

July 31 2024 3:27 PM

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

Superior Court of Washington, County of PIERCE

In re the parenting and support of:

Minor Children:

MAKAI AGOSTO

MICHAEL BRAYLOCK-AGOSTO

MI'EIRIE AGOSTO

No.

Petition for a Parenting Plan, Residential
Schedule and/or Child Support
(PTPPCS)

Petitioner:

AURAJHIA BAILEY

And Respondent:

MICHAEL JAVON AGOSTO

**Petition for a Parenting Plan,
Residential Schedule and/or Child Support**

Use this form to ask for a Parenting Plan, Residential Schedule or Child Support Order **only if** parentage has already been established by:

- Acknowledgment of Parentage, or
- Court order that decided parentage.

If parentage was established by a court order, use this form **only if** your proposed plan or schedule would not change the custodian named in the order establishing parentage.

1. My name is Aurajhia Bailey. **I ask the court to approve a:**
Parenting Plan or Residential Schedule
Child Support Order

2. Children

Respondent:

, and I are parents of the following children:

RCW 26.26B.020(7)(b)
Mandatory Form (07/2022)
FL Parentage 331

Petition for a Parenting Plan, Res.
Sched. and/or Child Support
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Sixth Avenue Law Office
4003 Sixth Avenue
Tacoma, WA 98406
(253)759-8000

Child's name	Age	Lives with:	In (county and state):
1. Makail Jakobe Agosto	8	Petitioner	Pierce County, Washington
2. Michael Javon Braylock-Agosto	7	Petitioner	Pierce County Washington
3. Mi'Eirie J-Lee Agosto	3	Petitioner	Pierce County Washington

3. Was parentage established by court order?

No. Parentage was established by *Acknowledgment of Parentage*.

4. Was parentage established by Acknowledgment of Parentage?

Yes. The Petitioner and Respondent signed a *Paternity Acknowledgment* for Makail Jakobe Agosto that was filed with the appropriate agency of the State of Washington on

- *You must file a copy of the Birth Certificate or Acknowledgment of Parentage with this petition. Use a cover sheet (form FL Parentage 329) to keep it private (sealed).*

Was the mother married or in a registered domestic partnership when the child was born (or within 300 days before)?

No.

Yes. The Petitioner and Respondent signed a *Paternity Acknowledgment* for Michale Javon Braylock-Agosto that was filed with the appropriate agency of the State of Washington on

- *You must file a copy of the Birth Certificate or Acknowledgment of Parentage with this petition. Use a cover sheet (form FL Parentage 329) to keep it private (sealed).*

Was the mother married or in a registered domestic partnership when the child was born (or within 300 days before)?

No.

Yes. The Petitioner and Respondent signed a *Paternity Acknowledgment* for Mi'Eirie J-Lee Agosto that was filed with the appropriate agency of the State of Washington on

- *You must file a copy of the Birth Certificate or Acknowledgment of Parentage with this petition. Use a cover sheet (form FL Parentage 329) to keep it private (sealed).*

Was the mother married or in a registered domestic partnership when the child was born (or within 300 days before)?

No.

5. Was an Acknowledgment of Parentage filed in Washington State?

Yes. The *Acknowledgment of Parentage* for Makail Jakobe Agosto was filed in Washington state.

a. Effective date – The *Acknowledgment of Parentage* (and *Denial*, if any) became effective (valid) on the date the child was born or the date the *Acknowledgment of Parentage* (and *Denial*, if any) was filed with the Washington State Registrar of Vital Statistics, whichever was later.

b. Deadline to withdraw – The deadline to withdraw (rescind) the *Acknowledgment of Parentage* or *Denial* has passed because:

it has been **more** than 60 days from the effective date.

c. Deadline to challenge – The deadline to challenge the *Acknowledgment of Parentage* or *Denial* has passed. It has been **more** than 4 years since the effective date.

