

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

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

VCSO Case Number
200008032

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} D/S Ray #8769, in my position as {job title} Deputy Sheriff II with the {name of law enforcement officer/agency} Volusia County Sheriff 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:

BWC Recording

On 0/26/2020, at approximately 2249 hours, Deputies responded to the intersection of Saxon Blvd and Enterprise Rd in Orange City in reference to an active disturbance. [REDACTED] (V2) called [REDACTED] for law enforcement assistance due to her and her husband

2 Additional pages are attached.

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

Please see affidavit continuation page for details

_____ Additional pages are attached.

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

_____ 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	0	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: 04/27/2020

Signature of Affiant: _____

[Handwritten Signature] #8769

Sworn to or affirmed and signed before me on 04/27/2020 by D/S Ray #8769

Date

Affiant's Name

who is personally known to me or _____ presented D/S Nealis #8427, as identification.

[Handwritten Signature] D/S Nealis 8427

Attesting LEO Witness or Notary Public, State of Florida

My commission expires: LEO _____

AFFIDAVIT CONTINUATION

FROM SECTION _____
PAGE 3 OF 3

was.

██████████ stated she was in fear for her life. ██████████ stated she told ██████████ dispatch "I do not want to die tonight". ██████████ stated she knows ██████████ to be ██████████'s girlfriend/mistress. ██████████ completed a sworn written statements advising she wishes to pursue criminal charges.

Deputy Ray made contact with ██████████ and read her Miranda Rights from his agency issued card. ██████████ stated she understood her rights and wished to speak to Deputy Ray without a lawyer present. Post-Miranda ██████████ stated she does own a white .380 Taurus handgun, which is in the closet of her residence. ██████████ confirmed she would kill herself only to ██████████ only to get him to care, but has no intention to kill herself. ██████████ stated she has no one in her life. The only person she has is ██████████ and ██████████ is everything to her. ██████████ was not forthcoming with details in reference to the incident. ██████████ stated she did chase ██████████ around the parking lot of Circle K with her vehicle but was not going to run him over. ██████████ stated she was upset ██████████ was leaving her and when ██████████ picked him she followed them. ██████████ stated ██████████ told her before he get into the vehicle with ██████████ for her to get away from him.

Deputy Ray observed neither vehicle were damaged from the incident. Deputy Ray Google mapped Circle K in Deltona (819 Deltona Blvd. Deltona) to Ruby Tuesdays in Orange City (1212 Saxon Blvd. Orange City) which showed they are 2.9 miles away from each other.

Deputies made contact with Circle K employee ██████████ (W1) who stated he observed a disturbance outside the store between a male and female subject. ██████████ stated he observed a male get into a maroon vehicle and a gold vehicle speed backwards towards the front of the maroon vehicle. The maroon fled the area and the gold vehicle chased after it. ██████████ completed a sworn written statement. ██████████ stated the Circle K does have video cameras however only the mangers have access to them. ██████████ stated the store manger's name is ██████████ and phone number is ██████████

At the conclusion of Deputy Ray's investigation based on all parties statements, ██████████ admission of chasing ██████████ with her vehicle and independent witness Deputy Ray determined there was probable cause to arrest ██████████ for 2 counts of aggravated assault with a deadly weapon.

Deputies inventory searched ██████████'s vehicle and did not locate a firearm inside her vehicle nor on her person. Deputy Ray contacted C&S Towing who towed her vehicle to their tow yard.

Based on ██████████ statement of wanting to kill herself with a firearm. Deputy Ray completed a Risk Protection Order (RPO). A copy of the RPO was emailed to RPO submission.

Deputy Ray conducted a criminal history check on ██████████ which revealed no prior criminal history.

VOLUSIA SHERIFF'S OFFICE

Clerk of Court's Number

RISK PROTECTION ORDER / BAKER ACT FIREARMS AND AMMUNITION RECEIPT

Page 1 of 1 Pages

Report Date 4/30/20	Report Time 1600	Orig. Reported Date 4/30/20	Nature of Call (for Incident) R.O.	Agency Report Number 20-5032	1. Original 2. Supplement 12
Status Code: 1. Evidence 6. Recovered		7. Recovered (Outside Agency Recovered)	13. Disposal 17. Baker Act	22. RPO (Voluntary Surrender) 23. RPO (Seized)	Category Code: J. Special Documents Y. All Other Items (Guns and Ammunition)
Leave Blank:	Item # 1	Status 22	Category Y	Quantity 1	Description TARMS HAND GUN
If Gun	Make TARMS	Model CCP	Caliber 380	Type / Cat	Action Finish White Serial Number 28327D
Leave Blank:	Item # 2	Status 22	Category Y	Quantity 1	Description Box of 380. rounds 50 rounds total
If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
Leave Blank:	Item #	Status	Category	Quantity	Description
If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
Leave Blank:	Item #	Status	Category	Quantity	Description
If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
Leave Blank:	Item #	Status	Category	Quantity	Description
If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
Leave Blank:	Item #	Status	Category	Quantity	Description
If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
Leave Blank:	Item #	Status	Category	Quantity	Description
If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
Leave Blank:	Item #	Status	Category	Quantity	Description
If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number

INITIALS
 Respondent: [Redacted] Pursuant to 790.401(7)(c), Florida Statutes, the firearm(s) and/or ammunition and/or license to carry a concealed weapon were surrendered by Respondent or seized by a Deputy of the Volusia Sheriff's Office on 4/30/2020.

Respondent: [Redacted] I am the owner of the firearm(s), ammunition, or license to carry a concealed weapon or firearm and I hereby knowingly and voluntarily consent to the surrender of the items listed in this report to the Volusia Sheriff's Office.

Respondent: [Redacted] I am the owner of the firearm(s) and/or ammunition listed in this report. I hereby request the firearms and/or ammunition be turned over to:
 (Name) _____
 (Address) _____
 (Telephone Number) _____

I, Deputy or Evidence Employee of the Volusia Sheriff's Office, acknowledge receipt of the above listed items which were either surrendered or seized on _____, at _____

SIGNATURES
 Respondent: [Redacted] Date: 4/30/2020
 Deputy: Bernard 8833

CUSTODY	Item #	Date:	Time:	Released by (Printed):	Released by (Signature):	Received by (Printed):	Received by (Signature):	
	Leave Blank	Reason for Change:						
CUSTODY	Item #	Date:	Time:	Released by (Printed):	Released by (Signature):	Received by (Printed):	Received by (Signature):	
	Leave Blank	Reason for Change:						
ADMIN.	Officer Reporting - Printed <u>J. BERNARD</u>			Officer Reporting - Signature [Signature]		ID Number <u>8833</u>	Unit <u>1962</u>	Date <u>4/30/20</u>
	Officer Reviewing - Printed (if Applicable)			Officer Reviewing - Signature (if Applicable)		ID Number	Unit	Date