

Woman's conviction upheld in baby's death



By **DAILY NEWS** |

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An appellate panel Thursday upheld an Alhambra woman's first-degree murder conviction in the death of her newborn daughter, who plunged down a 50-foot embankment after being thrown over a fence.

The three-justice panel from the 2nd District Court of Appeal rejected **Tonya Mae Schaefer**'s claim that Pasadena Superior Court Judge Teri Schwartz erred in refusing her request for a jury instruction on the lesser offense of involuntary manslaughter.

"Whatever her goal was, she surely intended to kill her baby. She deliberately dropped the baby down a steep 50-foot embankment. No reasonable person could conclude she intended anything other than the baby's death," Presiding Justice Arthur Gilbert wrote on behalf of the panel.

The infant's body was found on March 12, 2006 – partially in a plastic bag and with the umbilical cord still attached – by a railroad employee working in the area.