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STATE OF NEW JERSEY,	:	SUPERIOR COURT OF NEW JERSEY
	:	MONMOUTH COUNTY COURT
Plaintiff,	:	LAW DIVISION - CRIMINAL
	:	
v.	:	INDICTMENT NO.: 19-02-283-I
	:	PROSECUTOR FILE NO.: 18-4915
PAUL CANEIRO,	:	
	:	NOTICE OF MOTION
Defendant.	:	TO DISMISS COUNTS 13 & 14 OF
	:	THE INDICTMENT

TO: AP Christopher Decker & AP Nicole Wallace
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

PLEASE TAKE NOTICE that on a date set by the Court, or as soon thereafter as counsel may be heard, Monika Mastellone, Esq., attorney for Defendant, Paul Caneiro, shall move before the Honorable Marc C. Lemieux, A.J.S.C., at the Monmouth County Superior Courthouse, 71 Monument Street, Freehold, New Jersey, for an Order granting dismissal of Counts 13 and 14 of the Indictment. The defendant will rely upon oral argument and a forthcoming brief in support of this Motion.

/s/ Monika Mastellone
Monika Mastellone, Esq.
Attorney for Defendant

Dated: June 29, 2025

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	:	ORDER GRANTING
Defendant.	:	DISMISSAL OF COUNTS 13 & 14
	:	OF THE INDICTMENT

THIS MATTER having been brought before the Court by Monika Mastellone, Esquire, appearing, on behalf of the Defendant, Paul Caneiro, and Christopher Decker and Nicole Wallace, Assistant Prosecutors, Monmouth County Prosecutor's Office, appearing for the State, and the Court having heard arguments of counsel and for good cause shown;

IT IS on this day of 2025, hereby **ORDERED** that defendant's Motion to Dismiss Counts 13 & 14 of the Indictment is **GRANTED**.

Honorable Marc C. Lemieux, A.J.S.C.

MONMOUTH COUNTY GRAND JURY
CASE NO.: 18004915
INDICTMENT NO.: 19-02-0283

STATE OF NEW JERSEY :
: TRANSCRIPT
-VS- :
: OF
: PAUL CANEIRO, : PROCEEDINGS
: Defendant. :
- - - - -X

Heard on: February 11, 2019

A P P E A R A N C E S:

NICOLE WALLACE, ESQ.,
Monmouth County Prosecutor's Office

Audio Operator: Kim Hamilton

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MCP0/18004915/00054811

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Colloquy

MS. WALLACE: I'm assistant Prosecutor Nicole Wallace. Just a little bit about this case. This case involves charges of murder, felony murder, arson, weapons offenses, hindering and theft charges. This case was newsworthy. It involved the deaths of Keith Caneiro, his wife Jennifer Caneiro and their two children [REDACTED] and [REDACTED] at their home in Colts Neck back in November before Thanksgiving. I would imagine that many of you probably heard news accounts or read news stories about this or have seen or heard things on social media.

Now, when you heard or read things in the news about this incident, you're obviously seeing and hearing accounts that aren't always necessarily accurate. So what I'm going to do right now is I'm going to instruct you that you may only consider that which comes before you in this room from that witness stand. You may not consider or factor into your deliberations anything that did not come from the witness in this particular room. Anything that you heard outside you may not consider.

Now, does everyone understand that instruction? Okay. Can everyone follow that instruction? Okay, I see all positive responses. Now, can everyone be fair and impartial as to these charges

Colloquy

4

1 against Mr. Caneiro? If you cannot, please raise your
2 hand. Okay, I see no --

3 A JUROR: I just have to say something. I
4 have a friend who's a counselor in that school and
5 she's been telling me, you know, how upset the kids
6 were and everything. I don't know if that's going to
7 affect --

8 MS. WALLACE: Okay. In an abundance of
9 caution I'm going to ask that you refrain from hearing
10 this particular case then, okay?

11 A JUROR: Okay.

12 MS. WALLACE: Can we just go off the record
13 for one second?

14 (recording paused @ 9:12:34)

15 (recording resumed @ 9:13:35)

16 MS. WALLACE: We're back on the record. Just
17 for purposes of the record, we have excused that
18 particular juror. Based upon that juror's response, is
19 there anyone that cannot be fair and impartial in this
20 particular case? If you cannot, please raise your
21 hand. I see no positive responses.

22 Finally, I'm going to ask if anyone knows any
23 individuals involved in this particular case. You're
24 going to be hearing the following names. Paul Caneiro,
25 Keith Caneiro, Jennifer Caneiro, [REDACTED] [REDACTED] [REDACTED]

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5

1 [REDACTED], Susan Caneiro, Marissa Caneiro, Katelyn
2 Caneiro, Corey Caneiro, Michael Abraham of the ATF,
3 Anne Fitch, Dennis Corpora, Det. Christopher Clayton of
4 the New Jersey State Police, Det. Patrick Petruzziello
5 of the Monmouth County Prosecutor's Office, Det. Brian
6 Weisbrot of the Monmouth County Prosecutor's Office,
7 Det. Richard Zarrillo of Colts Neck Police Department,
8 Chris Szymkowiak of the New Jersey State Police, John
9 Hager (phonetic) from the FBI, Det. Debra Bassinder
10 from the Monmouth County Prosecutor's Office, Tiffany
11 Rivera, Matthew Kisner (phonetic), Ronald Artiges
12 (phonetic), Steven Weinstein, and Kimberly Patton.
13 Does anyone know any of those individuals? I see no
14 positive responses.

15 Okay. In that case, can you please get Det.
16 Patrick Petruzziello.

17 (Witness enters Grand Jury room)

18 DET. PATRICK PETRUZZIELLO, SWORN

19 THE OFFICER: Have a seat, sir. Thank you.
20 EXAMINATION BY MS. WALLACE:

21 Q Good morning, Detective.

22 A Good morning.

23 Q Can you please state your full name and spell
24 your last name.

25 A Patrick Petruzziello, P E T R U Z Z I E L L O.

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Petruzziello-Direct

6

1 Q Where are you employed?

2 A I'm a detective with the Monmouth County
3 Prosecutor's Office.

4 Q What unit do you work in?

5 A I'm assigned to the Major Crimes Bureau.

6 Q Okay. How long have you been in that
7 particular unit?

8 A Since December of 2014.

9 Q Do you have any prior law enforcement
10 experience?

11 A I do. I was hired in 1996 as a Class II Special
12 Officer. I was hired as a full-time police officer in
13 2000, assigned to the Detective Bureau in a municipal
14 police department in 2003 where I remained until coming
15 to the Prosecutor's Office in 2014. So almost 23
16 years.

17 Q All right. Are you familiar with an
18 investigation surrounding the death of a family of
19 four, specifically Keith, Jennifer, [REDACTED] [REDACTED]
20 Caneiro?

21 A I am.

22 Q And that occurred on November 20th of 2018 at
23 15 Willow Brook Road in Colts Neck?

24 A Yes.

25 Q You were assigned as the lead detective from

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7

1 the Monmouth County Prosecutor's Office?

2 A I was.

3 Q Now, you were part of a larger investigative
4 team that included other members of the Prosecutor's
5 Office, of the Colts Neck Police Department and other
6 agencies, is that correct?

7 A That's correct.

8 Q As the lead detective you reviewed the
9 materials related to this particular case, is that
10 right?

11 A I have.

12 Q And that included the reports from other
13 officers and other agencies involved, is that correct?

14 A Yes.

15 Q And you've spoken with other members of the
16 investigative team, is that correct?

17 A I have.

18 Q And so you're familiar with the facts and
19 circumstances surrounding this case, is that right?

20 A I am.

21 Q Now, on Tuesday November 20th of 2018 at
22 approximately 4:59 a.m. members of the Ocean Township
23 Police Department and emergency services personnel were
24 dispatched to the residence of 27 Tilton Drive in Ocean
25 Township, is that correct?

MCP0/18004915/00054814

Petruzziello-Direct

8

1 A That's correct.
2 Q And was that for a report of smoke inside
3 that residence?
4 A Yes.
5 Q Now, in addition to Ocean Township Police
6 Department and emergency services personnel, members of
7 other agencies including detectives from the Monmouth
8 County Prosecutor's Office ultimately arrived on-scene
9 also, is that correct?
10 A Yes.
11 Q You didn't respond there yourself, is that
12 right?
13 A I did not.
14 Q Okay. And so what is going to follow is
15 information that you learned from other officers and
16 detectives that responded there, is that correct?
17 A Yes.
18 Q And to be clear, the information to follow is
19 just a summary of the information that you obtained
20 from them, is that correct?
21 A Correct.
22 Q Okay. Now, 27 Tilton Drive is a two-story
23 residential dwelling, is that right?
24 A Yes.
25 Q And it has a basement, is that correct?

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9

1 A It does.
2 Q And does it have an attached two-car garage?
3 A It does.
4 Q Now, the houses adjacent to 27 Tilton Drive
5 had to be evacuated for safety purposes, is that
6 correct?
7 A They did.
8 Q Now, who are the homeowners of 27 Tilton
9 Drive?
10 A Paul and Susan Caneiro, and his two adult
11 daughters also reside there.
12 Q Okay. And Paul and Susan, were they husband
13 and wife?
14 A They are.
15 Q Upon arrival, first responders observed fire
16 activity in the rear of the residence, is that correct?
17 A They did.
18 Q A small fire was also observed on the lower
19 portion of the garage door, is that right?
20 A Correct.
21 Q Now, it was learned that the residence had
22 been occupied by Paul and Susan Caneiro and their adult
23 daughters Katelyn and Marissa Caneiro at the time of
24 the fire, is that right?
25 A Yes.

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1 Q However, upon arrival of first responders all
2 four of them were located in a vehicle that was parked
3 outside of the home, is that correct?

4 A They were.

5 Q Okay. And again, we're talking about the
6 home in Ocean Township, 27 Tilton, is that right?

7 A Yes.

8 Q Now, the vehicle that the family of four that
9 they were in, was a Porsche Cayenne, is that correct?

10 A That's correct.

11 Q That Porsche Cayenne had initially been
12 parked in the garage at the time of the fire, it was
13 learned, is that right?

14 A Yes.

15 Q But it was learned that Paul Caneiro
16 subsequently drove it out of the garage, is that right?

17 A He did.

18 Q And that vehicle was registered or leased to
19 Susan Caneiro?

20 A Yes.

21 Q And that vehicle was reported to be primarily
22 operated by Susan Caneiro, correct?

23 A Yes.

24 Q Now, there were other vehicles that were
25 parked in the driveway at 27 Tilton as well, is that

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11

1 right?

2 A Yes.

3 Q One of them was a Porsche Macan, is that
4 correct?

5 A Correct.

6 Q And Paul Caneiro was reported to be the
7 operator of that vehicle, is that right?

8 A He was.

9 Q And it was learned that that was in fact a
10 loaner car as his car was reportedly being serviced, is
11 that right?

12 A Yes.

13 Q Now, a gasoline can was located in the
14 driveway of 27 Tilton Drive in close proximity to the
15 Porsche Macan, is that correct?

16 A Yes.

17 Q The nozzle of that gasoline can was burnt, is
18 that right?

19 A It was.

20 Q The Porsche Macan had some brown colored
21 staining on the hood, is that correct?

22 A It did.

23 Q And that was indicative of a surface pattern
24 burn, is that right?

25 A It was.

MCP0/18004915/00054816

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12

1 Q Was there also a charred rubber glove located
2 on the ground in front of the Porsche Macan and the
3 garage door that was burnt?

4 A Yes.

5 Q All right. Paul Caneiro ultimately provided
6 consent to search that Porsche Macan, is that correct?

7 A He did.

8 Q Now, while officers were speaking with Paul
9 Caneiro, he indicated that he sustained an injury to
10 the back portion of his left hand, the opposite side of
11 his palm, is that correct?

12 A Yes.

13 Q And officers observed what appeared to be
14 some kind of bruising and swelling on that particular
15 hand, is that correct?

16 A Yes.

17 Q Now, were fire suppression efforts being
18 conducted at that point?

19 A They were.

20 Q Okay. And an investigation into the cause
21 and original of the fire at 27 Tilton Drive in Ocean
22 Township was ultimately conducted by professionals that
23 were trained in fire investigations, is that right?

24 A Correct.

25 Q And the conclusions of that investigation

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13

1 were relayed to the investigative team, including
2 yourself, is that correct?

3 A They were.

4 Q And what was determined was that there were
5 three separate areas of fire origin at the Caneiro
6 residence at 27 Tilton Drive in Ocean Township, is that
7 correct?

8 A Correct.

9 Q The first area of origin identified was the
10 rear corner of the house where the basement window was
11 located, is that correct?

12 A Yes.

13 Q Now, the window glass was broken and pieces
14 of the glass were observed inside the basement, is that
15 correct?

16 A Yes.

17 Q And the fire was determined to be incendiary
18 in nature, meaning it was set on purpose, is that
19 correct?

20 A Yes.

21 Q The second area of origin identified was the
22 lower left corner of the left side of the garage door,
23 is that right?

24 A Yes.

25 Q And that fire was also determined to be

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14

1 incendiary in nature, is that right?

2 A Correct.

3 Q And the Porsche Macan was parked in the
4 driveway in close proximity to that location, is that
5 correct?

6 A It was.

7 Q The third area of origin identified was on
8 the front exterior portion of the Porsche Macan, is
9 that correct?

10 A Correct.

11 Q Now, two butane lighters were located inside
12 the residence?

13 A They were.

14 Q During the course of the investigation the
15 residence was determined to have video surveillance
16 cameras affixed to the home, is that correct?

17 A Correct.

18 Q Okay. Now, was the video, the DVR portion of
19 it, was that located in the garage?

20 A It was.

21 Q Paul Caneiro advised that he could not recall
22 whether his video surveillance cameras were operational
23 at the time of the fire, is that right?

24 A Yes.

25 Q And he was asked to explain, is that correct?

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15

1 A He was.

2 Q And did he indicate that he could not recall
3 whether he turned off the video recording system the
4 previous day, is that right?

5 A Yes.

6 Q And he advised that he periodically turns off
7 the surveillance cameras because he suspected that the
8 system causes his wi-fi system to run slow, is that
9 right?

10 A That's what he said, yes.

11 Q Paul voluntarily consented to allow law
12 enforcement to search his DVR equipment, is that right?

13 A He did.

14 Q And one of the things that was discovered was
15 that those video cameras maintained on his residence
16 were hard-wired, not internet wi-fi based, is that
17 correct?

18 A Correct.

19 Q Okay. And law enforcement's review of that
20 DVR equipment further revealed that the DVR system had
21 stored data without interruption dating back to October
22 27th of 2018, is that right?

23 A Yes.

24 Q And ultimately during the course of the
25 investigation it was revealed that the last activity

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16

1 recorded on the DVR system was earlier that very
2 morning, is that correct?

3 A Correct.

4 Q So that would have been November 20th of 2018
5 at approximately 1:29 a.m., is that correct?

6 A 2018? Yes.

7 Q Yes. Specifically the investigative team
8 reviewed that surveillance, is that correct?

9 A They did.

10 Q And you viewed it yourself too, is that
11 correct?

12 A I did.

13 Q And you see at 1:29 a.m. Paul Caneiro walk
14 into his garage, turn on the light, is that correct?

15 A Correct.

16 Q And then you see him walk back toward the
17 area where the DVR system was stored, is that correct?

18 A Correct.

19 Q And then the surveillance goes black and the
20 camera stops working, is that correct?

21 A It does.

22 Q Okay. So that was at 1:29 a.m. in the
23 morning approximately?

24 A 1:29 in the morning, yes.

25 Q Okay. And when the first responders arrived

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17

1 it was approximately between 4:59 and 5:02 a.m., is
2 that right?

3 A Correct.

4 Q A little later that morning Paul, Susan and
5 their daughters travel to Ocean Township headquarters
6 voluntarily so that detectives could further speak with
7 them regarding the fire investigation into their house,
8 is that correct?

9 A Yes.

10 Q Now, at about 3:47 p.m. that particular day,
11 November 20th, Susan Caneiro was interviewed by Det.
12 Weisbrot, is that correct?

13 A Yes.

14 Q And that interview was transcribed in
15 writing, is that right?

16 A It was.

17 Q You had the opportunity to review that?

18 A I did.

19 Q In summary, Susan advised that on November
20 19th, so the day prior, Paul had gone for a stress
21 test, is that correct?

