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Mother of Ayla Reynolds sues father of missing toddler

Ayla Reynolds disappeared seven years ago while in her father's care in Waterville, and is presumed to have died.

BY **MEGAN GRAY** STAFF WRITER



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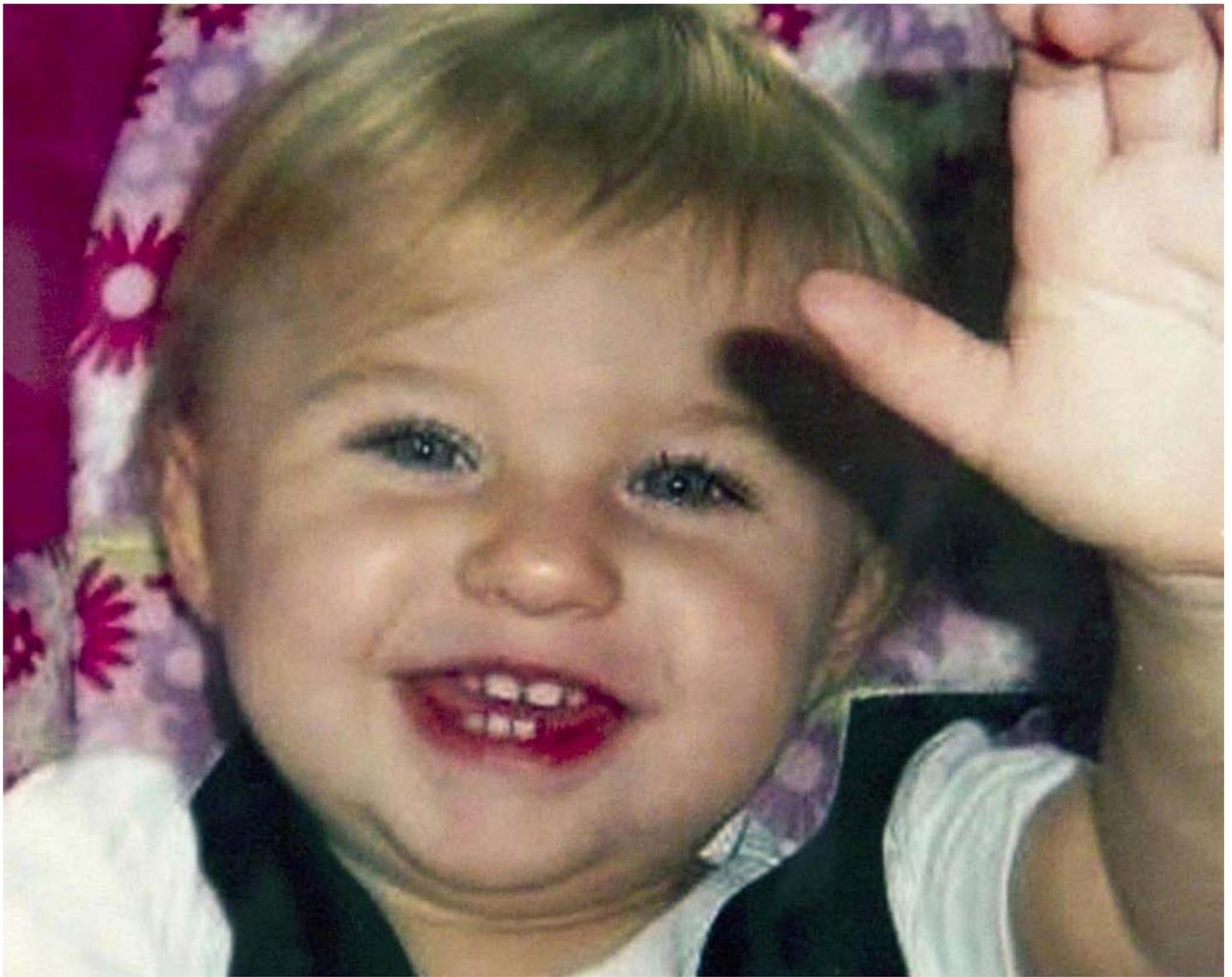




Trista Reynolds and her attorney William Childs hold a press conference on Monday, Dec. 17, 2018 to announce a civil lawsuit that accuses Justin DiPietro of causing the death of Reynold's daughter Ayla seven years ago. *Staff photo by Derek Davis/Staff Photographer*

Trista Reynolds' voice shook as she made a plea to the father of her missing toddler Monday outside the Cumberland County Courthouse in Portland.

“I wonder if this is haunting you, Justin,” Reynolds said. “I wonder if our daughter haunts your dreams or if you see her blue eyes when you close your eyes at night.”



Contributed photo of Ayla Reynolds

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Reynolds was speaking to Justin DiPietro, who was caring for their daughter when the girl disappeared in 2011. Reynolds had just filed a wrongful death lawsuit that accuses DiPietro of causing Ayla Reynolds' death. She then addressed the media with her attorney, William Childs.

DiPietro's whereabouts are now unknown, and Childs said he has not yet been successful in trying to serve the girl's father with the lawsuit. Reynolds has frequently spoken to reporters over the years while holding a photo of her missing daughter. But on Monday, she instead held a

photo of Justin DiPietro in hopes that it might help to locate him and force him to answer the lawsuit.