Yes. The *Acknowledgment of Parentage* for Makail Jakobe Agosto was filed in Washington state.

a. Effective date – The *Acknowledgment of Parentage* (and *Denial*, if any) became effective (valid) on the date the child was born or the date the *Acknowledgment of Parentage* (and *Denial*, if any) was filed with the Washington State Registrar of Vital Statistics, whichever was later.

b. Deadline to withdraw – The deadline to withdraw (rescind) the *Acknowledgment of Parentage* or *Denial* has passed because:

it has been **more** than 60 days from the effective date.

c. Deadline to challenge – The deadline to challenge the *Acknowledgment of Parentage* or *Denial* has passed. It has been **more** than 4 years since the effective date.

Yes. The *Acknowledgment of Parentage* for Mi'Eirie J-Lee Agosto was filed in Washington state.

a. Effective date – The *Acknowledgment of Parentage* (and *Denial*, if any) became effective (valid) on the date the child was born or the date the *Acknowledgment of*

Parentage (and Denial, if any) was filed with the Washington State Registrar of Vital Statistics, whichever was later.

b. Deadline to withdraw – The deadline to withdraw (rescind) the *Acknowledgment of Parentage* or *Denial* has passed because:

it has been **more** than 60 days from the effective date.

c. Deadline to challenge – (check one):

☒ The deadline to challenge the *Acknowledgment of Parentage* or *Denial* has **not** passed. It has been **less** than 4 years since the effective date; **but** the Petitioner says:

The child's acknowledged father is the father,

No court has said that another man is the child's father,

There are no other open court cases to decide who the child's father is,

and

Notice has been given to all other men who claimed to be this child's father.

6. Jurisdiction over parents

Fill out below to say if a Washington state court has personal jurisdiction over the Respondent Micahel Javon Agosto.

Basis for personal jurisdiction:

Will be served in Washington

Lives in Washington now

Lived in Washington with child

Caused child to live in Washington

Had sex in Washington that may have produced the children Makail Agosto and Michael Agoosto.

Signed a Washington Acknowledgment of Parentage

Had parentage established by a Washington state court order

Warning! If the court does **not** have personal jurisdiction over the Respondent, it cannot order child support, fees and costs, or restraining orders.

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7. Children's Home/s

During the past 5 years have any of the children lived:

- on an Indian reservation,
- outside Washington state,
- in a foreign country, or
- with anyone who is not a party to this case?

Yes.

Dates	Children	Lived with		In which state, Indian reservation, or foreign country
From: 2021 To: 2022	All children	Petitioner	Respondent	Texas

8. Other people with a legal right to spend time with a child

Do you know of anyone besides the Petitioner and Respondent who has or claims to have a legal right to spend time with any of the children?

No.

9. Other court cases involving a child

Do you know of any court cases involving any of the children?

Yes.

Kind of case (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)	County and State	Case number and year	Children
DVPO	Pierce County Washington	18-2-01379-3 and 2018	All children
DVPO	Pierce County Washington	24-2-01707-6 and 2024	All children

10. Jurisdiction over the children (RCW 26.27.201 – .221, .231, .261, .271)

RCW 26.26B.020(7)(b)
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The court can order a *Parenting Plan* or *Residential Schedule* for the children because:

Exclusive, continuing jurisdiction – A Washington court has already made a custody order or parenting plan for the children, and the court still has authority to make other orders for Makail Jakobe Agosto, Michael Javon Braylock-Agosto, Mi'Eirie J-Lee Braylock-Agosto. The DVPO court allowed for visitation to occur at a supervisory location (day visit)

Home state jurisdiction – Washington is the children's home state because :

Makail Jakobe Agosto, Michael Javon Braylock-Agosto, Mi'Eirie J-Lee Braylock-Agosto lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children are less than 6 months old, they have lived in Washington with a parent or someone acting as a parent since birth.

Makail Jakobe Agosto, Michael Javon Braylock-Agosto, Mi'Eirie J-Lee Braylock-Agosto do not have another home state.

11. Parenting Plan or Residential Schedule

Has a court already approved a *Parenting Plan* or *Residential Schedule*?

