

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

VSO Case Number
22-13663

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA _____

I, {full legal name} DEPUTY NICHOLAS MELE _____, 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:

SEE ADDITIONAL PAGE

2 Additional pages are attached.

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

0 Additional pages are attached.

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>PISTOL</u>	Location	<u>VSO EVIDENCE</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____


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: 07/14/2022

Signature of Affiant:  8328

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 14 day of JULY, 2022, by DEPUTY N. MELE
Affiant's name


Signature of Attesting LEO Witness

DEPUTY E. DOLAN
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)

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____

PAGE 2 _____ OF 3 _____

On 07/14/2022 at approximately 1313 hours, Deputy Mele responded to ██████████ Ormond Beach, in reference to a disturbance.

Prior to arrival, Central Dispatch advised a male at the above location, ██████████ (D1), was not letting his girlfriend, ██████████ (V1), leave the residence. Central Dispatch further stated the male was armed with a firearm.

Upon arrival, Deputy Mele observed a white Chevrolet 4-door quickly backing out of the driveway and begin driving westbound on Dimmers Road, towards Tymber Creek Road, and towards Deputy Mele's patrol vehicle. Deputy Mele stopped his vehicle in the roadway; However, the vehicle drove around Deputy Mele. Deputy Mele turned around and activated the marked patrol vehicles light and sirens, and the vehicle continued driving. Deputy Mele observed the vehicle cross over Tymber Creek Road and travel westbound on Jason Street at a high rate of speed. Deputy Mele deactivated his patrol vehicles lights and sirens and began to follow all traffic laws. Deputy Mele observed the vehicle turn northbound on Tracy Street, eastbound on Griffin Street, and northbound on Tymber Creek Road. Deputy Mele observed the vehicle drive eastbound on Airport Road. Deputy Mele was able to keep a visual on the vehicle that continued to travel eastbound on Airport Road. Deputy Mele observed the vehicle appeared to be following traffic laws, as he was stuck behind other vehicles. Deputy Mele was able to get directly behind the vehicle and observed the vehicle was bearing FL Tag ██████████. While behind the vehicle, Deputy Mele reactivated his patrol vehicles lights and sirens and the vehicle came to a stop. Deputy Mele made contact with the driver, ██████████ (D1), who was secured in handcuffs.

Deputy Mele read ██████████ his Miranda Rights and he agreed to speak with Deputy Mele. ██████████ stated his girlfriend, ██████████ (who he resides with) dropped a ceramic bowl on her previously injured toe. ██████████ advised he attempted to take ██████████ to the hospital, but she refused. ██████████ stated ██████████ was being "stubborn" by refusing to go to the hospital so that made him angry and a verbal argument ensued. ██████████ advised he became irate and started throwing objects around the house and punched walls. ██████████ stated he and ██████████ were yelling at each other in close proximity. ██████████ advised ██████████ hit him in the head, and he shoved her onto a chair. ██████████ stated that was the extent of any physical altercation between them. ██████████ advised when he learned law enforcement was contacted, he fled the residence. ██████████ stated upon seeing law enforcement he "panicked", and stated he just wanted to get to his grandmothers house. ██████████ advised he did not see Deputy Mele's patrol vehicle lights activated and did not see his sirens; However, ██████████ confirmed he was attempting to avoid Deputy Mele, because he did not want to go to jail. ██████████ had no further information to provide.

SEE 3RD PAGE

AFFIDAVIT CONTINUATION

FROM SECTION 1
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Deputies spoke to [REDACTED] who stated she lives in a trailer in her backyard at [REDACTED] with her boyfriend, [REDACTED]. [REDACTED] stated she dropped a bowl on her previously injured toe. [REDACTED] advised this enraged [REDACTED] because they did not have health insurance. [REDACTED] stated [REDACTED] began throwing objects around the residence, but did not throw anything at her. [REDACTED] advised [REDACTED] attempted to get her to go to the hospital, but [REDACTED] refused because of how irate [REDACTED] was. [REDACTED] advised [REDACTED] shoved her down on the bed and punched her twice in the back of the head causing her to scrape her right knee. [REDACTED] stated when she fell she also fell onto her right wrist, causing pain. [REDACTED] advised when she got up, [REDACTED] was standing in the doorway and she punched him in the face. [REDACTED] stated at no point did she feel unable to leave. [REDACTED] stated she called he landlord, [REDACTED] (R1), for help because she did not want [REDACTED] go to jail. [REDACTED] advised at no point did [REDACTED] display a firearm, or armed himself with a firearm. [REDACTED] stated [REDACTED] does own a firearm and made a threat to shoot law enforcement when they arrived. [REDACTED] had no further information to provide and completed a VSO Witness Statement. [REDACTED] elected to prevent disclosure of confidential information per Marsy's Law. [REDACTED] was provided with a VSO victim pamphlet which she signed for.

During an inventory search of [REDACTED]'s vehicle, a firearm was located in the glove compartment. The firearm was an American Tactical .22LR pistol. Deputy Mele placed the firearm into D3 North evidence.

While [REDACTED] was in Deputy Mele's custody, [REDACTED] made multiple suicidal statements, to include suicide by cop with the firearm. [REDACTED] advised he should have shot at law enforcement. Due to this information, Deputy Mele filed a RPO against [REDACTED]