

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

VSO Case Number
VP230016760

IN RE: PETITION FOR RISK PROTECTION ORDER
AGAINST {Name of Respondent} _____

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} _____ DEPUTY AGOSTO _____, 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:

SEE CONTINUATION PAGE.

_____ Additional pages are attached.

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

SEE ON CONTINUATION PAGE.

_____ Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
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BWC ACTIVATED

On 8/30/2023, at approximately 1110 hours, Deputy Agosto was dispatched to a disturbance that potentially involved a firearm at, _____ Debary. Upon arrival Deputy Agosto made contact with _____ (V1), his wife _____ (O1), and his daughter _____ (O2).

Once separated, _____ advised, he is tired of his wife and how she does not discipline her children, mainly her son, who allegedly is doing drugs all the time and bringing bad people over to the house. According to _____ anything her kids do, is ok in his wife's eyes, good or bad. With this constantly happening _____ stated he got very upset to which, a verbal argument ensued. During this verbal argument _____ was very upset and wanted to get out of the house. _____ advised he did not threaten anyone and did not own any weapons. Deputy Agosto questioned _____ if he was diagnosed with anything and if he was supposed to be on any medication. To which he responded with bipolar disorder and that he neglected to take his medication regardless if he needed it or not.

Upon making contact with _____, _____ advised, _____ had been rampaging through the house demanding she do what he says. When _____ was arguing about her son, he stated, "There is going to be some ass kicking tonight" and "if you don't deal with it, I'm going to deal with it, and you won't like how I deal with it". _____ then advised he would harm _____ _____ did not advise how he was going to hurt _____ regarding his previous statement. _____ advised _____ had been threatening her and _____ for the past few weeks and has been off his medications for approximately a month. _____ subsequently took her firearm along with two other firearms that belonged to _____ and hid them. _____ demanded his guns, to which she stated no. _____ responded that he would get something more powerful to deal with the situation if she did not listen to him. _____ advised she and her family had suffered from _____'s verbal and physical abuse prior to moving to Debary. _____ stated she was afraid of what might happen if _____ did not seek some type of treatment. _____ provided a sworn written statement detailing the incident.

Once deputies made contact with _____ she advised, _____ had been arguing with _____ and asked her where his guns were. _____ advised _____ would not tell him where she hid them.

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AFFIDAVIT CONTINUATION

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When [REDACTED] asked [REDACTED] why he needed the guns, he advised that it was up to her to find out. [REDACTED] became erratic and began to throw things around the house. [REDACTED] also threw a vacuum across the house causing damage and bent a gate at the home. [REDACTED] provided a sworn written statement detailing the incident.

At the conclusion of Deputy Agosto's investigation, he believed there was substantial likelihood that without care or treatment, [REDACTED] would cause serious bodily harm to himself or others in the near future, as evidenced by recent behavior. Deputy Agosto took [REDACTED] into custody under the Baker Act. Based on the information stated, Deputy Agosto completed a Risk Protection Order and submitted to VSO RPO Submissions.

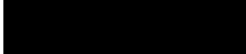

[REDACTED] was transported to SMA Daytona for treatment.

CASE STATUS: CLOSED

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

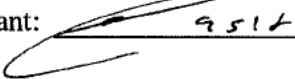
0 Known protection orders are attached

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:

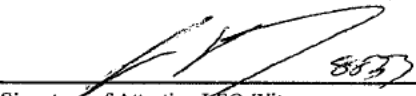
Quantity	<u>2</u>	Type	<u>HANDGUNS</u>	Location	
Quantity	<u>1</u>	Type	<u>SHOTGUN</u>	Location	
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

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: 08/30/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 30 day of August, 2023, by DEPUTY N AGOSTO
Affiant's name


Signature of Attesting LEO Witness

DEPUTY J BERNARD
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)