

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

VSO Case Number
220006713

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Deputy Sheriff Deputy Katlyn Bender, 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:

_____ texted his cousin "I have all these guns and I can't help but thinking to blow my head off". The cousin texted _____ mother _____ who made _____ girlfriend _____ aware. _____ called _____ and while on the phone _____ heard a round go off from _____ gun. When _____ got home, she saw _____ on the couch extremely intoxicated with his AM 15 in his hand. When deputies arrived on scene there was a hole in the wall from a spent round. The casing was located on the ground still warm.

_____ Additional pages are attached.

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

_____ advised her son _____ has been struggling with his mental health, and _____ was concerned _____ was going to kill himself. _____ said when _____ drinks alcohol he has feelings of suicide and often goes into a depressive episode.

_____ Additional pages are attached.

KLB

WS

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

VSO Case Number
220006713

AFFIDAVIT CONTINUATION

FROM SECTION _____
PAGE 1 OF 1

BWC RECORDING

On 04/05/2022, at approximately 1847 hours, Deputies were dispatched to _____, DeLand in reference to medical assist for the fire department. Upon arrival, Deputy Blum made contact with _____ (R1), who advised the following: _____ received a text message from her nephew, whom resides in another county, about _____ being suicidal. _____ explained _____ messaged his cousin and explained he was depressed and wanted to end his life by shooting himself. The cousin ultimately became concerned at called _____ on his cell phone. _____ picked up the phone and began to cry about being suicidal. The cousin proceeded to send _____ a text message to check on _____ _____ explained she proceeded to call _____ girlfriend, _____ (O1), about the situation. Deputies made contact with _____ who explained she arrived at the aforementioned residence and discovered _____ holding his firearm and a shell casing on the ground near him. Deputies observed the shell casing and a bullet hole in the wall potentially matching the casing. Deputies attempted to ask _____ about the incident, but he could not answer any questions due to him being highly intoxicated at the time.

Due to the circumstances and evidence, Deputy Childs placed _____ in protective custody under a baker act and transported him to Halifax Health due to him being highly intoxicated. Deputy Bender completed and RPO due to the involvement of _____ firearm.

KB

UB
VSO Form # 061118.001

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>AM-15 Rifle</u> | Location | <u>[REDACTED], Deland</u> |
| Quantity | <u> </u> | Type | <u> </u> | Location | <u> </u> |
| Quantity | <u> </u> | Type | <u> </u> | Location | <u> </u> |
| Quantity | <u> </u> | Type | <u> </u> | Location | <u> </u> |
| Quantity | <u> </u> | Type | <u> </u> | Location | <u> </u> |
| Quantity | <u> </u> | Type | <u> </u> | Location | <u> </u> |

 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: 04/06/2022 Signature of Affiant: *[Signature]* 9237

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 06 day of April, 2022, by Deputy Sheriff Deputy Katlyn Bender
Affiant's name

[Signature] 8181
Signature of Attesting LEO Witness

Wesley Blum
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)