

**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 230024300

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* _____ D/S Kevin Barry _____, 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:

See continuation page.

_____ Additional pages are attached.

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

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_____ Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
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BWC Recording

On 12/18/2023, at approximately 1940 hours, Deputies Barry and Dufour were dispatched to _____ DeLand, in reference to a mentally ill person.

Prior to arrival, Deputy Barry noticed the reporting party, _____ (V1) informed central dispatch she had people in her attic who were trying to rape her, beat her dogs and kept messing with her. _____ continued to inform she discharged a shotgun once into the attic and could not see anyone moving afterward; however, she heard them yelling. It should be noted, there have been eight calls for service at Sarah's residence in the last 90 days documenting she is mentally ill.

Upon arrival, Deputies communicated with _____ to have her exit the residence without any weapons, which she did without incident and was detained after making contact. While speaking with _____ she explained she discharged a firearm into her attic because people were in the attic and trying to rape her. Deputies later cleared the residence to ensure there was no one injured within the home and while doing so, Deputy Barry noticed an impact into the ceiling within the kitchen, along with a shotgun shell casing on the kitchen floor. Deputy Barry obtained digital photographs of the scene, which were later uploaded to the Axon Capture site.

Deputies were approached by _____ (W1) and _____ (W2), who both reside across the street from _____. Both _____ and _____ informed they noticed _____ pacing back and forth in her front yard and soon after entered the residence and discharged what they believed to be a shotgun within the home. Neither _____ nor _____ saw _____ in possession of a firearm and completed a sworn written statement detailing the incident.

Deputies then determined that without proper care or treatment there was a significant likelihood that _____ would suffer from self-harm or be a harm to others. _____ was taken into protective custody under the Baker Act and transported to SMA without incident. _____ was asked if she would be willing to turn her firearms over for a risk protection order, which she refused. Deputies later completed a risk protection order and an NC4 bulletin in reference to the 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>Shotgun</u>	Location	<u>1085 8th Av, 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>


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: 12/19/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 19 day of December, 2023, by D/S Kevin Barry

Affiant's name


Signature of Attesting LEO Witness

D/S Cody Forster
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)