IN THE CIRCUIT COURT OF THE SEVENTH IN AND FOR VOLUSIA COUN

JUDICIAL CIRCUIT, COUNTY, FLORIDA

VSO Case Number 20-22037

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent}

| | AFFIDAVIT |
|----------------------------------|---|
| STATE OF FLORIDA | |
| COUNTY OF VOLUSIA | |
| | |
| I, {full legal name} Joseph Borb | pely , in my position as {job |
| title) Deputy Sheriff II | with the {name of law enforcement officer/agency} |
| Volusia Sheriff's Office , s | 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 custod | ly or control or by purchasing, pessessing or receiving a |
| | The following specific statements, actions, or facts give rise |
| to a reasonable fear of signifi | icant dangerous acts by the respondent: |
| ***BWC RECORDING*** | |
| On 12/2/2020 at approximate | ely 1849 hours, Deputies were dispatched to |
| | suicidal person. While en route, Central Communications |
| advised (V | 1) was inside his home searching for a shotgun as reported |
| by his ex-girlfriend, | (R1). |
| 2 Additional pages a | are attached |
| Z | |
| | |
| 2. {Name of Witness} | provided the following |
| information based on his/her | personal knowledge: |
| | |
| | |
| | |
| | |
| | |
| | |
| Additional pages | are attached. |

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

| VSO Case Number | |
|-----------------|--|
| 20-22037 | |

AFFIDAVIT CONTINUATION

| PAGE 2 OF 3 |
|--|
| Upon arrival, Deputy Borbely encountered outside the residence. During the initial encounter, appeared disheveled and was making erratic movements. Deputy Borbely attempted to |
| communicate with which failed and retreated inside his home. Deputies ensured there was no one else in the home and relocated and her children away from the residence. Additional Deputies arrived on scene and set a perimeter around the residence. |
| Deputies contacted outside the residence in the driveway with her children. stated she picked up around 1730 hours in an attempt to assist him with therapy for his drug addiction and suicidal thoughts. While en route for medical treatment, stated he became irate and accused her of cheating on him. stated he started to strike himself in the face and was banging his head inside the car. stated when they returned home stated he would look for his shotgun to kill himself. |
| Deputies attempted to contact multiple times via cell phone which yielded negative results. Deputies were able to retrieve a phone number for smother, (O1) to assist with contacting him via cell phone. texted his family members stating "he is fine and wants to be left alone." |
| Deputies attempted multiple times to have exit the home which yielded negative results. Due to only occupying the residence, the lack of cooperation by deputies tactically withdrew from the immediate area. Deputy Borbely relocated to the Walmart at 1569 Saxon Blvd with to obtain a written statement. was able to leave the area with her children to stay at her mother's home. |
| At approximately 2016 hours, Deputies were able to observe a dark in color pickup truck, bearing FL tag: approach the residence. Deputies observed pickup and leave the area. Deputies conducted a traffic stop in the area of Saxon Blvd and Falmouth Av and were able to make contact with |
| Upon contact with Deputy Borbely observed to be calmer since he was with his mother, stated has had time to detox and she wished for him to receive medical treatment. |
| Based upon statements, 's behavior and possession of a firearm, Deputy Borbely determined without care and treatment, there is a significant likelihood is a danger to himself or others. was taken into protective custody under the Baker Act and transported to Halifax Health. did not admit to making his statements while in custody. |
| |

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

AFFIDAVIT CONTINUATION

| FROM SECTION 1 |
|---|
| PAGE 3 OF 3 |
| Deputy Borbely returned to the residence and was provided with s shotgun bearing SN: |
| by stated it was located in her bedroom closet. A FCIC/NCIC check of |
| shotgun yielded no record found along with no record found for a CCW permit. |
| |
| While securing the shotgun, Deputy Borbely retrieved a 3 inch rifle slug from within the magazine tube of |
| the shotgun. Deputy Borbely submitted the shotgun and slug into District 4's Evidence locker. |
| |
| Deputy Borbely submitted a RPO (Risk Protection Order) for via email to the RPO Submission |
| group. |
| |
| Deputy Borbely notified Director Quann due to children being present. A copy of this report was |
| forwarded to DCF for review. |
| Case Status: Closed |
| Case Status. Closed |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |

