

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

VSO Case Number
20-23531

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Joseph Borbely, in my position as {job title} Deputy Sheriff II with the {name of law enforcement officer/agency} Volusia Sheriff's Office, swear and affirm that the following facts are true and correct.

- {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:

On Thursday, 12/24/2020 at approximately 1830 hours, Deputies responded to [REDACTED] [REDACTED] Deltona in reference to a harassing phone call 5 complaint. Upon arrival, Deputies contacted [REDACTED] (V1) who stated the following:

Additional pages are attached.

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

Statements attached

1 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____
PAGE 2 _____ OF 2 _____

Her ex husband, ██████████ (D1) has been contacting her numerous times via telephone through a blocked phone number. ██████████ associates the phone calls with ██████████ because she has currently blocked his number. ██████████ stated he called her approximately 74 times beginning at 1801 hours. ██████████ recognized his voice and advised him to stop calling. ██████████ said they have shared custody of their children, ██████████ (O2) and ██████████ (O3). ██████████ advised ██████████ wished to speak with the children, but he does not have a valid reason due to him calling outside their scheduled time frame.

While Deputies were on scene, ██████████ continued to call ██████████ via a blocked number. Deputies attempted to speak with ██████████ regarding the allegations. ██████████ was belligerent with Deputies and refused to provide a valid explanation.

Deputies were advised by ██████████'s boyfriend, ██████████ (O1), he had also started to receive phone calls from ██████████. ██████████ stated ██████████ told him to allow ██████████ to talk to their kids or he would shoot her in the face. ██████████ stated ██████████ was demanding to speak with his kids and have ██████████ answer the phone.

Deputies instructed ██████████ and ██████████ to ignore ██████████'s phone calls. It should be noted, while on scene ██████████ continued to call ██████████ multiple times.

██████████ stated ██████████ has a history of violence and is currently under investigation involving their child ██████████. ██████████ advised ██████████ possess firearms described as rifles and is unsure if he owns any handguns. ██████████ completed a signed and sworn written statement indicating she would like to press charges. Deputy Borbely provided ██████████ a Victim's rights pamphlet with a case number.

██████████ completed a signed and sworn written statement which corroborated ██████████'s account of the incident.

Utilizing investigative techniques, Deputies contacted ██████████ at Florida Dr and Cliff St., Deland where he was taken into custody without incident. ██████████ was transported to Volusia County Branch Jail without incident.

Based upon ██████████'s statements, Deputy Borbely determined ██████████ willfully, maliciously, and repeatedly followed, harassed, and made a credible threat.

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>Unk</u>	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

_____ 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: 12/25/2020 Signature of Affiant: Joseph Borbely

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 25 day of December, 2020, by D/S J. Borbely

Affiant's name

[Signature] 8601
Signature of Attesting LEO Witness

J Medina
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)