

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

VSO Case Number
230018511

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Sarah Jackson, 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:

_____ stated he was going to kill himself. _____ wrote a note to his son telling him about his demons and had a loaded firearm by his feet the entire time while drinking a beer.

_____ Additional pages are attached.

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

See Attachments

3 Additional pages are attached.

AFFIDAVIT CONTINUATION

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BWC Recording

On 09/23/2023 at 2217 hours, Deputy Jackson was dispatched to _____ New Smyrna in reference to a suicidal person. While enroute to the above location, Central Dispatch advised _____ (V1) was armed with a firearm and writing a note. The reporting person, _____ (R1) was calling for her daughter, _____ (O1), who was at the residence and unable to call herself. _____ is engaged to _____ and they have a son, _____ a minor, (O2) in common.

_____ was sitting in the corner of the playroom, writing a note to his son, with a beer and gun sitting at his feet. While enroute, _____ refused to leave the residence due to _____ sleeping in his crib. As units got on scene, _____ was standing out front of the residence. _____ was moved away from the residence. She stated she was not aware of _____'s location at that time but there was a ring camera at the front door and back door. _____ verified that _____ had a handgun with him when he was sitting in the playroom. He was writing a note to their son and had been drinking. _____ has a drinking problem and recently _____ learned he is abusing Adderall. She stated they were in a verbal altercation earlier over her taking _____ to a pumpkin patch the following day without his permission. They had already been arguing over him drinking earlier. They continued to yell back and forth at each other. _____ got upset and walked to the bathroom. While he was walking into the bathroom, he stated he was going to kill himself. _____ stated he has said that before and did not think anything of it. _____ was in the bathroom for 15 minutes or more and _____ thought he was laughing at first then listened more and determined he was crying. _____ walked out of the bathroom, grabbed a pen and paper, a beer, and his gun while threatening to kill himself and leave a note. _____ sat in the playroom while writing his note with the beer and gun sitting by his feet. _____ never threatened _____ or pointed the gun at anyone. He then grabbed his note and gun before going back into the bathroom. _____ heard banging in the bathroom while waiting for Deputies to arrive on scene. She walked outside and made contact with Deputies on scene. _____ completed a sworn written statement.

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While speaking with _____ came out the front door. Initially no one was able to see what was in his hands. We finally saw his hands enough that in his right hand was a Modelo can of beer and his left hand was empty. _____ was called out at gun point due to not knowing where the firearm was located. He was taken into protective custody and was advised why we were there. He stated the firearm was in the bed of the truck and admitted to having it when he exited the residence. He stated he was not going to say anything due to knowing how a baker act worked and did not want to be baker acted.

_____ provided _____s noted to Deputy Jackson. The note stated the following:
"_____ I love you more than life itself. You really are the dream that I thought I'd never have. You were the biggest blessing to your mom and I. We loved each other for so long, but at the end of the day, it didn't work out. I wasn't perfect, I had a ton of mess up's along the road, more than your mother never let me live down. You were and are the most beautiful person I'd ever seen you made our whole world. I thought when you were born our lives would change for the better, but your father has a lot of demons in his life he cant control. It's not an excuse, its reality. I wish I could change it I really do, you were honestly the first person I'd loved the most in my whole life. I never want you to see the demons that I have, I got them from your grandmother _____ and your grandfather _____. There is a lot about them that you'll never hear about in your life, but I want you to know that your grandfather was the best guy the whole world had ever seen. There wasn't a person who didn't love or appreciate, him for what he was. Everyone knew his demons, just like my own. It's a family thing and I pray to GOD you never deal with it. Luckily your mother and her family are more mentally stable then us _____. Dont ever forget that son."

The firearm that he possessed during the writing of the note was the firearm located in the bed of the truck. It was a Walther pistol with 14 rounds of hallow point 9mm round in the magazine and one in the chamber. There was a black rifle, a black Hunt Group shot gun, a Springfield pistol, a tan/ black rifle, multiple magazines, and unknown amount of ammunition sitting on the bed in the room directly across from _____s bedroom along with unknown additional firearms in a safe located in the master bedroom.

A risk protection order was completed reference to the threat of harm to himself with a firearm.

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The firearm, ammunition, and note were submitted into evidence.

Photos were taken of the firearms sitting on the bed and submitted onto digital crime scene.

_____ was asleep during the entire encounter and Deputies verified he was in good health.

_____ was transported to Stewart Marchman without incident.

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:

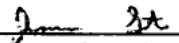
Quantity	<u>2</u>	Type	<u>Rifles</u>	Location	<u>[Redacted] New Smyrna</u>
Quantity	<u>1</u>	Type	<u>Shotgun</u>	Location	<u>[Redacted] New Smyrna</u>
Quantity	<u>1</u>	Type	<u>Pistol</u>	Location	<u>[Redacted] New Smyrna</u>
Quantity	<u>Unknown</u>	Type	<u>Ammunition</u>	Location	<u>[Redacted] New Smyrna</u>
Quantity	<u>1</u>	Type	<u>Walther Pistol</u>	Location	<u>VSO Evidence</u>
Quantity	<u>15 Rnds</u>	Type	<u>9mm ammo</u>	Location	<u>VSO Evidence</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: 09/24/2023 Signature of Affiant:  Jackson

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 24 day of September, 2023, by Deputy S Jackson
Affiant's name


Signature of Attesting LEO Witness

Sgt S. Stone, 7442
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)