

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

VSO Case Number
22-17788

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} SHERIFF DEPUTY BALDWIN, in my position as {job title} SHERIFF DEPUTY with the {name of law enforcement officer/agency} VOLUSIA SHERIFF 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 09/15/2022 at 1552 hours, deputies were dispatched and responded to the 400 block of State Road 415 in reference to a shooting. Upon arrival, deputies made contact with the victim in this case, ██████████ who advised she was traveling southbound on State Road 415 from Howland Boulevard in her ██████████ bearing Florida registration number ██████████ when she observed a vehicle approaching her from the rear with no headlights on. According to ██████████ this particular vehicle was driving

2 Additional pages are attached.

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

0 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 1 OF 2

erratically and caused a separate vehicle to drive into the grassy shoulder to allow the gray car to pass. Shortly thereafter, ██████████ advised the gray car attempted to drive between the vehicle that had been pushed off the roadway and her own vehicle, causing the gray vehicle's front bumper to make contact with her rear bumper. When the vehicle got directly next to her vehicle in the lane directly to her right, ██████████ observed it was a gray in color sedan with tinted windows and stickers on the rear window. The two vehicles traveled southbound on State Road 415 for several minutes before ██████████ heard several gunshots emanating from the vehicle and realized an unknown person(s) was firing an unknown make/model firearm through the driver's side window at her vehicle, striking her car several times. This vehicle then turned right onto Doyle Road and out of sight while ██████████ continued straight on State Road 415 until she could stop to make contact with law enforcement. Upon arrival, deputies observed ██████████'s vehicle to be struck seven times in the passenger's side ranging from the rear right tire to the front right fender. Deputies observed the inside passenger door panel with an exit point from a bullet hole. ██████████ also had a white backpack on the front passenger seat with what appeared to be a hole near the bottom that was not from previous damages with no exit hole. No projectiles were discovered as a result of the preliminary search and ██████████ reported no injuries as a result of the incident. Utilizing investigative means, deputies searched vehicle in the immediate area of the shooting matching the description provided by ██████████ and discovered a ██████████ bearing Florida registration number ██████████ traveling at the intersection of Fort Smith Boulevard and Howland Boulevard at 05:50:52 hours on 09/15/2022. By comparison, ██████████'s vehicle was observed traveling at the same intersection at 05:50:51 hours. No other matching vehicles were observed in the immediate area at the time of the shooting. It should be noted, in the image of the ██████████ at the intersection of Fort Smith Boulevard and Howland Boulevard the vehicle did not have their headlights illuminated. Deputies observed the registered owner of the vehicle to be ██████████ who resides at ██████████ Deltona. Due to prior encounters with Deltona detectives, it is likely ██████████'s son, ██████████ is the primary driver of the vehicle. Deputies arrived at this address approximately twenty or thirty minutes after the shooting occurred and observed the aforementioned ██████████ bearing Florida registration number ██████████ in the driveway of the residence. Since making visual contact with the vehicle, deputies have not lost visual on the residence nor car. On 09/15/2022 at approximately 0825 hours, deputies were maintaining visual contact with the vehicle when they observed a male, later identified as ██████████ enter into the suspect vehicle and attempt to back out of the driveway. Deputy Jones and Deputy Acosta approached the vehicle and told ██████████ to stop and to exit the car. ██████████ stopped the vehicle; however, he did not exit the vehicle until being told to multiple times by Deputy Jones. ██████████ proceeded to stand up with his hands up but attempted to

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 2 OF 2

to keep himself between the vehicle and driver's side door. Deputy Jones asked if [REDACTED] had a gun on him to which he advised no. Deputy Jones again told [REDACTED] to step away from the vehicle at which time [REDACTED]'s right hand dropped toward his waistline causing Deputy Jones to grab both of [REDACTED]'s arms. As Deputy Jones grabbed [REDACTED] and moved him away from the vehicles a gray in color 9mmg2-PIOS pistol fell from [REDACTED]'s person and hit the driveway. [REDACTED] was secured in handcuffs for the duration of the investigation. The pistol had a round in the chamber with 11 additional rounds of 9mm ammo in the magazine. The magazine was capable of holding 12 rounds of ammunition. After detainment, detectives confirmed [REDACTED] does not have a license to carry a concealed firearm. Additionally, deputies observed at least one spent shell casing inside the open vehicle in plain sight. Detectives also noticed slight front end damage to [REDACTED]'s vehicle consistent with making contact with another vehicle. After being detained, Deltona detectives made contact with [REDACTED] at which time he was read his Miranda Rights via an agency-issued Miranda Warnings Card, after which [REDACTED] advised he understood and wished to continue speaking with law enforcement. Post-Miranda, [REDACTED] advised he was returning home after spending the night with a friend of his in Deland. While traveling on Howland Boulevard near Fort Smith Boulevard. Deltona [REDACTED] advised he observed a blue SUV driven by a female driving erratically through traffic. More specifically, [REDACTED] advised the aforementioned vehicle cut him off three times in traffic. When the two vehicles turned onto State Road 415, [REDACTED] stated his vehicle's front bumper made contact with the blue SUV on its rear bumper. [REDACTED] stated he then rolled down his driver's side window and fired several rounds from his personal firearm into the vehicle in an attempt to "hit the tires and disable the vehicle from doing more damage.

3. Affiant is 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:

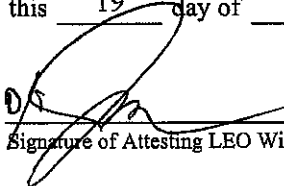
Quantity	<u>1</u>	Type	<u>HANDGUN</u>	Location	<u>D4 EVIDENCE</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

0 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: 09/19/2022 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 19 day of January, 2022, by SHERIFF DEPUTY BALDWIN
Affiant's name


Signature of Attesting LEO Witness

D/S RILEY #7836
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)