

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
200013775

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Deputy Wesley Blum, in my position as {job title} Deputy Sheriff II with the {name of law enforcement officer/agency} Volusia Sheriff 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:

See additional pages

Additional pages are attached.

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

██████████ told Deputy Blum directly that he wished to use a gun to kill himself. During transport, ██████████ continued to make suicidal statements.

0 Additional pages are attached.

WS

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____
PAGE 2 OF 3

On Sunday, August 02, 2020 at approximately 2058 hours, Deputy Blum was dispatched to ██████████, DeLand in reference to a suspicious incident. Upon arrival, Deputy Blum made contact with ██████████ (V1) who advised on June 19, 2020 a silver pickup truck occupied by a middle aged white male pulled in front of ██████████ residence. ██████████ recognized the subject from past work being done at her residence by him. The subject did not exit his pickup truck and simply sat in the front yard for approximately three or four minutes. The pickup truck pulled away from the residence and a short time later had returned and was parked in front of her residence and just sat for a few minutes before pulling away again. ██████████ reported this action to have occurred five different times on the 19th of June.

On June 21st, ██████████ noticed the pickup truck sitting in her front yard. It should be noted, ██████████ identified the driver as the same subject as on the 19th of June. ██████████ observed the pickup truck leave multiple times and each time the pickup truck returned and sat idle in her front yard.

On June 22nd, ██████████ exited her residence to feed her outdoor cats and again observed the pickup truck occupied by the same male parked in her front yard. The subject again left the residence, and a short time later had returned once again and sat idle prior to leaving for the night.

On the date and time of this report, ██████████ again observed the pickup truck pull up to her residence and the same subject yelled, "I want you ██████████" Due to the repeated actions by the same subject in the same pickup truck, Painter called ██████████ to report the stalking. While speaking with Volusia County Communications, ██████████ observed the vehicle drive away and return three different times.

While speaking with ██████████ Deputy Blum observed the suspect vehicle driving northbound on Florida Avenue passing ██████████ residence. ██████████ positively identified the suspect vehicle and Deputy Blum conducted an investigative traffic stop on the vehicle at the intersection of Florida Avenue and Washington Avenue.

Deputy Blum made contact with the driver, ██████████ (D1), who advised he had driven by ██████████'s residence on the date and time of this report. Deputy Blum asked ██████████ if he had anything illegal in the vehicle and ██████████ advised he was in possession of cannabis. Deputy Blum inquired if ██████████ was the holder of a medical marijuana card or in possession of any hemp products to which ██████████ replied he was not. Deputy Blum subsequently located suspected cannabis, a smoking pipe, and rolling papers in the vehicle. Deputy Blum later submitted the items to the District Two evidence locker for disposal.

WS

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____
PAGE 3 OF 3

Deputy Blum read [REDACTED] his Warnings of Constitutional Rights from his Volusia County Sheriff's Office Warnings of Constitutional Rights card. [REDACTED] advised he understood his rights and waived his right to Counsel. Post Warning of Constitutional Rights, [REDACTED] stated he has been by the residence but denied stalking [REDACTED]. Deputy Blum inquired as to why he drove by [REDACTED] residence while he was on scene and he advised he had just dropped a person off at Porkies located at 900 North Woodland Boulevard. It should be noted, [REDACTED] vehicle was full of clothing, tools, and trash. Deputy Blum determined it would be physically impossible for an other subject to have been inside [REDACTED] vehicle. When confronted with the inability to have another subject in the vehicle, [REDACTED] changed his story and stated he dropped off the person earlier.

While Deputy Blum interviewed [REDACTED] Deputy White returned to [REDACTED] residence where [REDACTED] provided Deputy White with her journal where she documented the different incidents. Deputy White captured digital photographs and later uploaded them to the Digital Crime Scene Database. [REDACTED] stated the actions by the subject caused her substantial emotional distress which served no legitimate purpose. [REDACTED] completed a Sheriff's Office sworn written statement which advised she wished to pursue criminal charges against the subject.

Deputy White provided [REDACTED] with a Marcy's Law Pamphlet and explained her rights and remedies for domestic violence to which she signed for. Deputy White also provided [REDACTED] with a Sheriff's Office business card, case number, and a Sheriff's Office victim / witness information / rights pamphlet.

During the interview, [REDACTED] stated if he had a gun he would use it to kill himself. [REDACTED] continued to make suicidal statements and Deputy Blum secured him in handcuffs. Based upon [REDACTED] statements, Deputy Blum determined there would be a substantial likelihood that without care or treatment [REDACTED] would likely cause serious bodily harm to himself. Deputy Blum placed [REDACTED] into protective custody under the Baker Act.

Deputy White then contacted Deputy Blum and informed him there was probable cause to charge [REDACTED] with simple stalking due to [REDACTED] statement, the provided journal, coupled with Deputy Blum observing [REDACTED] actively driving by the residence. Deputy Blum determined due to the crime of stalking not to be a minor criminal behavior and to have the potential to develop into a more severe crime, [REDACTED] would be transported to the Volusia County Branch Jail instead of a mental health receiving facility for examination.

WB

3. Affiant ___ is X 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 _____	Type _____	Location _____
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: 08/03/2020

Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization,

this 03 day of August, 2020, by Deputy Wesley Blum
Affiant's name


Signature of Attesting LEO Witness

Sergeant T. Raible DID #7046
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)