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## Maglione acquitted of sex assault charges

*By Paul Mickle, The Trentonian*

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TRENTON — A jury Thursday cleared computer tech Darren Maglione of charges he allegedly sexually assaulted his 12-year-old babysitter during the summer of 2009 at his Robbinsville home.

Maglione and his lawyer, Robin Lord, wept softly as the jury foreman announced the string not guilty verdicts, then told the judge they were hung on a lesser molestation charge.

“For five years all I’ve ever wanted was the truth,” Maglione, 43, said in thanking Lord for helping him repudiate the story of the girl who testified to thinking they were in love, having sex with him and never telling any friend or her dairy about it and speaking against him almost a year later when she heard he still loved his wife.

“All of this was the result of sloppy police work by West Windsor and Robbinsville and all the rest of them,” the free man’s father, Andre Maglione, said loudly in the courthouse halls after the verdict came in.

“If they had only investigated a little bit they would have seen this wasn’t true.”

As came out in testimony, police did start investigating on Nov. 11, 2009, when an off-duty Mercer County sheriff’s officer out fishing

saw “Mags” and the frail blond child walk into the woods off a trail in Mercer County Park. West Windsor cops were called and found the pair on a blanket.

All kinds of accusation were made at the time, including one about sex that the girl responded to by saying “Eww, no.” The girl, now 16, admitted under cross examination that she was angry to hear Maglione say he still loved his wife after she had kept quiet for almost a year about their affair and that she spoke out against him only after that.

On the stand at trial, she made more shocking charges about their alleged intimacy.

But the jurors, who listened to more than a week of testimony before Mercer Superior Court Judge Andrew Smithson, decided the 21 points of doubt raised by Lord in her closing had merit enough to clear the computer contractor, a father of two still facing a custody battle with his wife.

The victim showed with her mother for the closing arguments earlier this week, but they were not present Thursday for the verdict. However, the neighbor who recorded Maglione professing love for his wife and played it for the child did show for the verdicts and shook her head in disagreement.

After the verdict came in, Smithson set up a hearing for Tuesday to see if Assistant Mercer Prosecutor Jennifer Downing wants to press the remaining charge against Maglione, a third-degree improper touching allegation.

After court, Maglione thanked Lord profusely, saying she saved his life and family and house and has given him a fighting chance in the pending custody fight for his 9-year-old son and 5-year-old

daughter.