

# Arrest expected in McNamee case

By Scott Stone  
and George Houde

William Nally said he has been told by his attorney to expect to be arrested in connection with the murder of Carpentersville attorney Timothy McNamee, Nally told the *Daily Courier-News*.

But the slain attorney's law partner, Timothy Mahoney, said he believes it's unlikely Nally killed McNamee.

Nally, 42, of Elgin, has denied involvement in the murder and says he was in Tennessee when it occurred.

Nevertheless, Nally said he believes the task force investigating the McNamee case is attempting to gather evidence linking him to the murder because of his criminal background and his relationship with a divorced woman and her bitter battle for custody of her missing son.

"Fred (Morelli) told me to expect to be arrested, but that they would never get a conviction," Nally said. Morelli is Nally's attorney.

Morelli could not be reached for comment to discuss why he thinks Nally is going to be arrested.

McNamee was shot to death on the evening of June 8 outside his Carpentersville law office. Police believe a sniper waited near the driveway and shot the lawyer as he walked to his car.

While police continue to say publicly they are pursuing all leads, Nally, Mahoney and others said they believe the investigation is centering on Nally and the circumstances surrounding the child-custody case.

"I have some grave doubts (about Nally's involvement in McNamee's death) and certainly it would be very convenient for anybody to hang it on Bill Nally," Mahoney said Thursday. "If Bill Nally wanted someone, he would let you know he was doing it."

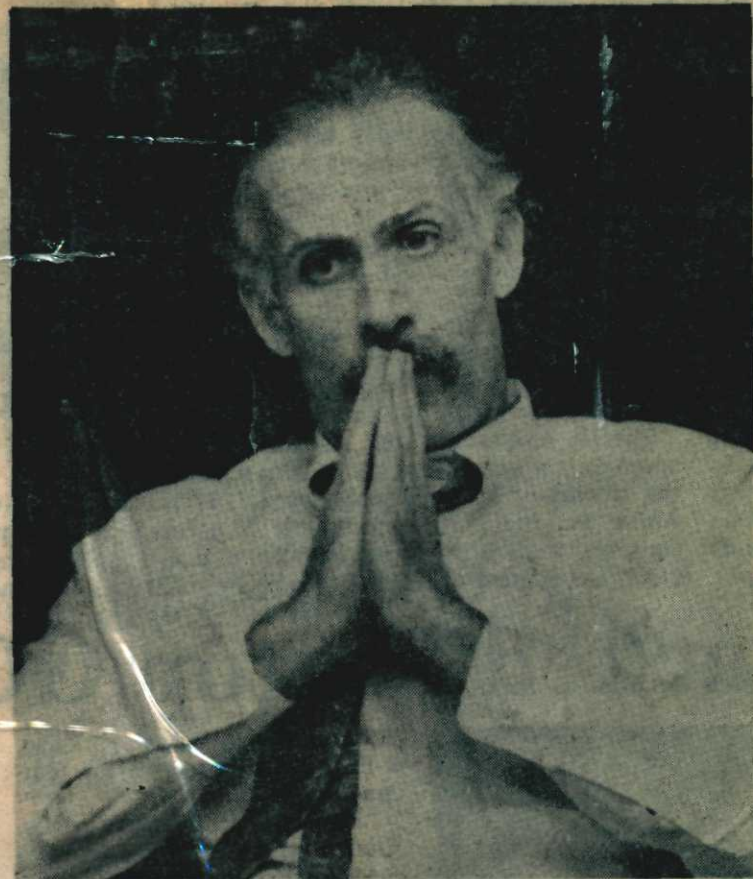
Nally is a close friend of Nadine Walter, 24, of Carpentersville. Her custody battle with her ex-husband, Rolando Rodriguez, over their 2½-year-old son has involved Nally and Mahoney.

**MAHONEY REPRESENTED Rodriguez in the custody dispute and legal proceedings alleging child abduction, burglary and battery after a 1985 incident in which Rodriguez broke into Walter's home, struck her and took the child, according to court records.**

Both Mahoney and Nally say they believe the task force has begun to focus its investigation on Nally because of the bitter custody case, and because Nally is known to authorities for prior criminal acts.

Although he refuses to name any suspects, Carpentersville Police Chief Leon Kutzke said Friday detectives working on the

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Carpentersville attorney Timothy Mahoney, above, and Elginite Bill Nally, left, have emerged as prime figures in the Tim McNamee murder case, according to some observers. Mahoney represented Rolando Rodriguez in a bitter custody dispute with Nadine Walter of Carpentersville, a friend of Nally's. While Nally has never threatened Mahoney, the attorney says, theories regarding the murder have included suggestions that Mahoney, not McNamee, might have been the intended victim.

