

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} Scott F [REDACTED]

VCISO Case Number
19-10273

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Joel Medina, in my position as {job title} Deputy Sheriff II with the {name of law enforcement officer/agency} Volusia County Sheriff's Office, swear and affirm that the following facts are true and correct.

1. {Name of Respondent} [REDACTED] [REDACTED] 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 12, 2019, at approximately 2315 hours, Deputy Medina responded to [REDACTED] [REDACTED] Deltona, in reference to a domestic disturbance. Upon arrival, Deputy Medina made contact with [REDACTED] [REDACTED] (V1) who advised the following:

1 Additional pages are attached.

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

She had a verbal altercation with her husband, [REDACTED] [REDACTED] (D1), in reference to marital issues. [REDACTED] advised Scott has been drinking alcohol all day and is intoxicated. [REDACTED] advised the altercation escalated when [REDACTED] called her a "Cunt" and stated he was going to snap her neck and shoot her. [REDACTED] advised she immediately began to fear for her safety life and secured herself inside her bedroom.

1 Additional pages are attached.

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent} [REDACTED]

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____

PAGE 2 _____ OF 2 _____

She had a verbal altercation with her husband, [REDACTED] (D1), in reference to marital issues. [REDACTED] advised [REDACTED] has been drinking alcohol all day and is intoxicated. [REDACTED] advised the altercation escalated when [REDACTED] called her a "Cunt" and stated he was going to snap her neck and shoot her. [REDACTED] advised she immediately began to fear for her safety life and secured herself inside her bedroom. [REDACTED] advised [REDACTED] began to bang on her bedroom door and repeated his threats of him going to break her neck and shoot her. [REDACTED] advised she armed herself with her firearm and contacted law enforcement. [REDACTED] advised the altercation remained verbal and did not become physical. [REDACTED] advised [REDACTED] did not display any weapons during the altercation. [REDACTED] advised she wanted to pursue criminal charges and provided a sworn written statement.

Deputies made contact with [REDACTED] who advised he had a verbal altercation with [REDACTED] [REDACTED] advised, during the altercation, he told [REDACTED] he would shoot her if she ever pointed a gun at him. [REDACTED] advised he did not state he would break her neck. [REDACTED] advised his firearm was currently located in his vehicle which was parked in the driveway.

[REDACTED] was not injured in the altercation due to it remaining verbal. Deputy Medina obtained a digital photo of [REDACTED] and later submitted it to Digital Crime Scene Database. Deputy Medina completed a domestic violence face sheet, victim notification card, and provided [REDACTED] with a domestic violence legal rights and remedies pamphlet. Deputy Medina provided [REDACTED] with a VCSO business card and case number.

[REDACTED] and [REDACTED] have been in a committed relationship for 15 years and have been married for 5 of those years. [REDACTED] and [REDACTED] currently reside together as a family unit.

Based on Deputy Medina's investigation, Deputy Medina determined [REDACTED] to be the primary aggressor. Deputy Medina determined probable cause existed and placed [REDACTED] under arrest for Assault/Intentional Threat to do Violence-DV. [REDACTED] was later transported to VCBJ. Deputy Medina collected [REDACTED]'s Florida concealed carry license. [REDACTED] refused to allow Deputy Medina to collect his firearm.

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:

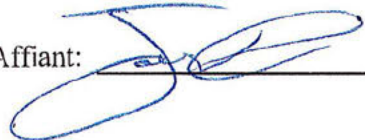
Quantity	<u>1</u>	Type	<u>Handgun</u>	Location	<u>Respondent's vehicle</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

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: 05/13/2019

Signature of Affiant: _____

 8601

Sworn to or affirmed and signed before me on 05/13/2019 by DEPUTY MEDINA who is personally known to me or ___ presented _____, as identification.

M. Caproni 1429 UC50
Notary Public, State of Florida
My commission expires: _____

VOLUSIA COUNTY SHERIFF'S OFFICE

Clerk of Court's Number

RISK PROTECTION ORDER / BAKER ACT FIREARMS AND AMMUNITION RECEIPT

EVNT	Report Date 5/12/19	Report Time 2301	Orig. Reported Date 5/12/19	Nature of Call (for Incident) DV	Agency Report Number 19-10273	1. Original 2. Supplement 1
CODE	Status Code: 1. Evidence 6. Recovered			7. Recovered (Outsite Agency Recovered)	13. Disposal 17. Baker Act	22. RPO (Voluntary Surrender) 23. RPO (Seized)
PROPERTY	Leave Blank	Item # 1	Status 23	Category Y	Quantity 1	Description FLORIDA CONCEALED CARRY LICENSE
PROPERTY	If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
PROPERTY	Leave Blank	Item #	Status	Category	Quantity	Description
PROPERTY	If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
PROPERTY	Leave Blank	Item #	Status	Category	Quantity	Description
PROPERTY	If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
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PROPERTY	Leave Blank	Item #	Status	Category	Quantity	Description
PROPERTY	If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number
PROPERTY	Leave Blank	Item #	Status	Category	Quantity	Description
PROPERTY	If Gun	Make	Model	Caliber	Type / Cat	Action Finish Serial Number

INITIALS
 Pursuant to 790.401(7)(c), Florida Statutes, the firearm(s) and/or ammunition and/or license to carry a concealed weapon were surrendered by Respondent or seized by a Deputy of the Volusia County Sheriff's Office on 5/12/19.
 Respondent _____
 I am the owner of the firearm(s), ammunition, or license to carry a concealed weapon or firearm and I hereby knowingly and voluntarily consent to the surrender of the items listed in this report to the Volusia County Sheriff's Office.
 Respondent _____
 I am the owner of the firearm(s) and/or ammunition listed in this report. I hereby request the firearms and/or ammunition be turned over to:
 (Name) _____
 (Address) _____
 Respondent (Telephone Number) _____
 I, Deputy or Evidence Employee of the Volusia County Sheriff's Office, acknowledge receipt of the above listed items which were either surrendered or seized on 5/12/19, at [REDACTED] DELTONA, FL 32738.

SIGNATURES							
Seized		5/13/19		[Signature]		Deputy	
Respondent		Date		Deputy			
CUSTODY	Item # 1	Date: 5/13/19	Time: 0230	Released by (Printed): DEPUTY MEDINA	Released by (Signature): [Signature]	Received by (Printed): D4 EVIDENCE LOCKER	Received by (Signature):
	Leave Blank	Reason for Change: safe keeping					
CUSTODY	Item #	Date:	Time:	Released by (Printed):	Released by (Signature):	Received by (Printed):	Received by (Signature):
	Leave Blank	Reason for Change:					
ADMIN.	Officer Reporting - Printed DEPUTY MEDINA			Officer Reporting - Signature [Signature]			ID Number 8601
	Officer Reviewing - Printed (if Applicable) SGT. J. McDonovan			Officer Reviewing - Signature (if Applicable) [Signature]			Unit 1A48
				ID Number 1626	Unit 1A90	Date 05-13-19	