

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

VSO Case Number
21-11076

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

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

See continuation page.

1 Additional pages are attached.

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

 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____
PAGE 2 _____ OF 2 _____

BWC RECORDING

On June 15, 2021 at approximately 1006 hours, Deputy Custer responded to ██████████ Orange City, FL. in reference to the report of a suicidal person. Upon arrival Deputy Custer made contact ██████████ (VI), who advised the following:

██████████ advised on 06/15/2021 at approximately 0930 hours, he felt as though he lost the battle which was going on inside of him with the "bad ██████████". ██████████ stated he wrote a suicide note and retrieved his father's, ██████████ (R1), firearm, a stainless steel with wood finish Kimber Micro 9 9mm semi-automatic handgun bearing serial #PB0191670, from the drawer in his (██████████) bedroom. ██████████ advised at some point, ██████████ came to check on him, but he was holding the firearm up to the right side of his head (██████████ is right handed). ██████████ stated ██████████ was able to talk to him into giving him back his gun. ██████████ advised ██████████ told him he was contacting law enforcement, so he sat on the floor in the living room and awaited their arrival.

Deputy Custer observed ██████████ did not have any visible injuries on his person and he appeared to be in good physical health.

██████████ provided a similar account of the incident, noting he owns the only firearm in the residence and would be able to secure it. ██████████ additionally later completed a sworn written statement to detail the incident further.

Based on the statements made by both ██████████ and ██████████ Deputy Custer determined there was a substantial likelihood that without care or treatment ██████████ would cause serious bodily harm to himself in the near future, as evidence by recent behavior. Deputy Custer assisted ██████████ in standing up and immediately placed him into protective custody under a Baker Act.

Deputy Custer collected the suicide note from the residence and later submitted it to the District VI evidence locker. Additionally, Deputy Custer obtained a photograph of the firearm ██████████ held to his head during the incident, later entering it into the Digital Crime Scene Database via the District VI workstation.

Given the report of a firearm being involved in the incident, Deputy Custer notified his immediate supervisor, Sergeant Turney, and apprised him of the details of the incident. Sergeant Turney agreed with Deputy Custer's assessment that a Risk Protection Order would be appropriate for the incident and was submitted later in the shift.

Deputy Custer arranged for transport (IPT84) for ██████████ to the nearest receiving facility, Stewart Marchman in Daytona Beach, which was completed without incident.

3. Affiant ___ is X is not aware of any existing protection order governing the respondent under any applicable statute.

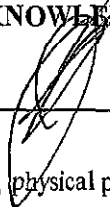
_____ Known protection orders are attached

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>KIMBER 9MM</u>	Location <u>BEDROOM DRAWER</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: 6/15/2021 Signature of Affiant:  #8233

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

this 15 day of JUNE, 2021, by DEP. CUSTER
Affiant's name


Signature of Attesting LEO Witness

J. BERNARD 8233
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)