| IN THE CIRCUIT COURT OF THE SEVENTH IN AND FOR VOLUSIA | JUDICIAL CIRCUIT, COUNTY, FLORIDA |
|---|---------------------------------------|
| | |
| IN RE: PETITION FOR RISK PROTECTION ORDER | VCSO Case Number |
| AGAINST {Name of Respondent} | 19-11628 |
| <u>AFFIDAVIT</u> | |
| STATE OF FLORIDA | |
| COUNTY OF VOLUSIA | |
| I, {full legal name} Robert McCabe | , in my position as <i>{job</i> |
| | me of law enforcement officer/agency} |
| Volusia County Sheriff's Office , swear and affirm that | |
| 1. {Name of Respondent} | poses a significant danger |
| of causing personal injury to himself/herself or oth | |
| ammunition in his/her custody or control or by pur | • |
| firearm or any ammunition. The following specific | |
| to a reasonable fear of significant dangerous acts b | |
| On 05-29-2019, Deputies responded to | Deltona, in reference to a |
| suicidal female. Once on scene, contact was made | |
| his mother, (V1), made suicidal sta | |
| | f the residence. Upon eaving, |
| | curing, |
| 1 Additional pages are attached. | |
| | |
| 2. {Name of Witness} | provided the following |
| information based on his/her personal knowledge: | |
| Please see affidavit continuation page for details. | |
| | |
| | |
| | |
| | |
| 1 Additional pages are attached. | |

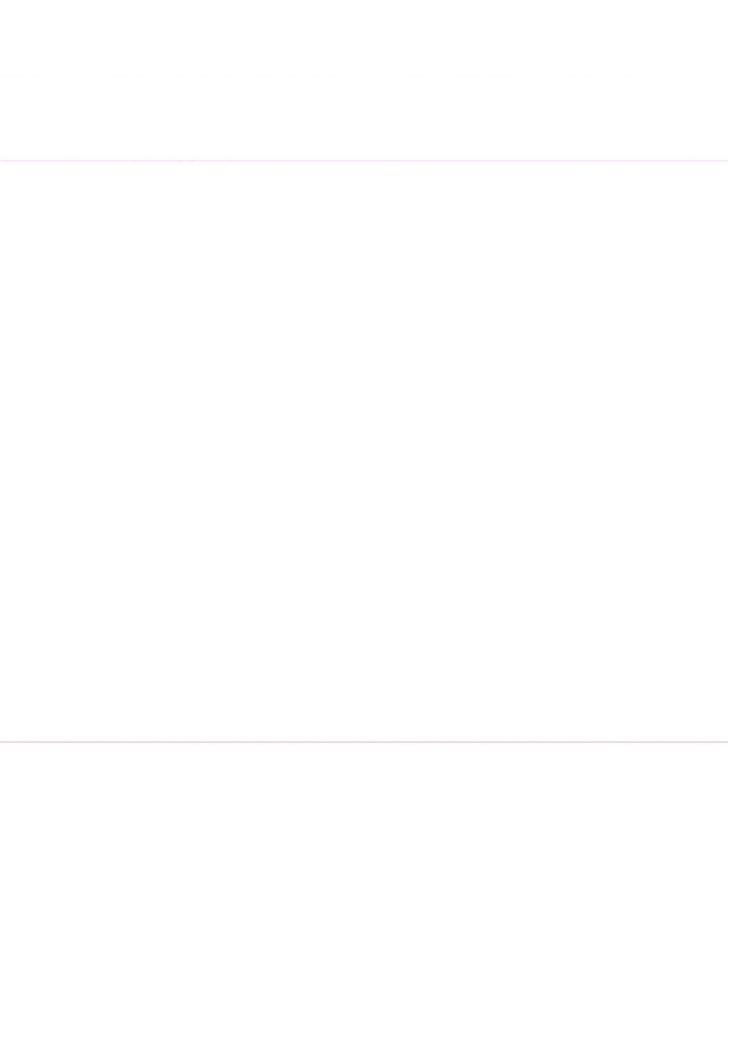
| IN RE: PETITION | FOR RISK PROTECT: | ION ORDER | |
|-----------------|----------------------|----------------|--|
| AGAINST | {Name of Respondent} | Ritchelle Lamb | |

