

**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 230011330
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**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, *{full legal name}* Brandon Edwards, 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:

On 06/12/2023 at approximately 2208 hours, Deputies responded to _____ Deltona, in reference to a disturbance with an open line. Prior to arrival, Deputies were notified by Central Dispatch, _____ (V1) reported her husband, identified as _____ (D1), pointed a firearm at her head then turned the gun to his own head. _____ advised _____ left the home in his _____ FJ Cruiser.
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4 Additional pages are attached.

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

See Previous Box and Affidavit Continuation Pages.
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\_\_\_\_\_ Additional pages are attached.

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She further stated \_\_\_\_\_ may be on his way to her parent's home at \_\_\_\_\_ Deltona. She expressed being concerned \_\_\_\_\_ was headed to her parent's address as \_\_\_\_\_ had made suicidal and homicidal statements.

Prior to arriving, Deputy Rogaliner completed a inquiry \_\_\_\_\_ and found \_\_\_\_\_ to be the registered owner of a \_\_\_\_\_ Toyota FJ cruiser bearing Florida registration plate \_\_\_\_\_.

Deputy Rogaliner relayed the information to the other responding units.

Upon arrival, Deputy Rogaliner made contact with \_\_\_\_\_ who was observed to be visibly upset, shaking, and crying. \_\_\_\_\_ stated the following:

Her and \_\_\_\_\_ are not legally married but live together as a family unit and share children in common. Yesterday (06/11/2023), she and \_\_\_\_\_ had a verbal argument which did not escalate further than being verbal. Tonight, \_\_\_\_\_ arrived home and began doing laundry. \_\_\_\_\_ advised \_\_\_\_\_ had been drinking and was intoxicated. \_\_\_\_\_ entered into the master bedroom and sat on the bed with the laundry. \_\_\_\_\_ entered into the room and initiated a verbal argument with her about his dislike for \_\_\_\_\_'s parents and family. \_\_\_\_\_ advised \_\_\_\_\_ calmly left the room and returned a short time afterwards. When \_\_\_\_\_ returned, \_\_\_\_\_ observed him to have a bulge in his waistline tipping \_\_\_\_\_ off that he had his firearm on him. \_\_\_\_\_ re-initiated the argument with \_\_\_\_\_ during which he pulled the handgun out from his waistband. \_\_\_\_\_ walked towards \_\_\_\_\_ who was sitting on the bed and pointed the handgun at her. At first, \_\_\_\_\_ pointed the firearm at one of \_\_\_\_\_'s ears and said if he shot her, she'd be deaf. He then did the same thing to her other ear. \_\_\_\_\_ proceeded to place the end of the handgun's barrel to \_\_\_\_\_'s forehead and told her if he shot her there, then it would be the end. \_\_\_\_\_ described the handgun as being so close to her forehead, she felt it pressed against it. \_\_\_\_\_ advised she grabbed her cell phone to call \_\_\_\_\_. \_\_\_\_\_ expressed being fearful \_\_\_\_\_ was going to kill her. She advised \_\_\_\_\_ told her the gun was not loaded; however, she stated he always keeps the firearm loaded and he chambered a round during the incident. \_\_\_\_\_ described the firearm as a black Glock handgun. Once \_\_\_\_\_ realized she was on the phone with \_\_\_\_\_, he put the firearm to his own head and threatened to kill himself. He told her to tell the call taker it was all a lie or else he would kill himself. He told \_\_\_\_\_ he was going to go to the backyard to do it.

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\_\_\_\_\_ left the bedroom and went to their children and kissed them goodbye. \_\_\_\_\_ grabbed his vehicle keys, walked out of the front door and left the residence in his FJ cruiser. \_\_\_\_\_ advised \_\_\_\_\_ has threatened to kill himself in the past if confronted by Law Enforcement. \_\_\_\_\_ advised \_\_\_\_\_ may drive to his friend's (\_\_\_\_\_) house located at \_\_\_\_\_ Maitland.

\_\_\_\_\_ left the home without his cell phone and wallet. \_\_\_\_\_ completed a sworn written statement and advised she does wish to pursue criminal charges against \_\_\_\_\_, \_\_\_\_\_ elected to keep her information confidential per Marsy's Law.

Deputy Rogaliner took photographs of \_\_\_\_\_, the bedroom and a shot glass and lime which were on a desk in the bedroom. These were later uploaded to the Digital Crime Scene Database.

\_\_\_\_\_ provided a RING video showing \_\_\_\_\_ leaving the residence. \_\_\_\_\_ was wearing a gray sleeveless shirt and light blue shorts. In the right pocket of his shorts, a dark object (believed to be the firearm) can be seen and his shorts sagged down on that side. \_\_\_\_\_ appears to be holding his right hand to that side of his body as he walks. The video was later entered into a District 4 locker as evidence.