22 A Correct.

23 Q And that he arrived home at about 3:00 p.m.,
24 is that correct?

25 A Correct.

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1 Q And she stated that he went to the spare
2 bedroom where he normally sleeps as he was not feeling
3 well, is that right?

4 A He did, yes.

5 Q And she advised that she went to bed at about
6 10:30 p.m., is that correct?

7 A Correct.

8 Q And that she did not see or hear Paul get up
9 until the next morning, is that right?

10 A Yes.

11 Q And she said that's when he came into her
12 bedroom stating that the house was on fire, is that
13 correct?

14 A Yes.

15 Q Okay. Now, that wasn't the entirety of her
16 statement but that's essentially a summary of the
17 information that she provided, is that correct?

18 A Right. Yes.

19 Q On that particular, that same date, so
20 November 20th, Katelyn Caneiro, the daughter, was also
21 interviewed by Dets. Condon and Orbach, is that
22 correct?

23 A Yes.

24 Q Okay. And that interview was transcribed in
25 writing.

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19

1 A It was.

2 Q And did you have the opportunity to review
3 it?

4 A I did.

5 Q And in summary, Katelyn advised that she
6 arrived home at about 6:15 p.m. on November 19th of
7 2018, is that right?

8 A Yes.

9 Q And that she went to bed at approximately
10 11:00 p.m., is that right?

11 A Correct.

12 Q And she stated that she was awoken the next
13 morning when her father Paul Caneiro knocked on her
14 bedroom door and told her the house was on fire, is
15 that right?

16 A Yes.

17 Q Now, again, that's not the entirety of her
18 statement, that's just a summary of some of the
19 information that she provided, is that correct?

20 A Correct.

21 Q On that same date Marissa Caneiro was
22 interviewed by Dets. Condon and Martin, is that
23 correct?

24 A She was.

25 Q And that interview was also transcribed in

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Petruzziello-Direct

20

1 writing, is that correct?
2 A It was.
3 Q Did you have the opportunity to review it?
4 A Yes, I did.
5 Q And Marissa Caneiro advised that she arrived
6 home at about 7:30 p.m. on November 19th of 2018, is
7 that right?
8 A Yes.
9 Q And that her father Paul Caneiro was in his
10 room, is that correct?
11 A Correct.
12 Q And she stated that she went to bed at about,
13 between nine and 9:30 p.m., is that right?
14 A Yes.
15 Q And that she was awoken the next morning when
16 she heard her father advising that the house was on
17 fire, is that right?
18 A Correct.
19 Q Now, she also indicated that her uncle Keith
20 Caneiro had texted her father at three in the morning,
21 saying his power was out, is that correct?
22 A Yes.
23 Q But that her dad was asleep and didn't reply
24 to the text, according to her, is that correct?
25 A Yes.

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21

1 Q Now, again, that's not the entirety of her
2 statement but a summary of some of the information she
3 provided, is that right?
4 A Yes.
5 Q On that same date, so November 20th of 2018,
6 you and Det. Zarrillo also interview, you interviewed
7 Corey Caneiro, is that correct?
8 A We did.
9 Q That is Keith and Paul's other brother, is
10 that right?
11 A Yes.
12 Q And he lives in Fair Haven with his wife and
13 children, is that correct?
14 A He does.
15 Q Now, was his interview transcribed in
16 writing?
17 A It was.
18 Q Okay. So in sum, Corey stated that his
19 brothers Keith and Paul are in business together and
20 that they own three companies, is that correct?
21 A Yes.
22 Q Corey identified the businesses as Jay Martin
23 Consulting, which is computer consultant business, is
24 that right?
25 A Yes.

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22

1 Q Square One, a computer security business, is
2 that right?

3 A Yes.

4 Q And Eco-Star, a pest management business, is
5 that correct?

6 A Yes.

7 Q Corey indicated that he has multiple
8 sclerosis and is disabled so he is not involved in the
9 businesses, is that right?

10 A That's correct.

11 Q He stated that prior to going on disability
12 he worked in a field of computers as well, is that
13 right?

14 A Yes.

15 Q Corey indicated that his brother Paul was
16 involved in a motor vehicle accident about two to three
17 years ago and is on disability, is that correct?

18 A Correct.

19 Q He stated that Paul Caneiro also had back
20 surgery a couple of months prior, is that right?

21 A Yes.

22 Q He stated that he actually saw Paul that
23 particular morning, so November 20th, is that right?

24 A Yes.

25 Q And he said that he went to Paul's house when

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23

1 he learned of the fire there, is that correct?

2 A Correct.

3 Q And that Corey, himself, he gave Susan
4 Caneiro some cash, is that correct?

5 A He did.

6 Q And then he took Paul's daughters to get
7 bagels, is that correct?

8 A Yes, he did.

9 Q Corey indicated that in the morning when he
10 arrived at Paul's house he observed that Paul had an
11 ice pack on his hand, is that correct?

12 A Correct.

13 Q And that he was reportedly given the ice pack
14 by fire or first aid, is that right?

15 A Yes.

16 Q Corey indicated that Paul had told him that
17 he hurt his hand getting out of the garage, is that
18 correct?

19 A Correct.

20 Q Corey indicated that Paul did not provide him
21 any details regarding the fire.

22 A Yes.

23 Q And he stated that he believed Paul had been
24 wearing pajama bottoms when he was speaking with him,
25 is that correct?

MCP0/18004915/00054822

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24

1 A Yes.

2 Q Now, did you ask Corey about the relationship
3 between Paul and Keith?

4 A I did.

5 Q And Corey indicated that Keith would always
6 complain about Paul but classified it as "normal
7 brother stuff", is that correct?

8 A Correct.

9 Q Corey also indicated that Keith would
10 routinely call him or send him emails complaining about
11 Paul, is that correct?

12 A Yes.

13 Q Corey then indicated that he recently
14 received an email from Keith regarding Paul which he
15 ultimately forwarded to you, is that correct?

16 A Yes.

17 Q Now, we're going to talk about that email a
18 little later on. But essentially that was not the
19 entirety of the interview but it was a summary of some
20 of the information that Corey provided, is that right?

21 A Yes. That's correct.

22 Q All right. So just to recap. Tuesday
23 November 20th, 2018 at about 4:59 a.m. there's the
24 report of smoke inside Paul Caneiro's residence in
25 Ocean Township, is that right?

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25

1 A Yes.

2 Q All right. Fast forward about seven and a
3 half hours now, to November 20th, 12:34 p.m. in the
4 afternoon on that same date. Okay?

5 A Uh hum.

6 Q Paul and his family had been with first
7 responders and law enforcement at that point in Ocean
8 Township and they had been with them all morning, is
9 that right?

10 A They were.

11 Q Okay. So while Paul and his family are at
12 the Ocean Township Police Department the Colts Neck
13 Police and fire departments were called to respond to
14 smoke coming from a residence in Colts Neck, is that
15 correct?

16 A That's correct.

17 Q And that residence that they were called to
18 respond to was 15 Willow Brook Road, Colts Neck, is
19 that right?

20 A That's correct.

21 Q And that residence happened to be the
22 residence of Paul Caneiro's brother Keith Caneiro, is
23 that right?

24 A Yes.

25 Q And Keith Caneiro's wife Jennifer Caneiro,

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26

1 Paul's sister-in-law, is that right?

2 A Yes.

3 Q And their two children, [REDACTED] [REDACTED]
4 [REDACTED], Paul's niece and nephew, is that correct?

5 A That is correct.

6 Q Now, during the course of the investigation
7 it was learned that [REDACTED] was 11 years old, is that
8 right?

9 A Yes.

10 Q And [REDACTED] was eight years old, is that
11 right?

12 A Correct.

13 Q And again, that's Keith and Jennifer's
14 children, is that right?

15 A Yes.

16 Q So specifically, the call came in as a 9-1-1
17 call from a neighbor, is that right?

18 A Yes.

19 Q That neighbor reported smoke coming from the
20 residence of 15 Willow Brook Road and what appeared to
21 be a deceased male lying face down on the front lawn of
22 15 Willow Brook Road, is that correct?

23 A Yes.

24 Q It was learned that upon the arrival of first
25 responders that the body of the deceased male later

Petruzziello-Direct

27

1 identified as homeowner Keith Caneiro, Paul's brother,
2 was located lying face down on the front lawn, is that
3 correct?

4 A He was.

5 Q And his arms were tucked underneath him, is
6 that right?

7 A Yes.

8 Q And there was blood pooling around his head,
9 is that correct?

10 A Yes.

11 Q His cell phone was located on the grass near
12 his body, is that correct?

13 A Yes.

14 Q And Keith was fully clothed, is that right?

15 A He was.

16 Q He was wearing pants, sneakers and a
17 windbreaker style jacket, is that right?

18 A Yes.

19 Q And in fact he had the hood of his jacket up
20 over his head, is that correct?

21 A Yes.

22 Q During the initial fire suppression efforts
23 three more bodies were located inside of 15 Willow
24 Brook Road in Colts Neck, is that correct?

25 A They were.

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1 Q The deceased body of Jennifer Caneiro was
2 located on the first floor foyer area on top of the
3 ascending stairwell that leads into the basement, is
4 that correct?

5 A Yes.

6 Q Her body was badly burned, is that right?

7 A It was.

8 Q During the course of the investigation it was
9 learned that Jennifer sustained a gunshot wound to her
10 head, is that right?

11 A Yes.

12 Q And that she also sustained multiple stab
13 wounds, is that correct?

14 A That's correct.

15 Q Additionally, the deceased body of [REDACTED]
16 [REDACTED], 11 years old, was located on the floor in the
17 kitchen, is that correct?

18 A He was.

19 Q During the course of the investigation it was
20 learned that [REDACTED] sustained multiple stab wounds, is
21 that correct?

22 A That's correct.

23 Q Additionally, the deceased body of eight year
24 old [REDACTED] was located on the platform of the
25 ascending staircase that led from the first to the

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1 second floor, is that correct?

2 A That is correct.

3 Q During the course of the investigation it was
4 learned that [REDACTED] sustained multiple stab wounds, is
5 that correct?

6 A Yes.

7 Q Now, you arrived to the Colts Neck scene at
8 about 1:45 p.m., is that correct?

9 A I did.

10 Q And again you were assigned as the lead
11 detective, right?

12 A I was.

13 Q For Monmouth County?

14 A Yes.

15 Q And when you arrived, was that after all of
16 the bodies had already been discovered?

17 A Yes.

18 Q Okay. And it was well after fire suppression
19 efforts had begun, is that correct?

20 A Correct.

21 Q When you arrived did you observe numerous
22 fire and first aid personnel on location?

23 A I did.

24 Q And did you observe active fire still to the
25 residence?

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1 A I did.
2 Q And were fire suppression operations ongoing?
3 A Yes, they were.
4 Q Can you describe the condition of that house?
5 A There was a lot of fire and water damage.
6 Q Now, when you arrived there were already
7 multiple other law enforcement officers present,
8 including other detectives from Monmouth County
9 Prosecutor's Office, is that right?
10 A Yes, there were.
11 Q And did you speak with those individuals?
12 A I did.
13 Q Okay. And you were informed as to what
14 transpired prior to your arrival, is that correct?
15 A Yes, I was.
16 Q Okay. Now, your counterpart from Colts Neck,
17 Det. Richard Zarrillo, had been assigned as the lead
18 detective from Colts Neck, is that correct?
19 A Yes, he was.
20 Q All right. So 15 Willow Brook Road was a
21 large house, is that correct?
22 A Yes.
23 Q And it had a basement, is that right?
24 A Yes, it did.
25 Q And it had a long driveway that led up to the

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1 house, is that correct?
2 A Correct.
3 Q And the house was set way back off of the
4 street, is that right?
5 A It was.
6 Q And it had a three-car garage attached to the
7 west side of the residence, is that correct?
8 A Yes.
9 Q So if you're facing the house, the west side
10 would be to your right, is that correct?
11 A Yes.
12 Q And then to your left would be the east side?
13 A Yes.
14 Q So the body of Keith Caneiro had been located
15 on the front lawn on that northwest portion of the
16 property, is that correct?
17 A That's correct.
18 Q Also on the west side of the house there was
19 an exterior electrical system and generator, is that
20 correct?
21 A Yes.
22 Q The generator was a whole house generator?
23 A Yes, it was.
24 Q Can you explain what that means?
25 A A whole house generator is essentially a piece of

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1 equipment that's permanently set in place on the
2 exterior of a structure, or residence in this case.
3 It's permanently wired into the electrical system of
4 the house, and in the event of power loss the generator
5 automatically kicks on and provides power to the entire
6 residence, or the whole house.

7 Q Okay. So the generator that was located on
8 the west side of the house, that was approximately 25
9 feet from the corner of the residence where the
10 electrical meter was located, is that correct?

11 A Correct.

12 Q One of the things you learned during the
13 course of the investigation was that the electrical
14 meter and the cover to the meter box had both been
15 removed and were lying on the ground when first
16 responders arrived, is that right?

17 A That is correct.

18 Q During the course of the investigation it was
19 discovered that the power had gone out at 15 Willow
20 Brook Road in the early morning hours of November 20th
21 of 2018, is that right?

22 A That's correct.

23 Q At approximately 2:52 a.m., is that correct?

24 A Yes.

25 Q And that was several hours prior to the

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1 arrival of the first responders at 12:34 in the
2 afternoon, is that right?

3 A Yes.

4 Q And the power had gone out despite the fact
5 that there was the generator, right?

6 A That's correct.

7 Q So the generator never kicked in, is that
8 correct?

9 A Yes.

10 Q During the course of the investigation
11 members of the investigative team met with a
12 representative from the electric company that was
13 servicing the generator to 15 Willow Brook Road, is
14 that correct?

15 A We did, yes.

16 Q That technician examined the generator and
17 found that it was in proper working condition, is that
18 correct?

19 A Yes.

20 Q And he examined the electrical components for
21 the generator located in the basement, is that right?

22 A He did.

23 Q And he found that the switch for the
24 generator had been set in the auto position, as it
25 should be, is that correct?

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1 A Correct.

2 Q And so when the power to the house was lost
3 the generator should have come on, is that correct?

4 A Yes.

5 Q Now, one of the things the technician noticed
6 was that the main electrical breaker was switched to
7 the off position, is that correct?

8 A Yes.

9 Q And during the course of the investigation it
10 was learned that one of the firefighters had in fact
11 turned that breaker off at some point upon his arrival,
12 is that correct?

13 A Yes.

14 Q However, that firefighter advised that he did
15 not manipulate any other controls on the generator
16 outside, is that correct?

17 A That's correct.

18 Q Based upon further investigation and
19 examination of the generator, the technician found that
20 in another area of the generator, another access panel,
21 there was a main power switch that had been manually
22 turned off, is that correct?

23 A That's correct.

24 Q And he explained that that switch being
25 turned off would not have allowed the generator to

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1 start up once the power was lost to the house, is that
2 correct?

3 A Correct.

4 Q Now, an individual named Michael Abraham who
5 worked as the electrical engineer for the ATF was one
6 of the individuals who assisted in the investigation
7 into the fire, is that correct?

8 A That is correct.

9 Q Okay. And we're talking about the ATF is the
10 Bureau of Alcohol Tobacco and Firearms, is that
11 correct?

12 A Yes.

13 Q Okay. Based on his investigation, he advised
14 that he determined that the house was "de-energized",
15 is that right?

16 A Yes.

17 Q And that he did not observe any tripped
18 circuit breakers, is that right?

19 A Yes.

20 Q And he relayed to you that based on those
21 findings the power was most likely lost to the
22 residence prior to the fire, is that correct?

23 A That is correct.

24 Q During the course of the investigation,
25 during a walkthrough of the basement it was determined

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1 that the Verizon fiberoptic line leading into the optic
2 network terminal had been physically cut, is that
3 correct?

4 A That is correct.

5 Q Now, Verizon advised that the FiOS optical
6 network terminal went out of service at about 3:42
7 a.m., is that correct?

8 A That is correct.

9 Q Okay. And again, on November 20th, is that
10 right?

11 A Yes.

12 Q Okay. Can you just explain what that means?

13 A The optic network terminal is essentially a box that
14 Verizon places either on the exterior of your house or
15 inside your house, and the main service fiberoptic line
16 runs into that and thus provides telecommunications to
17 your house. Phone, internet, that kind of thing.

