

# **St. Lucie County Judge: Man to return to death row for 2002 murder**

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A former assisted living center employee convicted of murdering a resident's daughter in 2002 is going back to death row.

Circuit Judge Robert Belanger sentenced 56-year-old Andrew Michael Gosciminski on Friday to death for a second time.

His attorney, Mark Harlee, says errors made by the prosecution throughout the trial could be grounds for appeal.

Last month, a St. Lucie County jury voted 9-3 for the execution. The same jury had found Gosciminski guilty of first-degree murder, robbery and burglary.

Gosciminski had already been convicted and sentenced to death in 2005, but the Florida Supreme Court threw out the conviction last year and ordered a new trial.

The high court ruled some evidence during his 2005 trial had been improperly admitted.