITH ALT #1 -  
HCAL 021000 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 021000 CHT MOTION TO COMEEL OF DISCOVERY HEARD & DENIED - & IF THERE  
COMM 021000 CHT ARE ANY NOTES THEY SHOULD BE BROUGHT TO THE JUDGE. ETC  
HCAL 021000 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 021000 CHT MOTION TO QUESTION WITNESS OUTSIDE OF MR. URICK PRESENCE  
COMM 021000 CHT (VOIR DIRE) ON HOW WITNESS GOT COUNSEL HEARD & DENIED  
COMM 021000 CHT MOTION TO HAVE MR URICK TO BE MADE A WITNESS FOR THE DEFENSE  
COMM 021000 CHT HEARD AND HELD UNTIL DEFENSE GIVES GOOD REASON FOR ACTION  
HCAL 021100 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 021100 CHT MOTION TO HAVE MR URICK AS A WITNESS HEARD & DENIED -  
COMM 021100 CHT MOTION TO HAVE NOTES OF POLICE INTERVIEW DURING NON-  
COMM 021100 CHT RECORDED INTERVIEW HEARD & GRANTED -  
COMM 021100 CHT MOTION TO STRIKE MR WILD'S TESTIMONY HEARD & DENIED -  
COMM 021100 CHT BUT DEFT CAN BRING UP CREDIBILITY OF WITNESS \*WILD\* -  
COMM 021100 CHT MR. WILDS IS TO BE RESTRICTED TO BE KEPT AWAY FROM JURORS -  
COMM 021100 CHT MOTION TO HAVE VIDEO TAPE OF MR. WILDS ARRAIGNMENT OR HRG  
COMM 021100 CHT WITH MCCURDY, JUDGE CASE #299250001 HEARD & GRANTED -

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 021100 CHT MOTION FOR FULL DISCLOSURE OF HOW MR WILDS GOT LAWYER HEARD  
COMM 021100 CHT AND DENIED - MOTION TO HAVE MR WILDS LAWYER TO COME IN FOR A  
COMM 021100 CHT HRG ON HOW SHE WAS HIRED HEARD & GRANTED -  
COMM 021100 CHT REQUEST TO HAVE NO ONE SPEAK TO MR WILDS LAWYER ABOUT CASE  
COMM 021100 CHT HEARD & GRANTED - MOTION TO LIMIT THE LEADWAY DEFT HAS BEEN  
COMM 021100 CHT GIVEN HEARD & DENIED - MOTION TO ALLOW DEFT TO SAY GETTING  
COMM 021100 CHT THE LAWYER FOR MR WILDS HEARD & DENIED - (IS A PRIVILEGE)  
COMM 021100 CHT REQUEST AN ORDER TO NO ONE TALK TO MR WILDS ABOUT HOW HE  
COMM 021100 CHT GOT HIS LAWYER HEARD AND GRANTED -  
COMM 021100 CHT MOTION OF ILLIMINE THAT THE LINE OF QUESTIONING ON MR WILDS  
COMM 021100 CHT LAWYER HEARD & GRANTED -  
HCAL 021400 I CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 021400 CHT MOTION TO ELIMINATE THE LINE OF QUESTIONING ABOUT THE  
COMM 021400 CHT LAWYER HEARD AND GRANTED. FIC  
HCAL 021500 I CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 021500 CHT CASE CONT TO 02/16/00 PT09  
COMM 021500 CHT DEFT'S MOTION IN LIMINE TO PRECLUDE ANY QUESTIONS ALOT  
COMM 021500 CHT DOUBLE HEAR SAY BY J. PUSATERI HEARD AND DENIED  
HCAL 021500 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 021500 CHT DEFT'S MOTION IN LIMINE TO PRECLUDE I.D. OF VOICE ON THE  
COMM 021500 CHT PHONE HEARD AND DENIED -  
HCAL 021600 1 CHT P09:0930;523 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 021600 CHT CASE CONT TO 02/17/00 PT09  
COMM 021600 CHT DEFT PLEAS NOT GUILTY  
HCAL 021700 1 CHT P09:0930;523 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 021700 CHT CASE CONT TO 02/18/00 PT09  
HCAL 021800 1 CHT P09:0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 021800 CHT AT THE END OF STATE'S CASE DEFT'S MOTION FOR JUDGEMENT OF  
COMM 021800 CHT ACQUITTAL HEARD & DENIED  
COMM 021800 CHT CASE CONT TO 02/22/00 PT09 - DEFT PLEAS NOT GUILTY  
HCAL 022200 1 CHT P09:0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 022200 CHT STATE'S MOTION IN LIMINE RE: PRIOR CONVICTIONS OF MR SELLERS  
COMM 022200 CHT INDECENT EXPOSURE HEARD & GRANTED IN PART & DENIED IN PART  
COMM 022200 CHT STATE'S MOTION IN LIMINE TO EXCLUDE 9/7/99 VIDEO TAPE HEARD  
COMM 022200 CHT AND GRANTED - STATE'S MOTION TO EXCLUDE TESTIMONY OF  
COMM 022200 CHT ELIZABETH JULIAN HEARD AND DENIED -  
COMM 022200 CHT CASE CONT TO 02/23/00 PT09 AT 9:30 AM -  
HCAL 022300 1 CHT P09:0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7

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EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 022300 CHT STATE'S MOTION IN LIMINE TO EXCLUDE THE TESTIMONY  
COMM 022300 CHT OF ELIZABETH JULIAN HEARD AND GRANTED  
COMM 022300 CHT CASE CONT TO 02/24/00 PT09 - DEFT PLEAS NOT GUILTY  
HCAL 022400 1 CHT P09;0930;339 ;JT ; ;CONT; ;HEARD, WANDA KE;8B7  
COMM 022400 CHT AT THE CLOSE OF THE ENTIRE CASE DEFT'S RENEWED MOTION FOR  
COMM 022400 CHT JUDGEMENT OF ACQUITTAL HERD AND DENIED  
COMM 022400 CHT CASE CONT TO 02/25/00 PT09  
COMM 022500 CHT DISPO HELD SUB-CURIA  
COMM 022500 CHT RESET FOR 04/05/00 PT09  
COMM 022500 CHT ISSUE JAIL CARD - (FILE IN COURT)  
HCAL 022500 1 CHT P09;0930;339 ;DISP;JT;SUBC; ;HEARD, WANDA KE;8B7  
HCAL 022500 SCY P09;0900;400 ;JT ;JT;SUBC; ;HEARD, WANDA KE;8B7  
COMM 030200 CLS DSET FROM COURT DOCKET 022500. LS  
COMM 030600 S8A MOTION FOR NEW TRIAL FLD  
HCAL 040500 S8A P09;0930;339 ;DISP; ;POST;XYZ;HEARD, WANDA KE;8B7  
COMM 040500 S8A DEFT. MOTION TO STRIKE THE APPEARANCE OF M CHRISTINA  
COMM 040500 S8A GUITERREZ HEARD AND GRANTED/RSET FO R06/06/00 PT 09  
COMM 040500 S8A PSI REQUEST  
COMM 052300 COD DIVISION OF PAROLE AND PROBATION INVESTIGATION

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EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
HCAL 060600 1 CHT P09;0930;339 ;DISP;DS;JUDG; ;HEARD, WANDA KE;8E7  
CCAS 060600 CHT CASE CLOSED - ALL COUNTS DISPOSED Q226  
COMM 060600 CKS \*\*\*\*\*ASSIGNED KATHY POOLE-APPEAL CLERK-DUE 8-5-00  
ERRC 060600 CMS APPL;APFD;060600;ERRC  
CCAS 060600 CMS CASE CLOSED Q227  
H001 060600 . CNN P NG 20000225;V G 20000225;S 20000606;T LIFE  
H001 060600 . CNN B 19990228;SP ;P ;F ;C  
HCAL 060600 1 SCY P09;0900;400 ;JT ;JT;JUDG; ;HEARD, WANDA KE;8E7  
HCRD 060600 SNL 001;MUR01;2 0900 ;SENT;20000606;ACTV FOR FURTHER PROC  
H001 060600 SNL P NG 20000225;V G 20000225;S 20000606;T LIFE; NC  
H001 060600 SNL B ;SP ;P ;F ;C  
HCRD 060600 SNL 002;MUR05;1 0999 ;VNRC;20000606;ACTV FOR FURTHER PROC  
COMM 070600 CKS RECEIPT FROM ACCOUNTING FOR FEE'S NO. 02876.  
COMM 072800 CSL MOTION FOR MODIFICATION OF SENTENCE (HEARD J)  
COMM 080200 CBD ORDER/DEFT'S MOTION FOR RECONSIDERATION OF SENTENCE  
COMM 080200 CBD IT IS 02ND DAY OF AUGUST, 2000, ORDERED THAT THE MOTION  
COMM 080200 CBD FOR RECONSIDERATION OF SENTENCE BE AND ARE HEREBY DENIED  
COMM 080200 CBD PER JUDGE WANDA KEYS HEARD FILED  
COMM 080300 CKS TRANSCRIPT OF PROCEEDINGS DATED 1-10-00 AND 6-6-00 FROM

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 080300 CKS DELORES HAY OFFICAL COURT REPORTER-AMOUNT \$232.50.  
ACAS 082800 CMS ACTIVATED FOR ERROR CORRECTION  
CCAS 082800 CMS CASE CLOSED - ALL COUNTS DISPOSED Q226  
APPL 082800 CMS APFD;APPEAL TO COURT SPECIAL APPEAL FILED  
COMM 082800 CMS \*\*\*\*\*ENTRY OF APPEAL FILED ON 8-28-00 IS INCORREECT.  
COMM 082800 CMS CORRECT DATE APPEAL FILED IS 6-6-00.....  
COMM 100300 CSG CHRISTOPHER METCALF, TURNED IN TRANSCRIPTS FOR THIS CASE.  
COMM 103000 CKS TRANSCRIPT OF PROCEEDINGS DATED 2-9,10,1-00  
COMM 122800 CSG EXTENSION OF TIME TO FILE TRANSCRIPT WITH CLERK ON 12-26-00  
COMM 122800 CSG AND TRANSMIT RECORD BY 02-10-01.  
COMM 021501 CSG EXTENSION OF TIME TO FILE TRANSCRIPT WITH CLERK ON 02-12-01  
COMM 021501 CSG AND TO TRANSMIT RECORD BY 03-20-01, GRADET, CLERK OF COURT  
COMM 033001 CKS EXTENSION OF TIME 4-23-01, GRADET, CLERK CT.  
COMM 042001 CKS TRANSCRIPT OF PROCEEDINGS DATED 12-14-99, FROM CHARLES  
COMM 042001 CKS MADDEN OFFICAL COURT REPORTER, AMOUNT \$1,140.00.  
COMM 051401 CSG PATRICIA TRIKERIOTIS, TURNED IN A TRANSCRIPT FOR THIS CASE.  
COMM 113001 CKS EXTENSION OF TIME 12-3-01, GRADET, CLERK CT.  
COMM 120301 CKS ORIGINAL PAPERS FORWARDED TO COSA VIA CERTIFED MAIL  
COMM 120301 CKS 7000 0600 0022 4693 3985, 7000 0600 0022 4693 3985, 7000

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 120301 CKS 0600 0022 4693 3978, (4) BINDERS, (4) ENVELOPES EXHIBITS  
COMM 120301 CKS (1) LARGE BOX TRANSCRIPTS. \*\*\*\*\*(3) LARGE BOXES  
COMM 120401 CSG RECEIPT FOR TRANSCRIPT OF RECORD RECEIVED FROM COSA  
COMM 012802 CKS LETTER FROM COSA REQUESTING THE STAR 120.  
COMM 012802 CKS THE ORIGINAL STAR 120 WAS FORWARDED WHEN CASE WAS TRANSMITTD  
COMM 012802 CKS A 2ND COPY WILL BE FORWARDED TODAY.  
COMM 050703 CSG PETITION FOR WRIT OF CERTIORARI FILED IN THE COURT OF  
COMM 050703 CSG APPEALS OF MARYLAND, PER ALEXANDER H. CUMMINGS,  
COMM 051603 CJL MANDATE RETURNED & RECEIVED/JLL  
ARTN 051603 CJL AJAC;APPEAL RETURNED-JUDGMENT AFFIRMED  
CCAS 051603 CJL CASE CLOSED Q327  
COMM 051603 CJL MANDATE COURT OF SPECIAL APPEALS.NO.923.SEPT.TERM.2000  
COMM 051603 CJL OPINION; JUDGMENT AFFIRMED  
COMM 051603 CJL MANDATE ISSUED; 4/18/03  
COMM 062503 CKS ORDERED BY THE COURT OF APPEALS THAT THE PETITION BE AND IT  
COMM 062503 CKS IS HEREBY DENIED AS THERE HAS BEEN NO SHOWING THAT REVIEW  
COMM 062503 CKS BY CERTIORARI IS DESIRABLE AND IN THE PUBLIC INTEREST,  
COMM 062503 CKS BELL, C. J.  
PCFD 052810 CFH POST CONVICTION FILED

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 052810 CFH PETITION FOR POST-CONVICTION RELIEF FILED BY DEFENDANT  
COMM 052810 CFH ATTORNEY PC#10432  
COMM 061010 S8R FILE ORDERED FROM ANNAPOLIS BY SB  
COMM 061410 CFH MOTION TO DISMISS POST CONVICTION PETITION AND RESPONSE  
COMM 061410 CFH FILED BY THE STATE.  
COMM 061710 CJP ASSIGNED JUDGE MARTIN WELCH JP. RETURNED TO FRANK IN THE  
COMM 061710 CJP CRIM CLERKS OFFICE 6/17/10 JP.  
COMM 062810 CFH DELIVERED ORIGINAL FILE AND PC FILE TO JUDGE WELCH.  
COMM 072310 CTL CSET PC ; P18; 12/20/10; CTL PER ADD-ON FORM  
COMM 101410 CFH MOTION TO SEAL FILED BY DEFENDANT ATTORNEY AND FORWARDED  
COMM 101410 CFH TO JUDGE WELCH.  
COMM 101510 CFH MOTION FOR CERTIFICATION THAT AN OUT OF STATE WITNESS  
COMM 101510 CFH IS NEEDED IN THIS STATE FILED BY DEFENDANT ATTORNEY  
COMM 101510 CFH AND FORWARDED TO JUDGE WELCH.  
COMM 102610 CFH MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE FILED BY  
COMM 102610 CFH THE STATE AND FORWARDED TO JUDGE WELCH.  
COMM 102710 S8M TRANSCRIPTS ORDERED FROM ARCHIVES  
COMM 102910 S8M TRANSCRIPTS RECEIVED FROM ARCHIVES ( 2 BOXES)  
COMM 110410 CFH ORDER; IT IS THIS 1ST DAY OF NOVEMBER, 2010, AFTER CAREFUL

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 110410 CFH CONSIDERATION OF THE PETITIONER'S MOTION FOR CERTIFICATION  
COMM 110410 CFH THAT OUT-OF-STATE WITNESS IS NEEDED IN THIS STATE. ORDERED  
COMM 110410 CFH THAT THE MOTION IS HEREBY GRANTED; AND IT IS FURTHER ORDERED  
COMM 110410 CFH THAT THE CLERK OF THIS COURT SHALL ISSUE FORTHWITH A  
COMM 110410 CFH CERTIFICATE UNDER SEAL OF THIS COURT CERTIFYING TO THE  
COMM 110410 CFH WASHINGTON COUNTY, OREGON, IN OREGON'S JUDICIAL DISTRICT,  
COMM 110410 CFH THAT ASIA MCCLAIN OF 2428 NW DONCASTER TERRACE, HILLSBORO  
COMM 110410 CFH OR 97124, IS A MATERIAL WITNESS IN THE ABOVE-CAPTIONED CASE  
COMM 110410 CFH AND THAT HER PRESENCE AS A WITNESS AT THE POST-CONVICTION  
COMM 110410 CVS CERTIFICATE TO SECURE THE ATTENDANCE OF AN OUT-OF-STATE  
COMM 110410 CVS WITNESS FILED.  
COMM 110410 CVS THIS IS TO CERTIFY TO CIRCUIT COURT FOR WASHINGTON COUNTY  
COMM 110410 CVS OREGON, THAT: 1. PET. IN ABOVE CAPTIONED CASE WAS CONVICTED  
COMM 110410 CVS OF MUR. AND HAS FLD A POST CON. PET. THE HEARING ON THAT  
COMM 110410 CVS POST CON. IS SCHEDULED 12/20/10. 2. ASIA MCCLAIN IS A  
COMM 110410 CVS MATERIAL WIT. FOR THIS HEARING. IN MARCH OF 2000, MS MCCLAIN  
COMM 110410 CVS SIGNED A AFFIDAVIT, WITNESSED BY AT LEAST 2 INDIVIDUALS,  
COMM 110410 CVS STATING THAT SHE WAS WITH DEF WHEN MUR. OCCURRED, BUT SHE  
COMM 110410 CVS WAS NEVER CONTACTED BY DEFENSE. SHE ALSO WROTE MULTIPLE

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
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COMM 110410 CVS LETTERS TO DEF. STATING SHE WOULD BE WILLING TO HELP IN HIS  
COMM 110410 CVS CAS, IF ONLY SOMEBODY FROM THE DEFENSE WOULD CONTACT HER.  
COMM 110410 CVS 3. WITNESS RESIDES AT 2428 NW DONCASTER TERRACE, HILLSBORO  
COMM 110410 CVS OR 97124. 4. WITNESS WILL NEED TO BE PRESENT TO TESTIFY ON  
COMM 110410 CVS 12/20/10.5. DEFENSE COUNSEL IN ABOVE-CAPTIONED CASE WILL BE  
COMM 110410 CVS RESPONSIBLE FOR ALL REASONABLE EXPENSES THAT WITNESS INCURS.  
COMM 110410 CVS 6. LAWS OF MD, AND ALL STATES THROUGH WHICH THE WIT. MAY BE  
COMM 110410 CVS REQUIRED TO PASS, WILL GIVE TO HER PROTECTION FROM ARREST  
COMM 110410 CVS AND THE SERVICE OF CIVIL AND CRIMINAL PROCESS. 7. BY ORDER  
COMM 110410 CVS OF THE HONORABLE MARTIN P. WELCH, JUDGE OF THE CIR. CT. OF  
COMM 110410 CVS WASH. CTY, OREGON, IS REQUESTED, PURSUANT TO THE UNIFORM ACT  
COMM 110410 CVS TO SECURE THE ATTENDANCE OF WITNESSES FROM WITHOUT A STATE  
COMM 110410 CVS IN CRIM. PROCEEDINGS, TO ISSUE AN APPROPRIATE ORDER  
COMM 110410 CVS COMMANDING THE SUMMONSING OF SAID WITNESS TO THE TRIAL IN  
COMM 110410 CVS THE ABOVE-CAPTIONED CASE ON OR ABOUT 12/20/10. WITNESS: THE  
COMM 110410 CVS HONORABLE MARTIN P. WELCH, JUDGE OF THE CIRCUIT COURT FOR BALT  
COMM 110410 CVS MD, THIS 1ST DAY OF NOV, 2010, JUDGE MARTIN WELCH.  
COMM 110410 VGI CSET HEAR; P18; 11/29/10; VGI (FR ADD ON PER LW CK GI)  
COMM 110910 CMS TWO BOXES OF BRICK BINDERS W/TRANSCRIPTS,ETC. DELIVERED TO

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
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COMM 110910 CMS JUDGE WELCHS' CHAMBERS.  
COMM 111710 CFH PETITIONER'S RESPONSE TO STATE'S MOTION FOR SUBPOENA  
COMM 111710 CFH FOR TANGIBLE EVIDENCE FILED AND FORWARDED TO JUDGE WELCH.  
HCAL 112910 SBT P18;0200;234 ;HEAR; ;OTHR; ;WELCH, MARTIN P;8A2  
COMM 112910 SBT WRITTEN OPINION TO BE ISSUED  
COMM 120210 CFH ORDER; IT IS THIS 30TH DAY OF NOVEMBER, 2010, FOLLOWING A  
COMM 120210 CFH HEARING ON THE RECORD, THE STATE'S MOTION IS HEREBY GRANTED  
COMM 120210 CFH IN PART, IT BEING SO ORDERED: PETITIONER IS TO PROVIDE ANY  
COMM 120210 CFH PORTIONS OF THE FILE MAINTAINED BY CHRISTINA GUTIERREZ IN  
COMM 120210 CFH IN CONNECTION WITH THE INVESTIGATION AND TRIAL FOR STATE V.  
COMM 120210 CFH ADNAN SYED, CASE NBR 199103042-046, INCLUDING DOCUMENTS,  
COMM 120210 CFH RECORDINGS, PHOTOGRAPHS AND OTHER TANGIBLE THINGS WHICH  
COMM 120210 CFH SUPPORT THE PETITIONER'S ALLEGATIONS AS SET FORTH IN HIS  
COMM 120210 CFH PETITIONER'S AS SET FORTH IN HIS PETITION FOR POST-  
COMM 120210 CFH CONVICTION RELIEF. PETITIONER IS TO COMPLY WITH THIS ORDER  
COMM 120210 CFH ON OR BEFORE JANUARY 15, 2011 PER JUDGE WELCH.  
COMM 120710 CSS REMOVED PC 12-20 PER REMOVAL FR LAWCLERK SS.  
COMM 121010 VGI CSET PC ; P18; 08/08/11; VGT (FR ADD ON PER LW CK GI)  
HCAL 122010 CSS P18;0200;234 ;PC ; ;POST;CAN;WELCH, MARTIN P;8A2

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COMM 061311 CMS SAID WITNESS TO THAT COURT TO SHOW CAUSE, IF ANY HE HAS,  
COMM 061311 CMS WHY HE SHOULD NOT BE ORDERED TO ATTEND THE TRIAL OF THIS  
COMM 061311 CMS CASE. WELCH J  
COMM 062711 CFH SUPPLEMENT TO PETITION FOR POST CONVICTION RELIEF FILED BY  
COMM 062711 CFH DEFENDANT ATTORNEY AND FORWARDED TO JUDGE WELCH.  
HCAL 080811 1 CAT P68;0200;228 ;PC ; ;CONT: ;WELCH, MARTIN P;8A2  
COMM 080811 CAT CASE CONTINUED TO 10/20/11 PART 68, ISSUE WRIT TO DOC  
COMM 081011 CTJ CSET PC ; P18; 10/20/11; CTJ (DKT.8-8-11/PG.98)  
COMM 090911 CEM CSET PC ; P18; 02/06/12; CEM; PER ADD-ON 9/8/11  
COMM 090911 CEM CSET PC ; P18; 03/06/12; CEM; PER ADD-ON 9/8/11  
COMM 092911 CFH MOTION TO DISQUALIFY COUNSEL AND SUPPORTING MEMORANDUM  
COMM 092911 CFH OF LAW FILED BY DEFENDANT ATTORNEY AND FORWARDED TO J. WELCH  
COMM 101311 CFH STATE'S RESPONSE TO PETITIONER'S MOTION TO DISQUALIFY  
COMM 101311 CFH COUNSEL FILED AND FORWARDED TO JUDGE WELCH.  
HCAL 102011 CEM P18;0930;228 ;PC ; ;POST;CAN;WELCH, MARTIN P;8A2  
COMM 111511 CFH PETITIONER'S NOTICE OF EXPERT WITNESS TESTIMONY FILED  
COMM 111511 CFH BY DEFENDANT ATTORNEY AND FORWARDED TO JUDGE WELCH.  
COMM 012012 CBS FILED ASA - MURPHY, KATHLEEN , ESQ 599824  
COMM 012012 CBS STATE'S MOTION TO EXCLUDE STATE'S MOTION TO STRIKE FILED.

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EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
HCAJ 020612 SCB P18;0200;228 ;PC ; ;OTHR; ;WELCH, MARTIN P;BA2  
COMM 020612 SCB PETITIONER'S MOTION TO DISQUALIFY ASA K.C. MURPHY IS HEREBY  
COMM 020612 SCB HEARD & DENIED; STATE'S MOTION TO EXCLUDE THE POLYGRAPH  
COMM 020612 SCB EXAMINER'S TESTIMONY IS HEREBY HEARD & GRANTED; STATE'S MO-  
COMM 020612 SCB TION TO PROHIBIT PETITIONER FROM CALLING EXPERT WITNESS FOR  
COMM 020612 SCB CERTAIN OPINIONS IS HEARD & DENIED  
COMM 021412 CFH ORDER; IT IS THIS 13TH DAY OF FEBRUARY, 2012, ORDERED  
COMM 021412 CFH PETITIONER'S MOTION TO DISQUALIFY COUNSEL IS HEREBY  
COMM 021412 CFH DENIED. STATE'S MOTION TO EXCLUDE IS GRANTED IN PART,  
COMM 021412 CFH IN THAT TESTIMONY BY PETITIONER'S NOTED EXPERT, POLYGRAPH  
COMM 021412 CFH EXAMINER DAN SEILER, IS EXCLUDED. STATE'S MOTION TO EXCLUDE  
COMM 021412 CFH IS DENIED IN PART, IN THAT PETITIONER'S REFERENCES TO  
COMM 021412 CFH POLYGRAPH EVIDENCE ORALLY AND IN WRITING SHALL NOT BE  
COMM 021412 CFH STRICKEN FROM THE RECORD IN THIS MATTER. STATE'S MOTION  
COMM 021412 CFH TO EXCLUDE IS DENIED IN PART, IN THAT PETITIONER'S NOTED  
COMM 021412 CFH EXPERT, MARGARET MEAD, SHALL NOT BE PRECLUDED FROM  
COMM 021412 CFH TESTIFYING REGARDING LIKELY PLEA OFFERS IN CASES SUCH AS  
COMM 021412 CFH THE PETITIONER'S TRIAL PER JUDGE WELCH.  
COMM 030512 VGI REMOVE PER LW CLERK FR JUDGE WELCH. GI)

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HCAL 030612 VGI P18:0200:228 ;PC ; ;POST;CAN;WELCH, MARTIN P;8A2  
COMM 030612 CTJ CSET PC ; P18; 07/26/12; CTJ (ADD-ON FD. PER LAW CLERK)  
COMM 030612 CTJ CSET PC ; P18; 08/09/12; CTJ (ADD-ON FD. PER LAW CLERK)  
COMM 030612 S8R PC HEARING POSTPONED, RESET 7-26-12 PT.18; ISSUE DOC WRIT.  
COMM 071212 CEM CSET PC ; P18; 10/11/12; CEM; PER ADD-ON 7/12/12  
COMM 071212 CEM CSET PC ; P18; 10/25/12; CEM; PER ADD-ON 7/12/12  
COMM 071812 CTL DATE OF 7/26/12 REMOVED PER CHANGE OF DOCKET REQUEST FORM.TD  
HCAL 072612 CTL P18:0200:228 ;PC ; ;POST;CAN;WELCH, MARTIN P;8A2  
COMM 072612 SCB REMOVED  
HCAL 080912 CEM P18:0200:228 ;PC ; ;POST;CAN;WELCH, MARTIN P;8A2  
HCAL 101112 1 S8T P18:0200:228 ;PC ; ;CONT; ;WELCH, MARTIN P;8A2  
COMM 101112 S8T HEARING CONTINUES 10/25/12 IN PART 8 @ 2:00 P.M. - ISSUE  
COMM 101112 S8T DOC WRIT - FILE IN COURT  
HCAL 102512 1 S8T P18:0200:228 ;PC ;HR;SUBC; ;WELCH, MARTIN P;8A2  
COMM 102512 S8T RULING HELD SUBCURIA PENDING WRITTEN MEMO - FILE W/LAW CLERK  
PCDN 010614 CFH POST CONVICTION DENIED  
CCAS 010614 CFH CASE CLOSED Q327  
COMM 010714 CFH DATE STAMPED 1/6/14, & ORDERED 12/30/13, MEMORANDUM OPINION  
COMM 010714 CFH AND ORDER: ORDERED THAT ALL OF PETITIONER'S REQUESTS FOR

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EVENT DATE	OPER PART TIME ROOM REAS / EVENT COMMENT
HCAL 030612	VGI P18;0200;228 ;PC ; ;POST;CAN;WELCH, MARTIN P;8A2
COMM 030612	CTJ CSET PC ; P18; 07/26/12; CTJ (ADD-ON FD. PER LAW CLERK)
COMM 030612	CTJ CSET PC ; P18; 08/09/12; CTJ (ADD-ON FD. PER LAW CLERK)
COMM 030612	S8R PC HEARING POSTPONED, RESET 7-26-12 PT.18; ISSUE DOC WRIT.
COMM 071212	CEM CSET PC ; P18; 10/11/12; CEM; PER ADD-ON 7/12/12
COMM 071212	CEM CSET PC ; P18; 10/25/12; CEM; PER ADD-ON 7/12/12
COMM 071812	CTL DATE OF 7/26/12 REMOVED PER CHANGE OF DOCKET REQUEST FORM.TD
HCAL 072612	CTL P18;0200;228 ;PC ; ;POST;CAN;WELCH, MARTIN P;8A2
COMM 072612	SCB REMOVED
HCAL 080912	CEM P18;0200;228 ;PC ; ;POST;CAN;WELCH, MARTIN P;8A2
HCAL 101112	1 S8T P18;0200;228 ;PC ; ;CONT; ;WELCH, MARTIN P;8A2
COMM 101112	S8T HEARING CONTINUES 10/25/12 IN PART 0 @ 2:00 P.M. ISSUED
COMM 101112	S8T DOC WRIT - FILE IN COURT
HCAL 102512	1 S8T P18;0200;228 ;PC ;HR;SUBC; ;WELCH, MARTIN P;8A2
COMM 102512	S8T RULING HELD SUBCURIA PENDING WRITTEN MEMO - FILE W/LAW CLERK
PCDN 010614	CFH POST CONVICTION DENIED
CCAS 010614	CFH CASE CLOSED Q327
COMM 010714	CFH DATE STAMPED 1/6/14, & ORDERED 12/30/13, MEMORANDUM OPINION
COMM 010714	CFH AND ORDER: ORDERED THAT ALL OF PETITIONER'S REQUESTS FOR

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12:25:08 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 042315 1SC ORDERED THAT THE CLERK OF THE CIRCUIT COURT FOR BALTIMORE  
COMM 042315 1SC CITY BE AND HEREBY IS DIRECTED TO TRANSMIT TO THIS COURT, ON  
COMM 042315 1SC OR BEFORE APRIL 30, 2015, THE TRANSCRIPT OF THE TRIAL HELD  
COMM 042315 1SC FROM JANUARY 21, 2000 TO FEBRUARY 25, 2000; AND IT IS  
COMM 042315 1SC FURTHER ORDERED THAT THE CLERK OF THE CIRCUIT COURT FOR  
COMM 042315 1SC BALTIMORE CITY BE AND HEREBY IS DIRECTED TO TRANSMIT TO THIS  
COMM 042315 1SC COURT, ON OR BEFORE APRIL 30, 2015, THE TRANSCRIPTS FROM THE  
COMM 042315 1SC POST CONVICTION HEARING CONDUCTED ON NOVEMBER 29, 2010,  
COMM 042315 1SC FEBRUARY 6, 2012, OCTOBER 11, 2012 AND OCTOBER 25, 2012 AND  
COMM 042315 1SC ALL EXHIBITS ADMITTED AT THE POST CONVICTION HEARING; AND IT  
COMM 042315 1SC FURTHER ORDERED THAT, UPON RECEIPT IN THIS COURT OF THE  
COMM 042315 1SC ITEMS SET FORTH ABOVE, THAT THE SAME SHALL BE MADE PART OF  
COMM 042315 1SC THE RECORD ON APPEAL IN THIS CASE. PER PETER B. KRAUSER,  
COMM 042315 1SC CHIEF JUDGE.  
COMM 043015 1SC ORDER TO SUPPLEMENT, DOCKET ENTRIES, AND (27) TRANSCRIPTS  
COMM 043015 1SC (4) ENV OF EXHIBITS FORWARDED TO COSA VIA FED EX TRACKING  
COMM 043015 1SC 8075 7493 0742  
COMM 043015 1SC TRANSCRIPTS DATED 11/29/10, 2/6/12, 10/11/12, AND 10/25/12  
COMM 043015 1SC WERE NOT RECEIVED IN THS CLERK'S OFFICE.

