

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]

VSO Case Number
22-9087

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} DEPUTY II M. CUNNINGHAM, 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:

SEE CONTINUATION

2 Additional pages are attached.

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

 Additional pages are attached.

IN RE: PETITION FOR RISK PROTECTION ORDER
AGAINST {Name of Respondent} ██████████

VSO Case Number
22-9087

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 2 OF 3

On 05/09/2022 at approximately 0501 hours, Deputy Cunningham was dispatched and responded to 75 S Charles R Beall Blvd, Debary, (Debary Fire Station) in reference to a suicidal person complaint.

Central Dispatch advised over the radio, a male by the name of ██████████ later identified as ██████████ (V1), stated he was outside of the fire station in a white pick up truck, armed with a firearm, and was going to shoot himself.

Deputies arrived quickly in the area and located a white Chevy Silverado outside of the fire station. Deputy Cunningham observed three fire fighters exit their precinct and quickly retreat back inside. Central Dispatch advised the fire fighters observed ██████████ with a gun to his head.

██████████ left the fire station and began traveling northbound on Charles R Beall Blvd. Central Dispatch attempted to stay land line with ██████████ who advised he would be driving to the Orange City Hospital (802).

Deputies maintained their distance and located ██████████'s truck in the parking lot near the emergency room. Deputies observed ██████████ exit the vehicle and begin walking towards the hospital. ██████████ was challenged by deputies who pointed their agency issued firearms at ██████████ in order to maintain compliance. Ultimately, ██████████ taken into custody without incident.

IN RE: PETITION FOR RISK PROTECTION ORDER
AGAINST {Name of Respondent} _____

VSO Case Number
22-9087

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 3 OF 3

████████ stated he drove to the fire station to commit suicide because he did not wish to leave a mess at his own residence. Additionally, ██████████ has been struggling with anxiety and depression for over three months and woke up at 0400 hours this morning feeling suicidal. ██████████ voluntarily relinquished his firearm, which he stated was inside of the center console of his vehicle. Deputies located the firearm inside the center console of the vehicle and later placed the 9mm Taurus handgun and seven bullets into the District 6 Evidence Locker. Deputies ran the Taurus PT709 firearm bearing serial number: TDM32054 through VSO TeleType which revealed the firearm was negative for wants.

Deputy Cunningham determined without proper care or treatment, ██████████ was likely to suffer great bodily harm to himself. Subsequently, ██████████ was placed into protective custody under the Baker Act and transported to Stewart Marchman in Daytona Beach for further evaluation.

A Risk Protection Order was completed in reference to this incident.

Case Status: Closed

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	<u>1</u>	Type	<u>TAURUS PT709</u>	Location	<u>EVIDENCE</u>
Quantity	<u>7</u>	Type	<u>9MM BULLETS</u>	Location	<u>EVIDENCE</u>
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: 05/10/22 Signature of Affiant: Dep Cunningham

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 10 day of May, 2022, by Dep Cunningham
Affiant's name


Signature of Attesting LEO Witness

E. Bartzer
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)

VOLUSIA SHERIFF'S OFFICE

Clerk of Court's Number

RISK PROTECTION ORDER / BAKER ACT FIREARMS AND AMMUNITION RECEIPT

Page 1 of 1 Pages

EVENT	Report Date	Report Time	Orig. Reported Date	Nature of Call (for Incident)	Agency Report Number	1. Original 2. Supplement		
	05/09/2022	0500	05/09/22	BAKER ACT	22-9087	1		
PROPERTY	Leave Blank:		Item #	Status	Category	Quantity	Description	
			1	23	Y	1	SILVER TAURUS PT709	
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
		TAURUS	PT709	9MM				TDM320542
PROPERTY	Leave Blank:		Item #	Status	Category	Quantity	Description	
			2	23	Y	7	7 9MM HOLLOW POINT ROUNDS	
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:		Item #	Status	Category	Quantity	Description	
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:		Item #	Status	Category	Quantity	Description	
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:		Item #	Status	Category	Quantity	Description	
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:		Item #	Status	Category	Quantity	Description	
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:		Item #	Status	Category	Quantity	Description	
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:		Item #	Status	Category	Quantity	Description	
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number

INITIALS

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 _____

Respondent

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

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) _____

Respondent

(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

In custody 05/10/22
Respondent Date

Dep. Cunningham
Deputy

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			Officer Reporting - Signature		ID Number	Unit	Date
	Dep. Cunningham			<u>Dep. Cunningham</u>		9120	1B62	05/10/22
ADMIN.	Officer Reviewing - Printed (if Applicable)			Officer Reviewing - Signature (if Applicable)		ID Number	Unit	Date