“Justin, I promise you, wherever you are, one day you will have to face me and tell me the truth, what really happened to Ayla that night,” Reynolds, now 30, said. “You can’t hide from this forever.”

Monday was the seventh anniversary of the day DiPietro called the police to report his daughter missing in 2011. The case drew national attention and sparked the largest and most costly police investigation in state history.

Ayla disappeared from her paternal grandmother’s home at 29 Violette Ave. in Waterville and has never been found. No charges have ever been filed in the disappearance, although authorities have said DiPietro hasn’t told them all that he knows. DiPietro has maintained that someone must have abducted Ayla during the night, but police say there’s no evidence to support that claim.

Police say they believe Ayla, who was 20 months old when she disappeared and who now would be 8 years old, met with foul play.

A judge last year [officially declared Ayla to be dead](#), paving the way for a wrongful death suit to be filed against those believed to be responsible. The time for filing that suit, however, had not yet been discussed — until now. The complaint only names Justin DiPietro as a defendant, but Childs said he would also like to depose other people who knew the family or were in the house the night before her father reported Ayla missing. His mother, Phoebe DiPietro, was not in her house the night before Ayla was reported missing. But the lawsuit states that at least her daughter, Elisha DiPietro, and Justin DiPietro’s then-girlfriend Courtney Roberts, were there.

A plaintiff in a civil case has to meet a lower burden of proof than a prosecutor in a criminal case. Proof in a lawsuit is by a preponderance of the evidence, while the standard in a criminal case is proof beyond a reasonable doubt. The penalty is monetary, and the suit does seek damages. But Childs said it is primarily intended to answer questions about what happened to Ayla and, if possible, to recover her remains.

“Justice will be finding out where Ayla was killed, how she was killed and why she was killed,” Childs said.

Ayla’s father was watching her the week she disappeared because Reynolds was in rehabilitation and her sister was caring for Ayla. The DiPietros had enlisted the state Department of Health and Human Services to help take Ayla and her father gained custody in October 2011. The documents filed in connection with the case include a police report from when DiPietro asked a Lewiston police officer to accompany him to take Ayla from her aunt’s apartment.

The officer described the toddler’s reaction that day.

“I noted that upon seeing her father, Ayla immediately broke down crying and attempted to flee through the kitchen,” the officer wrote.

The filing also included a report about Ayla breaking a bone in her upper arm in November 2011 and the report from a polygraph test Reynolds took last year. The complaint mentions the blood discovered in the house and on DiPietro’s truck that was confirmed to be Ayla’s. It did not outline any new theories about what happened to the girl.

Lt. Jeffrey Love, who is in charge of the Maine State Police Unsolved Homicide Unit and oversees the Ayla investigation, said police remain dedicated to solving the case.

In the [years since Ayla’s disappearance](#), DiPietro moved away from Maine and stopped talking to the media about the case.



Trista Reynolds and her attorney William Childs hold a press conference on Monday, Dec. 17, 2018 to announce a civil lawsuit that accuses Justin DiPietro of causing the death of Reynold’s daughter Ayla seven years ago. *Staff photo by Derek Davis/Staff Photographer*

A letter a Morning Sentinel reporter sent to DiPietro's home through the U.S. Postal Service last year in Winnetka, California, seeking comment did not draw a response.

Additional attempts to reach him on Monday also were unsuccessful.

Facebook messages sent last week to Roberts and Elisha DiPietro were not returned. Phoebe DiPietro has no telephone number listed in the Waterville area.

Childs, of the Portland law firm Childs, Rundlett & Altshuler, said an official tried recently to serve DiPietro with a summons on the complaint for wrongful death at his last known address in Winnetka, California. But that official was told by a tenant that DiPietro no longer lived there and that he moved in July 2018.

The process server official, Nelson Tucker, conducted an extensive search to locate his whereabouts in Los Angeles County, including in Compton, California, and elsewhere, but was unsuccessful, according to Nelson's sworn statement, dated Dec. 5.

Childs said he also sent the complaint and summons to the Kennebec County Sheriff's Office to try to serve DiPietro at his mother's house on Violette Avenue in Waterville.

"We're asking for your help in finding Justin DiPietro," Childs said.

Jeff Hanson, who is Reynold's stepfather, spoke at the news conference to announce [a new GoFundMe.com campaign](#) to raise money for the discovery process in the lawsuit. Childs is representing the family pro bono, but the family wants to hire experts on blood spatter and body language, criminologists, polygraphers and others to work on the case. On Monday afternoon, it had raised more than \$1,000 of its \$25,000 goal.

Reynolds said she wonders every day what happened to her daughter and where her body is now.

"The final question I ask myself every day is, did Ayla cry out for me?" Reynolds said. "Did she wonder where I was, knowing I should have been there to protect her and save her?"

Reynolds ignored the wet snowflakes that were collecting in her hair and on her jacket. Her fingers and voice shook as she read haltingly from her prepared statement. She vowed to continue the case until she could answer those questions.

"I'll live inside a courtroom 'til the day I get my justice for her," Reynolds said.

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