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12:25:08 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 042315 1SC ORDERED THAT THE CLERK OF THE CIRCUIT COURT FOR BALTIMORE  
COMM 042315 1SC CITY BE AND HEREBY IS DIRECTED TO TRANSMIT TO THIS COURT, ON  
COMM 042315 1SC OR BEFORE APRIL 30, 2015, THE TRANSCRIPT OF THE TRIAL HELD  
COMM 042315 1SC FROM JANUARY 21, 2000 TO FEBRUARY 25, 2000; AND IT IS  
COMM 042315 1SC FURTHER ORDERED THAT THE CLERK OF THE CIRCUIT COURT FOR  
COMM 042315 1SC BALTIMORE CITY BE AND HEREBY IS DIRECTED TO TRANSMIT TO THIS  
COMM 042315 1SC COURT, ON OR BEFORE APRIL 30, 2015, THE TRANSCRIPTS FROM THE  
COMM 042315 1SC POST CONVICTION HEARING CONDUCTED ON NOVEMBER 29, 2010,  
COMM 042315 1SC FEBRUARY 6, 2012, OCTOBER 11, 2012 AND OCTOBER 25, 2012 AND  
COMM 042315 1SC ALL EXHIBITS ADMITTED AT THE POST CONVICTION HEARING; AND IT  
COMM 042315 1SC FURTHER ORDERED THAT, UPON RECEIPT IN THIS COURT OF THE  
COMM 042315 1SC ITEMS SET FORTH ABOVE, THAT THE SAME SHALL BE MADE PART OF  
COMM 042315 1SC THE RECORD ON APPEAL IN THIS CASE. PER PETER B. KRAUSER,  
COMM 042315 1SC CHIEF JUDGE.  
COMM 043015 1SC ORDER TO SUPPLEMENT, DOCKET ENTRIES, AND (27) TRANSCRIPTS  
COMM 043015 1SC (4) ENV OF EXHIBITS FORWARDED TO COSA VIA FED EX TRACKING  
COMM 043015 1SC 8075 7493 0742  
COMM 043015 1SC TRANSCRIPTS DATED 11/29/10, 2/6/12, 10/11/12, AND 10/25/12  
COMM 043015 1SC WERE NOT RECEIVED IN THS CLERK'S OFFICE.

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12:25:09 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 050715 CSU RECEIPT FOR TRANSCRIPT OF RECORD REC'D & SIGNED BY L. SADLER  
COMM 050715 CSU CLERK, COURT OF SPECIAL APPEALS.  
COMM 061615 CSJ ORDERED 5-18-15 BY COSA THAT THE APPEAL IS STAYED AND THAT  
COMM 061615 CSJ APPELLANT'S REQUEST FOR A REMAND TO CIRCUIT COURT IS GRANTED  
COMM 061615 CSJ AND THE CASE BE REMANDED TO CIRCUIT COURT WITHOUT AFFIRMANCE  
COMM 061615 CSJ OR REVERSAL FOR THE PURPOSE SET FORTH IN FOLLOWING ORDER.  
COMM 061615 CSJ ORDERED 5-18-15 THAT THE APPELLANT SHALL FILE HIS MOTION TO  
COMM 061615 CSJ TO RE-OPEN THE CLOSED POSTS CONVICTION PROCEEDING WITHIN  
COMM 061615 CSJ 45 DAYS OF THE DATE OF THIS ORDER AND IF HE FAILS  
COMM 061615 CSJ TO DO SO, THE STAY SHALL BE LIFTED AND CASE WILL PROCEED  
COMM 061615 CSJ WITH THE APPEAL WITHOUT ANY REFERENCE TO OR CONSIDERATION OF  
COMM 061615 CSJ OF THE APPELLANT'S SUPPLEMENT TO APPLICATION FOR LEAVE TO  
COMM 061615 CSJ APPEAL OR ANY DOCUMENTS NOT PRESENTLY A PART OF THE CIRCUIT  
COMM 061615 CSJ COURT'S RECORD. FURTHER ORDERED THAT AFTER TAKING ANY ACTION  
COMM 061615 CSJ IT DEEMS APPROPRIATE, THE CIRCUIT COURT SHALL FORTHWITH  
COMM 061615 CSJ RE-TRANSMIT THE RECORD TO COSA FOR FURTHER PROCEEDINGS.  
COMM 061615 CSJ CHIEF JUDGE KRAUSER, JUDGES WOODWARD AND WRIGHT.  
COMM 061615 CSJ POST CONVICTION FILE, 28 TRANSCRIPTS, 5 ENV. OF EXHIBITS  
COMM 061615 CSJ AND 2 BINDERS ARE IN THE POST CONVICTION FILE AREA W/FRANK.

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 062915 CFH FILED AAG - VIGNARAJAH, THIRUVENDRAN , ESQ 927010  
COMM 062915 CFH NOTICE OF ENTRY OF APPEARANCE FILED  
COMM 063015 CFH MOTION TO RE-OPEN POST CONVICTION PROCEEDINGS FILED PER  
COMM 063015 CFH ATTORNEY PC#10432  
COMM 063015 CFH J. PIERSON CHAMBERS WAS TOLD THAT THE CLERK'S OFFICE DID  
COMM 063015 CFH RECEIVE MOTION TO REOPEN POST CONVICTION PROCEEDINGS.  
COMM 080715 CMS ORDER OF COURT DATED AUGUST 6, 2015, DATE STAMPED AUGUST 7,  
COMM 080715 CMS 2015. HAVING REVIEWED THE REMAND ORDER BY THE COURT OF  
COMM 080715 CMS SPECIAL APPEALS AND THE MOTION TO RE-OPEN POST CONVICTION  
COMM 080715 CMS PROCEEDINGS, IT IS THIS 6TH DAY OF AUGUST, 2015, ORDERED,  
COMM 080715 CMS THAT THIS MATTER IS ASSIGNED TO JUDGE MARTIN P. WELCH  
COMM 080715 CMS (RET. CIRCUIT COURT FOR BALTIMORE CITY). PIERSON J  
COMM 080715 CMS COPY OF ORDER MAILED TO COUNSEL AND DEFENDANT BY CHAMBERS  
COMM 080715 CMS PC FILE #10432 GIVEN TO L. HUDGINS FOR F. HUSBAND TO  
COMM 080715 CMS SEND TO JUDGE WELCH.  
COMM 080715 CMS TRANSCRIPTS AND EXHIBITS IN K. FOXWORTH'S OFFICE  
COMM 081015 CFH PC FILE AND COPY OF PETITION DELIVERED TO JUDGE WELCH.  
COMM 081715 CMS ONE DISC MARKED 10-11,25-12 AND TWO VHS TAPES STATE'S  
COMM 081715 CMS EXHIBITS 6 AND 8 GIVEN TO THE COURT REPORTER'S OFFICE

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 081715 CMS TO COPY FOR CSNBC  
COMM 082015 CMS LETTER DATED 8-14-15 FROM JUDGE MARTIN WELCH TO ALL  
COMM 082015 CMS COUNSEL REGARDING STATUS OF OF CASE.  
COMM 082415 CSJ SUPPLEMENT TO MOTION TO RE-OPEN POST CONVICTION PROCEEDINGS  
COMM 082415 CSJ FLD BY ATTORNEY J. BROWN. CC: JUDGE C. JONES  
COMM 082715 S8F SUPPLEMENT TO MOTION TO RE-OPEN POST CONVICTION PROCEEDINGS  
COMM 082715 S8F FILED 08/24/15 ERRONEOUSLY FORWARDED TO JUDGE JONES WAS  
COMM 082715 S8F FORWARDED TO JUDGE WELCH FROM JUDGE PIERSON'S CHAMBERS.  
COMM 090315 CFH MOTION FOR EXTENSION OF TIME TO FILE STATE'S RESPONSE  
COMM 090315 CFH TO PETITIONER'S MOTION TO REOPEN CLOSED POST CONVICTION  
COMM 090315 CFH PROCEEDINGS AND SUPPLEMENT THERETO FILED BY THE STATE AND  
COMM 090315 CFH FORWARDED TO JUDGE WELCH.  
COMM 091015 CFH DATE STAMPED 9/10/15, ORDERED 9/9/15, ORDER: ORDERED, THAT  
COMM 091015 CFH THE SATE OF MARYLAND'S MOTION IS HEREBY GRANTED, AND IT IS  
COMM 091015 CFH FURTHER ORDERED, THAT THE STATE OF MARYLAND'S CONSOLIDATED  
COMM 091015 CFH RESPONSE SHALL BE FILED BEFORE 4:30PM ON SEPTEMBER 23, 2015  
COMM 091015 CFH PER JUDGE WELCH.  
COMM 091015 CFH CHAMBERS SENT COPIES OF THIS ORDER  
COMM 092315 CFH CONSOLIDATED RESPONSE IN OPPOSITION TO PETITIONER'S MOTION

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 092315 CFH AND SUPPLEMENT TO REOPEN POST CONVICTION PROCEEDINGS FILED  
COMM 092315 CFH BY THE STATE AND FORWARDED TO JUDGE WELCH.  
COMM 100115 SCB DAG VIGNARAJAH'S LETTER ATTACHING COPY OF REQUESTED EXHIBIT  
COMM 100115 SCB TO ADF C. JUSTIN BROWN FLD  
COMM 101315 CFH REPLY TO STATE'S CONSOLIDATED RESPONSE IN OPPOSITION TO  
COMM 101315 CFH MOTION AND SUPPLEMENT TO RE-OPEN POST-CONVICTION  
COMM 101315 CFH PROCEEDINGS FILED PER ATTORNEY AND FORWARDED TO J. WELCH.  
COMM 110615 CFH DATE STAMPED 11/6/15, ORDERED 11/6/15, STATEMENT OF REASONS  
COMM 110615 CFH AND ORDER OF THE COURT: ORDERED, THAT PETITIONER'S MOTION  
COMM 110615 CFH TO REOPEN POST CONVICTION PROCEEDINGS AND SUPPLEMENT THERETO  
COMM 110615 CFH IS HEREBY GRANTED; FURTHER ORDERED, THAT THE PARTIES SHALL  
COMM 110615 CFH CONTACT THIS COURT WITHIN 10 (TEN) DAYS OF THE FILING OF  
COMM 110615 CFH THIS ORDER FOR THE PURPOSES OF SCHEDULING A HEARING PER  
COMM 110615 CFH JUDGE WELCH.  
COMM 110615 CFH CHAMBERS SENT COPIES OF THIS ORDER.  
ERRC 110615 CSU APPL;APPC;012714;ERRC  
ACAS 110615 CSU CASE ACTIVATED TO SET HEARING  
COMM 121015 S8R EMAILED CHAMBERS CONCERNING STATUS UPDATE.  
COMM 121615 CFH DATE STAMPED 12/15/15, ORDERED 12/15/15, SCHEDULING ORDER:

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12:25:10 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 121615 CFH ORDERED, THAT A STATUS CONFERENCE SHALL BE HELD ON JANUARY  
COMM 121615 CFH 12, 2016 AT 9:30PM, FURTHER ORDERED, THAT THE HEARING FOR  
COMM 121615 CFH THE POST CONVICTION PROCEEDINGS IN THE ABOVE CAPTIONED CASE  
COMM 121615 CFH SHALL BE HELD ON FEBRUARY 5, 2016 AND FEBRUARY 8, 2016 AT  
COMM 121615 CFH 9:30AM PER JUDGE WELCH.  
COMM 121615 CFH CHAMBERS SENT COPIES OF THIS ORDER  
COMM 122915 CFH DATE STAMPED 12/28/15, ORDERED 12/28/15, REVISED SCHEDULING  
COMM 122915 CFH ORDER: ORDERED, THAT A STATUS CONFERENCE SHALL BE HELD ON  
COMM 122915 CFH JANUARY 12, 2016 AT 9:30AM; FURTHER ORDERED, THAT THE  
COMM 122915 CFH HEARING FOR THE POST CONVICTION PROCEEDINGS IN THE ABOVE  
COMM 122915 CFH CAPTIONED CASE SHALL BE HELD ON FEBRUARY 4, 2016 AND  
COMM 122915 CFH FEBRUARY 5, 2016 AT 9:30 AM PER JUDGE WELCH  
COMM 123015 S8R PER CHAMBERS, ADD-ONS WILL BE SUBMITTED ONCE DATES ARE  
COMM 123015 S8R CONFIRMED.  
COMM 011116 CFH CONSENT MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE FILED  
COMM 011116 CFH BY ATTORNEY GENERAL OF MARYLAND AND FORWARDED TO J. WELCH.  
COMM 011416 CFH DATE STAMPED 1/13/16, ORDERED 1/12/16, ORDER: ORDERED THAT  
COMM 011416 CFH PURSUANT TO MARYLAND RULE 4-264, A SUBPOENA SHALL BE ISSUED  
COMM 011416 CFH DIRECTING C. JUSTIN BROWN, ESQ., OR HIS DESIGNEE, TO

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12:25:11 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 929334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 011416 CFH PRODUCE FOR INSPECTION AND COPYING THE COMPLETE ELECTRONIC  
COMM 011416 CFH AND PAPER FILES OF SYED'S TRIAL COUNSEL, M. CRISTINA  
COMM 011416 CFH GUTIERREZ, AND HER TEAM, AT A LOCATION AMENABLE, AS SOON AS  
COMM 011416 CFH PRACTICABLE PER J. WELCH.  
COMM 011416 CFH CHAMBERS SENT COPIES OF THIS ORDER  
COMM 011516 CFH DATE STAMPED 1/15/16, ORDERED 1/15/16, ADDENDUM TO REVISED  
COMM 011516 CFH SCHEDULING ORDER: ORDERED, THAT THE HEARING FOR THE POST  
COMM 011516 CFH CONVICTION PROCEEDINGS IN THE CAPTIONED CASE SHALL BE HELD  
COMM 011516 CFH ON FEBRUARY 3, 2016, FEBRUARY 4, 2016, AND FEBRUARY 5,  
COMM 011516 CFH 2016 AT 9:30AM PER JUDGE WELCH.  
COMM 011516 CFH CHAMBERS SENT COPIES OF THIS ORDER  
COMM 012216 CML CSET HEAR; P97; 02/03/16; CML  
COMM 012216 CML CSET HEAR; P97; 02/04/16; CML  
COMM 012216 CML CSET HEAR; P97; 02/05/16; CML  
COMM 012916 CFH ORDER OF COURT DATED JANUARY 28, 2016, SECURITY/MEDIA  
COMM 012916 CFH PROTOCOL ORDER FILED. ORDER IS SUBJECT TO MODIFICATION  
COMM 012916 CFH BY THE COURT AT ANY TIME. W. MICHEL PIERSON J  
COMM 012916 CFH COPIES MAILED TO ALL COUNSEL  
HCAL 020216 1 lgj P97;0930;230 ;HEAR; ;CONT; ;WELCH, MARTIN P;BA2

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12:25:11 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 020216 1gJ JOINT MOTION FOR SEQUESTION GRANTED; JOINT MOTION FOR  
COMM 020216 1gJ RESPONDANT MOTIONS AS TO EXPERT WITNESSES GRANTED; STATE'S  
COMM 020216 1gJ MOTION FOR SEQUESTION AS TO MS.CHAUDRY GRANTED; DEFENSE  
COMM 020216 1gJ RENEWED MOTION AS TO MS.CHAUDRY SUBCURIA; CASE CONTINUED  
COMM 020216 1gJ TO 02/04/16 IN PART 97 AT 9:30AM; WRIT TO DOC EXTENDED; FILE  
COMM 020216 1gJ IN COURT  
HCAL 020316 1T2 P97;0930;230 ;HEAR; ;POST;OTH;WELCH, MARTIN P;8A2  
HCAL 020416 1 CNN P97;0930;230 ;HEAR; ;CONT; ;WELCH, MARTIN P;8A2  
COMM 020416 CNN DEFENSE MOTION FOR SEQUESTRATION AS TO MS.CHAUDRY WAS  
COMM 020416 CNN HEREBY "WITHDRAWN"; CASE CONT'D TILL 2/05/2016  
COMM 020416 CNN PART 97 AT 9:30AM; WRIT EXTENDED; FILE IN COURT  
HCAL 020516 1 S8T P97;0930;230 ;HEAR; ;CONT; ;WELCH, MARTIN P;8A2  
COMM 020516 S8T HEARING CONTINUES 2/8/16 IN PRT 97 @ 9:30 AM - WRIT EXTENDED  
COMM 020516 S8T FILE IN COURT  
COMM 020816 1gJ CSET HEAR; P97; 02/02/16; 1gJ  
HCAL 020816 1 CNN P97;0930;230 ;HEAR; ;CONT; ;WELCH, MARTIN P;8A2  
COMM 020816 CNN CASE CONT'D TILL 2/9/16 PART 97 @ 9:30AM; EXTENDED WRIT  
HCAL 020916 1 CPR P97;0930;230 ;HEAR;HR;SUBC; ;WELCH, MARTIN P;8A2  
COMM 020916 CPR DEFENDANT/PETITIONER FOR POST CONVICTION RELIEF HEARD

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399

EVENT DATE	OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 020916	CPR MEMORANDUM AND OPINION TO BE FILED; (FILE IN CHAMBERS)
COMM 021116	CNN CSET HEAR; P97; 02/08/16; CNN
COMM 021116	CPR CSET HEAR; P97; 02/09/16; CPR
COMM 030116	CPR MOTION TO SUPPLEMENT RECORD
COMM 030116	CPR MOTION TO SUPPLEMENT RECORD: CC:JUDGE JONES
HCRD 063016	CNN 001;MUR01;2 0900 ;SENT;20000606;ACTV FOR FURTHER PROC
COMM 063016	CFH DATE STAMPED 6/30/16, ORDERED 6/30/16, MEMORANDUM OPINION II
COMM 063016	CFH AND ORDER: ORDERED THAT THE RECORD, WHICH HAS BEEN
COMM 063016	CFH SUPPLEMENTED WITH ASIA MCCLAIN'S JANUARY 13, 2015 AFFIDAVIT
COMM 063016	CFH AND HER SUBSEQUENT TESTIMONY , SHALL BE RE-TRANSMITTED TO
COMM 063016	CFH THE MARYLAND COURT OF SPECIAL APPEALS FOR FURTHER
COMM 063016	CFH PROCEEDINGS; FURTHER ORDERED THAT THE PETITION FOR POST
COMM 063016	CFH CONVICTION RELIEF AS TO TRIAL COUNSEL'S ALLEGED INEFFECTIVE
COMM 063016	CFH ASSISTANCE FOR THE FAILURE TO CONTACT A POTENTIAL ALIBI
COMM 063016	CFH WITNESS IS HEREBY DENIED; FUTHER ORDERED THAT THE PETITION
COMM 063016	CFH FOR POST CONVICTION RELIEF AS TO ALLEGED PROSECUTORIAL
COMM 063016	CFH MISCONDUCT OF WITHHOLDING POTENTIALLY EXCULPATORY EVIDENCE
COMM 063016	CFH RELATED TO THE RELIABILITY OF CELL TOWER LOCATION EVIDENCE
COMM 063016	CFH IS HEREBY DENIED; FURTHER ORDERED THAT THE POST CONVICTION

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 063016 CFH RELIEF AS TO TRIAL COUNSEL'S ALLEGED INEFFECTIVE ASSISTANCE  
COMM 063016 CFH FOR THE FAILURE TO CROSS EXAMINE THE STATE'S CELL TOWER  
COMM 063016 CFH EXPERT ABOUT THE RELIABILITY OF CELL TOWER LOCATION EVIDENCE  
COMM 063016 CFH IS HEREBY GRANTED; FURTHER ORDERED THAT PETITIONER'S  
COMM 063016 CFH CONVICTIONS IN THE ABOVE-CAPTIONED CASE WITH CASE NOS.  
COMM 063016 CFH 199103042-046 ARE VACATED; AND IT IS FINALLY ORDERED  
COMM 063016 CFH THAT PETITIONER'S REQUEST FOR A NEW TRIAL IS HEREBY  
COMM 063016 CFH GRANTED PER JUDGE WELCH.  
COMM 063016 CFH CHAMBERS SENT COPIES OF THIS ORDER  
COMM 071216 1T2 CSET RARR; P44; 08/19/16; 1T2 (NO ACTION LIST/7-8-16 - TO  
COMM 071216 1T2 RECEIVE AGREED UPON TRIAL DATE)  
COMM 072116 CSJ NOTICE OF INTENT TO FILE APPLICATION FOR LEAVE TO APPEAL  
COMM 072116 CSJ AND REQUEST TO STAY ORDER GRANTING POST CONVICTION  
COMM 072116 CSJ RELIEF FILED BY AGO B. FROSH. CC: WELCH, J.  
HCRD 072516 CSJ 002;MUR05;1 0999 ;VNRC;20000225;ACTV FOR FURTHER PROC  
APPL 080116 CSU APFA;APPEAL TO COURT SPECIAL APPEALS FILED  
COMM 080116 CSU APPLICATION FOR LEAVE TO APPEAL ON THE POST CONVICTION'S  
COMM 080116 CSU ORDER VACATING THE CONVICTIONS & GRANTING HIM A NEW TRIAL  
COMM 080116 CSU WAS FLD. PER THIRUVENDRAN VIGNARAJAH, DEPUTY ATTY. GENERAL

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 080116 CSU DUE TO TRANSMIT ON 08-31-16.\*\*\*\*\*ASSIGNED TO LMH\*\*\*\*\*  
COMM 080216 CSU A CORRECTED COPY OF THE APPLICATION FOR LEAVE TO APPEAL WAS  
COMM 080216 CSU FLD. PER THIRUVENDRAN VIGNARAJAH, DEPUTY ATTY. GENERAL.  
COMM 080316 S8P DATE STAMPED 08/03/16 AND ORDERED 08/02/16 UPON  
COMM 080316 S8P CONSIDERATION OF THE RESPONDENT'S NOTICE OF INTENT TO FILE  
COMM 080316 S8P APPLICATION FOR LEAVE TO APPEAL AND REQUEST TO STAY ORDER  
COMM 080316 S8P GRANTING POST-CONVICTION RELIEF PURSUANT TO SECTION 7-109(B)  
COMM 080316 S8P OF THE CRIMINAL PROCEDURE ARTICLE OF THE MARYLAND CODE, AND  
COMM 080316 S8P NO RESPONSE IN OPPOSITION HAVING BEEN FILED BY THE  
COMM 080316 S8P PETITIONER, IT IS THIS 2ND DAY OF AUGUST, 2016 BY THE  
COMM 080316 S8P CIRCUIT COURT FOR BALTIMORE CITY, ORDERED THAT THE  
COMM 080316 S8P RESPONDENT'S REQUEST TO STAY ORDER GRANTING POST-CONVICTION  
COMM 080316 S8P RELIEF IS GRANTED PER JUDGE MARTIN WELCH (CC: FILE;  
COMM 080316 S8P HONORABLE W. MICHAEL PIERSON, ADF AND OAG)  
COMM 080416 CSU STATE'S EXHIBITS #4,5,6, (POSTERBOARDS) WAS SENT TO 6TH FLR.  
COMM 081116 CSU RESPONDENT ADNAN SYED'S CONDITIONAL APPLICATION FOR LEAVE  
COMM 081116 CSU TO CROSS APPEAL FLD. PER C. JUSTIN BROWN, LLC CHECK #1644  
COMM 081116 CSU IN THE AMOUNT OF \$121.00. DUE TO TRANSMIT 09-12-16  
COMM 081116 CSU \*\*\*\*\*ASSIGNED TO LMH\*\*\*\*\*

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 081116 CSJ MOTION FOR SPECIAL ADMISSION OF OUT-OF-STATE ATTORNEY W.  
COMM 081116 CSJ DAVID MAXWELL FILED CC: PETERS, J. CHECK # 1645  
COMM 081116 CSJ MOTION FOR SPECIAL ADMISSION OF OUT-OF-STATE ATTORNEY  
COMM 081116 CSJ KATERYN M. ALI FILED CC: PETERS, J. CHECK #1645  
COMM 081116 CSJ MOTION FOR SPECIAL ADMISSION OF OUT-OF-STATE ATTORNEY JAMES  
COMM 081116 CSJ W. CLAYTON FILED CC: PETERS, J. CHECK #1645  
COMM 081116 CSJ IN REGARD TO MOTIONS FOR SPECIAL ADMISSION OF OUT-OF-STATE  
COMM 081116 CSJ ATTORNEY, R.D. @ COSA SAID THEY MUST BE ON RECORD AT CIRCUIT  
COMM 081116 CSJ TO APPEAR AT COSA.  
COMM 081516 SCY DATE STAMPED & ORDERED 8/15/16, THAT THE MOTION FOR SPECIAL  
COMM 081516 SCY ADMISSION OF OUT-OF-STATE ATTORNEY IS GRANTED; & THAT W.  
COMM 081516 SCY KATHRYN M. ALI, ESQ., IS SPECIALLY ADMITTED TO REPRESENT  
COMM 081516 SCY THE PETITIONER IN THE ABOVE-CAPTIONED CASE; & THAT, PURSUANT  
COMM 081516 SCY TO RULE 14 OF THE RULES GOVERNING ADMISSION TO THE BAR OF  
COMM 081516 SCY MD. DAVID MAXWELL, ESQ., SPECIALLY ADMITTED ATTORNEY,  
COMM 081516 SCY SHALL BE SUBJECT TO THE MD LAWYERS RULES OF PROFESSIONAL  
COMM 081516 SCY CONDUCT AND MAY ONLY ACT AS CO-COUNSEL FOR THE PETITIONER  
COMM 081516 SCY WHEN ACCOMPANIED BY AN ATTORNEY OF RECORD IN THIS ACTION  
COMM 081516 SCY WHO IS ADMITTED TO THE PRACTICE IN THIS STATE UNLESS THE

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 081516 SCY LATTER'S PRESENCE IS WAIVED BY THE JUDGE PRESIDING OVER THE  
COMM 081516 SCY ACTION; & IT IS FURTHER ORDERED THAT THE CLERK OF THIS  
COMM 081516 SCY COURT SHALL FORWARD A COPY OF THIS ORDER TO THE STATE COURT  
COMM 081516 SCY ADMINISTRATOR. PETERS, J (COPIES SENT FROM CHAMBERS) (COPY  
COMM 081516 SCY OF ORDER SENT TO COURT ADMINISTRATOR)  
COMM 081516 SCY DATE STAMPED & ORDERED 8/15/16, THAT THE MOTION FOR SPECIAL  
COMM 081516 SCY ADMISSION OF OUT-OF-STATE ATTORNEY IS GRANTED; & THAT  
COMM 081516 SCY JAMES W. CLAYTON, ESQ., IS SPECIALLY ADMITTED TO REPRESENT  
COMM 081516 SCY THE PETITIONER IN THE ABOVE-CAPTIONED CASE; & THAT, PURSUANT  
COMM 081516 SCY TO RULE 14 OF THE RULES GOVERNING ADMISSION TO THE BAR OF  
COMM 081516 SCY MD. JAMES W. CLAYTON, ESQ., SPECIALLY ADMITTED ATTORNEY,  
COMM 081516 SCY SHALL BE SUBJECT TO THE MD LAWYERS RULES OF PROFESSIONAL  
COMM 081516 SCY CONDUCT AND MAY ONLY ACT AS CO-COUNSEL FOR THE PETITIONER  
COMM 081516 SCY WHEN ACCOMPANIED BY AN ATTORNEY OF RECORD IN THIS ACTION  
COMM 081516 SCY WHO IS ADMITTED TO THE PRACTICE IN THIS STATE UNLESS THE  
COMM 081516 SCY LATTER'S PRESENCE IS WAIVED BY THE JUDGE PRESIDING OVER THE  
COMM 081516 SCY ACTION; & IT IS FURTHER ORDERED THAT THE CLERK OF THIS  
COMM 081516 SCY COURT SHALL FORWARD A COPY OF THIS ORDER TO THE STATE COURT  
COMM 081516 SCY ADMINISTRATOR. PETERS, J (COPIES SENT FROM CHAMBERS) (COPY

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 081516 SCY OF ORDER SENT TO COURT ADMINISTRATOR)  
COMM 081516 SCY DATE STAMPED & ORDERED 8/15/16, THAT THE MOTION FOR SPECIAL  
COMM 081516 SCY ADMISSION OF OUT-OF-STATE ATTORNEY IS GRANTED; & THAT W.  
COMM 081516 SCY DAVID MAXWELL, ESQ., IS SPECIALLY ADMITTED TO REPRESENT THE  
COMM 081516 SCY PETITIONER IN THE ABOVE-CAPTIONED CASE; & THAT, PURSUANT  
COMM 081516 SCY TO RULE 14 OF THE RULES GOVERNING ADMISSION TO THE BAR OF  
COMM 081516 SCY MD. KATHRYN M. ALL, ESQ., SPECIALLY ADMITTED ATTORNEY,  
COMM 081516 SCY SHALL BE SUBJECT TO THE MD LAWYERS RULES OF PROFESSIONAL  
COMM 081516 SCY CONDUCT AND MAY ONLY ACT AS CO-COUNSEL FOR THE PETITIONER  
COMM 081516 SCY WHEN ACCOMPANIED BY AN ATTORNEY OF RECORD IN THIS ACTION  
COMM 081516 SCY WHO IS ADMITTED TO THE PRACTICE IN THIS STATE UNLESS THE  
COMM 081516 SCY LATTER'S PRESENCE IS WAIVED BY THE JUDGE PRESIDING OVER THE  
COMM 081516 SCY ACTION; & IT IS FURTHPR ORDERED THAT THE CLERK OF THIS  
COMM 081516 SCY COURT SHALL FORWARD A COPY OF THIS ORDER TO THE STATE COURT  
COMM 081516 SCY ADMINISTRATOR. PETERS, J (COPIES SENT FROM CHAMBERS) (COPY  
COMM 081516 SCY OF ORDER SENT TO COURT ADMINISTRATOR)  
COMM 081716 1DM CASE REMOVED FROM ARRG PER ORDER F/ STAY.., J. WELCH  
RCAL 081916 1DM P44;0930;451 ;RARR; ;CANC; ;TSET-NO ARRG CT;TSET  
COMM 081916 1g] CASE SET IN ERROR; NO FILE IN COURT

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 082216 CSU CONDITIONAL APPLICATION FOR LIMITED REMAND FLD PER  
COMM 082216 CSU THIRUVENDRAN VIGNARAJAH, DEPUTY ATTORNEY GENERAL.  
COMM 083116 CSU ORIGINAL PAPERS FORWARDED TO COSA VIA FED EX TRACKING #8104-  
COMM 083116 CSU 0426-9935. (7) BINDERS, (8) ENVELOPES WITH EXHIBITS, &  
COMM 083116 CSU (35) TRANSCRIPTS.  
COMM 083116 CSU SPOKE TO CARLOS ESTEP AT COSA INFORMING HIM OF THE FED EX  
COMM 083116 CSU TRACKING NUMBER SHIPMENT.  
COMM 083116 CSU PC FILES (3), (2) ORIGINAL FILES, & (4) BINDERS ARE IN THE  
COMM 083116 CSU APPEALS SECTION.  
COMM 091216 CSU TRANSCRIPT OF RECORD RECEIPT REC'D FROM COSA.  
COMM 100416 CSU STATE'S CONSOLIDATED REPLY FLD. PER THIRUVENDRAN VIGNARAJAH,  
COMM 100416 CSU DEPUTY ATTORNEY GENERAL WAS SENT TO COSA TO ADD TO THE  
COMM 100416 CSU RECORD.  
COMM 102416 SCY MOTION FOR RELEASE PENDING APPEAL FLD  
COMM 102516 SCB DEF'S MOTION FOR SPECIAL ADMISSION OT OUT-OF-STATE ATTORNEY  
COMM 102516 SCB SAMANTHA G. SPIRO FLD; CC: JUDGE PETERS  
COMM 102516 SCB DEF'S MOTION FOR SPECIAL ADMISSION OT OUT-OF-STATE ATTORNEY  
COMM 102516 SCB SAMANTHA G. SPIRO FLD; CC: JUDGE PETERS  
COMM 102516 CSU MOTION FOR RELEASE PENDING APPEAL WAS PICKED UP BY THE LAW

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 102516 CSU CLERK, BRITTANY AND TAKEN TO JUDGE WELCH.  
COMM 110216 SCY DATE STAMPED 10/31/16, & ORDERED 10/28/16, THAT THE MOTION  
COMM 110216 SCY FOR SPECIAL ADMISSION OF OUT-OF-STATE ATTY IS GRANTED. & THAT  
COMM 110216 SCY SAMANTHA G. SPIRO, ESQ., IS SPECIALLY ADMITTED TO REPRESENT  
COMM 110216 SCY THE DEPT IN THE ABOVE-CAPTIONED CASE. (SEE ORDER) PETERS, J  
COMM 110216 SCY (CC: COPIES SENT FROM CHAMBERS) (CC: COURT ADMINISTRATOR)  
COMM 110716 SCY STATE'S RESPONSE TO MOTION FOR RELEASE  
COMM 110916 CSU A COPY OF THE MOTION WAS HAND DELIVERED TO JUDGE WELCH.  
COMM 111016 CSU ORIGINAL MOTION FOR RELEASE PENDING APPEAL WAS HAND  
COMM 111016 CSU DELIVERED TO FRONT OFFICE.  
COMM 111816 CBM SYED'S REPLY IN SUPPORT OF MOTION FOR PRETRIAL RELEASE  
COMM 111816 CBM HAND DELIVERED TO JUDGE WELCH  
COMM 122816 SCY (MEMORANDUM OPINION MOTION FOR RELEASE PENDING APPEAL)  
COMM 122816 SCY DATE STAMPED & ORDERED 12/28/16, UPON CONSIDERATION OF  
COMM 122816 SCY PETITIONER'S MOTION FOR PENDING APPEAL, THE STATE'S  
COMM 122816 SCY RESPONSE TO MOTION FOR RELEASE, AND SYED'S REPLY IN  
COMM 122816 SCY SUPPORT OF MOTION FOR PRETRIAL RELEASE THERETO, AND FOR  
COMM 122816 SCY THE REASONS SET FORTH IN THE MEMORANDUM OPINION FOR THE  
COMM 122816 SCY ABOVE CAPTIONED CASE, IT IS ORDERED THAT PETITIONER'S

