

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

VSO Case Number
20-22230

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} S. O'CONNELL 9023, in my position as {job title} DEPUTY SHERIFF II with the {name of law enforcement officer/agency} VOLUSIA SHERIFF'S OFFICE, swear and affirm that the following facts are true and correct.

- 1. {Name of Respondent} [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 December 5, 2020, at approximately 0255 hours, Deputy O'Connell was dispatched to [REDACTED], Daytona Beach in reference to a disturbance. Upon arrival, Deputy O'Connell made contact with the victim, [REDACTED] (V1). Brandy stated the following: [REDACTED] and her boyfriend, [REDACTED] (D1), were in a verbal altercation about infidelity in the relationship. [REDACTED] asked [REDACTED] to see her cell phone, but she

1 Additional pages are attached.

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

SEE STATEMENT FORM.

 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____
PAGE 1 _____ OF 1 _____

refused to give it to him. The phone was located in her back pocket. [REDACTED] pushed [REDACTED] to the ground and had her pinned to the ground in attempts to get the phone. [REDACTED] ripped [REDACTED]' shirt in an effort to get him off of her. [REDACTED] stated to [REDACTED], "I should shoot you in the leg or something, so you can feel the pain that I feel. But that would kill you so I can't do that." [REDACTED]'s brother, [REDACTED] (W2), was present went [REDACTED] said that to [REDACTED] and [REDACTED] both completed sworn written statements. Deputy O'Connell spoke with [REDACTED] stated the following: [REDACTED] admitted to cheating on him and they were discussing their relationship. [REDACTED] had gone out and she did not answer his texts or phone calls, which made [REDACTED] suspicious of her cheating again. When [REDACTED] arrived home, [REDACTED] asked to see her phone and she promptly gave it to him. [REDACTED] explained that [REDACTED] had scratched him and ripped his shirt. Deputy O'Connell spoke with [REDACTED]'s mother, [REDACTED] (W1). [REDACTED] stated she heard screaming coming from [REDACTED]'s room, so she ran to see what was happening. [REDACTED] further explained when she got to [REDACTED]'s bedroom, she witnessed [REDACTED] on top of [REDACTED] holding her down. [REDACTED] completed a sworn written statement. [REDACTED]'s friend, [REDACTED] (W3), advised the same as [REDACTED] but did not wish to complete a sworn written statement. [REDACTED] and [REDACTED] are boyfriend and girlfriend, have two children in common, and live together as a family unit. [REDACTED] was found to be the primary aggressor was taken into custody for DV battery. [REDACTED] was transported to VCBJ.

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 <u>1</u>	Type <u>PISTOL</u>	Location <u>HOME (S/N BY184405)</u>
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____

_____ 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: 12/05/2020

Signature of Affiant: *SOC 9023*

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

this 05 day of DECEMBER, 2020, by D/S S. O'CONNELL 9023
Affiant's name

[Signature]
Signature of Attesting LEO Witness

SGT. JULIAN EMMAN # 7010
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)

JR