

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
240001038

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} _____ Sean Carroll _____, 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 attached pages

_____ 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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AGAINST {Name of Respondent} [REDACTED]

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AFFIDAVIT CONTINUATION

FROM SECTION 1

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---BWC Recording---

---Marsy's law Invoked

On 01/15/2024 at approximately 1950 hours, Deputy Carroll responded to [REDACTED] Deltona in reference to a fight. Prior to arriving, Central Dispatch notified responding Deputies [REDACTED] (D1), had left the scene on red bicycle possibly armed with a firearm, last seen heading toward Beckwith St. and Courtland Blvd.

Upon arrival, Deputy Carroll made contact with [REDACTED] (V1), who stated the following: [REDACTED] advised she and [REDACTED] had been in a verbal dispute in their bedroom. [REDACTED] stated [REDACTED] stated to her that they are done and he was leaving. [REDACTED] stated during the dispute, [REDACTED] had shoved her, knocking her into a dresser. [REDACTED] stated she pushed him off of her and then [REDACTED] had struck her with a closed fist on the left side of her head and threatened to kick her in the throat. Deputy Carroll observed redness on the left side of [REDACTED]'s head by her ear. [REDACTED] stated [REDACTED] left the bedroom and came back with a firearm and set the gun down outside their bedroom before saying goodbye to their children. [REDACTED] stated [REDACTED] left the residence on a bicycle, stating he needed to get to the ER. [REDACTED] advised [REDACTED] has had previous thoughts of suicide and has been taking medication for depression.

[REDACTED] completed a sworn written statement detailing the incident. [REDACTED] was provided with a domestic rights victim's informational rights pamphlet with the assigned case number. [REDACTED] declined medical treatment. [REDACTED] stated she did not want to press charges. [REDACTED] invoked Marsy's law.

Deputy Carroll spoke to [REDACTED] (O1), who stated the following:

[REDACTED] advised she had heard her parents in a verbal dispute and called law enforcement. [REDACTED] heard a noise which she believed to be a gun being loaded. [REDACTED] stated when she exited her room, she observed her father crying and hugging her sister before leaving the residence on a bicycle. [REDACTED] said her father stated he needs to go to the ER.

[REDACTED] completed a sworn written statement detailing the incident. [REDACTED] advised she did not need medical treatment.

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AFFIDAVIT CONTINUATION

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Deputies made contact with a _____ male on a bicycle, located at Coachman Dr. and Bentley Court, who identified himself as _____. _____ was detained and placed in the rear of the patrol vehicle. _____ was later placed under arrest for Battery, Domestic Violence. It should be noted while detained, _____ made several suicidal statements. _____ stated he needed to go to the hospital to seek mental health treatment and that he no longer wanted to be here anymore and stated nothing matters.

Deputy Carroll read _____ his Miranda Warnings from a department issued Miranda Warning Card. _____ advised he understood his rights and stated he wished to speak with Deputy Carroll. _____ admitted to being in an altercation with _____. _____ also repeated he was better off dead. _____ stated he was only good if he was serving and he no longer can serve which was a reference to prior military service within the Air Force.

Deputies discussed the risk protection order with _____ and what it entails. _____ agreed _____ should not have access to a firearm. _____ advised she will be giving the firearms within the house to her father. Deputy Carroll later completed a risk protection order which was sent to the RPO submissions group.

Deputy Carroll seized a Glock 48 (S/N: _____), with a Holosun red dot (_____), one magazine and thirteen 9mm rounds, and a T-Rex IWB holster with attached magazine pouch. Deputy Carroll later placed the firearm, magazine, rounds, and holster into the District four evidence locker as evidence.

Deputy Carroll requested a criminal history check on _____ via teletype, which Deputy Carroll observed no criminal history.

At a later time, photos were taken of _____'s injuries and submitted to Axonevidence.org. Based on statements and evidence, Deputy Carroll determined _____ was the primary aggressor and probable cause existed to charge _____ with domestic violence simple battery. _____ was later transported to the Volusia County Branch Jail without incident, Deputy Carroll made jail staff aware of _____'s suicidal statements while in custody.

Case Statue: Arrest/ Adult.

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>Handgun</u>	Location	<u>VSO Evidence</u>
Quantity	<u>13</u>	Type	<u>9mm cartridges</u>	Location	<u>VSO Evidence</u>
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	

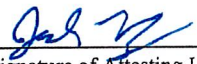
 Additional pages are attached.

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: 01/16/2024

Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 16 day of January, 2024, by S. Carroll 9598
Affiant's name


Signature of Attesting LEO Witness

J. Barbe / #9061
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)