

IN THE CIRCUIT COURT OF THE 7TH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

VSO Case Number
21-4926

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF Volusia

I, {full legal name} Jaydel Bernard, in my position as {job title} Deputy with the {name of law enforcement officer/agency} Volusia Sheriff's Office, swear and affirm that the following facts are true and correct.

- {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 continuation

1 Additional pages are attached.

- {Name of Witness} ██████████ provided the following information based on his/her personal knowledge:

 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 1 OF 2

On 3/14/21 at approximately 2054 hours, Deputy Bernard responded to ██████████, Debary in reference to a suicidal person. Upon arrival, Deputy Bernard was notified that ██████████ (R1) was actively wheeling her disabled mother outside of the house away from her ex-husband ██████████ (V1) who had been heavily intoxicated. Deputies made contact with ██████████ at the end of the street and she stated the following:

██████████ stated her ex-husband ██████████ had recently moved back into the house in an attempt to reconcile their broken marriage. ██████████ stated ██████████ had been drinking Jim Beam throughout the night and asked her to go to the store to get more alcohol for him. ██████████ stated she did not want to leave because he was intoxicated and did not want to leave her mother in his care. ██████████ stated a verbal argument ensued between her and ██████████ ██████████ advised ██████████ became angry and stated he does everything for her. ██████████ was going to go back to his room to blow his head off. ██████████ stated ██████████ had been baker acted in the past, so she asked him to turn over the firearms to her, but he refused. ██████████ subsequently called 911 and exited the home to get away from ██████████

While on scene, Deputies took tactical positions around the house to ensure ██████████ did not have any firearms on his person. Deputies observed a male in the open garage of the home matching the description given by ██████████ Deputy Bernard obtained ██████████ cellphone number and made contact with him.

While in contact with ██████████ over the phone, ██████████ appeared to have slurred speech but stated he did not have any guns on him and he would step out of the garage with his hands up to make contact with deputies. Deputies observed ██████████ walking down the driveway and quickly secured him and patted him down for any weapons. While speaking with ██████████ he stated the following:

██████████ stated he asked his wife to go to the store for him but she denied. ██████████ got upset with her always not thinking of him and his needs. He stated he was over it and wanted to end his life due to the failed relationship between him and ██████████ ██████████ stated his father committed suicide approximately 20 years ago with a firearm and he thought it was a good way to go out. He advised he had three firearms in the house and he was going to use each one to end his life. ██████████ stated he owned a shotgun and two other handguns that were housed in his room.

Deputies cleared the residence to ensure no one else was inside. Upon clearing the residence Deputies observed an Akkar shotgun (Serial # 20044372) in plain view, in the room that ██████████ stated was his. ██████████ gave deputies verbal consent to search his room for the outstanding firearms. ██████████ also gave Deputies verbal consent to help her search for the misplaced firearms. Deputies were unable to locate the firearms where ██████████ and ██████████ stated they were.

IN RE: PETITION FOR RISK PROTECTION ORDER
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AFFIDAVIT CONTINUATION

FROM SECTION 1 _____
PAGE 2 _____ OF 2 _____

Based on Deputy Bernard's investigation he determined there was a substantial likelihood that without care or treatment would cause serious bodily harm to himself as evident by his recent behavior. Deputy Bernard subsequently took [REDACTED] into custody under the Baker Act and transported him to Halifax Daytona for treatment.

[Lined area for additional text]

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>AKKAR</u>	Location <u>BEDROOM</u>
Quantity <u>100</u>	Type <u>.38 SPECIAL</u>	Location <u>BEDROOM</u>
Quantity <u>10</u>	Type <u>12 GUAGE</u>	Location <u>BEDROOM</u>
Quantity <u>10</u>	Type <u>12 GUAGE</u>	Location <u>BEDROOM</u>
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____

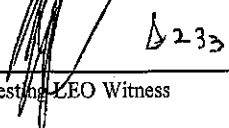
_____ Additional pages are attached.

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: 3/14/2021 Signature of Affiant: 

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

this 14 day of MARCH, 2021, by DEP. J. BERNARD
Affiant's name


Signature of Attesting LEO Witness

DEP. CUSTER
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)