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Lawyer for Ayla's father: DiPietro 'had nothing to do' with death

The lawyer for Ayla Reynolds' mother, Trista Reynolds, filed a summons and complaint for wrongful death in the child's disappearance in 2011.

BY **AMY CALDER** MORNING SENTINEL



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Justin DiPietro has emerged from behind the scenes to face a civil suit over the death of his daughter, Ayla Reynolds, with his lawyer saying Wednesday that DiPietro had nothing to do with the toddler's disappearance from his Waterville home in 2011 and does not know what happened to her.

The wrongful-death suit filed on behalf of Ayla's mother, Trista Reynolds, contends DiPietro should be held responsible for their daughter's death. No one ever was charged criminally in the case, but police have said all along that the people staying in the Violette Avenue house the night Ayla disappeared — including DiPietro — know more about her disappearance than they have said.

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Portland attorney Michael J. Waxman said Wednesday that he will be filing an answer on DiPietro's behalf, probably by the end of this week, to Trista Reynolds' wrongful death lawsuit against him. William Childs, the attorney for Trista Reynolds, has spent months seeking out DiPietro's whereabouts to serve him with notice of the civil action.

"He had nothing to do with her disappearance or death," Waxman said Wednesday.

Childs [recently served DiPietro](#) a summons and complaint for wrongful death through publication in Maine and California newspapers after exhaustive attempts to serve him in person and by mail failed because his exact whereabouts were unknown.

Childs, who also practices in Portland, filed that proof of publication Tuesday in Cumberland County Superior Court, detailing multiple attempts to serve DiPietro notice of the lawsuit.

Waxman said in a phone interview Wednesday morning that there have been media reports that DiPietro, who lives in Los Angeles County, California, was uncooperative in the case, but that is not true.

"He's given many hours of statements to police," Waxman said. "He did cooperate. His story has been consistent throughout. He had nothing to do with her disappearance. He, obviously, struggles with this every single day, as every parent of a child that has been harmed or disappears would naturally feel."

Asked what DiPietro does for work in California, Waxman declined to say except that "He is working. He's gainfully employed."



Justin DiPietro, left, and Ayla Reynolds, right

A call placed to Childs on Wednesday for additional comment was not returned immediately.

Steve McCausland, spokesman for Maine State Police, emailed a statement to the Morning Sentinel on Wednesday about the new developments in the case, which [in 2011 drew national attention and launched the largest and most costly police investigation in state history](#).

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“We are pleased that Justin has come forward and we will continue to monitor the civil process as it proceeds in the court,” McCausland said. “We still contend that the adults in the home the night Ayla disappeared know more than they have told us.”

The last time Justin DiPietro spoke publicly about the case was when he gave comments to a reporter from the television show “Crime Watch Daily” near his home in California. In the show, aired Dec. 18, 2018, DiPietro says he believes someone broke into the Waterville home and took Ayla. Prior to that, DiPietro spent years out of the public eye and has not commented directly on the civil action against him.

[Ayla was 20 months old](#) when she disappeared from Phoebe DiPietro’s house at 29 Violette Ave. in Waterville, where the child had been staying with Justin DiPietro, Phoebe’s son. He reported Ayla missing the morning of Dec. 17, 2011, and has claimed she was abducted.

Justin DiPietro, his sister Elisha DiPietro, and Justin’s then-girlfriend, Courtney Roberts, were in the house that night. Phoebe DiPietro, Justin’s mother, was elsewhere.

Police believe Ayla is dead, and [a judge in 2017 declared her so](#), paving the way for Trista Reynolds to file the wrongful-death civil lawsuit in December 2018.

Childs was required to file newspaper legal notices with the court to prove that the summons and complaint had been published.



In the next step in the civil case, the court will issue a scheduling order to include a discovery phase, where witnesses would be deposed, or interviewed under oath. Lawyers for both sides will present facts in the case and will be given deadlines to file motions and prepare for trial. The discovery phase can take several months to a year.

Childs' legal notices serving DiPietro the summons and complaint for wrongful death in Ayla's disappearance by publication were published April 2, 9, and 16 in the Morning Sentinel, as well as April 3, 10, and 17 in the Metropolitan News-Enterprise, in Los Angeles.

Justin DiPietro's last known address was in Winnetka, California, a neighborhood of Los Angeles, where a copy of the summons was mailed and another one delivered. It also was sent to the home of his mother, Phoebe DiPietro, on Violette Avenue in Waterville.

The newspaper legal notice is a Cumberland County Superior Court order that required DiPietro to file an answer with the court within 41 days after publication in the newspaper.

A Cumberland County Superior Court justice recently approved a request by Childs and Trista Reynolds for 60 more days in which to serve DiPietro with the wrongful death suit.

Childs on March 13 [filed court documents](#) outlining his efforts to locate Justin DiPietro, including using private detectives in both Maine and California and searching government records and electronic databases.

Childs' court documents included private investigator affidavits and an affidavit by a Kennebec County sheriff's deputy, Allen Wood, who said he tried to serve Justin DiPietro at 29 Violette Ave. in Waterville but was told by DiPietro's mother that he does not live there and has not lived there for two years.

Nelson Tucker, a server in California, went to Justin DiPietro's last known address in Winnetka but was told he had moved out last July. Kevin Cady, a licensed private investigator in Maine, said he could not find a more current address for Justin DiPietro, though he searched social media, criminal records, driver's license and vehicle information, property deeds, hunting and weapons permits and more. Tucker also searched social media, online telephone directories, a

California criminal index, medical facilities, post office records and other documents.

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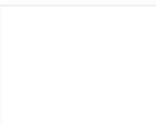
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