

PRESS RELEASE
October 7, 2023

After 1420 days in custody, Marietta man found NOT GUILTY of rape.

On Friday afternoon, October 6, 2023, a Cobb County jury returned a verdict of NOT GUILTY in the case of *State of Georgia vs. Jorge Candido Martines*. The indictment charged Mr. Martines with one count of rape allegedly occurring in June 2017.

A jury trial was held before Senior Cobb County Superior Court Judge Lark Ingram on October 2-6, 2023. Mr. Martines was represented by Carlos Rodriguez and Maddox Kilgore of the Marietta law firm of Kilgore & Rodriguez, LLC. Assistant District Attorney Rachel Plevak prosecuted the case for the State.

The evidence at trial established that Gabriela Rodriguez showed up at Cobb County Police precinct 2 on the evening of November 14, 2019, and reported that her aunt's husband, Jorge Martines, raped her in June 2017, in a trailer on Austell Road where they both resided. According to Ms. Rodriguez, she was 17 years old when Mr. Martines sat her on the bed, pulled her towel aside, and raped her when she got out of the shower. Ms. Rodriguez then repeated her allegation to a detective from the Cobb County Police Special Victims Unit, which investigates sexual crimes against women and children.

Testimony at trial further proved that the day before Ms. Rodriguez made her complaint to police she was involved in a heated argument with her aunt, Mr. Martines's wife. The jury heard testimony that Ms. Rodriguez drove to her aunt's home, confronted her about a financial matter, yelled at her, and demanded the title to a vehicle. Unsatisfied with the response from Jorge Martines's wife, Ms. Rodriguez threatened to go to the police. The rape allegations were made less than 24 hours later.

The lead investigator on the case, former Cobb County Police Detective Jonathan McFarland, testified that Ms. Rodriguez gave a detailed account of the alleged sexual assault. According to McFarland, Ms. Rodriguez alleged that following the assault Mr. Martines told her that "you'll never be pretty again." Ms. Rodriguez made additional

allegations that she was only now reporting the alleged sexual assault because the previous day Mr. Martines had threatened to murder her whole family. But in the four years since her allegations, those alleged threats could not be verified by police.

Mr. Martines was arrested two days later. Detective McFarland made no attempt to question Mr. Martines either before or after his arrest.

Just after 5:00 pm on Friday September 29th, less than 72 hours before the start of the trial, the Cobb County District Attorney's Office notified the attorneys at Kilgore & Rodriguez that Ms. Rodriguez was now alleging that a sharp knife was held to her neck during the assault. Detective McFarland acknowledged that despite her detailed and descriptive allegations in November 2019, Ms. Rodriguez had never mentioned that a knife was held to her neck during the assault. The State presented no evidence that Ms. Rodriguez had ever disclosed that she was assaulted at knifepoint during the nearly four years since her multiple statements to police.

Mr. Martines, a native of Brazil, testified that he was recruited to work in the United States by the Brazilian Restaurant Company Fogo De Chao. When he testified on Thursday, October 5, 2023, denying the allegations, he had been incarcerated in the Cobb County Adult Detention Center for a period of 1419 days.

Please see attached indictment and verdict form.

KILGORE & RODRIGUEZ, LLC

Carlos Rodriguez
Carlos@kilgorerodriguez.com
770-693-4638

Maddox Kilgore
Kilgore.law@comcast.net
770-693-4349