

National

Maine judge to weigh death declaration for missing toddler

By Associated Press September 21 at 2:11 PM

PORTLAND, Maine — Authorities have uncovered no evidence that toddler Ayla Reynolds is still alive despite the more than 1,000 leads they've received since her 2011 disappearance, state police said Thursday.

Ayla's mother, Trista Reynolds, asked at a court hearing in Portland that her daughter be declared dead. She testified Thursday alongside a state police lieutenant.

A declaration would allow a wrongful-death lawsuit against Ayla's father, Justin DiPietro, to proceed. The 20-month-old was staying with DiPietro in Waterville when she disappeared in December 2011, triggering a massive search.

William Childs, an attorney representing Trista Reynolds, said the matter is now in the hands of Joseph Mazziotti, a Cumberland County probate judge. It's unclear when Mazziotti will make a decision, Childs said.

The father told police he believes his daughter was abducted, and his family has maintained that belief. But investigators who found blood in the father's basement bedroom believe Ayla was killed. State police have also said adults in the home were withholding information.



FILE - In a Sept. 17, 2013 file photo, Trista Reynolds holds a photo of her daughter, Ayla Reynolds, during an interview with the Associated Press in Westbrook, Maine. Trista Reynolds asked in a probate court hearing Thursday, Sept. 21, 2017, in Portland, Maine, that her daughter Ayla be declared dead more than five years after her disappearance, so she can file a wrongful death lawsuit against the toddler's father. (Clarke Canfield, File/Associated Press)

No one has been charged with a crime.

"We would like to find out what happened to Ayla, and where that leads us we'll see," Childs said. If the judge approves the death declaration, Childs said, he plans to launch a wrongful-death suit against DiPietro and potentially other individuals.

DiPietro didn't attend Thursday's hearing, Childs said. Cumberland County probate court records show that DiPietro's last known residence is in California and that he was notified of the hearing earlier this year.

Childs said he's taken the depositions of DiPietro's sister, Elisha DiPietro, and DiPietro's girlfriend, Courtney Roberts. The attorney said he also plans to take Justin DiPietro's deposition.

Childs said the depositions provided new information about the case, but he declined to provide specific details. When asked whether he must

share potential evidence with investigators, Childs said: “I wouldn’t say that I’m required to share it with them, but I’m definitely not going to impede their investigation.”

Reynolds has denied the DiPietro family’s accusations that she was involved in her daughter’s disappearance, Childs said.

Childs said Reynolds did “very well” on a polygraph examination months ago. He said he plans to release those results but didn’t provide a timeframe.

State police Lt. Jeff Love said the missing-person’s case remains open and active.

Ayla’s disappearance evolved into the largest criminal investigation in Maine history.

“Somehow, someday, this case comes into our work on a daily basis,” Love said.

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