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Murder case: Prosecutor and defense council file motions to withdraw over petition objections Judge will consider appointment of special prosecutor as defendant awaits new council

TAYLORVILLE -Both the lead prosecutor and defense council overseeing an ongoing Christian County murder case have filed motions to withdraw.

Amanda Ade-Harlow, defense council for Donalla Hamilton, was relieved of her duties as council today after entering a motion to withdraw. Christian County State's Attorney Tom Finks has entered a separate motion to withdraw as prosecutor - a request that Judge Ronald Spears has not yet approved.

Donella Hamilton, who has been charged with three counts of first degree murder in the shooting death of Steven L. Brummett last July is currently awaiting new council.

Ade-Harlow is one of nine attorneys who filed an objection to Finks' nominating petitions last November. Finks was seeking election for circuit judge of the Fourth Judicial Circuit to fill the vacancy of Kathleen Moran before he voluntarily withdrew.

According to Judge Spears the motions to withdraw are not over a matter of conflict.

"There is no legal conflict of interest. It is just a matter of appearance and both sides want what is best for the defendant," said Spears. "Mrs. Ade-Harlow will be relieved as council and a new attorney will be appointed," ... "This will delay the trial for certain, and I cannot say for how long. It will be a matter of how quickly the new attorney can get up to speed."

Judge Spears stated that he will contact Mark Wykoff, a Springfield attorney, today about picking up Hamilton's case.

"I have not spoken with Mr. Wykoff and I do not know if he will be willing to accept this case or even if he has the time for this case," said Spears. "An attorney from out of county will be found."

As part of the motion for Ade-Harlow to withdraw, Spears also vacated today's scheduled pre-trial and the scheduled jury trial of March 8, 2010.

Spears set a first appearance date of March 12 for Hamilton and her new council.

The possibility of Finks withdrawing still exists.

"I offered to have a special prosecutor from outside of this district appointed," said Finks. "I will continue to look into whether or not that will be appropriate."

Earlier in the day, Ashley Davis, who has been charged with concealment of a homicidal death concerning the murder of Brummett, appeared for her pre-trial. According to Finks, and Davis' council Thomas Doyle, Davis is interested in accepting a plea agreement. Davis will appear in court on the morning of Thursday, February 18 to have a plea agreement presented to her.

On January 12 of this year, Brandon Allsup pled guilty to murdering Brummett and was sentenced to natural life in the Illinois Department of Corrections without the possibility of parole.