18 Q Okay. Now, based upon the investigation into
19 the house were any smoke alarms present in that
20 residence?

21 A There were.

22 Q Okay. So the fact that that wire leading
23 into the optical network terminal was cut, what if any
24 impact would that have had on the smoke alarm system?

25 A Cutting the fiber line would have caused any

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1 communications either coming into the house or going
2 out of the house to not happen. Essentially the alarm
3 panel, if it was monitored by an alarm monitoring
4 company, they would not be able to be alerted to any
5 smoke alarms activations in the house.

6 Q Okay. So just to recap, we have about 2:52
7 a.m. the power goes out to 15 Willow Brook Road, is
8 that correct?

9 A Correct.

10 Q And at about 3:42 a.m. is when that
11 fiberoptic line appeared to have been cut, is that
12 correct?

13 A That's correct.

14 Q During the course of your investigation a
15 Verizon representative further advised that there were
16 certain alerts related to the Verizon service at 15
17 Willow Brook Road, is that correct?

18 A Correct.

19 Q Specifically they advised that the first
20 alert occurred on November 20th of 2018 at 2:52 a.m.
21 for a loss of a/c power to the optical network
22 terminal, is that right?

23 A Correct.

24 Q Again, meaning that the power was lost, is
25 that correct?

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1 A The power was lost, yes.
2 Q Additionally, during the investigation
3 multiple surveillance cameras were located throughout
4 the residence of 15 Willow Brook Road, is that correct?
5 A There were.
6 Q A total of six cameras were located in the
7 residence and the garage, is that correct?
8 A Yes.
9 Q And they were collected as evidence, is that
10 correct?
11 A They were.
12 Q You had the opportunity to review those, is
13 that right?
14 A I did.
15 Q One of the surveillance cameras in particular
16 was located in the garage, is that correct?
17 A It was.
18 Q And it viewed the single garage door that was
19 located on the west side of the residence, is that
20 right?
21 A Yes.
22 Q And it essentially overlooked the area where
23 the electrical meter and the generator were located, is
24 that correct?
25 A Yes.

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1 Q So the camera was inside of the garage but it
2 essentially looked out the window, is that right?
3 A Yes. The window of the garage door.
4 Q Of the garage door. And to the right of that
5 camera, just north of the garage door on the exterior
6 of that corner of the house was where the electrical
7 meter was located, is that right?
8 A Yes.
9 Q And on the left side is where the generator
10 was located, is that correct?
11 A Correct.
12 Q So on November -- So what you see basically
13 when you view that, is that on November 20th, 2018 at
14 about 2:47:26 a.m. the motion light affixed to the
15 exterior of the house above the garage door activates,
16 is that correct?
17 A Yes.
18 Q And then it shuts off, is that correct?
19 A Yes.
20 Q And then at 2:47:48 hours you see the motion
21 light activate and come on a second time, is that
22 correct?
23 A Correct.
24 Q And then at 2:47:56 hours, so about eight
25 seconds later, you see what appears to be a human

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1 figure, you see them walking across on the exterior
2 side of the garage across from the generator side to
3 the side where the electrical meter is, is that
4 correct?

5 A Correct.

6 Q Then at 2:48:20 hours you can hear metal-like
7 mechanical sounds, is that correct?

8 A Yes.

9 Q And then at 2:52 a.m. the cameras stop
10 working, is that right?

11 A That's correct.

12 Q And that's consistent when, the time when the
13 power goes out, is that correct?

14 A Yes.

15 Q All right. Now, during the course of this
16 investigation it was learned that some text messages
17 had been sent from Keith's cell phone to Paul Caneiro's
18 cell phone in the early morning hours of November 20th,
19 2018, is that correct?

20 A Yes.

21 Q So something called a cell phone extraction
22 was performed on Paul Caneiro's cell phone, is that
23 correct?

24 A It was.

25 Q It's also known as a phone dump, is that

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1 correct?

2 A Yes.

3 Q And it essentially takes information out of
4 the phone and investigators are able to view it, is
5 that correct?

6 A That's correct.

7 Q One of the things reviewed was Paul Caneiro's
8 text message history, is that correct?

9 A Yes.

10 Q And what that review showed was that there
11 were four incoming text messages to Paul's phone from
12 the cell phone number associated with Keith Caneiro's
13 phone, is that correct?

14 A Yes.

15 Q And they were as follows. 3:14:58 a.m., my
16 power is totally out at home. Total a/c failure. Was
17 that the first text?

18 A Yes.

19 Q And again, these are from Keith's phone to
20 Paul's phone, is that correct?

21 A Correct.

22 Q Then the second one, 3:15:01 a.m. "I used
23 the manual switch in the basement but nothing is
24 working." Is that correct?

25 A Yes.

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1 Q Third text, 3:17:59 a.m. "I'm not even sure
2 what to do." Is that right?

3 A Yes.

4 Q And then 3:18:13 a.m. "The generator says
5 a/c failure. Going outside to see if the generator is
6 in the right mode." Is that correct?

7 A That is correct.

8 Q Okay. Now, when Paul's phone was viewed,
9 those four text messages were not shown as being "read"
10 until 5:03 a.m., is that correct?

11 A That is correct.

12 Q And that's about the time that first
13 responders came to his house in Ocean Township, is that
14 correct?

15 A Yes.

16 Q All right. I'm going to switch gears for a
17 little bit. On November 21st of 2018 was an
18 examination of Keith Caneiro's body conducted by the
19 Middlesex County Medical Examiner's Office?

20 A Yes, it was.

21 Q That examination is more commonly referred to
22 as an autopsy, is that correct?

23 A Yes.

24 Q In other words, it's an examination to figure
25 out how a person died. Is that right?

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1 A Yes.

2 Q In this case the autopsy was performed by
3 Assistant Medical Examiner Dr. Alex Zhang, is that
4 correct?

5 A It was.

6 Q Did Dr. Zhang prepare a report based upon
7 that examination?

8 A He did.

9 Q Did you have an opportunity to review that
10 report?

11 A I have.

12 Q I'm going to show you what's been marked as
13 Grand Jury Exhibit 1. Do you recognize that?

14 A I do.

15 Q Okay. And what is that?

16 A This is the autopsy report for Keith Caneiro.

17 Q Okay. During the examination Dr. Zhang
18 identified five gunshot wounds to Keith Caneiro's body,
19 is that correct?

20 A Yes.

21 Q One gunshot wound in his lower back area, is
22 that correct?

23 A Yes.

24 Q One gunshot wound on his right lateral neck,
25 is that correct?

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1 A Yes.
2 Q One gunshot wound on his right side of his
3 face, is that correct?
4 A That is correct.
5 Q One gunshot wound on the right side of his
6 head, is that correct?
7 A That's correct.
8 Q And one gunshot wound to the right top of his
9 head, is that correct?
10 A That's correct.
11 Q Dr. Zhang noted that x-rays were taken, is
12 that correct?
13 A He did.
14 Q And that those x-rays revealed a small, a few
15 small pieces of projectiles that remained in the top of
16 the head, is that correct?
17 A Yes.
18 Q Dr. Zhang's conclusion as to the cause of
19 death was multiple gunshot wounds, is that correct?
20 A Yes.
21 Q And his conclusion as to the manner of death
22 was homicide, is that correct?
23 A That is correct.
24 Q I'm going to take that back from you. During
25 the course of the investigation two individuals who

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1 lived in two separate residences in Colts Neck reported
2 hearing shots fired in the early morning hours of
3 November 20th, 2018, is that correct?
4 A That is correct.
5 Q Now, the first call or the first report came
6 in as a 9-1-1 call, is that right?
7 A Yes.
8 Q That call was placed at about 3:33 a.m., is
9 that correct?
10 A That is correct.
11 Q And that call was recorded and saved, is that
12 right?
13 A It was.
14 Q You had the opportunity to listen to it?
15 A I have.
16 Q In summary, the caller identifies himself as
17 Dennis Corpora, is that right?
18 A Yes.
19 Q And he asks, you can hear him asking whether
20 Colts Neck allows hunting in the middle of the night,
21 is that correct?
22 A Yes.
23 Q And the dispatcher says no and asks if he was
24 hearing gunshots, is that right?
25 A Correct.

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1 Q And Mr. Corpora says yes, that he heard
2 gunshots. Is that right?

3 A He did.

4 Q Mr. Corpora indicated that he heard five
5 gunshots followed by a two second delay and then a
6 sixth gunshot, is that correct?

7 A That's correct.

8 Q And he described his location as being in the
9 area of Rivers Edge Road in Colts Neck, is that right?

10 A Yes.

11 Q Now, officers had been dispatched to that
12 area but at that point they didn't find any evidence of
13 shots fired, is that correct?

14 A That is correct.

15 Q However, utilizing Google maps, the distance
16 between 15 Willow Brook Road and the caller's residence
17 is approximately 2.6 miles, is that right?

18 A It is.

19 Q The second report was from a female named
20 Anne Fitch, is that correct?

21 A Yes.

22 Q Now, she didn't call 9-1-1, is that right?

23 A She did not.

24 Q Rather, she provided information to police
25 officers after learning about the incident, is that

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1 correct?

2 A Yes.

3 Q Now, you didn't speak with her yourself,
4 right?

5 A I did not.

6 Q However, the officers who spoke with her
7 relayed the information that they learned to you, is
8 that correct?

9 A They did.

10 Q Now, Anne Fitch indicated she's 71 years old,
11 is that right?

12 A Yes.

13 Q And she lived at 124 Cedar Drive in Colts
14 Neck, is that correct?

15 A Yes.

16 Q As per Google maps, that's about three tenths
17 of a mile from 15 Willow Brook Road, is that right?

18 A That's correct.

19 Q Now, Ms. Fitch was interviewed by Det. Sean
20 Murphy of the Prosecutor's Office on November 21st of
21 2018, is that right?

22 A That's correct.

23 Q That interview was transcribed in writing, is
24 that correct?

25 A It was.

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1 Q You had an opportunity to read it?

2 A I did.

3 Q In summary, Ms. Fitch advised that she woke
4 up on November 20th of 2018 at about one in the
5 morning, is that correct?

6 A Yes.

7 Q And that she was having trouble sleeping due
8 to a medical issue with her knee, is that correct?

9 A That's correct.

10 Q She said she heard a series of four to five
11 shots quickly in a row, is that correct?

12 A Yes.

13 Q Followed by a pause, and then one more
14 "bang", is that correct?

15 A That is correct.

16 Q She advised that she looked at her cable box
17 and that the time was 3:10 a.m., is that correct?

18 A That is correct.

19 Q Now, that's a summary of some of the
20 information that she provided in her statement, is that
21 correct?

22 A Yes.

23 Q During the course of the investigation was
24 any ballistic evidence recovered from the yard of 15
25 Willow Brook Road?

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1 A There was.

2 Q All right. I just want to talk for a second
3 about some of the terminology that you're going to be
4 hearing with respect to ballistic evidence, in
5 particular ammunition. Can you explain what, for
6 example, what a cartridge is as opposed to a cartridge
7 or shell casing as opposed to a bullet?

8 A Yes. Handgun ammunition is basically made up of
9 two parts. You have a cartridge or shell casing and
10 you have the bullet portion. When they're together or
11 unfired that's a cartridge or live round. When the gun
12 is fired the bullet separates, travels down the barrel
13 and out the gun, the cartridge remains behind and it is
14 ejected from the gun and falls to the ground in the,
15 typically in the area of the shooter.

16 Q Okay. So during the course of the
17 investigation six cartridge or shell casings were
18 located outside on the west and northwest property of
19 15 Willow Brook Road, is that correct?

20 A They were.

21 Q And some discharged bullets were also found
22 there as well, is that correct?

23 A Yes.

24 Q Two bullet specimens were found under and
25 near Keith's body, is that right?

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1 A That's correct.

2 Q And there was a third one found imbedded on
3 the ground, is that correct?

4 A That is correct.

5 Q There was also a live round located on the
6 paved deck on the southwest side of the property, is
7 that right?

8 A Yes.

9 Q Now again, the west side of the property is
10 where the generator and electrical meter were located,
11 right?

12 A Yes.

13 Q And the northwest side of the property was
14 where Keith's body was located, is that correct?

15 A That is correct.

16 Q The aforementioned six shell casings that
17 were found in the yard, the aforementioned three
18 bullets that were found in the yard, and the one live
19 cartridge that was found in the yard, they were all
20 sent to the ballistics unit of the New Jersey State
21 Police Lab for examination, testing and comparison, is
22 that correct?

23 A They were.

24 Q Okay. So just quickly to recap. We have the
25 power going out at 15 Willow Brook Road at 2:52 a.m.,

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1 is that correct?

2 A Yes.

3 Q According to Dr. Zhang, Keith was shot five
4 times, is that correct?

5 A Yes.

6 Q There were six cartridge casings found
7 outside 15 Willow Brook Road, or shell casings, is that
8 correct?

9 A Yes.

10 Q Mr. Corpora stated he heard five shots in a
11 row following by a two second pause, and then a sixth
12 shot, is that right?

13 A That's correct.

14 Q Ms. Fitch stated she heard four to five shots
15 followed by a pause and then another shot, is that
16 correct?

17 A Yes.

18 Q Okay. Now, on November 21st, 2018 was an
19 examination of Jennifer Caneiro's body conducted by the
20 Middlesex County Medical Examiner's Office?

21 A It was.

22 Q And again, that's an autopsy, right?

23 A Correct.

24 Q The autopsy of Jennifer's body was performed
25 by Assistant Medical Examiner Dr. Lauren Thoma, is that

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1 correct?
2 A That is correct.
3 Q Did Dr. Thoma prepare a report based on her
4 examination?
5 A She did.
6 Q Did you have the opportunity to review that
7 report?
8 A I did.
9 Q I'm going to show you what's been marked as
10 Grand Jury Exhibit 2. Do you recognize that?
11 A I do.
12 Q What is that?
13 A This is the autopsy report for Jennifer Caneiro.
14 Q During the examination Dr. Thoma identified
15 five stab wounds to Jennifer's body, is that correct?
16 A She did.
17 Q There was a stab wound to her lower left
18 chest, is that correct?
19 A Yes.
20 Q She identified another stab wound to her left
21 lower abdomen, is that correct?
22 A Correct.
23 Q One to her right breast, is that correct?
24 A Yes.
25 Q One to her left mid back, is that correct?

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1 A Yes.
2 Q One to her left lower back, is that correct?
3 A Yes.
4 Q Now, Dr. Thoma also identified one gunshot
5 wound to Jennifer's head, is that correct?
6 A Yes.
7 Q And Dr. Thoma notes that that bullet was --
8 remained lodged in Jennifer's head, is that correct?
9 A Yes.
10 Q Now, Dr. Thoma's report notes extensive
11 thermal injuries over nearly her entire body, including
12 obscuring her facial features, charring of the skin and
13 splitting of the skin, is that correct?
14 A Yes.
15 Q However, Dr. Thoma notes that there is no
16 soot present in Jennifer's airways, in her lungs, is
17 that correct?
18 A That's correct.
19 Q And Jennifer's blood was tested, is that
20 right?
21 A It was.
22 Q And according to the report it tested
23 negative for the presence of carbon monoxide, is that
24 correct?
25 A Yes.

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1 Q And so the report indicates carboxyhemoglobin
2 is not detected, is that correct?

3 A Yes.

4 Q And so Dr. Thoma's conclusion as to the cause
5 of Jennifer's death was a gunshot wound to the head and
6 stab wounds to the torso, is that correct?

7 A Yes.

8 Q And her conclusion as to the manner of death
9 was homicide, is that correct?

10 A That is correct.

11 Q Okay. I can take that back from you.

12 A Thank you.

13 Q On November 21st of 2018 an autopsy was
14 performed on eight year old [REDACTED] body, is
15 that correct?

16 A Yes, it was.

17 Q And that was performed by Assistant Medical
18 Examiner Dr. Alex Zhang, is that correct?

19 A Yes.

20 Q Did Dr. Zhang prepare a report based on that
21 examination?

22 A He did.

23 Q Did you have the opportunity to review it?

24 A I have.

25 Q I'm going to show you what's been marked as

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1 Grand Jury Exhibit 3. Do you recognize that?