No

- If **No**: Do you want the court to order a *Parenting Plan* or *Residential Schedule*?

Yes

If Yes: My proposed *Parenting Plan* (form FL All Family 140) or *Residential Schedule* (form FL Parentage 304)

Important! The court can order a *Parenting Plan* or *Residential Schedule* in this case only if a court has not already approved one. To change an earlier plan or schedule, use the *Petition to Change a Parenting Plan, Residential Schedule or Custody Order* (form FL Modify 601).

12. Child Support

I ask the court to order child support.

Order child support, including medical support, according to state law.

Order the Respondent to pay past support, medical costs, and other costs for the children.

Important! The court can approve a child support order in this case only if a court has not already approved one. To change an earlier child support order that was approved by a court, use the *Petition to Modify Child*

Support Order (form FL Modify 501) or Motion to Adjust Child Support Order (form FL Modify 521).
You **can** get a new child support order in this case if your earlier order was from an agency such as the
Division of Child Support (DCS).

13. Protection Order

Do you want the court to issue a Protection Order as part of the final orders in this case?

No. I do not want a Protection Order. A protection order already exists between the
parties under 24-2-01707-6.

14. Restraining Order

Do you want the court to issue a Restraining Order as part of the final orders in this case?

Yes.

Do not disturb – Order the Respondent not to disturb my peace or the peace of any
children listed in **2**.

Stay away – Order the Respondent not to go onto the grounds of or enter my home,
workplace, vehicle, or school, and the daycare or school of any children listed in **2**.

Also, not knowingly to go or stay within 1000 feet of my home, workplace, vehicle,
or school, or the daycare or school of any children listed in **2**.

Do not hurt or threaten – Order the Respondent:

- Not to assault, harass, stalk or molest me or any children listed in **2**; and
- Not to use, try to use, or threaten to use physical force against me or the
children that would reasonably be expected to cause bodily injury.

Warning! If the court makes this order, the court must consider if weapons restrictions are required by
state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

Prohibit weapons and order surrender – Order the Respondent:

- Not to access, possess, or obtain any firearms, other dangerous weapons, or
concealed pistol licenses until the Order ends, and
- To immediately surrender any firearms, other dangerous weapons, and any
concealed pistol licenses that he/she possesses to the police chief or sheriff.

Other orders:

Exercise of residential time as provided in the final parenting plan entered in this case
shall not be a violation of the restraining order.

This shall be a continuing restraining order.

Important! If you want a restraining order **now**, you must file a Motion for Temporary Family Law Order and

15. Fees and Costs

I ask the court to order the Respondent to pay lawyer fees, guardian ad litem fees, court costs, and other reasonable costs if the other party engages in abusive use of conflict or intransigence. He should pay his share of guardian ad litem fees/retainer if any.

16. Other Orders

Does not apply.

17. Summary of Requests

I ask the court to approve the following orders:

Petitioner's proposed *Parenting Plan* or *Residential Schedule*

Child Support Order, according to the Washington State Child Support Schedule.

Restraining Order.

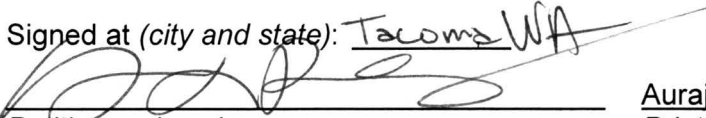
Payment of lawyer fees, guardian ad litem fees, court costs, and other reasonable costs if the Respondent engages in abusive use of conflict or intransigence. Respondent should pay his/her share of guardian ad litem fees/retainer, if any.

Petitioner fills out below:

I declare under penalty of perjury under the laws of the State of Washington that the facts I have provided on this form are true.

Signed at (city and state): Tacoma WA

Date: 07/25/24


Petitioner signs here

Aurajhia Bailey
Print name

Petitioner's lawyer (if any) fills out below:


Petitioner's lawyer signs here

Julie Rho
Print name and WSBA No.

36771

7/25/2024
Date