

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

VSO Case Number  
22-18583

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

AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, {full legal name} Cody Forster, in my position as {job title} Deputy Sheriff with the {name of law enforcement officer/agency} Volusia Sheriffs 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 September 26th, 2022 at approximately 1520 hours deputies responded to \_\_\_\_\_ New Smyrna Beach, in reference to a suicidal person. Prior to arrival, Central Communications advised a male by the name of \_\_\_\_\_ (V1) had called into the Veteran's suicide hotline and stated he had a handgun on his lap and was going to shoot himself in the head. In conjunction with the Veterans hotline, Deputies were advised \_\_\_\_\_ was going through a divorce after being married for 22 years.

2 Additional pages are attached.

2. {Name of Witness} \_\_\_\_\_ No Witness \_\_\_\_\_ provided the following information based on his/her personal knowledge:

\_\_\_\_\_

0 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1  
PAGE 2 OF 3

\_\_\_\_\_ stated the only way he'd be leaving was with the police department, or in his chair. Deputies along with NSB Police Department converged towards the house in an attempt to make contact with \_\_\_\_\_. Deputies set up a perimeter and attempted to make contact with \_\_\_\_\_ via phone. While attempting to make phone contact, a VSO drone was brought in to establish an aerial view, and after multiple attempts, deputies were able to make phone contact with \_\_\_\_\_ who willingly exited his home and began speaking with deputies. A receiving team positioned outside the residence was then able to secure \_\_\_\_\_ without incident. Deputies searched \_\_\_\_\_ and he was unarmed.

After securing \_\_\_\_\_, he provided the following statement. \_\_\_\_\_ stated that "he was done with life" and that he "was going to shoot himself in the head with his handgun that was on his lap". \_\_\_\_\_ stated he had a .45 caliber handgun and after dealing with issues at his residence with his family, he decided the best course of action was to end his life. \_\_\_\_\_ stated if anyone was going to get hurt, it was going to be him. \_\_\_\_\_ stated he suffers from depression and takes medications for treatment.

Deputies conducted a search of the residence to ensure no one else was inside which revealed no other persons were inside. Deputies furthermore were unable to locate any firearms inside the residence.

Through Deputy Forster's investigation it was determined there would be a substantial likelihood that without the proper care or treatment, \_\_\_\_\_ would likely cause serious bodily harm to himself. \_\_\_\_\_ was taken into protective custody under the Baker Act and was later transported Halifax Hospital for treatment.

A FCIC/NCIC inquiry was completed which revealed \_\_\_\_\_ did not currently possess a concealed weapon permit.

Deputy Blackwell made contact with \_\_\_\_\_ (O1) and advised of \_\_\_\_\_ being placed under the protective custody of the Baker Act. Deputy Blackwell advised \_\_\_\_\_ of the Risk Protection Order (RPO) placed on \_\_\_\_\_ to which \_\_\_\_\_ advised all the firearms within the house were hers.

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**AFFIDAVIT CONTINUATION**

FROM SECTION 1  
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\_\_\_\_\_ voluntarily surrendered the ARMSCOR M1911 .45ACP (Serial # \_\_\_\_\_) which was the firearm \_\_\_\_\_ threatened to use to commit suicide. An FCIC/NCIC query of the firearm which revealed it negative for wants. Deputy Blackwell provided \_\_\_\_\_ the RPO receipt for the firearm. \_\_\_\_\_ advised her firearms were being kept at her son's house and provided a list of them:

- M&P .22 Rifle (Serial # \_\_\_\_\_)
- S&W .38 Revolver (Serial # \_\_\_\_\_)
- .38 Revolver (Serial # \_\_\_\_\_).

Deputy Blackwell collected the firearm, and placed into the District Three evidence locker for safekeeping. See Deputy Blackwell's supplement for further information.

Due to the statements made by \_\_\_\_\_ and the access to firearms at the residence, a risk protection order was completed by Deputy Forster and forwarded to Volusia Sheriff's Office Legal Advisor.

Case Status: Closed

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>Armscor 1911</u>	Location	<u>[Redacted] Evidence NSB, FL</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: 09/27/2022 Signature of Affiant: *[Signature]* 9344

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 27 day of September, 2022, by *Deputy Forster*  
Affiant's name

*[Signature]* 9029  
Signature of Attesting LEO Witness

*D/S Michael Asby 9029*  
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)

**VOLUSIA SHERIFF'S OFFICE**

Clark of Court's Number

**RISK PROTECTION ORDER / BAKER ACT FIREARMS AND AMMUNITION RECEIPT**

Page 1 of 1 Pages

EVENT	Report Date	Report Time	Orig. Reported Date	Nature of Call (for Incident)	Agency Report Number	1. Original	2. Supplement	3
	09/26/2022	2026	09/26/2022	SP	220018583			1
CODE	Status Code: 1. Evidence 6. Recovered 7. Recovered (Outside Agency Recovered) 13. Disposal 17. Baker Act 22. RPO (Voluntary Surrender) 23. RPO (Seized)				Category Code: J. Special Documents Y. All Other Items (Guns and Ammunition)			
PROPERTY	Leave Blank:	Item #	Status	Category	Quantity	Description		
		1	22	Y	1	ARMSCOR 1911 .45 ACP		
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
		ARMSCOR	M1911	.45 ACP	PISTOL	SEMI-AUTOMATIC	BLACK	
PROPERTY	Leave Blank:	Item #	Status	Category	Quantity	Description		
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:	Item #	Status	Category	Quantity	Description		
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:	Item #	Status	Category	Quantity	Description		
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:	Item #	Status	Category	Quantity	Description		
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:	Item #	Status	Category	Quantity	Description		
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number
PROPERTY	Leave Blank:	Item #	Status	Category	Quantity	Description		
	If Gun	Make	Model	Caliber	Type / Cat	Action	Finish	Serial Number

**INITIALS**  
 Pursuant to 790.401(7)(c), Florida Statutes, the firearm(s) and/or ammunition and/or license to carry a concealed weapon were surrendered by Respondent or seized by a Deputy of the Volusia Sheriff's Office on 09/26/2022.

I am the owner of the firearm(s), ammunition, or license to carry a concealed weapon or firearm and I hereby knowingly and voluntarily consent to the surrender of the items listed in this report to the Volusia Sheriff's Office.

I am the owner of the firearm(s) and/or ammunition listed in this report. I hereby request the firearms and/or ammunition be turned over to:  
 (Name) \_\_\_\_\_  
 (Address) \_\_\_\_\_  
 Respondent (Telephone Number) \_\_\_\_\_

I, Deputy or Evidence Employee of the Volusia Sheriff's Office, acknowledge receipt of the above listed items which were either surrendered or seized on 09/26/2022, at \_\_\_\_\_.

**SIGNATURES**  
 Respondent: [Signature] Date: 9-26-2022  
 Deputy: Blackwell 9302

CUSTODY	Item #	Date	Time	Released by (Printed):	Released by (Signature):	Received by (Printed):	Received by (Signature):	
	1	09/26/22	2026	D/S BLACKWELL	[Signature]	D3S EVIDENCE		
	Leave Blank			Reason for Change:				
				BA/RPO				
	Item #	Date	Time	Released by (Printed):	Released by (Signature):	Received by (Printed):	Received by (Signature):	
	Leave Blank			Reason for Change:				
ADMIN.	Officer Reporting - Printed			Officer Reporting - Signature		ID Number	Unit	Date
	D/S BLACKWELL 9302			[Signature]		9302	1C52	09/26/2022
	Officer Reviewing - Printed (if Applicable)			Officer Reviewing - Signature (if Applicable)		ID Number	Unit	Date