

IN THE CIRCUIT COURT OF THE Seventh JUDICIAL CIRCUIT,
IN AND FOR Volusia COUNTY, FLORIDA

VSO Case Number 21-14396

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF Volusia

I, *{full legal name}* Jonathan Freeborough, in my position as *{job title}* Deputy Sheriff with the *{name of law enforcement officer/agency}* VSO, 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:

See attached narrative.

_____ Additional pages are attached.

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

See attached narrative.

_____ Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION _____
PAGE 1 OF 1

BWC Recording

On 08/02/2021, at approximately 0843 hrs., Deputy Patel was dispatched to [REDACTED], Deltona, in reference to an assault and battery complaint that just occurred. The initial call notes advised [REDACTED] (R1) was calling in advising her ex-boyfriend, [REDACTED] (VI) slapped her and had left in a black Ford F-150 bearing GA Tag [REDACTED]; east on Howland Blvd. [REDACTED] further advised [REDACTED] was known to be suicidal and that [REDACTED] had guns in the truck. Deputy Patel arrived on scene at the residence and confirmed [REDACTED] had made statements of wanting to harm himself and it was later learned [REDACTED] had placed a gun to his head the night before. The statements was confirmed by [REDACTED] who completed a sworn written statement detailing her witnessing [REDACTED] placing the gun to his head.

Deputy Freeborough located the truck traveling southbound on SR 415 and conducted a traffic stop. The truck came to a stop in the parking lot of the Circle K Gas Station (320 SR 415). Deputy Galarza assisted Deputy Freeborough securing [REDACTED] in handcuffs. Deputy Galarza read [REDACTED] his Constitutional Rights from a department issued card. [REDACTED] advised [REDACTED] was the primary aggressor after she placed her hands around his neck and scratched him on his chest over an infidelity committed by [REDACTED]. When asked regarding the suicidal statements, [REDACTED] admitted telling [REDACTED] he wanted to "end" it all. [REDACTED] advised he did not remember what he did the night before due to how intoxicated he was. [REDACTED] advised he had two rifles inside the truck and believed his handgun was taken by [REDACTED] prior to [REDACTED] leaving the residence.

Deputies inventoried the truck prior to it being towed by C&S towing. Two rifles and ammo were located inside the truck. Deputy Freeborough collected said items and completed an RPO (Risk Protection Order) for [REDACTED]

[REDACTED] was placed in protective custody under the Baker Act Statute and later transported to ACT for further evaluation. [REDACTED] was eventually placed under arrest and deemed the primary aggressor (See Deputy Patel arrest report 21-14385 for details).

Case Status: Closed / Baker Act

AFFIDAVIT CONTINUATION

FROM SECTION _____
PAGE 2 OF 2

This supplement was completed to clarify some statements and actions.

████████ stated on the evening of 08/01/2021, his girlfriend ██████████ and him were in an argument over infidelity. See Deputy Patel's 707 (Case # 21-14385).

████████ advised he has recently been very depressed due to losing his son this year and stated he has "nothing anymore." ██████████ further stated approximately eight months ago, he was in rehab in Georgia then prior to that, he was Baker Acted. Deputy Freeborough asked ██████████ about the allegations that took place on 08/01/2021 located at ██████████, Deltona regarding the firearm, to which ██████████ denied the allegation and further stated he does not remember due to him being intoxicated. ██████████ advised he only told ██████████ on the phone that he "did not want to do this life anymore" During the interview, ██████████ continued saying, "everything keeps getting worst" and "the hole keeps getting deeper."

On the morning of 08/02/2021 at the aforementioned address above, ██████████ stated ██████████ was sitting on the back porch and advised if he could not be with ██████████ he would just end it all. Deputies were unable to determine ██████████'s intoxication level during the time the suicidal statements were made.

Upon inventorying ██████████'s vehicle prior to being towed by C&S, Deputy Freeborough discovered an empty pistol case, multiple pistol ammunition laying on the passenger floorboard with an empty magazine. The Pistol was not discovered in the vehicle. Both ██████████ and ██████████ denied knowing where the pistol is located at.

3. Affiant X is 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>.22 Henry Rifle</u>	Location <u>[REDACTED] Osteen</u>
Quantity <u>1</u>	Type <u>Flintlock Rifle</u>	Location <u>[REDACTED] Osteen</u>
Quantity <u>4</u>	Type <u>12g Ammo</u>	Location <u>[REDACTED] Osteen</u>
Quantity <u>9</u>	Type <u>.40 S&W Ammo</u>	Location <u>[REDACTED] Osteen</u>
Quantity <u>10</u>	Type <u>.22 Ammo</u>	Location <u>[REDACTED] Osteen</u>
Quantity <u>4</u>	Type <u>30-30 Ammo</u>	Location <u>[REDACTED] Osteen</u>

1 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: 08/02/2021

Signature of Affiant: [Signature] P135

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 02 day of August, 2021, by D/S Freeborough
Affiant's name

[Signature]
Signature of Attesting LEO Witness

A. Patel 9220
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)

3. Affiant X is ___ 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>13</u>	Type	<u>270 Federal Amm</u>	Location	<u>[REDACTED], Osteen</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

1 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: 08/02/2021

Signature of Affiant: [Signature] 9135

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 02 day of August, 2021, by D/S Freeborough
Affiant's name

[Signature]
Signature of Attesting LEO Witness

A Patel 9220
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)