

# Mock trial helps prosecutors in love-triangle stabbing

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TAYLORVILLE — A mock trial helped Christian County authorities determine that second-degree murder was the right charge for a Pana man who stabbed another man to death at the Pana Wal-Mart in 2006.

Kevin M. Thornton, 25, pleaded guilty Tuesday to the charge. He will be sentenced Sept. 16.

Thornton admitted killing John A. Burkett Jr., 29, who originally was from South Carolina. Thornton and Burkett had been stationed at the same military base in Germany. Sarah Thornton also was in Germany with her husband.

Kevin Thornton, however, was later deployed to Iraq. Christian County prosecutors indicated early last year that they had obtained MySpace entries that indicated a relationship developed between Sarah Thornton and Burkett while Kevin Thornton was in Iraq.

Sarah Thornton eventually came back to Illinois, and Burkett returned to South Carolina.

On Dec. 6, 2006, Kevin Thornton, still in the Army, was allowed to come home to Pana. He and his wife had reconciled, and the couple stopped at the Wal-Mart in Pana on Dec. 9.

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

When Kevin Thornton and Burkett saw each other, the two began fighting, and Thornton ended up stabbing Burkett.

Tom Finks, Christian County state's attorney, said Wednesday he presented the case to a mock jury of 20 people in May, and they voted unanimously for a second-degree murder conviction.

"It was clear to the police and our office, after a full investigation, that this was not premeditated and was an emotional explosion as a result of the deceased's ongoing affair with the defendant's wife," he said.

Finks also noted Dr. Terry Killian found that Kevin Thornton suffered from post-traumatic stress disorder as a result of his time spent in Iraq.

"And the defendant's statements at the time of the events clearly indicate that he had an altered mental state," Finks said.

Attorney Mark Wykoff, who represented Thornton along with Monroe McWard, said Thornton is to be sentenced by Circuit Judge Ronald Spears. He faces anything from probation up to 20 years in prison.

Wykoff said he considered the outcome of the case to be a positive one because it was never in dispute that Thornton committed the crime — just whether it was premeditated.

"(The plea) was the result of a collective recognition that the victim in the case engaged in certain behaviors that provoked the accused to take actions, which resulted in the death of the victim," Wykoff said.

Those actions will be more clearly spelled out at the sentencing hearing, Wykoff said.

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<http://www.sj-r.com/homepage/x1346891241/Mock-trial-helps-prosecutors-in-love-triangle-stabbing>