

Phillips pleads not guilty to prison killing

The News Tribune

A former Missouri State Penitentiary inmate on Monday pleaded not guilty to a first-degree murder charge stemming from the Oct. 22, 2003, killing of another inmate.

Shannon Phillips, 36, could be tried for the murder of Toby Viles next year, despite defense counselor Curt Winegarner's request to begin the trial in April 2006.

Cole County Prosecutor Bill Tackett said he'll seek the death penalty if Phillips is convicted.

Winegarner, an attorney for the Capital Division of the State Public Defender's Office, asked Presiding Judge Thomas Brown to consider delaying the trial until 2006 because the public defender's office is "burdened with other cases."

Winegarner also said he'd like Phillips to undergo medical and mental evaluations, adding that an 18-month discovery period is "consistent with national practice."

Brown said it would be unusual for him to set a case so far in advance. After conferring

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with Assistant Cole County Prosecutor Maureen Monaghan, who suggested an August trial, Brown said he'd like the parties to meet again Aug. 1, 2005, to discuss a possible setting.

"I'll give you time to let this case float to the top of your priority list," Brown told Winegarner, who said he's in the midst of a death-penalty case that's scheduled to be tried in April.

During a preliminary hearing last month, Phillips — in a videotaped statement played for the court — said he and fellow inmate Chris Sims decided to kill Viles as they began an escape that all three of the men planned.

Phillips said Sims actually wielded the pickax, the weapon used to kill Viles, but added, "It was my idea to kill Toby (because) I felt he would be too dangerous of a person" on the outside.

He said Viles would "hurt other people randomly."

After the murder at the MSP's

ice house, Phillips and Sims were reported missing. For four days, they hid in a hole between two walls in the building, mere feet from where the killing occurred.

Phillips, who is being held at the Potosi Correctional Center, appeared before Brown via a closed-circuit television link.