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CONSTANCE R. WHITE
COUNTY CLERK
NO: 24-3-02379-7

Superior Court of Washington, County of PIERCE

In re:

Petitioner:

AURAJHIA BAILEY

And Respondent:

MICHAEL JAVON AGOSTO

No. 24-3-02379-7

Declaration of:
AURAJHIA BAILEY
(DCLR)

Declaration of: AURAJHIA BAILEY

1. I am over 18 years old and I am the Petitioner.

2. I declare:

Domestic Violence, Mental Health Issues, and Alcohol/Drug Abuse

I became involved with Michael Agosto in 2014 through mutual friends at our school; he confided that he was fighting trumped up DV charges; I was enamored with what I perceived as confidence. He was 19 and I was 17. Even as he was incarcerated for 3 months for a felony DV charge, I stood by him.

The first indication of his violence toward me happened gradually and early in our relationship after he got out of jail for his felony DV charge. During November 2014, when Michael learned that I was talked to a former boyfriend, he became angry. In response, he grabbed me by the back of head and pushed my face against the wall and then bit my cheek.

1 Soon thereafter, he was very apologetic, crying as he apologized. He was, however, resolute in
2 his position, that I had driven him to his angry response. In the months that followed, he would
3 make false allegations of infidelity against me, become mean or violent, then apologize. During
4 times of violence, he would pull my hair, hit me on the back of my head, grab my arm, pinch my
5 ribs, etc.

6 During January 2015, Michael told me that he would be inclined to be less violent toward me
7 if I became pregnant with his child. His violence continued until I found out that I was pregnant;
8 on one occasion, he spat on me and told me that he would slap me if I wiped it off. I found out I
9 was pregnant during April 2015. When my father planned a graduation party for me but refused to
10 include Michael, I was not allowed to attend. While with friends or away from him, he would call
11 me repeatedly, sometimes asking for a play by play of what was happening.

12 From 2014- 2019, Michael and I (with our children - - Makail our eldest was born in 2015,
13 Mchael Javon was born in 2016) lived with my maternal grandmother. My grandmother had to
14 call the police quite a bit on Michael. At times, she demanded that I be allowed to exit the room
15 that I shared with Michael so that she could confirm that I was okay. At times, he attempted to be
16 violent toward my grandmother and control her with his violent moods. Michael's behavior has
17 caused rifts at times between my grandmother and me; Michael made it clear that I was to support
18 him and not doing so would end in punishment for me. I don't know why I kept going back to him
19 in retrospect; I feared him, loved him and also wanted my children to have a father; I had given so
20 much of myself in ways that I should not to him that I was afraid of the unknown related to leaving
21 him.

22 During 2018, I did call the police because Michael strangled me. I thought I would die that
23 day. I also filed a DVPO which is filed in this case for the Court's reference and convenience. At
24 that time, Michael was diagnosed with borderline personality disorder and paranoid personality

1 disorder. He is prescribed medication that he does not take regularly.

2 Michael has mental health issues and is prone to acknowledge the existence of things that
3 are not there or insist that things happened when they did not. After Makii was born for example, I
4 did not hear him cry one night and woke a bit later than I usually did. Michael became explosively
5 angry, grabbed me by the breast and squeezed hard enough to cause extreme pain. He said
6 something about SIDS and then accused me of attempting to take our son in the middle of the
7 night. I was breastfeeding and recovering from an episiotomy at the time. While I was pregnant
8 with Michael Javon (here after "Javon" our second son), Michael punched me in the legs and
9 knee in the middle of the night, letting me know that he was hitting me there as to not induce a
10 miscarriage. I have been beat numerous times by Michael; I have been punched, slapped,
11 grabbed by the hair, choked, kicked, thrown to the ground, pushed into walls, etc.

12 Michael never held down a job for any length of time but when I found employment he would
13 take our children to my work place and stalk me so that I would get let go. He would park near the
14 company and stare to see where I was going. My employers would have me attend seminars
15 regarding victims of domestic violence. Other co-workers felt uncomfortable with the level of
16 stalking. Whenever, Michael found work he would either quit or be laid off shortly thereafter.
17 There are many other things I could disclose about my struggles in this regard that I reserve here.

18 During 2020, Michael and I moved to Texas shortly after Mi'Eirie was born. His violence
19 continued in Texas. During 2021, police were called because he threw a zebra walker at me,
20 hitting Makhail in the leg. The police there told our crying and frightened son that if he reported
21 that his dad threw the walker that his dad would be thrown in jail; Makii retracted his statement
22 and said it was an accident. After the police left, Michael yelled at Makii for wanting to have him
23 placed in jail.

