

si-  
to  
be

# Man gets 2 life terms in restaurant slaying

By ORVAL JACKSON  
Tribune Staff Writer

TAMPA — A 26-year-old man was sentenced to life in prison Monday for the second time in the 1985 slaying of a restaurant owner during a robbery.

Leon Antonio Torres was sentenced to two life terms, to be served consecutively in a manner to ensure he spends a minimum of 28 years in prison before being eligible for parole.



Torres

Torres was convicted April 13 in the shooting death of Johannes "Hans" Frischknecht during a robbery of the Matterhorn Hofbrau Haus restaurant just off Busch Boulevard near Interstate 275 Aug. 31, 1985.

The jury also convicted Torres of armed robbery with a firearm.

Hillsborough Circuit Judge William Graybill sentenced Torres to life on the robbery with a firearm conviction, to be followed by life on the first-degree murder conviction.

The robbery with a firearm conviction required a minimum of three years be served before Torres becomes eligible for parole to begin

5  
serving the second life sentence. The second life sentence required he serve a minimum of 25 years on that conviction before being eligible for parole.

Torres was convicted of killing Frischknecht in October 1986. The jury recommended the death penalty by a 7-5 vote, but the judge ordered a second sentencing hearing before a new jury in February 1987 because of procedural problems during the first hearing.

The second jury deadlocked 6-6, which under Florida law amounts to a recommendation of life in prison, and Torres was sentenced to consecutive life terms for robbery and murder.

The conviction was reversed on appeal because blacks were excluded from the jury. The trial judge ruled that because Torres and Frischknecht both were white, Torres had no standing to raise the issue of race.

An appellate court upheld that ruling, but the Florida Supreme Court eventually reversed the conviction, saying neither prosecutors nor defendants can exclude any group of people from a jury, be it for race, sex or occupation.

The jury that convicted Torres in his second trial consisted of eight whites and four blacks, and both alternate jurors were black.

AND  
EST  
VE

d