

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} [REDACTED]

VSO Case Number
VP240021606

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} JOSHUA SAMUEL CARACCIOLO, 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} [REDACTED] 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 NARRATIVE

2 Additional pages are attached.

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

[REDACTED] OBSERVED [REDACTED]'S ERRATIC BEHAVIOR. [REDACTED] PROVIDED DEPUTIES WITH VIDEO OF [REDACTED] DISCHARGING THE FIREARM, WHICH WAS LATER UPLOADED AS DIGITAL EVIDENCE. WHEN ASKED ABOUT THE INCIDENT, [REDACTED] STATED IT WAS BECAUSE A CAR WAS DRIVING BY SLOWLY AND FOLLOWING HIM.

0 Additional pages are attached.

AFFIDAVIT CONTINUATION

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BWC RECORDING

On 10/01/2024 at approximately 1950 hours, deputies responded to the residence at [REDACTED] in Debary for the report of a shooting. Per the reporting party, the resident of [REDACTED] (V1), had fired two shots from a pistol into the air.

Deputies arrived on scene and contacted the reporting party, [REDACTED] (O1), via telephone. [REDACTED] advised around 1915 hours, she had been outside with her husband and noticed [REDACTED] was pacing up and down his driveway. [REDACTED] said another neighbor drove by [REDACTED]'s house, when her vehicle stalled by the end of [REDACTED]'s driveway. According to [REDACTED] walked towards the car and brandished a pistol, which he pointed straight up into the air. [REDACTED] fired two rounds from the pistol directly into the sky, and then continued to pace up and down his driveway.

It should be noted there had been numerous reports of [REDACTED] recklessly discharging firearms on his property over the last year. Most recently, [REDACTED] had reportedly fired a rifle into the sky on 07/04/2024 while shouting he was going to kill people. Furthermore, [REDACTED] had been reportedly suffering from PTSD from his military service, and there were growing concerns of his mental health from his neighbors, his ex-wife [REDACTED], and deputies who had contacted [REDACTED] during various calls for service. Most notably, [REDACTED] had told deputies that he believed he was being followed by motorcycle gangs, and believed there was a conspiracy by law enforcement against him, which caused [REDACTED] to have an increasingly aggressive stance towards all of society around him.

Based on the statements and evidence presented, along with the recent encounters with [REDACTED] it was believed [REDACTED] was experiencing a mental health crisis and was in need of mental health services. Without care or treatment, it was likely [REDACTED] would cause harm to himself and others. [REDACTED] was not able to determine for himself whether treatment was necessary. For these reasons, deputies determined [REDACTED] would be placed into protective custody under a Baker Act.

Due to [REDACTED]'s irrational and unpredictable behavior, additional resources were utilized to take precaution against escalating this incident.

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Sergeant Stickels contacted [REDACTED] via telephone and had him exit his residence, where deputies secured [REDACTED] and placed him into custody under a Baker Act.

[REDACTED] was transported to Stuart Marchman Healthcare in Daytona Beach in reference to this incident. All Baker Act paperwork was completed in reference to this report.

According to [REDACTED] was in possession of several firearms. [REDACTED] possessed a significant danger of causing personal injury to himself and others by having firearms and ammunition in his possession. For these reasons, Deputy Caracciolo filed for a Temporary Risk Protection Order against [REDACTED]. All TRPO paperwork was completed and submitted along with this incident.

Deputies collected two spent shell casings and video of this incident, which were submitted to VSO evidence.

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>.40CAL S&W</u>	Location	<u>[REDACTED]</u>
Quantity	<u>1</u>	Type	<u>AR15</u>	Location	<u>[REDACTED]</u>
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	

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: 10/02/2024 Signature of Affiant: [Signature]

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 02 day of October, 2024, by D/S CARACCIOLO
Affiant's name

Caden S. Buettner
Signature of Attesting LEO Witness

Caden S. Buettner
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)