

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

VSO Case Number
21-13349

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF Volusia

I, {full legal name} Kaelin Darcy, in my position as {job title} Deputy II 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:

[REDACTED] was experiencing delusions and went to his neighbors yard armed with a shot gun. (See supplement for for report)

1 Additional pages are attached.

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

[REDACTED] witnessed the incident and called the police.

Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION Affidavit

PAGE 1 OF 1

On 07/18/2021, at approximately 1716 hours, deputies responded to ██████████ Deland, in reference to a suspicious person. Prior to arrival, central dispatch informed responding units that a male subject, later identified as ██████████ (V1), approached the front window of the aforementioned address while holding a shotgun (an Excel shotgun bearing serial number 85257XO) in his hands. The homeowner, ██████████ (W1), confronted ██████████ at gunpoint, had him drop the shotgun, and made him sit in a chair on the front porch while ██████████' wife, ██████████ (R1), called 9-1-1. Upon arrival, deputies made contact with ██████████ at which time he was taken into custody without incident. ██████████'s shotgun was also collected from the driveway approximately five feet from where ██████████ was seated.

Deputy Darcy then spoke with ██████████ and ██████████ who stated they have known ██████████ for a very long time; however, years of drug use and self neglect made him almost unrecognizable to them. ██████████ used to stay a few houses away from ██████████ and at one time they were good friends. ██████████ stated he has not seen or spoken to ██████████ in over ten years due to his addiction and erratic behavior. Neither ██████████ nor ██████████ wished to pursue any criminal charges in regards to this incident and they both swore and affirmed to their statements which were recorded on Deputy Darcy's body worn camera.

A criminal history check was completed for ██████████ via FCIC/NCIC which revealed no prior felony convictions. Deputy Darcy submitted ██████████ shotgun, two shotgun shells (one from the chamber of the shotgun and one located inside ██████████'s pocket), and his revoked concealed weapons permit as evidence to the District 2 evidence locker.

Deputy Darcy then read ██████████ his constitutional rights from a department issued Miranda Warning card, to which he stated he understood. ██████████ then went on to explain that his neighbor on N Kepler Rd has been spying on him via video surveillance cameras inside his home. ██████████ stated the neighbor was attempting to pull the cords back through his water pipes when a gunfight broke out. ██████████ armed himself against an intruder and instead of fighting decided to flee and go to the home of the only people in the area he knew, ██████████ and ██████████. ██████████ also made several other comments, such as watching Indian elephants dance in his front yard, which lead Deputy Darcy to believe he was living in a state of extreme delusions while being unable to differ what was real or fake.

Due to the aforementioned, Deputy Darcy determined ██████████ would ultimately be a danger to himself or others and was taken into protective custody under the Baker Act. ██████████ was issued a trespass warning at the request of ██████████ and ██████████ and later transported to Stewart Marchman, Daytona Beach.

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>SHOTGUN</u>	Location <u>VSO EVIDENCE</u>
Quantity <u>2</u>	Type <u>410 shotgun shell</u>	Location <u>VSO EVIDENCE</u>
Quantity <u>1</u>	Type <u>ccw permit</u>	Location <u>VSO EVIDENCE</u>
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____

0 Additional pages are attached.

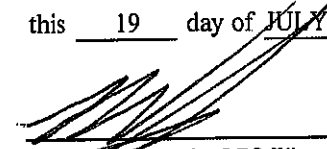
AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dated: 07/19/2021

Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization,

this 19 day of JULY, 2021, by Deputy K Darcy
Affiant's name


Signature of Attesting LEO Witness

Deputy M Stoltz
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)