

**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 230009929
------------------------------

**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, *{full legal name}* Zachary Martinez, 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 May 24th, 2023 at approximately 0915 hours, Deputy Martinez responded to _____ New Smyrna Beach in reference to a suicidal person. Deputy Martinez spoke with _____ (R1) who stated he received text messages from _____ (V1) containing photographs of a rifle with four bullets and alcohol. Along with the photographs, _____ also sent text messages explaining he wanted to leave this world.
---

1 Additional pages are attached.

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

_____ (R1) who stated he received text messages from _____ (V1) containing photographs of a rifle with four bullets and alcohol. _____ stated he had been friends with _____ for approximately a month.
---

         Additional pages are attached.

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

VSO Case Number  
230009929

**AFFIDAVIT CONTINUATION**

FROM SECTION   1    
PAGE   1   OF   1  

Deputy Martinez obtained a copy of said text messages and photographs from [REDACTED] Deputy Martinez was unable to obtain a sworn written statement from [REDACTED]. The encounter was captured on Deputy Martinez's BWC. Deputies arrived on scene at [REDACTED], Oak Hill and spoke with [REDACTED] who stated he was not currently suicidal. When deputies asked [REDACTED] about the photographs he sent to [REDACTED], [REDACTED] stated he did intend to harm himself with the rifle the night before. [REDACTED] advised he only had one rifle, unknown caliber and unknown make and model. [REDACTED] further explained he had been drinking alcohol the night he sent said text messages to [REDACTED]. After speaking with [REDACTED] and the circumstances surrounding the incident, deputies determined [REDACTED] met the criteria to be taken into protective custody under a Florida Baker Act and was transported to Halifax Hospital in Daytona Beach for further evaluation. The rifle mentioned above was not taken by deputies at the scene. Deputies secured the residence with the rifle left inside. Due to the incident involving a firearm, Deputy Martinez completed a Petition for a Temporary Risk Protection Order which was later submitted to the VSO Legal team.

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

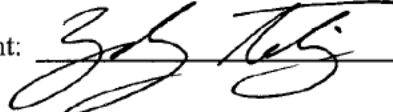
\_\_\_\_\_ Known protection orders are attached

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	_____ 1	Type	Rifle	Location	_____
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: 05/24/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 24 day of May, 2023, by Deputy Z. Martinez  
Affiant's name

  
Signature of Attesting LEO Witness

D/S E. Bartzler  
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)