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

JUDICIAL CIRCUIT, COUNTY, FLORIDA

VSO Case Number	
21-21354	

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

<u>AFFIDAVIT</u>
TE OF FLORIDA  NTY OF VOLUSIA
[full legal name] RODNEY D. WELLS, in my position as \( \) in my positi
[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.
{Name of Witness} provided the following information based on his/her personal knowledge:  SEE ATTACHED

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

## **AFFIDAVIT CONTINUATION**

FROM SECTION 1&2
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***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
, Port Orange, Florida in reference to a reported aggravated assault. Upon arrival, Deputy
Wells met with the victim identified as (VI).
stated that on November 11, 2021, at approximately 0823 hours, he was parked in front of the
residence of port Orange, Florida. 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 port Orange, Florida. (The residences of port Orange, Florida.)
and 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 the putting on his work boots when he was approached by the resident of the putting on his work boots when he was approached by the resident of the putting on his work boots when he was approached by the resident of the putting on his work boots when he was approached by the resident of the putting on his work boots when he was approached by the resident of the putting on his work boots when he was approached by the resident of the putting on his work boots when he was approached by the resident of the putting on his work boots when he was approached by the resident of the putting on his work boots when he was approached by the resident of the putting of the putt
approached by the resident of approached him and asked him why he was parked on his private street. Stated he
told that he was waiting on someone. advised asked who he was waiting for, to
which said "none of your business". advised 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. stated then used his right hand to slap him
on the left side of his face. stated he got into his truck and left the area and contacted law
enforcement. advised he wanted to pursue criminal charges against completed a
sworn written statement. requested his private information to be protected under Marcy's Law.
Deputy Wells did not observe any injuries or redness to face, even though advised he had a
headache from being slapped in the face.
Deputy Wells met with who advised the following. stated on the morning of November
11, 2021, he noticed 's truck parked in front of his house and part of truck was on his front
lawn. stated that truck was parked on "his property" for approximately 45 minutes.
stated that exited the truck barefooted and sat on the tailgate.
approached to inquire was his was on the "private road" and on his property. stated that he asked why he was parked on his property to which stated he was waiting on someone
asked why he was parked on his property to which stated he was waiting on someone.  advised he asked who he was waiting on to which replied "It's none of your fucking"
business". stated jumped off the tailgate in an "aggressive manner". stated he then
smacked on the back of his head with an open hand.
smacked on the back of his head with an open hand. stated that he did in fact have a firearm concealed in his waistband in a holster during the incident.
firearm he was carrying was black. Stated he never pulled his firearm from the holster or pointed
his firearm at advised that he does own a green in color firearm, but he also owns several
other firearms of different colors as well. advised after he slapped he ( left in his
truck. advised he returned to his house and contacted the Sheriff's Office. completed a
sworn written statement.

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## AFFIDAVIT CONTINUATION

FROM SECTION 1&2
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Deputy Wells met with wife, who was identified as (W1). It stated that she observed is truck parked on their property near their driveway.
the physical confrontation between her husband and but did hear her husband yelling.
she thought was yelling at their dogs. completed a sworn written statement.
completed a different automatical and a different automatical automati
Deputy Wells placed under arrest for aggravated assault and simple battery. Deputy Wells advised
of his miranda rights from a Volusia County Sheriff's Office miranda card. Deputy Wells asked
if he understood his rights as the were read to him, advised "yes". Deputy Wells placed
in the rear of Deputy Wells' patrol vehicle. reconfirmed his version of the events, including
that he approached and slapped him after feeling that "aggressively" jumped up from the
tailgate. again stated that he was armed however his firearm was concealed under his shirt and he
never upholstered the firearm or pointed it at
Deputy Wells asked for his consent to obtain this "green" firearm from his residence.
provided written consent to conduct a limited search of his residence for two firearms. One being the
black in color firearm he had on the kitchen counter which he stated he was wearing during this encounter
with The second and final area of limited consent provided was for a green in color
handgun he stored in his firearms safe in his garage. Deputy Wells along with entered his
residence, at which time Deputy Wells seized a black in color Springfield XDS 9mm with holster from the kitchen counter. The located a battery for his firearms safe and opened the safe at which time
Deputy Wells seized a blackish - greenish Walthers P22, 22 caliber handgun. Deputy Wells transported
to the Volusia County Branch Jail, where his custody was transferred to member of the
correctional staff.
Controlled State.
Deputy Wells will be completing a risk protection order, as advised he owns 9 handgun, 2 rifles
and 1 shotgun (these numbers include the above two handguns seized with consent.

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3.	Affiant is X_ is not aware of any existing protection order governing the respondent under any applicable statute.					
	responde	int under any	у аррпс	able statute.		
		Known pro	tection	orders are attached	i	
4.	4. The quantities, types, and locations of all firearms and ammunition the petitioner					
	believes	to be in the	respond	lent's current owne	rship, possession, custody	or control are
	as follow	/s:				
	Quantity	9	Туре	HANDGUNS	Location	, P.O.
	Quantity	2	Туре	RIFLES	Location	, P.O.
	Quantity	1	Туре	SHOTGUN	Location	, P.O.
	Quantity	2,000	Туре	AMMO	Location	, P.O.
	Quantity		Туре		Location	
	Quantity		Туре		Location	
	YES	_ Additional	pages	are attached.		
					LTY OF PERJURY TH	
					IT AND IN ANY ATTA	CHMENTS
ARE	TRUE A	ND CORRI	ECT TO	THE BEST OF	MY KNOWLEDGE.	
Dated	: 11/11/20	121	S	ionature of Affiant	R. Wells	
Dated	. 11/11/20	72.1	. ~	·B·······		
Sworn	to (or affi	rmed) and sul	oscribed	before me by means	s of 🗵 physical presence o	r  online notarization,
this	11 da	y of NOVE	ИBER	, 2021 ,b	y DEP. R. WELLS	
_			(		Affiant's name	
So	$\mathcal{D}\mathcal{A}$	યસીકી	$\alpha \omega$	<u>)</u>	SGT. J. HILLYARD	
Signatu	e of Atlestin	g LEO Witness	2		Print name of Attesting LEC	) Witness
				OR		
Signatu	re of Notary I	Public				
J	·	_				
(Print,	Type, or Stam	p Commissione	d Name o	f Notary Public)		
Person	ally known	or Prod	uced Ide	ntification		
		,				
(Type o	f Identification	on Produced)		Page 2 of 2		