



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

## **Judge Imposes Death Sentence on Joseph McAlpin for Car Dealership Double Homicide**

**FOR IMMEDIATE RELEASE**  
**Tuesday, May 21, 2019**

CLEVELAND – Cuyahoga County Prosecutor Michael C. O'Malley announced that Joseph McAlpin, 31, has been sentenced to Death for the murders of Michael Kuznik, 50, and Trina Tomola, 46.

“This horrific crime has forever broken the hearts of the family and friends of Michael and Trina Kuznik,” said Prosecutor O'Malley. “12 citizens of this county and now a judge have determined the death sentence was the only appropriate punishment. Given the facts and circumstance of this case, I wholeheartedly agree.”

On April 14<sup>th</sup>, 2017, McAlpin, along with co-defendants, Andrew Keener, 23, and Jerome Diggs, 22, drove to a Collinwood car 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 Mr. Kuznik twice in the head near the front area of the dealership showroom. McAlpin also shot Mrs. Tomola once in the head in an office in the back of the building. Their family dog, Axel, was shot once in the head in the hallway next to the back office. Two of the defendants fled the scene in stolen vehicles from the dealership. McAlpin stole a BMW and Keener stole a Mercedes. Diggs followed them in the vehicle they drove to the dealership.

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. EMS and Cleveland Police officers arrived on scene and the victims were pronounced deceased.

The investigation conducted by Cleveland Police, Cuyahoga County Medical Examiner's Office, Cuyahoga County Regional Forensic Lab, and the Federal Bureau of Criminal Investigation linked McAlpin to the location at the time of the murders. McAlpin's DNA was found on Mr. Kuznik's back pocket, a computer modem inches away from the other 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 two days before finding McAlpin guilty of Aggravated Murder charges that included Capital Specifications. The Jury also found McAlpin guilty of Aggravated Robbery, Aggravated Burglary, Kidnapping, Murder, Felonious Assault, Having Weapons Under Disability, Grand Theft, Cruelty to Animals, and Injuring Animals.

The case proceeded to the mitigation phase of trial on May 13<sup>th</sup>. After two days, the Jury determined that the aggravating circumstances outweighed the mitigating circumstances of proof beyond a reasonable doubt, and recommended that the Judge impose the Death Penalty.

Contact: Ryan Miday, Director of Communications and Public Policy. Phone: 216.443.7488 or Email: [rmiday@prosecutor.cuyahogacounty.us](mailto:rmiday@prosecutor.cuyahogacounty.us)