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Military records sought in murder case

Attorneys say documents may show accused man's wife filed rape charge against victim

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Attorneys for a man accused of stabbing to death a romantic rival in the parking lot of the Pana Wal-Mart in December 2006 are seeking military records they say may show the accused man's wife was assaulted by the murdered man while all of them were stationed in Germany.

Kevin M. Thornton, 25, and Sarah Thornton were a married couple from Christian County who were living on a military base in Baumholder, Germany, when Kevin was deployed to Iraq.

John A. Burkett Jr., 29, who originally was from South Carolina, was stationed at the same base.

Christian County prosecutors indicated early last year that they had obtained MySpace entries that indicated there might have been a relationship between Sarah Thornton and Burkett while the two were living in Germany.

Sarah eventually came home, and Burkett returned to South Carolina.

On Dec. 6, 2006, Kevin Thornton was allowed to come home to Pana. He and Sarah had reconciled and were visiting people on Dec. 9, 2006, when they stopped at the Wal-Mart in Pana.

When they pulled into the parking lot, they saw Burkett. He apparently also had moved to Pana, as the address authorities gave for him at the time of his death indicated.

When Thornton and Burkett saw each other, the two apparently began fighting.

Thornton allegedly stabbed Burkett. He is awaiting trial for first-degree murder.

In a court hearing in late January, transcripts show that Thornton's attorneys, Monroe McWard and Mark Wykoff, told Christian County Circuit Court Judge John Coady they believe military police records may show that Sarah Thornton had filed a rape charge against Burkett and had asked for the military equivalent of an order of protection from him.

"(The Illinois State Police report) references allegations of a rape, for lack of a better term ... that was filed against Mr. Burkett, the decedent, by Sarah Thornton while Mr. Burkett was in the military in Germany," McWard said.

"The more I try to get information from the military, the more I find out that they don't really care what I want or what we need to prepare for this trial. But there seems to be more

cooperation between the state and the police officers, law enforcement officers working on behalf of the state in the prosecution of this case.”

McWard said he would ask prosecutors to get the information for him.

However, Christian County State’s Attorney Tom Finks replied that he can’t compel the military to give him the information. Also, he said, he didn’t see that it is relevant.

“Wouldn’t it be enough that Sarah Thornton told him about these allegations, if in fact she did, for the defense to argue that in his mind was this highly volatile impassioned bit of fact?” Finks said. “Why do we need the rape charges and what the military did or didn’t do with them?”

Coady signed an order directing the military to turn over the documents.

McWard said last week he has not yet received them. The next hearing in the case is March 12.

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