2 A I do.

3 Q And what is that?

4 A This is the autopsy report for [REDACTED]

5 Q Okay. During the examination Dr. Zhang
6 identified multiple stab wounds and cuts to [REDACTED]
7 body, is that correct?

8 A Yes.

9 Q Specifically he notes the following. A deep
10 cut on the right top of her head, is that correct?

11 A Yes.

12 Q A stab wound on the back of the left axilla,
13 is that right?

14 A Yes.

15 Q A cut on the middle of her back.

16 A Yes.

17 Q Two stab wounds on her right upper lateral
18 buttock area.

19 A Yes.

20 Q A superficial vertical cut at the right
21 posterior lateral thigh.

22 A Yes.

23 Q Two stab wounds on the left side of her nose.

24 A Yes.

25 Q Six cuts or stab wounds at the middle

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1 anterior portion of her chest.
2 A Yes.
3 Q A stab wound on the right lateral chest.
4 A Yes.
5 Q One stab wound on her anterior right thigh.
6 A Yes.
7 Q Two vertical cuts on the medial surface of
8 her right lower leg, is that right?
9 A Yes.
10 Q And one vertical cut on the medial surface of
11 her right ankle.
12 A Yes.
13 Q A stab wound on the left anterior upper arm.
14 A Yes.
15 Q A stab wound on her right forearm.
16 A Yes.
17 Q A faint cut on her right forearm.
18 A Yes.
19 Q A stab wound and a superficial cut at the
20 right elbow.
21 A Yes.
22 Q A deep cut on the posterior right wrist.
23 A Yes.
24 Q A vertical skin split from the back of the
25 right hand toward the forearm.

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1 A Yes.
2 Q Three superficial cuts on the medial surface
3 of her left forearm.
4 A Yes.
5 Q A cut on the right lateral lower portion of
6 her face, is that correct?
7 A Yes.
8 Q During the examination Dr. Zhang also
9 identified blunt-force injuries to [REDACTED] body, is
10 that correct?
11 A Yes.
12 Q Specifically abrasions on the right upper
13 eyelid and abrasions at the temple area just lateral to
14 her right eye, is that right?
15 A Yes.
16 Q A small contusion on the anterior of her
17 chin, is that correct?
18 A Yes.
19 Q Small abrasions in the right lower lip, is
20 that correct?
21 A Yes.
22 Q And tears of the upper frenulum in the oral
23 cavity, is that correct?
24 A Correct.
25 Q He also noted contusions on her left lower

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1 chest, is that correct?

2 A Yes.

3 Q And purple contusions on both anterior knees,
4 is that correct?

5 A Yes.

6 Q Additionally, Dr. Zhang also identified soot
7 on her tongue and the mucosa of her upper airway, is
8 that correct?

9 A That is correct.

10 Q And [REDACTED] blood was tested for the
11 presence of carbon monoxide, is that correct?

12 A It was.

13 Q And unlike Jennifer's, the results in this
14 particular report revealed that she had 49 percent
15 carboxyhemoglobin in her blood system, which is carbon
16 monoxide, is that correct?

17 A That is correct.

18 Q Dr. Zhang's conclusion as to the cause of
19 [REDACTED] death was sharp force injuries and smoke
20 inhalation, is that correct?

21 A That is correct.

22 Q And his conclusion as to the manner of death
23 was homicide, is that correct?

24 A That is correct.

25 Q I can take that back from you. November 20th

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1 of 2018, an autopsy was performed on 11 year old [REDACTED]
2 [REDACTED] body, is that correct?

3 A Yes.

4 Q And that was performed by Assistant Medical
5 Examiner Dr. Lauren Thoma, is that right?

6 A That is correct.

7 Q Did Dr. Thoma prepare a report based on that
8 examination?

9 A She did.

10 Q And did you have an opportunity to review
11 that report?

12 A I have.

13 Q I'm going to show you what's been marked as
14 Grand Jury Exhibit 4. Do you recognize that?

15 A I do.

16 Q What is that?

17 A This is the autopsy report for [REDACTED]

18 Q During the examination Dr. Thoma identified
19 the following stab wounds to [REDACTED] body. A stab
20 wound to the back left shoulder, is that right?

21 A That's correct.

22 Q And stab wound to the left upper back area,
23 is that correct?

24 A Yes.

25 Q A stab wound to his left posterior shoulder,

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1 is that right?
2 A Yes.
3 Q A stab wound to the top left of his shoulder,
4 is that right?
5 A Yes.
6 Q A stab wound to the left upper arm/chest
7 area, is that correct?
8 A Yes.
9 Q A stab wound of the left upper arm, is that
10 right?
11 A Yes.
12 Q And a stab wound of the left upper
13 arm/axilla, is that correct?
14 A That is correct.
15 Q Dr. Thoma also identified a wound on the
16 right side of [REDACTED] chin, is that correct?
17 A Yes.
18 Q She characterized it as having no discernible
19 underlying wound track, is that right?
20 A Yes.
21 Q But commented that it may represent an
22 atypical gunshot wound, is that correct?
23 A That is correct.
24 Q Finally, Dr. Thoma identified some bronchials
25 in the lungs that contained black foreign material, is

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1 that correct?
2 A Yes.
3 Q And [REDACTED] blood was tested for the presence
4 of carbon monoxide, is that correct?
5 A Yes.
6 Q And the result revealed eight percent
7 carboxyhemoglobin, is that correct?
8 A That is correct.
9 Q And so Dr. Thoma's conclusion as to the cause
10 of [REDACTED] death was stab wounds of the torso and left
11 upper extremity, is that correct?
12 A Yes.
13 Q However, she also concluded that smoke
14 inhalation was a contributing cause of death, is that
15 correct?
16 A Yes.
17 Q And Dr. Thoma's conclusion as to the manner
18 of death was homicide, is that correct?
19 A Yes.
20 Q Okay. I can take that back.
21 A Thank you.
22 Q All right. We talked earlier about some
23 ballistic evidence being recovered from the yard of 15
24 Willow Brook Road. Was there any ballistic evidence
25 located inside 15 Willow Brook Road?

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1 A There was.
2 Q Was there a cartridge casing or shell casing
3 located in a pile of debris from the stairwell leading
4 into the basement?
5 A There was.
6 Q And that's the area where Jennifer's body was
7 located, is that right?
8 A Yes.
9 Q And again, she was found to have a gunshot
10 wound in her head, is that right?
11 A Yes.
12 Q In addition to the stab wounds?
13 A Yes.
14 Q Was there also one discharged bullet located
15 on the kitchen floor?
16 A There was.
17 Q Okay. And that's where [REDACTED] body was
18 located, is that correct?
19 A Correct.
20 Q Those were sent to the ballistics unit of the
21 New Jersey State Police lab for examination, testing
22 and comparison, is that correct?
23 A They were.
24 Q Additionally, a kitchen knife was located
25 amongst a pile of debris in the foyer, is that correct?

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1 A It was.
2 Q The markings on that knife matched markings
3 on other knives that were located in the kitchen in a
4 butcher block on top of the counter, is that correct?
5 A That is correct.
6 Q And there was in fact an empty slot for that
7 knife in the butcher block, is that correct?
8 A Yes.
9 Q Swabs of that knife, both the handle and the
10 blade were taken, is that correct?
11 A There were.
12 Q And those swabs, as well as the knife itself
13 were sent to the New Jersey State Police DNA lab for
14 testing, is that correct?
15 A Yes, they were.
16 Q Additionally, DNA samples from all four
17 victims were sent to the lab as well for analysis and
18 comparison, is that correct?
19 A That is correct.
20 Q Now, was the cause and the origin of the fire
21 at 15 Willow Brook Road in Colts Neck investigated?
22 A It was.
23 Q And it was investigated by professionals
24 trained in fire investigation, is that correct?
25 A That is correct.

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1 Q And their conclusions were relayed to you, is
2 that right?

3 A They were.

4 Q And it was concluded that the origin of fire
5 was a storage closet located in the basement of 15
6 Willow Brook Road, is that right?

7 A Yes.

8 Q And that the cause was incendiary in nature,
9 is that correct?

10 A Yes.

11 Q All right. I want to move back now to Ocean
12 Township, to that scene. The Porsche Cayenne, so the
13 car that Paul, Susan and their daughters had been
14 sitting in upon arrival of first responders to 27
15 Tilton Drive in Ocean Township, that's the car that
16 Paul drove to Ocean Township headquarters with his
17 family, is that correct?

18 A Yes.

19 Q And that was again on November 20th, is that
20 right?

21 A Correct.

22 Q On or about November 21st of 2018 that car
23 was searched, is that correct?

24 A Correct.

25 Q In the rear cargo area of that vehicle was a

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1 backpack, is that correct?

2 A Yes.

3 Q Located in that backpack were numerous
4 miscellaneous personal items of Paul Caneiro, is that
5 correct?

6 A Yes.

7 Q Among them including bank cards and credit
8 cards?

9 A Yes.

10 Q Thumb drives?

11 A Yes.

12 Q Wires?

13 A Yes.

14 Q Keys?

15 A Yes.

16 Q And a laptop, is that right?

17 A Yes.

18 Q Also located in that backpack was the
19 following. Paul Caneiro's passport.

20 A Yes.

21 Q A 9mm handgun barrel, is that right?

22 A Yes.

23 Q Okay. Can you just explain briefly what a
24 handgun barrel is.

25 A The barrel is a part of the gun, cylinder, metal

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1 that the bullet actually travels down and out of when
2 it's assembled into a firearm.

3 Q Okay. So the passport and the 9mm handgun
4 barrel are found in that backpack in the Porsche
5 Cayenne that Paul Caneiro drove to headquarters, is
6 that correct?

7 A Yes.

8 Q Also found in that backpack was something
9 called a Flir One Pro Thermal camera, is that correct?

10 A Yes.

11 Q And that's something that would plug into a
12 cell phone so it would convert the cell phone camera
13 into a thermal imagining camera, is that correct?

14 A Correct.

15 Q And it would detect heat signatures, is that
16 right?

17 A Yes.

18 Q So in essence, it's a way of improving
19 visibility of objects in a dark environment, is that
20 correct?

21 A Correct.

22 Q Also a handgun accessory was located in that
23 backpack as well, and that was sent to the New Jersey
24 State Police ballistics unit, is that correct?

25 A Yes.

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1 Q And that was determined to be a silencer, is
2 that correct?

3 A Yes.

4 Q Can you explain briefly what a silencer is.

5 A A silencer is an attachment for a handgun and
6 typically it would go on the end of a barrel of a
7 handgun and it's used to suppress the sound of a
8 gunshot, but it doesn't eliminate that sound. There's
9 still a noise associated with a gunshot. But it does
10 reduce that sound.

11 Q So the aforementioned items were collected as
12 evidence, is that correct?

13 A Yes.

14 Q And that 9mm handgun barrel was also, that
15 was sent to the New Jersey State Police ballistics unit
16 to be tested and examined, is that right?

17 A Yes.

18 Q Okay. So that was the stuff found in the
19 Porsche Cayenne, again that Paul Caneiro drove to
20 headquarters, is that correct?

21 A Yes.

22 Q The Porsche Macan that was Paul Caneiro's
23 loaner car that was parked in his driveway, is that
24 correct?

25 A Yes.

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1 Q That was the one with the brown staining, is
2 that right?

3 A Yes.

4 Q That was searched as well on November 21st,
5 is that correct?

6 A It was.

7 Q And inside that car a piece of a black latex
8 glove was located on the rear passenger floor, is that
9 correct?

10 A Yes.

11 Q On November 21st Paul Caneiro's residence of
12 27 Tilton Drive in Ocean Township was also searched, is
13 that correct?

14 A Yes.

15 Q A number of items of potential evidentiary
16 value were also located and collected from the
17 residence, is that right?

18 A That is correct.

19 Q All right. I want to draw your attention
20 specifically to the following. A P228 Sig Sauer
21 handgun was located in a metal locker in his basement,
22 is that right?

23 A Yes.

24 Q And again, it was relayed to you that the
25 area, one of the areas of origin of the fire at his

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1 house was the basement, is that correct?

2 A Correct.

3 Q Also located in his house was 9mm ammunition
4 manufactured by Fiocchi, is that correct?

5 A Yes.

6 Q Now, that was the same brand of 9mm
7 ammunition with the same head stamp that was recovered
8 from the crime scene at 15 Willow Brook Road in Colts
9 Neck, is that correct?

10 A Yes.

11 Q Can you explain what a head stamp is.

12 A A head stamp is manufacturer markings on the end
13 of a shell casing that typically depict the brand and
14 caliber of that particular ammunition.

15 Q Okay. But there was no evidence that Paul
16 Caneiro owned the gun unlawfully, is that correct?

17 A That is correct.

18 Q However, to your knowledge Paul Caneiro does
19 not have a permit to carry a handgun, is that correct?

20 A Not to my knowledge.

21 Q All right. We discussed the ballistic
22 evidence that was located at 15 Willow Brook Road in
23 Colts Neck both inside and outside of the house. So
24 the bullets, the shell casings and the one live round,
25 is that correct?

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1 A Yes.
2 Q Right? And we discussed the fact that the
3 P228 Sig Sauer handgun was found in Paul Caneiro's
4 residence, is that correct?
5 A Correct.
6 Q As well as the Fiocchi ammunition, is that
7 correct?
8 A Yes.
9 Q And the fact that the 9mm barrel and silencer
10 were located in the Porsche Cayenne, is that correct?
11 A Yes.
12 Q And we discussed how all of that was sent to
13 the New Jersey State Police ballistic lab, is that
14 correct?
15 A Yes.
16 Q Now, that evidence was examined, analyzed and
17 tested by Det. Sgt. Christopher Clayton of the New
18 Jersey State Police ballistics unit, is that correct?
19 A Yes.
20 Q And did he prepare a report with respect to
21 his findings?
22 A He did.
23 Q I'm going to show you what's been marked as
24 Grand Jury Exhibit 5. Do you recognize that?
25 A I do.

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1 Q And what is that?
2 A This is a report from the New Jersey State Police
3 ballistics lab.
4 Q Okay. And one of the things that Det. Sgt.
5 Christopher Clayton does, and it's outlined in the
6 report, is that he compares the bullets located at 15
7 Willow Brook Road in Colts Neck to the 9mm barrel of
8 the handgun that was found in the backpack in the
9 Porsche Cayenne that Paul Caneiro was driving, is that
10 correct?
11 A Yes.
12 Q And he concluded and determined that the
13 bullets located at 15 Willow Brook Road in Colts Neck,
14 so the two bullets near Keith's body and the one that
15 was embedded in the ground, and the one in the kitchen
16 and the one bullet fragment from Jennifer's head, were
17 all discharged from the 9mm barrel that was located in
18 that backpack, is that correct?
19 A Yes.
20 Q And so he's able -- he matches those five
21 bullets that were located at the Colts Neck scene to
22 the barrel that was located in the backpack in the
23 Porsche Cayenne that Paul Caneiro was driving, is that
24 correct?
25 A That is correct.

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1 Q And he concludes that all of those were
2 discharged from the same firearm, is that correct?

3 A Yes.

4 Q Now, he also compares the shell casings
5 located at 15 Willow Brook Road to the P228 Sig Sauer
6 handgun located in Paul Caneiro's house, is that
7 correct?

8 A Yes.

9 Q And he determines that those shell casings,
10 all seven of them, the six outside and the one inside
11 near the stairwell leading to the basement, he
12 concludes that they were all discharged from that P228
13 Sig Sauer that was found in Paul Caneiro's home, is
14 that correct?

15 A Yes.

16 Q And then what he does is he takes the barrel
17 that was found, the 9mm barrel that was found in the
18 backpack of the Porsche Cayenne that Paul Caneiro drove
19 to headquarters, right?

20 A Yes.

21 Q And he takes the P228 Sig Sauer that was
22 located in Paul Caneiro's residence, right?

23 A Yes.

24 Q And he concludes that that barrel fits and
25 functions in that handgun, is that correct?

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1 A Yes.

2 Q And he also examines the live round that was
3 located outside of 15 Willow Brook Road, is that
4 correct?

5 A Yes.

6 Q And he determines that that live round was
7 chambered in and extracted from the same firearm as the
8 seven shell casings located at the scene, is that
9 correct?

