

**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 230003078
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**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, *{full legal name}* \_\_\_\_\_ Deputy K. Darcy \_\_\_\_\_, 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}* \_\_\_\_\_ 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 02/16/2023, at approximately 0939 hours, Deputy Darcy responded to _____ Deleon Springs in reference to a fight between the reporting party, _____ (V1), and her brother, _____ (W1). Upon arrival, contact was made with _____ who advised the following: _____ has been staying on and off in _____'s mobile home parked in the backyard of their parents, _____ (O1) and _____ (O2), home at the aforementioned address. _____ has been
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  2   Additional pages are attached.

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

_____ has undiagnosed mental health issues and was waving a gun around, pointing it at _____.
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  0   Additional pages are attached.

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staying on and off in \_\_\_\_\_'s mobile home parked in the backyard of their parents, \_\_\_\_\_ (O1) and \_\_\_\_\_ (O2), home at the aforementioned address. \_\_\_\_\_ has been struggling for a long time with homelessness, mental health, and substance abuse so \_\_\_\_\_ arranged for \_\_\_\_\_ to go to the hospital for mental health evaluation and counseling. \_\_\_\_\_ was then going to take \_\_\_\_\_ to a homeless shelter and have her belongings moved from the mobile home into a storage unit. Today, \_\_\_\_\_ was finishing removing the last of \_\_\_\_\_'s property from the trailer when she locked and barricaded herself inside the trailer. \_\_\_\_\_ attempted to gain entry into the trailer to get \_\_\_\_\_ out and to the hospital but she refused to open the door. \_\_\_\_\_ subsequently made entry through the driver side door window, at which time \_\_\_\_\_ hit him with an unknown object. \_\_\_\_\_ made entry into the mobile home and, while she continued to thrash around, grabbed \_\_\_\_\_ in a bear-hug to get her to stop. \_\_\_\_\_ and \_\_\_\_\_ then argued some more about her leaving, at which time \_\_\_\_\_ yelled that she would "just kill the both of them" referring to herself and \_\_\_\_\_. \_\_\_\_\_ then called 9-1-1 and threw herself out of the trailer door where she laid on the ground to await law enforcement. \_\_\_\_\_ also contacted the Sheriff's Office and met Deputy Darcy out front. \_\_\_\_\_ also added that on Monday, 02/13/2023, \_\_\_\_\_ pointed a pistol at him. \_\_\_\_\_ went into more detail and said he saw the firearm on \_\_\_\_\_'s night stand and confronted her about the gun unsecured with her 13 year-old son in the house. \_\_\_\_\_ said \_\_\_\_\_ replied with "yeah I have a gun!" and grabbed it from behind the TV. \_\_\_\_\_ tried to take the gun from \_\_\_\_\_ and she pulled back and pointed it in \_\_\_\_\_'s direction. \_\_\_\_\_ then was able to grab the slide and disarm \_\_\_\_\_. \_\_\_\_\_ said he then found the real owner of the gun (a friend of \_\_\_\_\_'s) who he plans on returning it to. It should be noted, \_\_\_\_\_ had multiple lacerations on his left arm, right side of his neck, and hands which were bleeding when Deputy Darcy arrived on scene. These cuts were accidental and self inflicted when \_\_\_\_\_ broke the window \_\_\_\_\_ and \_\_\_\_\_ informed Deputy Darcy \_\_\_\_\_ was struggled with mental health for a long time but she is not diagnosed. \_\_\_\_\_ said \_\_\_\_\_ has made suicidal statements recently but did not hear anything today and neither her, or \_\_\_\_\_ witnessed the fight between \_\_\_\_\_ and \_\_\_\_\_. Deputy Darcy then made contact with \_\_\_\_\_ who was laying in the back yard. \_\_\_\_\_ stated \_\_\_\_\_ choke slammed her into a wall before violently throwing her out of the mobile home. \_\_\_\_\_'s story would then change multiple times when confronted with conflicting accounts of what happened. \_\_\_\_\_ also stated she was thrown over her luggage inside the mobile home and then was thrown to the ground; however, Deputy Darcy noticed the inside of the trailer was in good order and did not appear to show any signs of a struggle. \_\_\_\_\_ then said she had stood the luggage back up before being put on the ground but later said she did not say that \_\_\_\_\_ informed Deputy Darcy she was mad \_\_\_\_\_

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had taken her gun on Monday because she needed it for protection. \_\_\_\_\_ stated the gun was never removed from the holster and said she never pointed it at \_\_\_\_\_. After speaking with all parties, Deputy Darcy determined that without proper care or treatment \_\_\_\_\_ would ultimately be a danger to herself and others. \_\_\_\_\_ was taken into protective custody under the Baker Act and transported to Stewart Marchman, Daytona Beach without incident. Due to \_\_\_\_\_ having had access to a firearm (which she had allegedly pointed at \_\_\_\_\_) and there being potential that she will have access to firearms in the future, a Risk Protection Order was completed.

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 _____	Type _____	Location _____
Quantity _____	Type _____	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: 02/16/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization,

this 16 day of February, 2023, by Deputy K. Darcy  
Affiant's name

  
Signature of Attesting LEO Witness

Deputy A. Fernandez  
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)