



Written by [R. Cort Kirkwood](#) on November 24, 2018

Democratic DA Won't Prosecute Avenatti, but Misdemeanor Charge Possible

Michael Avenatti (shown), the porn lawyer who offers himself as a possible [Democratic contender for president](#) in 2020, will not face a felony domestic violence charge after all. The Los Angeles County District Attorney's Office [has declined](#) to prosecute him and instead handed it to the city attorney, a lower-level office that handles misdemeanors.



Avenatti [steadfastly claims](#) he has never hit a woman and called the claim "bogus."

The Charge

[Police collared Avenatti](#) on suspicion of felony domestic violence on November 13. The tough-talking lawyer for Stormy Daniels, the buxom beauty of the blue movie trade, posted \$50,000 and walked out of jail proclaiming his innocence.

But early this week, [Mareli Miniutti finally surfaced](#) along with the complaint she filed for a restraining order. It detailed a different man than one who claims he's a male feminist, perhaps a cross between Alan Alda and Barack Obama.

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Little-known Estonian actress Mareli Miniutti, 24, claimed that Avenatti is "verbally abusive and financially controlling" man who got "very close to me in a threatening manner that made me feel afraid" and pillow-smacked her in the face. "Do not disrespect me," he said, the complaint alleged. "You don't get to sleep in my house tonight," he told her. Avenatti also allegedly called her a "f*****g b****h."

The actress fled the 47-year-old lawyer and ran to a guest bedroom, [the complaint alleged](#), but he grabbed her right wrist and tried to pull her off the bed. Miniutti attempted to text a friend, but Avenatti seized the cellphone and dragged her into the hallway outside the apartment, the complaint claimed.

In the hallway, the complaint alleged, Miniutti "began ringing the bell of a neighbor's door in the hallway for help. Respondent then yelled at me, grabbed me by the arm again, and pulled me back into his apartment. Respondent then blocked the door with his body and prevented me from leaving the apartment by holding the door shut. I screamed and asked Respondent to return my phone. Respondent refused to return my phone."

Miniutti escaped and notified building security and a friend picked her up, whereupon she called the police. As she was leaving, Avenatti, the complaint alleged, pleaded for mercy: "Don't do this, don't involve them."

A judge granted the restraining order.

Avenatti Walks



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Despite the details and restraining order, the Los Angeles County District Attorney's office, [headed by Democrat Jackie Lacey](#), [declined to prosecute](#) the case as a felony and did not comment.

[Avenatti claimed](#) victory on Twitter, tweeting, "I am thankful that the Los Angeles County District Attorney's Office has rejected filing any charges against me after a fair, careful and thorough investigation. I have maintained my innocence since the moment of my arrest. This Thanksgiving, I am especially grateful for justice."

But Avenatti isn't in the clear. The city attorney might prosecute the case as a misdemeanor, [a crime generally punishable](#) by a maximum six months in jail and a fine of less than \$1,000.

Although Lacey is a Democrat, she has something of an independent streak. In March, [she courageously refused](#) to prosecute an LA policeman who shot a black homeless man even after the police chief and the city's police commission said he should be prosecuted. Leftists pressured her office as well.

In a statement that might bear upon her refusal to prosecute Avenatti, Lacey said that "a letter from the chief indicating that he thinks we ought to file charges is no different from a police officer bringing a packet of evidence in here and saying, 'I think you ought to file on this.' As independent prosecutors, we're supposed to look at the evidence and the law. And that's what we did."

Recall Kavanaugh

The apparent exoneration of Avenatti is similar to that of Justice Kavanaugh, whom Avenatti falsely accused of gang rape. Having looked at claims from Avenatti and client, [neither the FBI nor the Senate Judiciary Committee found](#) evidence or reason to believe Kavanaugh was guilty.

Indeed, the claims were so preposterous that [Democrats think Avenatti](#) actually helped Kavanaugh's confirmation.

And Avenatti is not in the clear on that count. Judiciary chieftain Charles Grassley [sent the FBI](#) two requests [to probe](#) Avenatti's "materially false statements" to the committee. Grassley called them a "fraud."

Photo of Michael Avenatti: AP Images



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