

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

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

VSO Case Number  
22-18525

AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, *{full legal name}* Deputy Sheriff Taylor M. White, 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:

Charged with four counts of Aggravated Assault during a disturbance complaint.

4 Additional pages are attached.

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

\_\_\_\_\_ Additional pages are attached.

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\*\*\*BWC RECORDING\*\*\*

\*\*\*MARSYS' LAW INVOKED & NOT INVOKED\*\*\*

On September 25, 2022, at approximately 2109 hours, Deputy White responded to \_\_\_\_\_ DeLand in reference to a disturbance.

While en route to the location, Volusia Sheriff's Office communications advised the disturbance at the location involved a firearm. Due to the nature of the incident, Deputy White staged at the intersection of 1st Av/ Oleander Rd. for additional units to arrive for assistance.

While staged at the intersection, Deputy White observed two male subjects, later identified as \_\_\_\_\_ (V1) and \_\_\_\_\_ (V2) riding their bicycles towards the intersection. \_\_\_\_\_ and \_\_\_\_\_ both discovered Deputy White and made contact with him.

Once contact was made, \_\_\_\_\_ and \_\_\_\_\_ stated the following information:

\_\_\_\_\_ stated while he was at the residence, he observed \_\_\_\_\_ (D1), who is the property owner arrive and pointed a firearm at \_\_\_\_\_ (V3), while he stated he was going to shoot him in the face if he did not get the dog that bit him earlier. \_\_\_\_\_ however refused to retrieve the dog for \_\_\_\_\_

\_\_\_\_\_ further advised while \_\_\_\_\_ was at the residence, he made threats to everyone, including him that he would shoot them in the face if they got in the way.

When Deputy White asked \_\_\_\_\_ further descriptive features about the firearm, \_\_\_\_\_ explained the firearm appeared to be a black semi-automatic pistol.

\_\_\_\_\_ further explained that although \_\_\_\_\_ did not actually point the firearm at him when he was making the threats to shoot everyone, he was in fear of his life due to \_\_\_\_\_ still being in active physical control of the firearm.

\_\_\_\_\_ also believed \_\_\_\_\_ would have carried out the act of shooting anyone that got in his way.

\_\_\_\_\_ also completed a Marsys' Law to Confidentiality form and wished to keep his personal information public.

Deputy White then made contact with \_\_\_\_\_ who stated \_\_\_\_\_ arrived at the residence and approached the front porch area. Upon arrival, \_\_\_\_\_ asked \_\_\_\_\_ where the dog was at.

\_\_\_\_\_ then threatened \_\_\_\_\_ that if he did not tell him where the dog was at, he would shoot \_\_\_\_\_ in the face. \_\_\_\_\_ later proceeded where he believed the dog was located.

While \_\_\_\_\_ was at the residence, \_\_\_\_\_ advised \_\_\_\_\_ was in possession of a black colored semi-automatic pistol.

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\_\_\_\_\_ also mentioned that although \_\_\_\_\_ did not point the firearm at him directly, he was in fear for his life due to the threats being made by him.

\_\_\_\_\_ also believed \_\_\_\_\_ would have carried out the act of shooting anyone that got in his way.

\_\_\_\_\_ completed a sworn written statement in reference to the incident and wished to pursue criminal charges. \_\_\_\_\_ also completed a Marsys' Law to Confidentiality form and wished to keep his personal information public.

Once Deputies obtained the information from \_\_\_\_\_ and \_\_\_\_\_ they began to tactically approach the residence due to the fact that it was still unknown if \_\_\_\_\_ was still at the residence. Upon arrival, Deputies made contact with \_\_\_\_\_ outside the residence who stated the following information.

\_\_\_\_\_ stated while \_\_\_\_\_ was at the residence working, he believed \_\_\_\_\_ was bitten by the dog due to seeing blood spots throughout the driveway and pool deck area.