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399

EVENT DATE	OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 122816	SCY MOTION FOR RELEASE PENDING APPEAL IS HEREBY DENIED.
COMM 122816	SCY WELCH, J (CC: ALL PARTIES)
COMM 012317	CSU ORDER: UPON CONSIDERATION OF THE STATE'S APPLICATION FOR
COMM 012317	CSU LEAVE TO APPEAL NO. 1396, SEPT. TERM 2016, ADNAN SYED'S
COMM 012317	CSU CONDITIONAL APPLICATION FOR LEAVE TO CROSS APPEAL, AND THE
COMM 012317	CSU STATE'S CONDITIONAL APPLICATION FOR LIMITED REMAND, IT IS
COMM 012317	CSU THIS 18TH DAY OF JANUARY, 2017, BY THE COURT OF SPECIAL
COMM 012317	CSU APPEALS, ORDERED THAT THE ABOVE CAPTIONED CASES BE AND
COMM 012317	CSU HEREBY ARE CONSOLIDATED AND THE STAY ENTERED IN NO. 2519,
COMM 012317	CSU SEPT. TERM, 2013 BE AND HEREBY IS LIFTED; AND IT IS FURTHER
COMM 012317	CSU ORDERED THAT THE STATE'S APPLICATION FOR LEAVE TO APPEAL IN
COMM 012317	CSU NO. 1396, SEPT. TERM, 2016 BE AND HEREBY IS GRANTED AS THE
COMM 012317	CSU FOLLOWING ISSUES: (1) WHETHER THE POST-CONVICTION COURT
COMM 012317	CSU ABUSED ITS DISCRETION IN REOPENING THE POST-CONVICTION
COMM 012317	CSU PROCEEDING TO CONSIDER SYED'S CLAIM THAT HIS TRIAL COUNSEL'S
COMM 012317	CSU FAILURE TO CHALLENGE THE RELIABILITY OF THE CELL PHONE
COMM 012317	CSU LOCATION DATA EVIDENCE, BASED ON THE CELL PHONE NUMBER
COMM 012317	CSU PROVIDER'S "DISCLAIMER" ABOUT THE UNRELIABILITY OF INCOMING
COMM 012317	CSU CALLS FOR LOCATION PURPOSES, VIOLATED SYED'S SIXTH AMENDMENT

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 012317 CSU RIGHT TO THE EFFECTIVE ASSISTANCE OF COUNSEL. (2) WHETHER  
COMM 012317 CSU THE POST-CONVICTION COURT ERRED IN FINDING THAT SYED HAD NOT  
COMM 012317 CSU WAIVED HIS CLAIM REGARDING TRIAL COUNSEL'S FAILURE TO  
COMM 012317 CSU CHALLENGE THE RELIABILITY OF THE CELL PHONE LOCATION DATA  
COMM 012317 CSU FOR INCOMING CALLS BY FAILING TO RAISE IT EARLIER.  
COMM 012317 CSU (3) WHETHER THE POST-CONVICTION COURT ERRED IN FINDING THAT  
COMM 012317 CSU SYED'S TRIAL COUNSEL'S FAILURE TO CHALLENGE THE STATE'S CELL  
COMM 012317 CSU PHONE LOCATION DATA EVIDENCE, BASED ON THE CELL PHONE  
COMM 012317 CSU PROVIDER'S "DISCLAIMER", VIOLATED SYED'S SIXTH AMENDMENT  
COMM 012317 CSU RIGHT TO THE EFFECTIVE ASSISTANCE OF COUNSEL.  
COMM 012317 CSU IT IS FURTHER ORDERED THAT SYED'S CONDITIONAL APPLICATION  
COMM 012317 CSU FOR CROSS-APPEAL TN NO. 1396, SEPT. TERM 2016 BE AND HEREBY  
COMM 012317 CSU IS GRANTED AS TO THE FOLLOWING ISSUES: (1) WHETHER THE  
COMM 012317 CSU POST-CONVICTION COURT ERRED IN FINDING THAT SYED'S TRIAL  
COMM 012317 CSU COUNSEL FAILURE TO INVESTIGATE A POTENTIAL ALIBI WITNESS  
COMM 012317 CSU (ASIA MCCLAIN) DID VIOLATE SYED'S SIXTH AMENDMENT RIGHT TO  
COMM 012317 CSU THE EFFECTIVE ASSISTANCE OF COUNSEL. (2) WHETHER THE POST-  
COMM 012317 CSU CONVICTION COURT INCORRECTLY LIMITED ITS PREJUDICE ANALYSIS  
COMM 012317 CSU ON THE ALIBI WITNESS ISSUE TO THE EFFECT OF TRIAL COUNSEL'S

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 012317 CSU THE STATE'S CROSS-APPELLEE BRIEF SHALL BE FILED ON OR BEFORE  
COMM 012317 CSU APRIL 28, 2017 PER PETER B. KRAUSER, CHIEF JUDGE.  
COMM 012717 CSU TRANSCRIPTS OF PROCEEDINGS DATED 02-03-16,02-04-16,  
COMM 012717 CSU 02-05-16,02-08-16,(1) SEALED ENVELOPE DATED 02-08-16,  
COMM 012717 CSU 02-09-16 TRANSCRIBED BY ACCUSCRIBES TRANSCRIPTION SVC.  
COMM 012717 CSU IN THE AMOUNT OF \$8,225.00.  
COMM 012717 CSU ORDER TO SUPPLEMENT, DOCKET ENTRIES, (1) SEALED ENVELOPE  
COMM 012717 CSU WITH THE DATE OF 02-08-16, & (5) TRANSCRIPTS WAS SENT TO  
COMM 012717 CSU COSA VIA FED EK TRACKING #8104-0426-9946  
COMM 012717 SCY DATE STAMPED & ORDERED 1/26/17, THE COURT HAVING CONCLUDED  
COMM 012717 SCY THAT A PORTION OF A HEARING IN THIS ACTION MUST BE SEALED,  
COMM 012717 SCY IT IS ORDERED THAT THE RECORD OF PROCEEDINGS IN THIS ACTION  
COMM 012717 SCY ON FEBRUARY 8, 2016, COMMENCING AT 4:35 P.M. AND CONTINUING  
COMM 012717 SCY UNTIL 4:45 P.M. SHALL BE SEALED, AND SUBJECT TO ACCESS BY  
COMM 012717 SCY ANY PERSON UNTIL FURTHER ORDER OF COURT. WELCH, J (CC:  
COMM 012717 SCY ATTORNEY'S ON RECORD & COURT REPORTER)  
COMM 012717 CSU APPLICATION FOR LEAVE TO APPEAL DENIAL OF MOTION FOR RELEASE  
COMM 012717 CSU PENDING APPEAL FLD. PER. ATTY. C. JUSTIN BROWN OF BROWN &  
COMM 012717 CSU NIETO, LLC CHECK #1220 IN THE AMOUNT OF \$121.00. DUE TO

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 012317 CSU THE STATE'S CROSS-APPELLEE BRIEF SHALL BE FILED ON OR BEFORE  
COMM 012317 CSU APRIL 28, 2017 PER PETER B. KRAUSER, CHIEF JUDGE.  
COMM 012717 CSU TRANSCRIPTS OF PROCEEDINGS DATED 02-03-16,02-04-16,  
COMM 012717 CSU 02-05-16,02-08-16, (1) SEALED ENVELOPE DATED 02-08-16,  
COMM 012717 CSU 02-09-16 TRANSCRIBED BY ACCUSCRIBES TRANSCRIPTION SVC.  
COMM 012717 CSU IN THE AMOUNT OF \$8,225.00.  
COMM 012717 CSU ORDER TO SUPPLEMENT, DOCKET ENTRIES, (1) SEALED ENVELOPE  
COMM 012717 CSU WITH THE DATE OF 02-08-16, & (5) TRANSCRIPTS WAS SENT TO  
COMM 012717 CSU COSA VIA FED EX TRACKING #8104-0426-9946  
COMM 012717 SCY DATE STAMPED & ORDERED 1/26/17, THE COURT HAVING CONCLUDED  
COMM 012717 SCY THAT A PORTION OF A HEARING IN THIS ACTION MUST BE SEALED,  
COMM 012717 SCY IT IS ORDERED THAT THE RECORD OF PROCEEDINGS IN THIS ACTION  
COMM 012717 SCY ON FEBRUARY 8, 2016, COMMENCING AT 4:35 P.M. AND CONTINUING  
COMM 012717 SCY UNTIL 4:45 P.M. SHALL BE SEALED, AND SUBJECT TO ACCESS BY  
COMM 012717 SCY ANY PERSON UNTIL FURTHER ORDER OF COURT. WELCH, J (CC:  
COMM 012717 SCY ATTORNEY'S ON RECORD & COURT REPORTER)  
COMM 012717 CSU APPLICATION FOR LEAVE TO APPEAL DENIAL OF MOTION FOR RELEASE  
COMM 012717 CSU PENDING APPEAL FLD. PER. ATTY. C. JUSTIN BROWN OF BROWN &  
COMM 012717 CSU NIETO, LLC CHECK #1220 IN THE AMOUNT OF \$121.00. DUE TO

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 012717 CSU TRANSMIT 03-28-17.\*\*\*\*\*ASSIGNED TO LMH\*\*\*\*\*  
COMM 020117 CSU A COPY OF THE APPLICATION FOR LEAVE TO APPEAL DENIAL OF  
COMM 020117 CSU MOTION FOR RELEASE AND A COPY OF THE ORDER SENT FROM COSA  
COMM 020117 CSU DATED 01-23-17 WAS HAND DELIVERED TO THE FRONT OFFICE.  
COMM 020717 CSU TRANSCRIPTS OF PROCEEDINGS DATED 02-03-16,02-04-16,02-05-16  
COMM 020717 CSU 02-08-16,02-09-16 AND (1) SEALED ENVELOPE WITH A TRANSCRIPT  
COMM 020717 CSU WAS TRANSCRIBED BY ACCUSCRIBES TRANSCRIPTION SVC.  
COMM 020817 CSU ORDER TO SUPPLEMENT, DOCKET ENTRIES, (1) SEALED ENVELOPE  
COMM 020817 CSU WITH AND TRANSCRIPT & ((5) TRANSCRIPTS WAS SENT TO COSA VIA  
COMM 020817 CSU FED EX TRACKING #8111-9411-0547.  
COMM 020817 CSU TRANSCRIPT OF RECORD REC'D FROM COSA.  
COMM 032817 CSU ORIGINAL PAPERS FORWARDED TO COSA VIA FED EX TRACKING #8113-  
COMM 032817 CSU 0615-4307. (1) BINDER, NO EXHIBITS, AND NO TRANSCRIPTS.  
COMM 060617 CDC MANDATE: COSA #2563, SEPTEMBER TERM, 2016  
COMM 060617 CDC OFINTON: APPLICATION FOR LEAVE TO APPEAL DENIED  
COMM 060617 CDC MANDATE ISSUED: MAY 30, 2017  
CCMA 060617 CDC COURTESY COPY OF COSA MANDATE ;TICKLE DATE= 20170721  
COMM 060617 CPR COPY HAS BEEN SENT TO ALL PARTIES PER COURT ORDER  
ARTN 080817 CSU APDN;APPEAL RETURNED - APPLICATION DENIED

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 080817 CSU PC FILE & BINDER IS IN THE APPEALS SECTION FOR PENDING  
COMM 080817 CSU APPEAL.  
APPL 080817 CSU APFA;APPEAL TO COURT SPECIAL APPEALS FILED  
COMM 080817 CSU APPEALS STILL PENDING DATED 01-27-14,08-01-16,08-11-16.  
COMM 050418 CDC MANDATE: COSA #1396, SEPTEMBER TERM, 2016  
COMM 050418 CDC OPINION: JUDGMENT AFFIRMED. CASE REMANDED FOR NEW TRIAL ON  
COMM 050418 CDC ALL CHARGES.  
COMM 050418 CDC MANDATE ISSUED: 4-30-18  
COMM 051718 CSU RECEIPT IS HEREBY ACKNOWLEDGED OF A PETITION FOR WRIT OF  
COMM 051718 CSU CERTIORARI FILED IN THE ABOVE ENTITLED CASE PER BESSIE M.  
COMM 051718 CSU DECKER, CLERK COURT OF APPEALS.  
COMM 053018 ICO MOTION FOR SPECIAL ADMISSION OF OUT OF STATE ATTORNEY  
COMM 053018 ICO CATHERINE E. STETSON FILED CC:JUDGE PHINN  
COMM 060618 CPR DATE STAMPED AND ORDERED 6/5/18 THAT THE "MOTION FOR SPECIAL  
COMM 060618 CPR ADMISSION OF OUT-OF-STATE ATTORNEY CATHERINE E STETSON" IS  
COMM 060618 CPR "GRANTED";AND IT IS FURTHER ORDERED THAT CATHERINE E.STETSON  
COMM 060618 CPR IS SPECIALLY ADMITTED FOR THE LIMITED PURPOSE OF APPEARING  
COMM 060618 CPR AS CO-COUNSEL FOR PETITIONER IN THE ABOVE-CAPTIONED CASE  
COMM 060618 CPR COPY SENT TO STATE COURT ADMINISTRATOR

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 071818 CDC ORDER: IT IS THIS 12TH DAY OF JULY, 2018 ORDERED, BY THE  
COMM 071818 CDC COURT OF APPEALS OF MARYLAND, THAT THE PETITION AND THE  
COMM 071818 CDC CONDITIONAL CROSS-PETITION BE, AND THEY ARE HEREBY, GRANTED,  
COMM 071818 CDC AND A WRIT OF CERTIORARI TO THE COURT OF SPECIAL APPEALS  
COMM 071818 CDC SHALL ISSUE; AND IT IS FURTHER ORDERED, THAT SAID CASE SHALL  
COMM 071818 CDC BE TRANSFERRED TO THE REGULAR DOCKET AS NO. 24, SEPTEMBER  
COMM 071818 CDC TERM, 2018, AND IT IS FURTHER ORDERED, THAT THE COUNSEL  
COMM 071818 CDC SHALL FILE BRIEFS AND PRINTED RECORD EXTRACT IN ACCORDANCE  
COMM 071818 CDC WITH MD. RULES 8-501 AND 8-502, PETITIONER'S BRIEF AND  
COMM 071818 CDC RECORD EXTRACT TO BE FILED ON OR BEFORE AUGUST 21, 2018;  
COMM 071818 CDC RESPONDENT/CROSS-PETITIONER'S BRIEF TO BE FILED ON OR  
COMM 071818 CDC BEFORE SEPTEMBER 20, 2018; CROSS-RESPONDENT'S BRIEF TO BE  
COMM 071818 CDC FILED ON OR BEFORE OCTOBER 22, 2018; AND IT IS FURTHER  
COMM 071818 CDC ORDERED, THAT THIS CASE SHALL BE SET FOR ARGUMENT DURING THE  
COMM 071818 CDC DECEMBER SESSION OF COURT. PER CHIEF JUDGE MARY ELLEN  
COMM 071818 CDC BARBERA.  
ARTN 051619 CSU PCAD;APPLICATION DENIED - POST CONVICTION  
COMM 051619 CSU MANDATE: COURT OF APPEALS NO. 24, SEPT. TERM 2018  
COMM 051619 CSU OPINION: JUDGMENT OF THE COURT OF SPECIAL APPEALS REVERSED.

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 051619 CSU CASE REMANDED TO THAT COURT WITH DIRECTIONS TO REVERSE THE  
COMM 051619 CSU JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE CITY WHICH  
COMM 051619 CSU GRANTED RESPONDENT A NEW TRIAL.  
COMM 051619 CSU MANDATE ISSUED: 03-08-19  
COMM 051619 CSU ORIGINAL FILE, (4) PC FILES, (13) BINDERS, (1) RED FOLDER  
COMM 051619 CSU DOCKET ENTRIES, (1) SEALED ENVELOPE WITH JURY LIST, (8)  
COMM 051619 CSU ENVELOPES WITH EXHIBITS, AND (46) TRANSCRIPTS WAS SENT TO  
COMM 051619 CSU FILE ROOM.  
COMM 052819 SCY CSET JT ; P09: 02/25/00; SCY  
COMM 052819 SCY CSET JT ; P09: 06/06/00; SCY  
CCAS 052819 SCY CASE CLOSED - ALL COUNTS DISPOSED Q326  
COMM 031022 CFH FILED ASA - FELDMAN, BECKY , ESQ 247730  
FILE 031022 CFH FILED APD - SUTER, ERICA J , ESQ 818680  
COMM 031022 CFH ENTRY OF APPEARANCE FILED  
PCFD 031022 CFH POST CONVICTION FILED  
COMM 031022 CFH JOINT PETITION FOR POST CONVICTION DNA TESTING FILED  
COMM 031022 CFH PC#10432  
COMM 031122 CFH REQUESTING ORIGINAL FILES(3) FROM THE FILE ROOM.  
COMM 031522 CFH DATE STAMPED 3/14/22, ORDERED 3/14/22, ORDER FOR POST

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 031522 CFH CONVICTION DNA TESTING: THE BALTIMORE POLICE DEPARTMENT  
COMM 031522 CFH SHALL, WITHIN FIFTEEN(15) DAYS OF THE ENTRY OF THIS ORDER  
COMM 031522 CFH SEND BY OVERNIGHT MAIL ALL ITEMS ASSOCIATED WITH PROPERTY  
COMM 031522 CFH NRS 99004666, 9908996, 99004672, AND 099004674 AND  
COMM 031522 CFH COLLECTED PURSUANT TO CC#9988005801 TO FORENSIC ANALYTICAL  
COMM 031522 CFH CRIME LAB (FACL) 3777 DEPOT RD. STE. 403, HAYWARD, CA 94545-  
COMM 031522 CFH 2761. THE STATE SHALL TAKE ALL REASONABLE STEPS TO PRESERVE  
COMM 031522 CFH THE CHAIN OF CUSTODY IN CONNECTION WITH TRANSMITTING THE  
COMM 031522 CFH EVIDENCE TO FACL AND ALL DOCUMENTATION RELATING TO THE CHAIN  
COMM 031522 CFH OF CUSTODY SHALL BE PROVIDED TO PETITIONER. PETITIONER'S  
COMM 031522 CFH COUNSEL SHALL ASSIST IN THE COMPLETION OF THE LABORATORY  
COMM 031522 CFH SUBMISSION FORM, THE CODIS PRE-APPROVAL FORM, AND ANY OTHER  
COMM 031522 CFH DOCUMENTATION NEEDED IN CONNECTION WITH THE TRANSPORTING AND  
COMM 031522 CFH TESTING OF THIS EVIDENCE. THE SPECIFIC DNA TESTING  
COMM 031522 CFH METHODOLOGY TO BE UTILIZED SHALL BE DETERMINED BY  
COMM 031522 CFH PETITIONER'S COUNSEL IN CONSULTATION WITH FACL AFTER  
COMM 031522 CFH PRELIMINARY EXAMINATION OF THE EVIDENCE. PETITIONER'S  
COMM 031522 CFH COUNSEL SHALL CONSULT WITH THE STATE REGARDING TESTING  
COMM 031522 CFH METHODOLOGY BEFORE COMMENCING TESTING. THE DNA SHALL BE DONE

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CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 031522 CFH IN ACCORDANCE WITH TECHNIQUES AND TESTING THAT IS GENERALLY  
COMM 031522 CFH ACCEPTED IN THIS SCIENTIFIC COMMUNITY FOR FORENSIC CRIMINAL  
COMM 031522 CFH IDENTIFICATION. FACL SHALL TAKE ALL REASONABLE ACTIONS TO  
COMM 031522 CFH PRESERVE A SUFFICIENT PORTION A SUFFICIENT PORTION OF EACH  
COMM 031522 CFH ENUMERATED SAMPLE IT RECEIVES FOR FUTURE CONFIRMATORY  
COMM 031522 CFH TESTING. FACL WILL ENGAGE IN CONSUMPTIVE TESTING ONLY, IF  
COMM 031522 CFH IN THE OPINION OF THE ANALYST, IT IS NECESSARY TO DO SO IN  
COMM 031522 CFH ORDER TO OBTAIN A DNA PROFILE, AND ONLY AFTER CONSULTING  
COMM 031522 CFH WITH PETITIONER'S COUNSEL, WHO, IN TURN, SHALL CONSULT WITH  
COMM 031522 CFH THE STATE REGARDING PRESUMPTIVE TESTING. FACL SHALL PROVIDE  
COMM 031522 CFH TO THE STATE OF MARYLAND AND PETITIONER'S COUNSEL A FULL AND  
COMM 031522 CFH COMPLETE COPY OF ALL REPORTS, RESULTS, CASE NOTES AND DATA  
COMM 031522 CFH GENERATED IN CONNECTION WITH THE DNA TESTING OF ALL SAMPLES.  
COMM 031522 CFH THE TESTING RESULTS SHALL BE MADE AVAILABLE FOR ALL FUTURE  
COMM 031522 CFH USE IN ANY PROCEEDING OR INVESTIGATION RELATING TO ANY OTHER  
COMM 031522 CFH INDIVIDUALS SUSPECTED OF INVOLVEMENT IN THE OFFENSE AT ISSUE  
COMM 031522 CFH IN THE CAPTIONED CASE. THE COSTS OF TRANSPORTING THIS  
COMM 031522 CFH EVIDENCE BY OVERNIGHT MAIL AND ALL OTHER COSTS ASSOCIATED  
COMM 031522 CFH WITH THE TESTING OF THE EVIDENCE SHALL BE BORNE BY

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399

EVENT DATE	OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 031522	CFH PETITIONER, ADNAN SYED PER JUDGE PHINN.
COMM 031522	CFH MAILED COPIES OF THIS ORDER TO ALL PARTIES
COMM 032522	CFH STATEMENT TO SUPPLEMENT THE RECORD FILED BY THE ASSISTANT
COMM 032522	CFH ATTORNEY GENERAL FILED AND FORWARDED TO JUDGE PHINN.
COMM 032822	S8T LETTER TO JUDGE PHINN FROM ERICA SUTER RE: DNA TESTING FILED
COMM 091422	S8T DEFENSE RESPONSE TO STATE'S MOTION TO VACATE JUDGMENT
COMM 091422	S8T FILED BY ERICA SUTER CC: JUDGE MYSHALA MIDDLETON
COMM 091422	SCO MOTION TO VACATE JUDGMENT. CC:JUDGE M.MIDDLETON.
COMM 091922	CFH ORIGINAL FILES(2)AND PC FILE DELIVERED TO JUDGE PHINN.
COMM 091922	SNL DATE STAMPED 09/19/22, ORDER OF COURT DATED 09/17/22, 1.
COMM 091922	SNL THE HEARING IN THE ABOVE CAPTIONED CASE IS SCHEDULED TO BE
COMM 091922	SNL CONDUCTED IN COURTROOM 556 ("THE COURTROOM"), OF THE
COMM 091922	SNL CUMMINGS COURTHOUSE, LOCATED AT 111 N. CALVERT ST.,
COMM 091922	SNL BALTIMORE, MD 21202 ("THE COURTHOUSE"). THE PRESIDING TRIAL
COMM 091922	SNL JUDGE SHALL BE THE HONORABLE MELISSA M. PHINN. 2. PUBLIC
COMM 091922	SNL INFORMATION OFFICER, OFFICE OF GOVERNMENTAL RELATIONS AND
COMM 091922	SNL PUBLIC AFFAIRS, STATE OF MARYLAND JUDICIARY, SHALL BE
COMM 091922	SNL DESIGNATED AS THE COURT'S MEDIA LIASION FOR PURPOSES OF THIS
COMM 091922	SNL ORDER AND CAN BE REACHED AT 410-260-1488, EMAIL

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 SNL BRADLEY.TANNER@MDCOURTS.GOV; TERRI.CHARLES@MDCOURTS.GOV.  
COMM 091922 SNL BRADLEY TANNER CAN BE REACHED DIRECTLY AT: 410-219-7418. 3.  
COMM 091922 SNL ALL MEDIA INQUIRIES SHALL BE DIRECTED TO THE COURT'S MEDIA  
COMM 091922 SNL LIAISON. 4. ALL PERSONS WITHIN THE COURTHOUSE SHALL REMAIN  
COMM 091922 SNL SUBJECT TO THE OCCUPANCY LIMITS AND SECURITY MEASURES  
COMM 091922 SNL ESTABLISHED BY SHERIFF JOHN ANDERSON, SHERIFF OF THE  
COMM 091922 SNL BALTIMORE CITY SHERIFF'S OFFICE ("SHERIFF"), WHO CAN BE  
COMM 091922 SNL REACHED AT 410-396-1155, EMAIL ADDRESS:  
COMM 091922 SNL JOHN.ANDERSON@BALTIMORECITY.GOV, AND CHIEF FIRE MARSHALL  
COMM 091922 SNL FOR BALTIMORE CITY ("FIRE MARSHALL"), WHO CAN BE REACHED AT  
COMM 091922 SNL 410-396-5752, EMAIL ADDRESS: FIREMARSHAL@BALTIMORECITY.GOV.  
COMM 091922 SNL 5. ALL PERSONS ENTERING THE COURTHOUSE SHALL: ADHERE TO THE  
COMM 091922 SNL SECURITY PROCEDURES AS DIRECTED BY THE SHERIFF; PASS  
COMM 091922 SNL THROUGH ELECTRONIC SECURITY DEVICES; SUBMIT THEIR EQUIPMENT  
COMM 091922 SNL AND OTHER EFFECTS TO SEARCH PROCEDURES AT THE DISCRETION OF  
COMM 091922 SNL THE SHERIFF'S DEPUTIES; AND SHOW A VALID MEDIA CREDENTIAL  
COMM 091922 SNL TO SECURITY PERSONNEL WHEN REQUESTED. TO EXPEDITE ENTRY,  
COMM 091922 SNL ALL PERSONS ARE REQUESTED TO REFRAIN FROM BRINGING EXCESS  
COMM 091922 SNL BAGS OR BACKPACKS INTO THE COURTHOUSE. 6. NO AUDIO OR VIDEO

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 SNL RECORDING EQUIPMENT, INCLUDING MEDIA CAMERAS, OR  
COMM 091922 SNL TRANSMITTING EQUIPMENT SHALL BE PERMITTED IN THE COURTHOUSE,  
COMM 091922 SNL EXCEPT AS PROVIDED IN THIS ORDER. PURSUANT TO MD. RULE  
COMM 091922 SNL 16-208, NO PERSON MAY USE AN ELECTRONIC DEVICE TO TAKE  
COMM 091922 SNL SCREEN CAPTURES, SCREENSHOTS, PHOTOGRAPHS, VIDEOS, AUDIO  
COMM 091922 SNL RECORDINGS OR MAKE OTHER ELECTRONIC RECORDINGS WITHIN THE  
COMM 091922 SNL COURTHOUSE, AND NO PERSON MAY TRANSMIT, PUBLISH, OR  
COMM 091922 SNL OTHERWISE DISSEMINATE ANY SUCH ELECTRONIC AUDIO OR VIDEO  
COMM 091922 SNL RECORDING, EXCEPT AS PROVIDED IN THIS ORDER. 7. ALL  
COMM 091922 SNL ELECTRONIC DEVICES, INCLUDING, BUT NOT LIMITED TO, CELL  
COMM 091922 SNL PHONES, LAPTOPS, AND TABLETS MUST BE TURNED OFF (NOT IN  
COMM 091922 SNL SILENT OR SLEEP MODES) WHILE INSIDE THE COURTROOM, UNLESS  
COMM 091922 SNL EXPRESS PERMISSION IS GIVEN BY THE COURT, OR AS PROVIDED IN  
COMM 091922 SNL THIS ORDER. PURSUANT TO MD. RULE 16-208(B)(3)(A), ATTORNEYS  
COMM 091922 SNL AND THEIR AGENTS REPRESENTING PARTIES IN THE PROCEEDINGS  
COMM 091922 SNL MAY MAKE REASONABLE AND LAWFUL USE OF AN ELECTRONIC DEVICE  
COMM 091922 SNL IN CONNECTION WITH THE PROCEEDINGS. 8. ELECTRONIC DEVICES  
COMM 091922 SNL AND EQUIPMENT SOUGHT TO BE USED OR EMPLOYED BY MEMBERS OF  
COMM 091922 SNL THE MEDIA MUST COMPLY WITH THE OPERATIONAL REQUIREMENTS

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 SNL ESTABLISHED UNDER MD. RULE 16-607, UNLESS APPROVED BY THE  
COMM 091922 SNL COURT. 9. LIMITED SEATING WILL BE AVAILABLE IN THE GALLERY  
COMM 091922 SNL OF THE COURTROOM, AS DETERMINED BY THE COURT, THE SHERIFF,  
COMM 091922 SNL AND THE FIRE MARSHALL. THE COURT MAY APPORTION THE  
COMM 091922 SNL AVAILABLE SEATING. WHERE NECESSARY, THE COURT SHALL MAKE  
COMM 091922 SNL OVERFLOW SEATING ARRANGEMENTS IN ANOTHER SPACE WITHIN THE  
COMM 091922 SNL COURTHOUSE, TO VIEW THE PROCEEDINGS VIA VIDEO LIVE FEED. ALL  
COMM 091922 SNL PERSONS WITHIN ANY SPACE DESIGNATED FOR OVERFLOW SEATING ARE  
COMM 091922 SNL SUBJECT TO THE SAME PROHIBITIONS ON ELECTRONIC AUDIO OR  
COMM 091922 SNL VIDEO RECORDINGS, AND THE SAME PROHIBITIONS ON PUBLICATION  
COMM 091922 SNL OF ELECTRONIC AUDIO OR VIDEO RECORDINGS, EXCEPT AS PROVIDED  
COMM 091922 SNL IN THIS ORDER. COURTROOM 523 CUMMINGS COURTHOUSE IS  
COMM 091922 SNL DESIGNATED AS THE OVERFLOW COURTROOM. 10. THERE SHALL BE  
COMM 091922 SNL LIMITED, RESERVED SEATING FOR MEMBERS OF THE MEDIA IN THE  
COMM 091922 SNL COURTROOM. MEMBERS OF THE MEDIA MAY INDICATE THEIR DESIRE  
COMM 091922 SNL FOR A SEAT WITHIN THE COURTROOM BY CONTACTING THE COURT'S  
COMM 091922 SNL MEDIA LIAISON. THE COURT'S MEDIA LIAISON MAY ALLOCATE SEATS  
COMM 091922 SNL BASED ON REQUESTS RECEIVED AND SHALL COMMUNICATE TO THE  
COMM 091922 SNL SHERIFF'S OFFICE THE NAMES OF MEDIA MEMBERS ALLOTTED SEATS

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 SNL RESERVED FOR MEDIA. THE REMAINING SEATS SHALL BE MADE  
COMM 091922 SNL AVAILABLE TO MEMBERS OF THE PUBLIC ON A FIRST-COME/FIRST-  
COMM 091922 SNL SERVED BASIS. 11. THE SHERIFF WILL ESTABLISH PROCEDURES TO  
COMM 091922 SNL GOVERN ORDERLY ENTRY TO THE COURTHOUSE AND TO THE COURTROOM  
COMM 091922 SNL AND EXIT THEREFROM. ONLY THOSE MEMBERS OF THE MEDIA WHOM  
COMM 091922 SNL HAVE BEEN GRANTED AND POSSESS A MEDIA CREDENTIAL  
COMM 091922 SNL IDENTIFICATION CARD FROM THE SHERIFF'S OFFICE SHALL BE  
COMM 091922 SNL PERMITTED IN THE COURTROOM DURING THE PROCEEDINGS. PERSONS  
COMM 091922 SNL WHO LEAVE THE COURTROOM DURING THESE PROCEEDINGS SHALL NOT  
COMM 091922 SNL BE READMITTED UNTIL THE NEXT RECESS, EXCEPT AS PERMITTED BY  
COMM 091922 SNL THE COURT. 12. SHERIFF'S DEPUTIES MAY INSPECT ANY  
COMM 091922 SNL ELECTRONIC DEVICE AT ANY TIME FOR MISUSE, AND, IF NECESSARY,  
COMM 091922 SNL CONFISCATE THE DEVICE IF IT APPEARS TO BE IN USE OR  
COMM 091922 SNL OPERATED IN VIOLATION OF THIS ORDER. SHERIFF'S DEPUTIES AND  
COMM 091922 SNL OTHER COURT PERSONNEL ARE NOT LIABLE FOR ANY DAMAGE OR LOSS  
COMM 091922 SNL OF ELECTRONIC DEVICES CONFISCATED PURSUANT TO THIS ORDER.  
COMM 091922 SNL SEE MD. RULE 15-208(B)(1). AUTHORIZED MEMBERS OF THE MEDIA  
COMM 091922 SNL ARE PERMITTED TO USE SUCH ELECTRONIC EQUIPMENT IN THE  
COMM 091922 SNL OVERFLOW SEATING SPACES. SUCH DEVICES CANNOT BE USED FOR