AFFIDAVIT CONTINUATION

| FROM SECTION |
|---|
| PAGE 2 OF 2 |
| |
| stated "When you come back I'll have blown my fucking brains out." Contact was made with |
| who admitted to making the above statement. Furthermore, |
| protective custody under the Baker Act in the past. Although the CAD notes indicate has access to |
| firearms, there was no evidence to suggest or own firearms. Deputies did not locate any |
| firearms on s person or in the surrounding area of the scene. Neither or advised they |
| own firearms or have access to them. Deputy McCabe determined there was substantial likelihood that |
| without care or treatment, may harm herself or others. was heard by stating she |
| intended on "blowing her fucking brains out." admitted to making the statement, thus she was taken |
| into protective custody under the Baker Act and transported to Stewart Marchman. |
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VCSO Form # 061118.001

| | ★ is not aware of a ler any applicable statu X X | any existing protection order governing the ute. |
|-------------------------------------|---|---|
| 0 Know | vn protection orders ar | e attached |
| 4. The quantities, | types, and locations o | f all firearms and ammunition the petitioner |
| believes to be i as follows: | n the respondent's curr | rent ownership, possession, custody or control are |
| Quantity | Туре | Location |
| | | Location |
| Quantity | Type | Location |
| | | Location |
| Quantity | Type | Location |
| Quantity | | |
| STATEMENTS ANI | FACTS IN THIS A | R PENALTY OF PERJURY THAT THE FFIDAVIT AND IN ANY ATTACHMENTS EST OF MY KNOWLEDGE. |
| Dated: 05/29/2019 | Signature o | of Affiant: |
| Sworn to or affirm | ned and signed before | me on 05/29/2019 by Robert McCabe Date Affiant's Name |
| who_★ is personally identification. | known to me or | presented, as |
| | Ā | SG7. McDonale 163Ce Attesting LEO/Witness or Notary Public, State of Flo My commission expires: LEO |



INSTRUCTIONS FOR PETITION FOR TEMPORARY EX PARTE RISK PROTECTION ORDER AND RISK PROTECTION ORDER

When should this form be used?

This form should be used to obtain an order that will require a person who is at high risk of harming himself/herself or others to immediately surrender all firearms and ammunition in his/her custody, control, or possession and any license to carry a concealed weapon or firearm.

Who may file this form?

A petition must be filed by a law enforcement officer or law enforcement agency.

