

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

VSO Case Number
22-15874

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* DEPUTY II P. CARELLI, in my position as *{job title}* DEPUTY II 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 ATTACHED

YES Additional pages are attached.

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

SEE ATTACHED

YES Additional pages are attached.

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BWC RECORDING

MARSY'S LAW INVOKED

On 08/18/2022 at approximately 1009 hrs, Deputies responded to ██████████ Daytona Beach in reference to a domestic disturbance.

Upon arrival, Deputies observed ██████████ (V1), laying sprawled out on her back, in the driveway of the residence and the other half ██████████ (D1) had returned inside prior to their arrival. Deputies made contact with ██████████ (D1) who advised he had a firearm inside his shorts pocket, which was removed from his person for safekeeping and he was detained in reference to the investigation. ██████████ (D1) advised that he was sleeping on the couch, when he was awoken to ██████████ (V1) standing over him with a .357 Glock 32, threatening to kill him. ██████████ (D1) stated he then shoved ██████████ (V1) off of him, ran around the house to get away from her, which he eventually did. During this time she allegedly hid the gun, ran outside and then staged her laying on the ground. ██████████ (D1), stayed inside and placed the Glock 22 (SN BTSD011) in his pocket.

██████████ (D1) was placed in the back of Deputy Carelli's issued patrol vehicle so he could continue his investigation.

Deputy Carelli made contact with ██████████ (V1) who advised her and ██████████ (D1) have been fighting and arguing for several days now. Prior to confronting ██████████ (D1), she did confirm that she had possession of her Glock 43X for her protection but never pointed it or threatened him. ██████████ (V1) confirmed that ██████████ (D1) was sleeping on the couch, which she decided to make the two of them coffee. After the coffee was done, she proceeded to wake him up so they could talk about the altercation they had last night. ██████████ (V1) alleged that ██████████ (D1) became immediately aggressive, pushing his forehead and body against her. During this time, ██████████ (D1) allegedly grabbed her by her hair, threw her on the kitchen floor, pointed the Glock that was in his pocket to her head and then went to a separate room. During this time, ██████████ (V1) hid her gun from him, ran out the door and attempted leave. ██████████ (D1) pursued her out the door and met her in the driveway. He then attempted to carry her back into the house, which she proceeded to fall onto the ground where he pinned her against the driveway, causing her to strike her head and scratch her back. ██████████ (D1) eventually let go of her and returned inside the residence and shortly after Deputies arrived on scene. ██████████ (V1) advised she hid the alleged Glock 32 yesterday to keep it away from

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him.

A check of ██████████'s (V1) person showed her to have abrasions on both of her shoulder blades, which would be consistent with being pinned to the ground. She also had bumps on her head that would be consistent with her statements. ██████████ (V1) completed a sworn written statement (wished to pursue charges), completed a Marsy's law form and received a domestic violence pamphlet, which she signed for refusing. ██████████ (V1) stated she did not need medical services to respond to check out her injuries.

Photos of ██████████ (V1) were taken and submitted into the digital crime scene database.

During the investigation, Deputies attempted locate the other firearm used in the altercation which ██████████ (V1) could not recall where she hid it because she hides stuff throughout the house. Deputy Carelli followed her as she proceeded to search for the weapon, which yielded negative results. During the search, ██████████ (V1) pointed out a duffel bag fully of money to Deputy Carelli and advised the money was fake/counterfeit. Deputy Carelli observed large amounts of cash in \$100 bill dominations inside the duffel bag concluded the search for the firearm and requested Sgt. Turner respond to the scene. While waiting, ██████████ (D1) spontaneously uttered that the money in the duffel bag was fake/prop money that he uses for poker tournaments.

Sgt. Turner notified District Three North's CID, which they responded.

Although ██████████'s (V1) thoughts were scattered at times, she was able to provide the most consistent statement to Deputies. Based on the statements made and physical evidence, Deputy Carelli placed ██████████ (D1) under arrest for battery (domestic violence) and aggravated assault with a deadly w/o intent to kill. Both parties have been living together as a family unit for approximately 4-6 months and have been in a romantic/sexual relationship for approximately the same time.

A criminal history check was completed for both subjects, which yielded negative results.

The firearm that Deputies were looking for was later located in the kitchen, in a drawer under the microwave.

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All firearms, ammo and magazines that were confirmed owned by [REDACTED] (D1) were voluntarily surrendered under a TRPO. The items were taken to Volusia Sheriff's Office evidence facility.

A temporary risk protection order was completed by Deputy Carelli.

3. Affiant is is not aware of any existing protection order governing the respondent under any applicable statute.

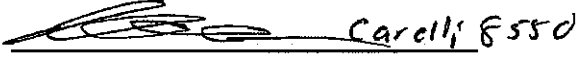
_____ Known protection orders are attached

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:

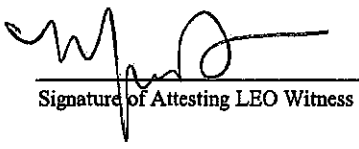
Quantity	<u>2</u>	Type	<u>HAND GUNS</u>	Location	<u>3887 TIGER BAY RD, DB</u>
Quantity	<u>12</u>	Type	<u>MAGAZINES</u>	Location	<u>3887 TIGER BAY RD, DB</u>
Quantity	<u>650</u>	Type	<u>AMMO</u>	Location	<u>3887 TIGER BAY RD, DB</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

YES 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: 08/18/2022 Signature of Affiant:  Carelli 8550

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 18 day of August, 2022, by P. CARELLI
Affiant's name


Signature of Attesting LEO Witness

DEP. M. NAYLOR
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)

