

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

VSO Case Number
VP230019323

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Kletus Stubblefield, in my position as {job title} Deputy II with the {name of law enforcement officer/agency} Volusia Sheriffs 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 10-05-2023 at approximately 1535 hours, Deputy Stubblefield was dispatched to a disturbance at _____ Deland. Upon arrival deputies made contact with _____ (D1), _____ (V1) and _____ (W1). Deputies received statements from all 3 parties involved which advised the following.

_____ Additional pages are attached.

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

_____ Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION _____

PAGE 2 OF 2

_____ was scouting the area for roof sales and approached the victim, _____. He agreed to talk to _____ but did not want to hear his sales pitch. _____ then asked for information about the neighbors and _____ became rude stating he isn't giving out any personal information even if he knew it and _____ responded by calling him rude and walking away. _____ asked _____ "wanna see rude i will show you rude" and began to yell at _____ to get off his property or he would "beat his ass". _____ put his left hand in his pocket and grabbed on to his firearm and partially pulled it out, brandishing it so _____ could see it in an attempt to scare him. Due to _____ prior military experiences, he stepped up to the challenge and began to verbally berate _____ and got in his face. _____ then pushed him back and pulled his firearm out and pointed at _____ chest. _____ did not back down and followed him to his car.

_____ followed him around the car refusing to let him leave until law enforcement arrival.

_____ advised he did pull his firearm out on _____ when the verbal argument ensued. He stated it was because he wanted him to leave him alone not because he was in fear for his life. He advised he tried to leave the area but was standing on scene upon law enforcement arrival.

_____ advised he became irritated when he told him to leave the property and he began to talk back. _____ confronted him after seeing the firearm in his hand and told him "I'm not scared shoot me! pull the trigger I dare you". _____ never became physical with _____. _____ did admit to not allowing _____ to get in his car and leave until law enforcement arrives.

_____ an independent witness, advise she watched the entire confrontation and _____ could have left at any time instead he chose to stand toe to toe with _____ not showing any fear and standing his ground at the end of _____'s driveway. _____ did not see the firearm displayed but did see everything that ensued. Through Deputies investigation, statements collected, and firearm observed it was determined that _____ be placed under arrest for Aggravated assault with a firearm without intent to kill for brandishing a concealed firearm and pointing it at _____ during a verbal argument without any fear of death or bodily harm. It was apparent _____ was not in fear for his life as he stood face to face with _____ and did not back down.

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	<u>1</u>	Type	<u>HAND GUN</u>	Location	<u>D2 EVIDENCE</u>
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: 10/05/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 05 day of October, 2023, by Stubblefield
Affiant's name


Signature of Attesting LEO Witness

Mike Charla
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)