IN	N THE CIRCUIT COURT OF THE Seventh IN AND FOR Volusia  Seventh COUNTY, FLORIDA	
IN R	E: PETITION FOR RISK PROTECTION ORDER  AGAINST {Name of Respondent}   VCSO Case Number 190023753	
	<u>AFFIDAVIT</u>	
om i c	(Amended to reflect Deputy's name on back sign	nature page
	TE OF FLORIDA  INTY OF Volusia	
itle}	, \( \f\text{full legal name} \) Deputy Kyle Cloutier, in my position as \( \f\text{job} \)  Deputy Sheriff with the \( \frac{name of law enforcement officer/agency} \)  sia Sheriff's Office, swear and affirm that the following facts are true and correct.	
1.	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:  See attachment	
	1 Additional pages are attached.	
2.	[Name of Witness] provided the following information based on his/her personal knowledge:	
	See attachment	

1 Additional pages are attached.

•	ent under any appli	•	ng protection	on order governing the
0	Known protection	orders are attached		
	-			
•	to be in the respon			munition the petitioner ession, custody or control are
Quantity	I Type	Pistol	Location	VSO Evidence
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Quantity		Pistol ammo		
		Shotgun ammo		
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STATEMENT ARE TRUE AI	S AND FACTS IN ND CORRECT T	I THIS AFFIDAVI O THE BEST OF I	T AND IN MY KNOV	ERJURY THAT THE N ANY ATTACHMENTS WLEDGE.
Dated: 11/04/2	2019 S	ignature of Affiant:	fl	
Sworn to or	r affirmed and sign		1/04/19 b	Deputy K. Cloutier  Affiant's Name
who_X_ is perso	onally known to m	e orpresented		, as
identification.				
		Attesting L	94. EO Witne	ss or Notary Public, State of Florida
			ission expi	

### IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent}

### AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 1 OF 1
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Based on the statements made, and actions by
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associated ammunition, to deputies.

### VOLUSIA COUNTY SHERIFF'S OFFICE

Clerk of Court's Number

### RISK PROTECTION ORDER / BAKER ACT FIREARMS AND AMMUNITION RECEIPT

EVNT	Report Date	)	1000 11/04/2019 Suicidal Person 1900				Agency Report N 190023753	Page	1	of 1  1. Original 2. Supplement	Pages ent 1				
CODE	Slatus Code: 1. Evidence	7. Rec	overed (Ou	tside 13,	13. Disposal 22. RPO (Voluntary Surrender) J. Special Documents 17. Baker Act 23. RPO (Seized) Y. All Other Items (Guns and Ammunition)										
	6. Recovered Leave Blank:	Age	Item#												
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PROPERTY PROPERTY PROPERTY	Leave Blank:		Item#	Status	Category	Quantity	Description								
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		l am	the ow			and/or ar	mmunition	listed in this repo	rt. I hereby request	the firearms a	nd/or ammunit	tion be t	urned over	to:	
				(Nam	-	-0000 100									
9	Description			(Addı	phone Nu	ımher)									
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IN THE CIRCUIT COURT OF THE Seventh IN AND FOR Volusia	JUDICIAL CIRCUIT, COUNTY, FLORIDA
VOLUSIA COUNTY SHERIFF'S OFFICE	
Petitioner	
	Case No.:
v.	Division:
	VCSO Case Number 190023753
,	
Respondent	
PETITION FOR TEMPORARY EX PARTE	
AND RISK PROTECTIO	ON ORDER
SECTION I. PETITIONER	
Petitioner's full legal name or name of petitioning agency	v: Volusia Sheriff's Office
2. Petitioner's law enforcement office/agency is located at a	
123 W. Indiana Ave., Deland, FL 32720	
SECTION II. RESPONDENT	
1. Respondent's full legal name:	
2. Respondent's current address: {street address, city, state,	and zip code}:
Edgewater, FL 32141	
3. Physical description of Respondent:	
Race: White Sex: Male Female	Date of Birth:
Height: 507 Weight: 100 Eye Color	r: Bro Hair Color: Gray
Distinguishing marks or scars:	
5. Vehicle {make/model}: Color:	Tag Number:
6. Other names Respondent goes by {aliases or nicknames}	B:
7. Respondent's email address {if known}:	
8. Respondent's Driver's License number {if known}:	
9. Respondent's attorney's name, address, and telephone nu	mber {if known}:

