

**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 230009500
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**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, *{full legal name}* \_\_\_\_\_ Adam Fortier \_\_\_\_\_, 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:

See continuation page.
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\_\_\_\_\_ 1 \_\_\_\_\_ Additional pages are attached.

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

See continuation page.
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\_\_\_\_\_ 1 \_\_\_\_\_ Additional pages are attached.

AFFIDAVIT CONTINUATION

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On 05/17/2023 deputies were dispatched to \_\_\_\_\_ for a report of an altercation where a family member was threatening to kill another family member with a firearm. The family member with the firearm was identified as \_\_\_\_\_ (D1) who was wearing a black shirt with blue shorts and a beard. The reporting party informed Central Dispatch the firearm was in the back pocket of \_\_\_\_\_' shorts. Central Dispatch advised the altercation started due to \_\_\_\_\_ being told it is ok to cry as his family member is currently in hospice care and not expected to live much longer.

Upon arrival, deputies were able to contact \_\_\_\_\_ (W1), \_\_\_\_\_ (W2), and \_\_\_\_\_ (V1) who were all still inside of the residence with \_\_\_\_\_. Upon contacting them they each provided written sworn statements.

\_\_\_\_\_ provided the following written sworn statement. While in the upstairs bathroom, she heard yelling and banging coming from downstairs of the residence. \_\_\_\_\_ heard \_\_\_\_\_' yelling at \_\_\_\_\_ "You never admitted fault for beating the shit out of me, and I want you to admit fault". \_\_\_\_\_ heard \_\_\_\_\_ say the abuse only stopped when he got bigger than \_\_\_\_\_. \_\_\_\_\_ heard \_\_\_\_\_ tell \_\_\_\_\_ you will lose your VA benefits, to which \_\_\_\_\_ responded "I won't lose any benefits because after I shoot you in the head, I'll shoot myself". \_\_\_\_\_ stated she was afraid because \_\_\_\_\_ still had the firearm. \_\_\_\_\_ did not see \_\_\_\_\_ with a firearm but knew \_\_\_\_\_ carried a firearm with him around the residence. \_\_\_\_\_ stated \_\_\_\_\_ was sitting at the dining room table while \_\_\_\_\_ was standing next to him.

\_\_\_\_\_ provided the following written sworn statement. While she was sitting at the dining room table going over funeral arrangements for the dying family member when \_\_\_\_\_ approached them insisting \_\_\_\_\_ go to the dying family member. \_\_\_\_\_ hears \_\_\_\_\_ begin to yell at \_\_\_\_\_ to hold the family member's hand.

\_\_\_\_\_ did not want to hold the family member's hand and told \_\_\_\_\_ "Don't get weird on me", at this time \_\_\_\_\_ believed the situation began to escalate. \_\_\_\_\_ stated \_\_\_\_\_ became more agitated demanding \_\_\_\_\_ apologize for the abuse he was put through.

\_\_\_\_\_ walked away from the table towards the sofa, returning to the table with a firearm in a holster, slamming it on the table. \_\_\_\_\_ stated \_\_\_\_\_ slammed the firearm hard enough and it fell off the table onto the floor. \_\_\_\_\_ stated she was in fear for \_\_\_\_\_ and her safety.

\_\_\_\_\_ heard \_\_\_\_\_ tell \_\_\_\_\_ to calm down, so he does not lose his veteran benefits. \_\_\_\_\_ commented he would not lose his benefits as he was going to kill \_\_\_\_\_ then himself.

\_\_\_\_\_ apologized to \_\_\_\_\_ stating he was "tired of this and being mistreated" \_\_\_\_\_ walked away from the table went upstairs and looked over the railing. \_\_\_\_\_ observed \_\_\_\_\_ place a firearm against \_\_\_\_\_'s head with his other hand around \_\_\_\_\_'s neck.

AFFIDAVIT CONTINUATION

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\_\_\_\_\_ provided the following written statement. While planning funeral arrangements for a family member \_\_\_\_\_ was demanding \_\_\_\_\_ hold the family members' hands. \_\_\_\_\_ began yelling, at which point \_\_\_\_\_ produced a firearm.

\_\_\_\_\_ placed the firearm against \_\_\_\_\_'s head and then against his jaw. \_\_\_\_\_ placed his head against his head and threatened to kill him, then commit suicide. \_\_\_\_\_ then apologized then went and sat on the sofa.

\_\_\_\_\_ stated his relationship with \_\_\_\_\_ was he was \_\_\_\_\_'s Stepfather. \_\_\_\_\_ informed Deputy Fortier he was going to tell deputies he believed \_\_\_\_\_ would shoot at them as they attempted to make contact but changed his mind because he was still alive. \_\_\_\_\_ believed if \_\_\_\_\_ was going to shoot at anyone he would have been killed.

\_\_\_\_\_ informed Deputy Fortier several weeks prior \_\_\_\_\_ who possessed numerous firearms and a large amount of ammunition, laid his firearms and ammunition around him while he sat of the floor. \_\_\_\_\_ explained it appeared \_\_\_\_\_ was preparing for a gun fight and believed if anyone would have walked through the door he would have shot them.

\_\_\_\_\_ also mentioned \_\_\_\_\_ takes several anti-psychotic medications and on occasion will not take them correctly and there is a visible change in behavior.

Upon the arrival of Deputies, they observed \_\_\_\_\_ sitting on the couch where they located a firearm hidden in the couch.

Deputies located a .40 caliber Glock handgun with serial number in a holster as described by \_\_\_\_\_ and \_\_\_\_\_

Deputies read \_\_\_\_\_ his Miranda Rights. While talking to \_\_\_\_\_ he stated " I guess it was stupid to try and make my stepfather feel the way he made me feel when I was a little boy; helpless.

After completing the investigation, it was determined there was probable cause to place \_\_\_\_\_ under arrest for aggravated assault, elder abuse and domestic violence.

Deputies were informed \_\_\_\_\_ has a bedroom with a locked door which contains numerous firearms and a large amount of ammunition.

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</u>	Location	<u>In custody of VSO</u>
Quantity	<u>Unknown</u>	Type	<u>Unknown</u>	Location	<u>[REDACTED]</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

\_\_\_\_\_ Additional pages are attached.

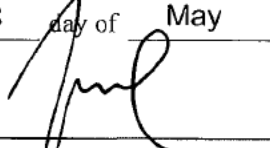
**AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.**

Dated: 05/18/2023

Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization,

this 18 day of May, 2023, by A. Fortier  
Affiant's name

  
Signature of Attesting LEO Witness

M. CHARLA 9565  
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)