

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

VSO Case Number
200017733

IN RE: PETITION FOR RISK PROTECTION ORDER
AGAINST {Name of Respondent} [REDACTED]

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} M. ADAMCZYK, #2499, in my position as {job title} DEPUTY SHERIFF with the {name of law enforcement officer/agency} VOLUSIA SHERIFF'S OFFICE, swear and affirm that the following facts are true and correct.

1. {Name of Respondent} [REDACTED] poses a significant danger of causing personal injury to himself/herself or others by having a firearm or any ammunition in his/her custody or control or by purchasing, possessing or receiving a firearm or any ammunition. The following specific statements, actions, or facts give rise to a reasonable fear of significant dangerous acts by the respondent:

Deputies responded [REDACTED] residence after a report of [REDACTED] sending his girlfriend a suicidal phone text message and a short video showing him pointing a handgun under his chin and pulling the trigger of the empty gun. Video and message confirmed by law enforcement. Further investigation revealed [REDACTED] had Felony conviction in Florida and he was placed under arrest with a suicide notification to VCBJ.

0 Additional pages are attached.

2. {Name of Witness} [REDACTED] provided the following information based on his/her personal knowledge:

0 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION _____

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On 09/30/2020 at approximately 1813 hours, Volusia Sheriff's Office Central Dispatch received a phone call from [REDACTED] (R1) concerning a message she had received from [REDACTED] (D1) which caused her to believe [REDACTED] may be suicidal. A request was made to Seminole County Sheriff's Office to meet with [REDACTED] at her residence. Deputy Adamczyk and additional deputies went to [REDACTED] residence, [REDACTED] Debary, in order to assess [REDACTED] mental health status. [REDACTED] stated [REDACTED] had sent a message "stating this is not the easy way" and a video of [REDACTED] pulling the trigger of an unloaded handgun pointed at his head. [REDACTED] also stated [REDACTED] was ex-military and there were a lot of firearms at the residence. [REDACTED] included [REDACTED] lived at the residence with his mother and father.

Upon arriving at [REDACTED] residence, deputies were able to contact [REDACTED] mother, [REDACTED] (O1), and his father, [REDACTED] (O2). The parents confirmed there were firearms inside the residence but they believed them to all be secured inside a safe, except for a shotgun near the pool area. [REDACTED] daughter stated her father had purchased some other firearms but to her knowledge they were at [REDACTED] house. Several attempts were made to contact [REDACTED] by phone without success. Deputies then requested [REDACTED] to call for her son from the garage area, where deputies were standing. After several minutes, [REDACTED] came into the garage, began a conversation with a deputy and then attempted to retreat into the residence. Deputy Terrero followed [REDACTED] and was able to physically contain [REDACTED] until other deputies arrived to assist placing [REDACTED] into handcuffs until the suicidal statement could be investigated.

[REDACTED] refused to comply with requests made by deputies to place his arms behind his back to be secured. [REDACTED] demanded to know why deputies were in the house and stated he would not comply until he knew why deputies were present. Deputy Adamczyk then told [REDACTED] of the Well Being Check requested due to a message and video he sent someone in Seminole County. [REDACTED] continued to actively resist deputies and continued to refused to place his hands behind his back. Deputies then assisted [REDACTED] to the floor of the hallway leading to the garage. [REDACTED] continued to refuse to comply with deputies and resisted active attempts to secure [REDACTED] hands behind his back in handcuffs. After a short period of time, deputies were able to place [REDACTED] hands behind his back and place handcuffs on his wrists.

During the attempt to handcuff [REDACTED] Deputy Adamczyk attempted to contain [REDACTED] and prevent her from engaging with deputies attempting to secure her son. [REDACTED] had been compliant with law enforcement until she saw her son was actively resisting directions given by deputies. During the attempt to handcuff [REDACTED] Deputy Adamczyk attempted to contain [REDACTED] and prevent her from engaging with deputies. After [REDACTED] was secured in handcuffs, Deputy Adamczyk was able to view an email which contained the message and video sent by [REDACTED]

AFFIDAVIT CONTINUATION

FROM SECTION _____
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[REDACTED] sent [REDACTED] " I know it's the easy way out but the hard way is more painful. I'm in so much disarray. All my hopes and dreams are gone. I don't want to wake up without an empty bed filled without you. I don't want to wake up without kissing you to start the day. Why can't it just happen and take me away from this misery so I don't have to suffer everyday. Forgive me if I do. It wasn't your fault is was my own. I keep trying but hesitate to that second thought of everything will be alright. Take my pain away before I do. Why did it have to happen. " Deputy Adamczyk saw a short video showing [REDACTED] with a black firearm in his right hand with the barrel pointed to the underside of his chin, [REDACTED] pulls the trigger, heard in the video, and then lowers the barrel from his face. The serial number plate of the handgun is visible in the video.

[REDACTED] went into her residence, returned outside and safely turned over the handgun seen in the video. The black 9mm Glock, serial number BDEY062 was turned over to Deputy Adamczyk. [REDACTED] refused to write a sworn statement concerning the incident.

A Florida Criminal History check for [REDACTED] showed [REDACTED] received a guilty conviction on 10/09/2002 for Felony Fleeing and Eluding High Speed. [REDACTED] sentence was imposed on 02/11/2004. [REDACTED] has a total of two felony convictions and two misdemeanor convictions.

[REDACTED] was placed under arrest for possession of a firearm by a convicted felon.

Upon transport to the Volusia County Branch Jail, Booking will be informed of the original call for service which placed law enforcement in contact with [REDACTED]

The handgun was secured in an Evidence box and placed into Evidence for Court purposes.

[REDACTED] was transported to the Volusia County Branch jail after clearance from Florida Hospital Fish, Orange City.

A RPO was completed and forwarded to the Legal Advisor for further processing.

3. Affiant ___ is X is not aware of any existing protection order governing the respondent under any applicable statute.

0 Known protection orders are attached

4. The quantities, types, and locations of all firearms and ammunition the petitioner believes to be in the respondent's current ownership, possession, custody or control are as follows:

Quantity <u>1</u>	Type <u>PISTOL</u>	Location <u>VSO EVIDENCE</u>
Quantity <u>1</u>	Type <u>MAGAZINE</u>	Location <u>VSO EVIDENCE</u>
Quantity <u>6</u>	Type <u>9MM AMMO</u>	Location <u>VSO EVIDENCE</u>
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____

0 Additional pages are attached.

AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dated: 10/01/2020 Signature of Affiant: D/S M Adamczyk

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 01 day of OCTOBER, 2020, by D/S M ADAMCZYK #2499
Affiant's name

D/S J Richardson #8435
Signature of Attesting LEO Witness

D/S J RICHARDSON #8435
Print name of Attesting LEO Witness

OR

Signature of Notary Public

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known or Produced Identification

(Type of Identification Produced)