

**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 230000239

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* STEPHEN WOODIN, 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 January 4th, 2023 at 2039 hours, Deputy Woodin responded to _____ Deltona in reference to a disturbance. Once on scene Deputy Woodin made contact with _____ (V1), and her mother, _____ (V2). It should be noted that when _____ called 911 for law enforcement assistance she stated her child's father, _____ (D1), was possibly armed with a shotgun and was with his brother, _____ (O1). Deputies were able to contain the house and eventually
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2 Additional pages are attached.

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

SEE ADDITIONAL PAGE

_____ 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 _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____

_____ 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: 01/05/2023

Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization,

this 05 day of January, 2023, by D/S Woodin 8458
Affiant's name


Signature of Attesting LEO Witness

D/S Dep Acosta
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)

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made contact with _____ and _____, _____ and _____ have one child in common, and two more that _____ is currently pregnant with. _____ stated she and _____ were in a verbal argument. During the argument _____ stated _____ was acting erratic and not himself, and believed him to be on narcotics. During the argument _____ stated _____ went into their bedroom and grabbed his shotgun from under the bed, which was in a case. While holding the shotgun, _____ stated _____ made a statement to _____ about loading the shotgun and shooting her. _____ stated this made her extremely fearful of what _____ may do. _____ further stated there have been prior incidents of violence between her and _____, _____ then called 911 for assistance. _____ completed a sworn written statement attesting to the incident and stated she wished to pursue criminal charges. _____ also wished to invoke her right to privacy under the Florida Marsy's law. It should be noted that _____ and _____'s son, _____ (O1), was present for this incident. _____ was issued a victim's right pamphlet which she signed for. _____ is the mother of _____ and the grand mother of _____. _____ stated that she witnessed an argument between _____ and _____, _____ also stated that _____ got into a verbal argument with her and got close to her face, however did not get physical with her at any point. _____ also stated that _____ appeared to be acting erratic and believed him to be on narcotics. _____ stated that during the argument between _____ and _____, she witnessed _____ grab his shotgun from his room in a box. While holding the box with the shotgun, _____ heard _____ make a statement to _____ about shooting her. While walking to the mother in law suite in the backyard of the house and holding the box with the shotgun in it, _____ stated to _____ about not saying anything and it would save her life. _____ stated this made her extremely fearful of _____. _____ completed a sworn written statement attesting to the above incident and stated she wished to pursue criminal charges. _____ also wished to invoke her right to privacy under the Florida Marsy's law. _____ was issued a victim's right pamphlet. After being detained, _____ stated that he and his child's mother, _____ were in an argument. _____ stated after the argument, approximately 30 to 45 minutes had elapsed when he decided to grab his shotgun from under the bed. _____ could not elaborate or give an explanation for why he decided to move the shotgun. _____ stated he at no point made any kind of statement while moving the shotgun from the main house to the mother in law suite in the backyard. After Deputy Ray read _____ his right of Miranda warnings from an agency issued card, _____ stated he understood and wished to answer Deputies questions. _____ stated he at no point made any threat to load the gun or made a comment to shoot _____. _____ also stated he did not say anything to _____ as he walked past her to the back yard. After Deputies detained _____ he gave consent to retrieve his shotgun from the mother in law suite. Deputies observed the firearm to be unloaded not in a case or box on the

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bed inside of the mother in law suite. Deputy Woodin identified it as a JTS 12 gauge shotgun bearing serial # [REDACTED]. The shotgun was submitted as evidence and placed in a District 4 evidence locker for collection. Deputies also made contact with [REDACTED]. [REDACTED] stated he heard yelling from inside the house, which caused him to come inside in an attempt to break up [REDACTED] and [REDACTED]. [REDACTED] stated that he did not witness any physical fight between [REDACTED], [REDACTED] or [REDACTED]. [REDACTED] then went outside back to the mother in law suite where he lives. [REDACTED] then stated he witnessed [REDACTED] walking outside with the shotgun in the box, however was not inside when [REDACTED] was retrieving the shotgun. [REDACTED] also stated he heard mention of a physical fight however did not witness said alleged fight. [REDACTED] had no further information and was released on scene. It should be noted [REDACTED] is a long time family friend of [REDACTED] that lives at the above mentioned address in the mother in law suite. Based on his investigation and the totality of the circumstances, Deputy Woodin determined probable cause exists to the charge [REDACTED] with two counts of aggravated assault. Due to having children in common with [REDACTED] this is a domestic violence incident. It should be noted [REDACTED] and [REDACTED] are not married therefore [REDACTED] is not related by marriage to [REDACTED] and she does not live with them in Deltona. Due to [REDACTED] being present for this incident a copy of this report was forwarded to DCF for review via their secure upload.