

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
230006319

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Jared S. Gourley, 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:

On 04/02/2023, Deputies responded to _____ Deltona due to a disturbance between _____ and _____. Prior to arrival Deputies were informed a black female, identified as _____ was pointing a gun at a male, identified as _____. The firearm was used in the commission of an aggravated battery dating violence. The firearm was witnessed to be a black 9mm or 45 pistol.

1 Additional pages are attached.

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

_____ said she was driving northbound on Cloverleaf Blvd while making Uber deliveries. While driving she witnessed a black male wearing white shorts, black hair with dreadlocks was "running and ducking down as he was running _____" _____ looked towards the yard and witnessed a black female wearing blue jeans shorts, green cut off shirt with headband pointing a "black Glock 45 or 9mm pistol," at the black male. _____ slammed on her breaks as the male attempted to flag her down.

1 Additional pages are attached.

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AFFIDAVIT CONTINUATION

FROM SECTION 2
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_____ was ultimately scared due to the firearm and kept driving. Once _____ realized there was an emergency occurring she turned around in attempts to help and witnessed the male fleeing from the scene as he was walking southbound on _____. _____ passed the male and made another U-turn on Anderson and Cloverleaf Blvd. _____ passed _____ and witnessed the male back on scene where both parties were engaged in a verbal argument. _____ stated the female was yelling at the male while she attempted to throw sand and/or dirt at the male.

Deputies contacted _____ and met with her at a nearby location. _____ completed a sworn written statement and verbally swore to her statement.

AFFIDAVIT CONTINUATION

FROM SECTION 1
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Deputy Gourley asked _____ to describe his relationship with _____. _____ explained they've been together for a couple years, they do not have children in common, however they live together from time to time and there is an expectation of sexual intercourse in the relationship. Deputy Gourley then made contact with _____ who stated nothing happened. _____ advised there was no gun and nothing occurred between both parties. _____ proclaimed her innocence and they were only talking and nothing was witnessed by any reporting parties or neighbors. Deputy Gourley observed two small cuts to _____'s left side of his face, a swollen lip, cuts and bruising to the right side of his face, cuts and scratches to the right side of _____'s neck.

_____ began by asking Deputy Gourley what was going on with her boyfriend, _____. _____ stated both parties have been dating for longer than 6 months. _____ stated both parties were involved in a discussion regarding the motor vehicle. Due to their conversation becoming an argument, _____ began to gather her property and was soon to leave the house. _____ grabbed her belongings, approximately 3 bags and began placing them into the car. _____ stated nothing was physical and advised no gun or firearm was used during the incident. When information was provided regarding an anonymous party stating they witnessed a gun _____'s story changed. She admitted to retrieving the firearm while packing her things and placing it inside her bags. _____ stated she owns a firearm and it is registered to her name. _____ advised while outside she placed the gun inside her bags and that's how the reporting party saw her with a gun.

While Deputies were on scene, they located a 9mm cartridge located in the driveway of the residence. The 9mm round was photographed and collected in attempts to obtain latent prints after processing. Cartridge was secured in a District 4 evidence locker as evidence. See Deputy Borbely's supplement which states the above information.

A criminal history check of _____ revealed no prior convictions of battery or any felonious conviction.

The firearm was not collected on scene due to family not allowing Deputies inside the residence to locate and/or collect.

_____ was arrested for Aggravated Assault with a Deadly Weapon and Battery.
_____ was arrested for resisting w/out violence.

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:

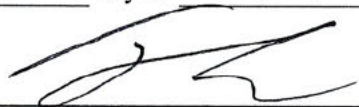
Quantity	<u>1</u>	Type	<u>BL Glock pistol</u>	Location	<u>[REDACTED]</u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>

 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: 04/02/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 02 day of April, 2023, by D/S Gourley


Signature of Attesting LEO Witness

Eveles #9316
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)