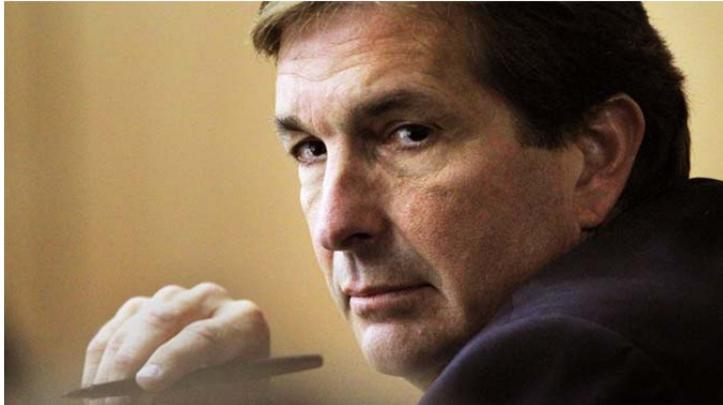




Polo Tycoon John Goodman Wins New Trial in Vehicular Homicide Case



John Goodman sits in the courtroom during his DUI manslaughter trial, March, 22, 2012, in West Palm Beach, Fla. (Lannis Waters/The Palm Beach Post/AP Photo)

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A Florida judge has granted polo tycoon John Goodman a new trial based on juror misconduct, saying that one juror's behavior turned the trial into a "constitutionally impermissible proceeding."

Goodman's Bentley slammed into 23-year-old Scott Wilson's Hyundai and sent it into a nearby canal in Wellington, Fla., in February 2010. Wilson, an engineering graduate, was strapped into the driver's seat and drowned.

Goodman, 49, was convicted of DUI manslaughter and vehicular homicide. He was sentenced to 16 years in prison and a fine of \$10,000 in May 2012. He has been serving his sentence in house arrest, pending the decision of his appeal.

Goodman's attorneys were triumphant at the news of a new trial.

"A juror who deceives to get on a jury in a high profile case for his own profit is a trial lawyer's worst nightmare," Goodman's attorney Roy Black wrote in a statement.

"Fortunately, this time the deception was exposed and a courageous judge set aside the verdict."

Prosecutors did not immediately respond to request for comment.

The defense accused juror Dennis DeMartin, 69, of lying to get on the jury by not telling the court about his ex-wife's DUI during jury selection.

DeMartin was also the subject of an April 2012 motion for a new trial based on a book he wrote and published. In the book, DeMartin wrote about a trial-related drinking experiment he said he conducted while in the midst of jury deliberations.

The court decided that the book and drinking experiment were inappropriate, but did not deprive Goodman of a fair trial. The lying, however, changed the court's stance.

"A defendant is entitled to a fair trial, not a perfect one," Circuit Court Judge Jeffrey Colbath wrote in his ruling. "The cumulative effects of DeMartin's antics, however, have transformed an imperfect but fair trial into a constitutionally impermissible proceeding."

In his book, DeMartin wrote about his wife drinking, getting into an accident and being arrested for DUI. He said he had a stroke soon after and divorced his wife after she met someone else at a DUI program. He did not disclose this information when questioned during jury selection, the judge said.

"The Defendant contends, and this Court finds, that DeMartin concealed highly relevant information, namely, that his ex-wife had been convicted of a DUI," Colbath wrote.

The court then had to determine if knowledge of the undisclosed information made a difference in the case.

"The Court finds the answer to this question is yes," the judge wrote. "This is a case involving a DUI Manslaughter and potential jurors experience with DUI charges would be paramount in the mind of any lawyer picking a jury."

"To allow this conviction to stand, in light of the strength of Dennis DeMartin's participation, would erode the integrity of the judicial system," he wrote. "Every person charged with a crime deserves a fair trial without the likes of Dennis DeMartin."

Goodman, the multi-millionaire founder of the International Polo Club Palm Beach, claimed in court that his \$200,000 car malfunctioned and lurched forward, slamming into Wilson's vehicle. He has also denied being drunk at the time of the crash, although other testimony has contradicted him and his blood alcohol level was more than twice the legal limit three hours after the crash, according to prosecutors.

Goodman fled the scene of the accident, authorities said.

Goodman also made headlines when he adopted his girlfriend, Heather Hutchins, 42, in an attempt to preserve part of his fortune for her while negotiating a civil suit settlement. In March, a Miami appeals court reversed the ruling that allowed the adoption.