| | | | | 20-22037 |
|---------------------------|----------------------|-----------------------|--|--------------------------|
| | | | ng protection order gov | erning the |
| respondent | under any applic | able statute. | | |
| K | nown protection | orders are attached | ł | |
| 4. The quantit | ties types and lo | cations of all fires | rms and ammunition the | a matition an |
| | | | rship, possession, custo | |
| as follows: | 1 | | romp, pooteotti, ettoto | ay or condict are |
| Quantity _ | Туре | Savage Ams Shotgun | Location USO / | Evidence |
| Quantity | | Rifled Slva | Location //SO | Eudence |
| Quantity | Туре | | Location | |
| | | | Location | |
| Quantity _ | Туре | | Location | |
| Quantity _ | Туре | | Location | |
| 0 A | dditional pages a | re attached. | | |
| | | | | |
| | | | TY OF PERJURY TI | |
| | | | IT AND IN ANY ATT | ACHMENTS |
| ARE TRUE AND | CORRECT TO | THE BEST OF | MY KNOWLEDGE. | |
| Dated: 12/2/2020 | Si | gnature of Affiant: | Joseph Borlely | V |
| | | - | 01 | |
| Sworn to (or affirme | d) and subscribed l | before me by means | of Dhysical presence | or 🔲 online notarization |
| this 2 day o | f December | , <u>2020</u> , by | D/S Joseph Borbely | |
| | | | Affiant's name | |
| Signature of Attesting LE | O Witness | 8551 | Depute C. Ca Print name of Attesting LI | |
| | | OR | 5 | |
| | · | | | |
| | | | | |
| | | | | |
| | | | | |
| Signature of Notary Publi | c | | | |
| | _ | | | |
| (Print, Type, or Stamp Co | mmissioned Name of I | Votary Public) | | |
| Personally known | or Produced Ident | tification | | |

(Type of Identification Produced)

