

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

VSO Case Number
230023213

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* SARA PEAS, 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:

According to family _____ was having a severe manic episode, possibly caused by a change in medication and lack of sleep. The family took steps previously to secure the firearms in a room _____ does not have access to, however he damaged a wall in order to access a firearm during tonight's incident.

2 Additional pages are attached.

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

_____ is married to _____ and advised _____ suffers from bipolar disorder and does not experiences manic episodes or paranoia often. _____ advised _____ had been taken into protective custody under the Baker Act once prior.

0 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 1 OF 2

On 12/03/2023, at approximately 1745 hours, deputies responded to _____ New Smyrna Beach, for a male experiencing a manic episode with an altered mental state, and was attempting to leave the home with a firearm. The caller, _____ (O1) advised her husband, _____ (V1) was the subject suffering the manic episode. While units were responding, dispatch advised a verbal argument started between _____ and his adult son, _____ (O2) over dropping the firearm.

For the duration of this report, _____ will be referred to as _____ and _____ will be referred to as _____.

Once deputies arrived on the scene, _____ was on the ground being held down by his son, _____ and the firearm was no longer in _____'s possession. Once _____ was secured in handcuffs behind his back, he requested medical attention, advising he suffered a back injury from being pushed to the ground and laid on by _____. _____ requested to stay lying on his stomach due to his back hurting and the possibility of a back injury.

Deputies interviewed both _____ and _____ about the incident, and both were willing to provide sworn written statements about the incident.

According to the family, _____ had been sleep-deprived for the last 3 weeks due to hunting season. _____ suffers from bipolar disorder and has been taking medication regularly until today. According to Laura, _____'s medication recently changed and she believed the change is what caused the manic episode. _____ stated the family took measures to lock up all firearms in a separate room to keep them away from _____ out of fear that _____ would harm himself. _____ woke up today, 12/03/2023, in a manic and paranoid state. _____ began an argument with _____ and started beating on the walls inside the home and breaking down walls within the home. _____ cut a hole in a wall that connects to a room where the family stores the firearms, grabbed a high-caliber rifle, and started loading up his vehicle as if to go hunting. As _____ was loading the vehicle, _____ arrived on the scene to help _____. A verbal argument began between _____ and _____ while they were attempting to calm _____ down. According to the family, they believed the firearm was loaded and were worried _____ would hurt himself. _____ pushed _____ to the ground and wrestled with him over the firearm before disarming _____. _____ successfully took the gun from _____ and was able to restrain _____ on the ground until deputies arrived. _____ then stated he injured his back and believed it was broken.

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AFFIDAVIT CONTINUATION

FROM SECTION 1
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For approximately 45 minutes while deputies were on scene and observing [REDACTED] [REDACTED] made several bizarre statements. [REDACTED] called a deputy "white boy", was singing songs, yelling about needing a cow bell, and said he had a fever. [REDACTED] additionally made statements of "don't use a small caliber gun on a large caliber man" and "that mother fucking nigger is gonna shoot me in the head." and "I wanna look pretty for the boys."

Once emergency medical personnel arrived on scene, [REDACTED] appeared to have a small skin tear on his left forearm. Deputies and medical personnel were not able to see any other physical injuries.

Through Deputy Peas' investigation it was determined there would be a substantial likelihood that without the proper care or treatment, [REDACTED] would likely cause serious bodily harm to himself or others. [REDACTED] was taken into protective custody under the Baker Act and was later transported to Halifax Hospital by EVAC for treatment and medical attention.

[REDACTED] and [REDACTED] advised they were not in fear of [REDACTED] at any point during the incident. [REDACTED] and [REDACTED] agreed to remove all the firearms from the home as a safety precaution. Photographs of the firearm [REDACTED] had were taken and submitted in Digital Crime Scene. An RPO was completed by Deputy Peas.

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

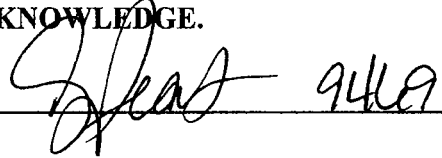
0 Known protection orders are attached

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:

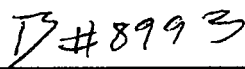
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____

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: 12/03/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 03 day of December, 2023, by DEPUTY SARA PEAS
Affiant's name


Signature of Attesting LEO Witness

DEPUTY KEVIN BARRY
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)