10 A Yes.

11 Q And that it had the same head stamp as those
12 seven shell casings, is that correct?

13 A That is correct.

14 Q Additionally, he examined the silencer that
15 was submitted that was located in the backpack of the
16 Porsche Cayenne that Paul Caneiro was driving, is that
17 correct?

18 A Yes, he did.

19 Q And he states that that device was designed
20 to muffle the sound of the discharge of a firearm, is
21 that correct?

22 A Correct.

23 Q Then he took it and he attached it to the
24 P228 Sig Sauer that was found in Paul Caneiro's
25 residence, is that correct?

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1 A Yes.
2 Q And he test fired it, is that correct?
3 A He did.
4 Q And he indicated in his report that that gun
5 was test fired both with and without the silencer, is
6 that correct?
7 A Yup, that's --
8 Q And that when he test fired it with the
9 silencer it effectively reduced the sound, is that
10 correct?
11 A Yes.
12 Q I can take that back from you. On or about
13 November 23rd of 2018, a number of other items of
14 potential evidentiary value were located and collected
15 from Paul Caneiro's residence of 27 Tilton Drive in
16 Ocean Township, is that correct?
17 A Yes.
18 Q Specifically from the basement area, is that
19 correct?
20 A Yes.
21 Q Among those items I want to specifically draw
22 your attention to the following. There was a box of
23 charred black latex gloves that were located in the
24 basement, is that correct?
25 A Correct.

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1 Q And again, there was also a piece of a black
2 latex glove that was found in Paul Caneiro's Porsche
3 Macan, is that correct?
4 A Yes.
5 Q Also located in the basement was a pile of
6 charred clothing with potential biological staining in
7 the basement, is that right?
8 A Yes.
9 Q And a pile of charred articles with potential
10 biological staining again in his basement, is that
11 correct?
12 A Yes.
13 Q Both of those charred piles were sent to the
14 New Jersey State Police DNA lab for testing and
15 analysis, is that correct?
16 A They were.
17 Q So when items get sent to the DNA lab for
18 testing and analysis, what they are essentially doing
19 is, number one, looking to see if the item has
20 sufficient presence for a sustainable comparison, is
21 that correct?
22 A It is correct.
23 Q And if so, they're looking to link that to a
24 known sample, is that correct?
25 A Yes.

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1 Q So they're basically comparing an unknown
2 sample of DNA from a crime scene to a known sample and
3 seeing if they get a match, is that correct?

4 A Yes.

5 Q Okay. And that was conducted in this
6 particular case, is that correct?

7 A It was.

8 Q And that was done by a forensic scientist at
9 the New Jersey State Police DNA lab, is that right?

10 A Yes.

11 Q Now, of these items that were sent to the DNA
12 lab I want to direct your attention to three specific
13 items. The first one is the knife that you discussed
14 earlier. Do you recall that?

15 A Yes.

16 Q The one that was located at the crime scene
17 in Colts Neck, specifically in the foyer of 15 Willow
18 Brook Road. Do you remember that?

19 A I do.

20 Q Okay. A DNA analysis was done on that
21 particular knife, is that correct?

22 A It was.

23 Q And that was done by forensic scientist
24 Christopher Szymkowiak, is that correct?

25 A Yes.

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1 Q He prepared a report with respect to his
2 findings, is that correct?

3 A He did.

4 Q And did you have the opportunity to review
5 it?

6 A I have.

7 Q I'm going to show you what's been marked as
8 Grand Jury Exhibit 6. Do you recognize that?

9 A Yes.

10 Q Is that his report?

11 A It is.

12 Q What that forensic scientist's report says is
13 that a DNA profile was obtained from the knife, is that
14 correct?

15 A Yes.

16 Q And that [REDACTED] is identified as the
17 source of the DNA profile, is that correct?

18 A That is correct.

19 Q Okay. I can take that back from you. I'm
20 going to draw your attention now to the two piles of
21 charred articles that were recovered from Paul
22 Caneiro's basement, is that correct?

23 A Yes.

24 Q Those were essentially burned and congealed
25 together, is that correct?

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1 A Partially burned, yes.
2 Q Okay. And those were sent to the lab again
3 for testing, is that correct?
4 A They were.
5 Q And what the lab found when they opened those
6 items was a pair of jeans, is that correct?
7 A Yes.
8 Q And they also found a black latex glove, is
9 that correct?
10 A Correct.
11 Q The jeans had what appeared to be biological
12 staining on them, meaning blood, is that correct?
13 A Yes.
14 Q A DNA analysis was done of those jeans, as
15 well as the black latex glove, is that correct?
16 A It was.
17 Q And that was done by the aforementioned
18 forensic scientist, is that correct?
19 A Correct.
20 Q And he prepared a report with respect to his
21 findings, is that correct?
22 A Yes.
23 Q I'm going to show you what's been marked as
24 Grand Jury Exhibit 7. Okay. Do you recognize that?
25 A I do.

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1 Q Okay. Is that the DNA lab report that he
2 prepared with respect to this evidence?
3 A It is.
4 Q And what the forensic scientist's report says
5 is that a DNA profile was obtained from both the jeans
6 and the glove, is that correct?
7 A Correct.
8 Q With respect to the jeans, he concludes that
9 [REDACTED] is identified as the source of the DNA
10 located on three separate areas of those jeans, is that
11 correct?
12 A Yes.
13 Q The front left shin area, is that right?
14 A Yes.
15 Q He also identifies the front right thigh
16 area, is that correct?
17 A Yes.
18 Q And then the rear left calf area, is that
19 correct?
20 A Yes.
21 Q And with respect to the black latex glove
22 that was also found in that pile, he concludes that
23 there was a mixed profile consistent with at least two
24 contributors, is that correct?
25 A Yes.

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1 Q He further concludes that [REDACTED] is
2 the source of the major DNA profile, is that correct?

3 A Yes.

4 Q And that there was not sufficient evidence or
5 quantity or quality of the minor profile for comparison
6 purposes, is that correct?

7 A Yes.

8 Q So essentially what that report indicates is
9 that in that pile of charred articles located in Paul
10 Caneiro's basement, [REDACTED] DNA or blood was
11 located on the jeans and the glove, is that correct?

12 A Yes.

13 Q And that was a black latex glove, is that
14 correct?

15 A Correct.

16 Q I can take that back from you. Thank you.
17 During the course of the investigation were the
18 cellular telephone records for Paul Caneiro's cell
19 phone obtained?

20 A Yes.

21 Q And were they reviewed?

22 A They were.

23 Q Now, cell phone records contain certain types
24 of information related to a particular cell phone
25 number, is that correct?

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1 A Yes.

2 Q One such type of information that can be
3 garnered by reviewing cell phone records would be
4 information associated with incoming and outgoing
5 calls, is that right?

6 A That is correct.

7 Q And that would be such as telephone numbers,
8 dates and times, etcetera?

9 A Yes.

10 Q And another type of information that can be
11 garnered from cell phone records is the location of a
12 phone at a particular time, is that correct?

13 A Yes.

14 Q Now, special agent John Hager from the FBI
15 analyzed Paul Caneiro's cell phone records, is that
16 right?

17 A He did.

18 Q He relayed his findings to you, is that
19 correct?

20 A Yes, he did.

21 Q And in summary, what he determined was that
22 Paul Caneiro's residence had been equipped with
23 something called a femtocell, is that right?

24 A Yes.

25 Q He indicated that a femtocell is a small

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1 personal cell site that is provided to customers who
2 have poor cell service at their homes, is that correct?

3 A Yes.

4 Q And he indicated that the coverage of a
5 femtocell is typically the same as a residential wi-fi
6 router, is that right?

7 A Yes.

8 Q Special Agent Hager also informed you that
9 between the time frame of 3:07 p.m. on November 19th of
10 2018 and 4:57 a.m. on November 20th of 2018 Paul
11 Caneiro's cell phone was utilizing a femtocell, is that
12 right?

13 A Yes.

14 Q And he advised that the femtocell was
15 registered to Paul Caneiro's residence at 27 Tilton
16 Drive, is that right?

17 A That is correct.

18 Q And that T-Mobile did not register any
19 movement of that device, is that correct?

20 A That is correct.

21 Q And so he concluded that Paul's cell phone
22 was most likely at his residence of 27 Tilton Drive in
23 Ocean Township between those times, is that correct?

24 A Yes.

25 Q And during the course of the investigation

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1 some video surveillance from multiple locations around
2 both Willow Brook Road in Colts Neck and Tilton Drive
3 in Ocean Township was located and collected by the
4 investigative team, is that correct?

5 A Yes.

6 Q You've had the opportunity to watch that
7 surveillance, is that right?

8 A I have.

9 Q And so I want to draw your attention to the
10 following surveillance videos in particular. In Ocean
11 Township video surveillance was collected from 19
12 Oxford Drive, 30 Tilton Drive, and 308 Green Grove
13 Road, is that correct?

14 A Yes.

15 Q In Colts Neck video surveillance was
16 collected from 44 Willow Brook Road and 85 Willow Brook
17 Road, is that right?

18 A Yes.

19 Q And those are just houses in the area that
20 have surveillance cameras, is that right?

21 A That is correct.

22 Q Based on your and the investigative team's
23 review of the aforementioned surveillance, on November
24 20th, 2018 you see Paul Caneiro's Porsche Macan leave
25 the area of Tilton Drive at approximately 2:07 a.m., is

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1 that correct?

2 A Yes.

3 Q Then at 2:26 a.m. what appears to be that
4 same vehicle based on the taillights is seen driving in
5 the area of Willow Brook Road, is that correct?

6 A Yes.

7 Q And it's heading west, is that correct?

8 A West, yes.

9 Q And it passes 15 Willow Brook Road, is that
10 correct?

11 A Yes.

12 Q And that's captured on the surveillance, is
13 that right?

14 A It is.

15 Q Next, at 3:48 a.m. what appears to be that
16 same vehicle is seen traveling back east on Willow
17 Brook Road, is that correct?

18 A Correct.

19 Q And then finally, at 4:08 a.m. the Porsche
20 Macan is seen coming back and pulling into Paul
21 Caneiro's driveway at his Tilton address in Ocean
22 Township, is that correct?

23 A That is correct.

24 Q Now, when directions between 27 Tilton Drive
25 in Ocean and 15 Willow Brook Road in Colts Neck are put

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1 into Google maps it indicates a driving time of
2 approximately 22 minutes between the two places based
3 on the route that the Macan appeared to have traveled
4 from your review of the surveillance, is that correct?

5 A Yes.

6 Q During the course of the investigation there
7 was a review done into the financial workings of Keith
8 and Paul Caneiro, is that correct?

9 A That is correct.

10 Q So during the course of the investigation it
11 was learned that Keith and Paul owned businesses
12 together, is that correct?

13 A Yes.

14 Q Square One was an IT consulting firm that
15 mainly dealt with computer security, is that right?

16 A Yes.

17 Q And Eco-Star, the pest control business, is
18 that correct?

19 A Yes.

20 Q And then there was the Jay Martin Consulting,
21 is that right?

22 A Correct.

23 Q Now, they each owned 50 percent of Eco-Star,
24 is that right?

25 A Yes.

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1 Q And then Keith owned 90 percent of Square One
2 with Paul owning the remaining 10 percent, is that
3 correct?

4 A Yes.

5 Q The office for both of those businesses was
6 located at 705 Cookman Avenue in Asbury Park, is that
7 correct?

8 A Yes.

9 Q There were approximately eight employees on
10 payroll for the Square One, and 10 employees on payroll
11 for Eco-Star, is that correct?

12 A Yes, it is.

13 Q Now, it was learned that Keith worked from
14 home, is that correct?

15 A Yes.

16 Q And it was further learned that Paul had not
17 been on payroll for the last several years as he had
18 been collecting disability, is that correct?

19 A Yes.

20 Q Now, although Susan did not work, she was on
21 payroll for both businesses, is that correct?

22 A Yes.

23 Q And again, Susan is Paul's wife, is that
24 right?

25 A She is. Yes.

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1 Q The payroll checks were issued in her name,
2 is that correct?

3 A Yes.

4 Q But a review revealed that they would be
5 directly deposited into Paul's personal bank account,
6 is that correct?

7 A That is correct.

8 Q Now, it was learned that 90 percent of Square
9 One's revenue came from the Doris Duke Charitable
10 Foundation with whom they had a five year contract, is
11 that correct?

12 A Yes.

13 Q And that contract was to terminate on
14 December 31st of 2018, is that correct?

15 A Yes.

16 Q And the contract was not likely going to be
17 renewed, is that correct?

18 A That is correct.

19 Q Det. Debra Bassinder from the Monmouth County
20 Prosecutor's Office was assigned as the lead detective
21 from Financial Crimes with regard to this case, is that
22 correct?

23 A She was.

24 Q And she conducted an investigation into the
25 finances of Paul Caneiro and Keith Caneiro, is that

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1 correct?

2 A She did.

3 Q And you've had multiple briefings with her,
4 is that right?

5 A Yes, I have.

6 Q And you and she have interviewed multiple
7 individuals together, is that correct?

8 A We have.

9 Q And so you're familiar with the financial
10 aspect of this case that we're about to discuss, is
11 that right?

12 A I am.

13 Q Okay. And her investigation is still
14 ongoing, is that correct?

15 A It is.

16 Q Det. Bassinder's investigation thus far
17 revealed in following part, -- I'm sorry, in following,
18 that in 1999 an irrevocable life insurance trust was
19 created, is that correct?

20 A It was.

21 Q And that was created in which Keith was the
22 settler of that trust, is that right?

23 A He was.

24 Q As well as the insured, is that correct?

25 A Correct.

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1 Q And it was learned that that was for an
2 approximate \$3 million life insurance policy with
3 Canada Life, is that correct?

4 A Yes.

5 Q Now, Keith as the settler of the trust fund
6 had named his wife and children as the beneficiaries of
7 the trust, is that correct?

8 A Yes, he did.

9 Q And he named his brother Paul Caneiro as the
10 trustee, is that correct?

11 A Yes.

12 Q Now, that trust account was maintained at TD
13 Bank, is that right?

14 A Yes.

15 Q And it as funded on a weekly basis by
16 electronic transfers via payroll checks, is that
17 correct?

18 A Yes.

19 Q And that was from the aforementioned
20 businesses, Jay Martin Consulting, Square One and Eco-
21 Star, is that right?

22 A Yes.

23 Q The face value of the policy was \$3 million,
24 is that correct?

25 A Yes.

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1 Q The payout value of the policy as of the date
2 of Keith's death was \$2,926,473, is that right?

3 A Yes.

4 Q And the cash surrender value as of the date
5 of his death was \$524,824, is that correct?

6 A Yes.

7 Q Now, that account was established for the
8 purpose of receiving funds which were earn (phonetic)
9 marked for the trustee, meaning Paul, to pay the
10 quarterly premiums for Keith Caneiro's life insurance
11 policy maintained at Canada Life, is that correct?

12 A Yes.

13 Q The quarterly premiums were \$7,800 totaling
14 \$31,200 annually, is that correct?

15 A Yes.

16 Q Now, as the trustee Paul had complete access
17 to the trust fund account, is that correct?

18 A He did.

19 Q And Paul's fiduciary responsibility as the
20 trustee was to pay the quarterly premiums on the life
21 insurance policy in the amount of approximately \$7,800,
22 is that right?

23 A Yes.

24 Q There was also a loan attached to the life
25 insurance policy to be used in the event that funds

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1 were needed to pay the premiums, is that correct?

2 A Yes.

3 Q As per the terms of the trust, upon the death
4 of Keith Caneiro the trust property would be
5 distributed to Keith's wife, is that correct?

6 A Yes.

7 Q And as per the terms of the trust, in the
8 event of the wife's death the property would be
9 distributed to their children, is that correct?

10 A Yes.

11 Q And in the event that neither Keith's wife
12 nor children were living at the time of his death, one
13 half of the trust property would be distributed to Paul
14 Caneiro, is that correct?

15 A That is correct.

16 Q And the other half to his other brother Corey
17 Caneiro, is that correct?

18 A Yes.

19 Q Based on Det. Bassinder's investigation it
20 was revealed that in 2017 Paul Caneiro electronically
21 transferred funds from the trust account, again the
22 account that was established for the benefit of Keith's
23 wife and children upon his death, into Paul's own
24 personal account, is that correct?

25 A Yes.

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1 Q \$31,900 he distributed -- or excuse me, he
2 transferred to his personal bank account, is that
3 correct?

