

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
24-10219

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Alexander Joseph Aberle, 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:

On 05/05/2024, at approximately 2048 hours, Deputy Aberle responded to _____ Ormond Beach in reference to an armed suicidal person incident.

While enroute, Deputy Knight contacted the reporting party identified as _____ (RP) who stated the following:

2 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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[REDACTED] who currently lives in Indiana, stated her son, later identified as [REDACTED] (O1) lives in Ormond Beach. [REDACTED] said [REDACTED] was sending her text messages about him being at home with his wife and three kids and not being in a good mental state and wanting to kill himself. [REDACTED] said [REDACTED] has a firearm that he always carries on his person. Additionally, she said [REDACTED] currently had it on him as they were in conversation. [REDACTED] provided Deputy Knight with screenshot photos of the conversation that corroborated her statements and clearly depicted [REDACTED] going through a mental health crisis.

Upon arrival, Deputy Knight contacted [REDACTED] via cell phone. Deputy Knight asked [REDACTED] to come outside the residence and speak with deputies about the statements he made to [REDACTED]. [REDACTED] hung up on Deputy Knight and exited out of the front door of the residence. Deputies secured [REDACTED] conducting a pat down for weapons with no results. After securing [REDACTED] he stated the following:

[REDACTED] said he and his wife were going through a tough time in their marriage. He stated she had an affair with someone and that they were going through counseling. [REDACTED] further stated he was talking to his mother about having a tough time and that he was just in need of someone to "Snap him out of it." [REDACTED] said he owns a firearm, and it is locked away inside his home.

Deputies contacted [REDACTED] s wife, identified as [REDACTED] who stated the following:

[REDACTED] said [REDACTED] was agitated all morning, so he left the house and made statements that he wanted to kill himself. She stated he called her saying the same statements and that he had his gun with him. [REDACTED] said a few hours later [REDACTED] returned home, argued with her, then left again with the gun. When [REDACTED] came back home [REDACTED] stated they didn't talk for a while, but reengaged in conversation in the master bedroom. She said the gun was on counter and they were arguing in the master bedroom. [REDACTED] said [REDACTED] grabbed his gun and started talking about how he was "going to do it" and it's all her fault. She stated [REDACTED] threw his holster and car keys at her feet and then followed her to the hallway bathroom. Shortly after, [REDACTED] said [REDACTED] received a call from his mother saying the Sheriff's Office was there and wanted to speak to him. [REDACTED] stated throughout the entire day, her three juvenile children, ages eight, seven and four, were in the house. [REDACTED] provided a sworn/written statement.

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AFFIDAVIT CONTINUATION

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Deputies prepared and completed a VSO Consent to Search form to locate _____'s firearm, which _____ agreed to and signed. Deputies located and seized _____'s Glock 43, 9mm firearm, bearing serial number BNPC359, a plastic gun case, 70 rounds of 9mm ammunition, and 28 rounds of .22cal ammunition.

Based on the totality of the circumstances, Deputy Aberle determined there is substantial likelihood that without care or treatment, _____ would likely cause serious bodily harm to himself in the near future, as evidenced by his recent behavior. Therefore, _____ was placed into protective custody under the Baker Act guidelines.

Deputies Knight and Aberle transported _____ to Halifax Health Emergency Room, Daytona Beach.

Deputy Aberle completed the Report of Law Enforcement Officer Initiating Involuntary Examination Form and the Baker Act Transport Form. _____ was subsequently released to Halifax Heath Emergency Room staff. Additionally, Director Carla Quann was notified, and a Risk Protection Order was completed for this incident.

Case Status: Administratively Closed / Baker Act.

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 43x</u>	Location	<u>Inside master bedroom</u>
Quantity	<u>70 rounds</u>	Type	<u>9mm</u>	Location	<u>Inside master bedroom</u>
Quantity	<u>28 rounds</u>	Type	<u>22cal</u>	Location	<u>Inside master bedroom</u>
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: 05/05/2024

Signature of Affiant: _____

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 05 day of May, ☒ 2023, by Alexander Aberle
Affiant's name

Signature of Attesting LEO Witness

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)