

**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
VP240019958

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} _____ Curt Johnson _____, 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 additional pages

_____ Additional pages are attached.

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

_____ Additional pages are attached.

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BWC RECORDING

MARSY'S LAW INVOKED

On 09/10/2024, at 0038 hours, Deputy Franklin was dispatched to a shooting at the Moose Lodge, located at 201 Bension Junction Road, Debary.

Upon Deputy Franklin's arrival, he was met by [REDACTED] and [REDACTED] stated she was about to leave the Moose Lodge when she noticed the front passenger side window to her black Toyota Tacoma bearing Florida tag [REDACTED] was shattered. Upon closer inspection, [REDACTED] and [REDACTED] noticed what appeared to be a bullet holed in the window near the top seam of the window, where it meets the door frame. [REDACTED] and [REDACTED] stated they did not hear any gunshots in the area. [REDACTED] and [REDACTED] reviewed the surveillance camera footage of the southeast side of the building, where they witnessed a white female, later positively identified as [REDACTED] shoot at her Toyota Tacoma.

Deputy Franklin requested to view the surveillance footage of the incident. At approximately 2257 hours, a large white SUV is seen coming from the rear of the Moose Lodge, traveling southbound towards Bension Junction Road. The vehicle momentarily stops, where [REDACTED] who was wearing a light-colored shirt turns the dome light to the vehicle on, illuminating the interior of the vehicle. The dome light turns off, where the vehicle proceeds forward slightly. The front passenger side window is rolled down, where [REDACTED] is seen reaching over from the driver side to the passenger side, pointing an object at the Toyota Tacoma. The white SUV then speeds off towards Bension Junction Road, where it turns eastbound towards South Charles R Beall Boulevard.

Deputy Franklin viewed a second security camera which was on the southwest corner of the building, facing the front of the business and parking lot. In the surveillance footage, the white SUV appears on the east side of the business, facing south. The white SUV stops momentarily, where [REDACTED] is seen reaching over from the driver side to the passenger side pointing an object towards the Toyota Tacoma. A flash of light is scene coming from the object in [REDACTED] hand. The white SUV then speeds off towards Bension Junction Road, then eastbound towards South Charles R Beall Boulevard.

[REDACTED] advised he knew who the female in the white SUV was, stating it was his wife [REDACTED]

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_____ The vehicle _____ was driving was her white Cadillac Escalade bearing Florida tag _____
_____ gave the following sworn statement:

_____ works at the Moose Lodge in Debary. _____ arrived at the Moose Lodge at an unknown time, where she started a verbal argument with _____ over issues with their marriage and claims of infidelity. _____ confronted _____ in a hallway near the restrooms, where she struck _____ with an open fist multiple times. _____ threw her alcoholic beverage onto _____'s clothing, then pushed him into the restroom where she continued to argue with _____. Both _____ and _____ returned to the bar area. _____ exited the Moose Lodge still verbally arguing with _____ and _____ and _____ did not hear any gunshots at the time of _____ leaving the Moose Lodge.

Deputy Franklin viewed the surveillance footage of the hallway where the altercation between _____ and _____ occurred. In the footage, _____ and _____ are seen in a verbal altercation. _____ attempts to passively walk around _____ back to the bar area, where _____ is seen blocking his path multiple times. _____ then open hand slaps _____ multiple times, pushing him into the corner area near the restroom doors. _____ throws the beverage she has in her hand on to _____'s person. _____ then shoves _____ into the restroom, where they both go out of frame.

Deputy Franklin spoke to _____ who provided the following sworn statement:

_____ got upset with _____ who was sitting next to _____. _____ started an altercation with _____ which led to them going to the restroom area. _____ made eye contact with _____ from across the bar and said congratulations, smiled and flicked _____ off, calling _____ a "whore". When _____ went to leave the Moose Lodge, she noticed the passenger side window to her vehicle was cracked and had what appeared to be a gunshot hole in the window. _____ viewed the cameras with _____ and witnessed _____ pull up to her vehicle and what appeared to be a gunshot fire from _____ vehicle. _____ advised she wished to pursue criminal charges.