4 A Yes.

5 Q And he transferred \$1,500 to the joint
6 account he had with his wife Susan, is that correct?

7 A Yes.

8 Q And \$280 to an account he had with his
9 daughter, is that correct?

10 A Yes.

11 Q So that totaled \$33,680 that Paul took from
12 the trust account in 2017, is that correct?

13 A Yes.

14 Q Paul did not repay any of these funds back to
15 the trust account, is that correct?

16 A No.

17 Q Of the required annual payment to Canada Life
18 Insurance Company in the amount of \$31,200 Paul paid
19 \$25,709 to Canada Life in 2017, is that correct?

20 A Yes.

21 Q In 2018 the investigation revealed that Paul
22 Caneiro electronically transferred funds again from the
23 trust account into his own personal accounts, is that
24 correct?

25 A Yes.

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1 Q He transferred \$44,500 to his personal bank
2 account, is that correct?

3 A Yes.

4 Q \$1,000 to the joint account of he and his
5 wife, is that correct?

6 A Yes.

7 Q And the investigation revealed that Paul did
8 not repay any of these to the trust fund, is that
9 correct?

10 A That is correct.

11 Q And of the required premium payments to
12 Canada Life, Paul only paid \$8,500 to Canada Life in
13 2018, is that correct?

14 A That is correct.

15 Q And the investigation essentially revealed
16 that during 2017 and 2018 he would, on a routine basis,
17 electronically transfer funds from the trust account
18 into his own account, is that correct?

19 A That is correct.

20 Q On November 19th of 2018 at approximately
21 11:33 a.m. Paul Caneiro makes the last electronic
22 transfer of \$1,200 from the TD Bank trust account to
23 his own personal bank account, is that correct?

24 A Yes.

25 Q Now, during the course of the investigation

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1 multiple individuals were interviewed with respect to
2 all aspects of this case, including the financial
3 aspect, is that correct?

4 A They were.

5 Q And we heard about a few of the interviews
6 already, is that correct?

7 A Yes.

8 Q I just want to draw your attention to a
9 couple more. On November 26th of 2018 you and Det.
10 Zarrillo interviewed the office manager for Keith and
11 Paul's businesses, is that correct?

12 A We did.

13 Q And her name is Tiffany Rivera, is that
14 right?

15 A Yes, it is.

16 Q And that interview was transcribed in
17 writing, is that correct?

18 A It was.

19 Q In sum, Tiffany provided the following
20 information. She indicated that Keith and Paul Caneiro
21 have two businesses that operate out of the Asbury
22 office, is that correct?

23 A Yes.

24 Q And that she worked for them for 14 years, is
25 that correct?

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1 A Yes.

2 Q And she indicated that she was the office
3 manager, is that right?

4 A She did.

5 Q She identified the businesses as Jay Martin
6 or Square One, is that correct?

7 A Correct.

8 Q And Eco-Star, is that correct?

9 A Yes.

10 Q She advised that to her knowledge the
11 partnership for Square One was 90 percent Keith and 10
12 percent Paul, is that right?

13 A Yes.

14 Q And she stated that Eco-Star they owned
15 equally 50/50, is that correct?

16 A Yes.

17 Q And that they each received a salary from
18 both of the companies, is that correct?

19 A Correct.

20 Q She later clarified that shortly after Paul
21 began collecting disability payments due to an auto
22 accident, his paychecks were being issued to his wife
23 Susan Caneiro, is that correct?

24 A Yes.

25 Q Tiffany indicated that Square One is an IT

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1 consulting business, is that correct?

2 A Yes.

3 Q She advised that it had eight full-time
4 employees, is that correct?

5 A Correct.

6 Q Including various Caneiro family members, is
7 that correct?

8 A Yes.

9 Q And that Eco-Star had between 12 and 13
10 employees, is that right?

11 A Yes.

12 Q She identified the accountant for the
13 businesses as Steven Weinstein, is that correct?

14 A Yes.

15 Q And she stated that both businesses have bank
16 accounts at TD Bank, is that right?

17 A Yes.

18 Q And that they each have an operating account
19 and a payroll account, is that right?

20 A Uh hum. Yes.

21 Q Tiffany Rivera indicated that most of the
22 banking is done on-line, however she does write and
23 sign checks for the companies with the permission of
24 either Keith or Paul, is that correct?

25 A Yes.

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1 Q And she stated that both brothers have
2 multiple credit cards that are tied to the businesses,
3 is that right?

4 A Yes.

5 Q She indicated that payroll for both
6 businesses would be done on a weekly basis, is that
7 correct?

8 A Yes.

9 Q She indicated that the first pay of the month
10 Keith Caneiro received \$11,800 with the following week
11 being \$3,800, is that right?

12 A Yes.

13 Q She indicated that the first pay of the month
14 was done that way because the pay would go directly
15 towards the 15 Willow Brook Road mortgage, is that
16 correct?

17 A Correct.

18 Q She stated that Jennifer Caneiro would
19 receive \$2,000 on the first pay of the month, followed
20 by \$1,650 the following weeks, is that correct?

21 A Yes.

22 Q She stated that on the first of the month
23 Susan Caneiro, Paul's wife, would receive \$5,000
24 followed by \$1,650 on the other weeks, is that correct?

25 A Correct.

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1 Q And she stated that both Keith Caneiro and
2 Susan Caneiro would receive \$650 a week from the Eco-
3 Star business, is that correct?

4 A Yes.

5 Q She also stated that she's aware that Paul
6 receives approximately \$10,000 a month in disability
7 payments, is that correct?

8 A Yes.

9 Q Tiffany indicated that business was "not so
10 good." Is that correct?

11 A Yes.

12 Q She stated that Square One basically
13 comprises -- I'm sorry, she stated that Square One
14 basically has one main client, is that correct?

15 A That's correct.

16 Q And that is the Doris Duke Charitable
17 Foundation, is that correct?

18 A It is.

19 Q Okay. Tiffany stated that the Foundation is
20 on retainer, is that correct?

21 A Yes.

22 Q And pays approximately \$120,000 a month, is
23 that right?

24 A Yes.

25 Q Tiffany estimated that aside from the Doris

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1 Duke contract, Square One probably only generates about
2 \$70,000 a year from other work, is that correct?

3 A Yes.

4 Q Tiffany stated that the Doris Duke contract
5 or current five year contract was coming to an end, is
6 that correct?

7 A Yes.

8 Q And that Keith was currently renegotiating
9 for a new contract, is that correct?

10 A Yes.

11 Q And that he recently sent out a proposal on
12 Friday, November 16th of 2018, is that correct?

13 A He did.

14 Q Tiffany indicated that the Eco-Star business
15 has never been "so good." Is that correct?

16 A That's correct.

17 Q And it has a high employee turnover rate, is
18 that right?

19 A Yes.

20 Q Tiffany indicated that there had been issues
21 between both brothers in the past regarding salary, is
22 that correct?

23 A Yes.

24 Q And she stated that in the past Keith had
25 previously directly her to stop paying Susan Caneiro

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1 but then would change his mind, is that correct?

2 A Yes.

3 Q She indicated that she recalled it having to
4 do with an American Express bill that Paul Caneiro
5 would submit for reimbursement, is that correct?

6 A Yes.

7 Q Tiffany explained that the last time she was
8 directed to stop paying Susan Caneiro was the previous
9 week, is that right?

10 A Yes.

11 Q But the last word she received from Keith was
12 to hold off, is that correct?

13 A Yes.

14 Q Okay. And that was not the entirety of her
15 interview, but rather a summary of some of the
16 information she provided, is that correct?

17 A Right.

18 Q An individual named Matthew Kisner was also
19 interviewed, is that correct?

20 A He was.

21 Q And that was done on November 22nd of 2018 by
22 yourself, is that correct?

23 A Yes.

24 Q Okay. And Matthew Kisner was a long-time
25 friend of the Caneiro family, is that right?

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1 A Yes.

2 Q That interview was transcribed in writing, is
3 that correct?

4 A Matt Kisner's was not.

5 Q Oh, it was not. Okay. You took the
6 interview, right?

7 A Yes.

8 Q Okay. And in sum he stated that Paul Caneiro
9 was very familiar with being involved in setting up the
10 infrastructure of Keith Caneiro's home, is that
11 correct?

12 A Yes.

13 Q He stated that Paul would often help Keith
14 with any problems in the house, is that correct?

15 A Yes.

16 Q Matthew explained that he last spoke with
17 Keith about two or three weeks ago, is that correct?

18 A Correct.

19 Q And that he was helping Keith with his
20 career, is that correct?

21 A Yes.

22 Q Matthew stated that Keith's business was
23 under economic pressure and that he was helping Keith
24 look for a new job, is that correct?

25 A Yes.

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1 Q Matthew explained that he was trying to help
2 Keith arrange some job interviews and work on his
3 resume, is that right?

4 A Yes.

5 Q Okay. That's essentially the information
6 that he provided. It's not the entire statement, but
7 some of the information he provided to you, is that
8 correct?

9 A That is correct.

10 Q An interview of Ronald Artiges was also
11 conducted, is that correct?

12 A Yes.

13 Q And that was on November 28th of 2018 by
14 yourself, Det. Zarrillo and Det. Bassinder, is that
15 correct?

16 A Yes.

17 Q Ronald Artiges was the insurance broker for
18 the Caneiro brothers' three businesses, is that right?

19 A Yes.

20 Q And he also provided individual life
21 insurance policies for Keith and Paul and their
22 spouses, is that correct?

23 A That is correct.

24 Q And that interview was transcribed, is that
25 correct?

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1 A It was.

2 Q And in sum, Mr. Artiges stated that he was
3 asked -- He stated the following. He was asked about
4 the type of life insurance policies that Keith held, is
5 that right?

6 A Yes.

7 Q He stated that Keith holds a Pacific Life
8 whole life policy, is that right?

9 A Yes.

10 Q An Empire term insurance policy, is that
11 right?

12 A Yes.

13 Q A John Hancock term policy, is that right?

14 A Yes.

15 Q And a Canada Life whole life policy, which
16 was the trust, is that correct?

17 A That is correct.

18 Q And he explained a little bit about how the
19 Canada Life trust fund policy was set up and how it
20 worked, is that right?

21 A Yes.

22 Q Then he explained that Keith had sent him an
23 email requesting the status and the values of the
24 Canada Life insurance policy, is that correct?

25 A Yes.

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1 Q He stated that on November 16th of 2018 Keith
2 followed up with him, asking if he was ever able to get
3 that information, is that correct?

4 A Yes.

5 Q Mr. Artiges said that he told Keith he would
6 call him on Monday, November 19th, is that correct?

7 A Yes.

8 Q Mr. Artiges stated that on the afternoon of
9 Monday November 19th he called Keith and told him that
10 the value -- told him the value of the policy, is that
11 correct?

12 A That is correct.

13 Q And he said that he advised Keith that what
14 he found was that no contributions or premium payments
15 had been made to Canada Life since April of 2018, is
16 that right?

17 A Yes.

18 Q Mr. Artiges explained that Keith was
19 concerned about that, is that correct?

20 A Absolutely, yes.

21 Q And he further stated that Keith said he was
22 going to call up Paul to discuss the matter, is that
23 correct?

24 A Yes.

25 Q And again, this is November 19th, is that

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1 right?

2 A Yes.

3 Q Mr. Artiges stated that Keith then called him
4 back and advised that Paul was unable to verify whether
5 payments had been made because he said he was suffering
6 from a migraine, is that correct?

7 A Yes.

8 Q Mr. Artiges stated that Keith then reached
9 out to his accountant Steven Weinstein, is that
10 correct?

11 A Yes.

12 Q And requested the TD Bank trust account
13 statements, is that correct?

14 A Yes.

15 Q Mr. Artiges stated that Keith then forwarded
16 those statements to him, meaning Artiges, is that
17 correct?

18 A Correct.

19 Q Now, Mr. Artiges advised that those
20 statements reflected that the premium payments had been
21 made to Canada Life, is that correct?

22 A They did, yeah.

23 Q Mr. Artiges said that he then called up
24 Canada Life to figure out what the deal was, is that
25 correct?

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1 A Yes.
2 Q But Canada Life maintained that it had not
3 received the payments, is that correct?
4 A Yes.
5 Q And again, as the fiduciary -- excuse me, as
6 the trustee Paul had a fiduciary obligation to provide
7 those payments, the premiums to Canada Life, is that
8 correct?
9 A Yes, he did.
10 Q Mr. Artiges advised that Keith was concerned
11 and was going to discuss the TD Bank statements with TD
12 Bank, is that correct?
13 A Yes.
14 Q Mr. Artiges then advised that Keith shared
15 with him an email that he sent to his accountant Steven
16 Weinstein explaining his concern, is that correct?
17 A Yes.
18 Q Now, this is the same email that we discussed
19 earlier that Keith forwarded to Corey, is that correct?
20 A Yes.
21 Q We're going to talk about that in a minute.
22 Mr. Artiges advised that he and Keith were supposed to
23 talk further about the issue the next day, Tuesday
24 November 20th, is that correct?
25 A Yes.

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1 Q During the interview Mr. Artiges was asked
2 whether Keith ever shared any concerns about his
3 brother Paul, is that correct?
4 A Yes.
5 Q Mr. Artiges' response was that Keith told him
6 that none of this makes any sense, is that correct?
7 A Correct.
8 Q Mr. Artiges advised that Keith told him that
9 he had enough, is that correct?
10 A Yes.
11 Q That he wanted to be done with the
12 businesses, is that correct?
13 A Yes.
14 Q That he wanted to be done with his brother
15 and move on, is that right?
16 A Yes.
17 Q During the interview Mr. Artiges explained
18 that the trust account was set up basically like a
19 regular bank account, is that correct?
20 A Correct.
21 Q And when asked who had access to the trust
22 account he advised that to the best of his knowledge
23 only Paul had access to it, is that right?
24 A Correct.
25 Q He advised that to the best of his knowledge

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1 only Paul had signature authority on that trust
2 account, is that correct?

3 A That is correct.

4 Q And he advised that he believed that only
5 Paul had signature authority because Paul was the only
6 one who had access to any of those records, is that
7 correct?

8 A Yes.

9 Q Mr. Artiges explained that that Monday night
10 when he spoke to Keith, so the 19th, Keith stated that
11 he asked Paul for the password to the account, is that
12 right?

13 A Yes.

14 Q And that Paul, according to Keith, Paul said
15 he couldn't remember it, is that correct?

16 A Yes.

17 Q Mr. Artiges was asked whether Keith ever
18 indicated to him what he was planning on doing as far
19 as his business and residence, is that correct?

20 A Yes.

21 Q Mr. Artiges advised that on Monday night, the
22 19th, he and Keith had a long conversation discussing
23 Keith's future options, is that correct?

24 A Yes.

25 Q And he indicated that Keith told him he was

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1 going to sell Eco-Star, is that correct?

2 A Yes.

3 Q That he was going to take a loan against the
4 Canada Life insurance policy, is that correct?

5 A Yes.

6 Q And that with the proceeds from the sale of
7 Eco-Star and the loan he was going to pay off his
8 mortgage to his house, is that correct?

9 A Yes.

10 Q Mr. Artiges advised that Keith told him that
11 he had sent out his resumes to a number of companies
12 and was entertaining a possible offer, is that correct?

13 A Yes.

14 Q Mr. Artiges was then asked whether Keith ever
15 expressed any concerns regarding Square One, is that
16 correct?

17 A Yes.

18 Q And Mr. Artiges advised that Keith told him,
19 again on Monday night November 19th, that Square One
20 was eventually going to dissolve because their biggest
21 client's contract ended and they were no longer going
22 to be competitive in the field, is that correct?

23 A Yes.

24 Q Mr. Artiges stated that that is why Keith
25 went back to school and got his masters degree, because

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1 he saw that coming years ago, is that correct?

2 A Correct.

3 Q Mr. Artiges was then asked when he last spoke
4 to Paul Caneiro, is that correct?

5 A Yes.

6 Q He advised that he spoke to Paul Caneiro that
7 next morning, Tuesday November 20th, because he had
8 gotten a call from Tiffany Rivera asking him to call
9 Paul because of the fire, is that correct?

10 A Yes.

11 Q Again, the fire at Paul's house, is that
12 correct?

13 A Yes.

14 Q Mr. Artiges stated that he called Paul on his
15 cell phone and asked if he and his family were okay, is
16 that correct?

