

**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
VP240020821

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} ALEXANDER ABERLE, in my position as {job title} SHERIFF'S DEPUTY 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:

While on scene and speaking to _____ deputies observed _____ in possession of a loaded firearm in his waistband while intoxicated. Additionally, he sent a text message about wanting to kill himself.

_____ Additional pages are attached.

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

On 09/20/2024, at approximately 1726 hours, Central Dispatch was contacted by two individuals, _____ (R1) and _____ (R2), who advised their mutual ex-partner, _____ (V1), was making suicidal statements.

At approximately 1830 hours, _____ responded to the District 2 office,

2 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 2
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located at 951 Singleton Dr, Deland, and made contact with Deputy Darcy. _____ explained the following:

_____ was previously engaged to _____ and shares a child with him, _____ (O3). _____ moved out a few months ago, and ever since then _____ has been "spiraling" trying to get back together with her. _____ and _____ were also previously in a relationship and share a child together, _____ (O4). Today, _____ had both _____ and _____ at the Deland Highschool homecoming parade but was getting agitated because the children were misbehaving. _____ called _____ and was screaming, so _____ went to _____ residence, _____ Deland, to check on him and the kids. Upon arrival, _____ found _____ asleep (she assumed he was passed out drunk) sitting in a chair in the driveway with _____ and _____ running around unsupervised. _____ and _____ then got into an argument because _____ was trying to have sex with her even though they are broken up. _____ was also screaming for _____ to "walk home" even though she is four years-old and lives in Lake Mary. Because of this, _____ decided to take both the children home. While on scene at the residence, _____ made several suicidal statements to _____ and stated a ".45 would solve all his issues". _____ then started a group chat with himself, _____'s husband, and another unknown person and began threatening WW3 for taking his children. _____ then started trying to fight _____'s husband and _____ husband replied in the same manner. _____ stated he wanted to kill himself in the beginning of one of the long messages.

Contact was then made with _____ via telephone who confirmed _____'s account of what happened. _____ also stated _____ called her several times cursing at her and sent a video of himself and _____ where he appeared intoxicated.

A video was taken of the text message conversation and uploaded as evidence to Evidence.com. _____ completed a sworn written statement.

_____ was located soon after at his residence and, once secured in handcuffs, a loaded pistol was found in his waistband.

It was ultimately determined without proper care and treatment; _____ would be a danger to himself. _____ was taken into protective custody under the Baker Act and transported to Stewart Marchman, Daytona Beach.

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Due to the statements made about harming himself with a firearm as well as _____ having access to firearms, a Risk Protection Order was completed. _____'s pistol was collected and submitted as evidence to the District 2 evidence locker.

CASE STATUS: Closed.

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>KIMBER .45</u>	Location	<u>WAISTBAND (LOADED)</u>
Quantity	<u>1</u>	Type	<u>MAGAZINE</u>	Location	<u>IN GUN</u>
Quantity	<u>8</u>	Type	<u>.45 ROUNDS</u>	Location	<u>IN MAGAZINE</u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>

0 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: 09/21/2024

Signature of Affiant:  9/21

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 21st day of September, 2024, by AJ Aberle
Affiant's name

 8601
Signature of Attesting LEO Witness

Sergeant Medina
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)