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OFER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 SNL AUDIO OR VIDEO RECORDING OR STILL PHOTOGRAPHY IN ANY  
COMM 091922 SNL LOCATION IN THE COURTHOUSE. 13. MEMBERS OF THE MEDIA SHALL  
COMM 091922 SNL NOT USE CELLULAR PHONES WITHIN ONE-HUNDRED (100) FEET OF  
COMM 091922 SNL THE COURTROOM DURING THE COURSE OF PROCEEDINGS. UNLESS  
COMM 091922 SNL AUTHORIZED BY THE COURT, ALL ELECTRONIC DEVICES SHALL BE  
COMM 091922 SNL TURNED OFF DURING COURT PROCEEDINGS. THE COURT'S MEDIA  
COMM 091922 SNL LIAISON SHALL BE PERMITTED TO HAVE ELECTRONIC EQUIPMENT FOR  
COMM 091922 SNL ANY IMPORTANT MESSAGES OR EMERGENCIES THAT MAY ARISE. 14.  
COMM 091922 SNL NO FOOD OR DRINK IS PERMITTED IN THE COURTROOM. THE USE OF  
COMM 091922 SNL ANY LIGHTED TOBACCO PRODUCTS OR ELECTRONIC VAPORIZERS IS  
COMM 091922 SNL STRICTLY PROHIBITED WITHIN THE COURTHOUSE. 15. COURT  
COMM 091922 SNL PERSONNEL SHALL NOT BE INTERVIEWED REGARDING THE ABOVE  
COMM 091922 SNL CAPTIONED MATTER OR THE PROCEEDINGS. 16. MEDIA CONFERENCES  
COMM 091922 SNL OR INTERVIEWS WITH THE COURT'S MEDIA LIAISON SHALL BE  
COMM 091922 SNL PERMITTED IN COURTROOM 509 CUMMINGS COURTHOUSE. MEMBERS OF  
COMM 091922 SNL THE MEDIA WILL BE ADVISED OF THE DESIGNATED SPACE AT THE  
COMM 091922 SNL START OF THE PROCEEDINGS BY THE COURT'S MEDIA LIAISON. 17.  
COMM 091922 SNL NO MEDIA CONFERENCES OR INTERVIEWS WITH ATTORNEYS, PARTIES,  
COMM 091922 SNL OR WITNESSES SHALL BE CONDUCTED WITHIN THE COURTHOUSE OR

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 SNL WITHIN (50) FEET OF ANY ENTRANCE OF THE COURTHOUSE. NO  
COMM 091922 SNL PERSONS MAY IMPEDE FOOT TRAFFIC ON THE SIDEWALKS IN FRONT  
COMM 091922 SNL OF THE COURTHOUSE OR OBSTRUCT ACCESS TO THE COURTHOUSE. 18.  
COMM 091922 SNL IF MEMBERS OF THE MEDIA BELIEVE THAT ANY ASPECT OF THIS  
COMM 091922 SNL ORDER IS UNWORKABLE OR INAPPROPRIATE, THEY MAY REQUEST  
COMM 091922 SNL MODIFICATION(S) ONLY IF SUCH REQUEST IS MADE IN SUFFICIENT  
COMM 091922 SNL TIME IN ADVANCE OF THE PROCEEDINGS TO PERMIT THE COURT TO  
COMM 091922 SNL REVIEW THE PROPOSED MODIFICATION(S). 19. ANY PERSONS FOUND  
COMM 091922 SNL TO BE IN VIOLATION OF THIS ORDER SHALL BE SUBJECT TO A  
COMM 091922 SNL REVOCATION OF ALL MEDIA PRIVILEGES AND, IF APPROPRIATE, TO  
COMM 091922 SNL THE CONTEMPT POWERS OF THE COURT. SHERIFF'S DEPUTIES ARE  
COMM 091922 SNL HEREBY AUTHORIZED TO ENFORCE COMPLIANCE WITH THIS ORDER AND  
COMM 091922 SNL MAY REMOVE ANY PERSON WHO FAILS TO COMPLY WITH ANY PART OF  
COMM 091922 SNL THIS ORDER. 20. NOTWITHSTANDING THIS ORDER, WHERE ANY  
COMM 091922 SNL EMERGENCY CIRCUMSTANCES ARISE OR EXIST, ALL INDIVIDUALS  
COMM 091922 SNL WITHIN AND AROUND THE COURTHOUSE ARE SUBJECT TO THE  
COMM 091922 SNL DESIGNATIONS, INSTRUCTIONS, AND RESTRICTIONS ESTABLISHED TO  
COMM 091922 SNL ADDRESS THE CIRCUMSTANCES. 21. THIS ORDER IS SUBJECT TO  
COMM 091922 SNL MODIFICATION BY THE COURT AT ANY TIME PER JUDGE A. CARRION.

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 SNL (CC: ALL PARTIES) COPIES OF THE ORDER SENT FROM CHAMBERS TO  
COMM 091922 SNL ALL PARTIES PER ORDER.  
COMM 091922 SNL DATE STAMPED 09/19/22, ORDER OF COURT DATED 09/17/22, 1.  
COMM 091922 SNL BALTIMORE CITY SHERIFF'S OFFICE DEPUTIES (SHERIFF'S  
COMM 091922 SNL DEPUTIES) ASSIGNED TO COURTROOM 556 ("THE COURTROOM"), OF  
COMM 091922 SNL THE CUMMINGS COURTHOUSE, LOCATED AT 111 N. CALVERT STREET  
COMM 091922 SNL BALTIMORE, MD 21202 ("THE COURTHOUSE"), SHALL IDENTIFY, IN  
COMM 091922 SNL CONSULTATION WITH THE COURT, LIMITED, RESERVED SEATING IN  
COMM 091922 SNL THE COURTROOM FOR AUTHORIZED MEDIA, ATTORNEYS AND LITIGANTS,  
COMM 091922 SNL AS NECESSARY. THE PRESIDING TRIAL JUDGE SHALL BE THE  
COMM 091922 SNL HONORABLE MELISSA M. PHINN. 2. ALL PERSONS ATTENDING THE  
COMM 091922 SNL HEARING IN THIS MATTER SHALL BE SUBJECTED TO SCREENING OF  
COMM 091922 SNL THEIR PERSON AND BELONGINGS AT THE ENTRANCES TO THE  
COMM 091922 SNL COURTHOUSE. MEMBERS OF THE MEDIA ARE NOT EXEMPT FROM  
COMM 091922 SNL SCREENING. 3. PURSUANT TO THE MEDIA PROTOCOL ORDER, ISSUED  
COMM 091922 SNL ON SEPTEMBER 17, 2022, THE BALTIMORE CITY SHERIFF'S OFFICE  
COMM 091922 SNL SHALL PROVIDE APPROPRIATE MEDIA CREDENTIAL IDENTIFICATION  
COMM 091922 SNL CARDS TO MEMBERS OF THE MEDIA. 4. SHERIFF'S DEPUTIES SHALL  
COMM 091922 SNL MONITOR THE COURTROOM AT ALL TIMES AND ARE HEREBY

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 SNL AUTHORIZED TO REMOVE ANYONE WHO VIOLATES THIS SECURITY  
COMM 091922 SNL ORDER, THE MEDIA PROTOCCL ORDER DATED SEPTEMBER 17, 2022,  
COMM 091922 SNL OR AT THE DIRECTION OF THE COURT. MEDIA CREDENTIAL  
COMM 091922 SNL IDENTIFICATION CARDS SHALL BE RESCINDED FROM MEMBERS OF THE  
COMM 091922 SNL MEDIA WHO VIOLATE THESE ORDERS. ALL VIOLATORS SHALL BE  
COMM 091922 SNL REFERRED TO THE COURT FOR APPROPRIATE SANCTIONS. 5.  
COMM 091922 SNL SHERIFF'S DEPUTIES SHALL NOT PERMIT ANY DEMONSTRATION INSIDE  
COMM 091922 SNL THE COURTHOUSE. NO ONE SHALL BE PERMITTED TO CONGREGATE  
COMM 091922 SNL OUTSIDE THE COURTROOM (WITHIN FIFTY FEET OF THE ENTRANCE)  
COMM 091922 SNL DURING THE COURSE OF THIS HEARING. ALL VIOLATORS SHALL BE  
COMM 091922 SNL REMOVED FROM THE COURTHOUSE. 6. USE OF CELLULAR TELEPHONES  
COMM 091922 SNL IS PROHIBITED WITHIN ONE-HUNDRED (100) FEET OF THE  
COMM 091922 SNL COURTROOM. UNLESS AUTHORIZED BY THE COURT, ALL ELECTRONIC  
COMM 091922 SNL DEVICES MUST BE TURNED OFF DURING COURT PROCEEDINGS. 7.  
COMM 091922 SNL THIS SECURITY ORDER IS SUBJECT TO MODIFICATION BY THE  
COMM 091922 SNL COURT AT ANY TIME PER JUDGE A. CARRION. (CC: ALL PARTIES)  
COMM 091922 SNL COPIES OF THE ORDER SENT FROM CHAMBERS TO ALL PARTIES PER  
COMM 091922 SNL ORDER.  
COMM 091922 SNL ENTRY OF APPEARANCE

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399

EVENT DATE	OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 091922	SNL FILED ATV - KELLY, STEVEN J , ESQ 438801
COMM 091922	SNL YOUNG LEE'S MOTION FOR POSTPONEMENT & DEMAND FOR RIGHTS;
COMM 091922	SNL CC: JUDGE PHINN
COMM 091922	S8C ORDER DATED 9-19-22 AND DATE STAMPED 9-19-22; ORDERED THAT
COMM 091922	S8C DEFENDANT BE PLACED ON HOME DETENTION UNTIL DISPOSITION OF
COMM 091922	S8C THIS CASE UNDER THE SUPERVISION OF ALERT, A PRIVATE
COMM 091922	S8C ELECTRONIC HOME DETENTION PROGRAM AND THE DEFENDANT CONTACT
COMM 091922	S8C ALERT AT 410 913-2828 AND BEGIN SERVING HOME DETENTION
COMM 091922	S8C ON SEPTEMBER 19, 2022. THE DEFENDANT IS SUBJECT TO THE
COMM 091922	S8C RULES, POLICIES AND PROCEDURES OF SAID PROGRAM, INCLUDING
COMM 091922	S8C PAYMENT OF SUPERVISION FEES.
COMM 091922	S8C IT IS FURTHER ORDERED THAT THE DEFENDANT, WITH THE PERMISSION
COMM 091922	S8C OF THE COURT, MAY BE ALLOWED TIME OUT THE RESIDENCE FOR THE
COMM 091922	S8C FOLLOWING PURPOSES: LAWFUL EMPLOYMENT AND TO SEEK LAWFUL
COMM 091922	S8C EMPLOYMENT IF UNEMPLOYED. ATTEND PERSONAL LEGAL APPOINTMENTS
COMM 091922	S8C PERSONAL FAMILY MEDICAL APPOINTMENTS. TO ATTEND MEETINGS
COMM 091922	S8C WITH ALERT AND PROBATION OFFICER AS DIRECTED. UP TO FOUR
COMM 091922	S8C HOURS PER WEEK, WITH THE PERMISSION OF THE COURT AND AT THE
COMM 091922	S8C DISCRETION OF ALERT, THE DEFENDANT MAY BE PERMITTED TO HAVE

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 091922 S8C PERSONAL TIME FOR SHOPPING, BANKING AND PERSONAL HYGIENE AND  
COMM 091922 S8C GROOMING, NO WINDOW SHOPPING IS PERMITTED. ALL ACTIVITIES  
COMM 091922 S8C ARE TO BE COORDINATED WITH ALERT IN ADVANCE AND DOCUMENTED  
COMM 091922 S8C PER PROGRAM RULES PER JUDGE PHINN.  
COMM 091922 S8C CC: ALERT INC., PRETRIAL RELEASE, ASA FELDMAN, BECKY AND  
COMM 091922 S8C APD SUTER, ERICA.  
COMM 091922 S8C COPY GIVEN TO COURTROOM EDITING. FAXED TO ALERT.  
HCAL 091922 I SNL P28;0200;540 ;HEAR;HR;GRNT; ;PHINN, MELISSA ;8F1  
COMM 091922 SNL STATE'S MOTION TO VACATE JUDGMENT OF CONVICTION IS HEREBY  
COMM 091922 SNL HEARD AND GRANTED, DEFENDANT RELEASED ON OWN RECOGNIZANCE  
COMM 091922 SNL WITH HOME DETENTION THROUGH ALERT. ORDER FILED.  
COMM 092122 SNL DATE STAMPED AND ORDERED 09/19/22, THAT IN THE INTEREST OF  
COMM 092122 SNL JUSTICE AND FAIRNESS, THE STATE'S MOTION TO VACATE JUDGMENT  
COMM 092122 SNL OF CONVICTION IN THE MATTER OF ADNAN SYED AS TO INDICTMENT  
COMM 092122 SNL #199103042, COUNT 1 - MURDER IN THE 1ST DEGREE; #199103043,  
COMM 092122 SNL COUNT 1 - KIDNAPPING - ADULT; #199103045, COUNT 1 - ROBBERY;  
COMM 092122 SNL AND #199103046, COUNT 2 - FALSE IMPRISONMENT, IS HEREBY  
COMM 092122 SNL GRANTED; AND IT IS FURTHER ORDERED THAT THE DEFENDANT WILL  
COMM 092122 SNL BE RELEASED ON HIS OWN RECOGNIZANCE AND PLACED ON HOME

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 092122 SNL DETENTION WITH GPS MONITORING WITH ALERT, INC; AND IT IS  
COMM 092122 SNL FURTHER ORDERED THAT THE STATE SHALL SCHEDULE A DATE FOR A  
COMM 092122 SNL NEW TRIAL OR ENTER NOLLE PROSEQUI OF THE VACATED COUNTS  
COMM 092122 SNL WITHIN 30 DAYS OF THE DATE OF THIS ORDER PER JUDGE M. PHINN.  
COMM 092122 SNL (CC: ALL PARTIES) COPIES OF THE ORDER SENT FROM CHAMBERS TO  
COMM 092122 SNL ALL PARTIES PER ORDER.  
COMM 092622 CSB CSET ZRMH; P46; 10/19/22; CSB  
COMM 092822 CCA YOUNG LEE'S NOTICE OF APPEAL THE STATE'S MOTION TO VACATE  
COMM 092822 CCA FILED BY SYEVEN J. KELLY. DUE TO TRANSMIT ON 11-28-22.  
COMM 092822 CCA \*\*\*\*\*ASSIGNED TO CW\*\*\*\*\*  
COMM 092922 SKW MOTION TO STAY THE CIRCUIT COURT PROCEEDINGS PENDING  
COMM 092922 SKW RESOLUTION OF APPEAL & POINTS & AUTHORITIES IN SUPPORT  
COMM 092922 SKW THEREOF FILED. CC: JUDGE PHINN  
COMM 093022 SNL CSET HEAR; P28; 09/19/22; SNL  
COMM 100622 SKW NOTICE OF INTENTION TO RESPOND FILED; CC: JUDGE PHINN  
COMM 101122 CSB NP ENTERED IN COURT  
CCAS 101122 S8P CASE CLOSED - ALL COUNTS DISPOSED Q326  
COMM 101122 S8P NOLLE PROS ENTERED BY THE STATE AS TO ALL COUNTS. ANY  
COMM 101122 S8P WARRANTS RECALLED AS TO THIS CASE ONLY. DEFENDANT PRESENT

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11/30/22 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 12:24  
CASE 199103042 ST C SYED, ADNAN 928334 COD N DCM C 060399  
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT  
COMM 101122 S8P (ZOOM).  
ACAS 101122 S8P ACTIVATE TO CORRECT CALENDAR  
HCAL 101122 1 S8P P46;0900:540 ;ZRMH;NP;JUDG; ;PHINN, MELISSA ;8F1  
COMM 101122 S8P CSET ZRMH; P46; 10/11/22; S8P  
CCAS 101122 S8P CASE CLOSED - ALL COUNTS DISPOSED Q326  
COMM 101122 CAA NOLLE PROSEQUI ENTERED BY THE STATE AS TO ALL COUNTS. ANY  
COMM 101122 CAA WARRANTS RECALLED AS TO THIS CASE ONLY. DEFENDANT PRESENT  
COMM 101122 CAA ON ZOOM. NO COURT FILE.  
EXMA 101222 1ST EXPUNGEMENT FORM MAILED TO DEFENDANT  
COMM 101222 CSU DATE STAMPED & ORDERED 10/12/22; THAT THE VICTIM'S MOTION  
COMM 101222 CSU TO STAY CIRCUIT COURT PROCEEDINGS PENDING RESOLUTION OF  
COMM 101222 CSU APPEAL IS HEREBY MOOT PER JUDGE PHINN. COPIES WERE SENT TO  
COMM 101222 CSU ALL PARTIES BY CHAMBERS.  
HCAL 101922 CSB P46;0900:540 ;ZRMH; ;CANC; ;PHINN, MELISSA ;8F1  
COMM 101922 CAA CASE DISPOSED AND NOLLE PROSEQUI ENTERED ON 10-11-22 PER  
COMM 101922 CAA JIS. NO FILES IN COURT.  
COMM 111722 CCA ORIGINAL PAPERS FORWARDED TO COSA VIA FED-EX TRACKING #'S  
COMM 111722 CCA 8176-0777-2202, 8176-0777-2187, 8176-0777-2165,  
COMM 111722 CCA 8176-0777-2143, 8176-0777-2132, 8176-0777-2198, FOR A TOTAL

NEXT PAGE

P/N

PAGE 066

BALTIMORE CASE INQUIRY 12:24  
928334 COD N DCM C 060399  
REAS / EVENT COMMENT  
(1) BINDERS, (5) PC(#10432) BINDERS, (11)  
TRANSCRIPTS.  
IDENT ADD/FILE STREET/CITY STATE ZIPCODE V/W  
112399

334739 040700 1007 N CALVERT STREET  
BALTIMORE MD 21202

570086 110999 13009 BOTTOM ROAD  
HYDES MD 21082

599824 020916 300 COURTHOUSE WEST

613950 031122 231 E BALTIMORE ST SUITE 1102  
BALTIMORE MD 21202

868429 060299 STS ATTORNEY OFFICE  
BALTIMORE MD 21202

927010 031522 110 N CALVERT ST  
BALTIMORE MD 21202

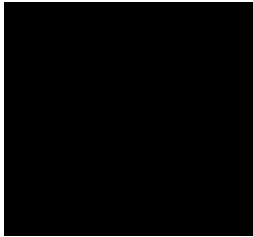
98190 020916 8 E MULBERRY ST  
BALTIMORE MD 21202

E/N

PAGE 067



WIS ALI, YASSAR  
WIS BILLINGSLEY, PETER  
WIS BUTLER, INEZ MS  
WIS CHAUDRY, SAAD  
NEXT PAGE



12:25:26 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BA  
CASE 199103042 ST C SYED, ADNAN  
CON FULL NAME/PHONE NUMBER  
WIS CLINEDINST, DONALD

WIS EFRON, MS

WIS GILBERT-NICHOLSON, PAMELA MS

WIS GORDON, JACAN

WIS GRAHAM, GRANT DR

WIS KIM, TAE

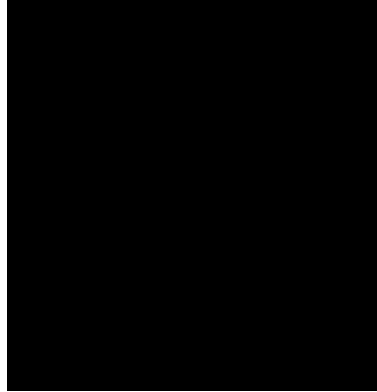
WIS KORELL, MARGARITA DR

WIS KRAMER, DONALD MRS

WIS LEE, YOUN

WIS MCPHERSON, STEPHANIE

NEXT PAGE



12:25:27 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BA  
CASE 199103042 ST C SYED, ADNAN  
CON FULL NAME/PHONE NUMBER  
WIS MICHEL, CATHY

WIS MYERS, KRISTA

WIS O'SHEA, J DET

WIS PAOLETTI, DONNA MS

WIS PHILIPSEN, NINA

WIS PITTMAN, AISHA

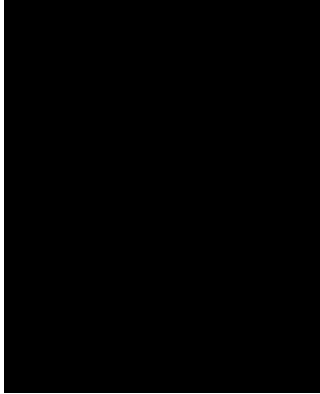
WIS PUSATERI, JENNIFER

WIS RODRIGUEZ, WILLIAM DR

WIS SCHAB, HOPE

WIS SCHRIELER, DAVID

NEXT PAGE





12:25:27 Wednesday, November 30, 2022

11/30/22 CRIMINAL COURT OF BA  
CASE 199103042 ST C SYED, ADNAN  
CON FULL NAME/PHONE NUMBER  
WIS TANNA, NISHA

WIS VINSON, KRISTINA

WIS VINSON, KRISTINA

WIS WALKER, REBECCA

WIS WARREN, DEBBIE

WIS WATTS, SHARON

WIS WATTS, SHARON

WIS WDUIE, MONICA ANN

WIS WOODLEY, LYNETTE

PO BIARA, SAL TECH TRACE ANAL

NEXT PAGE



12:25:28 Wednesday, November 30, 2022

CON FULL NAME/PHONE NUMBER	IDENT	ADD/FILE	STREET/CITY STATE	ZIPCODE	V/W
PO HASTINGS, KIRK		090399	CID		
PO MACGILLIVARY, GREG		041499	CID		
PO RITZ, WILLIAM DET		041499	CID		
PO SANDERS, FRANK MOBILE		090399	LD		
PO TALMADGE, SHARON TECH LATENT P		090399	LD		

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STATE OF MARYLAND \* IN THE  
 v. \* CIRCUIT COURT  
 ADNAN SYED \* FOR BALTIMORE CITY  
 \* Case Nos. 199103042, 043, 044, 045, 046  
 \* \* \* \* \*

**MOTION TO VACATE JUDGMENT**

NOW COME, Marilyn J. Mosby, State’s Attorney for Baltimore City, and Becky Feldman, Assistant State’s Attorney, and hereby move this Honorable Court, pursuant to the Md. Code Ann., Crim. Proc. §8-301.1, to vacate the judgment of conviction, and say the following:

**1. INTRODUCTION**

After a nearly year-long investigation by the State and defense, who is represented by Erica J. Suter of the Office of the Public Defender & the University of Baltimore’s Innocence Project, the parties have uncovered *Brady* violations and new information, all concerning the possible involvement of two alternative suspects. Additionally, the parties have identified significant reliability issues regarding the most critical pieces of evidence at trial.

Investigative efforts are ongoing. The State will continue to utilize all available resources to investigate this case and bring a suspect or suspects to justice. To be clear, the State is not asserting at this time that Defendant is innocent. However, for all the reasons set forth below, the State no longer has confidence in the integrity of the conviction. The State further contends that it is in the interests of justice and fairness that these convictions be vacated and that Defendant, at a minimum, be afforded a new trial at this time.

The Defense is aware that should this motion be granted, the State’s decision to proceed with a new trial or ultimately enter a *nolle prosequi* to the charges is contingent upon the results of the ongoing investigative efforts.<sup>1</sup> The State will be requesting that

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<sup>1</sup> Md. Rule 4-333 provides that “within 30 days after the court enters an order vacating a judgment of conviction or probation before judgment as to any count, the State’s Attorney shall either enter a *nolle prosequi* of the vacated count or take other appropriate action as to that count.” Additionally, the Committee Note on Md. Rule 4-333 states: “The Committee was advised that, in most cases, **though**

Defendant be released on his own recognizance pending the investigation, should this Court grant the instant motion.

## 2. STATUS OF DNA TESTING

In 2018, the Baltimore City Police Lab tested various items for DNA through an agreement between the Office of the Attorney General and Defendant's previous counsel. The testing yielded mostly inconclusive DNA results or no DNA results.<sup>2</sup>

On March 10, 2022, the State and defense filed a *Joint Petition for Post Conviction DNA Testing* of the victim's clothing. Specifically, the parties sought to have an independent lab test the clothing for touch DNA, which procedures were unavailable at the time of trial.<sup>3</sup> The items being tested in 2022 were not previously tested in 2018, with the exception of the victim's fingernails.

After consultation with DNA experts, the parties tested the items believed to most likely yield results for touch DNA. Those items were: fingernails, fingernail clippers, pubic hairs, underwear, bra, and shirt. The rape kit was also tested for the presence of DNA.

Trace-level male DNA was detected on the victim's right fingernail swabs, the right fingernail clippers swabs, and the victim's shirt swabs. The swabs from the right fingernail and shirt were then analyzed with a genotyping kit that targets male Y-chromosome STR DNA. However, no useful typing results were obtained from this analysis. Another shirt swab and the right hand fingernail clippers were not analyzed because it was determined the amount of male DNA was so minimal it would not likely produce any results.

Only female DNA was recovered from: pubic hairs, left hand fingernail swab, left hand fingernail clippers swabs, anal swabs, vaginal swabs, bra swabs, and underwear swabs.<sup>4</sup> The remaining items are currently being reviewed for further testing.

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perhaps not in all, if the conviction or PBJ is vacated, the State would then *not pros* the charging document." (Emphasis added.) Report available here:  
[https://mdcourts.gov/sites/default/files/rules/reports/201streport\\_0.pdf](https://mdcourts.gov/sites/default/files/rules/reports/201streport_0.pdf).

<sup>2</sup> In 2018, the BPD Lab tested: 1) left fingernail clippings; 2) right fingernail clippings; 3) swab from bottle cap located at Leakin Park; 4) swab from mouth of bottle located at Leakin Park; 5) swab from white metal necklace; 6) swab from yellow metal necklace; 7) blood sample from back of shirt #1; 8) blood sample from back of shirt #2; 9) blood sample from back of shirt #3; 10) swab from condom wrapper found at Leakin Park; 11) swabs from longer wire found at burial site; 12) swabs from shorter wire found at burial site (*Exhibit 1 – 2018 DNA Test Results*).

<sup>3</sup> *Exhibit 2 – Joint Petition for Post Conviction DNA Testing*.

<sup>4</sup> Forensics Analytical Crime Lab provided the latest results in a report dated August 18, 2022. Since the investigation is ongoing, the State will not disclose the report at this time. However, the conclusions of the last round of testing have been fully disclosed above.

### 3. FACTS OF THE CASE

The facts of this case have been exhaustively detailed in prior court opinions, State v. Syed, 236 Md. App. 1983 (2018)<sup>5</sup> and State v. Syed, 463 Md. 60 (2019).<sup>6</sup>

For the purposes of this motion, the most pertinent facts are as follows: the victim, 18-year-old Hae Min Lee, was last seen at Woodlawn High School on January 13, 1999 around 2:15 – 2:30 PM. Weeks later, on February 9, 1999, her body was discovered buried in Leakin Park. The cause of death was manual strangulation.

The investigation turned to the victim's ex-boyfriend, Adnan Syed (“Defendant”) as the suspect. The State’s theory was that the relationship was on-again-off-again, and in December, 1998, Ms. Lee started a new relationship, angering Defendant. The main pieces of evidence implicating Defendant was the testimony of the cooperating co-defendant, Jay Wilds (“Wilds”), who testified basically to the following: Defendant said he was going to kill the victim, Defendant admitted to strangling the victim, Defendant showed Wilds the body in the trunk of her car, and Wilds helped Defendant bury the body in Leakin Park. Wilds also directed police to the victim’s car on February 28<sup>th</sup> in the area of the 300 block of Edgewood Avenue in Baltimore City.

The other main piece of evidence came from the Defendant’s cell phone records. According to Wilds, the Defendant lent him his cell phone and vehicle that day. The cell phone was in Wilds’ possession at the time of the murder. Wilds and Defendant were together at the time of the burial, around 7:00 PM. The State relied upon billing records showing the phone was connected on incoming calls to cell towers placing Defendant’s phone in the vicinity of Leakin Park around 7:00 PM. The State’s contention was Wilds’ testimony coupled with the cell phone records tied the Defendant to the victim’s burial site in Leakin Park.

Wilds pled guilty to Accessory After the Fact (Case No. 299250001) on September 7, 1999. He testified against Defendant in February, 2000. He was sentenced on July 6, 2000 to 5 years, all suspended, with 2 years of probation.

### 4. PROCEDURAL HISTORY

On February 25, 2000, a jury found Defendant guilty of the following offenses: first-degree murder, kidnapping, robbery, and false imprisonment (J. Wanda K. Heard, presiding). Judge Heard imposed a total sentence of Life plus 30 years.

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<sup>5</sup> The Court of Special Appeals’ 2018 decision can be located at: [mdcourts.gov/data/opinions/cosa/2018/2519s13.pdf](http://mdcourts.gov/data/opinions/cosa/2018/2519s13.pdf).

<sup>6</sup> The Court of Appeals’ 2019 decision can be located at: [mdcourts.gov/data/opinions/coa/2019/24a18.pdf](http://mdcourts.gov/data/opinions/coa/2019/24a18.pdf).

In an unreported opinion, the Court of Special Appeals affirmed his conviction on March 19, 2003. *Syed v. State*, No. 923, Sept. Term 2000.

On May 28, 2010, Defendant filed a petition for post-conviction relief, Petition No. 10432, which he supplemented on June 27, 2010. In that petition, Defendant raised 9 allegations of ineffective assistance of trial, sentencing and appellate counsel. The post-conviction court issued an order and memorandum on December 30, 2013 denying all claims.

Defendant filed an application for leave to appeal, specifically raising the issue of trial counsel's failure to interview or investigate Asia McClain as a potential alibi witness and failure to pursue a plea deal. After noting this application, Defendant supplemented his application and requested that the Court of Special Appeals remand the case for the post-conviction court to consider an affidavit from Ms. McClain. The request was granted and on May 18, 2015, the Court of Special Appeals issued a limited remand in which it afforded Defendant "the opportunity to file such a request to re-open the post-conviction proceedings" in the Circuit Court.

Upon remand, Defendant filed a request for the Circuit Court to consider a new and independent basis for his claim of ineffective assistance of counsel, as well as a purported *Brady* violation, concerning the cell tower location evidence. The post conviction court granted the request to reopen his post-conviction proceedings to review both of the aforementioned issues.

On June 30, 2016, the post-conviction court denied relief on the issue of counsel's failure to investigate Ms. McClain as an alibi witness. Regarding trial counsel's failure to challenge the cell tower location evidence, the post-conviction court reasoned that trial counsel's failure to challenge the cell tower information was in fact deficient and that this deficiency prejudiced the Defendant. As a result, the post-conviction court vacated the convictions and granted Defendant a new trial (*See Memorandum Opinion II*, dated June 30, 2016).

The State appealed, and on March 29, 2018, the Court of Special Appeals held that the failure of trial counsel to call Ms. McClain as an alibi witness warranted a new trial; however, the Court reversed the post-conviction court's holding on the cell phone tower evidence on the basis that that the issue was not properly raised in the first post-conviction -- therefore, it was waived. *See Syed v. State*, 236 Md. App. 183 (2018).

On March 8, 2019, the Court of Appeals reversed the Court of Special Appeals and held that Ms. McClain's testimony did not warrant a new trial. The Court, however, agreed with the Court of Special Appeals that the cell phone tower issue was waived. *State v. Syed*, 463 Md. 60 (2019).

Defendant timely filed a Petition for Writ of Certiorari in the Supreme Court of the United States. The Petition was denied on November 25, 2019. *Syed v. Maryland*, 140 S. Ct. 562 (2019).

