



**MICHAEL C. O'MALLEY**  
CUYAHOGA COUNTY PROSECUTOR

## **Joseph McAlpin Convicted of Aggravated Murder for Car Dealership Double Homicide**

**FOR IMMEDIATE RELEASE**  
**Tuesday, April 16, 2019**

CLEVELAND – Cuyahoga County Prosecutor Michael C. O'Malley announced that a Jury found Joseph McAlpin, 31, guilty of Aggravated Murder charges that include Capital Specifications for the purposeful killing of Michael Kuznik, 50, and Trina Tomola, 46, on April 14<sup>th</sup>, 2017, at a car dealership they owned in the Collinwood neighborhood on E. 185<sup>th</sup> St near Hiller Avenue. As a result of the Jury finding McAlpin guilty of the Capital Specifications, the case proceeds to the Sentencing Phase of trial, which is scheduled for Monday, April 22<sup>nd</sup>.

“This verdict is not a victory, it just a necessary step in our criminal justice process. It does not bring back Michael Kuznik or Trina Tomola to their children and family,” said Prosecutor O'Malley. “McAlpin's horrific actions warrant the death penalty.”

The jury found McAlpin guilty of the following charges:

- Aggravated Murder
- Aggravated Robbery
- Aggravated Burglary
- Kidnapping
- Murder
- Felonious Assault
- Having Weapons While Under Disability
- Grand Theft
- Cruelty to Animals
- Injuring Animals

On April 14<sup>th</sup>, 2017, McAlpin, along with co-defendants Andrew Keener, 23, and Jerome Diggs, 22, drove to the dealership to steal cars. They intended to sell the cars and split the profit amongst themselves. They parked on nearby Windward Rd and McAlpin went into the dealership while Keener and Diggs waited outside. At approximately 5:30pm, while inside the dealership, McAlpin shot Kuznik twice in the head near the front area of the dealership showroom. McAlpin also shot Tomola once in the head in an office in the back of the building. Their family dog, Axel, was also shot once in the head in the hallway next to the back office. McAlpin returned outside and stole a BMW off the dealership lot while Keener stole a Mercedes. Diggs followed them in the original vehicle they traveled in together.

The victims' daughter had last spoken with her mother at approximately 5:28pm, who stated that she and her father were leaving work soon and would pick dinner up for them on their way home. Shortly after 10:00pm, after not hearing from either parent, the victims' son went to the dealership to check on them. Upon arriving, he found his step-father unresponsive on the floor suffering from a gunshot wound to the head and ran outside and called 911. Within minutes, EMS and Cleveland Police officers arrived and the victims were pronounced dead at the scene.

The investigation conducted by Cleveland Police, Cuyahoga County Medical Examiner's Office, Ohio Bureau of Criminal Investigation, and the Federal Bureau of Criminal Investigation linked McAlpin to the location at the time of the crime. McAlpin's DNA was found on one victim's back pocket, a computer modem inches away from one victim's body, and on the steering wheel and inside of the driver's side door of the stolen BMW. Records showed McAlpin and his co-defendants' cellphones pinged off towers and wireless internet routers in the area at the time of the murders.

Prosecutors called 33 witnesses to testify in trial that lasted 22 days. Jury selection began March 15<sup>th</sup>. Closing arguments were given April 15<sup>th</sup>. The jury deliberated for 2 days before reaching the verdict.

The Sentencing Phase will begin Monday, April 22<sup>nd</sup>, where the State will present evidence demonstrating the defendant deserves the death penalty over any mitigating factors presented by the defense. The jury will make a recommendation to the judge of either life, life without parole, or death. The judge decides on the imposition of sentencing.

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