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## McNamee murder link hampers custody case

By Scott Stone

CARPENTERSVILLE — Nadine Walter believes allegations that her child-custody battle is connected with the murder of attorney Timothy McNamee may have put a crimp in efforts to find her missing son.



Zachary

Walter, 24, of 13 Sycamore Ave., Carpentersville, has been unable to find her 2½-year-old son, Zachary, since June 7, when he was allegedly abducted by her ex-husband for the third time.

"Because of this (murder allegation) there's no way a judge is going to help me get my son back," said Walter. "This is what's threatening my case."

Both Walter, and her close friend, William Nally, have been questioned in regard to the murder but have denied any involvement.

Still, implications that the two may be connected to the murder have been damaging, they say, especially in court.

The implications were raised in court by attorney Timothy Mahoney, the slain lawyer's law partner, though Mahoney said at the time that the theory had originally come from police investigators.

Mahoney—who had represented Walter's ex-husband, Rolando Rodriguez, from 1985 until recently—first linked the two cases on July 14 before 16th Circuit Court Judge Melvin Dunn, records show.

Dunn was not available for comment Saturday, but he has in the past refused to discuss a case that is still pending.

Zachary, meanwhile, was allegedly abducted three times by his father, most recently on June 7 from a church in Claiborne County, Tennessee. The child and his grandfather were leaving a church when Rodriguez snatched the child, according to police reports.

**RODRIGUEZ, 29, HAD temporary custody of the child at the time, and was not charged with child abduction until September.** Dunn had awarded custody to Rodriguez in December 1986 because Walter had fled to Tennessee with the child and denied her husband visitation rights.

Since June, Walter has regained legal custody of Zachary, but she has been unable to find either Zachary or Rodriguez.

Walter said she took the boy to Tennessee because she feared for their safety.

Felony warrants are currently pending for the arrest of Rodriguez on child abduction charges and interstate flight to avoid prosecution.

As a result of the temporary custody order issued to Rodriguez, Walter in September filed a complaint with the Attorney Registration and Disciplinary Commission against Mahoney. Walter claims the temporary custody order was obtained wrongfully, a charge Mahoney denies.

The matter is still under review.

"That's a typical feeling in a divorce case of the party on the other side attacking the attorney and thinking he's responsible for the actions that took place," Mahoney said.

In an attempt to locate her son, Walter has enlisted the help of I-SEARCH, the Illinois State Police child recovery network. Posters throughout the area seek information on the whereabouts of the child.

Walter has also twice appeared on the "Oprah Winfrey Show," most recently last week, in which she solicited information on her missing son.

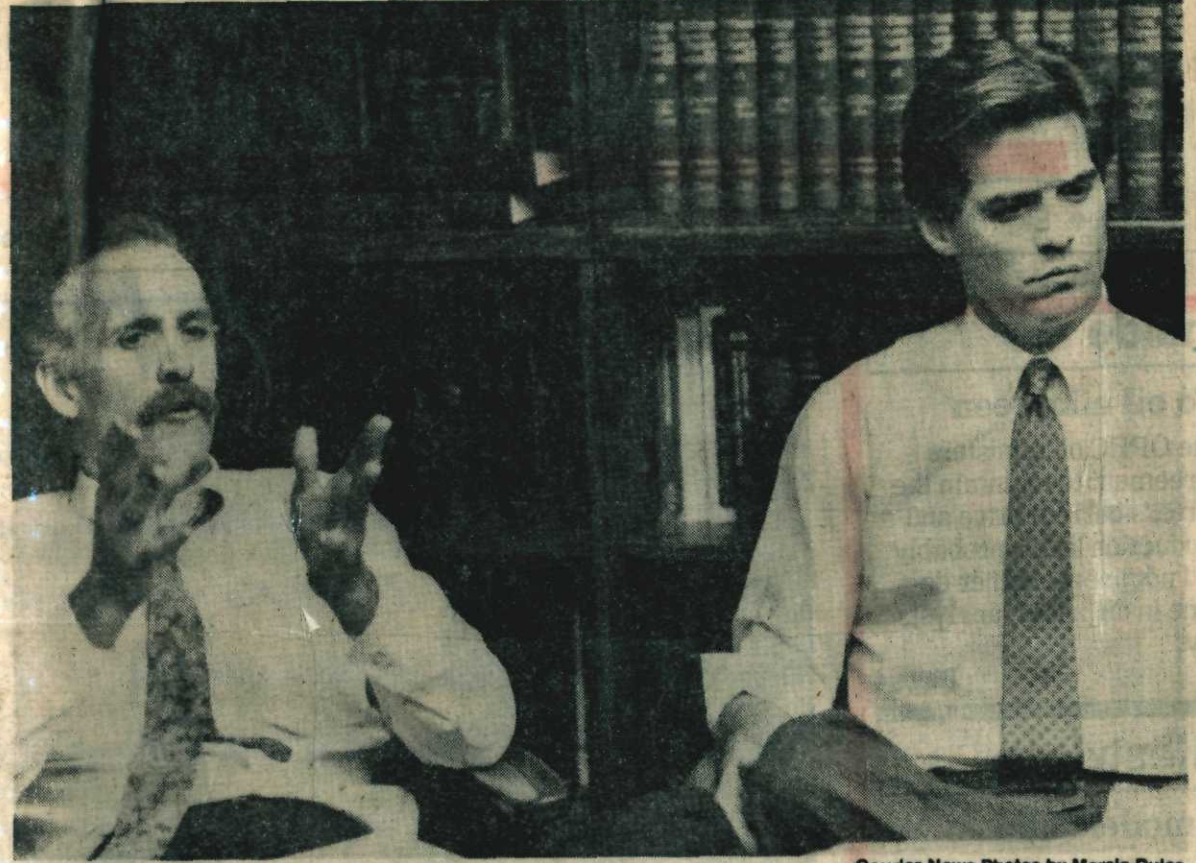
There is currently a \$5,000 reward being offered for information leading to the arrest of the father and the return of the son.