### 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.
  - [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:

<u>×</u>	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.;
×	has used, or threatened to use, against himself/herself or others, any weapons;
<u>×</u>	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 has made a good faith effort to provide notice to a family or household member of the Respondent and to any known third party who may be at risk of violence in compliance with s. 790.401(2)(f), Fla.Stat.
- X Petitioner will take the following steps to provide notice as required by s. 790.401(2)(f), Fla.Stat. Husband/household member was notified in person at time of incident

### 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 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:

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- 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.

Res	pectfully	submitted this	04	day of	November	,	2019.

Signature of Petitioner

Volusia Sheriff's Office

Law Enforcement Agency

123 W. Indiana Ave.

Deland, FL 32720

Service Address

# IN THE CIRCUIT COURT OF THE Seventh IN AND FOR Volusia COUNTY, FLORIDA

IN RE: PETITION FOR RISK P AGAINST {Name of Res			VCSO Case Number 190023753
	<u>AFFIDAVIT</u>		
STATE OF FLORIDA			
COUNTY OF Volusia	_		
I, {full legal name} Deputy I			ny position as {job
title} Deputy Sheriff		ame of law enforceme	
Volusia Sheriff's Office	_, swear and affirm that	the following facts a	are true and correct.
1. {Name of Respondent} of causing personal injury ammunition in his/her cus firearm or any ammunition to a reasonable fear of sign See attachment	tody or control or by pu n. The following specifi	hers by having a firearchasing, possessing c statements, actions,	or receiving a
1 Additional page	s are attached.		
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See attachment			

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0	_ Known protect	ion orders are attache	ed
4. The qua	ntities, types, an	d locations of all firea	arms and ammunition the petitioner
believes as follov	-	ondent's current own	ership, possession, custody or control are
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Quantity	· T	ype	Location
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### IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent}

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### **VOLUSIA COUNTY SHERIFF'S OFFICE**

Clerk of Court's Number

### RISK PROTECTION ORDER / BAKER ACT FIREARMS AND AMMUNITION RECEIPT

EVNT	2.000	oorl Date 04/2019		Repor 1000	t Time	10000	rig. Reported	Date	Nature of Call (for Inc	ident)	Agency Report 1 190023753	Page	1	of 1  1. Original 2. Supplement	Pages nt 1
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RTY		ve Blank:		Item#	Status 22	Category Y	Quantity 1	Description		of with 2 magazines					
PROPERTY CODE EVNT	If Gun	Make Jennings	2.01	100	Model J-22		Caliber		Type / Cat Pistol	Action Semi-automatic	Finish Black		Serial N 41835		
RTY	Leav	e Blank		Item#	Status 22	Category	Quantity 1	Description	n own 12ga shotgun						
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## **Volusia County Sheriff's Office**

### **Risk Protection Order Notification**

notify you that is the subject of a Risk Protection Order.
Risk Protection Orders provide the Sheriff's Office a way to seek a court order to protect the safety and welfare of all its citizens when there is evidence that a person, as a result of a mental health crisis or other violent behavior, poses a significant danger to themselves or others as a result of his/her use, possession, or planned purchase of a firearm or ammunition.
No action by you is required upon receiving this notification. This is only being provided to reflect that you received a copy of the Sheriff's Office Notice of Risk for Violence and related community resources and to notify you that the Volusia County Sheriff's Office:
<ul> <li>Will be petitioning the court for a Risk Protection Order regarding the above named subject.</li> </ul>
o Has obtained and served a Risk Protection Order on the above named subject.
<ul> <li>Is communicating the Risk Protection Order previously served on the above named subject has expired or been vacated. Also the firearm, ammunition, and concealed weapons permits are available for release.</li> </ul>
Method of delivery: ☒ Personal ☐ Telephone ☐ Certified Mail ☐ E-Mail at the
following address:
Dep. K. Cloutier 8195  Delivered to: Mr./Mrs.  Delivered by Name & ID  Volusia County Sheriff's Office  This 04 day of November , 2019.

\*\*\* Give attached copy of community resources to the party being served this notice \*\*\*