

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

VSO Case Number
23-21411

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* _____ Deputy Knight _____, in my position as *{job title}* _____ Deputy Sheriff _____ with the *{name of law enforcement officer/agency}* _____ Volusia Sheriff 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 11-04-2023 at approximately 2215 hours, Deputy James responded to _____ Ormond Beach in reference to a shooting. Central dispatch informed the reporting party, _____ (O1), saw someone looking into her windows and also saw shadows outside of her back patio area so she fired several gunshots to scare them off. Upon law enforcement's arrival, _____ was asked to place her weapon down and exit the residence to meet with the responding units.

_____ 2 _____ Additional pages are attached.

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

_____ Additional pages are attached.

AFFIDAVIT CONTINUATION

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Once [REDACTED] was out of the residence, the residence was cleared and she was allowed to re-enter to show where she fired her weapon. [REDACTED] showed Deputy James she fired two shots just above a window in her living room where she explained she saw someone looking inside. The window where [REDACTED] said she saw someone looking in was a small window which was very high up on the wall and its purpose was to allow in natural light. The height of the window was at a height where no one would be able to look in unless they were standing on something such as a ladder.

The third shot was towards the rear of the residence directly into the ceiling. [REDACTED] said she fired this third shot because of the shadows she saw outside the rear sliding door. [REDACTED] again said she fired into her ceiling to scare off the shadowy figure she saw. Deputies went outside of the residence to ensure the rounds did not enter one of her neighbors' houses which might have injured them. Upon looking outside of the residence, the rounds failed to exit the home so there was no danger someone else was injured.

Once back inside of the residence, [REDACTED] was spoken to more about what she thought she saw. [REDACTED] explained she saw someone looking into her windows, so she was defending herself by attempting to scare them by shooting towards the window and areas where she thought they were. In looking around [REDACTED]'s house, she had an area where the dining room table was resting on its side. Behind where the table was lying on its side, there was a blanket and a large number of pillows on the floor.

When asked why was this area like this, [REDACTED] said an unknown person frequently walks around her house with a flashlight at the same times during the night and she gets behind the table and pillows on the floor as a type of barrier to protect herself when he comes. [REDACTED] also had trash bags taped on the rear sliding glass windows which she says acts as camouflage to hide her inside of her home from intruders. There was also a type of mannequin placed in front of the rear sliding glass windows which acts as a type of scarecrow to ward off intruders, [REDACTED] explained. [REDACTED] further said she sometimes puts aluminum foil on her front windows to help conceal her from intruders.

AFFIDAVIT CONTINUATION

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It was explained to [REDACTED] while no one would ever deter her from defending herself from a credible threat, shooting her firearm at walls, ceilings and windows is very irresponsible and could lead to an innocent person getting harmed or killed. [REDACTED] was told her residence is very close to her neighbor's house and it could be one of her neighbors walking in between their homes and she could inadvertently harm or kill them. [REDACTED] seemed to justify this by saying she was just defending herself from someone who she thought was there. It was explained to [REDACTED] if she feels there is someone outside of her residence, she should call the police.

While speaking with [REDACTED] it was learned there was a prior incident involving her acting in the same manner on a call earlier in the work shift which Flagler County Sheriff Office made Volusia Sheriffs Office aware of. In this incident (Call number P233081351) Flagler County Sheriff Office requested an attempt to contact on [REDACTED] due to a suspicious incident which occurred in their county at a hotel. During this incident, the hotel room was entered and they observed bullet holes in the walls and a firearm which was left behind; however, [REDACTED] was nowhere to be found. Deputy James asked [REDACTED] about this incident.

[REDACTED] explained she was in the hotel room when she heard people outside of her room. Thinking the people were going to harm her, she fired her firearm at the walls to scare them off. [REDACTED] was asked what she did after she fired the shots. [REDACTED] said she left the firearm in the hotel room and left. Deputy James asked [REDACTED] does she think it's unreasonable a person might hear others outside of a hotel room. [REDACTED] explained it sounded like the people were very close to her room and were towards the pool area. Again, [REDACTED] was told firing her weapon in this manner is very irresponsible and could lead to an innocent person getting harmed or killed. [REDACTED] was asked how many firearms she has. [REDACTED] said she only owns two and one of them was left in Flagler County during the incident in the hotel room.

In speaking with [REDACTED] it was clear she did not fully understand how serious her actions could have been and there was a high possibility she would continue her actions which could cause harm or death to others. As a result, [REDACTED] was taken under the Baker Act. [REDACTED] also voluntarily surrendered her remaining firearm to the deputies where a Risk Protection Order was completed on her. The firearm was collected and submitted into evidence under the risk protection order. [REDACTED] was transported to Halifax Hospital without further incident. [REDACTED]'s daughter, [REDACTED] (O2) who lives in Texas, was called so she could be informed about what is happening with [REDACTED]. There was no answer, but a voicemail was left for her.

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>Silver Revolver</u>	Location	<u>VSO EVIDENCE</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

_____ Additional pages are attached.

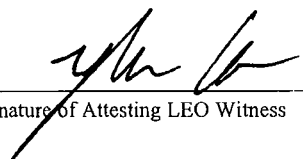
AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

Dated: 11/04/2023

Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 04 day of November, 2023, by Djhon Knight

Affiant's name


Signature of Attesting LEO Witness


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)