Walter says her next legal step may be to ask to have members of the task force investigating McNamee's death subpoenaed into family court. She said she wants to end the speculation that she and Nally are responsible for the McNamee killing.

"We tell people about this and they can't believe it," says Walter. "I don't believe it myself sometimes. It's like a soap opera."



The fight by Nadine Walter above, for custody of her son has been linked to the murder of Tim McNamee. Discussing the theory, at right, are Timothy Mahoney, with mustache, and Thom McNamee, Tim's twin brother.



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## Was Mahoney the real target?

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case have developed "a focus" in the investigation.

Central to the murder case would be the possibility that Mahoney was the intended victim, not McNamee.

In the custody case, which began in 1985, strong emotions have marred court proceedings.

At a December 1986 court hearing, Mahoney raised questions about the living arrangements between Nally and Walter and argued that the safety of child was in question because of Nally's "extensive criminal record."

Nally and Walter say they are only friends.

The last incident in the complicated custody dispute occurred June 7, the day before McNamee's death.

At that time, Rodriguez was entitled to temporary custody of the child, Zachary, according to court records.

Rodriguez and a friend drove to Tennessee, where Walter had taken Zachary because she said she feared her ex-husband.

Following a church service, Rodriguez snatched the child from the boy's grandfather. The grandfather reportedly sustained injuries when he was struck by Rodriguez's car, according to police reports.

**RODRIGUEZ RETURNED to Illinois the same day and visited Mahoney at the law office the night of the murder, the attorney says.**

The whereabouts of Rodriguez and his son are unknown, and warrants are currently pending for the arrest of Rodriguez in Illinois and Tennessee. Mahoney said he was told police questioned Rodriguez recently in connection with the murder investigation.

Nally and Walter blame Mahoney for the custody dispute and the prolonged legal battle with Rodriguez. And, they say, Mahoney has been responsible for linking the custody dispute to the murder, a charge he denied.

"I did not do the linking of them to the murder," said Mahoney. "The police developed independent evidence and that's why they've centered in that direction—outside of anything I did."

Nally said Monday he has been questioned by police several times in connection with the murder, at the Carpentersville police station, at the North Aurora police station and in his attorney's Aurora office.

Walter has also been questioned.

"If they thought I did it or believed I did it I think they would have already arrested me," said Nally.

Nally says he is the "fall guy" for police who have no other suspects in the case.

Mahoney and Thom McNamee, Tim's twin brother, have a similar concern.

"I think our concern is that it might be a whipping post for the police," said McNamee, who also is an attorney. "It's a nice whitewash to an otherwise inadequate investigation."

**ACCORDING TO MAHONEY, on the night of the murder, negotiations were under way with another attorney for the return of Walter's child.**

"It's important," said Mahoney. "Why would Bill Nally murder someone if there's negotiations to get the child back?"

Walter and Nally said they had no knowledge of such negotiations, however.

Police have questioned Nally about the murder weapon, an old military rifle found at the scene of the crime. Nally said police asked him if he purchased such a rifle and he told them he did not.

McNamee and Mahoney said they both believe police have not pursued other leads as diligently as they have pursued Nally as a suspect.

"I feel police should pursue any lead that comes up and if the Nallys and whoever else are part of those leads, they should be pursued," said Thom McNamee. "I don't think Tim or I really know what's the right lead or where's the right avenue. We just want to make sure all the avenues are properly pursued and that's been our contention from the beginning, that they have not been properly pursued."