

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} [REDACTED]

VSO Case Number
VP240000574

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} RAYMOND KALMAR, 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} [REDACTED] 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:

MARSYS' LAW INVOKED X2

On January 9, 2024, at approximately 0301 hours, VSO Deputies White, Kalmar, and Gardner along with the assistance of DLPD Officers responded to the 7-11 store, located at 2090 E New York Av., DeLand about an armed robbery. A 911 call was being heard by deputies that the suspect, an armed black female just exited the store

_____ Additional pages are attached.

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

_____ Additional pages are attached.

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and got into a white SUV parked out front.

Upon arrival, DLPD Officer Cooper and VSO Deputy Gardner were able to make contact with the suspect, later identified as [REDACTED] (D1) inside a white Infinity SUV with [REDACTED] in front of the business. VSO Deputies and DLPD Officers recovered her [REDACTED] pistol 9MM [REDACTED] on her waistband.

Upon arrival, Deputy White made contact with [REDACTED] (V1) who advised an unknown person, later to be identified as [REDACTED] (D1) entered the store and proceeded to the restroom. While [REDACTED] was cleaning the grills, [REDACTED] exited the restroom and began to talk to [REDACTED] about god. [REDACTED] lifted her shirt up and revealed to [REDACTED] a black pistol in her waistband. While [REDACTED] was brandishing the pistol in her waistband, she informed [REDACTED] not to trust anyone and that she comes ready. [REDACTED] said not to mess with anyone due to the fact they may not know what they're going through and could potentially kill you. [REDACTED] called and told her husband about the incident. [REDACTED] became irate with [REDACTED] and proceeded to grab her face and later hug her. [REDACTED] advised during the incident she was in fear for her safety and [REDACTED] (V2) safety. [REDACTED] stated that [REDACTED] grabbed several items and came to the front counter and said I don't have money for this, but you owe it to me anyways. [REDACTED] then told [REDACTED] not to worry about her gun and left the store without paying for the items. [REDACTED] completed a sworn written statement about the incident and wished to pursue criminal charges against [REDACTED].

Deputy White then made contact with [REDACTED] who also was grabbed and hugged by [REDACTED] by her head while she was talking. [REDACTED] later told [REDACTED] and [REDACTED] that you never know when someone might take a life due to not knowing what people are going through. Once [REDACTED] informed them about that, she lifted her shirt which revealed her to have a black pistol in the front of her waistband. [REDACTED] also mentioned [REDACTED] grabbed [REDACTED]'s head and hugged her. [REDACTED] completed a sworn written statement about the incident.

[REDACTED] was taken into custody in the parking lot and Deputy Gardner read her constitutional rights via a Volusia Sheriff's Office Miranda Warning Card. [REDACTED] understood her rights and agreed to speak to law enforcement without legal representation. [REDACTED] advised she entered the store to use the bathroom. [REDACTED] then showed the [REDACTED] and [REDACTED] her firearm and

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stated "I told them they don't know what people are going through" [REDACTED] later began to make a cup of coffee and grabbed an energy drink. [REDACTED] advised she needed a mount and charger for her phone so she located the cheapest two she could find. [REDACTED] later went to the counter and told [REDACTED] she was unable to pay for the items as of now. [REDACTED] proceeded to walk out of the store and while doing so, grabbed a pair of sunglasses on the way out. [REDACTED] provided no further information in reference to the incident.

Deputy White reviewed the footage which displayed [REDACTED] grabbing and hugging [REDACTED] during the incident. The video footage however did not show [REDACTED] brandishing the firearm. When [REDACTED] was asked about the footage for that particular part, she advised she did not have access to those cameras at this time and would have to get with her manager to retrieve the footage. Deputy White collected a copy of the footage [REDACTED] provided, which was later submitted into the District Two Locker as evidence.

[REDACTED] also provided a receipt for the stolen items which revealed to be the following:
Red Bull energy drink - \$3.99
Trillon sunglasses - \$9.99
SBT magdaddy dash - \$24.99
24/7 4ft Brd Lighting cable - \$17.99
Double wall thermos cup sell 16oz - \$2.09
Total: \$62.25

Deputy White collected a copy of the receipt and completed an evidence release form, which both were submitted into the District Two locker as evidence. Deputies recovered a [REDACTED] MP Shield 9MM pistol [REDACTED] from [REDACTED]. An FCIC/NCIC check revealed the weapon to have no priors. The pistol was later submitted into the District Two locker as evidence.

Based on the information, Deputy White developed probable cause to charge [REDACTED] with armed robbery, aggravated assault with a deadly weapon, carrying a concealed firearm, and battery. A criminal history check revealed [REDACTED] to have no prior history. Due to the fact [REDACTED] utilized a firearm during the incident, Deputies completed a risk protection order against [REDACTED]. [REDACTED] was later transported to the Volusia County Branch Jail, located in Daytona Beach.

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:

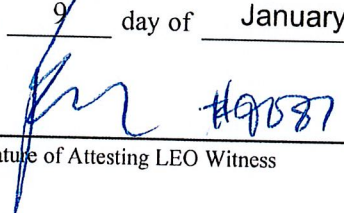
Quantity	<u>1</u>	Type	<u>M&P SHEILD</u>	Location	<u>EVIDENCE</u>
Quantity	<u>8</u>	Type	<u>9MM ROUNDS</u>	Location	<u>EVIDENCE</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

_____ 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: 01/09/2024 Signature of Affiant:  9674

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 9 day of January, 2024, by DEP. R KALMAR
Affiant's name

 #9087
Signature of Attesting LEO Witness

White Taylor 9087
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)