

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
19-19771

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Devin LaFoucade, in my position as {job title} Deputy Sheriff with the {name of law enforcement officer/agency} Volusia County 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 contacted by deputies after her husband, [REDACTED] reported she made threats of suicide (by firearm) via phone calls and text messages to him. [REDACTED] denied threatening harm to herself, but indicated she suffers from depression and has been struggling with infidelity issues with her husband. Based on statements made by [REDACTED] and text messages sent to him by [REDACTED], she was taken into protective custody under the Baker Act.

0 Additional pages are attached.

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

The respondent's husband, [REDACTED] reported receiving suicidal texts and phone calls from the respondent while he was away from their home. The texts included a message stating, "You can come back I figured out how to take the safety off. Enjoy your life without a bitch like me nagging you", followed by a picture of [REDACTED]'s S&W .223 rifle with the safety in the off position. (See attached page for additional comments)

1 Additional pages are attached.

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AGAINST {Name of Respondent} [REDACTED]

AFFIDAVIT CONTINUATION

FROM SECTION 2

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The photograph text of the rifle safety in the off position was followed by the following five texts from the respondent:

"Happy day for you...enjoy yourself and your freedom."

"Your problems are over [REDACTED]. Bye"

"How does this thing work???"

"Answer me"

"Tell me how this thing works"

[REDACTED] responded with a text stating (in part), "[REDACTED] I'm on my way home we will talk this out and fix this problem I'm not going anywhere and neither are you..."

[REDACTED] advised he returned home and found the respondent with his rifle in her lap. [REDACTED] advised he took the rifle from the respondent and secured it in his closet. [REDACTED] advised he always keeps both his rifle and his 9mm handgun unloaded and secured with gun locks. [REDACTED] advised his wife is not familiar with the weapons and does not know how to use them, nor does she have a key to the gun locks. Despite this fact, [REDACTED] advised he will be securing the firearms (and associated ammunition) at another location, away from the residence, due to the recent actions of the respondent.

[REDACTED] advised after he secured the rifle, [REDACTED] took his basket of prescription medication and went into the bathroom. At this time, [REDACTED] contacted the Sheriff's Office for assistance. In addition to the aforementioned information provided by [REDACTED], he further advised [REDACTED] has been using Marijuana heavily and he believes this is contributing to her issues.

The respondent admitted she suffers from depression, but denied the allegations made by her husband. Based on the statements made by [REDACTED] and the text messages he provided, the respondent was taken into protective custody under the Baker Act. [REDACTED] was advised the Sheriff's Office would be seeking a Risk Protection Order on the respondent.

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

0 Known protection orders are attached

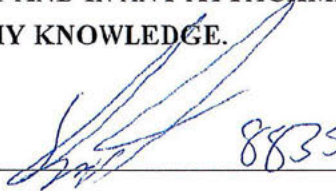
4. The quantities, types, and locations of all firearms and ammunition the petitioner believes to be in the respondent's current ownership, possession, custody or control are as follows:

Quantity	<u>1</u>	Type	<u>S&W .223</u>	Location	<u>[REDACTED] Ormond Bch</u>
Quantity	<u>1</u>	Type	<u>Springfield 9mm</u>	Location	<u>[REDACTED], Ormond Bch</u>
Quantity	<u>250-300</u>	Type	<u>.223 rounds</u>	Location	<u>[REDACTED] Ormond Bch</u>
Quantity	<u>approx. 70</u>	Type	<u>9mm rounds</u>	Location	<u>[REDACTED] Ormond Bch</u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>

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: 09/14/2019

Signature of Affiant:  8835

Sworn to or affirmed and signed before me on 09/14/2019 by Devin LaFoucade

Date

Affiant's Name

who is personally known to me or ___ presented _____, as identification.



Attesting LEO Witness or Notary Public, State of Florida

My commission expires: _____