

**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 230000231

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* PIERCE ACOSTA, 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 NARATIVE

2 Additional pages are attached.

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

SEE NARATIVE

0 Additional pages are attached.

AFFIDAVIT CONTINUATIONFROM SECTION 1
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BWC RECORDING

*** MARSY'S LAW NOT INVOKED ***

On 01/04/2023 at approximately 1858 hours Deputy Acosta was dispatched to [REDACTED] Deltona, in reference to a suspicious incident. Deputies arrived and made contact with [REDACTED] [V1] who advised the following:

[REDACTED] drove with her cousin [REDACTED] [W1], and 3 children [REDACTED] [O4], [REDACTED] [O5], and [REDACTED] [O6] to [REDACTED] in order to perform a child custody exchange of [REDACTED] with his father [REDACTED] [D1] who resides at the address. After the child exchange and [REDACTED] was inside, [REDACTED] came outside bearing a firearm stating he would shoot [REDACTED] waving the firearm around. A verbal argument took place while [REDACTED] backed out of the driveway and contacted law enforcement for assistance. [REDACTED] was in fear for her life since [REDACTED] had the firearm readily available in his hand and stated he would shoot her. [REDACTED] would like to press charges against [REDACTED]. [REDACTED] completed a written and sworn statement, Marsy's law form, and received a victims rights pamphlet in which she signed for. Deputies interviewed [REDACTED] who advised the following: [REDACTED] completed a written and sworn statement which corroborated [REDACTED] statement. [REDACTED] would not like to press criminal charges for assault with a deadly weapon. Deputies interviewed [REDACTED] who advised the following: [REDACTED] showed up at his house unannounced to conduct the child custody exchange of [REDACTED]. [REDACTED] was angered since [REDACTED] wasn't supposed to have knowledge of where he lived. The two entered into a verbal argument. [REDACTED] repeatedly told her to leave the property and admittedly had a firearm on him which he told Volusia Sheriff's Office dispatch via telephone. [REDACTED] had a ring video camera which should have captured the incident. When Deputies asked to view the footage [REDACTED] denied. [REDACTED] was asked by dispatch to keep his hands away from the firearm prior to LEO contact. [REDACTED] had the firearm located in the glove box of the vehicle in his garage with a round in the chamber, magazine ejected and located in the trunk of the vehicle. Deputy Acosta ran the Firearm on Volusia Sheriff Office teletype which yielded no results. The firearm was a Taurus 9MM pistol bearing serial number [REDACTED]. It should be noted in addition to the three children which traveled with [REDACTED] was in custody of [REDACTED] [O1], [REDACTED] [O2], and [REDACTED] [O3]. [REDACTED] and [REDACTED] were located in the house during the incident.

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AFFIDAVIT CONTINUATION

FROM SECTION 1
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Director Quann was notified of the incident and a copy of the report was sent to DCF.

Digital photographs were later uploaded onto digital crime scene.

Deputy Acosta submitted the firearm as evidence in the District 4 evidence lockers.

From the investigation Deputy Acosta found probable cause to charge _____ with Aggravated assault with a deadly weapon without the intent to kill. By pointing a loaded firearm at _____ and threatening to shoot her. Placing _____ in a well founded fear for her life.

Case status: Arrest/Adult

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

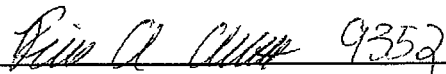
0 Known protection orders are attached

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:

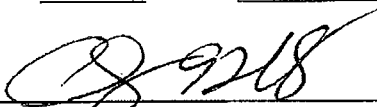
Quantity	<u>1</u>	Type	<u>9MM TAURUS</u>	Location	<u>D4 EVIDENCE</u>
Quantity	<u>11</u>	Type	<u>9MM AMMO</u>	Location	<u>D4 EVIDENCE</u>
Quantity	<u>1</u>	Type	<u>MAGAZINE</u>	Location	<u>EVIDENCE</u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
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: 01/06/2023 Signature of Affiant:  9352

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 06 day of January, 2023, by DEPUTY ACOSTA 9352
Affiant's name


Signature of Attesting LEO Witness

DEPUTY JONES 9218
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)