## 5. LEGAL REQUIREMENTS

### A. Use of the State's Motion to Vacate

In 2019, the Maryland Legislature passed HB874<sup>7</sup> & SB0676<sup>8</sup> to allow the State to file a motion to vacate a conviction. This bill went into effect on October 1, 2019. The immediate effect of that bill allowed the State to vacate convictions in which the conviction relied heavily on testimony from a member of the corrupt Gun Trace Task Force.<sup>9</sup>

The statute also allows broad application to any conviction, in which new evidence has called into question the integrity of the conviction or there has been newly-discovered evidence that creates a substantial or significant probability the result would have been different.

Most recently, this office filed a Motion to Vacate in the case of *State v. Paul Madison* (Case No. 191060002), in which the Defendant was convicted of second-degree murder. After a re-review of the case, the State filed a Motion to Vacate on the basis that: 1) Defendant's conviction was based on the uncorroborated testimony of a witness, who was also a jailhouse informant, who was promised benefit for an unrelated charge; 2) the informant testified that she did not receive benefit, which turned out to be untrue; 3) *Brady* violations discovered in the State's trial file; 4) two alternative suspects were developed that were not disclosed to the defense; and 5) a new witness who advised the State of new evidence regarding the details of the murder. The State asserted in the motion that "it no longer has confidence in the integrity of the conviction and asserts that the interests of justice and fairness justify vacating the conviction."

This Honorable Court granted the motion on December 21, 2021 and Mr. Madison was released from incarceration.<sup>10</sup>

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<sup>7</sup> Available here: [https://mgaleg.maryland.gov/2019RS/Chapters\\_noln/CH\\_702\\_hb0874e.pdf](https://mgaleg.maryland.gov/2019RS/Chapters_noln/CH_702_hb0874e.pdf).

<sup>8</sup> Available here: <https://mgaleg.maryland.gov/2019RS/bills/sb/sb0676t.pdf>

<sup>9</sup> See e.g. Baltimore Sun, *State's Attorney Mosby will ask courts to toss nearly 800 cases tainted by rogue Gun Trace Task Force cops*, September 5, 2019 (available here: <https://www.baltimoresun.com/news/crime/bs-md-ci-cr-gun-trace-task-force-cases-vacated-20190905-57fohmkwj5hkl45uhlpnmd5fu-story.html>)

<sup>10</sup> See e.g. Press Release, Office of the State's Attorney, December 21, 2021 (available here: <https://www.stattorney.org/media-center/press-releases/2447-baltimore-man-has-murder-conviction-vacated-after-30-years-in-prison>) and Oxygen True Crime, *Judge Vacates Sentence for Baltimore Man*

**B. Legal Standard to Vacate a Judgment of Conviction**

The State can move to vacate a conviction, pursuant to Md. Code Ann., Crim. Proc. §8-301.1, on the ground that either:

(1) (A)(1)(i) There is newly discovered evidence that:

(1) Could not have been discovered by due diligence in time to move for a new trial under Maryland Rule 4-331(c); and

(2) Creates a substantial or significant probability that the result would have been different; or

(1) (A)(1)(ii) **The State's Attorney received new information after the entry of a probation before judgment or judgment of conviction that calls into question the integrity of the conviction; and**

(2) **The interest of justice and fairness justifies vacating the probation before judgment or conviction. (Emphasis added.)**

Although there is evidence in this case that would substantiate proceeding under various legal vehicles,<sup>11</sup> based on the entirety of the information set forth below, the State will rely on provision (A)(1)(ii). Based on the cumulative effect<sup>12</sup> of all of the issues below involving new information and *Brady* violations, the State no longer has confidence in the integrity of the conviction. Additionally, the State asserts that the interests of justice and fairness dictate that the convictions be vacated and that Defendant be afforded a new trial at this time.

**C. Notification to Defendant**

Pursuant to Criminal Procedure Article §8-301.1(c)(1), Defendant, Inmate No. 293-908, Patuxent Institution, 7555 Waterloo Rd., Jessup, MD 20794, was advised of the filing

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*Who Spent 30 Years in Prison for 1990 Murder*, December 22, 2021 (available here: <https://www.oxygen.com/crime-news/paul-madison-baltimore-murder-conviction-overturned>).

<sup>11</sup> Newly-discovered evidence and *Brady* violations can be raised in a Writ of Actual Innocence (Crim. Proc. §8-301) or under the first prong of the motion to vacate statute (Crim. Proc. §8-301.1); *Brady* violations and issues of ineffective assistance of counsel can be raised in a motion under the Post Conviction Procedure Act (Crim. Proc. §§7-101, et seq.).

<sup>12</sup> The cumulative effect doctrine is when one deficiency or error, in and of itself, would not warrant relief. When the deficiencies or errors are viewed in their entirety, however, relief is warranted. See e.g. *Bowers v. State*, 320 Md. 416, 436 (1990). This doctrine has been applied in multiple post-conviction contexts, such as ineffective assistance of counsel (*Id.*); newly-discovered evidence (*Faulkner v. State*, 468 Md. 418, 465 (2020)); *Brady* violations (*Kyles v. Whitley*, 514 U.S. 419 (1995)); and on appeal (*Donaldson v. State*, 416 Md. 467, 497 (2010) (improper closing arguments)).



of this motion. All documents were sent electronically to counsel for the Defendant, Erica J. Suter.

**D. Request for Hearing**

Pursuant to Criminal Procedure Article §8-301.1(b)(4), the State requests a hearing in this matter.

**6. 2021-2022 INVESTIGATION – TWO SUSPECTS HAVE BEEN DEVELOPED**

The parties have developed evidence regarding the possible involvement of two alternative suspects. References to these two suspects will be mentioned throughout this motion as “one of the suspects.” The two suspects may be involved individually or may be involved together. These suspects were known persons at the time of the investigation of the case and not properly ruled out, as set forth below. In the State’s reinvestigation of this matter, new information was learned about these individuals that suggest motive and/or propensity to commit this crime. However, in order to protect the integrity of the on-going investigation, the names of the suspects, which suspect in particular, and the specific details of the information obtained will not be provided at this time.

**A. Brady Violation: It was Reported to the State that One of the Suspects had Threatened to Kill the Victim and Provided Motives for that Threat**

The State located a document in the State’s trial file, which provided details about one of the suspects. A person provided information to the State that one of the suspects had a motive to kill the victim, and that suspect had threatened to kill the victim in the presence of another individual. The suspect said that “he would make her [Ms. Lee] disappear. He would kill her.”

The State also located a separate document in the State’s trial file, in which a different person relayed information that can be viewed as a motive for that same suspect to harm the victim.

This information about the threat and motives to harm could have provided a basis for the defense to present and/or bolster a plausible alternative theory of the case at trial. Due to the on-going investigation, further details of this information will not be provided at this time.

This information was not contained in the defense’s file, nor was it included in any of the various discovery pleadings the State produced each time it disclosed new information to the defense.

Md. Rule 4-263 details the State's discovery obligations in circuit court criminal cases. Md. Rule 4-263(a) requires that State's Attorney disclose, without request, "[a]ny material or information tending to negate or mitigate the guilt or punishment of the defendant as to the offense charged." Additionally, Md. Rule 19-303.8(d) "Special Duties of a Prosecutor" provides that a prosecutor shall "make timely disclosure to the defense of all evidence known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense..." Further, the duty to disclose applies to disclosures postconviction. *Attorney Grievance Commission of Maryland v. Cassilly*, 476 Md. 309, 370-84 (2021).

To prevail on a *Brady* claim, Defendant must plead and prove that:

- (1) the prosecution suppressed evidence;
- (2) the evidence was favorable to the defendant, either as to guilt or punishment; and
- (3) evidence was material to the issue of guilt or punishment.

*Brady v. Maryland*, 373 U.S. 83 (1963); *Giglio v. U.S.*, 405 U.S. 150 (1972); *Campbell v. Reed*, 594 F.2d 4 (4<sup>th</sup> Cir. 1979). Evidence is material if there is a reasonable probability – sufficient to undermine the confidence in the outcome – that had the evidence been disclosed, the result of the proceeding would have been different. *U.S. v. Bagley*, 473 U.S. 667 (1985).

The failure to turn over information regarding an alternative suspect can constitute a reversible *Brady* violation. See, e.g., *Kyles v. Whitley*, 514 U.S. 419 (1995) (defendant's *Brady* rights violated when the government did not disclose evidence pointing to an alternative suspect); *Bloodsworth v. State*, 307 Md. 164, 175-76 (1986) (withholding from the defense a police report which mentioned a potential additional suspect was a *Brady* violation); *Faulkner v. State*, 468 Md. 418, 468 (2020) ("strong alternate perpetrator evidence can be very powerful in the defense of a person accused of a crime where the primary issue in dispute is identity.")(citing *Harrington*, 659 N.W.2d at 524-25 (explaining that "Harrington's attorney could have used [the alternate suspect] as the centerpiece of a consistent theme that the State was prosecuting the wrong person," and concluding that this alternate perpetrator evidence might well have led to reasonable doubt in the jury's mind that Harrington was the murderer, despite a purported accomplice's testimony that Harrington had a shotgun and was attempting to steal a car at the dealership where the murder took place)).

The State avers that considering the totality of evidence now available, the information about an alternative suspect would have been helpful to the defense because it would have helped substantiate an alternative suspect defense that was consistent with the defense's strategy at trial.

Additionally, the evidence against Defendant was not overwhelming and was largely circumstantial. Therefore, evidence such as an alternative suspect tends to carry more weight in this analysis. The Court of Special Appeals summarized the concerns:

“The State's case was weakest when it came to the time it theorized that Syed killed Hae. As the post-conviction court highlighted in its opinion, Wilds's own testimony conflicted with the State's timeline of the murder. Moreover, there was no video surveillance outside the Best Buy parking lot placing Hae and Syed together at the Best Buy parking lot during the afternoon of the murder; no eyewitness testimony placing Syed and Hae together leaving school or at the Best Buy parking lot; no eyewitness testimony, video surveillance, or confession of the actual murder; no forensic evidence linking Syed to the act of strangling Hae or putting Hae's body in the trunk of her car; and no records from the Best Buy pay phone documenting a phone call to Syed's cell phone. In short, at trial the State adduced no direct evidence of the exact time that Hae was killed, the location where she was killed, the acts of the killer immediately before and after Hae was strangled, and of course, the identity of the person who killed Hae.” *Syed*, 236 Md. App. at. 153.

Accordingly, it is the State's position that the alternative suspect information above – which contained an actual threat and plausible motive -- was material. Had this information been disclosed,<sup>13</sup> defense counsel would have had a duty to investigate and it could have enhanced the alternative suspect defense.

**B. New Evidence: The Location of the Victim's Car was Located Directly Behind the House of One of the Suspect's Family Members.**

Ms. Lee's car was found parked in a grassy lot behind the 300 block of Edgewood Avenue in Baltimore City. Through investigation of property records and other media, it has been determined:

- The location was known to one of the Suspects;
- A person related to the family owned a house on the 300 block of Edgewood Road for many years; and
- That person lived at that location in 1999.

The State uncovered this information during an investigation in 2022. This information was not available to the Defendant in his trial in 2000, and the State believes

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<sup>13</sup> If this information was indeed provided to defense, then minimally, the failure to utilize this evidence would constitute ineffective assistance of trial counsel.

it would have provided persuasive support substantiating the defense that another person was responsible for the victim's death.

C. New Information: One of the Suspects, Without Provocation or Excuse, Attacked a Woman in Her Vehicle

The Defense located formally-documented evidence unavailable at the time of the trial, that one of the suspects had, without provocation or excuse, attacked a woman unknown to him while she was in her vehicle. The suspect was convicted of this offense.

This information was not available at the time of trial and occurred after the trial. However, the State finds the information relevant and worthy of further investigation now that it accessing the possible involvement of this suspect.

In order to protect the on-going investigation, the parties are not able to reveal specifics at this time.

D. New Information: One of the Suspects Engaged in Serial Rape and Sexual Assault

The State and defense have obtained credible information that one of the suspects had engaged in multiple instances of rape and sexual assault of compromised or vulnerable victims in a systematic, deliberate and premeditated way. The suspect was convicted of this offense.

This information was not available at the time of trial and occurred after the trial. However, the State finds the information relevant and worthy of further investigation now that it accessing the possible involvement of this suspect.

In order to protect the on-going investigation, the parties are not able to reveal specifics at this time. However, the State finds the information credible.

E. New Information: One of the Suspects Engaged in Violence Against a Woman Known to Him

The Defense located formally-documented evidence of allegations that one of the suspects had engaged in aggressive and/or violent acts toward a woman known to him and forcibly confined her. It was also alleged that this suspect made threats against the life of this person.

These events happened prior to the trial in this case, and this information was known to the State. Given the circumstances of the victim's death, this evidence would have been consequential to the defense's theory of the case.

In order to protect the on-going investigation, the parties are not able to reveal specifics at this time.

F. New Information: One of the Suspects was Improperly Cleared as a Suspect

The police initially developed one of the suspects and administered a standard polygraph test. The results were that deception was indicated regarding his involvement in the crime. The suspect claimed he was distracted, so the police allowed him to come back another day and take a 2<sup>nd</sup> test.

The State consulted an expert who reviewed both polygraph tests and the results. According to Donald J. Krapohl of the Capital Center for Credibility Assessment:

“Modern polygraph techniques, including the one used in [the suspect’s examination], have built-in safeguards against a range of potential contaminations of the test data. **In the case of a distracted examinee, test results would tend to be shifted toward the direction of Inconclusive rather than toward Deception or Truthfulness.** Therefore, the testing examiner’s suggestion that distraction played a part in the test results of Deception Indicated would not be consistent with either prevailing evidence or theory. It would not be normal practice to base a recommendation for a retest under the circumstances described in the polygraph report.” (Emphasis added).

Even more concerning is that the police then improperly cleared the suspect after applying a 2<sup>nd</sup> test, which was a test that should never have been used to determine deception or truthfulness. The 2<sup>nd</sup> test was a “Peak of Tension” (P.O.T.) test. Regarding this test, Mr. Krapohl determined that a Peak of Tension test should not be used to disconfirm a deception test. He concluded:

“No schools in the US teach the P.O.T. as a primary technique. Its validity is not well established. Moreover, it has no scoring system but relies instead on subjective interpretations of overall trends in the polygraph tracings (e.g., the blood pressure continues to climb across the entire test until the presentation of the guilty item, after which the pressure shows a downward trend). **This reviewer is not aware of any US school that would support a polygraph result of Deception Indicated or No Deception Indicated when a P.O.T. was employed as a stand-alone test. The test results reported in the [ ] session were No Deception Indicated. As such, it places the examiner’s conclusion firmly outside of standard polygraph practices.**” (Emphasis added).

In conclusion, Mr. Krapohl found, “Within the limits of the information available, the reviewer would not support the testing examiner’s assertion that the first test results

were influenced by the examinee’s distraction, nor that a decision of No Deception Indicated can be defended in the second examination.” (*Exhibit 3*, Mr. Krapohl’s Curriculum Vitae).<sup>14</sup>

The police relayed to the prosecution that this suspect passed the 2<sup>nd</sup> test with “flying colors.” However, Mr. Krapohl’s affidavit strongly calls the veracity of that conclusion into question, inasmuch as the second test was neither supported by the professional or academic communities nor methodologically sound in its application. There was no further investigation of this suspect after the 2<sup>nd</sup> test.

## 7. THE RELIABILITY OF THE EVIDENCE AT TRIAL

The State contends that the *Brady* violations alone would substantiate the granting of a new trial. The new evidence regarding the possible involvement of alternative suspects also gives the State great concern.

But considering the seriousness of this case and the importance of holding the right suspect accountable, the State also extensively reviewed the evidence presented at the first trial and notes several additional concerns below to demonstrate why it no longer has faith in the integrity of the conviction.

### A. The State Cannot Rely on the Incoming Call Evidence Based on the Post-Conviction Court’s Findings

The State relied on billing location information, provided by AT&T, to account for the whereabouts of Defendant’s cell phone on January 13<sup>th</sup> (*Exhibit 4* – call records). This information was critical to the State’s case because it corroborated some of Jay Wilds’ testimony regarding their whereabouts throughout the day.

However, the notice on the records specifically advised that the billing locations for incoming calls “would not be considered reliable information for location.” Despite this notice, the State used the billing location for incoming calls for exactly that purpose – to prove that Defendant was in a particular area at a particular time. Most critical to the State’s case were the incoming calls allegedly received in the Leakin Park area at 7:09 PM and 7:16 PM. Moreover, 11 of the 34 calls billed on January 13<sup>th</sup> were incoming calls.

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<sup>14</sup> At this time, the State will not disclose the entirety of report in order to protect information regarding the suspect. However, the relevant findings regarding both exams, as well as the conclusions, have been fully disclosed above.

Defense counsel, M. Cristina Gutierrez,<sup>15</sup> seemingly did not realize the importance of this information, or did not see it at all, and therefore, did not cross-examine the State's cell phone tower expert regarding this limitation. The post-conviction court found that the notice was in her trial file, so it did not constitute a *Brady* violation.<sup>16</sup>

Additionally, the State's expert, Abraham Waranowitz ("Waranowitz"), subsequently expressed concern over his testimony on the incoming call location status. In a signed affidavit, Waranowitz stated that the State did not show him the notice language, and had he seen it before his testimony, he would not have testified that the location evidence was accurate (*Exhibit 5* – Waranowitz affidavit, dated 10/5/2015). He later supplemented that Affidavit in 2016 stating that he interpreted AT&T's legend to most likely apply to both PC2-15 and Exhibit B pp. 0360-0378, and location status to apply to cell tower locations (*Exhibit 6*, Waranowitz' 2<sup>nd</sup> Affidavit, dated 2/8/2016). If his assessment regarding the legend was true, that would mean that the incoming calls were reliably attached to that specific cell phone tower.

This issue was raised in Defendant's Supplemental Post Conviction Petition. The Honorable Martin Welch, in Memorandum Opinion II, made several findings regarding the testimony of the State's expert and the testimony of the Defense's expert. The State's expert testified that the legend applied only to subscriber activity reports and would not apply to call detail records. The post-conviction court found that the instructions did apply to the records and the witness "abandoned his initial position."<sup>17</sup>

The witness also testified that the term "location" meant the location of the "switch" identified by the "Location1" column and surmised that the legend meant the information was not reliable for determining the location of the switch. The post-conviction court concluded that the witness "contradicted his own testimony" that the term "location" referred to the switch location and not the cell site.<sup>18</sup>

In its ruling, the post-conviction court found that the trial counsel rendered deficient performance when she failed to properly cross-examine Waranowitz about the disclaimer.<sup>19</sup> The Court also found that a reasonable attorney "would have exposed the misleading nature of the State's theory by cross-examining Waranowitz" and that this failure can "hardly be considered a strategic decision."<sup>20</sup>

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<sup>15</sup> Ms. Gutierrez was disbarred by consent in 2001 (see e.g. Baltimore Sun, *Lawyer Gutierrez agrees to disbarment*, June 2, 2001 (available here <https://www.baltimoresun.com/news/bs-xpm-2001-06-02-0106020237-story.html>) and passed away in 2004.

<sup>16</sup> Memorandum Opinion II, p. 34.

<sup>17</sup> Memorandum Opinion II, p. 52.

<sup>18</sup> Memorandum Opinion II, p. 53-54.

<sup>19</sup> Memorandum Opinion II, p. 40.

<sup>20</sup> Memorandum Opinion II, p. 43.

The post-conviction court found that this failure satisfied the second prong of the ineffective assistance of counsel analysis. The court wrote, “trial counsel failed to confront the State’s cell tower expert with the disclaimer, and thereby allowed the jury to deliberate with the misleading impression that the State used reliable information to approximate the general location of Defendant’s cell phone during the time of the burial.”<sup>21</sup> The jury likely gave considerable weight to Waranowitz’s testimony,<sup>22</sup> and the incoming calls during the time of the burial “served as a foundation of the State’s case.”<sup>23</sup> Accordingly, the court found that but for trial counsel’s error, the result of the trial would be fundamentally unreliable.<sup>24</sup> The court further stated, “Although the Court’s ultimate finding does not depend solely on Waranowitz’s affidavit, the affidavit casts an additional fog of uncertainty that shakes the Court’s confidence in the outcome of the trial.”<sup>25</sup>

The post-conviction court granted Defendant a new trial on this allegation, however, the Court of Special Appeals overturned the decision finding that the issue was waived because Defendant did not previously raise this issue in his first post-conviction petition. *Syed v. State*, 236 Md. App. 183, 240 (2018). The Court of Appeals upheld this ruling on waiver. *State v. Syed*, 463 Md. 60, 103-104 (2019).<sup>26</sup>

Based on the post-convictions court’s lengthy assessment of the issue and its findings, the State’s confidence in the reliability of the incoming calls is also shaken.

Accordingly, in an effort to obtain more information regarding the actual reliability of the incoming calls, the parties consulted with the defense’s expert, Gerald Grant, who is a Digital Forensics Investigator with expertise in Computer Forensics, Mobile Forensics and Historical Cell Site Analysis. Mr. Grant explained the following regarding incoming and outgoing calls:

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<sup>21</sup> Memorandum Opinion II, p. 46.

<sup>22</sup> Memorandum Opinion II, p. 49.

<sup>23</sup> Memorandum Opinion II, p. 50.

<sup>24</sup> Memorandum Opinion II, p. 50, 55.

<sup>25</sup> Memorandum Opinion II, p. 56, fn 24.

<sup>26</sup> The defense could, at any time, file a Motion to Reopen Post Conviction Proceedings on the basis that post-conviction counsel was ineffective for not properly raising the cell phone tower issue. Crim. Proc. §7-104 provides: “[t]he court may reopen a post-conviction proceeding that was previously concluded if the court determines that the action is in the interests of justice.” Some reasons for reopening include: a change made in the law that should be applied retroactively or **ineffective assistance of post conviction**, appellate, or trial counsel. See e.g. *Oken v. State*, 367 Md. 191, 195 (2001); *Harris v. State*, 160 Md. App. 78 (2004); *Stovall v. State*, 144 Md. App. 711 (2002). The right to counsel means the right to the effective assistance of counsel with respect to proceedings under the Post Conviction Procedure Act. See e.g. *State v. Flansburg*, 345 Md. 694, 703 (1997), cited in *Stovall v. State*, 144 Md. App. 711, 721-722 (2002); see also *Harris v. State*, 160 Md. App. 78, 98 (2004).



“When a mobile device makes an outgoing call, the device itself chooses the tower/sector to utilize based on the cleanest, clearest, strongest, signal at that time. Once an outgoing call is in session, the cellular network system controls what tower/sector the device uses or gets transferred to (hand-off). An incoming call to a mobile device may have the communication signal sent to multiple towers in an area to notify the device of the call. In other words, the network cannot guarantee at the time of the incoming call that it knows exactly what tower/sector the device is listening on.

Based on the cellular technology at the time of the incident in this case, I am aware that AT&T utilized a communication technique called TDMA (Time Division Multiple Access). This communication protocol allowed a mobile device to operate in “sleep mode” to conserve on batteries. Based on how a mobile device was located on an incoming call, a function like this could be one of the reasons a disclaimer was necessary. For example, it is possible that an incoming call could be recorded at the last registered tower/sector and not the current one when the signal is sent across multiple towers within an area.”

See *Exhibit 7*, Grant Affidavit; *Exhibit 8*, Grant Curriculum Vitae.

The State proffers it has consulted 2 additional non-trial expert witnesses whose expertise include advising the Government on the development, set up, and operation of cellular networks and the operational use of the Global System for Mobile Communications (“GSM”) to track and locate cell phones.<sup>27</sup>

After reviewing the cell phone documents in this case, these experts each individually called the reliability of the State’s testimony at trial into question because the information regarding the tower and sector associated with the cell phone of an incoming call cannot be conclusively ascertained with the information that was adduced at trial. Both experts substantiated Grant’s conclusion that incoming calls could plausibly be associated with a tower and sector that was not most proximate to the location of the phone at the time of the incoming call. One of the experts explained, “doing surveys from the ground we could always see 3 – 5 towers, sometimes more. Any tower could service the call. [It] doesn’t have to be the closest or strongest signal but enough power for errors to be overcome with the coding [gain afforded by the network].” It was therefore overly prejudicial to allow evidence of this sort at trial.

Upon review of the totality of information now at the State’s disposal, the State does not believe the incoming call location evidence is reliable. The assessment must

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<sup>27</sup> Due to confidentiality reasons, information about the experts will not be disclosed.

therefore turn to whether the testimony of the co-defendant, Jay Wilds, in and of itself, restores confidence in the State's case against Defendant.

B. New Information that Kristina Vinson's Version of Events was Incorrect

The testimony of Kristina Vinson ("Vinson") was used to corroborate Jay Wilds' version of events.<sup>28</sup> She testified that on the afternoon of January 13<sup>th</sup> (the date of the murder), she got home around 5:00 – 5:15 PM.<sup>29</sup> Wilds and Defendant came to her home around 6 PM.<sup>30</sup> Defendant got an incoming call on his cell phone and quickly left.<sup>31</sup> She remembered that date because she had an all-day conference.<sup>32</sup>

At the first trial, Vinson testified that it was not until her interview with police on March 9<sup>th</sup> that she had to recall the date in which Wilds and Defendant came to her home.<sup>33</sup> During that interview, she told police she had gotten home around 4:30 – 5:00 PM.<sup>34</sup>

In the HBO 2019 Documentary, *The Case Against Adnan Syed*, Ms. Vinson was presented with a copy of her winter schedule at UMBC, which reflected that she had an evening class scheduled for January 13<sup>th</sup>. The class met a total of 3 times and Ms. Vinson indicated that she would not have missed a class. This new evidence tends to show that Ms. Vinson was incorrect about her recollection that Wilds and Defendant visited her on January 13<sup>th</sup> – thus calling into question that portion of Wilds' testimony – which is that he and Defendant went to her home on January 13<sup>th</sup>.

C. The State Cannot Rely on Jay Wilds' Testimony, Alone

Relying on Jay Wilds' testimony, in and of itself, is a concern for the State. Indeed, the original prosecutor in the case shared the same concern – "Jay's testimony by itself, would that have been proof beyond a reasonable doubt? Probably not. Cellphone evidence by itself? Probably not."<sup>35</sup>

Detective MacGillivray confirmed that Wilds' statements to police had a lot of inconsistencies and regarded them as lies.<sup>36</sup> He testified that the cell site information did not correspond with Wilds' story that he initially told police, so when presented with that

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<sup>29</sup> Transcript of 2<sup>nd</sup> Trial, 2/16/2000, p. 207. (At the first trial, Vinson testified she returned home between 5:30 – 6:00 PM (Transcript of 1<sup>st</sup> Trial, 12/14/1999, p. 128)).

<sup>30</sup> Transcript of 2<sup>nd</sup> Trial, 2/16/2000, p. 217.

<sup>31</sup> *Id.*, pp. 212-213

<sup>32</sup> *Id.*, pp. 207, 216, 286.

<sup>33</sup> Transcript of 1<sup>st</sup> Trial, 12/14/1999, p. 143.

<sup>34</sup> *Id.*, p. 145.

<sup>35</sup> The Intercept, *Prosecutor in 'Serial' Case Goes on the Record*, January 7, 2015 (available at: <https://theintercept.com/2015/01/07/prosecutor-serial-case-goes-record/>).

<sup>36</sup> Transcript of 2<sup>nd</sup> Trial, 2/18/2000, pp. 132-133, 166.

cell records during the next interview, “He started to recall things a little better” and they took a 2<sup>nd</sup> statement.<sup>37</sup>

It was also during this 2<sup>nd</sup> interview that Wilds allegedly told police about the location of the victim’s car.<sup>38</sup> The Detective stated on the recording that Wilds gave them the information of where the car was located before they turned the recorder back on when they were flipping the tape over.<sup>39</sup> Wilds otherwise did not request that the recorder be turned off and he was not refusing to talk.<sup>40</sup>

Police interviewed Wilds again on March 15, 2022 to “clear up discrepancies” and recorded the interview. They interviewed him for a fourth time on April 13<sup>th</sup>, but did not record the interview or take notes.<sup>41</sup>

The State has considered all of the various statements to police (that were recorded) the trial testimony at both trials, and Wilds’ subsequent statements to various media outlets. For the purposes of this motion, the State will highlight the most concerning discrepancies.

The post-conviction court detailed several instances of discrepancies between Wilds’ testimony, the cell records and/or the State’s timeline.<sup>42</sup> For example, the State’s theory is that the victim was killed some time after school and Defendant called Wilds to pick him up at the Best Buy at 2:36 PM. However, Wilds testified that Defendant did not call him until after 3:45 PM<sup>43</sup> altering the State’s timeline significantly.

Additionally, Wilds gave 2 different accounts to the police about where he saw the victim’s body, and gave a 3<sup>rd</sup> account to media. At his 2/28/1999 interview with police, he told them that he saw the body in the trunk on Edmondson Avenue.<sup>44</sup> During the 3/15/1999 interview, he told police it was at the Best Buy.<sup>45</sup> He said he lied about the Edmondson location because he did not want to be associated with the Best Buy location – where the murder occurred.<sup>46</sup> Wilds then claimed in a 2014 interview that he saw the body at his grandmother’s house, but thinks he told police he saw body in front of Cathy’s house.<sup>47</sup> Even more bizarre, Wilds’ claimed that he picked up Defendant at the Best Buy,

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<sup>37</sup> Transcript of 2<sup>nd</sup> Trial, 2/18/2000, pp. 157-158; 163.

<sup>38</sup> See **Exhibit 9** -- Wilds’ Statement, February 28, 1999, p. 26.

<sup>39</sup> *Id.*

<sup>40</sup> Transcript of 2<sup>nd</sup> Trial, 2/18/2000, p. 162.

<sup>41</sup> *Id.*, p. 161.

<sup>42</sup> See Memorandum Opinion II, FN 9 and pp. 24-25.

<sup>43</sup> Transcript of 2<sup>nd</sup> Trial, 2/4/2000, p. 130.

<sup>44</sup> **Exhibit 9**, p. 7.

<sup>45</sup> See **Exhibit 10** -- Wilds’ Statement, March 15, 1999, p. 14.

<sup>46</sup> *Id.*, p. 58.

<sup>47</sup> The Intercept, *Exclusive: Jay, Key Witness from ‘Serial’ Tells his Story for First Time, Part I*, December 29, 2014 (available here: <https://theintercept.com/2014/12/29/exclusive-interview-jay-wilds-star-witness->

but that the victim and the car stayed at Best Buy until later that evening. At some point, Defendant gets into his car and then comes back in a different car with the body in the trunk.<sup>48</sup>

For all of the reasons stated above, without reliable corroboration, the State cannot rely on Wilds' testimony *alone* at this time.<sup>49</sup>

## 8. DETECTIVE WILLIAM RITZ'S PAST MISCONDUCT

The two homicide detectives who investigated this case were Detective William Ritz and Detective Greg MacGillivray.

The State does not make any claims at this time regarding the integrity of the police investigation. However, in the interests of transparency, the State is obligated to note for the court and to the defense Detective Ritz's misconduct in another case, *State v. Malcolm Bryant*, which resulted in an exoneration in 2016. Malcolm Bryant was wrongfully convicted of murder in 1999 and served 17 years before his exoneration.

In the Bryant case, it was alleged in the complaint that Detective Ritz failed to disclose exculpatory and impeachment evidence and fabricated evidence. More specifically, it was alleged that Detective Ritz:

“obtained a misidentification of Mr. Bryant from Tyeisha Powell, the single eyewitness presented at trial. Detective Ritz failed to disclose evidence about a second eyewitness whose account contradicted and undermined Tyeisha Powell's. He also failed to disclose incriminating evidence pointing to the likely true perpetrator, John Doe, including a witness statement incriminating Doe and undermining his denials of culpability, and a composite sketch that more closely resembled Doe than Mr. Bryant.

Plaintiffs claim that when ‘Detective Ritz met with [Ms. Powell] and another detective to create a composite sketch of the suspect, . . . Detective Ritz used direct or indirect suggestion to manipulate the composite sketch to make it more closely resemble the person he suspected, Malcolm Bryant.’ Plaintiffs also claim ‘Detective Ritz showed

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adnan-syed-serial-case-pt-1/\_ and Part II, December 30, 2014  
<https://theintercept.com/2014/12/30/exclusive-jay-part-2/>).

<sup>48</sup> *Id.*

<sup>49</sup> The testimony of Jennifer Pusateri seemingly corroborated parts of Wilds' testimony, but most of what she knew was told to her by Wilds. There was also a number of discrepancies. At this time, the State would simply note that when asked how she recalled that the events indeed occurred on January 13<sup>th</sup>, she responded – because the police told her the phone calls occurred on the 13<sup>th</sup>. In other words, she did not have an independent recollection of that date. (Police Statement of Jennifer Pusateri, p. 25). This testimony is not enough to restore the State's faith that these events indeed occurred as relayed by Wilds.

Ms. Powell a suggestive photographic lineup consisting of six individuals, including Malcolm Bryant.’

