

**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
24-2414

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} _____ Deputy Nelson _____, 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:

_____ was arrested following a domestic violence incident in which _____ pushed _____ as he was attempting to separate _____ from _____ who is _____'s wife. After leaving _____'s house, _____ went into the shed located in the backyard and retrieved a firearm. _____ then proceeded to point the firearm at both _____ and _____ through a kitchen window threatening to shoot them.

3 Additional pages are attached.

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

During an argument with _____ he became violent with her father _____ pushing him as _____ was attempting to protect _____. _____ was able to force _____ out of the house at which point he returned with a black handgun. According to _____ then pointed the gun at her and _____ through a kitchen window and made threats to shoot her. _____ retreated out of _____ view and called _____

_____ Additional pages are attached.

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AGAINST {Name of Respondent} _____

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AFFIDAVIT CONTINUATION

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****This document serves as an amendment to the original****

*****BWC RECORDING*****

*****MARSY'S LAW INVOKED X2 VICTIMS*****

On February 2, 2024, at approximately 1940 hours, Deputy Nelson was dispatched to _____ in reference to a domestic disturbance in which a male subject later identified as _____ (D1) was threatening his family members with a firearm.

Prior to arrival on scene Deputies were made aware via dispatch that _____ was arguing with his wife _____ (V2) and father-in-law _____ (V1). _____ stated _____ was drunk and possibly had smoked marijuana. _____ stated to dispatch _____ left the house and returned with a firearm in his hand and began pointing it at her and _____ and banging it on the window. Dispatch advised _____ to move to a safe place within the house and remain on the phone until Deputies arrived.

Upon arrival, Deputies Nelson and De La Rosa, tactically approached the residence. While approaching the residence central dispatch was relaying information from _____ in real-time. _____ advised that _____ was actively in the backyard of the residence, where he was tapping at the kitchen window with a firearm. At some point _____ went into the shed he lives in, and _____ could no longer see him from where she was hiding.

Deputies continued contact with _____ via telephone and were able to safely remove her from the residence. _____ however had fallen in the living room area of the house as he was retreating to safety from _____ and required assistance from Deputies to be removed from the home. Deputy Nelson and De la Rosa were able to make entry into the home and safely remove _____. _____ later was treated for non-life-threatening health issues by the medical staff that was staged near the LOI. _____ later provided a sworn written statement providing the following information:

_____ and _____ had a heated argument over a Chic Fil A sandwich, at which point _____ stood up and started throwing his hands around causing her to fear _____ was going to hit her. _____ father _____ stepped in between the two, at which point _____ shoved _____

AFFIDAVIT CONTINUATION

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_____ then pushed _____ out the door of the kitchen leading to the backyard and continued to eat her food. Sometime later _____ came back towards the house and began banging on the kitchen window with a black handgun. Upon seeing _____ with the gun banging on the window she quickly moved out of sight in fear she would be shot and attempted to have her father move to safety in the living room. _____ then called _____ and remained in contact until Deputies arrived on scene. _____ stated she wished to press charges on _____ as she is in fear for her life, due to the threats made by _____ and his son.

Contact was later made with _____ who gave a similar account of the events as _____ stating he stepped in between _____ and _____ so he did not hit her. According to _____ had been drinking and using pot (Marijuana), then became physical with him by pushing him, at which point _____ was able to apply a pressure point to _____ until _____ was able to push him out the back door. _____ stated as he was sitting in the kitchen afterward, _____ returned with a firearm and began banging on the window at which point he retreated to his office and later the living room in fear of his life. _____ completed a sworn statement and elected to press charges.

Sergeant Turner arrived on scene and attempted to make contact with _____ via cell phone. After a lengthy conversation Sergeant Turner and Lieutenant Maxwell were able to convince _____ to walk out of his shed in the backyard. Deputy Nelson made contact with _____ in the backyard as he had fallen down. _____ was placed into custody at this time and escorted to the front of the residence.

Deputies conducted an immediate search of the shed in which _____ was located and recovered a single black Taurus Revolver bearing serial number _____ from within a bag on the floor. Deputy De la Rosa also later recovered a firearm from _____ vehicle on scene bearing serial number _____. Based on the totality of the circumstances these firearms were removed from the home until such point a Risk Protection Order can be completed.

Based on Deputy Nelson's investigation coupled with statements from both victims, coupled with video evidence it was determined probable cause existed to charge _____ with aggravated assault due to the fact he knowingly, willingly and intentionally used a firearm to

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AGAINST {Name of Respondent} Robert Cochrane

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threaten his wife and father-in-law causing them to be in fear of their lives. Additionally,

██████████ was charged with battery on a person over 65 due to ██████████ age at the time ██████████
knowingly, willingly and intentionally pushed ██████████ during their argument.

██████████ was placed under arrest and transported to ██████████ in reference to
paperwork and later to VCBJ without incident.

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	<u>1</u>	Type	<u>Revolver/Handg</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>1</u>	Type	<u>Revolver/Handg</u>	Location	<u>VSO EVIDENCE</u>
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.

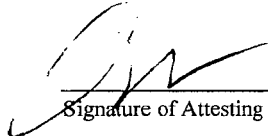
Dated: 02/02/2024 Signature of Affiant: Nelson, Andrew Digitally signed by Nelson, Andrew
Date: 2024.02.03 03:01:53 -05'00'

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization,

this 2 day of February, 2024, by

Deputy Nelson

Affiant's name

 9353
Signature of Attesting LEO Witness

Deputy De La Rosa

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)