

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  
23-11229

AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, {full legal name} Deputy Grant Ross, 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:

\*\*\* BWC Active \*\*\*

\*\* Marsy's Law Invoked \*\*

\_\_\_\_\_ (D1) has been \_\_\_\_\_'s (V1) stepfather for approximately 35 years, and have resided together in the past as a family unit. ....

3 Additional pages are attached.

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

\_\_\_\_\_ came to visit his mother and introduce his new girlfriend \_\_\_\_\_ (W2). While at the residence, \_\_\_\_\_ got into an argument with his stepfather, \_\_\_\_\_, whom he does not get along with. \_\_\_\_\_ and \_\_\_\_\_ were arguing and insulting each other in the kitchen when \_\_\_\_\_ momentarily retreated to his bedroom and returned with a pistol. \_\_\_\_\_ racked the slide on the pistol and pointed it straight in the air. \_\_\_\_\_ became afraid for his life and thought he would be shot. ...

1 Additional pages are attached.

**AFFIDAVIT CONTINUATION**

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On 06/11/2023 at approximately 1238 hours, Deputy Ross responded to \_\_\_\_\_ Oak Hill, in reference to a reported disturbance. Prior to arrival, Central Dispatch advised \_\_\_\_\_ was attacked by his stepson \_\_\_\_\_

Upon arrival, Deputy Ross made contact with \_\_\_\_\_ who stated the following:

\_\_\_\_\_ came to visit his mother and introduce his new girlfriend \_\_\_\_\_ (W2). While at the residence, \_\_\_\_\_ got into an argument with his stepfather, \_\_\_\_\_ whom he does not get along with \_\_\_\_\_ and \_\_\_\_\_ were arguing and insulting each other in the kitchen when \_\_\_\_\_ momentarily retreated to his bedroom and returned with a pistol. \_\_\_\_\_ racked the slide on the pistol and pointed it straight in the air. \_\_\_\_\_ became afraid for his life and thought he would be shot. \_\_\_\_\_ fled the kitchen to the side room, opened the window, and jumped out. As \_\_\_\_\_ was running away, his mother \_\_\_\_\_ (W1) held \_\_\_\_\_ back, ripping his T-shirt. \_\_\_\_\_ and \_\_\_\_\_ waited on the road for law enforcement to arrive. \_\_\_\_\_ thought \_\_\_\_\_ was going to shoot him, otherwise he wouldn't have ran, and jumped out a window. \_\_\_\_\_ declined to complete a sworn written statement, however, he swore to a verbal statement. \_\_\_\_\_ did not wish to press charges.

Deputy Ross made contact with \_\_\_\_\_ who stated the following:

While in the kitchen with \_\_\_\_\_, and \_\_\_\_\_ preparing food, \_\_\_\_\_ entered angry \_\_\_\_\_ began arguing and yelling at \_\_\_\_\_. \_\_\_\_\_ left the kitchen and returned with a pistol, and racked the slide, loaded it, and raised it in the air while facing \_\_\_\_\_. \_\_\_\_\_ thought \_\_\_\_\_ was going to shoot \_\_\_\_\_. \_\_\_\_\_ fled the residence, jumping out a side room window. \_\_\_\_\_ attempted to restrain \_\_\_\_\_ by grabbing him from behind, ripping his T-shirt. \_\_\_\_\_ declined to complete a sworn written statement, however, she swore to a verbal statement.

Deputy Ross made contact with \_\_\_\_\_ who stated the following:

**AFFIDAVIT CONTINUATION**

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\_\_\_\_\_ had heard that \_\_\_\_\_ came to the house. \_\_\_\_\_ has had issues with \_\_\_\_\_ in the past over some missing property \_\_\_\_\_ and \_\_\_\_\_ got into an argument in the kitchen, where \_\_\_\_\_ was insulting him, and got right in his face. \_\_\_\_\_ threw an aluminum walker at \_\_\_\_\_ striking him in the chest. \_\_\_\_\_ retreated to his bedroom, grabbed his pistol, and returned to the kitchen. \_\_\_\_\_ never pointed the firearm at anyone or made any threats to \_\_\_\_\_ and just wanted \_\_\_\_\_ to leave. \_\_\_\_\_ got between \_\_\_\_\_ and \_\_\_\_\_ to separate them, as \_\_\_\_\_ left.

Deputy Ross made contact with \_\_\_\_\_ who stated the following:

While \_\_\_\_\_ was visiting with his girlfriend, \_\_\_\_\_ got into an argument with \_\_\_\_\_ and \_\_\_\_\_ were arguing and insulting each other in the kitchen, when \_\_\_\_\_ retreated to his bedroom and returned with his pistol. \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ thought \_\_\_\_\_ was going to shoot \_\_\_\_\_, so \_\_\_\_\_ fled in an unknown direction. As \_\_\_\_\_ was running away, \_\_\_\_\_ grabbed \_\_\_\_\_ to keep him from shooting, ripping his T-shirt. \_\_\_\_\_ later found the side room window open and was unsure how it was opened, but was not surprised after hearing that \_\_\_\_\_ jumped through it. \_\_\_\_\_ did not observe \_\_\_\_\_ raise, aim, or load the pistol. \_\_\_\_\_ declined to complete a sworn written statement, however, she swore to a verbal statement.

Deputy Ross observed a torn, white, T-shirt worn by \_\_\_\_\_ which appeared to be caused by someone pulling from behind. Deputy Ross observed the window to the side room to have the screen partially hanging as if someone had forced their way out.

Digital photographs were taken of \_\_\_\_\_, \_\_\_\_\_ and the scene. The photographs were uploaded to the Digital Crime Scene Database.

\_\_\_\_\_ showed Deputy Ross to the bedroom where he recovered a Colt MK IV Series 80 Mustang 380 (Serial #MU25683A) from \_\_\_\_\_'s bedroom bed under a blanket. The firearm was loaded, with one round in the chamber, and three rounds in the magazine. The firearm and ammunition were collected and submitted as evidence. An FCIC/NCIC check on the Colt returned negative results.

\_\_\_\_\_ was issued a Florida Domestic Rights and Remedies pamphlet which he signed for. A Marsy's Law Victim's Right to Confidentiality Form was completed and \_\_\_\_\_ chose for his information to remain private.

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A criminal history check of \_\_\_\_\_ revealed no prior convictions for battery.

Based on the statements provided and evidence on scene, Deputy Ross determined \_\_\_\_\_ (D1) was the primary aggressor, and charged with Aggravated Assault with a Deadly Weapon (domestic) for retrieving and racking his pistol during the argument, causing \_\_\_\_\_ to fear for safety.

An RPO was completed. \_\_\_\_\_ stated he owns another firearm but would not provide further information on it at this time.

\_\_\_\_\_ was transported to VCBJ without incident.

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>Colt .380 Caliber</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>4</u>	Type	<u>.380 Ammunition</u>	Location	<u>VSO EVIDENCE</u>
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: 06/11/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 11 day of June, 2023, by Deputy Grant Ross  
Affiant's name

\_\_\_\_\_  
Signature of Attesting LEO Witness

Deputy Sara Peas  
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)