In addition to the alleged misconduct during Ms. Powell's interview, plaintiffs claim ‘Detective Ritz never interviewed or conducted any follow-up investigation regarding any of the individuals with whom Mr. Bryant had spent the evening of November 20th,’ who could have provided an alibi for him. Detective Ritz also allegedly failed to investigate other evidence of Bryant's whereabouts on the night of the murder. Additionally, plaintiffs allege Detective Ritz did not disclose to Mr. Bryant, Mr. Bryant's counsel, or the prosecutor some of the evidence he obtained that incriminated another suspect, and he did not conduct proper interviews about or of the suspect.

Plaintiffs also allege the police received three 911 calls on the night of the murder, one of which was from a ‘potential eyewitness’ whose account of the crime . . . contradicted Ms. Powell's account.’ Plaintiffs claim Detective Ritz did not investigate this potential witness's report and ‘never disclosed the report of this second potential eyewitness’ or the other 911 calls to Mr. Bryant, Mr. Bryant's counsel, or the prosecution. Plaintiffs also claim ‘the Defendants never tested critical items of evidence obtained from the crime scene for DNA,’ which would have exonerated Mr. Bryant.

See Memorandum Opinion and Order (October 21, 2020), *Bryant v. Balt. Police Dept.*, Case No. ELH-19-384 (available here: <https://case-law.vlex.com/vid/bryant-v-balt-police-892401994>). See also, Report of the Baltimore Event Review Team on *State v. Malcolm Bryant*, November 2018, Quattrone Center for the Fair Administration of Justice (available here: <https://www.stattonney.org/images/data/BERT---Malcolm-Bryant-Report-FINAL-12-20-18.pdf>)

The estate of Malcolm Bryant sued the Baltimore Police Department, Detective William Ritz and forensic analyst Barry Verger in 2019 for the wrongful conviction. In 2022, Baltimore City’s Board of Estimates approved an \$8 million settlement to the Bryant estate.<sup>50</sup>

In a separate and unrelated case, the Court of Special Appeals overturned another murder conviction due to Detective Ritz’s two-step interrogation technique, which was improperly used in a “calculated way” to undermine the defendant’s Miranda warning. See *Cooper v. State*, 163 Md. App. 70 (2005).

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<sup>50</sup> The Daily Record, *Deceased Exoneree's Family Wins 8M Settlement with Baltimore Police*, January 5, 2022, (available at: <https://thedailyrecord.com/2022/01/05/deceased-exonerees-family-wins-8m-settlement-with-baltimore-police/>)

## 9. CONCLUSION

It is the policy of the State's Attorney for Baltimore City to prioritize justice, fairness and the integrity of the criminal justice system over the finality of convictions. Recent history has unfortunately revealed systemic issues in the arrests, investigations and prosecution of minorities in Baltimore. These concerns can plague the credibility of some past convictions, which occasionally necessitates looking at cases where newly-discovered or additional evidence suggests the wrong person has been convicted. In these rare cases, the State is morally compelled to take affirmative action where it has lost confidence in the integrity of a conviction.

The instant case is one such case where there is an abundance of issues that gives the State overwhelming cause for concern. The State's *Brady* violations robbed the Defendant of information that would have bolstered his investigation and argument that someone else was responsible for the victim's death. The impact of the *Brady* violations was amplified by the ineffective assistance of counsel throughout this case regarding the reliability of the cell phone evidence. Additionally, these concerns are highlighted by the new information regarding alternative suspects, and new evidence regarding the reliability of critical evidence at trial, has caused the State to lose confidence in the integrity of the conviction. The State further asserts that it is in the interests of justice and fairness that Defendant, at a minimum, be afforded a new trial at this time. The State also prays the Defendant be released on his own recognizance pending the continued investigation.

The State intends to continue, with all available resources, to fully and thoroughly reinvestigate this matter to ensure accountability and justice for the victim, Ms. Lee. However, the State submits that continued incarceration of the Defendant while the investigation of the case proceeds, considering all of the information above, would be a miscarriage of justice.

WHEREFORE, the State prays:

- A. That this Honorable Court grant a hearing in the matter; and
- B. That following a hearing, this Honorable Court pass an Order vacating the judgment in this case, and order a new trial; and
- C. Grant any other relief as fundamental fairness may require.

Respectfully submitted,

Marilyn J. Mosby  
State's Attorney for Baltimore City



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on September 15, 2022, I emailed a copy of the foregoing motion to defense counsel, Erica Suter at [esuter@ubalt.edu](mailto:esuter@ubalt.edu).



Becky K. Feldman

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BALTIMORE CITY

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CRIMINAL DIVISION

STATE OF MARYLAND

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IN THE

v.

\*

CIRCUIT COURT

ADNAN SYED,

Defendant

\*

FOR BALTIMORE CITY

\*

Case Nos. 199103042, 043, 044, 045, 046

\* \* \* \* \*

**DEFENSE RESPONSE TO  
STATE'S MOTION TO VACATE JUDGMENT**

Adnan Syed, Defendant, through counsel, Assistant Public Defender Erica J. Suter, Director, UB Innocence Project Clinic, files this Response to the State's Motion to Vacate Judgment pursuant to Md. Code Ann., Crim. Proc. §8-301.1 (c)(2) and Maryland Rule 4-333(e)(1), and states as follows:

The primary duty of a lawyer engaged in public prosecution is not to convict, but to see that justice is done. The suppression of facts or the secreting of witnesses capable of establishing the innocence of the accused is highly reprehensible.

*Attorney Grievance Commission of Maryland v. Cassilly*, 476 Md. 309, 373 (2021) (quoting the American Bar Association Canon of Ethics, Canon 5, Adopted in 1908). The prosecutor's duty to do justice is sacrosanct. That duty applies equally in all cases.

Mr. Syed avers that the *Brady* material described in the State's Motion, that it was reported to the State that an individual threatened the life of Hae Min Lee and had a motive to harm her, was not in the defense's file nor was it described in any of the State's written disclosures that accompanied all disclosed information and documents from the State. On December 30, 1999, the State filed an Amended State's Disclosure averring "all required discovery has been provided." (Amended State's Disclosure Attached as Exhibit A). On January 6, 2000, Mr. Syed's trial counsel sent a letter to the State, which



she also filed with the Court, stating, “[t]his letter is to once again request any and all *Brady* material in the above referenced matter. Despite the defendant’s multiple requests for disclosure of such material, exculpatory or mitigating information within the State’s possession continues to come to light as this case proceeds.” (Letter Attached as Exhibit B). Mr. Syed was unaware of the existence of this information or that the State possessed it in its files until 2022. The State’s failure to turn over this information violated the State’s discovery obligations under Rule 4-263(a), the Rules of Professional Responsibility under Rule 19-303.8(d) “Special Duties of a Prosecutor,” and the State’s obligations under *Brady v. Maryland*, 373 U.S. 83 (1963).

Concealing exculpatory evidence is the most common cause of wrongful convictions and is cited in 44% of exonerations reported in the National Registry of Exonerations.<sup>1</sup> In Baltimore City, 80% of reported exonerations have involved withheld evidence.<sup>2</sup> Exonerations involving withheld evidence have occurred in 48 states in our nation. This phenomenon is neither recent nor rare.

Our criminal legal system serves us when we can have confidence in its outcomes. Mr. Syed’s conviction rests on the evolving narrative of an incentivized, cooperating, nineteen-year-old co-defendant, propped up by inaccurate and misleading cell phone location data. This was so in 1999, when Mr. Syed was a seventeen-year-old child. It remains so today. The most recent revelations as detailed in the State’s Motion

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<sup>1</sup> SAMUEL R. GROSS, ET AL., NAT’L REGISTRY OF EXONERATIONS, GOVERNMENT MISCONDUCT AND CONVICTING THE INNOCENT: THE ROLE OF PROSECUTORS, POLICE, AND OTHER LAW ENFORCEMENT 32 (Sept. 1, 2020), [https://www.law.umich.edu/special/exoneration/Documents/Government\\_Misconduct\\_and\\_Convicting\\_the\\_Innocent.pdf](https://www.law.umich.edu/special/exoneration/Documents/Government_Misconduct_and_Convicting_the_Innocent.pdf)

<sup>2</sup> See National Registry of Exonerations, <https://www.law.umich.edu/special/exoneration/Pages/detailist.aspx?View=%7BF6AF6EDDB-5A68-4F8F-8A52-2C61F5BF9EA7%7D&FilterField1=OM%5Fx0020%5FTags&FilterValue1=WH&FilterField2=ST&FilterValue2=MD&FilterField3=County%5Fx0020%5Fof%5Fx0020%5FCrime&FilterValue3=Baltimore%20City> (last visited, Sept. 13, 2022)

have rightfully caused the State to lose faith in the integrity of this conviction. Mr. Syed's conviction should not stand.

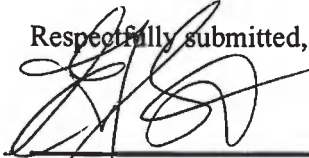
WHEREFORE, Defendant:

Agrees with the relief sought by the State in this matter, that following a hearing, this Honorable Court pass an Order vacating the judgment in this case, and order a new trial; and any other relief that fundamental fairness may require;

Joins the State in its request for a hearing; and

Consents to a hearing where counsel appears in person before the Court and Defendant participates remotely via video conference or a fully in-person hearing.

Respectfully submitted,

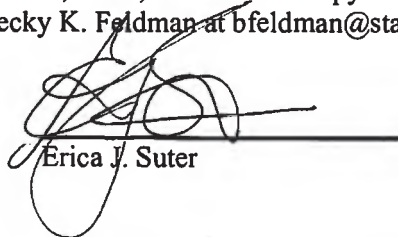


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Erica J. Suter, CPF 0712110231  
Director, Innocence Project Clinic  
University of Baltimore School of Law &  
Office of the Public Defender  
1401 N. Charles Street  
Baltimore, MD 21201  
410-837-5388 (phone)  
410-837-47766 (fax)  
esuter@ubalt.edu  
Counsel for Petitioner

### Certificate of Service

I hereby certify that on September 14, 2022, I emailed a copy of the foregoing Response to Assistant State's Attorney Becky K. Feldman at [bfeldman@stattorney.org](mailto:bfeldman@stattorney.org).



---

Erica J. Suter

# Exhibit A

State of Maryland

RECEIVED

In The

Vs.

1999 DEC 30 PM 2:35

Circuit Court

Adnan Syed

CIRCUIT COURT  
BALTIMORE CITY  
CRIMINAL DIVISION

of

No. 199103042-46

Baltimore City

\* \* \* \* \*

AMENDED STATE'S DISCLOSURE

NOW come Patricia C. Jessamy, State's Attorney for Baltimore City, and Kevin Urick, Assistant State's Attorney, and in accordance with provisions of Rule 4-263(h) of the Maryland Rules of Procedure hereby promptly supplement the State's prior disclosure with the following additional witnesses and/or information:

- 1) In response to the defense requests of December 27, 1999, the State avers: all required discovery has been provided;
- 2) As a courtesy to the defense, the State spoke to Sal Bianca on this date, and he orally informed the State that about 40 hairs were recovered from the body and clothes of Hae Min Lee; Mr. Bianca stated that the majority of those hairs were either the hairs of Hae Min Lee or of too fragmented a nature to be useful for comparison purposes; only two hairs were determined to have sufficient characteristics so as to say they were not hairs of Ms. Lee; futher they were not hairs of Adnan Syed.

  
ASA Kevin Urick

Certificate of Service

I HEREBY CERTIFY that on this 30th day of December, 1999, a copy of the foregoing State's Supplemental Disclosure was:

- Served on the Defendant;
- Served on the Defendant's Counsel;
- Mailed to the Defendant;
- Mailed to the Defendant's Counsel.
- Faxed to the Defendant's Counsel.

  
\_\_\_\_\_  
ASA Kevin Urick

# Exhibit B

**REDMOND & GUTIERREZ, P.A.**

ATTORNEYS AT LAW  
THE FIDELITY BUILDING, SUITE 1301  
210 NORTH CHARLES STREET  
BALTIMORE, MARYLAND 21201-4105  
(410) 752-1555  
Facsimile: (410) 752-1064

LEONARD C. REDMOND, III  
M. CRISTINA GUTIERREZ  
JOSEPH I. TYVIS, JR.  
BAMBI GLENN  
RITA PAZNIOKAS

PRINCE GEORGE'S COUNTY OFFICE  
14746 MAIN STREET  
UPPER MARLBORO, MARYLAND 20772  
(301) 952-1555

January 6, 2000

VIA FACSIMILE 410.727.5437

And  
FIRST CLASS MAIL

Kevin Urick, Esquire  
Office of the State's Attorney  
For Baltimore City  
Mitchell Courthouse Room 303  
Baltimore, Maryland 21202

*RE: State of Maryland v. Adnan Syed*

Dear Mr. Urick:

This letter is to once again request any and all *Brady* material in the above referenced matter. Despite the defendant's multiple requests for disclosure of such material, exculpatory or mitigating information within the State's possession continues to come to light as this case proceeds. For example, the State failed to disclose the statements, or portions of statements, of Jay Wilds that directly conflict with one another until right before Jay Wilds' testimony. Additionally, in response to the defense inquiry concerning Salvatore Bianca's trace analysis report of December 2, 1999, the State has only now reported that there were two hairs found on the victim's body that could not be identified as belonging to the deceased or the defendant.

Maryland Rule 4-263 requires the State to disclose, without request, "any material or information tending to negate or mitigate the guilt or punishment of the defendant as to the offense charged." It is clear that the changing statements of Jay Wilds, his admissions of lying in those statements, and the presence of foreign hairs are *Brady* material under Rule 4-263. Please disclose all remaining witness statements (specifically Jay Wilds statement of April 13), including all notes as well as all information regarding any testing, evaluation, or analysis of any piece of evidence in this case. Thank you for your prompt attention to this matter.

Sincerely,



M. Cristina Gutierrez  
MCG:lf

Cc: Court File

1.3.00 Bradyltr to Urick

E101

**REDMOND, BURGIN & GUTIERREZ, P.A.**

ATTORNEYS AT LAW  
THE FIDELITY BUILDING, SUITE 1301  
210 NORTH CHARLES STREET  
BALTIMORE, MARYLAND 21201-4105  
(410) 752-1555  
Facsimile: (410) 752-1064

LEONARD C. REDMOND, III  
HAROLD L. BURGIN\*  
WILLIAM KANWISHER  
MARK B. MARTIN\*\*  
JOSEPH L. TIVVIS, JR.  
BAMBI GLENN  
RITA PAZIOUKAS  
JEFFREY P. SCHMIDT

PRINCE GEORGE'S COUNTY OFFICE  
14746 MAIN STREET  
UPPER MARLBORO, MARYLAND 20772  
(301) 952-1355

M. CRISTINA GUTIERREZ

\* Also admitted in the District of Columbia  
\*\* Also admitted in New York

January 7, 2000

via HAND DELIVERY

Clerk  
Circuit Court for Baltimore City  
Court House East  
110 N. Calvert Street  
Baltimore, Maryland 21202

Re: *State of Maryland v. Adnan Masud Syed*  
Indictment No. 199103042-46

Dear Madam Clerk:

I enclose for filing *Defendant Adnan Masud Syed's Motion in Limine to Exclude the Testimony of Sharon Watts*. I am also sending via hand delivery *Defendant's Motion for A Brady Hearing*.

Also enclosed are two Attachments. Attachment No. 1 is a letter to Kevin Urick once again requesting *Brady* material. Attachment No. 2 is a letter to Kevin Urick requesting copies of all photographs that the State intends to introduce at the second trial.

Thank you.

Sincerely,

Dictated Not Read

M. Cristina Gutierrez  
MCG:kp  
Enclosures  
cc: Kevin Urick, Esq.

syed.clerk3.ltr.010700

RECEIVED  
2000 JAN - 7 PM 3:57  
CIRCUIT COURT  
BALTIMORE CITY  
CRIMINAL DIVISION



STATE OF MARYLAND

IN THE

RECEIVED  
CIRCUIT COURT  
2022 SEP 19 PM 4:21

CIRCUIT COURT

v.

ADNAN SYED

FOR BALTIMORE CITY,

MARYLAND

CASE NOS: 199103042, 043,044, 045, 046

\* \* \* \* \*

**YOUNG LEE’S MOTION FOR POSTPONEMENT & DEMAND FOR RIGHTS**

COMES NOW, Young Lee, the crime victim representative of the family of decedent Hae Min Lee, the crime victim in the above-captioned matter, by and through undersigned counsel, states the following points and authorities in support thereof.

**INTRODUCTION**

This Motion seeks to enforce a murder victim’s family’s right to have a voice in proceedings in a highly public case in which the victim and her family have largely been ignored. After more than 20 years of litigation in which the Lee family has fought to have a voice, the State’s Attorney’s Office “notified” the victim’s family on Friday September 16 of a potentially dispositive hearing to be held at 2:00 p.m. today, Monday September 19. The State’s Attorney is fully aware that the family is based on the West Coast and possessed of limited financial resources. “Notice” of barely half a business day has foreseeably provided the surviving family with no meaningful opportunity to be present or heard at a hearing that could be dispositive of the Joint Motion to Vacate Mr. Syed’s conviction. While the State’s Attorney’s “notice” suggests that the family could watch the in-person hearing via Zoom, Maryland law requires that individual victims and surviving families be afforded the opportunity to meaningfully participate in such proceedings.

As the victim representative for Hae Min Lee and the Lee family, Hae Min's brother Young Lee seeks to exercise his rights under Maryland law to adequate notice and the right to be present and heard. Accordingly, Mr. Lee respectfully requests that the Court grant a seven-day postponement of the hearing on the Joint Motion to Vacate Judgment ("Motion") in this matter. To permit Mr. Lee to travel from the West Coast to Baltimore on a week's notice, the family further requests that the State's Attorney's Office fund Mr. Lee's travel to Baltimore from its pot of unspent victim/witness relocation funds.

### **RELEVANT FACTS**

1. Hae Min Lee was born in South Korea in 1980 and emigrated to the United States with her mother Youn Lee and her brother Young Lee in 1992.
2. Hae was an honor's student and athlete who attended the magnet program at Woodlawn High School.
3. Hae was the beloved daughter of Youn Kim and the beloved sister of Young Lee.



4. Hae disappeared on January 13, 1999, in Baltimore City, Maryland.

5. A passerby discovered Hae's body in Baltimore's Leakin Park on February 9, 1999, partially buried in a shallow grave.

6. On February 28, 1999, Adnan Syed was arrested in connection with Hae's death, and police charged him with first-degree murder.

7. A jury convicted Mr. Syed of first-degree murder on February 25, 2000, and he was sentenced to life in prison plus 30 years.

8. Defendant first appealed his conviction in 2003 and has since filed various additional appeals, culminating in a 2019 Maryland Court of Appeals decision affirming the conviction.

9. The case became an international news story with the release of the October 3, 2014, "true-crime" podcast *Serial* and a subsequent HBO documentary.

10. In the ensuing media maelstrom, Hae's family has been by turns essentially ignored and vilified, harassed, and disparaged by thousands of strangers on the internet.

11. The Lee family has been forced to re-live the trauma of Hae's murder in countless legal proceedings over more than 20 years. Throughout this time, the Baltimore City State's Attorney repeatedly and publicly asserted that Syed murdered Hae and that his conviction was just and fair.

12. Considering this history, Mr. Lee was shocked when, on Tuesday, September 13, 2022, Becky Feldman of the State's Attorney's Office sent Young Lee a copy of the Joint Motion that she said the office would "likely [be] filing tomorrow." A copy of the email exchange between Ms. Feldman and Mr. Lee is attached as **Exhibit A**. Ms. Feldman proffered no explanation for her office's abrupt departure from its decades-long position of defending the Syed conviction. She also did not disclose the new facts to which the Joint Motion refers.

13. On Friday, September 16, Ms. Feldman sent the following message:

Mr. Lee,

The court just scheduled an in-person hearing for **Monday, September 19<sup>th</sup>** at 2:00 PM (EST). It's an in-person hearing, but I asked the court for permission for you and your family to watch the proceedings virtually (if you would like). So, if you would like to watch, the link is below. Please let me know if anybody from your family will be joining the link, so I will make sure the court lets you into the virtual courtroom.

Ex. A.

14. Unlike many victims and their families, the Lee family knew enough about Maryland law to know that they had certain rights. Mr. Lee thus immediately sought out Maryland counsel to enforce his rights as a Maryland victim representative. He retained the undersigned late on the afternoon of Sunday, September 18, 2022.

### **ARGUMENT**

Permitting the hearing to occur as scheduled would violate the Lee family's rights in three critical respects. First, the State's Attorney's Office failed to reasonably inform the victim representative both of the Motion and the hearing. Second, the victim representative will be denied the right to be present and heard at the proceeding if the hearing moves forward today as planned. Third and finally, the victim representative cannot meaningfully participate in the hearing because the State's Attorney has failed to inform the victim representative of the facts supporting the Joint Motions' request that the Defendant's conviction be vacated and the Defendant be released.<sup>1</sup> Victim's rights in Maryland are enshrined in the Declaration of Rights, which provides crime victims with the right to "be notified of, to attend, and to be heard at a criminal justice proceeding." Md. Decl. Rights, art. 47(b).

Under Section 11-503 of the Criminal Procedure Article, the State's Attorney is required to notify the victim representative of a hearing on whether to vacate a sentence. Md. Code Ann.,

---

<sup>1</sup> The Motion notes that "[i]nvestigative efforts are ongoing" Mot. at 1. This statement leaves the Lee family unsure as to how a decision to vacate Defendant's conviction can be made at this time.

Crim. Proc. § 11-503(a)(2), (b) (2022). The victim also has the right to be present<sup>2</sup> and to be heard<sup>3</sup> at such proceedings.

Under Section 11-103(e)(1), “the court shall ensure that the victim is in fact afforded the rights provided to victims by law.” The Court of Special Appeals has recently held that the trial court’s failure to afford a victim the right to speak at sentencing required the trial court to redo the proceeding after considering the victim’s position. *Antoine v. State*, 245 Md. App. 521, 556–57 (2020). Moreover, the Supreme Court has long held that a trial court has a responsibility to independently interrogate any claims, even by the police, of a miscarriage of justice. *See Young v. United States*, 315 U.S. 257, 258–59 (1942) (“[A] confession does not relieve this Court of the performance of the judicial function. . . . [T]he proper administration of the criminal law cannot be left merely to the stipulation of parties.”).

Here, the State’s Attorney violated the victim’s rights by failing to provide sufficient notice to allow the Lee family to exercise its right to be present at the hearing. The State’s Attorney contends that she has been investigating this matter for more than one year, yet her office waited until the Friday before the motions hearing to notify the family of the Monday, 2:00 p.m. hearing. The State’s Attorney is fully aware that Mr. Lee lives in Los Angeles and that he would almost certainly be unable to fly to Baltimore on half a business day’s notice. As a seeming accommodation, Ms. Feldman offered to let the family “watch the proceedings virtually.” Based on the potentially dispositive nature of this hearing and the right of victims and surviving families to meaningfully participate in such proceedings, the family wishes to be physically present at the in-person hearing. The notice provided was patently insufficient to permit that to happen.

---

<sup>2</sup> See Md. Code Ann., Crim. Proc. § 11-102(a); Md. Rules 4-345(e)(2).

<sup>3</sup> See Md. Code Ann., Crim. Proc. § 11-403; Md. Rules 4-345(e)(2).

Further, the State's Attorney has denied the Lee family their right to be heard in two critical respects. First, Ms. Feldman's communication to the family does not even mention their right to speak at the hearing, suggesting they have none, though they plainly do under Maryland law. Second, the Lee family could not meaningfully participate and be heard at today's hearing even if they could attend because the Motion presents no factual basis for vacating the sentence, nor has the State Attorney's office disclosed the factual basis to the family through other means. The Joint Motion neither names any alternative suspects nor provides any facts that would permit an inference that one or more alternative suspects exists. Instead, it alludes to an "ongoing" investigation and rehashes arguments that the Court of Appeals rejected when it affirmed Mr. Syed's conviction in 2019.

The Lee family wants to learn all the facts and take all steps necessary to ensure that those involved in Hae's murder are brought to justice. But they cannot be expected to take a position on a motion that fails to set forth any the facts underlying the State's Attorney's dramatic change in position regarding Mr. Syed's conviction. At a minimum, under Maryland law, the family is entitled to learn those facts.

**WHEREFORE**, for all the reasons discussed above, Young Lee, as the victim representative for the family of Hae Min Lee, respectfully requests that the hearing on the Motion be postponed by seven days to allow the family to travel to Baltimore. Mr. Lee further requests that the State's Attorney be directed to use unspent victim/witness relocation funds to pay for Mr. Lee's travel to Baltimore.

Dated: September 19, 2022

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'SKelly', with a horizontal line extending to the right.

---

Steven J. Kelly, 0312160392  
SANFORD HEISLER SHARP, LLP  
111 S. Calvert St., Ste. 1950  
Baltimore, MD 21202  
Phone: 410-834-7416  
Fax: 410-834-7425  
[skelly@sanfordheisler.com](mailto:skelly@sanfordheisler.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of September, 2022, a copy of the foregoing was served via electronic mail and first class mail, postage prepaid, to counsel of record.

A handwritten signature in blue ink, appearing to read 'S. Kelly', with a horizontal line extending to the right.

---

Steven J. Kelly



IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

v.

ADNAN SYED

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Case Nos. **199103042, 043,044, 045, 046**

\* \* \* \* \*

**[PROPOSED] ORDER GRANTING YOUNG LEE'S  
REQUEST FOR A POSTPONEMENT**

Upon consideration of the Motion for Postponement filed by Young Lee, the victim representative for Hae Min Lee, and finding good cause supporting the same, it is hereby ORDERED that the Motion is GRANTED and that the hearing on the Joint Motion to Vacate Adnan Syed's conviction is CONTINUED for seven days. The State's Attorney is further directed to coordinate with Mr. Young regarding potential payment for his travel.

\_\_\_\_\_  
Judge  
Circuit Court for Baltimore City, Maryland

# EXHIBIT A

----- Forwarded message -----

**From:** Becky Feldman [REDACTED]  
**Date:** Fri, Sep 16, 2022 at 10:59 AM  
**Subject:** RE: New suspects  
**To:** Young Lee [REDACTED]

Mr. Lee,

The court just scheduled an in-person hearing for **Monday, September 19<sup>th</sup>** at 2:00 PM (EST). It's an in-person hearing, but I asked the court for permission for you and your family to watch the proceedings virtually (if you would like). So, if you would like to watch, the link is below. Please let me know if anybody from your family will be joining the link, so I will make sure the court lets you into the virtual courtroom.

<https://mdcourts.zoomgov.com/j/1601160942?pwd=clpETlozYU1qU0ZFTEFEa0Z4R3VmZz09>

Please let me know if you have any questions.

Becky

**From:** Becky Feldman  
**Sent:** Wednesday, September 14, 2022 12:47 PM  
**To:** Young Lee [REDACTED]  
**Subject:** RE: New suspects

Dear Mr. Lee,

I very much understand your family's position. I am so sorry for the pain this case is causing you.

I promise to keep you updated with all new developments. In the meantime, please don't hesitate to reach out with any questions.

Becky

**From:** Young Lee [REDACTED]  
**Sent:** Tuesday, September 13, 2022 11:51 PM  
**To:** Becky Feldman [REDACTED]  
**Subject:** Re: New suspects

**THIS EMAIL HAS ORIGINATED FROM AN EXTERNAL SOURCE. PLEASE USE PROPER JUDGEMENT AND CAUTION WHEN OPENING ATTACHMENTS, CLICKING LINKS, OR RESPONDING TO THIS EMAIL**

Mrs. Feldman,

Thank you for the email.

To be clear, As a family we disagree with your course of action and stand against the motion to vacate judgement. We believe that there is overwhelming evidence, and the court convicted the right person.

I hope you understand the emotional turbulence this trial is causing us. It seems there is never an end to it. But we understand your position as an attorney to do due diligence and cover all possibilities.

Sincerely,

Young Lee

On Tue, Sep 13, 2022 at 1:37 PM Becky Feldman [REDACTED] wrote:

E114

Hi Mr. Lee,

Thank you again for contacting me today. Again, I am sorry that it is under these circumstances.

Attached is a draft of the motion that we are likely filing tomorrow. The motion outlines the information we uncovered about the alternative suspects. I am happy to share with you the status of the investigation as we move forward. Of course, if you have any questions, please do not hesitate to reach out to me at any time.

Sincerely,

Becky K. Feldman

Chief, Sentencing Review Unit

Office of the State's Attorney for Baltimore City

[120 E. Baltimore Street](#), 9<sup>th</sup> Floor

Baltimore, MD 21202

[REDACTED]

RECEIVED BY REGISTRY  
CIRCUIT COURT FOR  
BALTIMORE

STATE OF MARYLAND

2022 SEP 19 PM 4: 24

IN THE

VS.

REGISTRY

CIRCUIT COURT

ADNAN SYED

\*

FOR

Defendant

\*

BALTIMORE CITY

\*

Case Nos.: 199103042-46

\* \* \* \* \*

**ORDER**

The above-captioned matter came before the Court on the State's Motion to Vacate Judgment on September 19, 2022. Upon consideration of the papers, in camera review of evidence, proceedings, and oral arguments of counsel made upon the record, the Court finds that the State has proven grounds for vacating the judgment of conviction in the matter of Adnan Syed. Specifically, the State has proven that there was a Brady violation. Maryland Rule 4-263(d)(5) requires the State to disclose, without request, all material or information in any form whether or not admissible, that tends to exculpate the defendant or negate or mitigate the defendant's guilt or punishment as to the offense charged. Additionally, the State has discovered new evidence that could not have been discovered by due diligence in time for a new trial under Md. Rule 4-331(c) and creates a substantial or significant probability that the result would have been different. It is this 19<sup>th</sup> day of **September, 2022**, by the Circuit Court for Baltimore City:

**ORDERED** that in the interest of justice and fairness, the State's Motion to Vacate Judgment of Conviction in the matter of Adnan Syed as to indictment #199103042, count 1 –

murder in the 1<sup>st</sup> degree; #199103043, count 1 – kidnapping - adult; #199103045, count 1 – robbery; and #199103046, count 2 – false imprisonment, is hereby **GRANTED**<sup>1</sup>; and it is further

**ORDERED** that the Defendant will be released on his own recognizance and placed on home detention with GPS monitoring with ALERT, Inc.; and it is further

**ORDERED** that the State shall schedule a date for a new trial or enter nolle prosequi of the vacated counts within 30 days of the date of this Order.

*Judge Melissa Phinn*  
Judge's Signature Appears  
on Original Document Only

**Judge Melissa Phinn**

**NOTICE TO CLERK:  
COPIES SENT TO ALL PARTIES.**

**TRUE COPY  
TEST**  
*Marilyn Bentley*  
MARIYN BENTLEY, CLERK



<sup>1</sup> As to indictment #119103044, judgment of acquittal was granted by the Court as to count 1 – robbery (accessory before the fact) and the State entered nolle prosequi as to counts 2 and 3.

**STATE OF MARYLAND**

**v.**

**ADNAN SYED**

\*

**IN THE**

\*

**CIRCUIT COURT**

\*

**FOR BALTIMORE CITY,**

\*

**MARYLAND**

\*

**CASE NOS: 199103042, 043,044, 045, 046**

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Maryland Rule 1-326(a), please enter the appearance of Steven J. Kelly and Ari B. Rubin of Sanford Heisler Sharp, LLP for Young Lee, the crime victim representative of the family of decedent Hae Min Lee, the crime victim in the above-captioned matter. Mr. Lee has filed a Notification Request Form and he demands all rights afforded him as the victim representative under Maryland law. These rights include (among others) the right, through counsel, to be given reasonable notice of any proceeding in the case, the right to be present at the proceeding and the right to be heard at the proceeding.

Dated: September 19, 2022

Respectfully submitted,



Steven J. Kelly, 0312160392  
Ari B. Rubin, 2012180050  
SANFORD HEISLER SHARP, LLP  
111 S. Calvert St., Ste. 1950  
Baltimore, MD 21202  
Phone: 410-834-7416  
Fax: 410-834-7425  
[skelly@sanfordheisler.com](mailto:skelly@sanfordheisler.com)



**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of September, 2022, a copy of the foregoing was served via electronic mail and first class mail, postage prepaid, to counsel of record.



---

Steven J. Kelly

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND,

Case No.: 199103046

vs.

ADNAN SYED,

Defendant.

\_\_\_\_\_ /

OFFICIAL TRANSCRIPT OF PROCEEDINGS  
(MOTIONS HEARING)

Baltimore, Maryland

Monday, September 19, 2022

BEFORE:

HONORABLE MELISSA PHINN, JUDGE

APPEARANCES:

For the State:

ERIN MURPHY, ESQ.  
BECKY FELDMAN, ESQ.

For the Defendant:

ERICA SUTER, ESQ.

For the Victim:

STEVEN KELLY, ESQ.

