



TANEY COUNTY PROSECUTING ATTORNEY'S OFFICE

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FOR IMMEDIATE RELEASE

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MARTINEZ FOUND GUILTY OF FELONY DOMESTIC ASSAULT

FORSYTH, MO – Taney County Prosecuting Attorney Jeffrey M. Merrell announced today that ANTHONY MARTINEZ, dob: 01/28/1976 of Branson, Missouri, was found guilty by Circuit Court Judge Mark Orr of the class B felony of domestic assault in the first degree, along with two (2) counts of the class C felony of domestic assault in the second degree, and one (1) count of the unclassified felony of armed criminal action. Formal sentencing is scheduled for June 21, 2012.

On February 14, 2012, Judge Orr presided over a bench trial in the case against Martinez, over allegations that Martinez had assaulted his live-in girlfriend at The Oaks Apartments on August 16, 2011. On the date of that assault, Branson Police Officers Daniel Smithson and Lawrence Gott responded to a 9-1-1 call at the apartment of Martinez and his girlfriend. Neighbors had called 9-1-1 because of screaming heard coming from within the apartment, and when officers arrived, they found Martinez's girlfriend in a state of distress, attempting to escape from Martinez. Although the victim spoke no English, she was able to pantomime for officers how Martinez had been assaulting her, as well as lead officers to the knife used by Martinez to threaten her.

The victim was not completely cooperative with the prosecution throughout the case, but did ultimately testify in the trial. With the photographs and observations by officers on the scene, plus admissions about the assault made during victim's testimony, Assistant Prosecuting Attorney Olivia McNair proved that the assaults perpetrated on the victim by Martinez on August 16th were part of a pattern of domestic abuse.

“Without the investigative efforts of the Branson Police, and the persistence of Olivia McNair, this conviction would not have been possible,” says Taney County Prosecuting Attorney Jeff Merrell. “This case would have been easy to give up on when the victim showed the first signs of being uncooperative, but that did not happen.”

“Sometimes victims are too frightened or intimidated to follow-through by testifying in court, so it is comforting to know that – with quality investigations – we can still get consequences for these violent offenders,” says Merrell. “Our community is a little bit safer every time we can take a domestic abuser out of our homes, because the threat of violence to families is suspended as long as the offender is locked-up.”

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Martinez was charged by the Taney County Prosecutor's Office as a prior and persistent felony offender, meaning Martinez has at least two (2) prior felony convictions. That increases the maximum sentence for Martinez on the class C felonies to not more than fifteen (15) years in the Missouri Department of Corrections, and not more than thirty (30) years on the class B felony. Armed criminal action has no maximum sentence.