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Lawyer for father of missing Waterville toddler Ayla Reynolds says client 'had nothing to do' with case

The lawyer for Ayla's mother, Trista Reynolds, filed wrongful death lawsuit against Justin DiPietro in connection the child's disappearance in 2011.

BY [AMY CALDER](#) MORNING SENTINEL



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The father of missing toddler Ayla Reynolds has emerged from behind the scenes through an attorney who says Justin DiPietro had nothing to do with her death and has no personal knowledge of what happened to her.

Michael J. Waxman, of Portland, said he will be filing an answer on DiPietro's behalf, probably by the end of the week, to Reynolds' mother's wrongful death suit against him.

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



Justin DiPietro, left, and Ayla Reynolds, right

William Childs, the attorney for Ayla's mother, Trista Reynolds, [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 whereabouts were unknown.

Childs, also of Portland, filed that proof of publication Tuesday in Cumberland County Superior Court.

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 and that is not true. DiPietro, he said, has cooperated fully in the case.

"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 said, "He is working — he's gainfully employed," though he did not say what his job is.

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

[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.

But police say they believe Ayla is dead, and a judge in 2017 declared her so, paving the way for Trista Reynolds to file the wrongful death suit, a civil suit, in December 2018.

No one has been charged in the case, though police have said all along that the people staying in the Waterville house the night Ayla disappeared know more about her disappearance than they are saying.

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

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 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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