

# Florida justices vacate fast-food death sentence

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TALLAHASSEE, Fla. — The Florida Supreme Court has vacated the death sentence of a fast-food worker convicted of killing his manager.

The justices Thursday unanimously ordered a new sentencing hearing because Timothy Lee Hurst's lawyer failed to present mitigating evidence. That included his low IQ, borderline intellectual functioning and possible brain damage due to fetal alcohol syndrome.

The high court, though, upheld Hurst's conviction for the 1998 murder of Cynthia Harrison during the robbery of a Popeye's restaurant she managed in Pensacola.

She suffered at least 60 stab and slash wounds from a box cutter. Other employees found her body in a freezer when they came to work in the morning. The safe had been emptied of about \$375.