Deputy Franklin viewed the front passenger side door of _____'s Toyota. The window was shattered but still intact. Near the top of the window where the glass meets the frame of the door, a _____ hole is scene going into the frame of the vehicle. _____ gave Deputy Franklin consent to view

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the inside of the door. Deputy Franklin witnessed a large bulge where what appeared to be a bullet partially penetrated the frame, stopping on the frame of the vehicle near the roof line. The metal on the door frame where the bullet had penetrated was partially torn from the frame. Deputy Franklin witnessed a copper and silver colored object inside the doorframe. the copper and silver object appeared to be a deformed bullet. Deputy Franklin was unable to retrieve the suspected bullet from the frame of the door.

Deputy Franklin took photographs of the entire scene and the vehicle utilizing the AXON capture application. Deputy Franklin canvassed the area where the shooting occurred and was unable to find any shell casings.

While on scene at the Moose Lodge, [REDACTED] showed Deputy Franklin a text message which showed a picture of [REDACTED] holding a black handgun to her head. The message after the photo of her holding the gun to her head stated, "If I was going to shoot anything it pull be myself" " But like I said, I won't do that myself or my kids. Especially over you."

Deputies immediately responded to [REDACTED] and [REDACTED]'s residence, located at [REDACTED] Debary. Deputies contacted [REDACTED] by her phone and gave orders for her to exit the residence, unarmed. [REDACTED] complied and exited the residence, where she was taken into custody and immediately placed into a Volusia Sheriff's Office patrol vehicle.

Deputy Franklin responded to the residence from the Moose Lodge with [REDACTED]. [REDACTED] voluntarily signed a consent to search form for both the residence and the white Cadillac SUV bearing Florida tag [REDACTED]. Upon searching the Cadillac SUV, Deputy Autrey located a chrome Beretta .25 semi auto handgun on the backseat floorboard. The Chrome handgun was in a zipper style case and di not have any ammunition inserted. The case also contained a box of .25 auto ammunition which contained (8) rounds of .25 auto ammunition. Also located in the vehicles center console area was a Stetson University work I.D badge with the name [REDACTED]. No other items of evidentiary value were located in the vehicle.

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Deputy Franklin searched the master bedroom area and located a black M&P Bodyguard .380 handgun in nightstand on the right side of the bed. The handgun was in the top drawer of the nightstand seated in a black holster. Upon taken the magazine from the weapon and racking the slide to the rear, a .380 auto round was ejected from the chamber. The magazine had a total of (5) rounds located inside it.

Sergeant Maxwell searched the brown purse which was near the entrance to the garage door. Located inside the purse was (1) spent .380 shell casing which was loosely strewn on the bottom. Also located in the purse was [REDACTED] Florida driver's license and concealed weapon permit.

Both firearms, the spent shell casing and [REDACTED] s concealed weapons permit were seized.

Subsequently, [REDACTED] was charged with missile into dwelling/vehicle/ building, criminal mischief 1000 dollars of more and battery (Domestic Violence).

[REDACTED] received all domestic violence related paperwork and wished to keep his information private per Marsy's law. Deputy Franklin photographed the scratch marks to [REDACTED] s chest with the AXON capture application and later uploaded them to Evidence. com. [REDACTED] advised she wished to keep her information private per Marsy's Law. Deputy Franklin also uploaded the vide

[REDACTED] was transported to the district 6 office for paperwork processing, then to the Volusia County Branch Jail.

The chrome Beretta handgun, M&P Bodyguard handgun, spent shell casing and ammunition were placed into evidence at the district 6 office [REDACTED] s concealed weapons permit was submitted at the district 6 office for safekeeping.

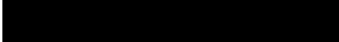
Deputy Johnson completed a petition for a risk protection of on [REDACTED] and submitted it to the RPO submissions.

Case Status: Arrest/ Adult

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 _____	Type _____	Location 
Quantity _____	Type _____	Location _____
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: 09/10/2024 Signature of Affiant: Curt Johnson 8743

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 10 day of September, 2024, by Curt Johnson
Affiant's name


Signature of Attesting LEO Witness

AUTREY 9531
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)