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Teen's mysterious death takes disturbing twist as axe with 'red marks' goes missing from scene and sick texts emerge

- *If you or someone you know is experiencing suicidal thoughts or actions, please call the National Suicide Hotline at 988*

By [Emma Richter For Dailymail.Com](#)

[New Jersey](#) teenager Tiffany Valiante was on the brink of an exciting new chapter as a college freshman with a starting spot on the volleyball team.

But she never got the chance to set foot on the court after her life was brutally cut short under mysterious circumstances, according to her family.

Valiante, an 18-year-old from Mays Landing - about 25 minutes from Atlantic City - vanished on the evening of July 12, 2015, after attending a graduation party with her family.

Her parents, Diane and Stephen Valiante, along with other loved ones, searched the streets for her, soon finding out the unimaginable: she was struck and killed by an NJ Transit train going approximately 80 miles per hour just four miles from her home.

To this day, the NJ Transit Police stands by its determination made just 12 hours after she died: that Valiante - whose bone-chilling case was featured on an episode of [Netflix's](#) Unsolved Mysteries series - threw herself in front of the train that night.

The agency labeled the investigation 'exceptionally closed', but her parents and their legal team told the Daily Mail they believe Valiante did not die by suicide.

They firmly believe their loving daughter was the victim of a 'hate crime' and was attacked for being lesbian, [a new lawsuit](#) reviewed by the Daily Mail revealed.

Several of the questions which have yet to be answered by officials plague the family, including the discovery of a red-marked axe near the site, which mysteriously vanished when it was requested for DNA testing, per the filing.



Tiffany Valiante (pictured), a confident and 'bright' 18-year-old woman from Mays Landing, New Jersey - about 25 minutes from Atlantic City - vanished on the evening of July 12, 2015, after attending a graduation party with her family



Her parents, Diane and Stephen Valiante (pictured with their late daughter), along with other loved ones, scoured the streets in search of her, soon finding out the unimaginable - she was struck and killed by an NJ Transit train

Here, Daily Mail examines each of the family's concerns, including ones they say point toward alleged dubious decisions by the authorities, who have repeatedly refused to respond to requests for clarity.

Were some pieces of 'possible evidence' misplaced and contaminated?

Dr Julie Heinig, a top DNA expert working on the case for the family, requested to review specific items, including an axe that was found at the site, the lawsuit states.

However, she found that several of the requested pieces, including the axe, were either 'lost' or contaminated, per the filing.

Specifically, Heinig wanted to test red markings on the blade of the axe that she thought could either be rust or blood.

The late teen's parents also wanted other items to be tested for DNA, but Heinig soon realized that was not possible because the bags were 'contaminated with mold', the lawsuit said.

'It is Law Enforcement 101 that evidence must be maintained in paper bags to prevent mold contamination,' the complaint continued.

The family decided to go forward with their own testing despite the issue, but nothing turned up, said their attorney, Paul D'Amato.



The agency labeled the investigation 'exceptionally closed', but her parents and their legal team told the Daily Mail they believe Valiante did not die by suicide at mile marker 45. (Pictured: The site where she was hit on the train tracks)



An axe (pictured) that was found near the site that night was said to be collected as evidence by police, but it was later 'lost'



She was last seen in outdoor footage leaving her family's driveway around 9:28pm that day, wearing a T-shirt, shorts, shoes and a headband

What about an expert's conclusion the death 'warrants further investigation'?

Louise Houseman, a retired senior medical investigator for the Atlantic County Medical Examiner Office, issued a report after Valiante died stating that her death 'warrants further investigation', per the lawsuit.

She contacted D'Amato after hearing about the teen's death and 'offered to assist the family pro bono', he told the Daily Mail.

Houseman said it is her 'professional opinion' that 'the medical examiner will find it extremely difficult to believe' the teen, who had a 'deep-seated fear of the dark' would 'willingly' walk in the pitch black.

'Death by train is an extremely unusual method of suicide to be contemplated by anyone, especially a female teenager with no history of emotional instability,' the expert said in her report, which was included in the filing.

'Tiffany's skull was crushed and fragmented. Her brain was obliterated. These conditions obscured evidence of a possible antemortem injury, such as from a gunshot wound,' Houseman added.

In the end, Houseman said, 'It cannot be ruled out that Tiffany was driven... to the location of the impact. Moreover, it cannot be ruled out that she was assaulted at a different location and placed on the tracks to hide evidence of the crime.'

She added, 'It is my professional opinion that the death of Tiffany Valiante warrants further investigation and that the manner of death should be amended by the medical examiner's office from suicide to undetermined.'

Mother weeps as family challenges daughter's death ruling



The day after her unexpected death, Valiante had plans to go to the Garden State's famous amusement park Six Flags Great Adventure, her parents recalled
What about the engineer's 'contradicting accounts'?

