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Cobb jury acquits Marietta man accused of machete attack at Austell gas station

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Dave Williams, left, and Maddox Kilgore, his defense attorney, after a Cobb jury found Williams not guilty on all charges related to a 2019 incident at an Austell gas station.

Maddox Kilgore

A Marietta man who allegedly attacked another man with a machete at an Austell gas station in 2019 was acquitted by a Cobb jury of all charges this week.

Dave Anthony Williams "loudly wept" as the verdicts in his favor were read aloud in Cobb Superior Court Wednesday, according to his attorney, Maddox Kilgore.

Cobb police alleged in a warrant that Williams, who was 33 at the time of the incident, attacked Joshua Evans "with intent to murder, by chasing and striking said victim with a machete multiple times."

Police also said in the warrant that two bystanders filmed the altercation between Williams and Evans and that the video confirmed Williams' actions.

Kilgore said in an email to the MDJ that different surveillance video Cobb police "never bothered to obtain" demonstrated that Williams did not start the fight, and that it was the other man involved who did.

"Rather, the surveillance video we recovered showed that the other man (Evans) sucker-punched Mr. Williams to the ground," Kilgore said.

Kilgore also said in the email that Williams' retrieval of the machete was a response to threats he received from the other man.

"Mr. Williams testified in his own defense that he retrieved the machete only after the other man had threatened to kill him, physically assaulted him, and then circled around to his passenger side car door telling Williams that he 'had something for him,'" Kilgore said.

The jury found Williams not guilty of one count of aggravated assault, two counts of aggravated battery and one count of battery, according to the decision, shared with the MDJ by Kilgore.

Kilgore said the jury had done its duty in finding Williams not guilty on all counts.

"Our defense was simply the truth - that Dave Williams was defending himself from a bully," Kilgore said.