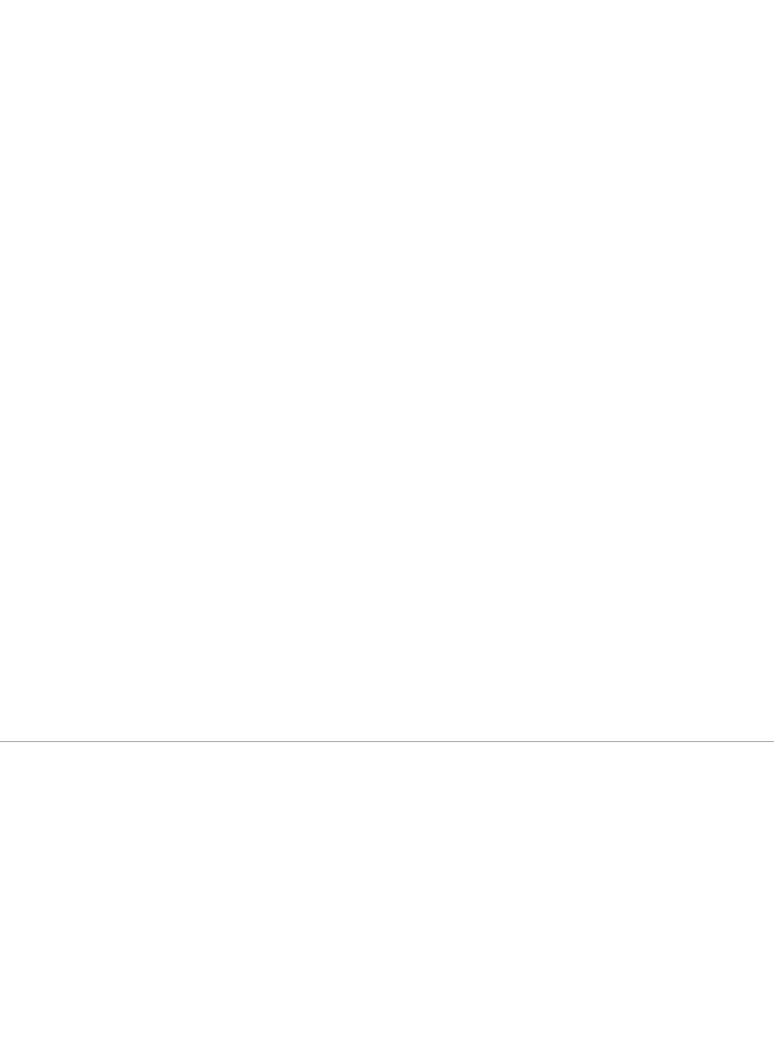
Where should this form be filed?

A petition must be filed in the county where the petitioner's law enforcement office is located or the county where the respondent resides.

What must be shown?

The petition and accompanying affidavit must allege specific statements, actions, or facts based on personal knowledge that give rise to a reasonable fear of significant dangerous acts by the Respondent, and that Respondent poses a significant danger of injury to himself/herself or others by having in his/her control, or by purchasing, possessing, or receiving, a firearm or ammunition.

| IN THE CIRCUIT COURT OF THE SEVENTH IN AND FOR VOLUSIA | JUDICIAL CIRCUIT, COUNTY, FLORIDA |
|--|--|
| VOLUSIA COUNTY SHERIFF'S OFFICE, Petitioner | |
| | Case No.: 19-11628 |
| v. | Division: LAW ENFORCEMENT |
| | VCSO Case Number 19-11628 |
| Pagnandant , | |
| Respondent | |
| PETITION FOR TEMPORARY EX PARTE R AND RISK PROTECTION | |
| SECTION I. PETITIONER | |
| 1. Petitioner's full legal name or name of petitioning agency: | Volusia County Sheriff's Office |
| 2. Petitioner's law enforcement office/agency is located at {st | treet address, city, state, and zip code}: |
| 123 W. Indiana Ave, Deland FL, 32724 | |
| CECTION II DECDONDENT | |
| SECTION II. RESPONDENT | |
| Respondent's full legal name: Respondent's current address: {street address, city, state, a | and sin and all |
| 1798 Gatewood Drive, Deltona FL, 32738 | ina zip coae;. |
| 3. Physical description of Respondent: | |
| Race: Asian Sex: Male Female X | Date of Birth: |
| Height: Weight: Eye Color: | Hair Color: Brown |
| 4. Distinguishing marks or scars: N/A | |
| 5. Vehicle {make/model}: Color: | Tag Number: |
| 6. Other names Respondent goes by {aliases or nicknames}: | N/A |
| 7. Respondent's email address {if known}: Unknown | |
| 8. Respondent's Driver's License number {if known}: | |
| 9. Respondent's attorney's name, address, and telephone num | aber {if known}: Unknown |
| | |



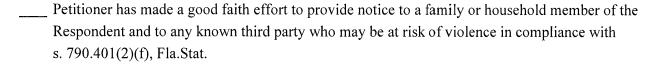
SECTION III. BASIS FOR PETITION

In support of this Petition the undersigned Law Enforcement Officer/Agency alleges:

