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## Goodman defense attorneys allege even more lies, and misconduct by juror Dennis DeMartin

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Former Prosecutor Ellen Roberts (left) and Assistant State Attorney Sherri Collins talk with John Goodman's attorneys Guy Fronstin and Doug Duncan following a court hearing Wednesday morning April 24, 2013. Attorneys for Goodman made new allegations against Dennis DeMartin, who is accused of lying during jury selection for Goodman's 2012 DUI manslaughter trial.

BY [DAPHNE DURET](#) - PALM BEACH POST STAFF WRITER

**WEST PALM BEACH** – Enough is enough.

Those words punctuated court documents revealing this week's new round of accusations against Dennis DeMartin, the self-published author and juror who may well have single-handedly won Wellington polo mogul John Goodman a new trial in his DUI manslaughter case.

Goodman's legal team, fighting a 16-year prison sentence he received last year for the death of Scott Wilson, on Wednesday revealed new claims that DeMartin, 68, violated judges' orders. Among the Delray Beach resident's alleged missteps:

– He told his ex-wife and children he was a juror during the trial.



Palm Beach County Circuit Court Judge Jeffrey Colbath talks with Roy Black, attorney for John Goodman, by telephone Wednesday morning, April 24, 2013. Black made new allegations against Dennis DeMartin, who is accused of lying during jury selection for Goodman's 2012 DUI manslaughter trial.

[John Goodman trial](#)

– He quizzed them about the ex-wife's DUI arrest that he concealed from lawyers during jury selection.

– He also concealed that his daughter was once the victim of a rape during a home invasion robbery.

The new claims – added to the growing list of rules DeMartin has broken – now have even the most cynical in Palm Beach County's legal community sure that Goodman's conviction will get tossed.

"If he did these things, then this case should come back for a new trial," said West Palm Beach attorney Richard Tendler. "Clearly, if these allegations are true, this guy wanted on the jury and he was willing to lie his way on there."

DeMartin has been the center of most of the controversy since he and five other jurors convicted Goodman of DUI manslaughter in March 2012. Goodman's legal team has built much of its appellate fight around the actions of DeMartin, who since the verdict has self-published three books in which he revealed, among other things, that he conducted his own drinking experiment on the night before deliberations began in Goodman's case.

More recently, he revealed that his ex-wife had been arrested for DUI, something that he failed to disclose during jury selection – and likely would have gotten him booted off the case.

Palm Beach County Circuit Judge Jeffrey Colbath is already set to interview DeMartin on Monday about those allegations. But at what was supposed to be a preliminary hearing on the matter Wednesday, Goodman's defense team revealed it had tracked down DeMartin's first ex-wife, JoEllen Johnston.

According to lead Goodman defense attorney Roy Black, Johnston said she and DeMartin spoke several times about her prior DUI during Goodman's trial, adding that her ex-husband repeatedly quizzed her and her children about the incident. That revelation, Black said in the written motion for a new trial he filed Wednesday, belies DeMartin's assertions that he failed to mention the DUI during jury selection because a stroke he suffered in 1988 blocked the memory.

Johnston said DeMartin also told her he was a juror in Goodman's case during the trial, which is forbidden. She said he also told her and their children of his plans to write a book about the case, which they tried to discourage him from doing. And he repeatedly encouraged them to watch television news reports of the trial coverage, although Colbath repeatedly warned jurors not to watch them.

Discussions of Johnston's 1997 DUI case also became the source of new information, Black said, as Johnston attributed her drinking problem to grief from the aftermath of a home-invasion robbery in which their daughter was raped and she and their son-in-law were robbed and kidnapped at gunpoint. This was another event DeMartin never mentioned during jury selection.

Prosecutor Sherri Collins, after the hearing, said there wasn't much she could say about the new revelations.

"I'll have to read what they're alleging first," she said.

As Goodman's lawyers were in court Wednesday, veteran jury consultant Art Patterson was using DeMartin as an example of a juror gone wild in a speech he gave to the Cleveland Bar Association.

Patterson, the Sarasota-based vice president of the jury consulting firm DecisionQuest, said several weeks ago that the new

allegations surrounding DeMartin's ex-wife were grounds for a new trial, but he was unsure Goodman would get one given the high standards of both trial courts and appellate courts in upholding jury verdicts.

After hearing Wednesday's allegations, however, Patterson said he'll be surprised if Colbath doesn't grant a new trial.

"I'm still not going all the way and say it's absolutely 100 percent, but it's now proof of something that is directly linked to the outcome of the case," Patterson said.

Last week, DeMartin's second ex-wife, Lillian Court, unsuccessfully tried to file a domestic violence injunction against him in part because of media reports she saw regarding him and the book. She also claimed DeMartin stalked her by hiding near her Highland Beach apartment complex in hopes of getting to her.