

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

VSO Case Number
210006417

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA _____

I, {full legal name} Donna Nichols _____, 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} _____ 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 April 07, 2021 at approximately 0823 hours, Deputy Nichols was dispatched to _____, Ormond Beach in reference to an assault with a firearm. Upon arrival, Deputy Nichols made contact with _____ who provided the following statement. _____ and her boyfriend, _____ have been in a relationship for approximately one year but are breaking up. _____ stated they do not live together but _____ stays at her

1 Additional pages are attached.

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

 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION _____
PAGE 2 OF 2

residence most of the time. ██████ stated the break up started three days ago and they have been texting and talking on the phone but not staying together. ██████ stated on todays date, 04-07-2021, ██████ came to ██████ place of employment after ██████ refused to answer ██████ phone calls and text. At 0745 hours, ██████ showed up and rang the bell on the rear door of the business and asked for ██████ ██████ said she went to the parking lot and located ██████ in his work truck. ██████ tried to talk to ██████ and they kept arguing, When he tried to get out of his truck, she walked back in the building, leaving him outside. ██████ then saw ██████ drive off but he texted that he was still there. ██████ went outside and looked around and noticed ██████ truck in the parking lot to the south behind the bushes. ██████ walked over to talk to ██████ again. ██████ went up to the drivers side window and found ██████ loading a firearm. ██████ tried to talk to ██████ asking him not to hurt himself and to not do this. ██████ said ██████ started to get out of the truck and stated "Do you think this is a joke". ██████ started back to the building and heard a gunshot behind her. ██████ turned around and saw ██████ with the firearm to his head. ██████ stated "This is what you do to me", then put the firearm in his mouth. ██████ turned and ran back in the building and called police. ██████ completed a sworn written statement. ██████ stated she was not in fear for her life but in fear for ██████ life.

██████ was located driving and stopped in the 700 block of S. Beach Street, Ormond Beach by several units. ██████ was visibly upset. ██████ stated that he messed up and should not have fired a shot.

A Ruger P94, 9mm, firearm was located inside the truck with two loaded magazines. ██████ was placed under a Florida Baker Act and transported to Halifax Hospital.

██████ voluntarily surrendered the firearm to the Volusia Sheriff's Office.

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>Ruger P94 9mm</u>	Location <u>custody evidence</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: 04-07-2021

Signature of Affiant:

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

this 07 day of April, 2021, by D/S Nichols

Affiant's name

Signature of Attesting LEO Witness

Print name of Attesting LEO Witness

Sgt Turner 8194

OR

Signature of Notary Public

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known or Produced Identification

(Type of Identification Produced)