

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
20-16831

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} AKHIL PATEL, in my position as {job title} DEPUTY SHERIFF with the {name of law enforcement officer/agency} VOLUSIA COUNTY S.O, 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

1 Additional pages are attached.

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

SEE NARRATIVE

1 Additional pages are attached.

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent} [REDACTED]

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____

PAGE 1 _____ OF 2 _____

*** BWC RECORDING *****Marsy Law Form Invoked*** On 09/17/2020 at 1546 hours Deputy Patel responded to 1706 S Woodland Blvd (District 2) in reference to a threatening call. Upon arrival, Deputy Patel made contact with the reporting party, [REDACTED] (V1). [REDACTED] stated she has had an ongoing problem with her child's father, [REDACTED] (S1) making threats to her. [REDACTED] explained she made a previous report with Volusia Sheriff's Office (VP20-16229) where [REDACTED] informed [REDACTED] he was going to leave Florida for good and wanted to see his son, [REDACTED] (09/27/2019), before leaving. Today, [REDACTED] explained [REDACTED] spoke to [REDACTED] over the phone before she offered to take [REDACTED] to [REDACTED] tonight (09/17/2020). [REDACTED] stated after she offered to take [REDACTED] to [REDACTED] started to threaten to kill her via text messages from his cell phone and an unknown number [REDACTED]). [REDACTED] advised [REDACTED] sent a picture of himself with a gun pointed at the camera with a text saying "I hate you you did this to me bruh idc what you do you want me out his life imma kill you and spend it in jail." [REDACTED] also sent a text saying "I dnt wanna live no more thanks a lot i swear Im over. Im finna blow my fucking brains out." [REDACTED] stated as she was driving in to the parking lot of District 2, [REDACTED] sent her the following texts: "5, 4, 3, 2, 1" with an explosion emoji at the end. [REDACTED] explained she was unaware of [REDACTED] owning a gun, has never seen him with a gun, and was unsure of how he obtained one.

[REDACTED] showed me the text messages from her cell phone and emailed them to Deputy Patel. The screenshots of the messages were submitted in to Digital Crime Scene. Due to the messages and evidence observed, Deputy Patel determined there was probable cause to affect an arrest for [REDACTED] [REDACTED] for written threats to kill/injure [REDACTED]

A sworn written statement was obtained from [REDACTED] [REDACTED] was provided with a VSO victims rights and remedies pamphlet which she signed for and elected to keep her information private through the Marsy law form.

[REDACTED] explained [REDACTED]'s aunt, [REDACTED], resides at [REDACTED] Orlando where [REDACTED] might be staying at.

Due to [REDACTED] making armed suicidal statements, [REDACTED]. [REDACTED]'s phone number is [REDACTED]. [REDACTED] sent an attempt to contact to [REDACTED]'s residence to check for [REDACTED]. A criminal history check yielded misdemeanors infractions and one failure to appear.

On 09/17/2020, Orlando PD made contact with [REDACTED] at her residence. Orlando PD advised they spoke with [REDACTED] via Face Time Messenger where he did not give a phone number for himself and explained he was at an unknown location in Pine Hills.

Deputy Patel made contact with VSO Operator Robinson (9102) who entered [REDACTED] as missing/ endangered in FCIC/NCIC. A NC4 bulletin and RPO were also completed.

AFFIDAVIT CONTINUATION

FROM SECTION 2

PAGE 2 OF 2

There is a hold on [REDACTED] to notify VSO when in contact due to having felony domestic violence charges.

The affidavit was placed in the pass along folder for units to keep checking on [REDACTED]'s whereabouts.

On 09/17/2020 at 1823 hours, dispatch informed me Orange County Sheriff's Office stopped searching for [REDACTED] after his phone was [REDACTED] in the same area within Orlando and speaking with him through Face Time at [REDACTED]'s residence.

I made contact with Corporal Roudeux of Orange County Sheriff's Office. Corporal Roudeux advised deputies made numerous attempts to locate the subject at different addresses in Orlando but were met with negative results. [REDACTED].

Case Status: Active

[Lined area for additional text or signature]

3. Affiant ___ is X 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>HANDGUN</u>	Location	<u>UNKNOWN</u>
Quantity	_____	Type	_____	Location	_____
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: 09/18/2020

Signature of Affiant: 

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

this 17 day of SEPTEMBER, 20, by DEPUTY PATEL
Affiant's name


Signature of Attesting LEO Witness

DEPUTY BERRIOZABAL
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)