

Florida justices order new trial in Ft. Pierce murder

TALLAHASSEE, Fla. (AP) -- The Florida Supreme Court has ordered a new trial for a death row inmate convicted of fatally shooting and robbing an auto repair shop owner in Fort Pierce.

The 5-2 unsigned opinion Thursday reversed the conviction of Alwin C. Tumblin because a St. Lucie County sheriff's deputy told the jury he believed the testimony of a co-defendant who said Tumblin pulled the trigger.

In dissent, Justice Charles Canady wrote that other evidence was sufficient to overcome bias caused by the deputy's testimony. Justice Ricky Polston joined in the dissent.

Tumblin was charged in the May 2004 murder of Jimmy Johns at his shop. Co-defendant Anthony Mayes was the only eyewitness. He got a plea deal and 20-year prison term.