17 A Yes.

18 Q Mr. Artiges advised that Paul stated yes, is
19 that correct?

20 A Correct.

21 Q And told him that they had already filed a
22 claim with their insurance company, is that correct?

23 A He did.

24 Q And that was again on the morning of November
25 20th, is that right?

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1 A Yes.

2 Q That was not the entirety of the interview
3 with Mr. Artiges, but rather a summary of some of the
4 information he provided, is that correct?

5 A That is correct.

6 Q During the course of the investigation you,
7 Det. Zarrillo and Det. Bassinder interviewed the
8 accountant Steven Weinstein, is that correct?

9 A We did.

10 Q That interview took place on January 24th of
11 2019, is that correct?

12 A Yes.

13 Q And it was transcribed in writing, is that
14 right?

15 A It was.

16 Q And in sum, Mr. Weinstein stated the
17 following. That he had been working for the Caneiro
18 family for approximately 31 years, is that correct?

19 A Yes.

20 Q That he was retained by them as their outside
21 accountant, is that right?

22 A Yes.

23 Q He said over the years he worked with them on
24 a monthly and sometimes more frequent basis, is that
25 right?

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1 A Yes.

2 Q And he advised that he would handle monthly
3 review, company bank reconciliations, assist in tax
4 filings, etcetera. Is that correct?

5 A Yes.

6 Q He stated that in the past few years Paul and
7 Keith had two companies, is that right?

8 A Correct.

9 Q The Jay Martin Consulting, also known as
10 Square One, and Eco-Star, is that correct?

11 A Yes.

12 Q Mr. Weinstein advised that approximately one
13 week before Keith was killed he and Keith had a
14 conversation regarding Keith's financial planning, is
15 that correct?

16 A Yes.

17 Q He said that Keith was trying to plan to
18 possibly pay off the mortgage to his home by borrowing
19 or liquidating his company 401k, is that correct?

20 A Yes.

21 Q And/or borrowing money for the cash surrender
22 value of the life insurance trust, is that correct?

23 A Yes.

24 Q Mr. Weinstein said Keith's goal was to keep
25 his family in their Colts Neck home, is that correct?

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1 A Yes.

2 Q And try to get a job with a computer
3 consulting company if possible, is that right?

4 A Yes.

5 Q Mr. Weinstein said that Keith had sent him
6 his resume to see if he knew anyone who might be
7 interested in his services, is that correct?

8 A That is correct.

9 Q Mr. Weinstein was asked whether he was aware
10 of Keith's life insurance trust held at Canada Life, is
11 that right?

12 A He was.

13 Q And he advised that he was aware of that
14 trust and some of the details of the trust, is that
15 right?

16 A Yes.

17 Q Such as the fact that Paul Caneiro was the
18 trustee, is that right?

19 A Yes.

20 Q And that the bank account had been set up at
21 the TD Bank to accept Keith's direct deposits from his
22 payroll checks, is that right?

23 A Yes.

24 Q And that as trustee Paul had the fiduciary
25 obligation to use those funds to pay the life insurance

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1 premiums, is that right?

2 A That is correct.

3 Q Mr. Weinstein was asked whether he ever
4 became aware of any concerns that Keith had regarding
5 his Canada Life insurance policy, is that right?

6 A Yes.

7 Q Mr. Weinstein replied in the affirmative, is
8 that correct?

9 A He did.

10 Q He stated that a couple of years ago at the
11 end of the tax year he was surprised to see that there
12 were monies that went into the TD Bank trust account
13 but that premiums were not being paid, is that correct?

14 A Yes.

15 Q He said he first spoke to Paul but Paul did
16 not have an answer for him, is that correct?

17 A Yes.

18 Q Mr. Weinstein said that things just
19 continued, is that right?

20 A Yes.

21 Q He then said that in March or April of 2018
22 when he was looking to prepare the 2017 gift tax
23 return, he discovered that monies were not going into
24 the life insurance premiums, is that right?

25 A Yes.

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1 Q He said he again first spoke to Paul, is that
2 right?

3 A Yes.

4 Q He said Paul said he didn't -- Or he didn't
5 remember getting a response from Paul, is that correct?

6 A Correct.

7 Q He said that he then spoke with Keith, is
8 that right?

9 A Yes.

10 Q And he said that Keith was overly upset with
11 everybody, is that correct?

12 A Yes.

13 Q He said that Keith expressed that he wanted
14 to remove Paul as the trustee and possibly make his
15 wife's sister the trustee, is that correct?

16 A Correct.

17 Q Mr. Weinstein advised that months later
18 nothing changed and Paul was still the trustee, is that
19 correct?

20 A Yes.

21 Q Mr. Weinstein advised that the night before
22 Keith was killed, Keith called him at about 4:30 p.m.
23 to discuss the situation with the trust account, is
24 that correct?

25 A Yes.

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1 Q He advised that Keith told him that he,
2 meaning Keith, and Ronald Artiges communicated with
3 Canada Life and found that monies supposedly that went
4 to Canada Life for premiums never actually got there,
5 is that correct?

6 A That is correct.

7 Q According to Mr. Weinstein, Keith was
8 outraged, is that correct?

9 A He was.

10 Q According to Mr. Weinstein, Keith said that
11 he had enough of his brother, is that correct?

12 A Yes.

13 Q And that he was going to call the district
14 attorney, is that correct?

15 A He did.

16 Q Mr. Weinstein said that Keith then sent him
17 an email that showed the amounts that were supposed to
18 go to Canada Life, is that correct?

19 A Yes.

20 Q Mr. Weinstein advised that after he received
21 that email he again spoke to Keith and advised that,
22 advised Keith that they needed to get in touch with TD
23 Bank the next day, Tuesday, is that correct?

24 A Yes.

25 Q Mr. Weinstein advised that he then told Keith

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1 to get some sleep, is that correct?

2 A Correct.

3 Q And that Keith told him that he spoke to
4 Paul, is that correct?

5 A Yes.

6 Q And Paul said he had a migraine and couldn't
7 speak to him, and that was that. Is that correct?

8 A Yes.

9 Q When asked who had access to the TD Bank
10 trust account, Mr. Weinstein advised that to his
11 knowledge only Paul Caneiro did, is that correct?

12 A Correct.

13 Q And again, that was not the entirety of the
14 interview, but a summary of the information that was
15 provided, is that correct?

16 A That is correct.

17 Q Finally, we're going to talk about an
18 interview that you did with an individual named
19 Kimberly Patton. During the course of your
20 investigation you, Det. Zarrillo and Det. Bassinder
21 interviewed Kimberly Patton, is that correct?

22 A We did.

23 Q She is a trust and estate attorney who had
24 worked with Keith Caneiro, is that right?

25 A She is.

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Q And that interview took place on Monday January 9th, 2019, is that correct?

A Yes, it did.

Q Ms. Patton indicated that she was aware of the irrevocable trust that Keith Caneiro established in 1999, however she was not involved with creating it, is that correct?

A That is correct.

Q Ms. Patton indicated that she had not reviewed the trust agreement in about 14 years, is that correct?

A Yes.

Q And then she was provided the opportunity to review it, and given it, is that correct?

A She did.

Q She indicated after she reviewed it, that in her opinion everything in the trust appeared to be standard, is that correct?

A Yes.

Q She confirmed that she had exchanged emails with Keith beginning in May of 2017 regarding switching the trustee of his life insurance policy from Paul Caneiro to Jennifer's sister, is that correct?

A Yes.

Q Ms. Patton stated that initially there was

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some confusion regarding Keith's request because in his first email he used the word executor, is that correct?

A Yes.

Q And Ms. Patton indicated that she initially believed that Keith was looking to change his will, not the trust, is that correct?

A That is correct.

Q And she indicated that that would have been a relatively easy process, is that right?

A Yes.

Q However, she stated that it wasn't until further emails were exchanged that she realized that Keith was actually looking to change the trustee on his life insurance policy, is that right?

A Yes.

Q Ms. Patton indicated that because the policy is an irrevocable trust the process to change the trustee is not easy and would be much more expensive, is that correct?

A That is correct.

Q Now, Ms. Patton indicated in certain -- indicated in the emails that she provided to you that Keith explained to her that there was a "issue" with payments being made in a timely manner, is that correct?

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1 A Yes.

2 Q And that Jennifer would feel more comfortable
3 dealing with her sister, is that correct?

4 A Yes.

5 Q Ms. Patton indicated that after exchanging
6 emails she never heard back from Keith and therefore
7 the change was never made, is that correct?

8 A Yes, that's correct.

9 Q And again, that was not the entirety of her
10 statement but rather a summary of some of the
11 information she provided, is that right?

12 A Yes.

13 Q The email we spoke about earlier, the one
14 that Keith had sent to Ronald Artiges and Steve
15 Weinstein and then forwarded to his brother Corey, were
16 you provided with that as part of the investigation?

17 A Yes, I was.

18 Q You were? Okay, I'm going to show you what's
19 been marked as Grand Jury Exhibit 8. Is that the
20 email?

21 A It is.

22 Q Okay. And can you essentially just read that
23 for us?

24 A Sure. It was sent from Keith Caneiro on Square
25 One email on Monday November 19th at 6:59 p.m. to Steve

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1 Weinstein and Ron Artiges. Subject is update,
2 importance high.

3 Ron spoke to insurance company -- It's A) Ron
4 spoke to insurance company, the last payment they
5 received is from April, 2018. B) I called Paul
6 multiple times, spoke with him, he is "sick" and can't
7 see anything because of a test. I asked him to provide
8 me with details to his TD account. He can't remember
9 the password and can't see his screen to give me the
10 password because he has a migraine. C) I noticed
11 something about the April payment, the statement
12 includes a check number, April 9th TD Bank bill pay,
13 check 8,500, check number 995002. D) None of the
14 statements past April include that information. They
15 look like this. 8/3, TD Bank bill pay Canada Life
16 Assurance Company. The amount of money that is MIA at
17 this point is 28k.

18 Do you want me to -- There's a list of dates: 5/1
19 \$5,000; 6/18 7,500; 7/16 4,500; 8/3 4,000; 8/17 2,500;
20 8/28 1,000; 9/4 1,000; 9/4 300; 9/7 1,000; 9/17 1,300,
21 totaling 28,100. In addition, because the payments
22 weren't made to the account as represented, the loan
23 balance on the account has increased by an additional
24 \$15,600.

25 Effective immediately I'm removing Susan from the

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1 payroll from Square One. I need to get to the bottom
 2 of where this money went, if anywhere, and recover it.
 3 Ron is working on getting the totals of the cash that I
 4 can borrow from the account without closing the
 5 policies.

6 My intention is to use that money and hopefully
 7 sell Eco-Star and use that money to pay off my
 8 mortgage, allowing me to protect the 16 years of
 9 mortgage payments and money that I used to purchase and
 10 build the house. I can get close to the 1.1 million
 11 outstanding. I can find a new position, one with
 12 benefits that will enable me to carry the taxes,
 13 etcetera. That's my goal. How close I can come
 14 depends on how serious that company is with buying Eco-
 15 Star. It's signed with just a K, sent from mail for
 16 Windows 10.

17 Q I'll take that back from you. So that was
 18 the email that was sent by Keith, is that correct?

19 A Yes.

20 Q On Monday, November 19th, is that correct?

21 A Yes.

22 Q At 6:59 p.m., is that correct?

23 A Yes.

24 Q As we discussed earlier, Paul's phone records
 25 were reviewed, is that correct?

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1 A They were.

2 Q You reviewed them?

3 A I did.

4 Q Specifically you observed an outgoing
 5 telephone call to Keith Caneiro at 6:05 p.m. on
 6 November 19th, is that correct?

7 A I did.

8 Q And that was from Paul's phone, is that
 9 right?

10 A Yes.

11 Q Then you observed an incoming telephone call
 12 to Paul's phone from Keith's phone about two minutes
 13 later on November 19th, is that correct?

14 A Yes.

15 Q Additionally, during the course of the
 16 investigation it was discovered that Keith's side of
 17 that conversation with Paul was actually captured via
 18 audio and video surveillance that Keith had in his
 19 home, is that correct?

20 A Yes.

21 Q As noted earlier, the surveillance cameras
 22 from 15 Willow Brook Road were taken into evidence, is
 23 that right?

24 A They were.

25 Q Now, some were damaged but others were not,

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1 is that correct?
2 A That is correct.
3 Q We spoke earlier about the one in the garage,
4 is that correct?
5 A Yes.
6 Q Now, this particular conversation was
7 captured via surveillance cameras that Keith had in his
8 home office and in his kitchen, is that correct?
9 A Yes.
10 Q You had the opportunity to review it, is that
11 correct?
12 A I did.
13 Q And your review is still ongoing, is that
14 correct?
15 A It is.
16 Q Now, what you saw when you reviewed this was
17 that at about 6:01 p.m. Keith is talking on the
18 telephone, is that correct?
19 A Yes.
20 Q During most of that conversation Keith
21 appears to be listening, is that correct?
22 A Yes.
23 Q However, toward the end Keith says that he
24 needs to call Paul right now, is that correct?
25 A Yes.

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1 Q Then at 6:05 p.m. Keith makes a telephone
2 call, is that right?
3 A He does.
4 Q He can be heard apologizing but indicating
5 that he needs to talk to Paul right now, is that
6 correct?
7 A Yes.
8 Q About one minute later Keith can be heard
9 talking on the phone, is that right?
10 A Yes.
11 Q During the call Keith refers to the person on
12 the other end as Paul, is that correct?
13 A He does.
14 Q And he's yelling at points, is that correct?
15 A At points he is.
16 Q He's obviously upset, is that correct?
17 A Yes.
18 Q And he repeatedly tells Paul that he needs to
19 know where the money went, is that correct?
20 A Yes.
21 Q And that he spent the last hour and a half
22 with the insurance company and that they haven't
23 received any money, is that correct?
24 A Yes.
25 Q Now again, you're only hearing Keith's side

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1 of the conversation, right?

2 A Correct.

3 Q During the telephone call you can hear Keith
4 asking Paul for his TD Bank account log in, is that
5 correct?

6 A Yes.

7 Q And again asks for him, for Paul to tell him
8 where the money went, is that correct?

9 A Yes.

10 Q And at the end of the conversation Keith can
11 be heard telling Paul that he has "an hour or two" and
12 that he needs to know by eight o'clock, is that
13 correct?

14 A Yes.

15 Q Before we conclude I just want to go back
16 over a couple of things with you regarding a time line,
17 is that okay?

18 A Yes.

19 Q So we have November 19th of 2018, 11:33 a.m.
20 Paul Caneiro electrically transfers \$1,200 from the TD
21 trust account, again that was for the benefit of
22 Keith's wife and children upon his death, to his
23 personal bank account, is that right?

24 A He does.

25 Q So it's 11:33 a.m., right?

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1 A Yes.

2 Q Same day, fast forward to 3:00 p.m., Paul
3 arrives home to 27 Tilton Drive in Ocean Township, is
4 that correct?

5 A Yes.

6 Q And again, this is based on all the
7 information that you just testified to, is that
8 correct?

9 A Yes.

10 Q So that's 3:00 p.m.. 6:07 p.m. November
11 19th, we have the phone conversation between Keith and
12 Paul that you just discussed, is that correct?

13 A Yes.

14 Q 6:59 p.m. November 19th Keith sends that
15 email that you read out to Ronald Artiges, Steve
16 Weinstein and forwards it to his other brother Corey,
17 is that right?

18 A Yes.

19 Q Fast forward to November 20th, 1:29 in the
20 morning, the surveillance cameras at Paul's house go
21 off, is that correct?

22 A Correct.

23 Q The last thing that's seen is Paul walking
24 into the garage, his own garage where the DVR system is
25 stored, and then the cameras go out, is that correct?

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1 A Yes.

2 Q 2:07 a.m., so about a half hour later, the
3 surveillance cameras on neighboring houses capture
4 Paul's Porsche Macan pulling out of his driveway in
5 Ocean Township, is that correct?

6 A Yes.

7 Q 2:26 a.m., the surveillance cameras from the
8 surrounding area in Colts Neck capture a vehicle that
9 appears to be a Porsche Macan due to the taillights
10 driving west on Willow Brook Road in Colts Neck passing
11 15 Willow Brook, is that correct?

