

**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}* _____

VSO Case Number 220021324

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* Adrian Garcia, in my position as *{job title}* 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}* _____ 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 Attachment

1 Additional pages are attached.

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

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1 Additional pages are attached.

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>1</u>	Type	<u>Shotgun</u>	Location	<u>[REDACTED]</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: 11/06/2022 Signature of Affiant: [Signature]

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 06 day of November, 2022, by D/S Garcia

[Signature]
Signature of Attesting LEO Witness

D/S White 9087
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
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On 11/06/2022, at approximately 2131 hours, Deputy Garcia responded to _____ Deland in reference to a suspicious person. Prior to arrival Deputies notified via central dispatch that _____ (V1) had locked himself in his room and was armed with a firearm. The firearm was later identified as a _____ Shotgun, due to the poor condition of the weapon a serial number could not be gathered. Upon arrival, Deputy Garcia made contact with _____ (R1) and _____ (O1) who both advised the following: Both parties advised they had gotten into an argument with _____ earlier in the day due to him not taking his medication. _____ advised she was upset due to _____ having multiple mental issues including paranoia and dementia. _____ advised after the argument _____ locked himself in his room with his firearm and stated he was worried people were going to harm him. _____ and _____ both attempted to get _____ to come out of his room, but he refused. After _____ refused to exit the room, _____ notified Law Enforcement.

Upon arrival, Deputies were able to make contact with _____ without incident where he advised the following:

_____ confirmed that he has not been taking his medication and this was the cause of the argument earlier in the day. _____ advised after the argument he did lock himself in the room to get away from _____ and _____ stated the reason he took the firearm into the room was that he did not feel comfortable being in his room without it, due to the area he was living in.

After speaking with _____ Deputy Garcia determined without psychological evaluation and treatment _____ posed a significant danger to himself and others. _____ was placed under the protective custody of a Baker Act and later transported to Halifax Hospital without further incident.

A criminal history check was completed on _____ finding nothing that would prohibit her from taking temporary possession of the firearm. The firearm and a single shotgun shell involved were later turned over to _____ for safekeeping. It should be noted, due to the involvement of a firearm, a risk protection order was completed.

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AFFIDAVIT CONTINUATION

FROM SECTION 1

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The firearm was retrieved from _____ after completing an evaluation for a Baker on Act. The firearm was turned over to his daughter _____ and _____ do not reside at the same residence. Deputy Garcia is the Deputy leading the case and he does not reside with _____. To the best of my knowledge _____ is keeping the firearm at her residence.