

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

VSO Case Number  
21-21354

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

AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, {full legal name} RODNEY D. WELLS, in my position as {job title} DEPUTY SHERIFF 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} \_\_\_\_\_ 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 ATTACHED

---

---

---

---

---

YES Additional pages are attached.

2. {Name of Witness} \_\_\_\_\_ provided the following information based on his/her personal knowledge:

SEE ATTACHED

---

---

---

---

---

YES Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1&2

PAGE 3 OF 4

\*\*\*BWC Recording\*\*\*

\*\*\*Victim requests his private information to be protected under Marsy's Law\*\*\*

On November 11, 2021, at approximately 0833 hours, Deputy Wells responded to the area of [REDACTED], Port Orange, Florida in reference to a reported aggravated assault. Upon arrival, Deputy Wells met with the victim identified as [REDACTED] (VI).

[REDACTED] stated that on November 11, 2021, at approximately 0823 hours, he was parked in front of the residence of [REDACTED], Port Orange, Florida. [REDACTED] stated that he is a contractor and was waiting for one of his employees to show up. Guinn stated that he and his employee were going to meet with a customer at the residence of [REDACTED], Port Orange, Florida. (The residences of [REDACTED] and [REDACTED] are situated directly next to each other)

Guinn stated that he was sitting on the tailgate of his truck putting on his work boots when he was approached by the resident of [REDACTED], later identified as [REDACTED] (D1). [REDACTED] stated that [REDACTED] approached him and asked him why he was parked on his private street. [REDACTED] stated he told [REDACTED] that he was waiting on someone. [REDACTED] advised [REDACTED] asked who he was waiting for, to which [REDACTED] said "none of your business". [REDACTED] advised [REDACTED] then approached him and displayed a green in color semi-automatic handgun and pointed it at him for approximately 1 second before aiming the firearm in a direction away from him. [REDACTED] stated [REDACTED] then used his right hand to slap him ([REDACTED] on the left side of his face. [REDACTED] stated he got into his truck and left the area and contacted law enforcement. [REDACTED] advised he wanted to pursue criminal charges against [REDACTED] [REDACTED] completed a sworn written statement. [REDACTED] requested his private information to be protected under Marcy's Law. Deputy Wells did not observe any injuries or redness to [REDACTED] face, even though [REDACTED] advised he had a headache from being slapped in the face.

Deputy Wells met with [REDACTED] who advised the following. [REDACTED] stated on the morning of November 11, 2021, he noticed [REDACTED]'s truck parked in front of his house and part of [REDACTED] truck was on his front lawn. [REDACTED] stated that [REDACTED] truck was parked on "his property" for approximately 45 minutes. [REDACTED] stated that [REDACTED] exited the truck barefooted and sat on the tailgate. [REDACTED] stated that he approached [REDACTED] to inquire was his was on the "private road" and on his property. [REDACTED] stated that he asked [REDACTED] why he was parked on his property to which [REDACTED] stated he was waiting on someone. [REDACTED] advised he asked [REDACTED] who he was waiting on to which [REDACTED] replied "It's none of your fucking business". [REDACTED] stated [REDACTED] jumped off the tailgate in an "aggressive manner". [REDACTED] stated he then smacked [REDACTED] on the back of his head with an open hand. [REDACTED] stated that he did in fact have a firearm concealed in his waistband in a holster during the incident. [REDACTED] stated his holster is brown and the firearm he was carrying was black. [REDACTED] stated he never pulled his firearm from the holster or pointed his firearm at [REDACTED] [REDACTED] advised that he does own a green in color firearm, but he also owns several other firearms of different colors as well. [REDACTED] advised after he slapped [REDACTED] he ([REDACTED] left in his truck. [REDACTED] advised he returned to his house and contacted the Sheriff's Office. [REDACTED] completed a sworn written statement.



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>9</u>	Type <u>HANDGUNS</u>	Location <u>[REDACTED], P.O.</u>
Quantity <u>2</u>	Type <u>RIFLES</u>	Location <u>[REDACTED], P.O.</u>
Quantity <u>1</u>	Type <u>SHOTGUN</u>	Location <u>[REDACTED], P.O.</u>
Quantity <u>2,000</u>	Type <u>AMMO</u>	Location <u>[REDACTED], P.O.</u>
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____

YES 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: 11/11/2021 Signature of Affiant: R. Wells

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 11 day of NOVEMBER, 2021, by DEP. R. WELLS  
Affiant's name

Sgt J. Hillyard  
Signature of Attesting LEO Witness

SGT. J. HILL YARD  
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)