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SAN BERNARDINO, Calif., Nov. 22 (AP)—Last March, a San Bernardino woman and her former husband were convicted of murdering their 3-year-old daughter in 1965.

In April, Judge Thomas M. Haldorsen set aside that conviction and ordered a new trial.

And yesterday, Merla Walpole, 35, and Antonio Rivera, 38, stood again in court. They heard the charges against them dismissed, and made plans for a Christmas visit from a San Francisco teen-ager who they, their attorneys, and a district attorney's investigator are convinced is the daughter they were accused of killing.

Throughout their trial, Mr. Rivera and Mrs. Walpole, who remarried after a divorce from

Mr. Rivera, insisted that they had abandoned their daughter Judy in a San Francisco gasoline station because she was seriously ill, they were desperately poor, and they believed Judy's only chance for life was to be found and cared for by someone else.

But in 1973, eight years after Judy's disappearance, bones of a girl were found in a crude grave about 10 miles from where the couple lived in 1965. And last March, Mr. Rivera and Mrs. Walpole were brought to trial and convicted by a San Bernardino jury.

Among the defense exhibits at the trial was an article in The San Francisco Chronicle about a 3-year-old girl found abandoned in a San Francisco gasoline station on Jan. 16,

1965, the time Mr. Rivera and Mrs. Walpole testified they had abandoned their daughter.

Judge Haldorsen, who presided over the Superior Court trial, set aside the verdict on a technicality and ordered a new trial and further investigation, but the murder charges still stood against Judy's parent's.

Timothy Martin, an investigator for the San Bernardino County district attorney's office, took up the search for the missing child, who had been given the name "Judy Gasse" because she was found in a gasoline station.

Mr. Martin found Judy last month, living near San Francisco with the woman who adopted her after the child had spent two years in a San Francisco hospital.