Electronic Proceedings Transcribed by: Sheila Orms and  
Penny Skaw

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1-800-950-DEPO (3376)

C O N T E N T S

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1-800-950-DEPO (3376)

1                                   P R O C E E D I N G S

2                                   (2:09 p.m.)

3                   THE CLERK: All rise.

4                   (Call to Court)

5                   THE COURT: Good afternoon. Thank you and you may  
6 be seated.

7                   (Pause)

8                   THE COURT: All right. To members of the public  
9 who are joining us virtually, welcome to the Circuit Court  
10 of Baltimore City. My name is Melissa Phinn and I will be  
11 the presiding judge this afternoon.

12                  (Pause)

13                  THE COURT: All right. Thank you, Officers. Good  
14 afternoon, Mr. Syed. Let's remove the handcuffs please.

15                  (Pause)

16                  THE COURT: All right. We're here today on the  
17 State's motion to vacate the judgment of the conviction of  
18 Adnan Syed, pursuant to Criminal Procedure 8301.1. I will  
19 hear from the State as to whether the victim's family has  
20 been notified.

21                  MS. FELDMAN: Good afternoon, Your Honor, Becky  
22 Feldman for the State. Yes, the victim's family has been  
23 notified of the hearing today. And they indicated to me  
24 yesterday that they would be present by the Zoom link that  
25 we provided for them.

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1-800-950-DEPO (3376)

1 THE COURT: All right. Can you tell the Court  
2 specifically what notice the State gave to the victim's  
3 family in this case?

4 MS. FELDMAN: Yes, Your Honor. We -- counsel and  
5 I met with you on Friday and the hearing was scheduled for  
6 today. When I got back to my office, it was about 2 o'clock  
7 p.m. on Friday, the first e-mail I sent was to Young Lee,  
8 that is the victim's brother who I have been communicating  
9 with and I advised him of the hearing date and I asked him -  
10 - and I notified him that we would also have a Zoom link  
11 available for him if he would like to attend.

12 I did not get a response back from him, so I  
13 texted him yesterday to make sure he got the e-mail and was  
14 aware of the hearing. And he responded that he was aware  
15 and that he would attend via Zoom link.

16 THE COURT: All right. So in filing this motion,  
17 did the State send Mr. Young -- I mean, Mr. Lee a copy of  
18 the motion and --

19 MS. FELDMAN: Yes --

20 THE COURT: -- go over -- I need you to put all  
21 that on the record, ma'am.

22 MS. FELDMAN: Yes, Your Honor. I did contact Mr.  
23 Lee and I sent him a copy of the motion prior to its filing.

24 THE COURT: And when exactly did you do that?

25 MS. FELDMAN: Let's see, I called him on Monday.

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1-800-950-DEPO (3376)

1 We were able to -- Monday of the -- last week of the filing,  
2 I don't have the date with me, we were able to conduct --

3 THE COURT: All right. Can you get the date,  
4 let's get the date, let's make a record.

5 MS. FELDMAN: Yes. If I could turn on my phone to  
6 pull up my calendar, sorry, Your Honor?

7 THE COURT: Yes, that's fine.

8 MR. KELLY: Your Honor, my name is Steve Kelly, I  
9 represent the family of the victim. I just wanted to let  
10 you know that I'm in the courtroom and I would like to be  
11 heard.

12 THE COURT: Thank you, sir.

13 MS. FELDMAN: Okay. Thank you, Your Honor. I  
14 contacted Mr. Lee by telephone on the 12th. We have --

15 THE COURT: 12th of what?

16 MS. FELDMAN: Of September. And we were able to  
17 connect on the 13th, that's when we spoke via telephone and  
18 then I provided -- and let him know what was happening, what  
19 information we had developed. I went through the motion a  
20 bit with him and I sent him a copy of the motion that day.  
21 And then the motion was filed on the 14th of September.

22 THE COURT: All right. And you told him the time  
23 and the location of the hearing today as you did on Friday?

24 MS. FELDMAN: Yes.

25 THE COURT: All right. And what section of the

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1 statute were you relying on for your notice?

2 MS. FELDMAN: So the notice is in the vacature  
3 statute, 8301.1 of the Maryland Criminal Procedure Article.  
4 It requires -- let me find the exact section.

5 Okay. It is Section (d)(1), before a hearing on a  
6 motion filed under this section, the victim or victim's  
7 representative shall be notified. A victim or victim's  
8 representative has the right to attend a hearing on a motion  
9 filed under this section.

10 THE COURT: All right. Now, attendance, as far as  
11 your understanding from the victim's family, the attendance  
12 was going to be done how?

13 MS. FELDMAN: So I did not know until he texted me  
14 back yesterday whether he was going to attend via Zoom and  
15 he indicated that he would. He had not indicated to me that  
16 he wished to travel to be here today.

17 THE COURT: All right. Thank you.

18 Is Mr. Young Lee on the Zoom? If so, unmute  
19 yourself and identify yourself for the record, sir.

20 (No response)

21 THE COURT: No response. Counsel, I'll give you  
22 an opportunity to speak. You can step over here to the  
23 trial table. You can stand in the middle if you like.  
24 State your name for the record.

25 MR. KELLY: Thank you, Your Honor. My name is

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1 Steve Kelly, I represent Young Lee, who is the victim  
2 representative for Hae Min Lee, the family of the decedent  
3 in this case.

4 THE COURT: And you'd like to say what to the  
5 Court?

6 MR. KELLY: Well, Your Honor, the State has  
7 focused on the notice requirement and the presence  
8 requirement. First of all, as to the presence requirement I  
9 would refer Your Honor to Criminal Procedure Section 11-102,  
10 which states that the victim has the same right to be  
11 present at proceedings as the defendant.

12 So the notion that giving a late afternoon notice  
13 to a family of Korean national immigrants on a Friday  
14 afternoon for a motion that has been contemplated for one  
15 year, according to the State's filings, is patently  
16 unreasonable, Your Honor. There is no opportunity there to  
17 be present.

18 The other issue is, the State stated to me and I  
19 learned for the first time today that the State takes the  
20 position that the victim of a crime in Maryland has no right  
21 to meaningful participate in this proceeding. That's news  
22 to me. I've been doing this work for over 20 years, and as  
23 far as I know, all of the contrite statutes, including  
24 specifically, Your Honor, 11-403, Maryland Law 3-43 -- 345  
25 contemplate the victim having a meaningful opportunity to

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1 participate.

2 THE COURT: What was that, Maryland what?

3 Maryland dash?

4 MR. KELLY: I'm sorry, Your Honor, which one, Your  
5 Honor, the rule that --

6 THE COURT: You said Maryland 4- -- I couldn't  
7 understand the last statute or rule you quoted.

8 MR. KELLY: Sure, Your Honor, it's Maryland Rule  
9 4-345. So these are as to the right of the victim to  
10 meaningful participate.

11 You know, the victim's statute is admittedly  
12 untested and new, but to suggest that the State's Attorney's  
13 Office has provided adequate notice under the circumstances  
14 is outrageous.

15 The State's Attorney, in my opinion, misadvised my  
16 client that he had no right to meaningful participate.  
17 Whatever my client may or may not have said to the State's  
18 Attorney, when -- before I was retained I can't speak to it.  
19 My client was not available to be here. He has to work.  
20 And he also wants to, as I think he deserves under Maryland  
21 law for a case that's been going on for 22 years, which this  
22 office has repeatedly represented to the family and again to  
23 the public, that this is a just conviction.

24 Now, suddenly after quote/unquote a year of  
25 investigation they make a sudden turn, decide that they're

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1 going to move to vacate giving my client less than one  
2 business day notice. That's not reasonable.

3 And failing also to give any kind of notice as to  
4 what it is that has caused the concern on the part of the  
5 State's Attorney's Office. I mean, the motion -- so I --  
6 I'm not prepared to address nor do I want to address the  
7 merits of the motion, Your Honor. I'm here strictly as a  
8 matter of victim's rights. Strictly on the issue of the  
9 right of this family to meaningfully participate.

10 And, Your Honor, I would respectfully refer you to  
11 our brief and the Canton v State (ph) case, in which the  
12 Maryland Appellate Courts are recognizing that there are  
13 real consequences to excluding victims from proceedings like  
14 this.

15 And so, you know, I realize that everybody is here  
16 and that the parties are prepared to present argument. I  
17 also realize that there are real liberty issues at stake for  
18 Mr. Syed and that's why we have asked for, what I believe is  
19 a very reasonable amount of time, seven days for our client  
20 to be able to get here and to publicly -- to attend in  
21 person which I think he has the right to do under Maryland  
22 law --

23 THE COURT: Well I guess --

24 MR. KELLY: -- and to meaningfully participate.

25 THE COURT: I'm sorry. I guess that's the issue.

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1 What is attendance, what is presence? Since the COVID in  
2 2020, we have been conducting Court in a lot of  
3 jurisdictions around the country via Zoom.

4 So as far as the Maryland rules is concerned, 4-  
5 231(e), electronic proceedings are allowed in the Circuit  
6 Court for any Circuit Court. And we do them here every day.

7 So if Mr. Lee, as he informed Ms. Feldman,  
8 intended to attend the hearing today, his presence would be  
9 known here today on the Zoom. I was aware that he lived in  
10 California and that's what I was told that they lived in  
11 California and that they would be present by Zoom.

12 Now, it appears that since Friday, Mr. Lee has  
13 changed his mind. And for some reason, at least is given  
14 the appearance today that he wishes to be present here in  
15 Baltimore City for this hearing.

16 I'll also point out to you, counsel, that I looked  
17 at all the statutes and the rules that you quoted in your  
18 petition and nothing in there, as far as this motion to  
19 vacate, indicates that the victim's family would have a  
20 right to be heard.

21 Now, of course, if Mr. Lee was present today on  
22 the Zoom and he wanted to speak, I would allow him to speak.  
23 But are you saying to the Court that Mr. Lee is going to  
24 travel here to Baltimore in seven days for this hearing?

25 MR. KELLY: Yes, Your Honor.

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1 THE COURT: Okay. And are you --

2 MR. KELLY: And, Your Honor, if I may -- I'm  
3 sorry.

4 THE COURT: Wait a minute. Are you not aware that  
5 him -- by him telling us on Friday that he was going to  
6 appear via Zoom is why we set this hearing today? Because  
7 had we known that on Friday then, of course, we would have  
8 scheduled this hearing according to when he was planning to  
9 arrive within a reasonable amount of time. So he didn't do  
10 that.

11 MR. KELLY: Your Honor, may I just be heard on  
12 that issue?

13 THE COURT: Yes.

14 MR. KELLY: First of all, Your Honor, he did not  
15 state on Friday at any time that he would participate. He -  
16 - according to what counsel has said, and I have not seen  
17 this text exchange.

18 THE COURT: Can you show the counsel the text  
19 please?

20 MR. KELLY: But according to what she has  
21 indicated --

22 THE COURT: Let's do this first, do one thing at a  
23 time.

24 MR. KELLY: It was Saturday as far as I know.

25 THE COURT: We'll do one thing at a time.

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1 MR. KELLY: Okay.

2 (Pause - counsel confer)

3 MR. KELLY: So, yes, this was 4:08 p.m. yesterday,  
4 Your Honor, shortly before I was retained in this matter at  
5 approximately 6 p.m. yesterday.

6 And, Your Honor, I would just for the record state  
7 that my client did not -- you know, is not a lawyer and he  
8 has every right to be counseled by an attorney as to his  
9 rights and then to act accordingly.

10 He has been trying ever since he got notice from  
11 the State to find an attorney. We connected and he was able  
12 to retain me late in the evening yesterday. Which I  
13 apologize for the last minute filing and for not having a  
14 chance to confer with --

15 THE COURT: Well, you did see the confusion?  
16 Because obviously your motion what about 30 minutes ago in  
17 my chambers and then Mr. Lee told the State through text  
18 that he would participate by Zoom.

19 Now, counsel and I have been in close  
20 communication about this case procedurally since Friday. So  
21 had he told Ms. Feldman that he didn't want to participate  
22 via Zoom and wanted to be in person, she would have  
23 communicated that to me and then we would have taken the  
24 appropriate steps.

25 MR. KELLY: Your Honor, I submit that that's not

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1 adequate notice under Maryland law. I mean, if Your Honor -  
2 -

3 THE COURT: Nothing says that it has to be a  
4 participate time period. It says notice.

5 MR. KELLY: Your Honor, reasonable notice and --

6 THE COURT: Where -- point it out to me.

7 MR. KELLY: And quite frankly, Your Honor, I'm not  
8 going to --

9 THE COURT: No, this is what -- no, we want to  
10 make the record clear.

11 MR. KELLY: Yeah, right.

12 THE COURT: In 8-301.1, which is the statute for  
13 motion to vacate it says notice. It doesn't have anything  
14 about reasonable notice.

15 MR. KELLY: Your Honor, that reasonableness is a  
16 standard that's been long applied by the Maryland Supreme  
17 Court as we now must call it, and, Your Honor, I would be  
18 happy to brief that issue. But I can -- you know, I don't  
19 believe that one day's notice is adequate.

20 He was trying to get counsel. He was told by the  
21 State's Attorney's Office that he didn't have the right to  
22 meaningful participate in this hearing. So he didn't know  
23 any better, he's a layman. But he now is represented by  
24 counsel. He has a very legitimate stake in these  
25 proceedings and I don't believe that there's, quite frankly,

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1 Your Honor, any appellate court that would find this notice  
2 reasonable.

3 So if Your Honor is inclined to deny the motion, I  
4 would just ask that this matter be stayed pending appellate  
5 review.

6 THE COURT: Ms. Feldman, did you tell Mr. Lee that  
7 he was not able to participate in this hearing?

8 MS. FELDMAN: No, I didn't say that and I would  
9 never say that and I just want to be clear. It is not the  
10 position of the State's Attorney's Office that we would  
11 object in any way to someone being present and participating  
12 if they wanted to.

13 And we were just pointing out that the statute  
14 just requires notice and attendance. But certainly if he  
15 were here, and that is why -- that is why I asked this to be  
16 by Zoom, because this is an in-person hearing and I came to  
17 you and said, can we make this arrangement in case he would  
18 like to be -- to observe the hearing. And you thankfully  
19 made that happen. So this is kind of a bifurcated  
20 proceeding.

21 And as soon as I got back to my office, knowing  
22 what the new date was, I sent him that e-mail. The e-mail  
23 was at 2 o'clock p.m. Friday. So I would never tell a  
24 victim ever that they did not have the right to attend or  
25 make a statement.

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1 THE COURT: When you spoke to Mr. Lee early on  
2 about the actual motion and that there would be a hearing,  
3 did he ever indicate to you that he would like to fly to  
4 Baltimore?

5 MS. FELDMAN: No, he did -- I said that there  
6 would be a hearing in this matter, would he like, you know,  
7 to be notified. He said, absolutely, you know, let me know  
8 if there's a hearing. I did not ask, nor did he state that  
9 he would be present physically.

10 THE COURT: Okay. All right. Thank you.

11 MR. KELLY: Your Honor, if I just may just clarify  
12 a couple of things for the record. First of all, I don't  
13 believe it's discretionary under the -- I'm sorry, this --  
14 (Audio problems)

15 THE COURT: I don't know why it's doing that.

16 MR. KELLY: It doesn't like me.

17 THE COURT: Let's just see if we can correct that.  
18 (Pause)

19 MR. KELLY: Your Honor, first of all, I'd just  
20 state that the victim's right to be present -- first of all  
21 in terms of the right to be present and notified, et cetera,  
22 that's all set forth in Article 47 of the Maryland  
23 Declaration of Rights, which does contain broad statements  
24 about the need to grant fairness and treat victims fairly  
25 and with respect.

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1 But in addition to that, Your Honor, Section 11-  
2 102 specifically contemplates hearings to vacate sentences.  
3 There's nothing in the vacature statute that supersedes that  
4 in any way.

5 In addition, under 11-403 the victim does have the  
6 right to speak at a hearing. I would submit --

7 THE COURT: Well --

8 MR. KELLY: -- to Your Honor that it's impossible  
9 based on these circumstances for my client to speak. First  
10 of all --

11 THE COURT: Your client --

12 MR. KELLY: -- based on the lack of reasonable  
13 notice and the lack of specificity in the State's motion,  
14 especially in light of the State's repeated more than 20  
15 years taking the position and telling my client over and  
16 over again that this is a just and fair conviction. Now to  
17 reverse course and not explain it is unfair and it's unfair  
18 to give the victim -- to put the victim on the spot and  
19 expect him to be able to address a motion which he has no  
20 idea what it's really about.

21 THE COURT: Well, let me just first address 11-  
22 403. That has to do with sentencing or disposition  
23 hearings. That's not what this is. And you're addressing  
24 that as the victim's rights. This is a motion to vacate.

25 So -- well, this is what I'm going to say to you,

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1 counsel -- let me ask Ms. Feldman this question first.

2 When is the first time you spoke to Mr. Lee about  
3 this -- the State's filing a motion to vacate this judgment  
4 of conviction?

5 MS. FELDMAN: Yeah, so actually if I could give a  
6 little bit more context. The State jointly filed a motion  
7 for DNA testing back in March. And I contacted then and I  
8 did not get a response.

9 When it came time when we decided that we were  
10 going to pursue -- file this motion to vacate I contacted  
11 him on that Monday that I referred to. I had not spoken to  
12 him during that period.

13 But I would state that when I talked to him on  
14 Tuesday, not only did we talk, and I sent him a copy of the  
15 motion, I gave him my cell phone number, my e-mail, and my  
16 office number and invited him to please contact me any time  
17 by text, call, e-mail with any questions. And I even  
18 followed that up with an e-mail telling him please contact  
19 me at any time.

20 THE COURT: Okay. You have -- last word, counsel.

21 MR. KELLY: Your Honor, I would just say and I  
22 didn't mean to accuse counsel of misrepresenting the law,  
23 but I would say that for a lay person reading her e-mail  
24 message concerning the Zoom when it just says that you can  
25 watch the Zoom, it doesn't say anything about what would

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1 happen if you wanted to speak or be heard, there's no -- you  
2 know, the State's Attorney has an affirmative obligation as  
3 the attorney to advise the victim of their rights. That's,  
4 you know, fundamental in the statutes all the way -- going  
5 all the way back to the victim's rights notification request  
6 form and the whole array. So that clearly was not done.

7 My client did not understand that he had a right  
8 to participate in the hearing beyond observing. So that was  
9 what his acquiescence.

10 I would just note again yesterday at 4:08 p.m.  
11 shortly before he reached out to me and retained me, he  
12 responded to a text message indicating that he would  
13 participate, not understanding what that meant, that he  
14 would attend, not understanding what that meant or what his  
15 rights were.

16 And, Your Honor, I believe that that -- not only I  
17 believe, under Maryland law, you know, he has every right to  
18 exercise his rights once they've been explained to him by an  
19 attorney.

20 THE COURT: Well, I think he had plenty of time to  
21 seek an attorney when he was first told about the motion,  
22 you know, regardless of how we're going to proceed.

23 So, counsel, at this time, I'm going to deny your  
24 motion. What I will give you time to do is to get Mr. Lee  
25 and have him join this Zoom. I think he has the link and if

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1 he wants to speak, I will allow him to speak first.

2 So we will give you that opportunity.

3 MR. KELLY: Your Honor, I'm not able to advise my  
4 client. My client is at work at this point.

5 THE COURT: Okay.

6 MR. KELLY: And if Your Honor is going to that  
7 position, I would submit that --

8 THE COURT: Well, the reason why I'm taking that  
9 position, sir, is that because your client indicated that he  
10 would participate via Zoom. I don't think Zoom is foreign  
11 anymore. I think everybody knows what Zoom is.  
12 Participate, you know, we do victim's rights, I do it every  
13 day on Zoom and the victims come on and they give their  
14 victim impact statements. And it's recorded and it's  
15 recorded in the courtroom with this blue man here, which is  
16 CourtSmart.

17 So they have every opportunity to participate.  
18 And I'm giving your client, your client the opportunity to  
19 participate now via Zoom and if he's like to speak I will  
20 hear from him.

21 So what I think you should do before you make the  
22 decision on your own, is to go out and call Mr. Lee and see  
23 what he wants to do and I'll wait for your response.

24 MR. KELLY: Your Honor --

25 THE COURT: You may step back, counsel, and call

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1 your client and I will wait for your response.

2 MR. KELLY: Thank you, Your Honor.

3 THE COURT: You're welcome.

4 (Pause)

5 THE COURT: Counsel.

6 MR. KELLY: Apologies for the delay, Your Honor.

7 THE COURT: No problem.

8 MR. KELLY: I was able to reach my client. He is  
9 at work, but he would just request 30 minutes to get home  
10 and to a private place where we can participate.

11 THE COURT: That's fine.

12 MR. KELLY: Your Honor, we would just reserve all  
13 objections and the papers and took a notice of adequacy, but  
14 with that said, you know, he would just respectfully request  
15 a half hour to get into position to be on the Zoom.

16 THE COURT: Very well, thank you.

17 MR. KELLY: Thank you, Your Honor.

18 THE COURT: The Court's going to have to recess  
19 for 30 minutes. We'll bring Mr. Syed back up in about 30  
20 minutes.

21 (Pause)

22 THE COURT: Court will stand in recess for 30  
23 minutes.

24 THE CLERK: Please rise.

25 (Recessed at 2:44 p.m.; reconvened at 3:35 p.m.)

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1 THE COURT: Call the case for the record.

2 MS. FELDMAN: Thank you, Your Honor. Calling  
3 State versus Adnan Syed, Case No. 199103042 through 046,  
4 Becky Feldman for the State. And with me is Erin Murphy who  
5 is chief counsel at my office.

6 MS. SUTER: Good afternoon, Your Honor, Erica  
7 Suter on behalf of Adnan Syed who's present in the courtroom  
8 to my left.

9 THE COURT: All right. Thank you. You can have a  
10 seat, counsel.

11 All right. Mr. Young Lee, are you with us on the  
12 Zoom, sir?

13 MR. LEE: Yes, I am, Your Honor.

14 THE COURT: All right. Good afternoon, sir.

15 MR. LEE: Good morning.

16 THE COURT: You're here today to make a statement  
17 and the Court is ready to hear from you.

18 MR. LEE: Thank you, Your Honor. Thank you for  
19 giving this time to speak.

20 I'm sorry if I -- sorry, my heart is kind of  
21 pounding right now.

22 THE COURT: That's fine.

23 MR. LEE: I apologize. There was some issues with  
24 Zoom. I personally wanted to be there in person, but Your  
25 Honor, it's -- I've been living with this for 20 plus years

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1 and every day when I think it's over, when I look and think  
2 it's over or it's ended, it's over. It always comes back.  
3 And it's not just me, killing me and killing my mother and  
4 it's really tough to just going through this again and again  
5 and again.

6 I believe in the justice system, the Court, the  
7 State, and I believe they did a fine job of prosecuting Mr.  
8 Syed. And I believe the Judge did make the right decision,  
9 but just going through it again it's living a nightmare over  
10 and over again. It's tough.

11 And I am not -- like I said before, I trust the  
12 court system and just trust in the justice system and I am  
13 not against -- it's really -- it was kind of -- I was kind  
14 of blind sighted. I always thought the State was on my  
15 side, you know, but I don't know where -- I hear that  
16 there's a motion to vacate judgment and I thought --  
17 honestly I felt honestly betrayed, why is my -- I kept  
18 thinking to myself, why is the State doing this.

19 And I am not against an investigation or anything  
20 of that sort that Ms. Feldman is doing. I am not against it  
21 at all. It just -- but the motion just to vacate judgment,  
22 it just -- it's really tough for me to swallow, especially  
23 from -- I am not an expert in legal matters, in law or  
24 anything like that, but I ask you, Judge, just to make a  
25 right decision that you see. But just this motion, I feel

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1 that it's unfair, especially for my family just to live  
2 through it all and knowing that there's somebody out there  
3 just free of killing my sister. It's tough.

4 And I just wanted to say this in person, but I  
5 didn't know I had the opportunity, but I just -- and it's  
6 tough. Yeah. It's tough, it's tough. This is not a  
7 (indiscernible) for me, it's just real life, never ending  
8 after 20 plus years. Just on the thought that  
9 (indiscernible).

10 I just want the judge to know like the stuff that  
11 we're going through, our family, it's killing us. And I  
12 ask, Judge, that you make the right decision. That's all,  
13 Your Honor.

14 THE COURT: All right. Thank you, Mr. Lee.

15 The Court is mindful how difficult this day is for  
16 you and I understand it's a very emotional day for you. And  
17 I appreciate you joining the Zoom this afternoon to make  
18 this statement because it is important to hear from the  
19 victim or the victim's representative. And I thank you for  
20 doing that this afternoon, sir.

21 MR. LEE: You're welcome, Your Honor. Thank you  
22 for hearing me.

23 MR. KELLY: Your Honor, may I just say a couple of  
24 sentences?

25 THE COURT: Who's speaking?

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1 MR. KELLY: This is Steve Kelly, Your Honor, I  
2 represent Mr. Lee in this proceeding.

3 THE COURT: No, I don't think that's appropriate  
4 at this time, sir. We've heard from the victim and I heard  
5 from you earlier. Thank you.

6 All right. The Court is satisfied that all the  
7 requirements under 8 -- Criminal Procedure 8-301.1 has been  
8 met by the State, therefore, the hearing will commence now.  
9 I'll hear from you, Ms. Feldman.

10 MS. FELDMAN: Thank you, Your Honor.

11 I have quite an amount of information I'd like to  
12 put on the record. Would it be okay if I sat during this?

13 THE COURT: Yeah, that's fine.

14 MS. FELDMAN: Thank you, Your Honor.

15 I know this Court is very familiar with ruling on  
16 motions to vacate filed by the State, as well as the statute  
17 permitting this motion remedy. And we are proceeding under  
18 the second standard of the statute, which is that the  
19 State's Attorney's Office received new information after  
20 judgment of conviction that calls into question the  
21 integrity of the conviction and that the interest of justice  
22 and fairness justifies vacating the conviction.

23 What is unusual in this case, unlike all of the  
24 other motions to vacate my office has filed in the past, is  
25 that should this motion be granted, we will be continuing

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1 our investigation and we will not be asking the Court to  
2 dismiss the case at this time. Instead, we are requesting  
3 that a trial be set in.

4 The State's ultimate decision to proceed with a  
5 new trial or ultimately dismiss the case is contingent upon  
6 the results of the ongoing investigation. However, the  
7 State is requesting the defendant be released on his own  
8 recognizance, pending the investigation, should the Court  
9 grant this motion.

10 So why are we doing this now, I think a brief time  
11 line of the investigation would be helpful. The review of  
12 this case began in my office in October of 2021. We had  
13 some concerns after that review and requested DNA testing to  
14 be conducted on the victim's clothing, specifically touch  
15 DNA testing that had not been previously done before in  
16 March of 2022.

17 Brady material was discovered in June of this year  
18 and it was immediately turned over to Ms. Suter the same  
19 day. Uncovering this information was a pivotal moment in  
20 this case, but we decided not to file any motions at that  
21 time because we were still waiting for DNA results. And we  
22 also ended up conducting a fairly and lengthy investigation  
23 of this suspect based on those notes.

24 I cannot go into the details of the additional  
25 information we received at that time, but the information

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1 satisfied the State that this person was a credible  
2 alternative suspect with a motive.

3 In July we received the DNA results orally and in  
4 August, we received the final report. In August after  
5 accessing all the information that we had, we believe that  
6 we had a duty to act.

7 You know, I've spent four weeks tracking three  
8 different motions because we had issues that were  
9 ineffective assistance, we had issues of newly discovered  
10 evidence, we have new evidence. So, you know, there's a lot  
11 that has been uncovered and we ultimately landed on pursuing  
12 a motion to vacate. Because in our opinion, based on what  
13 I'm going to present today that was the most appropriate  
14 motion to pursue.

15 I should also add that the defense was an active  
16 collaborative partner with us during this process.

17 There is an abundance of issues that give the  
18 State overwhelming cause for concern, including Brady  
19 violations, regarding an alternative suspect, new evidence  
20 regarding two alternative suspects, as well as serious  
21 reliability issues regarding the evidence presented at the  
22 original trial.

23 The first significant issue of concern is the  
24 discovery of documents in the State's trial file that the  
25 State concedes is Brady material. And for the public's

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1 information, Brady material is evidence that is suppressed  
2 by the State, which is favorable to the defendant, either as  
3 to guilt or punishment, and the evidence was material,  
4 meaning that there was a reasonable probability that the  
5 result of the proceeding would have been different.

6 And generally the failure to turn over information  
7 received regarding an alternative suspect can constitute a  
8 reversible Brady violation.

9 I have drafted an affidavit and I provided it to  
10 Ms. Suter and I would like to offer it as an exhibit at this  
11 time for the Court as State's Exhibit 1. If I may approach  
12 your clerk.

13 THE COURT: Yes.

14 (Whereupon, State's Exhibit No. 1  
15 was marked for identification)

16 MS. FELDMAN: And I'm just going to read a few of  
17 the most relevant portions of this affidavit to discuss how  
18 I came about the Brady material.

19 THE COURT: Okay.

20 MS. FELDMAN: I do not have personal knowledge as  
21 to how or where the State's Attorney's trial file was  
22 maintained from 1999 through the time it was delivered to  
23 the Attorney General's Office.

24 I also do not have personal knowledge as to when  
25 the trial file was delivered to the Attorney General's

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1 Office. However, when I began reviewing the case in October  
2 of 2021, the file was still in possession of the Attorney  
3 General's Office.

4 On May 12th, 2022 I requested the trial file,  
5 specifically I requested copies of any reports regarding the  
6 investigation, cell phone reports and records, and witness  
7 interviews.

8 After several more communications, I ended up  
9 going on June 22nd, 2022 to review the files. The entirety  
10 of the trial file, as well as the post-conviction appellate  
11 files was contained in approximately 17 boxes.

12 It appeared that the first seven boxes or so  
13 mainly contained the trial file. The remainder of the boxes  
14 contained the post-conviction and related appeals file.

15 On June 22nd I was able to go through several of  
16 the boxes and photocopy various documents. Later that day,  
17 I scanned the documents and sent them to defense counsel.  
18 It was at this time it was discovered that two of the  
19 documents I scanned contained potential Brady material.

20 Without going into details that could compromise  
21 our investigation, the two documents I found are documents  
22 that were handwritten by either a prosecutor or someone  
23 acting on their behalf. It was something from the police  
24 file.

25 The documents are detailed notes of two separate

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1 interviews of two different people contacting the State's  
2 Attorney's Office with information about one of the  
3 suspects.

4 Based on the context, it appears that these  
5 individuals contacted the State directly because they had  
6 concerning information about this suspect.

7 One of the interviews relayed that one of the  
8 suspects was upset with the victim and he would make her  
9 disappear, he would kill her. Based on other related  
10 documents in the file, it appears that this interview  
11 occurred in January of 2000. The interview note did not  
12 have an exact date of the interview.

13 In the other interview with a different person,  
14 the person contacted the State's Attorney's Office and  
15 relayed a motive toward that same suspect to harm the  
16 victim. Based on other related documents in the file, it  
17 appears that this interview occurred in October of 1999. It  
18 did not have an exact date of the interview.

19 The documents were difficult to read because the  
20 handwriting was so poor. The handwriting was consistent  
21 with a significant amount of the other handwritten documents  
22 throughout the State's trial file.

23 Based on the information in these interviews,  
24 defense counsel and the State conducted a fairly extensive  
25 investigation into this individual which remains ongoing.

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1 The State would note that based on the investigation that  
2 resulted from finding this information, the State believes  
3 this motive, that the suspect had motive, opportunity and  
4 means to commit this crime.

5 Ms. Suter has possession of the defense attorney's  
6 trial file. According to Ms. Suter those Brady documents  
7 were not in the file, nor were there any notes that  
8 resembled in any way the information that was contained in  
9 the State's notes.

10 The information was also not contained in any of  
11 the disclosures made by the State during the trial. And I  
12 think it is fair to characterize that we were both shocked  
13 to see these documents.

14 To date, the trial file is still in the possession  
15 of the Attorney General's office; however, I was given  
16 access on multiple occasions upon my request to review the  
17 files and make photocopies of the documents contained in the  
18 boxes.

19 I understand that many attorneys and advocates  
20 have reviewed this file or portions of this file over the  
21 years. I do not have personal knowledge as to what parts of  
22 the file remain available to them. I also do not know why  
23 these documents were not previously discovered.

24 And, at this time, I would move this affidavit  
25 into evidence.

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1 THE COURT: All right. Any objection?

2 MS. SUTER: No objection, Your Honor.

3 THE COURT: All right. So received.

4 (Whereupon, State's Exhibit No. 1  
5 was admitted into evidence.)

6 MS. FELDMAN: Thank you, Your Honor.

7 I would also note, at this time, for the record,  
8 that I did show the Court the two documents containing the  
9 Brady information in camera last week, meaning off the  
10 record.

