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New sentencing for only woman on Florida's death row

Associated Press

DAYTONA BEACH, Fla. - Citing a flawed defense, a judge has granted a new sentencing hearing for the only woman on Florida's death row.

Virginia Larzelere, 52, of Edgewater was sentenced to die for scheming to get at her husband's insurance by hiring her son to gun him down in his dental office as a patient sat in the waiting room in 1991. A jury split 7-5 in favor of the death penalty.

Her son, Jason Larzelere, was acquitted of killing his adoptive father and accepted a \$75,000 insurance settlement in 1994. He was 18 at the time of the slaying by a masked gunman.

Volusia Circuit Judge John Watson, who presided over the mother's 1992 trial, released an order Monday saying her lawyers did not present important evidence during the original penalty phase. The Florida Supreme Court unanimously affirmed her conviction in 1996.

Watson concluded her attorneys did not spend enough time preparing for the penalty phase and noted her jury did not hear evidence about her mental health and that she had been sexually abused as a child.

"I wish her the best," said attorney John R. Howes, one of Larzelere's lawyers in the early 1990s. "Any time someone gets a death sentence overturned, God bless them. I don't want her executed. God bless her."

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