

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

VSO Case Number
230012661

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* MICHAEL MCGINNIS, in my position as *{job title}* DEPUTY 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:

BWC
On 07/03/2023, at approximately 1254 hours, Deputies were dispatched and responded to _____ Edgewater, regarding an attempted suicide involving a firearm. The caller _____ (R1), called the Volusia Sheriff's Office after receiving a telephone call from his neighbor, _____ (V1), who stated he had shot himself

2 Additional pages are attached.

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

_____ got a telephone call from _____ stating he had just shot himself with his .22LR caliber handgun and had tried to kill himself. _____ ran across the street to _____'s residence and met him on the front porch. _____ observed _____ to have blood dripping from under his chin, which is where _____ advised he had shot himself. _____ advised _____ is a Vietnam Veteran and consumes alcohol frequently and had previously attempted to kill himself in a similar manner.

2 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
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In the face, while in his back bedroom and wanted to die. _____ ran across the street to _____'s residence and met him on the front porch. _____ immediately called _____ and remained on scene until the arrival of first responders.

Upon arrival, Deputy McGinnis was met at the front of the residence by members of Volusia County Fire Rescue (VCFR), who were tending to _____. Deputy McGinnis observed a small amount of blood dripping from under _____'s chin. Deputy McGinnis looked at the injury which appeared to be from an apparent self-inflicted gunshot wound. Deputy McGinnis was able to briefly speak with _____, who stated he had shot himself to try and kill himself. _____ stated he shot himself with his .22LR handgun, which was located in the back bedroom of the residence. _____ advised he was a Vietnam Veteran and that he would attempt to kill himself again. _____ was then transported to Halifax Hospital via VCFR for further medical treatment.

Deputy McGinnis met and spoke with _____, who advised on the above date and time, he got a telephone call from _____ told _____ that he had just shot himself with his .22LR caliber handgun and had tried to kill himself. _____ stated he ran across the street to _____'s residence and met him on the front porch. _____ stated he observed _____ to have blood dripping from under his chin, which is where _____ advised he had shot himself. _____ advised _____ is a Vietnam Veteran and consumes alcohol frequently and had previously attempted to kill himself in a similar manner. See VSO case# 21-21531 for further details pertaining to that case. _____ advised _____ lives alone due to his wife living out of state due to medical ailments. _____ completed a sworn written statement detailing his involvement.

Deputies conducted a sweep of the residence to verify there was no other injured person(s) inside. While inside the residence, Deputies located a small Jennings .22LR pistol (serial# _____) lying on the back bedroom floor. Deputies cleared the firearm to make it safe and located a spent shell casing inside the chamber of the firearm. Deputies also located a Mossburg 500A 12 gauge shotgun (serial# _____) in the same bedroom, which was propped up behind the bedroom door. In another room on the other side of the house, Deputies located an unknown make or model silver revolver which was affixed to the wall by two thumbtacks. The silver revolver had no visible serial number or identifiable markings and appeared to be a possible prop gun. Deputies did not locate any other people while inside the residence. Photographs of the scene and firearms were obtained and later uploaded to the Digital Crime Scene Database. An FCIC/NCIC check of all the firearms revealed them to not be stolen.

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Deputy Peas responded to Halifax Hospital where she met with medical staff, who advised [REDACTED]'s medical condition was non-life threatening and that he was in stable condition. Deputy Peas met with [REDACTED] who stated this was all over some female and that he wasn't going to do it again. [REDACTED] refused to surrender his firearms to the Volusia Sheriff's Office under the terms of a Temporary Risk Protection Order (TRPO). Deputy Peas took digital photographs of [REDACTED]'s injuries and later uploaded them to the Digital Crime Scene Database.

Deputy McGinnis requested a criminal history check via VSO Teletype, which revealed [REDACTED] to not be a convicted felon, nor did he have a Florida Concealed Weapons permit issued.

Based on the statements on scene and the personal observations made by Deputies on scene, it was determined that [REDACTED] posed a real and present danger to himself based on his recent behavior. [REDACTED] was subsequently taken into protective custody under the Baker Act.

Deputy McGinnis also completed a TRPO due to the surrounding circumstances, which was forwarded to RPO Submission for their review.

Due to [REDACTED] refusing to voluntarily surrender his firearms and ammunition, they were left on scene inside the residence which was secured prior to Deputies leaving.

The Watch Commander was notified of this incident.

Case Status: Closed

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

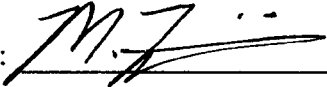
0 Known protection orders are attached

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:

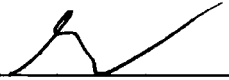
Quantity	<u>1</u>	Type	<u>JENNINGS J-22</u>	Location	<u>BEDROOM</u>
Quantity	<u>1</u>	Type	<u>MOSSBURG 50</u>	Location	<u>BEDROOM</u>
Quantity	<u>11</u>	Type	<u>22LR ROUNDS</u>	Location	<u>BEDROOM</u>
Quantity	<u>5</u>	Type	<u>12G ROUNDS</u>	Location	<u>BEDROOM</u>
Quantity	<u>2</u>	Type	<u>J-22 MAGAZIN</u>	Location	<u>BEDROOM</u>
Quantity	<u>1</u>	Type	<u>REVOLVER</u>	Location	<u>BEDROOM</u>

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: 07/03/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 03 day of July, 2023, by D/S MICHAEL MCGINNIS
Affiant's name


Signature of Attesting LEO Witness

GRANT ROSS 9181
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)