

**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
240013498

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} _____ Deputy Sheriff II Sarah Salinas _____, in my position as {job title} _____ Deputy Sheriff II _____ 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 June 16th, 2024, at approximately 1808 hours Deputies Lewis and Salinas responded to _____ Ormond Beach in reference to an assault/battery.

Upon arrival, deputies contacted _____ (O1) who told deputies he had _____ (V1) sitting in his garage after she separated herself from _____ (D1). _____ stated she was battered by her husband, _____ and feared for

1 Additional pages are attached.

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

See statement.

3 Additional pages are attached.

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AFFIDAVIT CONTINUATION

FROM SECTION 1 _____

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her life. [REDACTED] goes on to say yesterday, the 15th of June, she noticed a text from another female friend who [REDACTED] plays pickle ball with occasionally. [REDACTED] thinking such texts as inappropriate, asked [REDACTED] about the texts, then turned this verbal argument into a violent altercation. [REDACTED] advised [REDACTED] hit her repeatedly, threatened her with a firearm by putting it to her head and shoving the gun into her mouth, all while stating he was going to kill her and then himself. [REDACTED] woke up early on the morning of the 16th of June before [REDACTED] did. She found the pistol and hid it away from [REDACTED]. [REDACTED] became enraged and tore apart the house looking for the pistol. While doing so, he struck [REDACTED] several times in the face, knocked her to the floor, then continued to hold her down on the floor by way of applying downward pressure to her neck. [REDACTED] further advised that [REDACTED] is violent and suffering from cancer and has nothing to lose. [REDACTED] was fearful to explicitly say she wanted to press charges for fear of reprisal from [REDACTED]. [REDACTED] completed a sworn written statement documenting the event. [REDACTED]'s injuries include bruising to the neck, a bruise above the left eye, and multiple cuts to her face, all of which were photographed. [REDACTED] was also provided, and explained, the VSO victim's rights pamphlet.

Deputies formed a perimeter around the house and made several announcements toward the home. The watch commander was notified and promptly on scene alongside deputies. After several phone call attempts, Sgt Riley was able to get into contact with [REDACTED] via cell phone. [REDACTED] agreed to exit through the garage with his hands empty to speak with deputies. [REDACTED] was secured at 1858 hours by Deputy Lewis.

Deputy Lewis read [REDACTED] his constitutional rights from his department issued Miranda rights card. [REDACTED] acknowledged he understood his rights and agreed to speak with deputies without a lawyer present. [REDACTED] repeatedly asked deputies to run a criminal history on [REDACTED] alleging she made the whole thing up and is liar and an alcoholic. [REDACTED] asked deputies to contact the Jupiter Police Department. [REDACTED] advised [REDACTED] was crazy and dumped the handgun ammunition all over the floor in their home. [REDACTED] also stated [REDACTED] was behaving erratically in the morning and woke up to her clawing him. When asked why he did not call law enforcement he stated he did not want law enforcement involved and did not want [REDACTED] to go to jail. Deputies photographed [REDACTED] for documentation purposes. [REDACTED] sustained a minor scratch to his left cheek and a few on his arms.

Deputies then asked [REDACTED] for her consent to locate the firearm that was used in commission of the crime. [REDACTED] completed a voluntary consent to search form to search her residence as well as verbally consenting in front of body worn camera. Deputy Salinas asked [REDACTED] if her home looked the same prior to her leaving the home to which she stated no. She stated her purse was thrown across the kitchen island and the dining room area was in disarray. [REDACTED] stated [REDACTED] must have cleaned everything. Deputies conducted a thorough search of the house for the pistol and found it behind picture frames on [REDACTED]'s nightstand. Deputies secured both the pistol along with the corresponding ammunition and magazines as evidence. It should be noted that there were garbage bags in the kitchen with bloody paper towels therein.

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[REDACTED] was still unable to locate her cell phone where she stated she had captured recordings of [REDACTED]'s behavior. [REDACTED] believes [REDACTED] hid her cell phone.

Before leaving the scene Deputies contacted [REDACTED] (O2), wife of [REDACTED] who stated the following. She observed [REDACTED] exiting the house screaming when [REDACTED] went over to check on her. She followed him hoping to make [REDACTED] more comfortable. [REDACTED] told her [REDACTED] threatened her with a firearm and pinned her down on the floor with his hands around her neck. [REDACTED] looked at [REDACTED] and said, "Have I ever called the cops on you?" in an abrasive tone before retreating inside the residence and locking the door behind him. [REDACTED] completed a written sworn statement documenting the event.

While in the patrol vehicle, [REDACTED] requested medical attention and was ultimately transported to Advent health emergency room. While at the hospital, [REDACTED] repeatedly asked the attending nurse to poison him to death because he did not want to live anymore. Because of [REDACTED]'s prostate cancer he must urinate every 20 minutes. On one occasion, [REDACTED] pulled away from Deputy Lewis during the application of handcuffs prior to being escorted to the bathroom. [REDACTED] began to shout obscenities loudly despite Deputy Lewis telling him to remain calm. While in the bathroom, [REDACTED] began to punch the mirror and bang his head on the wall. Deputy Lewis restrained him along with assistance from hospital security to prevent self-harm of any kind or damage to property.

A Risk Protection Order was completed. [REDACTED]'s Smith and Wesson handgun, the magazine inserted into handgun, and 7 rounds were placed into evidence. [REDACTED] voluntarily surrendered his [REDACTED] shotgun and several rounds of ammunition.

[REDACTED] was medically cleared and transported to the Volusia County Branch Jail without further incident.

[REDACTED] was charged with domestic violence, aggravated battery of a person over the age of 65, battery by strangulation, and aggravated assault with a deadly weapon. All charges with no bond.

Case Status: Adult/Arrest

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>HANDGUN</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>1</u>	Type	<u>SHOTGUN</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>2</u>	Type	<u>MAGAZINES</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>118</u>	Type	<u>9MM ROUNDS</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>15</u>	Type	<u>Shotgun Ammo</u>	Location	<u>VSO EVIDENCE</u>
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: 6/16/2024 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 16 day of June, 2024, by Deputy Sheriff II Sarah Salinas 9208
Affiant's name


Signature of Attesting LEO Witness

Deputy Jordan Lewis 9683
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)