- 1. 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.
- 2. A sworn affidavit alleging specific statements, actions, or facts based on personal knowledge that give rise to a reasonable fear of significant dangerous acts by the Respondent is attached to this petition and incorporated by reference.
- 3. The attached sworn affidavit includes a list of the quantities, types, and locations of all firearms and ammunition believed to be in the Respondent's ownership, possession, custody, or control.
- 4. Respondent poses a significant danger of injury to himself/herself or others by having in his/her control, or by purchasing, possessing, or receiving, a firearm or ammunition.
 - <u>X</u> [Required for Temporary Ex Parte Risk Protection Order] Respondent poses this significant risk of injury in the near future.
- 5. Relevant evidence for the Court's consideration is detailed in the attached affidavit and shows that the Respondent:

| | that the Respondent: |
|---|---|
| | X was involved in a recent act or threat of violence against himself/herself or others; |
| | engaged in an act or threat of violence; including but not limited to acts or threats of violence against himself/herself; within the past 12 months; |
| | is seriously mentally ill or has recurring mental health issues; |
| | has violated a risk protection order or no contact order issued under sections 741.30, 784.046, or 784.0485, Fla. Stat.; |
| | is the subject of a previous or existing risk protection order; |
| | has violated a previous or existing risk protection order; |
| | has been convicted of, had adjudication withheld on, or pled <i>nolo contendere</i> in Florida or in any other state to a crime that constitutes domestic violence as defined in s. 741.28, Fla. Stat.; |
| | X has used, or threatened to use, against himself/herself or others, any weapons; |
| | has unlawfully or recklessly used, displayed or brandished a firearm; |
| | has used or threatened to use on a recurring basis physical force against another person or has stalked another person; |
| , | has been arrested for, convicted of, had adjudication withheld, or pled <i>nolo contendere</i> to a crime involving violence or a threat of violence in Florida or in any other state; |
| | has abused or is abusing controlled substances or alcohol; |
| | has recently acquired firearms or ammunition; |
| | other (Additional relevant information may be attached). |

SECTION IV. NOTICE



X Petitioner will take the following steps to provide notice as required by s. 790.401(2)(f), Fla.Stat. Person, telephone, or by certified mail.

SECTION V. RISK PROTECTION ORDERS

For the foregoing reasons, petitioner requests the Court to enter:

- X A TEMPORARY EX PARTE RISK PROTECTION ORDER in this matter requiring Respondent to:
- 1. Immediately surrender all firearms and ammunition in his or her custody, control, or possession and any license to carry a concealed weapon or firearm to the {name of law enforcement agency}; Volusia County Sheriff's Office
- 2. Not have in his/her custody, control, or possession any firearm or ammunition while this order is in effect:
- 3. Not purchase, possess, receive, or attempt to purchase or receive, a firearm or ammunition while this order is in effect; and
- 4. Abide by any other lawful relief the Court may order.

Petitioner further requests this Court to schedule a Hearing for a Risk Protection Order to be held within 14 days.

- X A RISK PROTECTION ORDER in this matter requiring Respondent to:
- Immediately surrender all firearms and ammunition in his or her custody, control, or possession
 and any license to carry a concealed weapon or firearm to the {name of law enforcement agency};
 Volusia County Sheriff's Office
- 2. Not have in his/her custody, control, or possession any firearm or ammunition while this order is in effect:
- 3. Not purchase, possess, receive, or attempt to purchase or receive, a firearm or ammunition while this order is in effect; and
- 4. Abide by any other lawful relief the Court may order.

Petitioner requests the Risk Protection Order to remain in effect for a period the Court deems appropriate, up to and including but not exceeding 12 months.

| Respectfully submitted this 29 day of May, | 2019. |
|--|------------------------------|
| Signatur | e of Petitioner |
| Volusia (| County Sheriff's Office |
| Law Enfo | orcement Agency |
| <u>123 W. Ir</u> | ndiana Ave, Deland FL, 32724 |
| Service A | ddress |