

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

VSO Case Number
20-21518

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF Volusia

I, *{full legal name}* Michael McGinnis, in my position as *{job title}* Deputy Sheriff II with the *{name of law enforcement officer/agency}* Volusia Sheriffs 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:

On 11/24/2020, at approximately 0620 hours, Deputies responded to [REDACTED] [REDACTED], Edgewater, regarding a suicidal person. The caller, [REDACTED] [REDACTED] advised he received a telephone call from his mother, [REDACTED] [REDACTED] advising his younger brother and her son, [REDACTED] [REDACTED] possibly tried to shoot himself. Prior to arriving, Deputies learned that [REDACTED] had left with the firearm in a vehicle, which was described as an older

1 Additional pages are attached.

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

[REDACTED] advised on 11/24/2020, at approximately 0400 hours, she heard a loud bang from [REDACTED] upstairs bedroom. She called up to [REDACTED] at which point he stated his gun went off accidentally. [REDACTED] ran down stairs frantically asking if he was okay. After verifying [REDACTED] was fine, she proceeded to ask him, "Did you try to shoot yourself?", which [REDACTED] replied, "Maybe." [REDACTED] provided Deputies with a picture of [REDACTED] holding a firearm to his head that

1 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____
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model van. Deputies located the van and _____ who was the sole occupant of the vehicle. _____ was located at the McDonalds (1704 S Dixie Freeway, NSB). _____ advised his handgun (Ares Delta 9mm (serial# G01276) accidentally went off in the early morning hours of the above while he was attempting to clear the firearm before cleaning it. _____ advised at no point did he try to shoot himself. _____ did admit that he has had some suicidal thoughts in the past, but nothing recent.

_____ mother, _____ advised on the above date, at approximately 0400 hours, she heard a loud bang come from upstairs. _____ believing it was possibly from _____ firearm, called up to him from downstairs. _____ stated that his firearm accidentally went off, as he ran downstairs asking _____ if he was okay and asking her to check to see if he was shot. _____ then asked "Did you try to shoot yourself?" which _____ replied, "Maybe". _____ stated _____ then tried to recant his statement and advised it was just an accident and that he never tried hurting himself. _____ advised there was some back and forth between she and _____ about her wanting _____ to keep the firearm downstairs with her for the night. _____ did not agree and eventually left the residence with the firearm. _____ also showed Deputy McGinnis a picture of _____ holding the same firearm to his head, which he posted to his Instagram around the same time he fired a round off inside his upstairs bedroom.

Deputy McGinnis determined that _____ posed a real and present danger to himself based on the statements and evidence collected. Therefore, _____ was taken into protective custody under the Baker Act Statue. One firearm and 32 rounds of 9mm ammunition were voluntarily surrendered to Deputies by _____

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AFFIDAVIT CONTINUATION

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was posted to Instagram the same date and around the same time [REDACTED] fired a single round off inside his bedroom.

[Lined area for text entry]

3. Affiant is X 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> Arex Delta 9mm </u>	Location <u> Evidence </u>
Quantity <u> 2 </u>	Type <u> 15 round mag </u>	Location <u> Evidence </u>
Quantity <u> 32 </u>	Type <u> 9mm ammo </u>	Location <u> Evidence </u>
Quantity <u> 1 </u>	Type <u> Black gun case </u>	Location <u> Evidence </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: 11/24/2020 Signature of Affiant: D/S M. McGinnis

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 24 day of November , 2020 , by D/S M. McGinnis
Affiant's name

Sergeant R.B. Hansford 1398
Signature of Attesting LEO Witness

SERGEANT RICHARD B. HANSFORD
Print name of Attesting LEO Witness VSO 1398

OR

Signature of Notary Public

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known or Produced Identification

(Type of Identification Produced)