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Associated Press updated 12/17/2009 2:40:00 PM ET

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BARTOW, Fla. — James Bain used a cell phone for the first time Thursday, calling his elderly mother to tell her he had been freed after 35 years behind bars for a crime he did not commit.

Mobile devices didn't exist in 1974, the year he was sentenced to life in prison for kidnapping a 9-year-old boy and raping him in a nearby field.

Neither did the sophisticated DNA testing that officials more recently used to determine he could not have been the rapist.

"Nothing can replace the years Jamie has lost," said Seth Miller, a lawyer for the Florida Innocence Project, which helped Bain win freedom. "Today is a day of renewal."

Bain spent more time in prison than any of the 246 inmates previously exonerated by DNA evidence nationwide, according to the project. The longest-serving before him was James Lee Woodard of Dallas, who was released last year after spending more than 27 years in prison for a murder he did not commit.

As Bain walked out of the Polk County courthouse Thursday, wearing a black T-shirt that said "not guilty," he spoke of his deep faith and said he does not harbor any anger.

'I'm not angry'

"No, I'm not angry," he said. "Because I've got God."

The 54-year-old said he looks forward to eating fried turkey and drinking Dr Pepper. He said he also hopes to go back to school.

Friends and family surrounded him as he left the courthouse after Judge James Yancey ordered him freed. His 77-year-old mother, who is in poor health, preferred to wait for him at home. With a broad smile, he said he looks forward to spending time with her and the rest of his family.

"That's the most important thing in my life right now, besides God," he said.

Earlier, the courtroom erupted in applause after Yancey ruled.

"Mr. Bain, I'm now signing the order," Yancey said. "You're a free man. Congratulations."

Thursday's hearing was delayed 40 minutes because prosecutors were on the phone with the Florida Department of Law Enforcement. DNA tests were expedited at the department's lab and ultimately proved Bain innocent. Prosecutors filed a motion to vacate the conviction and the sentence.

"He's just not connected to this particular incident," State Attorney Jerry Hill told the judge.

Innocence Project's cause

Attorneys from the Innocence Project of Florida got involved in Bain's case earlier this year after he had filed several previous petitions asking for DNA testing, all of which were thrown out.

A judge finally ordered the tests and the results from a respected private lab in Cincinnati came in last week, setting the wheels in motion for Thursday's hearing. The Innocence Project had called for Bain's release by Christmas.

He was convicted largely on the strength of the victim's eyewitness identification, though testing available at the time did not definitively link him to the crime. The boy said his attacker had bushy sideburns and a mustache. The boy's uncle, a former assistant principal at a high school, said it sounded like Bain, a former student.

The boy picked Bain out of a photo lineup, although there are lingering questions about whether detectives steered him.

The jury rejected Bain's story that he was home watching TV with his twin sister when the crime was committed, an alibi she repeated at a news conference last week. He was 19 when he was sentenced.

Florida last year passed a law that automatically grants former inmates found innocent \$50,000 for each year they spent in prison. No legislative approval is needed. That means Bain is entitled to \$1.75 million.

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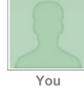
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