

Young graduate remains in foster home

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SANTA CRUZ — Legal actions against the father of 12-year-old college graduate Adragon De Mello will fall apart when accusations against him are tested in Superior Court Nov. 10, his attorney predicted Friday.

"There are many false and sensational allegations against (Agustin) De Mello," said attorney Paul Meltzer. "When you remove those false allegations, what you have left is a value judgment" over the way to raise a child.

Meltzer made his comments Friday in front of Juvenile Hall after a hearing in which social workers, and attorneys for the boy, his mother and his father were unable to agree on a proposed temporary custody arrangement.

Adragon currently lives in a foster home under the protection of county Child Protective Services. He will remain there until a hearing in Superior Court Nov. 10, attorneys said.

Decisions on whether Adragon should be a ward of the court and where he should live temporarily "could only have been settled today if all parties agreed to the recommendation" on custody, said Patricia Vorreiter, an attorney for Adragon's mother, 36-year-old Cathy Gunn.

Attorneys in the case said they were forbidden to describe the recommendation made by juvenile authorities.

The boy is comfortable and happy with his foster family, which includes children close to his age, said Gunn and Gordon Salisbury, an attorney appointed by the courts to represent Adragon.

Juvenile authorities must decide whether the boy should remain in protective custody pending settlement of two separate legal actions.

Gunn has lodged a civil lawsuit seeking custody of her son on the grounds that Agustin De Mello, 58, is an unfit father. Gunn and De Mello were never married. She has said she fled the family home about

two years ago because De Mello was violent and she feared he would harm her or their son.

Meanwhile, Santa Cruz Police and the District Attorney's Office are conducting a separate criminal investigation of De Mello on suspicion of felony child endangerment.

Adragon has been in the foster home since he was taken from his father's West Cliff Drive home Sept. 19. On that date, police raided the home with a search warrant, looking for weapons and other evidence of suspected child endangerment. Officers reportedly found 10 weapons, some loaded, and suitcases of ammunition.

De Mello was arrested and booked into County Jail Sept. 20 on suspicion of felony child endangerment. He was freed after family friend Paul Lee put up \$5,000 bail.

The District Attorney's office has not yet decided whether to file formal a criminal charge against De Mello. His arraignment is set for Thursday, if the charge is filed.

Meltzer said he doubts the district attorney will find grounds to file the child endangerment charge this week. "I think consideration is going to result in no filing" because the facts in the case against De

Mello fall flat, he said.

Meltzer said De Mello exercised his right as a parent to do what he thought was best for his son, which was to "emphasize academics," and to enter the boy in college and graduate school.

Adragon entered Cabrillo College at age 8, and went on to UC Santa Cruz at age 10. He earned a UCSC bachelor's degree in math in June, at age 11, completing nearly two years' worth of course work in one year by taking almost double the course load normally carried by adult students, according to police reports.

Police and district attorney's investigators are studying his college records to determine whether the father pushed the boy too hard or pressured instructors to give Adragon passing marks.

Meltzer, who spoke to reporters while De Mello stood silently beside him, said De Mello would have been "hailed" if Adragon had been a promising young athlete who was shepherded toward training for the Olympics, or a promising young actor, like Brooke Shields, who was aimed toward Hollywood at a young age by her "stage mother," Meltzer said.