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MISSING PERSON, OR COLD KILLING?

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Article Text:

On Oct. 29, 2001, Isabel Rodriguez went to Miami-Dade Family Court seeking protection from her estranged husband, Jesus. In court papers, she said her husband threatened to kill her if she got any money from him in their divorce.

A judge scheduled a hearing a month later. Isabel wasn't there - but a homicide detective was.

Now, more than three years after her disappearance, investigators still have not found Isabel Rodriguez. Her husband has insisted that she abandoned their children and may have fled to Honduras.

But prosecutors say they have compiled a string of clues - plotting a trail from divorce court to a suspicious fire on an Everglades farm - implicating Jesus in his wife's death.

Jesus Rodriguez's trial on first-degree murder charges begins Monday in Miami-Dade Circuit Court. Prosecutors, who are seeking the death penalty, concede their case against him is entirely circumstantial: Investigators burrowed through concrete, dispatched cadaver dogs and flew helicopters with infrared cameras over Rodriguez's property without finding any hard evidence that Isabel is dead.

It's not easy for prosecutors to prove a murder case without producing a murder victim - but it has been done, legal experts say.

Miami-Dade prosecutors will have to do it again soon in another high-profile case: This month, a grand jury indicted a caregiver with the murder of missing Kendall foster child Rilya Wilson, whose body has never been found.

In the Rodriguez case, prosecutors say Jesus' actions before and after his wife's disappearance - and his statements to police and other jail inmates - are enough to prove he killed his wife.

``There is no reasonable hypothesis that the victim is alive," assistant state attorney Abbe Rifkin said in court papers.

But Rodriguez's lawyer, Andrew Rier, said prosecutors will have a hard time proving his client - the owner of a once-successful trucking company with no prior convictions - murdered Isabel.

“Jurors want evidence,” Rier said. “It’s the state’s responsibility to prove what happened here.”

In a rambling letter to Miami-Dade Circuit Judge David Miller, Rodriguez said his wife was stealing money from his business, and speculated that she was on the lam or she was bumped off by co-conspirators.

“I never harmed her,” Rodriguez wrote. “She has many enemies because she is very disrespectful, especially with the drivers.”

The couple married in 1993 and lived together in a house Jesus, 50, built himself near West Miami. The house, at least, had a hint of romance: In their bedroom, Jesus installed a heart-shaped bathtub.

But in January 2000, Isabel filed a police report claiming her husband assaulted her. Months later, Jesus told police that Isabel injured him. They separated in April 2001, and Isabel asked for a divorce four months later.

Isabel was last seen on the morning of Nov. 13, 2001, when the 39-year-old dropped off the couple's two daughters at school.

That morning, two sisters who rented an efficiency from the Rodriguezes said they saw the legs of a man hiding under a truck in the carport of the house. The women told police they suspected the figure was Rodriguez - who was barred from the house by a restraining order - but they did not warn Isabel, according to an arrest report.

#### FIVE-ACRE FARM

Neighbors reported Isabel missing the following day, and Miami-Dade police soon focused their attention on Jesus and the five-acre farm he owned on the fringe of the Everglades.

In the days before Isabel's disappearance, police say, Rodriguez had 10 truckloads of dirt and gravel delivered to the property, and he told workers to stay away from the farm on Nov. 13 - the day Isabel was last seen. He told one worker, Rene Concepcion, that he was planning a Santería “cleansing” of the farm, the arrest report says.

On the day of Isabel's disappearance, Concepcion said he saw a fire burning for hours at Rodriguez's farm. A day later, Rodriguez scattered the ashes from the fire over the farm before spreading the truckloads of gravel around with a bulldozer, investigators say.

Witnesses also saw a Lincoln Continental at the farm that had been parked at the family house the morning Isabel disappeared.

Rachelle Rodriguez, Jesus' daughter from a prior marriage, told police that she saw her father cleaning the car's trunk with a pressure cleaner, records show.

## **WAS BODY BURNED?**

Prosecutors suspect that Rodriguez burned up his wife's body on the farm. They intend to call a forensic expert in body-burning as a witness.

But Rier said there's no scientific evidence of a body on the farm, and the fire didn't burn long enough to turn a body to ashes.

“There's a problem if that's the state's theory of disposal of the body,” Rier said. “You smell a hamburger when it burns, don't you?”

After Isabel's disappearance, Rodriguez temporarily received custody of the children - now 10 and 14 years old - and was allowed to move back into the house. His parental rights were later terminated, and the children are now with a foster family.

Police gathered evidence for five months before arresting Jesus Rodriguez in April 2002. He spoke with Miami-Dade detectives three times, denying that he killed his wife but admitting that he had been at the house in violation of the restraining order.

Rodriguez told police he thought his wife may have gone to her native country of Honduras, where she has a son from a prior marriage. But the Honduran consulate had no record of Isabel entering that country or leaving the United States., investigators said.

Detectives said Rodriguez made several off-handed comments to them that suggested his involvement with his wife's death. “If I tell you what happened, what will happen to my business?” he allegedly asked one detective. “You've got the motive all wrong,” he allegedly told another.

While in jail, Rodriguez also admitted to an inmate that he killed his wife with a baseball bat, said Rifkin, the prosecutor.

Rier would not address those specific statements, nor would he say if his client would testify in the trial, which is expected to last four to six weeks.

“My client has always been forthcoming,” he said.

[ILLUSTRATIONS=] color photo: Isabel Rodriguez (a), Jesus Rodriguez (a)

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