

**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 22-23378

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* _____ Joseph Borbely _____, 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:

On 12/09/2022 at approximately 2034 hours, Deputies were dispatched to _____ Deltona in reference to a suicidal person. While en route, Central Communications advised the caller, later identified as _____ (VI), was feeling suicidal and wants to shoot himself. As Deputies prepared to contact _____ the following was told to Central Communications:

_____ 1 _____ Additional pages are attached.

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

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_____ 0 _____ Additional pages are attached.

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He was upset because the last time he was in this situation, the hospital didn't help. [REDACTED] said he had been promised resources in the past and was not taken seriously. [REDACTED] also stated he has been struggling since he has lost his father and no longer has custody of his three kids. [REDACTED] said his mother, [REDACTED] (O1), who was not on scene, has not been able to help him either.

Central Communications advised [REDACTED] had a gun to his head and said he could not talk for too long.

Deputies responded to the residence and were able to contact [REDACTED] via telephone. Deputy Gourley was speaking with [REDACTED] over the phone regarding his suicidal thoughts. [REDACTED] referenced having a "45" which is a common caliber for handguns. Utilizing deescalation techniques, Deputy Gourley was able to have [REDACTED] exit the home. Deputies took [REDACTED] into protective custody under the Baker Act.

Deputy Borbely contacted [REDACTED] who stated the following:

He has been in pain from a prior injury to his left knee. [REDACTED] stated he has been having problems with pain management and he has not eaten for five days. [REDACTED] also said he's been awake for an extended period of time. Deputy Borbely also overheard [REDACTED] disclose he had a Ruger. [REDACTED] did not wish to turn it over to law enforcement and advised law enforcement would also be unable to find his firearm. [REDACTED] also disclosed he had been abusing heroin for pain management.

Based on statements, Deputy Borbely determined without care or treatment there is a significant likelihood [REDACTED] is a danger to himself. [REDACTED] was transported to Stewart Marchman located in Daytona Beach without incident.

A criminal history check of [REDACTED] did not yield a felony conviction.

Due to [REDACTED]'s statements regarding firearms, a Risk Protection Order (RPO) was completed and forwarded to the RPO group for review.

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 _____	Type _____	Location _____
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: 12/10/2022 Signature of Affiant: *Joseph Ryz*

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 10 day of December, 2022, by J. Borbely
Affiant's name

[Signature] 9064
Signature of Attesting LEO Witness

Brady Bergeron
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)