12 A Yes.

13 Q 2:47 a.m., the motion light that's affixed to
14 the exterior of the house at Willow Brook above the
15 garage door activates and shuts off, right?

16 A Yes.

17 Q The motion light activates a second time, is
18 that right?

19 A Yes.

20 Q Eight seconds later what appears to be a
21 human figure is seen walking across on the exterior
22 side of the garage from the generator to the electric
23 meter, is that right?

24 A Yes.

25 Q 2:48 a.m., we hear metal-like mechanical

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1 sounds, is that correct?

2 A Yes.

3 Q 2:52 a.m., the power goes out at 15 Willow
4 Brook Road, is that right?

5 A Yes.

6 Q Between 3:14 a.m. and 3:18 a.m. those four
7 text messages are sent from Keith's phone to Paul's
8 phone indicating the power is out and he's going
9 outside to check the generator, is that right?

10 A Yes.

11 Q We have the two reports of shots fired. The
12 one lady says she looks at her box, her cable box and
13 it's 3:10 a.m., is that correct?

14 A Yes.

15 Q And then the other call was placed at 3:30,
16 about 3:33 a.m., is that correct?

17 A Yes.

18 Q 3:42 a.m., the FiOS optical network terminal
19 went out of service at the Willow Brook Road residence,
20 is that correct?

21 A Yes.

22 Q 3:48 a.m., what appears to be a Porsche Macan
23 based on the taillights is seen traveling back east on
24 Willow Brook Road, --

25 A Yes.

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1 Q -- passing 15 Willow Brook, is that right?

2 A Yes.

3 Q 4:08 a.m., Paul's Porsche Macan pulls back
4 into his driveway, is that correct?

5 A Yup.

6 Q 4:59 a.m., we've got the report for smoke
7 inside Paul's residence, is that correct?

8 A Yes.

9 Q And then finally, in the afternoon at 12:34
10 p.m. you have the report of smoke coming from 15 Willow
11 Brook in Colts Neck, is that correct?

12 A That is correct.

13 MS. WALLACE: I have no further questions for
14 the Detective. Does anybody have any fact questions
15 for him? Go ahead.

16 A JUROR: Were the jeans that they found in
17 the basement with [REDACTED] blood on it, did they belong
18 to Paul?

19 MS. WALLACE: Let me rephrase the question.
20 There were a pair of jeans found in Paul's basement
21 with what the lab says is [REDACTED] blood on them, is
22 that correct?

23 THE WITNESS: That is correct.

24 MS. WALLACE: Were those jeans ever able to
25 be identified as being like adult jeans or kids jeans

Colloquy

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1 or anything like that?

2 THE WITNESS: As of now, because the way they
3 were discovered they were essentially -- the
4 temperatures dropped that night below freezing so the
5 pile was kind of frozen together. The forensic
6 detective packaged those and sent them out to the lab
7 in one piece. They're still being tested, so I have
8 not had time or an opportunity to review those fully.
9 The testing is still going on with regards to those
10 jeans.

11 MS. WALLACE: And as we stand today, you
12 don't know whether -- we don't know whether those jeans
13 were adult jeans, kids jeans or anything else, is that
14 correct?

15 THE WITNESS: Right. That's correct.

16 MS. WALLACE: Does that answer your question?

17 A JUROR: Okay.

18 MS. WALLACE: Anybody have any other
19 questions? Okay, seeing none. Thank you, Detective,
20 you can step out.

21 THE WITNESS: Thank you.

22 (Witness exits Grand Jury room)

23 MS. WALLACE: All right. For your
24 consideration are the following charges. Four counts
25 of murder as to Keith Caneiro, Jennifer Caneiro, [REDACTED]

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Colloquy

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1 Caneiro and [REDACTED] Now, you must consider
2 each count separately.

3 Criminal homicide constitutes murder when the
4 actor purposely causes death or serious bodily injury
5 resulting in death, or the actor knowingly causes death
6 or serious bodily injury resulting in death. So
7 basically it's when the actor purposefully or knowingly
8 causes death or serious bodily injury resulting in
9 death of another. In this case the allegation being in
10 Count 1, Keith Caneiro; in Count 2, Jennifer Caneiro;
11 in Count 3, [REDACTED] and in Count 4, [REDACTED]
12 [REDACTED].

13 A person acts purposely when it is the
14 person's conscious object to cause death or serious
15 bodily injury resulting in death. A person acts
16 knowingly when the person is aware that it is
17 practically certain that his or her conduct will cause
18 death or serious bodily injury resulting in death.
19 Whether the killing is committed purposefully or
20 knowingly, causing death or serious bodily injury
21 resulting in death must be within the design or
22 contemplation of the actor.

23 To establish causation the State must prove
24 two elements. Here the burden of proof is probable
25 cause. First that but for the actor's conduct the

Colloquy

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1 victim would not have died. Second, that the victim's
2 death must have been within the design or contemplation
3 of the actor. If not, it must involve the same kind of
4 injury or harm as that designed or contemplated and
5 must also not be too remote, too accidental in its
6 occurrence, or too dependent on another volitional act
7 to have a just bearing on the actor's liability or on
8 the gravity of his or her offense. In other words, the
9 State must prove that the victim's death was not so
10 unexpected or unusual that it would be unjust to find
11 the actor guilty of murder. Any questions on that?
12 Seeing none.

13 You have two Counts, 5 and 6, of aggravated
14 arson. One as to the 15 Willow Brook Road address in
15 Colts Neck and one as to 27 Tilton Drive in Ocean
16 Township.

17 A person is guilty of aggravated arson if he
18 starts a fire or causes an explosion whether on his own
19 property or another's, 1) thereby purposely or
20 knowingly placing another in danger of death or bodily
21 injury and/or, 2) with the purpose of destroying a
22 building or structure of another. So here again you
23 must consider each count separately. The allegation in
24 Count 5 being for 15 Willow Brook Road, and the
25 allegation in Count 6 for being 27 Tilton Drive. Does

Colloquy

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1 anybody have any questions on that law? I see no
2 positive responses.

3 You have Counts 7 and 8, two counts of felony
4 murder. One as to [REDACTED] and one as to [REDACTED]
5 Caneiro. The statute states in pertinent part, felony
6 murder is committed when the actor is engaged in the
7 commission of or in an attempt to commit or flight
8 after committing or attempting to commit arson. And I
9 just read you the law on arson. And in the course of
10 such crime or of immediate flight therefrom causes
11 death of a person. The allegation for the underlying
12 felony in this case is the arson at 15 Willow Brook
13 Road in Colts Neck. The allegation of felony murder in
14 Count 7 is with respect to [REDACTED] and Count 8
15 with respect to [REDACTED] Any questions on that
16 law? Seeing none.

17 Count 9, possession of a weapon for an
18 unlawful purpose. Any person who has in his possession
19 any firearm with a purpose to use it unlawfully against
20 the person or property of another is guilty of a crime
21 of the second degree.

22 Count 10, unlawful possession of a handgun.
23 Any person who knowingly has in his possession any
24 handgun, including any antique handgun without first
25 having obtained a permit to carry the same is guilty of

Colloquy

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1 a crime of the second degree.

2 Count 11, possession of a weapon for an
3 unlawful purpose. Any person who has in his possession
4 any weapon except a firearm with a purpose to use it
5 unlawfully against the person or property of another is
6 guilty of a crime of the third degree. Here the
7 allegation being the knife.

8 And Count 12, unlawful possession of a
9 weapon. Any person who knowingly has in his possession
10 any other weapon under circumstances not manifestly
11 appropriate for such lawful uses as it may have is
12 guilty of a crime of the fourth degree. Again here the
13 allegation being the knife. Any questions on those
14 laws that I just read with regards to the weapons
15 offenses? Okay, seeing none.

16 You have a count of theft which states, a
17 person is guilty of theft if he unlawfully takes or
18 exercises unlawful control of removable property of
19 another with the purpose to deprive him thereof. And
20 that's with respect to the trust fund.

21 Count 14, misapplication of entrusted
22 property. And that states, a person commits a crime if
23 he applies or disposes of property that has been
24 entrusted to him as a fiduciary in a manner which he
25 knows is unlawful and involves substantial risk of loss

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1 or a detriment to the owner of the property or to a
 2 person for whose benefit the property was entrusted,
 3 whether or not the actor has derived a pecuniary
 4 benefit. And fiduciary includes trustee in that
 5 definition. Does anybody have any questions with
 6 regard to the theft charge or the misapplication of
 7 entrusted property law? Seeing none.

8 Finally you have two counts of hindering.
 9 The first one is under 2C:29-3B(1). A person commits
 10 an offense if with purpose to hinder his own detection,
 11 apprehension, investigation, prosecution, conviction or
 12 punishment for an offense he suppresses by way of
 13 concealment or destruction any evidence of the crime or
 14 tampers with a document or other source of information
 15 which might aid in his discovery of apprehension or in
 16 the lodging of a charge against him. Here the
 17 allegation being the setting of the fires to destroy
 18 evidence of the murders.

19 And finally Count 16 is another hindering,
 20 it's under Subsection 2. A person commits an offense
 21 if with purpose to hinder his own detention,
 22 apprehension, investigation, prosecution, conviction or
 23 punishment for an offense he prevents or obstructs by
 24 means of force anyone from performing an act which
 25 might aid in his discovery or apprehension or in the

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1 lodging of a charge against him. Here the allegation
 2 being the killing of Keith for the purpose of hindering
 3 his detention, apprehension, investigation, prosecution
 4 or punishment for the alleged theft from the trust
 5 fund. Does anybody have any questions with respect to
 6 the hindering charges or any of the law that I read or
 7 need it read again? Okay. I see none.

8 You're going to see on your calendar that
 9 there's a charge, it's 39-4.1a. That's unlawful
 10 possession of a firearm in the course of committing a
 11 drug offense. I'm recommending a no bill on that. You
 12 haven't heard any information with respect to that.
 13 Does anyone have any questions on the law? All right.
 14 I see none. We're going to go off the record and turn
 15 it over to you for your deliberations and a vote.

16 (recording paused @ 10:59:51)

17 (recording resumed @ 11:05:59)

18 MS. WALLACE: All right, we're back on the
 19 record. Ladies and gentlemen, there are a few final
 20 questions that need to be answered for purposes of this
 21 presentation. Based upon your voting, you true billed
 22 four charges of murder against Paul Caneiro. Does
 23 everybody agree? I see all positive responses.

24 So the following questions need to be decided
 25 with respect to those murder charges. The first

Colloquy

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1 question is whether the actor, meaning Paul Caneiro,
 2 committed the homicidal act or acts by his own conduct.
 3 That portion of the statute states, any person who
 4 committed the homicidal act by his own conduct becomes
 5 eligible for life without parole if you find that the
 6 person committed the act by his conduct as well as
 7 certain other aggravating factors.

8 Now, the phrase own conduct is defined as the
 9 actor actively and directly participated in the
 10 homicidal act. A finding of own conduct does not
 11 require a specific finding that the actor's actions
 12 standing alone caused the victim's death. The relevant
 13 inquiry is whether or not the actor actively and
 14 directly participated in the homicidal act or acts. In
 15 other words, the actor must be the direct and immediate
 16 cause of the victim's death in order to satisfy the own
 17 conduct element.

18 Homicidal act is defined as conduct that
 19 causes death or serious bodily injury resulting in
 20 death. So the first question that you must answer is
 21 whether the homicidal act or acts, in this case the
 22 killing of Keith Caneiro, Jennifer Caneiro, [REDACTED]
 23 [REDACTED], and [REDACTED] were committed by Mr.
 24 Caneiro, by Paul Caneiro's own conduct.

25 Now, I'm instructing you that you must

Colloquy

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1 consider this question separately with respect to each
 2 of the four victims. Does everybody understand this?
 3 Okay, I hear all positive response. So that's the
 4 first question.

5 Now, if you do find that the homicidal act or
 6 acts were committed by Paul Caneiro's own conduct, and
 7 again you have to apply that separately as to all four
 8 victims, then you must move on to a second set of
 9 questions. That is whether certain aggravating factors
 10 enumerated under this statute exist. In this case
 11 you're being asked to consider four separate
 12 aggravating factors.

13 Number one, you're being asked to consider
 14 aggravating factor K, and that is whether the victim or
 15 victims were less than 14 years old. So obviously
 16 you're being asked to consider this factor only with
 17 respect to victims [REDACTED] and [REDACTED]
 18 And again, you must consider this factor, this
 19 particular question separately as to each of the two
 20 victims. Does anyone have any questions? Okay, seeing
 21 none.

22 Number two, you are also being asked to
 23 consider aggravating factor G, and that is whether the
 24 murder was committed while Paul Caneiro was engaged in
 25 the commission of or an attempt to commit or flight

Colloquy

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1 after committing or attempting to commit murder. So
 2 again, you have to apply this separately as to each of
 3 the four murders and you must consider whether each
 4 murder was committed in the course of the murders of
 5 the others. Anyone have any questions on that? Okay,
 6 seeing none.

7 Three, you are also being asked to consider
 8 aggravating factor F, and that states the murder was
 9 committed for the purpose of escaping detection,
 10 apprehension, trial, punishment or confinement for
 11 another offense committed by Paul Caneiro. You must
 12 consider this question separately as to each of the
 13 four murders. Does everyone understand that? I see
 14 all positive responses.

15 And finally, you are being asked to consider
 16 aggravating factor D which asks, did Mr. Caneiro, so
 17 did Paul Caneiro commit the murder as consideration for
 18 the receipt or in expectation of the receipt of
 19 anything of pecuniary value. Here the allegation being
 20 his half of the trust fund. Again, you must consider
 21 this factor separately with respect to each of the four
 22 murders. Does everyone understand this? I see all
 23 positive responses. Does anyone have any questions? I
 24 see none. Okay, at this time we can close the record
 25 and turn it over to you for your deliberations and a

Colloquy

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1 vote.

2 (recording paused @ 11:10:07)

3 (recording resumed @ 11:11:02)

4 MS. WALLACE: Okay, we're back on the record.
 5 This is State of New Jersey versus Paul Caneiro. There
 6 was just a question. Sir, can you just ask your
 7 question?

8 A JUROR: What was the penultimate mitigating
 9 factor, I guess?

10 MS. WALLACE: Aggravating factor? Are you
 11 asking me what the fourth aggravating factor was that I
 12 read?

13 A JUROR: Yes, yes.

14 MS. WALLACE: Okay. And that's aggravating
 15 factor D, which states did Mr. Caneiro commit the
 16 murder as consideration for the receipt or in
 17 expectation of the receipt of anything of pecuniary
 18 value. Here the allegation being his half of the trust
 19 fund. And again, you must consider this factor
 20 separately with respect to each of the four murders.
 21 Does that answer your question?

22 A JUROR: Well, is that the last one?

23 MS. WALLACE: That was the last one that I
 24 read, yes.

25 A JUROR: The one before that.

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1 A JUROR: The one before that.
 2 MS. WALLACE: Okay. The one, the aggravating
 3 factor before that was Factor F and that states, the
 4 murder was committed for the purpose of escaping
 5 detection, apprehension, trial, punishment or
 6 confinement for another offense committed by Paul
 7 Caneiro. And again, you must consider that separately
 8 with respect to each of the four murders. Does that
 9 answer your question?
 10 A JUROR: Yes.
 11 MS. WALLACE: Does anybody have any questions
 12 based upon that? I see no positive responses. We can
 13 go off the record.

14 * * *

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1 **C E R T I F I C A T I O N**

2 I, TRACY GRIBBEN, Certified Agency Director/
 3 Transcriber, do hereby certify that the foregoing
 4 transcript of proceedings on COURTSMArt, TIME 9:10:58
 5 to 9:12:34 and 9:13:35 to 10:59:51 and 11:05:59 to
 6 11:10:07 and 11:11:02 to 11:12:07 is prepared in full
 7 compliance with the current Transcript Format for
 8 Judicial Proceedings and is a true and accurate
 9 compressed transcript of the proceedings as recorded in
 10 the matter of STATE OF NEW JERSEY vs. PAUL CANEIRO,
 11 heard by the Monmouth County Grand Jury on February 11,
 12 2019.

13
 14
 15 /s/ **TRACY GRIBBEN**

16 143
 17 AOC Number

18 TRACY GRIBBEN TRANSCRIPTION, LLC

19 August 4, 2021
 20 Date

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 24
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