\_\_\_\_\_ later returned to the residence, with what \_\_\_\_\_ described to be chrome pistol. \_\_\_\_\_ then informed \_\_\_\_\_ that the dog was done tonight

\_\_\_\_\_ further stated once \_\_\_\_\_ informed him he was going to kill the dog, \_\_\_\_\_ pointed the pistol at him while holding it with both hands. \_\_\_\_\_ continued to make threats at \_\_\_\_\_ and the dog that attacked him.

\_\_\_\_\_ later proceeded to \_\_\_\_\_ (V4) bedroom.

When Deputy White questioned if \_\_\_\_\_ was in fear for his life during the incident, \_\_\_\_\_ advised he was and also believed \_\_\_\_\_ would have carried out the act of causing harm.

\_\_\_\_\_ completed a sworn written statement in reference to the incident and wished to pursue criminal charges. \_\_\_\_\_ also completed a Marsys' Law to Confidentiality form and wished to keep his personal information private.

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Deputies then made contact with [REDACTED] who advised while he was inside his bedroom, he began to hear several loud knocks at his bedroom door. [REDACTED] subsequently answered the door and while doing so, he observed [REDACTED] pointing a chrome pistol at his face and demanded to know where the dog that bit him was at.

During the incident, [REDACTED] entered into [REDACTED]'s bedroom to locate the dog, but was met with negative results and later vacated the residence.

When questioned on how [REDACTED] felt about the incident, [REDACTED] advised he was indeed in fear for his life due to [REDACTED] pointing a firearm at him.

[REDACTED] completed a sworn written statement in reference to the incident and wished to pursue criminal charges. [REDACTED] also completed a Marsy's Law to Confidentiality form and wished to keep his personal information private.

While on scene, Deputy White observed several blood drops throughout the driveway and pool deck area. Deputy White collected digital photographs of the blood spots which were later uploaded to the digital crime scene database.

It should be noted, the incident involving [REDACTED] was non domestic violence related due to [REDACTED] not being related by blood or marriage to any of the victims involved.

[REDACTED] also did not actually discharge the firearm during the incident, nor did he strike anyone. [REDACTED] also is the listed property owner of the residence and all the victims involved are only his tenants.

Deputies later arrived at [REDACTED]'s residence, located at [REDACTED] DeLand to make contact.

Upon arrival, Deputies made contact with [REDACTED] who initially did not wish to exit his residence at first but later complied with Deputies.

When questioned about the incident, [REDACTED] stated while he was at the Oleander residence working, he was bitten by the tenant's dog, which caused significant damage to his right hand.

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\_\_\_\_\_ later left the residence to get medical assistance for his injury. \_\_\_\_\_ then returned to the residence, to which a disturbance ensued between himself and the tenants.

When asked if he was in possession of a firearm during the incident \_\_\_\_\_ denied being in possession of a firearm and claimed he does not currently own any.

It should be noted, during the interview \_\_\_\_\_ appeared to be under the influence of an intoxicating substance. \_\_\_\_\_ also admitted he had been drinking.

\_\_\_\_\_ also did not go into great detail on the reason why he returned to the residence where he was attacked at by the dog.

Based on the information, Deputy White developed probable cause to charge \_\_\_\_\_ with four counts of Aggravated Assault (FSS:784.021).

\_\_\_\_\_ was subsequently taken into custody due to the charges.

Deputy Childs read \_\_\_\_\_ his Constitutional rights via a Volusia Sheriff's Office Miranda Warning card. \_\_\_\_\_ however did not wish to speak to Deputies any further about the incident.

Due to the incident involving a firearm, Deputy White completed a Risk Protection Order.

A criminal history check revealed \_\_\_\_\_ to have prior arrests for felony battery.

\_\_\_\_\_ was later transported to the Volusia County Branch Jail, located in Daytona Beach.

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 _____	Type _____	Location _____
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: 09/26/2022

Signature of Affiant:

John #9087

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 26 day of September, 2022, by \_\_\_\_\_

Deputy Sheriff Deputy Sheriff Deputy Sheriff Deputy Sheriff Deputy Sheriff Deputy Sheriff Deputy Sheriff Deputy Sheriff Deputy Sheriff

Affiant's name

[Signature]

Signature of Attesting LEO Witness

D/S Morgan #9209

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)