11 Based on the failure to disclose this information  
12 alone, we believe that the Defendant is entitled to a new  
13 trial.

14 The State concedes that this information about an  
15 alternative suspect would have been favorable to him and it  
16 was material because it would have helped substantiate an  
17 alternative suspect defense.

18 Next is the new evidence about the location of the  
19 victim's car. That was an investigation done by myself  
20 reviewing property records from the State Department of  
21 Assessments and Taxation in the Edgewood Road area where the  
22 victim's car was ultimately found. And, through other  
23 media, I was able to link a house that had been owned for  
24 many years was -- belonged or was owned by a person related  
25 to the family of one of the suspects.

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1 This person had owned the home for many years and  
2 he had lived at that location in 1999.

3 This is new information. I think it can be  
4 considered newly discovered information and the State  
5 believes it would have provided persuasive support  
6 substantiating the defense that another person may be  
7 responsible for the victim's death.

8 The next few pieces of information that I wrote in  
9 the motion about various arrests and aggressive behaviors, I  
10 did that for a very specific reason. I don't -- I did not  
11 love having to disclose any information about our suspects  
12 but I thought it was important for the Court to have some  
13 information to see that these suspects are credible, viable  
14 suspects.

15 It's not just some random, you know, note that we  
16 found that -- of a person that has nothing to do with this  
17 case. This is leading down a path.

18 For example, one of the suspects attacked a woman  
19 in her vehicle unprovoked. This occurred after the trial.  
20 He was arrested and he was convicted for the -- that  
21 offense.

22 In another instance, one of the suspects engaged  
23 in serial rape and sexual assaults. This also occurred  
24 after the trial. This person was arrested and convicted.

25 One of the suspects engaged in violence against a

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1 woman known to him, threatened her life and falsely confined  
2 her. These event happened prior to the trial of -- I'm  
3 sorry, prior to the trial in this case but we think that  
4 this is consequential information that needs to be reviewed  
5 further.

6 Next, and this goes to the reliability of the  
7 investigation conducted by the police, one of the suspects,  
8 as it turns out, was not properly cleared as a suspect based  
9 on the incorrect use of a polygraph examination.

10 Obviously, the results of lie detector tests are  
11 not admissible at trial but the issue goes to the  
12 credibility and reliability of the investigation, which is a  
13 factor that we took into consideration when reviewing this  
14 case.

15 It is also a factor in determining whether one of  
16 our suspects is, indeed, still a viable suspect.

17 In the first polygraph test, he failed it and it  
18 indicated that there was deception in whether he was  
19 involved in the death of the victim. But the police allowed  
20 him to come back and take another test because he claimed he  
21 was anxious.

22 According to our expert that we have consulted, in  
23 the case of a distracted examinee, test results will tend to  
24 be shifted toward the direction of inconclusive rather than  
25 deception. So the suspect's excuse for why there were

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1 deceptive results does not track with the science.

2 Also the expert indicated that a recommendation  
3 for a re-test is not a normal practice.

4 Even more concerning is that the police then  
5 improperly cleared the suspect using a peak of tension test.  
6 Our expert said the following: he is not aware of any U.S.  
7 school that would support a polygraph result of deception  
8 indicated or no deception indicated when a KEOT test was  
9 employed as a stand alone test.

10 The test results reported in this session were no  
11 deception indicated. As such, it places the examiner's  
12 conclusion firmly outside of standard polygraph practices.

13 So the suspect should have never been cleared  
14 using that test.

15 The police relayed to the prosecution that the  
16 suspect passed that test with flying colors. So there was  
17 no further investigation into the suspect.

18 Moving on to the cell site evidence. The cell  
19 site records were a critical piece of information at trial  
20 and attempt to link the Defendant to the burial site and it  
21 was an attempt to corroborate the co-defendants statements.

22 There has already been a lot of litigation  
23 concerning the incoming call evidence so I'll try to  
24 condense it for the Court.

25 The incoming calls were not reliable. AT&T said

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1 so in a disclaimer that the prosecutor withheld from its own  
2 experts.

3 The post-conviction court, Judge Welsh, granted  
4 the Defendant a new trial based on this issue alone but the  
5 appellate courts declined to address the issue on the  
6 merits.

7 The State has come to learn that this information  
8 is not reliable and should not have been presented at trial.  
9 The office believes that this is the proper course of  
10 inquiry rather than pursuing an investigation of ineffective  
11 assistance of counsel.

12 The State and the defense jointly consulted with  
13 an expert. And then I consulted two -- with two additional  
14 experts who are not named because of the confidential nature  
15 of their positions.

16 All of the experts consistently opined that the  
17 location of the actual phone during incoming calls can not  
18 be conclusively determined with the information that was  
19 offered into evidence.

20 The evidence offered at trial was sufficient to  
21 state specific infrastructure service to particular calls.  
22 But this information, alone, was inadequate to reach a  
23 conclusion where the phone was located.

24 Additional information, such as loading on the GSM  
25 network, signal strength indications or power measurements

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1 would have been necessary to make this kind of finding.  
2 Therefore, this evidence should not have come in.

3 When the incoming call evidence is excluded, the  
4 strength of the State's original case is greatly weakened  
5 because there's no other reliable evidence placing the  
6 Defendant at the burial site.

7 And before I get into that additional information,  
8 I want to discuss Detective William Ritz's past misconduct.

9 Detective William Ritz was one of the detectives  
10 on this case. We are not making any claims or assertions,  
11 at this time, regarding his investigation into this case.  
12 However, evidence of past conduct that resulted in an  
13 innocent man serving 18 years in prison was a consideration  
14 in our calculation as to the reliability of the  
15 investigation conducted in this case.

16 Malcolm Bryant was wrongfully convicted of murder  
17 in 1999 and served 17 years before his exoneration. The  
18 City settled the case so there were no admissions of guilt  
19 or judicial findings. But the allegations made in the  
20 complaint were that Detective Ritz obtained a  
21 misidentification from the only eyewitness.

22 He failed to disclose evidence about a second  
23 eyewitness whose account contradicted and undermined the  
24 first eyewitness. He failed to disclose incriminating  
25 evidence pointing to the true perpetrator.

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1           He used direct or indirect suggestions to  
2           manipulate the composite sketch to make it more closely  
3           resemble the person he suspected, Malcolm Bryant.

4           He also used a suggestive photo -- photographic  
5           lineup consisting of six individuals, including Malcolm  
6           Bryant.

7           He never interviewed or conducted any follow up  
8           investigation regarding any of the individuals who could  
9           have provided an alibi for Mr. Bryant.

10          He failed to investigate evidence of Bryant's  
11          whereabouts on the night of the murder and he did not  
12          disclose to Mr. Bryant or his counsel or the prosecutor some  
13          of the evidence he obtained about -- that incriminated  
14          another suspect.

15          It was also alleged that police received three  
16          9-1-1 calls on the night of the murder; one of which was  
17          from a potential eyewitness that contradicted the other  
18          eyewitness's account. Detective Ritz did not investigate  
19          this witness's report and never disclosed the report to Mr.  
20          Bryant.

21          Also critical evidence obtained from the crime  
22          scene was never tested for DNA.

23          So Detective Ritz did not act as an objective  
24          investigator in that Bryant case. He made up his mind as to  
25          who he believed the perpetrator was and then manipulated the

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1 evidence to support his theory and hid the evidence that did  
2 not support his theory.

3 He stated Malcolm Bryant sued the Baltimore Police  
4 Department and, in 2022, the City approved an \$8 million  
5 settlement to the Bryant estate.

6 Regarding the reliability of Jay Wilds. Wilds'  
7 various versions of his statements, over time, presented a  
8 huge credibility issue for the State at trial. That is why  
9 the cell phone records and a few of the corroborating  
10 witnesses was so important.

11 The State has reviewed all of the statements to  
12 police, the ones that were recorded; the trial testimony at  
13 both trials; his subsequent statements to various media  
14 outlets. And the most concerning discrepancy is -- and  
15 there were quite a few, but we narrowed it down to the ones  
16 that we thought were the most concerning.

17 He gave two different accounts to the police about  
18 where he saw the victim's body. In February of '99, he told  
19 them it was in a trunk on Edmondson Avenue. In March, he  
20 changed it to the Best Buy and in 2014 he reported to the  
21 media that he saw it at his grandmother's house.

22 It should also be noted -- I'm sorry.

23 Oh, one other thing. The State's theory is that  
24 the victim was killed sometime after school, you know,  
25 around the 2:30 time frame and that the Defendant called

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1 Wilds to pick him up at the Best Buy at 2:36.

2           However, Wilds testified that the Defendant did  
3 not call him until after 3:45 altering the State's time line  
4 significantly.

5           It should also be noted that Wilds received no  
6 prison time for his alleged involvement in the crime. He  
7 pled guilty to accessory after the fact and received a  
8 suspended sentence.

9           So it is extremely difficult for us to rely on his  
10 testimony alone without sufficient corroboration.

11           There is new information that I wrote in the  
12 motion about Christina Vincent (ph) and she was used to  
13 corroborate Jay Wilds' and the Defendant's whereabouts at  
14 some point during the day on January 13th. However, after  
15 being presented with new information with her -- of her  
16 class schedule in a 2019 documentary, her reaction was  
17 rather compelling when she realized that she's been wrong  
18 all these years and had the wrong date. So the events that  
19 she testified to could not have happened on January 13th.  
20 And I think there could be -- being incorrect about this  
21 date is also a possible scenario with the testimony of  
22 another corroborating witness, Jennifer Pusentary (ph).

23           When asked how she recalled the events, that they  
24 indeed occurred on January 13th, she responded because the  
25 police told her the phone calls occurred on the 13th. In

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1 other words, she did not have an independent recollection of  
2 that date.

3 So this testimony is not enough to restore the  
4 faith, the State's faith, that these events did occurred as  
5 related by Wilds.

6 So, for all the reasons detailed in the State's  
7 motion to vacate and recounted before this Court, this case  
8 has an abundance of issues that give the State overwhelming  
9 cause to question the reliability of the Defendant's  
10 conviction.

11 The State's duty, in this case, was to ensure the  
12 person or persons responsible for Ms. Lee's death were  
13 brought to justice. The State's defective investigation of  
14 Ms. Lee's murder failed to properly rule out at least two  
15 suspects who had motive and opportunity to kill Ms. Lee.

16 The faulty investigation also developed evidence  
17 against the Defendant that was not reliable.

18 The State's motion to vacate acknowledges justice  
19 has been denied to Ms. Lee and her family by not ensuring  
20 the correct assailant was brought to justice.

21 I understand how difficult this is but we need to  
22 make sure we hold the correct person accountable. Our  
23 solemn duty, as prosecutors, is to seek justice over  
24 convictions. The Office of the State's Attorney believes  
25 that we are morally and ethically compelled, at this moment,

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1 to take affirmative action to rectify the justice that was  
2 denied to Mr. Syed.

3 The State has lost confidence in the integrity of  
4 his convictions and believes that it is in the interest of  
5 justice and fairness that his convictions be vacated.

6 It is our promise that we will do everything we  
7 can to bring justice to the Lee family. This means  
8 continuing to utilize all available resources to bring a  
9 suspect or suspects to justice and hold them accountable.

10 Thank you, Your Honor.

11 THE COURT: All right. Thank you, Ms. Feldman.  
12 Ms. Suter.

13 MS. SUTER: Your Honor, first, my client and I  
14 would like to express our deepest sympathy to the family and  
15 loved ones of Hae Min Lee.

16 I would also like to state, for the record, that  
17 while I understand the State's position, my client is  
18 innocent.

19 Your Honor, I'd like to read from a letter that  
20 was Exhibit B to the defense reply, a January 6th, 2000  
21 letter from Ms. Gutierrez, trial counsel to the State.

22 This letter is to once again request any and all  
23 Brady material in the above referenced matter. Despite the  
24 Defendant's multiple requests for disclosure of such  
25 material, exculpatory or mitigating information within the

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1 State's possession continues to come to light as this case  
2 proceeds.

3 She goes on to state Maryland Rule 4-263 requires  
4 the State to disclose, without request, any material or  
5 information tending to negate or mitigate the guilt or  
6 punishment of the Defendant as to the offense charged.

7 Your Honor, Brady violations like the one that we  
8 are talking about in this case are an affront to any sense  
9 of justice and fair play. I proffer to the Court that the  
10 documents that the State now concedes are Brady were not in  
11 the defense file.

12 I further proffer that previous post-conviction  
13 counsel in this case would also state to the best of his  
14 knowledge and recollection, he has never seen these  
15 documents.

16 Mr. Syed's conviction was built on a flawed  
17 investigation and rests on the evolving narrative of an  
18 incentivized cooperating 19-year old co-defendant propped up  
19 by inaccurate and misleading cell phone location data. This  
20 was so in 1999 when Mr. Syed was a 17-year old child. It  
21 remains so today.

22 We agree with the State that Mr. Syed's sentence  
23 and conviction should be vacated.

24 THE COURT: All right.

25 MS. SUTER: I thank the Court for its

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1 consideration.

2 THE COURT: Thank you. Did you want to admit the  
3 letter from Ms. Gutierrez into evidence?

4 MS. SUTER: Yes, Your Honor.

5 THE COURT: Defense 1, please.

6 (Pause)

7 THE COURT: Any objection from the State?

8 MS. FELDMAN: No objection, Your Honor.

9 MS. SUTER: Your Honor, I've marked it Defense  
10 Exhibit 1 and I would offer it.

11 (Whereupon, Defense Exhibit No. 1  
12 was marked for identification.)

13 MS. SUTER: May I approach?

14 THE COURT: Yes.

15 (Whereupon, Defense Exhibit No. 1  
16 was admitted into evidence.)

17 THE COURT: Anything else from the State?

18 MS. FELDMAN: Nothing else, Your Honor.

19 THE COURT: Okay.

20 (Pause)

21 THE COURT: Upon consideration of the papers, in  
22 camera review of evidence, proceedings and oral arguments of  
23 counsel made upon the record, the Court finds that the State  
24 has proven grounds for vacating the judgment of conviction  
25 in the matter of Adnan Syed.

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1           Specifically, the State has proven that there was  
2 a Brady violation. Maryland Rule 4-263(d) (5) requires the  
3 State to disclose, without request, all material or  
4 information in any form, whether or not admissible, that  
5 tends to exculpate the defendant or negate or mitigate the  
6 defendant's guilt or punishment as to the offense charged.

7           Additionally, the State has discovered new  
8 evidence that could not have been discovered by due  
9 diligence in time for new trial under Maryland Rule 4-331(c)  
10 and creates a substantial and significant probability that  
11 the result would have been different.

12           It is this 19th day of September, 2022, by the  
13 Circuit Court for Baltimore City ordered that in the  
14 interests of justice and fairness, the State's motion to  
15 vacate judgment of conviction in the matter of Adnan Syed as  
16 to Indictment 199103042 Count One, murder in the first  
17 degree; Indictment No. 199103043 Count One, kidnaping;  
18 Indictment 199103045 Count One, robbery; and Indictment  
19 199103046, false imprisonment is hereby granted.

20           And it is further ordered that the Defendant will  
21 be released on his own recognizance and placed on home  
22 detention with GPS monitoring with Alert, Inc.

23           And it is further ordered that the State shall  
24 schedule a date for a new trial or enter a nolle pros of the  
25 vacated counts within 30 days of the date of this order.

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1 That is the order of the Court.

2 At this time, we will remove the shackles from Mr.  
3 Syed, please.

4 (Pause)

5 THE COURT: All right. Ladies and gentlemen, it  
6 is my understanding that the State and all counsel will hold  
7 a press conference outside the courthouse this afternoon.

8 So I will, at this time, will excuse the press to  
9 go down first.

10 If you're not a member of the press, you must  
11 remain seated.

12 (Pause)

13 THE DEPUTY: May we proceed, Your Honor?

14 THE COURT: Let me --

15 THE DEPUTY: May we proceed?

16 THE COURT: Let me know when the elevators are  
17 clear and the press has gotten on the elevator and the hall  
18 is clear. Then I'll release the spectators.

19 (Pause)

20 THE COURT: Mayor, how many people are in the hall  
21 waiting for the elevator? Is the hall clear?

22 THE DEPUTY: Yes, ma'am. The hall is clear.

23 THE COURT: I'm sorry.

24 THE DEPUTY: The hallway is clear, ma'am.

25 THE COURT: Oh, I told you to let me know.

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1 THE DEPUTY: Yes, ma'am. (Indiscernible -  
2 4:20:27).

3 THE COURT: Oh, okay. All right. So we're going  
4 to excuse this side of the room. Thank you.

5 (Pause)

6 THE DEPUTY: Okay, Your Honor.

7 THE COURT: All right. Center group and whoever  
8 else on the -- to my right, who wants to leave now, you may  
9 leave.

10 (Pause)

11 THE COURT: Mr. Syed's family may wait and leave  
12 with him. Anybody else who's not family, please leave the  
13 courtroom.

14 (Pause)

15 THE COURT: All right. So, Mr. Artee (ph), I  
16 assume these are lawyers from the public defender here.

17 UNIDENTIFIED SPEAKER: Yes.

18 THE COURT: Okay. And then the family.  
19 Did the sketch artist, did you all want to leave  
20 now?

21 UNIDENTIFIED SPEAKER: We could. I mean I -- I'm  
22 not saying.

23 THE COURT: You can leave now.

24 UNIDENTIFIED SPEAKER: Before I leave?

25 THE COURT: No. The hearing's concluded, so

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1 you're free to go.

2 UNIDENTIFIED SPEAKER: Okay.

3 (Pause)

4 THE COURT: Mr. Slout (ph), can you approach the  
5 bench, please.

6 MR. SLOUT: Yes, Your Honor. Leave this here?

7 THE COURT: Yeah, that's fine.

8 (Pause)

9 (Court confers)

10 THE COURT: All right. Mr. Syed, if you would  
11 turn around so that Mr. Slout could apply the ankle  
12 transmitter. He's going to come right to you.

13 You can stay where you are. He's going to come to  
14 you.

15 (Pause)

16 THE COURT: All right. We're finished, Mr. Slout?  
17 We're all done?

18 MR. SLOUT: I am for now, Your Honor, I'm  
19 finished.

20 THE COURT: Okay. Thank you.

21 MR. SLOUT: We're going to do the paperwork later.

22 THE COURT: Okay.

23 (Pause)

24 MR. SLOUT: May I be excused, Your Honor?

25 THE COURT: Yes. Thank you.

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1 MR. SLOUT: Thank you.

2 THE COURT: All right. Mr. Syed, you're free to  
3 join your family.

4 (Pause)

5 THE COURT: For the people on the phone, this  
6 hearing is concluded. Thank you. Have a good day.

7 (Proceedings concluded at 4:34 p.m.)

8 \* \* \* \* \*

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E167

TRANSCRIPTIONIST'S CERTIFICATE

I do hereby certify that the proceedings in the matter of State of Maryland v. Adnan Syed, Case No. 199103046, heard in the Circuit Court for Baltimore City on September 19, 2022, were recorded by means of electronic sound recording.

I further certify that, to the best of my knowledge and belief, page numbers 1 through 48 constitute a complete and accurate transcript of the proceedings as transcribed by me.

I further certify that I am neither a relative to nor an employee of any attorney or party herein, and that I have no interest in the outcome of this case.

In witness whereof, I have affixed my signature this 30th day of September, 2022.



---

SHEILA ORMS



Pamela A. Skay

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RECEIVED FOR RECORD  
CIRCUIT COURT FOR  
BALTIMORE CITY

2022 SEP 28 PM 3:14

STATE OF MARYLAND

v.

ADNAN SYED

CRIMINAL DISTRICT COURT

\* FOR BALTIMORE CITY,

\* MARYLAND

\* CASE NOS: 199103042, 043,044, 045, 046

YOUNG LEE'S NOTICE OF APPEAL

COMES NOW, Young Lee, the crime victim representative of the family of decedent Hae Min Lee, the crime victim in the above-captioned matter, by and through undersigned counsel, pursuant to Maryland Code Annotated, Criminal Procedure § 11-103(b) and Maryland Rule 8-202 and 8-204, hereby notes an appeal to the Court of Special Appeals of the September 19, 2022 Order of the Honorable Melissa Phinn of this Court. A copy of Judge Phinn's Order is attached hereto as **Exhibit A.**

Dated: September 28, 2022

Respectfully submitted,



Steven J. Kelly, 0312160392  
Ari B. Rubin, 2012180050  
SANFORD HEISLER SHARP, LLP  
111 S. Calvert St., Ste. 1950  
Baltimore, MD 21202  
Phone: 410-834-7416  
Fax: 410-834-7425  
[skelly@sanfordheisler.com](mailto:skelly@sanfordheisler.com)  
[arubin@sanfordheisler.com](mailto:arubin@sanfordheisler.com)

**CERTIFICATE OF SERVICE**

I certify that I served a copy of this notice upon the following parties by mailing first-class mail, postage prepaid on September 28, 2022:

Erica J. Suter, Esquire  
1401 N. Charles St  
Baltimore, MD 21201  
(410) 837-6543  
Asst. Public Defender and  
*Attorney for Adnan Syed*

Becky Feldman, Esq.  
Erin Murphy, Esq.  
Baltimore City State's Attorney's Office  
120 E Baltimore St, 9th Floor  
Baltimore, MD 21202  
(443) 984-6000  
*Attorneys for State*



---

Steven J. Kelly

# EXHIBIT A

RECEIVED FOR MORGAN  
CIRCUIT COURT FOR  
BALTIMORE

STATE OF MARYLAND

2022 SEP 19 PM 4:24

IN THE

VS.

CRIMINAL DIVISION

CIRCUIT COURT

ADNAN SYED

\*

FOR

Defendant

\*

BALTIMORE CITY

\*

Case Nos.: 199103042-46

\* \* \* \* \*

**ORDER**

The above-captioned matter came before the Court on the State's Motion to Vacate Judgment on September 19, 2022. Upon consideration of the papers, in camera review of evidence, proceedings, and oral arguments of counsel made upon the record, the Court finds that the State has proven grounds for vacating the judgment of conviction in the matter of Adnan Syed. Specifically, the State has proven that there was a Brady violation. Maryland Rule 4-263(d)(5) requires the State to disclose, without request, all material or information in any form whether or not admissible, that tends to exculpate the defendant or negate or mitigate the defendant's guilt or punishment as to the offense charged. Additionally, the State has discovered new evidence that could not have been discovered by due diligence in time for a new trial under Md. Rule 4-331(c) and creates a substantial or significant probability that the result would have been different. It is this 19<sup>th</sup> day of **September, 2022**, by the Circuit Court for Baltimore City:

**ORDERED** that in the interest of justice and fairness, the State's Motion to Vacate Judgment of Conviction in the matter of Adnan Syed as to indictment #199103042, count 1 =

murder in the 1<sup>st</sup> degree; #199103043, count 1 – kidnapping - adult; #199103045, count 1 – robbery; and #199103046, count 2 – false imprisonment, is hereby **GRANTED**<sup>1</sup>; and it is further

**ORDERED** that the Defendant will be released on his own recognizance and placed on home detention with GPS monitoring with ALERT, Inc.; and it is further

**ORDERED** that the State shall schedule a date for a new trial or enter nolle prosequi of the vacated counts within 30 days of the date of this Order.

*Judge Melissa Phinn*  
Judge's Signature Appears  
on Original Document Only

**Judge Melissa Phinn**

**NOTICE TO CLERK:  
COPIES SENT TO ALL PARTIES.**

**TRUE COPY  
TEST**  
*Marilyn Bentley*  
MARIYN BENTLEY, CLERK



<sup>1</sup> As to indictment #119103044, judgment of acquittal was granted by the Court as to count 1 – robbery (accessory before the fact) and the State entered nolle prosequi as to counts 2 and 3.

RECEIVED FOR RECORD  
CIRCUIT COURT FOR  
BALTIMORE CITY

2022 SEP 29 PM 1:48

STATE OF MARYLAND,

v.

ADNAN SYED.

IN THE

CIRCUIT COURT FOR CRIMINAL DIVISION

BALTIMORE CITY

Case Nos. 199103042-46

**MOTION TO STAY THE CIRCUIT COURT PROCEEDINGS  
PENDING RESOLUTION OF APPEAL &  
POINTS & AUTHORITIES IN SUPPORT THEREOF**

Young Lee, the crime victim representative of the family of decedent Hae Min Lee, the crime victim in the above-captioned case, by and through undersigned counsel, hereby moves pursuant to Maryland Rules 2-632 for an immediate stay of all circuit court proceedings pending resolution of the appeal in this case and, in support thereof, states as follows:

**FACTUAL & PROCEDURAL BACKGROUND**

1. Adnan Syed was convicted of murdering his ex-girlfriend, Hae Min Lee, in the Circuit Court for Baltimore City on February 25, 2000. His conviction was affirmed in multiple post-conviction proceedings.

2. On September 14, 2022, the State moved to vacate Mr. Syed's conviction under Maryland Code Annotated, Criminal Procedure § 8-301.1, alleging newly discovered exculpatory evidence and the discovery of "two alternative suspects." According to the State's motion, the Baltimore City State's Attorney's Office and Mr. Syed's defense counsel had conducted "nearly a year-long investigation" into Mr. Syed's conviction. (Motion to Vacate Judgment at 1).



3. Yet the State did not notify the Lee family of its intent to move to vacate the judgment until Monday, September 12, 2022. Even then, the State did not disclose any details of its investigation or the identity of the two new suspects to the Lee family.

4. Two days after the State’s motion was filed, the Court apparently conducted an in-Chambers “meeting” at which counsel for all parties were present and at which the motion was discussed. Mr. Lee was not notified of this proceeding, had no opportunity to attend or to be heard at the proceeding.

5. Shortly after the in-Chambers proceeding, Assistant State’s Attorney Becky K. Feldman sent an email to Young Lee, Hae Min Lee’s brother and the victim representative in this case, telling him that an “in-person hearing” on the motion to vacate had been scheduled for the next business day—Monday, September 19, 2022. Ms. Feldman told Mr. Lee that if his family wished to “watch” the proceedings, they could do so via Zoom. She did not tell Mr. Lee that he had a right to participate in the hearing.

6. Mr. Lee wished to attend the hearing in person but could not travel from California on such short notice. He retained undersigned counsel and moved to postpone the hearing by seven days. At the hearing on Monday, September 19th, the Honorable Melissa Phinn heard argument from undersigned counsel and denied the motion to postpone, ruling that the notice to Mr. Lee complied with all statutory and constitutional obligations to victims. Then, based mainly upon a proffer from the State, the court granted the motion to vacate Mr. Syed’s conviction and ordered Mr. Syed immediately released.

7. On September 28, 2022, Mr. Lee filed a notice of appeal to the Court of Special Appeals pursuant to Criminal Procedure § 11-103, which provides victims the right to appeal a final order that “denies or fails to consider a right secured to the victim” by Maryland law. Mr. Lee

now moves pursuant to Maryland Rule 2-632 to stay any further proceedings in the above-captioned case pending the resolution of the appeal.

8. A circuit court's right to exercise its fundamental jurisdiction over a criminal case may be interrupted by "a stay granted by an appellate court, or the trial court itself, in those cases where a permitted appeal is taken from an interlocutory or final judgment[.]" *Pulley v. State*, 287 Md. 406, 417 (1980). A stay of all proceedings in this case is necessary to preserve Mr. Lee's right to appeal and to preserve the appellate jurisdiction of the Court of Special Appeals. *See id.* at 406 n. 3.

9. Mr. Lee respectfully requests that all circuit court proceedings in the above-captioned case be stayed pending the resolution of the appeal. Because of the potential for prejudice to Mr. Lee's rights, he respectfully requests this Court rule upon the motion to stay by close of business, September 29, 2022.

**WHEREFORE**, for all the foregoing reasons, Mr. Lee accordingly asks that this Court enter a stay of all proceedings in Case Numbers 199103042-46 pending the resolution of the appeal. Mr. Lee asks this Court to rule on the motion by close of business, September 29, 2022.

Dated: September 29, 2022

Respectfully submitted,



---

Steven J. Kelly, 0312160392  
Ari B. Rubin, 2012180050  
Sanford Heisler Sharp, LLP  
111 S. Calvert St., Ste. 1950  
Baltimore, MD 21202  
Phone: 410-834-7416

Fax: 410-834-7425  
skelly@sanfordheisler.com  
arubin@sanfordheisler.com

*Counsel for Young Lee*

**CERTIFICATE OF SERVICE**

I certify that on this day, September 29, 2022, I served a copy of the foregoing Motion to Stay the Circuit Court Proceedings Pending Resolution of the Appeal upon the following parties by mailing first-class mail, postage prepaid to:

Erica J. Suter, Esquire  
1401 N. Charles St Baltimore, MD 21201  
(410) 837-6543  
Asst. Public Defender and Attorney for Adnan Syed

Becky Feldman, Esq. Erin Murphy, Esq.  
Baltimore City State's Attorney's Office  
120 E Baltimore St, 9th Floor Baltimore, MD 21202  
(443) 984-6000  
Attorneys for State



---

Steven J. Kelly

STATE OF MARYLAND,

v.

ADNAN SYED.

IN THE

CIRCUIT COURT FOR BALTIMORE CITY

No. 199103042-46

---

**ORDER**

Pending before the Court is a motion to stay the circuit court proceedings pending resolution of the appeal. Having considered the motion and any response, the Court hereby grants the motion and stays any proceedings in Case Number 199103042-46 pending resolution of the above-captioned appeal.

So ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2022.

---

Judge  
Circuit Court for Baltimore City, Maryland

**Becky Feldman**

---

**From:** Becky Feldman  
**Sent:** Friday, September 16, 2022 1:59 PM  
**To:** Young Lee  
**Subject:** RE: New suspects

Mr. Lee,

The court just scheduled an in-person hearing for **Monday, September 19<sup>th</sup>** at 2:00 PM (EST). It's an in-person hearing, but I asked the court for permission for you and your family to watch the proceedings virtually (if you would like). So, if you would like to watch, the link is below. Please let me know if anybody from your family will be joining the link, so I will make sure the court lets you into the virtual courtroom.

<https://mdcourts.zoomgov.com/j/1601160942?pwd=clpETlozYU1qU0ZFTEFEa0Z4R3VmZz09>

Please let me know if you have any questions.

Becky

**From:** Becky Feldman  
**Sent:** Wednesday, September 14, 2022 12:47 PM  
**To:** Young Lee [REDACTED]  
**Subject:** RE: New suspects

Dear Mr. Lee,

I very much understand your family's position. I am so sorry for the pain this case is causing you.

I promise to keep you updated with all new developments. In the meantime, please don't hesitate to reach out with any questions.

Becky

**From:** Young Lee [REDACTED]  
**Sent:** Tuesday, September 13, 2022 11:51 PM  
**To:** Becky Feldman [REDACTED]  
**Subject:** Re: New suspects

**THIS EMAIL HAS ORIGINATED FROM AN EXTERNAL SOURCE. PLEASE USE PROPER JUDGEMENT AND CAUTION WHEN OPENING ATTACHMENTS, CLICKING LINKS, OR RESPONDING TO THIS EMAIL**

Mrs. Feldman,

Thank you for the email.

To be clear, As a family we disagree with your course of action and stand against the motion to vacate judgement. We believe that there is overwhelming evidence, and the court convicted the right person.

I hope you understand the emotional turbulence this trial is causing us. It seems there is never an end to it. But we understand your position as an attorney to do due diligence and cover all possibilities.

Sincerely,  
Young Lee

On Tue, Sep 13, 2022 at 1:37 PM Becky Feldman [REDACTED] wrote:

Hi Mr. Lee,

Thank you again for contacting me today. Again, I am sorry that it is under these circumstances.

Attached is a draft of the motion that we are likely filing tomorrow. The motion outlines the information we uncovered about the alternative suspects. I am happy to share with you the status of the investigation as we move forward. Of course, if you have any questions, please do not hesitate to reach out to me at any time.

Sincerely,

Becky K. Feldman

Chief, Sentencing Review Unit

more City

[REDACTED]

1:22 <sup>top</sup>

5G  



Hi Mr. Lee, it's  
Becky Feldman  
from the State's  
Attorney's  
Office. Just  
wanted to make  
sure you got  
my email about  
the hearing  
schedule for  
tomorrow. I sent  
a video link in  
case you want to  
watch.



Text mes...



E181

1:23 top

5G  



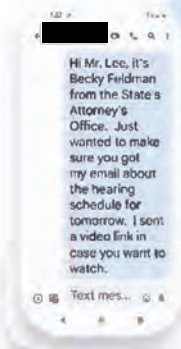
schedule for tomorrow. I sent a video link in case you want to watch.

Hi Mrs. Feldman.  
Yes, I got the email. I will be joining. Thank you.



Great - thank you!

Sep 18, 4:25 PM • SMS



Capture mo

E182