

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  
21-3670

AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, {full legal name} Frederick John Brown III, in my position as {job title} Sheriff Deputy 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 form.

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5 Additional pages are attached.

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

[REDACTED] advised [REDACTED] and his fiance were having relationship issues. When [REDACTED] started a verbal altercation with [REDACTED], at which he stated he was going to blow out his brains.

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Additional pages are attached.

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On 2/24/2021 at approximately 2133 hours, Deputy Brown was dispatched to ██████████ Orange City, in reference to a suicidal person. Deputy Brown arrived on scene and made contact with ██████████ (R1), who stated the following:

██████████'s son ██████████ (D1) and his fiance, ██████████ (O1), just recently "broke up". ██████████ travelled to the above address to pick up some of his personal items. ██████████ stated ██████████ was not home, ██████████ started to become angry when ██████████'s mother would not bring out his items. ██████████ explained at this point ██████████ became belligerent, and said "he is going to blow his brains out". ██████████ then jumped into his company work truck and drove off. ██████████ informed Deputies, ██████████ could be possibly going to his residence located at ██████████, Deltona.

██████████ was provided with and completed a sworn statement detailing the incident.

While Deputies were speaking with ██████████ ██████████ called ██████████ on the phone. ██████████ stated he had a shotgun in his hands and a box of shells next to him. ██████████ also informed ██████████ "if cops are called, this will end up in a shootout" and hung up the call. ██████████ tried to re-contact ██████████ via telephone, which yielded negative results. Deputies also spoke to ██████████ (V1) who is the sister of ██████████ advised she was inside of the residence when ██████████ arrived home upset. ██████████ claimed ██████████ grabbed ██████████'s shotgun and pointed it at her, causing her to fear for her life. Due to the new allegations, District Four deputies altered the way they responded. District Four deputies responded to the scene, and established a perimeter. District Four deputies attempted to make contact with ██████████ and after PA announcements, ██████████ surrendered and was taken into custody peacefully. See Deputy Prado's supplement in regards to the aggravated assault portion of the incident.

Deputy Brown completed a Risk Protection Order listing ██████████ as the respondent, and submitted it to the Legal Advisor for review.

On Wednesday, 2/24/2021, at approximately 2139 hours, Deputies responded to ██████████ Deltona, in reference to a suicidal person.

Prior to arrival, VSO Central Dispatch advised the reporting party ██████████ (V1), advised the suicidal person, later identified as ██████████ (D1), was armed with a shotgun in the garage of the residence.

Deputies responded to the scene and established a perimeter, surrounding the residence.

VSO deputies were communicating with ██████████ via cell phone, who advised ██████████ to exit the residence and walk towards deputies if safe to do so. ██████████ safely exited the residence, approached deputies and advised the following:

██████████ advised she was home at the shared residence between her and her brother, ██████████ advised

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she was home at the shared residence between her and her brother, [REDACTED] advised she received a phone call from her mother, who told her to lock the front door due to the erratic and dangerous behavior of [REDACTED]. [REDACTED] stated after locking the front door, [REDACTED] arrived and began to bang his hands on the front door and scream at [REDACTED] from outside of the residence. According to [REDACTED] she feared [REDACTED] was going to cause property damage to the residence, so she unlocked the front door and allowed [REDACTED] inside the house. [REDACTED] advised after [REDACTED] entered the house he said he hated his life, as well as, he wanted to end his life. [REDACTED] stated [REDACTED] walked into a spare bedroom, which was later identified to be the garage, where a firearm was located. According to [REDACTED] [REDACTED] grabbed a shotgun which was located inside the garage, and held it up to his mouth.

[REDACTED] advised the shotgun which [REDACTED] pointed out was long, and very rusted.

[REDACTED] advised she followed [REDACTED] into the garage and told him not to do it. According to [REDACTED] when she told [REDACTED] not to do it, [REDACTED] pointed the shotgun at her to which [REDACTED] asked, "What are you going to shoot?" [REDACTED] stated after asking if [REDACTED] was going to shoot, he replied, "I don't care, I want to end my life." [REDACTED] advised she was able to exit the garage, and lock herself in her bedroom. [REDACTED] advised she then received a call from deputies telling her to safely exit the residence.

While speaking with deputies, [REDACTED] advised upon [REDACTED] pointing the shotgun at her face, she was in fear for her life, believing [REDACTED] would have shot her if she did not leave the residence.

[REDACTED] was provided a VSO victim's rights pamphlet, and completed a sworn written statement. [REDACTED] advised she wishes to pursue charges. Deputies later made contact with [REDACTED] via receiving team, after [REDACTED] complied with verbal commands to exit the residence. Deputies detained [REDACTED] who was later read his Miranda Rights from a department issued advisement of rights card to which he understood, waived and agreed to speak with deputies.

[REDACTED] advised while he was inside his residence, he entered the garage and grabbed a shotgun. [REDACTED] description of the shotgun, matched that of [REDACTED]'s, describing the shotgun as rusted. [REDACTED] stated as the shotgun was in his possession, he swung around and pointed the shotgun in the direction of [REDACTED] however, [REDACTED] advised he pointed it toward the ground. According to [REDACTED] he and [REDACTED] never spoke of him committing suicide. [REDACTED] also advised he never made any threats to do harm to [REDACTED].

Deputies located a rusted shotgun near the chair of which [REDACTED] was sitting, which was photographed and submitted into the District 4 Evidence Locker. Deputies took photographs of [REDACTED] which were later uploaded into the Digital Crime Scene Database.

After the investigation coupled with the statements from [REDACTED] and [REDACTED] Deputy Prado determined that

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there was sufficient probable cause to place ██████████ under arrest for domestic violence aggravated assault with a deadly weapon without intent to kill. He was then later transported to Volusia County Branch Jail.

[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.

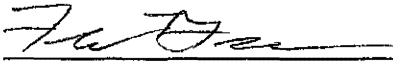
         Known protection orders are attached

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:

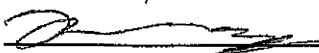
Quantity <u>1</u>	Type <u>12g Shotgun</u>	Location <u>Evidence</u>
Quantity <u>        </u>	Type <u>        </u>	Location <u>        </u>
Quantity <u>        </u>	Type <u>        </u>	Location <u>        </u>
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Quantity <u>        </u>	Type <u>        </u>	Location <u>        </u>

3 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: 02/25/2021 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 25 day of February, 2021, by Frederick John Brown III  
Affiant's name

  
Signature of Attesting LEO Witness

Deputy B. King #8397  
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)