

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
220021267

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} ZAKARIAH BACON, in my position as {job title} DEPUTY 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:

BWC RECORDING ***MARSY'S LAW INVOKED***

It should be noted prior to reading this report, [REDACTED] (V1) and [REDACTED] (S1) are daughter and father respectively and had up until recently resided together as a single family unit.

On November 4th, 2022, at approximately 2230 hours, Deputy Bacon responded to

3 Additional pages are attached.

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

[REDACTED] is [REDACTED]'s daughter and knows [REDACTED] owns multiple firearms.

0 Additional pages are attached.

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[REDACTED] Deltona, in reference to reported threatening text messages. Upon arrival, Deputy Bacon made contact with [REDACTED] who advised she had recently been kicked out of her house by her father after an argument about her choice of boyfriend, [REDACTED] (V2), who [REDACTED] does not like. [REDACTED] advised when she was kicked out on October 31st, her father kept her cell phone which caused her to go buy a new one. Over the past week [REDACTED] discovered [REDACTED]'s new number and has been continuously texting it and her old number (which [REDACTED] can still view using her Macbook). The Volusia Sheriff's Office was contacted on November 2nd, 2022, at approximately 1928 hours reference [REDACTED] coming to the above-mentioned address uninvited and causing a disturbance. The above-mentioned address is [REDACTED]'s grandparents' house where the two have been staying. The incident escalated when [REDACTED] began sending messages stating the following at their respective times:

2213 hours: "Listen to what he is [REDACTED] a piece of trash, uncle [REDACTED] will stop by in the morning to take the trash out!"

2221 hours: "Here I come bitch ass mother fucker!! You call me a dick head??? Eat bullets bitch!!!!!"

2221 hours: "Call the sheriff and just see any happens!!!"

2226 hours: "Tell [REDACTED] now is a good time to start worrying"

2231 hours: "Moms on the phone with Iowa now!!! Here come [REDACTED], [REDACTED] and [REDACTED]!"

2232 hours: "There flying down tomorrow to beat [REDACTED]'s ass!!! Not me, this is grandma [REDACTED] sending you uncles down!"

2239 hours: "She'll text you before that ambush the houses 12:46 GET OUT"

2304 hours: "[REDACTED] and [REDACTED] are stopping by to say hello, I gave them the address they be over in a few let dumb ass smelly grandma know"

2307 hours: "Tell dumb ass he has visitors!!!!!"

2310 hours: "[REDACTED] and [REDACTED] are gonna fuck that boy up bad you better tell him to run"

2312 hours: "Oh fuck! Nevermind om on my way to his house& Bang bang mother fucker!!!"

2313 hours: "Tell [REDACTED] now is a good time to start worrying"

2356 hours: "[REDACTED] is going to die"

Deputy Bacon observed hundreds of harassing and threatening messages like the ones described above to be sent to [REDACTED], including almost continuous messages coming in while on scene. Deputy Bacon observed [REDACTED] had not responded to a single message. Deputy Bacon was informed the phone number, [REDACTED], the messages were coming from belonged to [REDACTED]

AFFIDAVIT CONTINUATION

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Deputy Bacon observed the phone number come back to _____'s address using law enforcement resources. Deputy Bacon further observed _____ had called the Volusia Sheriff's Office non-emergency number on November 3rd using the same number and identified himself as _____

_____ advised the harassing messages being sent to her have caused extreme emotional distress because of _____'s actions. Deputy Bacon was informed _____ had asked _____ to stop messaging her and leave her alone but this request was ignored. Deputy Bacon attempted to scroll up in the text messages to locate this message, but due to the extensive amount of texts from _____ in the last few hours alone, was unable to locate the message. While on scene, Deputy Bacon observed _____ to be fearful of anyone arriving to the residence, her voice to be shaky, and observed her to be holding back tears during questioning. _____ advised _____ has a large collection of firearms of many different types. _____ completed a sworn written statement which advised she wished to pursue criminal charges. _____ invoked Marsy's law and was provided with a Volusia Sheriff's Office victims rights and remedies pamphlet with the case number attached, which she signed for.

Deputy Bacon then spoke with _____ who confirmed his fear of _____ coming to the above stated residence and killing him. _____ advised _____ knows _____ shows him all the text messages he sends and therefore would know he would see the threats _____ is making. _____ advised he was so fearful for him and _____'s safety, he has chosen to take _____ out of town to a hotel for safety. _____ further advised his mother was receiving text messages stating how she would want to protect her child, but too late. _____ completed a sworn written statement which advised he wished to pursue criminal charges. _____ invoked Marsy's law and was provided a Volusia Sheriff's Office victims rights and remedies pamphlet.

Deputy Bacon collected copies of the above stated text messages and later uploaded them to the Digital Crime Scene Database.

Based on the above stated investigation, Deputy Bacon determined probable cause exists to charge and arrest _____ for aggravated stalking (domestic violence) for the hundreds of messages of threats to _____ and clearly unwanted contact. Deputy Bacon Further determined probable cause exists to charge and arrest _____ for written threats to kill for stating he was going to kill _____ via text message. Due to Deputy Bacon being unable to locate _____ Deputy Bacon completed a 707 pass along and placed it into the District 4 pass along folder.

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Due to the nature of the above stated incident, Deputy Bacon forwarded a copy of this report to the Volusia Sheriff's Office Victim advocates for their assistance.

A query of [REDACTED]'s criminal history revealed own prior arrest for DUI back in 2010 out of Orange City.

Case Status: 707 pass along

3. Affiant is 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:

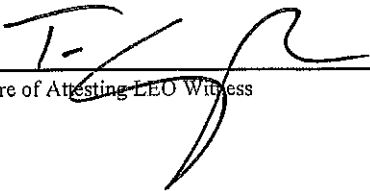
Quantity	<u>UNK</u>	Type	<u>UNK</u>	Location	<u>UNK</u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </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: 11/05/2022 Signature of Affiant: ZB

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 5 day of January, 2022, by ZAKARIAH BACON
Affiant's name


Signature of Attesting LEO Witness

DEPUTY TIFFANY KING
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)