

**OFFICE OF THE DISTRICT ATTORNEY**  
BLUE RIDGE JUDICIAL CIRCUIT



SHANNON WALLACE  
District Attorney

Cherokee County Justice Center  
90 North Street, Suite 390  
Canton, GA 30114

**FOR IMMEDIATE RELEASE**

CONTACT: Cyndi Crossland  
Public Information Officer  
cbcrossland@cherokeega.com  
770-479-1488

**Canton man sentenced to prison for rape, involuntary manslaughter,  
trafficking fentanyl, and aggravated assault**  
**State vs. Nicholas Brian Gosnell**

**November 23, 2022** – District Attorney Shannon Wallace announces that on August 23, 2022, Canton resident Nicholas Brian Gosnell, 23, pled guilty and was sentenced, in total, to 25 years in prison, followed by life on probation, for two separate cases involving multiple crimes and three different victims. During the hearing, Gosnell admitted to charges of rape, involuntary manslaughter, violation of Georgia Controlled Substances Act (6 counts), trafficking fentanyl, and aggravated assault/strangulation.

In July 2018, Cherokee Sheriff's Office deputies began investigating a drug-facilitated sexual assault. On the evening of the assault, Gosnell gave a young woman illegal drugs and later forced more intoxicants on her before raping her. After an investigation that included a sexual assault exam, forensic extractions, DNA testing, and witness interviews, CSO deputies arrested Gosnell for rape.

"The night the victim met this defendant, she had no idea what his intentions were. After giving her drugs, he took advantage of her intoxicated state. Witness statements described her level of intoxication as being to the point where she could not possibly consent. Physical evidence also determined that she tried to resist him," said Assistant District Attorney Meaghan Frankish, of the Special Victims Unit, who prosecuted this case on behalf of the State. "During the investigation and prosecution of this case, it became very clear that Gosnell pressured this woman throughout the evening, forcing several drugs on her, and, ultimately, forcing himself on her."

In September 2020, Cherokee Multi-Agency Narcotics Squad (CMANS) received information that Gosnell, who had been released on bond over the State's objection, was selling narcotics. After CMANS initiated an investigation, undercover agents purchased drugs from Gosnell. Those drugs field-tested positive for fentanyl.

CMANS then executed a search warrant of Gosnell's home and found 36 oxycodone pills, fentanyl patches, 224 alprazolam pills, other pills, and \$28,000 in cash. When agents forensically examined Gosnell's cell phone, they found texts from John O'Connell, 40, who had consumed drugs containing fentanyl and died on August 19, 2020. O'Connell's death had previously been ruled an accidental overdose, but after reviewing these texts, CMANS began investigating this death as a homicide.

Using cell phones belonging to Gosnell and O'Connell, records from the ankle monitor Gosnell was wearing as a part of his bond conditions, and surveillance videos, CMANS agents and their forensic analyst were able to determine that Gosnell sold O'Connell pressed fentanyl on the night of his overdose.

“This defendant supplied fentanyl to drug addicts even though he was fully aware that fentanyl could be fatal and that addicts were vulnerable targets. His sole purpose of taking advantage of these individuals was to make money. And knowing the risk was death, he did it anyway,” said ADA Frankish.

While examining his cell phone, detectives also found evidence that Gosnell had committed aggravated assault – strangulation on another man. Gosnell had texted images of the assault to acquaintances and admitted the strangulation.

During the August 23 hearing, the court heard two victim impact statements. The young woman raped by Gosnell said she still suffers from the crime with sleep problems, flashbacks, fears, and emotional pain. She said to Gosnell, “You left me in a place of darkness.”

ADA Frankish read a victim impact statement provided by John O’Connell’s sister, who described her brother as a unique person with magnetic energy. She said their lives are forever crushed by his loss and Gosnell took away an amazing man.

In the rape case, Superior Court Judge David Cannon, Jr. sentenced Gosnell to 15 years to be served in prison without the possibility of parole, followed by life on probation, subject to sex offender special conditions. He may have no contact with the victims or their family members, must avoid drugs and alcohol, and may not possess a firearm.

On the involuntary manslaughter, drug, and aggravated assault strangulation case, Judge Cannon sentenced Gosnell to 10 years to serve in confinement in the state penal system consecutive to the rape case, for a total sentence of 25 years in prison, followed by life on probation.

“Through excellent undercover and forensics investigations, CMANS was able to clearly connect Nicholas Gosnell to an overdose fatality, enabling our office to prosecute him for the death of Mr. O’Connell,” said District Attorney Shannon Wallace. “This defendant’s reign of trafficking poison and committing violent acts has ended for our community. No more can he victimize the vulnerable through despicable acts of sexual assault and selling tainted drugs. May this sentence provide closure for the victims of his crimes and their families.”

This case was investigated by the Cherokee Sheriff’s Office and the Cherokee Multi-Agency Narcotics Squad. It was prosecuted by Assistant District Attorney Meaghan Frankish, of the Special Victims Unit, Office of the District Attorney, Blue Ridge Judicial Circuit.

## **Dangers of Fentanyl**

In 2020 and 2021, CDC data analysis showed that fentanyl overdose was the single leading cause of death among 18-45-year-olds in the United States according to Families Against Fentanyl.

Fentanyl is a synthetic opioid that was originally produced to treat severe pain in terminally ill patients. It is 50 times stronger than heroin and 100 times stronger than morphine. Most cases of fentanyl-related overdose are linked to illicitly manufactured and distributed fentanyl.

Drug dealers add fentanyl to street drugs to increase potency and profits. Lacing other drugs with fentanyl enables drug dealers to stretch out their products since fentanyl makes drugs more powerful. Fentanyl is often added to drugs like heroin, methamphetamine, and marijuana. It can also be made into pills to resemble prescription medications like Xanax and oxycodone. Drug dealers may mix deadly amounts of fentanyl into other drugs then sell it to unsuspecting users, creating a high likelihood of overdose.

Signs of an overdose include small pupils, loss of consciousness, weak breathing, limp body, clammy skin, and bluish-colored skin. If you think someone is overdosing, call 911 immediately and administer naloxone if available.

*The Office of the District Attorney for the Blue Ridge Judicial Circuit is committed to seeking justice, acting with integrity, and collaborating with partner agencies in the criminal justice system in order to protect the citizens of Cherokee County and the State of Georgia.*

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