\_\_\_\_\_ was provided with a Victim's Rights pamphlet and case number.

Deputy Rodriguez spoke with the children who denied seeing the disturbance but overheard the verbal argument. They were not able to provide any specific statements made. Deputy Estrada analyzed the \_\_\_\_\_ audio recording. Deputy Estrada distinguished the following statements made on the call:

\_\_\_\_\_ states "drop it" numerous times. \_\_\_\_\_ also states "then why do you point the firearm at me \_\_\_\_\_". \_\_\_\_\_ says the firearm is loaded numerous times. Estrada overheard \_\_\_\_\_ say if you call the cops, I'm gonna shoot myself" followed by I'm gonna shoot myself several more times.

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While on scene with \_\_\_\_\_ she received a phone call from \_\_\_\_\_ stating \_\_\_\_\_ contacted him and advised he was at a Racetrac in Deltona, and provided a phone number to the business. However, when deputies made contact with Racetrac employees they denied recognizing \_\_\_\_\_ and denied anyone using their phone.

During the investigation, District 4 deputies attempted to locate \_\_\_\_\_ in the area, sent out Attempt to Contacts to locations out of county where \_\_\_\_\_ may go, and elicited help from Air One. Deputies posted up outside \_\_\_\_\_'s parent's home in the event \_\_\_\_\_ showed up to their residence.

On 06/13/2023 at approximately 0005 hours, K9 Deputy Ingram located \_\_\_\_\_'s vehicle at the intersection of Debarry Ave and Providence Blvd, Deltona. A felony stop was conducted at the intersection of E Normandy Blvd and Saxon Blvd. \_\_\_\_\_ was compliant and taken into custody. Deputies were not able to locate a firearm. Pratt's towing arrived on scene and removed the vehicle.

Deputy Rodriguez read \_\_\_\_\_ his Constitutional Rights from an agency issued Miranda Warning card. \_\_\_\_\_ acknowledged he understood his rights and agreed to speak with Deputies. \_\_\_\_\_ admitted he had a verbal argument with \_\_\_\_\_; however, denied displaying a firearm. He stated he had not seen the firearm in 3 days when he left it at his friend \_\_\_\_\_'s house in Maitland. When asked where \_\_\_\_\_ was traveling from, he stated he was returning from \_\_\_\_\_'s house in Maitland. He would not provide additional information on \_\_\_\_\_. When pressed about the firearm, \_\_\_\_\_ invoked his right to remain silent and questioning ceased.

Deputy Rogaliner requested a criminal history check on \_\_\_\_\_ which yielded positive results for a prior battery (domestic violence related) charge which was dropped.

Deputy Rogaliner contacted Teletype and Operator Stone #9400 entered the vehicle into FCIC/NCIC as a felony vehicle. After \_\_\_\_\_ was apprehended, the vehicle was removed by Operator Stone.

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Due to the above circumstances and statements made, Deputy Rogaliner determined there to be probable cause to charge \_\_\_\_\_ with Aggravated Assault with a Deadly Weapon, Aggravated Battery with a Deadly Weapon and Tampering with a Witness. \_\_\_\_\_ did intentionally and unlawfully threaten \_\_\_\_\_ by word and act to do violence to \_\_\_\_\_ coupled with the apparent ability to do so, and created a well-founded fear in \_\_\_\_\_ that such violence is imminent. While doing this, \_\_\_\_\_ used a deadly weapon without intent to kill. \_\_\_\_\_ did intentionally and knowingly touch \_\_\_\_\_ against her will and did so with a deadly weapon. Additionally, \_\_\_\_\_ knowingly used intimidation and threatened to kill himself with the intent to cause \_\_\_\_\_ to not relay information to law enforcement. This was done when he told \_\_\_\_\_ to relay to the telecommunicator that she was lying about the disturbance or else he (\_\_\_\_\_) would kill himself.

The charges of aggravated assault and aggravated battery are categorized as domestic violence due to the relationship between \_\_\_\_\_ and \_\_\_\_\_. \_\_\_\_\_ was transported to the Volusia County Branch jail under a no bond status.

3. Affiant  is  is not aware of any existing protection order governing the respondent under any applicable statute.

\_\_\_\_\_ 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>Glock Pistol</u>	Location	<u>Unkown</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: 06/13/2023 Signature of Affiant: BE

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 13 day of June, 2023, by D/S Edwards  
Affiant's name

[Signature] #9239  
Signature of Attesting LEO Witness

D/S T. KING  
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)