

Rape-case defendant opts for trial by jury

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By BILL FREEHLING

A man who was expected to plead guilty yesterday to a Fredericksburg rape now faces a December jury trial.

Rodney O. Braxton, 38, was indicted on the charge in March. Police said the victim, now 32, was walking to her Mayfield home when she was raped near the railroad tracks off Lafayette Boulevard in June 2001.

City police said Braxton was charged after Virginia forensic scientists matched his DNA with biological evidence recovered during the investigation.

Braxton was expected to plead guilty in Circuit Court on Friday, but there was a mix-up and he wasn't transported from the Richmond-area prison where he's being held on unrelated charges. Police said the rape plea would have resulted in a 30-year prison term.

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The hearing was rescheduled for yesterday, but Braxton changed his mind and decided to face a jury trial. He could get life in prison if convicted; the trial is set to start at 9 a.m. Dec. 1.

Court records indicate that Braxton's home is in Henrico County, but a city prosecutor said he has spent time in the Fredericksburg area. Braxton was convicted of felony abduction and grand larceny in the city in 1993.

All people who have been convicted of a felony in Virginia on or after July 1, 1990, have had to provide DNA samples to the state Department of Forensic Science.

As of January 2003, people arrested in connection with violent felonies in Virginia have had to submit DNA to the databank, but that sample is eliminated if the person is found not guilty.

As of July, there were more than 236,000 DNA samples in the state databank, which has helped police develop suspects in nearly 2,900 cases by matching DNA found at crime scenes.

Forensic scientists periodically run DNA samples from unsolved, "cold" cases against others in the databank. A match was made in January between Braxton's DNA and evidence from the rape, police said. A detective went to the state prison where Braxton is being held to get another DNA sample.

On its Web site, the state Department of Forensic Science makes clear that a DNA hit is meant to provide an investigative lead. But detectives are expected to further look into the case to determine the possible involvement of the suspect.

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