

## Thieves' deadly split

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Joshua Lopez felt cheated out of drugs and money from a man he stole appliances with and so he murdered him, a Suffolk prosecutor said yesterday in a Riverhead courtroom during the first day of his trial.

Lopez, 28, of Coram, is charged with second-degree murder in the killing of Thomas Garafolo of Quogue, who was stabbed on a dirt road in Medford last year.

Garafolo, 52, was a carpenter "who descended into a world of drugs and criminality," Assistant District Attorney Nancy Clifford said in her opening statement, describing to jurors how he got mixed up with Lopez.

The two, and another man, would steal appliances from stores such as Home Depot and sell them for drugs, Clifford said.

On June 22, 2008, Lopez and the third man, Fredrick Hollman, of Ronkonkoma, lured Garafolo to Granny Road, where Lopez stabbed him 22 times, while Hollman strangled him with a nylon cord, Clifford said.

Hollman was convicted of second-degree murder at his trial in May and is awaiting sentencing.

Clifford told jurors that witnesses will include a prostitute and crack addict who had been Lopez's girlfriend and was the link among the three men.

Lopez's defense attorney, Michael Brown, who has maintained his client's innocence, told jurors in his opening statement to pay attention to the criminal histories of witnesses: "What does somebody gain by testifying here?"

The prosecution's first witness was Darlene McMorris, who testified she was reading the Sunday paper when her elderly mother spotted a stranger, Garafolo, zigzagging up their driveway.

"He was covered with blood all over his face," McMorris said. "He was yelling, 'Please help me, they're trying to kill me.'"

McMorris called 911.

The first officer to arrive, John Doyle, who also testified yesterday, said that while trying to save Garafolo, he was also trying to get information.

Garafolo nodded when asked if he knew who did it, Doyle testified, and said a name that sounded like "Chris" before losing consciousness.

Suffolk Sgt. John Durkin also testified yesterday that he and his K-9 section German shepherd, Bud, searched the area, finding blood, a nylon rope and a pair of eyeglasses.

The trial continues today.