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## Judge will decide if Maine toddler missing since 2011 will be declared dead

By Christopher Cousins, BDN Staff • September 21, 2017 10:00 am

Updated: September 21, 2017 6:44 pm



Troy R. Bennett | BDN

Trista Reynolds walks toward Cumberland County Probate Court in Portland on Thursday morning where a judge heard testimony as to whether her missing daughter, Ayla, should be declared legally dead. Reynolds is seeking the declaration of death in order to pursue further legal action, including a possible wrongful death lawsuit against Ayla's biological father, Justin DiPietro.

**The question of whether missing toddler Ayla Reynolds will be declared legally dead is in the hands of a probate court judge following a quick hearing on the matter Thursday in Portland.**

Ayla Reynolds disappeared from Waterville in December 2011 and hasn't been seen since. Her mother, Trista Reynolds of Scarborough, is seeking the declaration of death in order to pursue further legal action, including a possible wrongful death lawsuit against Ayla's biological father, Justin DiPietro, and possibly others. DiPietro did not attend Thursday's hearing.

Cumberland County Judge of Probate Joseph Mazziotti concluded the hearing after less than 30 minutes and is expected to issue a written decision, according to William Childs, who represents Reynolds in the case.

“We would like to find out what happened to Ayla,” Childs said outside the courthouse. “Where that leads us, we'll see.”

Maine State Police Lt. Jeffrey Love testified that investigators assume that Ayla is deceased. He said police have received more than 1,500 tips since her disappearance.

“We have not received any information, nor is there any evidence that Ayla is alive,” Love told the court.

Trista Reynolds said the same.

“Do you know where your daughter is?” Childs asked of her on the stand.

“I do not,” Reynolds said.

“Do you believe her passed?” he asked.

“I do,” Reynolds replied.

Police said in May 2012 that they didn’t expect to find Ayla alive. Her maternal family asked the courts to officially [declare Ayla deceased in May of this year](#). They said in December 2016 that the step is necessary so they can pursue civil lawsuits against the adults who were with Ayla when she disappeared.

Ayla, then 20 months old, was [reported missing](#) on Dec. 17, 2011, while she was staying in Waterville with her father, Justin DiPietro, his sister, Alisha DiPietro, and Courtney Roberts of Portland, who was Justin DiPietro’s girlfriend.

DiPietro told investigators his daughter must have wandered away from the house on her own or was abducted during the night, but the Maine State Police later said they had ruled out that story and that [the girl’s disappearance was the result of foul play](#). They further said the adults in the home were withholding information, and in January 2012 revealed they found Ayla’s blood in the basement of the DiPietro home.

The search for Ayla or her remains ballooned into the largest investigation in Maine history and for months garnered [intense national attention](#). Police searched woods and waterways in the Waterville area multiple times and made several public requests for tips.

More than 100 tips were called into a hotline within 24 hours after a group of Waterville businesses [offered a \\$30,000 reward](#) for information leading to Ayla's discovery. No one has ever been charged in connection with Ayla's disappearance.

DiPietro, who according to court documents now lives in California, and Ayla's mother, Reynolds, [attended some events and vigils for Ayla](#) early in the investigation, but DiPietro has since stopped appearing.

Reynolds has continued her public pleas for information regarding her daughter. [She publicly confronted DiPietro in September 2013](#) when he appeared in court for an [unrelated assault charge](#), which was dismissed.

In an emotional interview with the Bangor Daily News in 2012, [Reynolds described her daughter](#) as someone who was the center of attention in any room and who could walk when she was just 11 months old. Ayla, whose name means "forever flower," had a Tinkerbell-themed nursery and woke everyone up by 6 a.m. jumping in her crib and calling for her mother.

"I used to tell her she was going to be mommy's star, but this isn't how I wanted her to become a star," Reynolds said at the time.

Maine Department of Public Safety spokesman Stephen McCausland said the latest court proceedings do not affect the investigation.

"The probate proceedings have no bearing on the criminal investigation, which remains open and active," he said in a written statement to the Bangor Daily News.

Trista Reynolds did not address reporters after the court hearing, but her stepfather, Jeff Hanson, provided a statement on behalf of the family.

“Unfortunately for Trista, in her heart of hearts, her baby Ayla dies every day,” Hanson said. “[Thursday] is another day in justice for us and in justice for Ayla.”

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