

1 FEMALE 1: State of Tennessee v. Joseph Caronna,  
2 Indictment No. 0907393, the State of Tennessee Criminal Court  
3 of Shelby County, September term, 2009. The grand jurors of  
4 the State of Tennessee, duly selected and paneled, sworn, and  
5 charged to inquire for the body of the County of Shelby,  
6 Tennessee, upon their oath present that Joseph Caronna, between  
7 October the 24th, 2009, and October the 28th, 2009, in Shelby  
8 County, Tennessee, and before the finding of this indictment  
9 did unlawfully, intentionally, and with premeditation, kill  
10 Tina Caronna in violation of Tennessee Code Annotated 39-13-202  
11 against the peace and the dignity of the State of Tennessee.

12 It is signed by the district attorney general of the  
13 30th Judicial District and returned a true bill by the  
14 foreperson November 9th -- November 12th, 2009.

15 THE COURT: Thank you.

16 How does the defendant plead to the indictment?

17 ATTORNEY 1: Joseph Caronna pleads not guilty.

18 THE COURT: All right. At this time we'll have  
19 opening statements, and we will begin with the State.

20 ATTORNEY 2: Morning.

21 THE JURY: (Collectively) Morning.

22 PLAINTIFF'S OPENING STATEMENT

23 ATTORNEY 2: On Monday, October 27th, 2008, Tina  
24 Caronna's dead body was found stuffed in the back of her Chevy  
25 Avalanche truck. The Avalanche was found parked on the side of

1 the road on a neighborhood dead-end street in Bartlett. And  
2 the State's proof will show that the defendant, Joe Caronna,  
3 killed his wife, Tina; stuffed her back behind the front and  
4 back seats of that truck; and left her parked on the side of  
5 the road. Now, why? What would make a husband kill his wife?  
6 It's because -- the proof will show you that for years the  
7 defendant had been living a lie and Tina was about to find out;  
8 and he could not let that happen.

9 Now, let's talk about Saturday, October 25th, couple  
10 days earlier, the day that Tina died. Tina and Joe had been  
11 married for about 15 years. They were members of the Corvette  
12 Club, and you'll hear testimony that Tina was a bubbly outgoing  
13 personality. She loved people and she loved to entertain. And  
14 on this particular Saturday night, there was a big Corvette  
15 Club party planned. Tina was in charge of bringing the tables  
16 and coolers and the food and the drinks.

17 Now, the day before, on Friday, she'd gone and picked  
18 up those tables and coolers. And you are going to hear from  
19 the person that was with her and saw and helped her put those  
20 tables and coolers into the back of that very same Chevy  
21 Avalanche truck. That's going to become very important.

22 Now, we know that her plan for Saturday was to go  
23 shopping at Costco and Sam's and get supplies for the party:  
24 the food and the drinks. And you'll hear testimony that around  
25 nine o'clock that morning, she talked to her friend, Pat

1 Hathaway. They talked about the party. Pat asked Tina if she  
2 needed any help with the shopping. Tina said no because the  
3 defendant was going to go help her do the shopping, which  
4 you'll hear was not unusual, because you'll hear from more than  
5 one witness that Tina and the defendant did lots of things  
6 together. They went shopping. He took her to nail  
7 appointments. He took her to routine doctors' visits. He even  
8 went with her when she tried to spend time with her son, Todd,  
9 a son she had from a previous marriage. So it wasn't unusual  
10 that the defendant would be the one to go with Tina to do the  
11 shopping.

12           You'll also hear that around 10:15 that morning, she  
13 talked to Matt Struna. Now, Matt and his wife were also  
14 members of the Corvette Club, and they were hosting the party  
15 that night; so they were coordinating when Tina was going to  
16 bring the food and drinks by. He also asked her if she needed  
17 any help. She said no. And Matt Struna was the last person,  
18 besides the defendant, to talk to Tina on Saturday, October  
19 25th.

20           You'll hear testimony that that morning, Defendant  
21 came outside in his driveway and he pulled that very same black  
22 Chevy Avalanche truck into the garage and then he shut the  
23 door. Now, the defendant says that he was loading those tables  
24 in the back of the truck, the table that she picked up on  
25 Friday. And you'll also hear that that truck backed out of the

1 driveway and left around 11 a.m. or 12 noon.

2           You'll also hear testimony from Gary Hathaway. Gary  
3 is Pat Hathaway's husband, also members of the Corvette Club;  
4 and he's going to tell you about a phone call he received  
5 around 11:30 that morning. The phone call was from the  
6 defendant. And the defendant wanted to know if he could come  
7 over to Gary's house and work on one of his old classic cars;  
8 in particular, the red Chevelle. Gary said that was fine. The  
9 defendant said, "Well, it will just -- it'll take me a little  
10 while to get there because I have to go get it."

11           Now, Mr. Hathaway explained that when the defendant  
12 said that, he knew exactly what he meant. He meant he had to  
13 drive out to Bartlett to where he had a storage unit. He had a  
14 few units where he stored four of his classic cars, including  
15 the red Chevelle, a storage unit that just so happens to be  
16 less than half of a mile from where Tina's body was found.  
17 Now, the defendant says that he never went out to the storage  
18 unit that morning. But you're going to hear from the cell  
19 phone tower expert who will tell you what his phone records  
20 tell us for real.

