

**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}* [REDACTED]

VSO Case Number 23-13578

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* JOHN BERARD, 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}* [REDACTED] 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 attached report.

2 Additional pages are attached.

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

See above

 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
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On 7/16/23 at approximately 2015 hours, deputies responded to [REDACTED] in Debarry reference a possible disturbance.

Upon arrival Deputy Diedesch made contact with [REDACTED] (01) who advised her son [REDACTED] (V1) left on foot and was making suicidal statements. [REDACTED] told deputies [REDACTED] stated he did not want to live any more and was going to shoot himself with his firearm. The firearm was possibly located in [REDACTED]'s vehicle which was parked in the Winn Dixie parking lot located at 20 N Charles R Beal Blvd in Debarry. Deputy Diedesch overheard a phone conversation between [REDACTED] and [REDACTED] in which [REDACTED] stated he was going to put the firearm in his mouth and end his life due to the arguments he was having with his wife.

Deputy Berard made contact with [REDACTED] in the Winn Dixie parking lot as he was walking toward his vehicle. Due to [REDACTED] being a danger to himself and others, he was taken into custody under the Baker Act. A loaded magazine was located in his pocket. Sergeant Turner located a 9mm Smith & Wesson firearm inside the vehicle. [REDACTED] stated he was going to his truck to retrieve his firearm but denied making suicidal statements. [REDACTED] signed a release of liability waiver form so the vehicle could stay in the Winn Dixie parking lot and not be towed. [REDACTED] was transported to Stewart Marchman without incident. Due to the vehicle not being secured, the firearm along with the ammunition were submitted to VSO evidence for safekeeping. Deputy Berard completed a Risk Protection Order against [REDACTED] which was submitted to RPO submissions.

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

NONE 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 S&W</u>	Location	<u>VSO evidence</u>
Quantity	<u>2</u>	Type	<u>9mm magazine</u>	Location	<u>VSO evidence</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

N/A 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: 07/16/2023

Signature of Affiant: Berard, John

Digitally signed by Berard, John
Date: 2023.07.19 03:38:44 -04'00'

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 16 day of July, 2023, by JOHN BERARD
Affiant's name


Signature of Attesting LEO Witness

Bacon 9251
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)