

**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
VP240022289

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} JUSTON SCHRAMM, in my position as {job title} DEPUTY with the {name of law enforcement officer/agency} VOLUSIA SHERIFF 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:

On 10/12/2024, at approximately 2257 hours, Deputies were made aware of a white Jeep SUV leaving Seville, traveling South on US Highway 17, which had just been involved in a disturbance involving a firearm.

1 Additional pages are attached.

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

[REDACTED] advised he had [REDACTED]'s location on snapchat and was able to see that he was coming onto Hayward Street, as such [REDACTED] and his family members, [REDACTED] (V2) and [REDACTED] (V3) were standing on the road, when a male in blue pants and a black hooded sweatshirt and ski mask pointing a gun at him yelling "what now, what now" at this time [REDACTED]

1 Additional pages are attached.

IN RE: PETITION FOR RISK PROTECTION ORDER
AGAINST {Name of Respondent} [REDACTED]

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AFFIDAVIT CONTINUATION

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nd his family members ran inside due to being in fear for their safety due to a clear and present threat with a firearm as well as a clear and present ability for the firearm to be used. With [REDACTED]'s description of the subject Law Enforcement was able to identify [REDACTED] as the subject with the firearm.

AFFIDAVIT CONTINUATION

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Deputies separated all parties and began interviewing the parties located in the vehicle while additional deputies responded to [REDACTED] Seville, to make contact with the reporting parties. Deputies spoke with [REDACTED] first, [REDACTED] was read his constitutional rights as per Miranda from a Volusia Sheriff's Office department issued Miranda Warning card, to which he acknowledged he understood his rights, further waiving his rights advising he wished to speak with law enforcement. [REDACTED] would tell law enforcement that he was aware of an argument between his brother [REDACTED] and an unknown former friend of [REDACTED] s. [REDACTED] continued stating he had been involved in the argument and may have sent some of the messages involved in the snapchat argument. [REDACTED] advised enroute to the fight he handed his firearm, a black Ruger .380, to [REDACTED] who was sitting in the rear passenger seat of the vehicle. [REDACTED] advised he handed the firearm to [REDACTED] because during the argument it was made clear that he could be shot if he came to the location to fight [REDACTED] and his family. [REDACTED] further stated he had handed the firearm to [REDACTED] because as the driver, if someone began shooting he would not be able to defend himself. Further [REDACTED] advised he did not intend, nor did he believe [REDACTED] would brandish the firearm and that it was only to be available if they were being shot at. Deputies then spoke with [REDACTED] who was read his constitutional rights as per Miranda from a Volusia Sheriff's Office department issued Miranda Warning card, to which he acknowledged he understood his rights, further waiving his rights advising he wished to speak with law enforcement. [REDACTED] advised deputies he had heard [REDACTED] was in an argument with a juvenile over the phone and would go with [REDACTED] and [REDACTED] to the other juveniles house so the juveniles could fight and be done with the issue. [REDACTED] stated when they arrived at the location he and [REDACTED] got out of the vehicle and walked up the roadway to see how many people were at the location and how many people they may have to fight. [REDACTED] stated he believed he saw about 8 people as such he and [REDACTED] returned to the vehicle. [REDACTED] stated he got in the vehicle but [REDACTED] reached into the car and grabbed the handgun and ran back out of the car towards the residence. [REDACTED] returned shortly to the vehicle yelling for [REDACTED] to drive away. Deputies next spoke with [REDACTED] who was read his constitutional rights as per Miranda from a Volusia Sheriff's Office department issued Miranda Warning card, to which he acknowledged he understood his rights, at this time [REDACTED] chose to invoke his rights, refusing to speak with law enforcement. It should be noted [REDACTED] was wearing blue sweatpants and a black hooded sweatshirt. Deputies then spoke with [REDACTED] who was read his constitutional rights as per Miranda from a Volusia Sheriff's Office department issued Miranda Warning card, to which he acknowledged he understood his rights, further waiving his rights advising he wished to speak with law enforcement. [REDACTED] advised he had been in an argument with his former friend [REDACTED]

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[REDACTED] and they had gone to fight him and his family, when asked if there was a gun involved [REDACTED] looked down and told law enforcement he no longer wished to speak with them, thus invoking his constitutional rights. Deputies completed a search of the vehicle due to it's recent involvement in the commission of a crime and the clear and present fact that if released any evidence could be hidden or destroyed. During a search of the vehicle Deputies located 1 black ski mask in the pocket attached to the rear side of the front passenger seat. It should be noted this is the exact location where [REDACTED] was sitting. Furthermore, a black Ruger semi-automatic handgun bearing serial number [REDACTED] was located under the rear passenger seat where [REDACTED] had been sitting. An FCIC/NCIC check of the firearm yielded negative results. It should be noted positionally in the vehicle the only person who would have access to the firearm was [REDACTED]. Deputies collected the ski mask from the rear seat passenger side at which time [REDACTED] made the spontaneous utterance that it was his ski mask, and he wears one all the time. It should be noted that photographs of the firearm were taken and uploaded to digital evidence. The ski mask would also be seized and later entered into evidence.

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>RUGER PISTOL</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>1</u>	Type	<u>MAGAZINE</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>5</u>	Type	<u>.380 BULLETS</u>	Location	<u>VSO EVIDENCE</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: 10/13/2024 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 13 day of October, 2024, by
Affiant's name


Signature of Attesting LEO Witness

Deputy RUBIN
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)