21           Now, there will also be testimony from the  
22 Hathaways -- Mr. Hathaway that the defendant showed up at Mr.  
23 Hathaway's house around one o'clock that afternoon; and he  
24 stayed until about four o'clock. And it was after that, after  
25 four o'clock that afternoon, that the defendant made his very

1 first phone call to Tina.

2 Now, again, you're going to hear testimony from more  
3 than one witness that on a typical day, Tina and the defendant  
4 talked multiple times throughout the day, checking in.  
5 Specifically, you'll hear from her coworkers. Sometimes he  
6 would call her work phone back to back; and if she wouldn't  
7 answer, cell phone in her purse would ring. It was the  
8 defendant calling.

9 But on Saturday, October 25th, his first phone call  
10 wasn't until a little after four o'clock that afternoon. A  
11 little after five, the Hathaways get a call from the defendant  
12 saying, "Tina's not home; think she's missing; I'm really  
13 worried." And they end up going over to his house to help  
14 search for her that evening. Now, this is a man that goes to  
15 the nail salon, to the gynecologist, that calls her multiple  
16 times a day; and yet he doesn't call the police. They search  
17 all night, can't find the Avalanche. Nobody's heard from Tina.

18 So Sunday they get a group together of all the  
19 Corvette Club members, and they organize a -- a big search.  
20 They have flyers; they split up in groups. No Tina, no  
21 Avalanche, not until Monday, October 27th, when Bartlett Police  
22 found that back -- black Avalanche parked on the side of the  
23 road in Bartlett, less than half a mile from where the  
24 defendant stores four of his cars.

25 Now, earlier, I told you the proof would show that

1 the defendant had been living a lie. Well, he'd actually been  
2 living two. First of all, for the last eight to ten years,  
3 he'd been having an affair with a woman named Becky Black, an  
4 affair that Tina found out about in the beginning but thought  
5 was over; an affair that the defendant not only planned on  
6 continuing after Tina died, he did continue after Tina died; a  
7 relationship the defendant thought was going to last forever.  
8 He thought Becky was going to leave her husband and spend the  
9 rest of her life with him. And you'll hear testimony that when  
10 he realized that was not going to be the case, he became  
11 obsessed and angry and upset because he didn't know how to  
12 handle it.

13           The other lie that he'd been living was a financial  
14 one. Tina thought they were doing fine financially. They  
15 lived in a nice house. You'll hear testimony she loved to  
16 shop; she loved shoes. They went on lots of vacations  
17 together. She made a substantial amount of money. She thought  
18 Joe was making a lot of money. Joe was an investment agent,  
19 except he'd been stealing and defrauding several of his clients  
20 for several years.

21           What they would do is write him a check for 5-, 10-,  
22 \$15,000; and instead of sending that check to the investment  
23 company, the defendant would keep the money and deposit it in  
24 his own bank account. And nobody knew, not even Tina; but she  
25 was about to find out, because you see, Monday, October 27th,

1 was a big day. They were supposed to be closing on a brand-new  
2 house, a house out in Fayette County that cost \$440,000. But  
3 this was a closing that would never happen. Defendant never  
4 intended on them closing on this house. And you'll hear from  
5 more than one witness who will tell you there is no way that  
6 house could've closed on Monday, October 27th.

7           And yet the defendant told people they were closing  
8 and led the victim, Tina, to believe they were closing on  
9 Monday because he knew if she had seen all those loan documents  
10 where it lays out all of the debts, all of the assets -- she  
11 thought their house was paid off; she thought a lot of their  
12 debts were paid off. And there would have been the reality  
13 looking right at her.

14           She would've asked and figured out the reality of  
15 their finances; she would've learned about the fraud; and then  
16 he was going to lose complete control of everything: lose his  
17 wife, lose his friends, his lifestyle, and go into jail.  
18 Couldn't let it happen. So Saturday, October 25th, he killed  
19 Tina, stuffed her back behind that front seat, drove out to  
20 Bartlett, parked that car on the side of the road, and walked  
21 less than half a mile to his storage unit and got one of his  
22 cars and left.

23           You're going to be hearing a lot of testimony and a  
24 lot of witnesses over the next couple of weeks. I want you to  
25 try and focus on using three tools as you try and piece all of

1 this evidence and testimony together. First, I want you to get  
2 your facts and the evidence from right here (indicating), from  
3 the people that sit in this chair and tell you. This is where  
4 you get your evidence from. Doesn't come from me or from any  
5 of the other lawyers sitting right here. It comes from these  
6 people.

7           You can get your law -- you get that from the judge.  
8 He's going to tell you what it is and how to apply it. And  
9 finally, I want you to use something you all came in here with  
10 before today: your common sense. Don't forget about it; it's  
11 important. Use it when you go back there and you start  
12 deliberating and going through all that evidence. And at the  
13 end of it all, you'll be able to say that the defendant, Joe  
14 Caronna, is guilty of first-degree murder.

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