

IN THE CIRCUIT COURT OF THE SEVENTH DISTRICT JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

VSO Case Number
21-3820

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} CHRISTIAN ECKBERG, in my position as {job title} DEPUTY SHERIFF 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} ██████████ 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:

██████████ became upset when he observed his neighbor flying a drone near his residence. ██████████ armed himself with a Mossberg 590 shotgun from within his home and fired 4 times at the drone. ██████████ walked to the end of his driveway still armed with the shotgun and threatened to shoot his neighbor if he continued to fly the drone around his home.

Additional pages are attached.

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

██████████ was flying his drone in the immediate area around his residence. ██████████ stated ██████████ shot multiple rounds at his drone and threatened to shoot him for flying the drone.

Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION _____

PAGE 1 OF 2

On Friday 02/26/2021, at 1803 hours, Deputies was dispatched to ██████████, Debarry for a weapons complaint. Upon arrival, Deputy Eckberg (9268) made contact with ██████████ (D1), who stated the following.

█████████ stepped outside his residence and stated he had no weapons on him and the weapon was inside and unloaded. ██████████ stated he was outside his house on the driveway getting a White Claw (alcoholic beverage) when ██████████ witnessed his neighbor ██████████ (V1) activate his drone in ██████████'s front yard and flew it over ██████████ house above the roof of the carport. ██████████ stated he had been harassed on multiple occasions by ██████████ in the past. ██████████ stated he went inside to retrieve his shotgun (Mossburg 590) and stood in his back yard before firing twice at the drone. ██████████ stated he walked to the edge of his property with his shotgun pointing down at the ground by his side and told ██████████ to stop harassing him. He also advised at no point in time did he ever point the shotgun in the direction of the person flying the drone. ██████████ stated he went inside his residence afterwards. Deputies requested permission to see the shotgun used, to which ██████████ replied no.

Deputies made contact with ██████████ (V1) who stated at approximately 1800 hours, he went outside to fly his DJI Drone in his front yard. ██████████ activated the drone and ascended in the air. ██████████ then flew the drone from his front lawn over ██████████ residence in an attempt to obtain footage of the lake behind ██████████ property. ██████████ stated he was operating his drone when he heard four gun shots. ██████████ stated he saw his neighbor, ██████████ across the street waving a shotgun. ██████████ stated ██████████ began to yell threats against life, stating "If you ever fly your drone around here again, I will fucking kill you, you piece of shit." ██████████ stated he was in fear for his life and believed he was going to be shot. ██████████ stated his drone was also damaged by the shooting. He advised it would cost approximately \$650 to fix or replace the drone. ██████████ complete a sworn written statement and wished to pursue charges against ██████████

Deputies made contact with ██████████ (R1) who stated she was inside her residence while ██████████ flew the drone outside. ██████████ stated she heard three possible gunshots. ██████████ stated she went outside her residence to see her neighbor ██████████ shooting a long gun in the air at the drone. ██████████ stated she went inside to call the cops as ██████████ walked to the end of his property with the gun in his hand. ██████████ stated she was outside and ██████████ threatened to kill ██████████ if he flew his drone over his property again. ██████████ complete a sworn written statement which is attached to the report.

While in contact with ██████████ Deputy Eckberg observed 4 shotgun shell casings in the area of where ██████████ stated he stood and fired. Deputies that were in contact with ██████████ and ██████████ also observed video surveillance from the drone along with multiple shotgun pellets holes in the drone.

Deputies cleared the rest of the residence to ensure no other occupants were inside. While inside the residence, Deputies observed multiple rounds of shotgun shells in the living room.

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

VSO Case Number 21-3820

AFFIDAVIT CONTINUATION

FROM SECTION _____
PAGE 2 OF 2

While clearing the rest of the residence, Deputies also observed multiple high powered rifles in other parts of the residence. Deputy Eckberg informed Sergeant Paul of the information. Sergeant Paul contacted Detective McIntosh to issue a search warrant to retrieve the firearm from ██████ residence. A search warrant was obtained and signed by Judge Dempsey. Detectives responded shortly after and retrieved the firearm and ammunition from the residence.

Based on Deputy Eckberg's investigation along with the written and verbal statements provided, Deputy Eckberg had probable cause to effect an arrest for Aggravated Assault with a deadly weapon and Criminal Mischief. Deputy Eckberg read ██████ his Miranda rights from his agency issued Miranda card. ██████ refused to give a statement without an attorney present. Deputy Eckberg subsequently placed ██████ under arrest.

Detective McIntosh collected the drone video footage, shotgun ammunition, the firearm, and spent shotgun casings. All we submitted into District 6 evidence locker as evidence.

Case status : Arrest adult, closed.

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>SHOTGUN</u>	Location <u>VSO EVIDENCE</u>
Quantity <u>2</u>	Type <u>RIFLE</u>	Location <u>[REDACTED], DEBARY</u>
Quantity <u>50</u>	Type <u>AMMO</u>	Location <u>[REDACTED] DEBARY</u>
Quantity <u> </u>	Type <u> </u>	Location <u> </u>
Quantity <u> </u>	Type <u> </u>	Location <u> </u>
Quantity <u> </u>	Type <u> </u>	Location <u> </u>

 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: 02/27/2021 Signature of Affiant: [Signature] 9268

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 26 day of FEBRUARY, 2021, by D/S C. ECKBERG 9268
Affiant's name

[Signature] 8833
Signature of Attesting LEO Witness

D/S J. BERNARD 8833
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)