VSO Case Number

VOLUSIA SHERIFF'S OFFICE

| Clark of Court's Number | |
|-------------------------|--|
| | |

RISK PROTECTION ORDER / BAKER ACT FIREARMS AND AMMUNITION RECEIPT

| EVNT | | Report Date Report Time 12/2/2020 2100 | | | | rig. Reported 2/2/2020 | Date | | iture of Call (for Incident) JICIDAL PERSON | | Agency Report N 20-22037 | age <u>1</u> | 1, Original 2. Supplement | Pages | | |
|---|--|--|---|--|-------------------------------------|---|---------------------------------------|---|---|-----------------------------|---|------------------------------------|---------------------------|----------------------|--------------|--|
| GODE | Stalus Code 1. Evidence 6. Recovere | 7. Recov | 7. Recovered (Outside 13. Disposal Agency Recovered) 17. Baker Act | | | 22. RPO (Voluntary Surrander) | | | Calegory Code: J. Special Occuments | | | | | | | |
| | | Leave Blank: Itam # Stetus Category 1 23 Y | | | | | O (Serzed) Description | | Y. All Other Hems (Gars and Ammunition) | | | | | <u> </u> | | |
| PROPERTY | lf Mak | | | | | | Savage | Arms 12 GA SHOTO | SUN Action | <u> </u> | Finish | | 1 8-2-1 | in the second second | <u> </u> | |
| _ | Gun SAV | <u>, , , , , , , , , , , , , , , , , , , </u> | Item# | 320 | | Caliber 12 Quantity | Loggesterie | | Pump | | Finish | | Serial Number 151900G | | | |
| ERT | EGETE CIES | eave Blank: Item # Status Cetegory 2 23 Y | | | | 1 | Description FEDERA | 1 AL 3 INCH RIFLED (| INCH RIFLED SLUG | | | | | | | |
| PROPERTY | If Make Model | | | | Celiber | | Type / Cat Action | | | Finish | | Serial Number | | | | |
| RIY | Leave Blank | ¢ | ltem# | Status | Category | Caliber | | Type / Cat Action | | | | | | | | |
| PROPERTY | if Make | 1 | Mod | iel . | | | | | | Finish | | | Serial Number | | | |
| | Leave Blani | c | Ilem # | Status | Category | | | | | <u> </u> | | | | | | |
| PROPERTY | if Make | | Mod | lel | | Caliber | | Type / Cat | Action | | Finish | | Serial I | Number | - | |
| | Leave Blank | | Item# | Status | Category | Quantity | Description | _ | · · · · · · | 1. v | - N - 197) | | | | | |
| PROPERTY | if Make | | Mod | iel . | | Callbar | L | Type / Cat | Action | | Finish | | Serial I | Yumber | - 1 - 1 | |
| | Gun Leave Blank | <u> </u> | Item # | Status | Category | Quantity | Description | | | | | | | tarion Visitari | | |
| PROPERTY | | | | | | | o o o o o o o o o o o o o o o o o o o | | | | | | | | | |
| PRO | If Make Gun | | Mod | | | Caliber | | Typs / Cat | Action | | Finish | | Seria! / | Number | | |
| Ę, | Leave Blank | | Itém# | Status | Category | Quantity | Description | | | | | | | | | |
| PROPERT | if Make Gun | | Mod | el | 100 | Cáliber | | Type / Cat | Action | | Flibish | A VANA | Sanal I | Number | | |
| - | Leave Blank | and the state of t | Item # | Status | Category | Quantity | Description | <u> </u> | 1020 ARSAN | ess de la lación de la | O rdita (de pr e <u>pe sil).</u> | <u>Cominació (C</u> | | | 130-3 | |
| PROPERTY | If Make | <u> </u> | Mod | el | | Caliber | | Type / Cat Action | | Finish | | | Serial Number | | | |
| Ę | Leave Slank | () - ((((((((((((((((((| Item# | Status | Calegory | y Quantity Description | | | | De visit de la company | | | | | | |
| 100E | ir / Meke | | Mod | e 10 | | Caliber | | Type#Cat. | Action | | Firilsh | | / Seriel 1 | Vumber | 2466 2462 | |
| 20 20 | INITIAL | ncaconstant Mari | 2.3318955 | ************************************** | M. GARGION | <u> Pepperanta</u> | 59-5 <u>6-56</u> | # Market 600 000 000 000 000 000 000 000 000 00 | F-1-2 12 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 | | Strate little Sea | | | | atti pare | |
| | Responden | surren | ant to 79 dered by | 0.401(7) Respon | (c), Flori ident or: | da Statute seized by | s, the fire a Deputy | arm(s) and/or am of the Volusia Sh | munition and eriff's Office | l/orlicen on <u>12/2</u> | se to carry a c /2020 | oncealed v | weapon w | ere ·- | | |
| And | 21 MARIAN MARI | l am tr | e owner | of the fir | rearm(s) | , ammunit | ion, or lice | ense to carry a co | ncealed wea | pon or fi | rearm and I he | reby know | vingly and | voluntarily co | nsen | |
| | Responden | to the | surrende | er of the i | tems list | ed in this | report to t | he Volusia Sherifi | 's Office. | | | | | | | |
| | | ı am tr | ie owner | of the fir (Name) | rearm(s) a) Unat | and/or an le to Prov | nmunition ide | listed in this repo | rt. I hereby i | request t | he firearms an | id/or ammi | unition be | turned over to | o: | |
| 1 | Alberta Company | (Sa) (886) | | (Addre | ess) | | | | | | | | | | | |
| () <u>.</u> | Responden | 0.1.3"07 | | | hone Nu | | | | | | | | | | | |
| | en e | ંુ I, Depu ∴ુ selzed | uty or Ev on <u>12/2</u> | idence E 2/2020 | mployee | of the Vo | dusia She | riff's Office, ackno | wiedge rece Deitona | ipt of the | above listed i | items whic | h were eit | her surrender | ed or | |
| | 110,5 | | | | | | | | | | | | *** | | | |
| 0 | IGNATUR | <u>SS</u> 1 | | Respon | rlani | | | Date | | | Josep . | <u> 2</u> 2 | Selech | <u> </u> | _ | |
| 5 | Item# | Date: | Time: | | sed by (Pri | inted): | | | Received | by (Printed): | 16 | Deputy // Received by (Signature): | | | | |
| custony | Leave18(a) | | Reason for Chang | | | hange: | | | | | | | | | | |
| _ | item # | Date: Time: Released by (Pri | | | (Printed): Released by (Signature): | | | | Received by (Printed): Received by (Signature): | | | | Signaturek | | | |
| CUSTODY | Leave Blank Reason for C | | | | | | | | | | | | | | | |
| - | Officer Ren | orling - Printed | 0.76 | (<u>4</u> | Low | cer Reportion | - Signature | | | | ID Number | Jali | | sta | | |
| ADMIN. | D/S J. BORBELY | | | | | Officer Reporting Signature Spage Bulchy | | | | | ID Number Unit 9061 1C43 | | Date 12/2/2020 | | | |
| Officer Reviewing - Printed (if Applicable) | | | | | ୍ଦ | Officier Reviewing - Signature (if Application) | | | | | ID Number | Unit Date | | | | |