After Valiante was struck, a senior and a student engineer told police they 'first observed' someone when the train was 'right on top of the trespasser', per the lawsuit.

Then, ten days later, 'the senior engineer was interviewed under oath, recanted his prior statement, and admitted that he did not see anything because his back was to the trainee student engineer', the filing said.

The junior engineer, then 28, testified under oath 'that he saw something as the train was approaching the point of impact when the train was half a mile to a quarter mile away', the complaint read.

His second 'statement directly contradicted' what he originally said the night she was hit, it added.



'Steve and Diane spent almost \$10,000 of their own money to have certain pieces of evidence tested against the DNA card taken from Tiffany's body,' Paul D'Amato (middle), their attorney, told the Daily Mail



She had just graduated from Oakcrest High School that year and was set to attend Mercy College in the fall on a volleyball scholarship

Was a rape kit or DNA testing carried out?

For years, the late teen's family has been left mystified that police did not conduct a rape kit on her, the lawsuit states.

Additionally, it says an 'examination of any of the victim's organs' was not done.

Her body could not be re-examined because she was cremated five days after her death.

According to the lawsuit, police 'did not request that Tiffany's parents preserve her body/delay cremation for further testing'.

Despite that, her parents continued to fight for any clues that might point to what happened to their daughter that night - they have spent nearly \$10,000 doing so, D'Amato said.

Only a toxicology report was run, which found she did not have any 'illicit or illegal drugs or alcohol' in her system at the time of her death, the lawsuit stated.



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According to the recently filed lawsuit, Valiante received a string of harsh messages pointed at her sexuality from people she knew before she died



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On May 21, 2015 - about two months before she died - an unnamed female she knew, texted Valiante: 'What's your problem with me? Think I'm scum? I'll show you scum sweetie don't worry. Seeya d***'

Why were potentially key items recovered by family instead of police?

Weeks later, Valiante's mother found the shoes her daughter was wearing that night while she walked in search of any signs connected to her death.

The lawsuit stated that police never reported that her 'slip-on canvas shoes were not found at the train impact area'.

'I was only like 15-20 minutes into the walk, it's not something I expected to find,' the grieving mother told the Daily Mail.

After phoning her family about her shocking discovery, Diane said emergency personnel, including NJ Transit Police, showed up.

The shoes were then turned over to the agency and never seen or heard about again, Diane said. To this day, only Valiante's headband, shoes, shirt and bracelet were located.

Days after she died, Valiante's uncle and cousin decided to search the railroad area themselves where they found remnants of her skull with her hair still attached, a piece of her jaw bone with teeth and a bracelet that she was wearing at the time.



Diane even found the shoes her daughter was wearing (pictured) that dreadful night while she walked in search of any signs connected to her death weeks later



Valiante's white headband is seen in a pile of leaves after her death

What about the hateful messages Tiffany received?

According to the recently filed lawsuit, Valiante received a string of harsh messages pointed at her sexuality.

On May 21, 2015 - about two months before she died - an unnamed female she knew texted Valiante: 'What's your problem with me? Think I'm scum? I'll show you scum sweetie don't worry. Seeya d***', the lawsuit revealed.

On a page titled 'lesbians do it better,' there were several statements made by unknown users about Valiante, the exhibit showed.

'Can I even call you lesbian. You steady f***ing dudes #youarescum,' one wrote.

'When are you gonna realize you a [sic] disgrace to the lesbian race,' another said. Valiante came out to her parents months before her death. She had a girlfriend that she had just broken up with before she died. Her mother said their split was amicable. 'I told her I just wanted her to be loved, I didn't care who loved her. I wanted her to be loved, and we wanted to be part of that,' her mother said.



Louise Houseman, a retired senior medical investigator for the Atlantic County Medical Examiner Office, issued a report two years after Valiante's death, stating that her death 'warrants further investigation,' per the lawsuit



Another part about the night she died that has not sat well with her family is knowing that Valiante died in the dark - something she was not a fan of

The NJ Transit Police Department and the State Medical Examiner have not responded to the lawsuit, but D'Amato said both the Officer of State Medical Examiner and the State of New Jersey were served with the lawsuit last Wednesday.

A deputy attorney general with the state told him they plan to file an answer to the filing on behalf of the state medical examiner and the state 'once service of process was effectuated'.

To this day, the family says the most they have spoken to police was when officers told them Valiante had died.

According to the lawsuit, investigators did not interview her family, friends, teachers or coaches 'to determine if Tiffany exhibited any signs of depression, anxiety, stress or any expression of suicidal ideation'.

When contacted by the Daily Mail multiple times, a spokesperson with the NJ Transit Police Department said the agency 'does not comment on pending litigation.'

The Daily Mail contacted the State Medical Examiner for comment, but did not receive a response.