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Motion to Suppress Murder Case Statements Withdrawn

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TAYLORVILLE - A scheduled three-hour hearing in a first degree murder case was adjourned minutes after it was called Wednesday afternoon.

The state had been prepared for an evidentiary hearing, setting up video equipment for Judge John Coady to view taped interviews with the defendant. Witnesses waited to be called.

However, lawyers representing 24-year-old Kevin M. Thornton, accused of a 2006 fatal stabbing in Pana Wal-Mart parking lot, withdrew the motion that had prompted the hearing.

After Coady called the case, defense attorneys Monroe McWard and Mark Wykoff withdrew their motion to suppress statements Thornton made shortly after the stabbing.

During Thornton's probable causes hearing, the state had said Thornton believed that the victim, Staff Sgt. John A. Burkett, Jr., of North Carolina, had an affair with Thornton's wife Sarah while she was living on an Army base in Germany. Thornton was serving in Iraq at the time.

When Sarah returned to Pana to visit her mother, Burkett followed and stayed with Sarah's sister and brother-in-law.

Thornton, who had communicated with Burkett via MySpace.com, returned to Pana a few days later.

On a trip to Wal-Mart, Thornton dropped his wife off at the door. While waiting, however, he saw an unfamiliar man sitting in his brother-in-law's car. Thornton rammed his rental vehicle into the other car.

Burkett ran, but Thornton overtook him, according to a witness. Both men were wounded, but Burkett died from multiple stab wounds at Pana Community Hospital.

The statements the defense had wanted suppressed were made during taped interviews by Illinois State Police Special Agent Michael Jennings, who first interviewed Thornton at the hospital. Jennings continued the interview the next day after Thornton was remanded to Christian County Correctional Center.

The defense gave no reason for its withdrawal, but retained the right to refile the motion.

During a January hearing, the defense had asked the court to intervene in obtaining military records from the Department of Defense. They alleged that Burkett had raped Sarah Thornton in Germany and they wanted a copy of the rape complaint and a no-contact order issued against Burkett. However, the Department of Defense had not responded.

Wednesday, Wykoff was ready to present Coady with a manual explaining how to expedite a military records request.

Coady responded that he will begin a new judicial appointment April 1, and Judge Ron Spears will return to preside in criminal court.

Another status hearing was set for April 1.

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