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MURDER CHARGES DROPPED IN OCTOBER FATAL STABBING IN ELGIN SELF-DEFENSE CITED AS CASE IS DISMISSED

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Murder charges have been dismissed against an Elgin man in the October 2014 stabbing death of 21-year-old Anthony Nunez.

William Donald, 18 (d.o.b. 10-25-1996), of Elgin, had been charged with first-degree murder for stabbing Nunez to death Oct. 27, 2014.

However, after an exhaustive review of the case, Kane County State's Attorney Joe McMahon concluded that Donald was acting in self-defense when he fatally stabbed Nunez. McMahon's office today filed paperwork in Kane County Court to dismiss the charges against Donald. The request was granted by Associate Judge Clint Hull.

"We are obligated, first and foremost, to seek justice. A review of this case revealed compelling evidence that William Donald was defending himself from an attack by Anthony Nunez. Once I reached that conclusion, it was clear that we cannot in good faith proceed with this prosecution," McMahon said.

"I extend my sincerest condolences to Anthony Nunez's family. I have spoken with them about our decision, and understandably this was not welcome news to them. We took this case very seriously. A young man is dead, and we know how he died. It is not easy to walk away from such cases. But when the law is applied to the facts of this incident, the just decision is to dismiss the charges against Mr. Donald," McMahon said.

The afternoon of Oct. 27, 2014, Nunez and two friends approached Donald, who was with three friends, at Eagle/Burnridge Park in the 1800 block of Natchez Trace, Elgin. Nunez and one of those friends had threatened Donald with a knife and robbed him at the same location about a month earlier. Nunez intimidated Donald's friends into backing away, verbally confronted Donald and then physically attacked Donald. During the attack Donald pulled out a knife and stabbed Nunez multiple times. One of Nunez's friends stole Donald's backpack during the confrontation.

Nunez was taken to an Elgin hospital, where he died from the stab wounds. Donald was subsequently charged with first-degree murder.

On Dec. 12, 2014, when it became clear that Donald had a valid defense to the charges, the Kane County State's Attorney's Office agreed to a bail reduction – to \$100,000 from \$5 million. Donald posted \$10,000 bond that day and was released to electronic home monitoring. He has been free on bond and EHM since.

“As this investigation advanced, it became clear that Mr. Nunez initiated the violence, which resulted in his own death. In the state of Illinois, a person is justified in the use of force against another when and to the extent that he reasonably believes that such conduct is necessary to defend himself against such other's imminent use of unlawful force. The investigation revealed that Mr. Donald was justifiably afraid of Mr. Nunez and in fact began carrying a knife soon after Mr. Nunez and his friend robbed him a month earlier,” McMahon said.

“Senior prosecutors reviewed all of the facts from every angle in every conceivable way. We considered Mr. Donald's statements, witness statements, and the prior confrontation when Mr. Nunez robbed Mr. Donald. We had many conversations with the Elgin Police Department, and worked with them to gather facts and evidence. Elgin police worked diligently to follow up on leads and respond to our requests during this thorough, months-long investigation. I thank Chief Jeff Swoboda and his team for their hard work and commitment to justice,” McMahon said.