24 During 2023, his friend died from cancer and that emotional event triggered and

1 exacerbated his mental health issues. He would wake me up in the middle of the night and then
2 go on rampages throwing belongings around the home. He could not be dissuaded from the
3 notion that I had a hand in his friend's death and/or that I had rigged the course of events so that
4 he would be there when his friend passed. He spent what little money we had on cocaine. He
5 would drink. Once when I tried to prevent extreme drunk driving by hiding Michael's keys, he
6 called his mother angry and she called me all kinds of names until I relented and gave Michael the
7 keys to our car.

8 During January 2024, I left Michael because I was afraid for my safety. Due to Michael's
9 anger, I could not take the children with me; I believed that I could visit the children and eventually
10 get them when Michael's tempers about my leaving cooled. I visited the children as much as he
11 would allow and having that control seemed to quell his temper somewhat.

12 On February 19, 2024, Michael called me with suspicions Makii had been sexually violated
13 by his roommate. I left the family wedding that I had been attending to rush over to Michael's
14 home from Everett. I asked Michael to call the police and CPS without response. Michael then
15 told me that he was being held hostage by his roommate (Damon) at gunpoint and was calling me
16 after his roommate had fallen asleep. When I arrived, Michael rushed out of with the children,
17 handing them to me without their shoes. After the children were returned to my care, I checked
18 Makii for injuries (he had none) and called CPS.

19 At their CPS interview, the children disclosed to the interviewer that Damon was not present
20 that evening but that Damon was often passed out in his room naked. At this time, Michael
21 changed his story to relate that Damon's son was responsible for the assault. None of the
22 children related that they had been sexually assaulted.

23 When I called Michael's apartment manager around after the February 2024 incident, I was
24 told that there had been heavy traffic from Michael's apartment.

1 On or about May 17, 2024, I filed for a DVPO due to his continued harassment through all
2 hours during the night. I know where these types of behaviors go with him. I have filed a copy of
3 the filings in that case for the court's review and convenience. I got a transcript of the hearing
4 because he sought a revision; his behavior towards the judge at that hearing was rude and
5 disrespectful and that was toward the judge. It provides a window into his behaviors.

6 **Parenting Duties:**

7 I have been the primary caretaker for both of our children. While Michael loves them, he is
8 not consistent or reliable in their care. His love is also conditional upon them "being on his side" or
9 "doing as he wishes." He needs to be dominant and his need is not simply a parenting style issue.

10 During our relationship, I was the one preparing meals, bathing, diapering, feeding, bathing
11 etc. primarily.

12 Michael's efforts were not consistent or necessarily willing. As stated above, Michael did
13 care for our children when I was working but as I stated, he brought them with him stalk me. I
14 imagine that they were fed and diapered while with him but I also know that I was fearful for them
15 and that I had to do clean up when I got home.

16 Our children love him but he is not in a mental place to be there for him unsupervised at this
17 time. When I left him in January 2024, he had returned to excessive drinking and cocaine while
18 being prescribed mental health medication that he was or was not taking. Additionally, when I left
19 him in January 2024, he did not take our children to school consistently during the time that I had
20 him. When I got them back during February 2024, under his allegations of gunpoint captivity at
21 the hands of a roommate or his son and sexual assault of the children, I was further frightened.

22 Michael cannot admit it but he needs help so that he can be there for our children.

23 **Proposed parenting plan:**

24 The DVPO Court allowed him supervised visits on weekends of 8 hours supervised by my

1 uncle. He has not exercised all of those visits. In addition, he has acted to put our uncle in the
2 middle when he seeks to remain neutral and follow the rules of visitation. As such, I ask the Court
3 to adopt my proposed parenting plan.

4 The DVPO order required Michael to complete a Mental Health evaluation and a
5 Drug/Alcohol Evaluation; he has not completed either. I ask that such evaluations require
6 collateral contacts to include me and all filings in the DVPO cases and the criminal cases in which
7 he was involved. In addition, I ask that he complete a DV Evaluation with collateral contacts.

8 **Restraining Order:**

9 I wish not contact with Michael. I seek a restraining order in this case. I will be seeking a
10 continuing restraining order in this family law case.

11 **Guardian ad Litem:**

12 If the provisions of the parenting plan are contested a guardian ad litem investigation is
13 necessary. I ask that the retainer be split 50/50.

14 **Attorney fees:**

15 This case history further highlights Michael's instability right now. He filed a motion for
16 reconsideration and the motions for revision 3 times without confirming that hearing. His actions
17 have caused me to incur additional attorney fees.

18 I seek an award of attorney fees in the amount of \$2500.00.

19 I declare under penalty of perjury under the laws of the state of Washington that the facts I have
20 provided on this form (and any attachments) are true.

21 Signed at: TACOMA , WA Date: 10/22/2024

22  AURAJHIA BAILEY
23 Sign here Print name
24

declaration of aurajhia bialey

Final Audit Report

2024-10-22

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