

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

VSO Case Number
22-2320

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent} _____

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF **VOLUSIA**

I, {full legal name} _____ DEPUTY II D/S RODRIGUEZ _____, 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} _____ 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 02/04/2022 at approximately 0342 hours deputies were dispatched to _____, Osteen in reference to a suspicious incident. Upon arrival deputies spoke with, _____ (V1), who stated that at approximately 0300 hours there were four vans that pulled up into his driveway and ten people came out of the vans and started to roam his property. _____ stated that he confronted the group and asked them to leave his property. _____ stated that one of the individuals pointed a

1 Additional pages are attached.

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

 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION _____
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double barrel shotgun at him, [REDACTED] then proceeded to go back into his home and grab his Ruger Mark II handgun and fire a round at the group. [REDACTED] stated that he then started to chase the individuals around his property and while running he fell and discharged another round into the ground unintentionally. [REDACTED] stated that he went back into his home to find two females and a male standing there. [REDACTED] stated he chased them out of his house and at no time did any of the individuals speak to him during the encounter. While investigating, deputies asked for information on the vehicles and the individuals that [REDACTED] dealt with. [REDACTED] proceeded to point into an empty lot located at [REDACTED] Reed Ellis Road and state that the vans "looked like that one". Deputies did not observe any vans on [REDACTED] property or at [REDACTED] Reed Ellis Road. [REDACTED] continued to state that he still sees some things in the trees that the deputies could not see. [REDACTED] advised he lives alone and has never experienced anything like this before. From the investigation deputies believed that if [REDACTED] was to be left unattended and without any assistance that he could be a harm to himself or others. [REDACTED] was taken into custody under the Baker Act and transported to Orange City Fish Memorial by EVAC for medical issues. [REDACTED] informed the deputies that he owned one pistol and two shotguns. Deputies asked [REDACTED] if he would like deputies to take his firearms for safe keeping to which [REDACTED] denied. Deputies did not enter [REDACTED]'s home or observe any firearms in plain view. Due to [REDACTED] discharging the firearm at subjects who did not exist, and accidentally discharging it while running, an RPO was completed and later submitted to the RPO submissions group. Case Status: Closed

3. Affiant 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>PISTOL</u> | Location | <u>RESIDENCE</u> |
| Quantity | <u>2</u> | Type | <u>SHOTGUN</u> | Location | <u>RESIDENCE</u> |
| Quantity | _____ | Type | _____ | Location | _____ |
| 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: 02/04/2022 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 04 day of February, 2022, by DEPUTY II D/S RODRIGUEZ
Affiant's name

 8783
Signature of Attesting LEO Witness

T BROWN
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)