

**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
VP240002484

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* DEPUTY KLETUS STUBBLEFIELD, 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}* _____ 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 02/03/2024 at 21:08 hours, Deputy Rivera and Deputy Stubblefield were dispatched to a fight at _____ Deland, involving a firearm. Deputy Rivera arrived on scene at 21:15 hours and made contact with _____ (V1). _____ and _____ (D1) share a child in common and live together as a family unit.

3 Additional pages are attached.

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

 Additional pages are attached.

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FROM SECTION _____

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Medical services were provided to [REDACTED] for superficial abrasions to the finger and bridge of her nose. [REDACTED] also complained of soreness to her neck.

[REDACTED] stated that her now Ex-Boyfriend [REDACTED] (D1) came over earlier in the day to bring her son [REDACTED] a minor, (O1) soup. While [REDACTED] and [REDACTED] were watching TV in the living room [REDACTED] was in the bedroom with their son [REDACTED] a minor, (O2). [REDACTED] stated that [REDACTED] walked into the kitchen and started calling her a "fucking cunt". He walked behind where she was sitting on the couch and struck her behind the head with a closed fist hitting her in the neck. [REDACTED] stood up and raised her arms in a defensive manor questioning [REDACTED] for striking her. Following [REDACTED]'s question, [REDACTED] threw a closed fist which she blocked. [REDACTED]'s blocking the punch caused her nail to split on her left hand, which caused it to bleed profusely. Even though [REDACTED] blocked the punch it was forceful enough to make contact with her nose leaving visible abrasions. [REDACTED] told [REDACTED] she was calling the police. [REDACTED] snatched the phone from [REDACTED]'s hand and threw it on ground which resulted in the phone back glass breaking. [REDACTED] stated [REDACTED] walked into the kitchen which gave her the chance to use her work phone at her desk. [REDACTED] called her mother first who instructed her to call emergency services. [REDACTED] advised deputies that [REDACTED] went into the kitchen and loaded a 9mm handgun and stated "these rounds will plum inside of you". [REDACTED] continued cursing at [REDACTED] as he left through the back door. [REDACTED] provided ring surveillance of [REDACTED] leaving through the backdoor with what appears to be a black handgun. [REDACTED] provided deputies with a photo of the [REDACTED] Nissan Sentra [REDACTED] left the residence in. [REDACTED] advised she wished to pursue charges. A Victims Right Packet was provided to [REDACTED] with the VSO case number.

Deputy Rivera observed [REDACTED] to be very upset and scared. There were several moments where [REDACTED] had to hold back tears from the fear she was experiencing. Deputy Rivera observed red marks on [REDACTED] nose and neck. [REDACTED]'s left hand was covered in blood from a split fingernail consistent with her statement.

[REDACTED] walked Deputy Stubblefield to the kitchen where [REDACTED] retrieved his handgun from. The gun was being stored in the top cabinet closest to the back door.

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Deputy Stubblefield observed ammunition and a magazine for a 9mm handgun consistent with a Tarus.

Deputy Rivera used DAVID to get positive identification of _____. Through investigative techniques deputies were able to obtain photographs of the vehicle and its direction of travel. Looked up prior arrests at the _____ residence involving _____ and _____. Deputy Rivera took photographs of _____'s injuries to submit as evidence. Deputy Rivera canvased local areas in an attempt to locate the _____ Nissan Sentra.

Through deputies investigation, injuries consistent with _____'s statement, and photographs collected it was determined _____ be placed under arrest for the following charges. Domestic violence battery for striking _____ with a closed fist. Aggravated assault for stating "these are the bullets that'll plum inside you", obstruction of 911 services and robbery by sudden snatching for when _____ took her cell phone from her grasp and threw _____'s phone while she was trying to call 911. Criminal mischief over \$1000 for causing damages to _____ iPhone when he threw it.

A criminal history check of _____ was completed which revealed one prior domestic violence battery charge that was abandoned.

Director Carla Quann was notified and sent a copy of the report.

A copy of the report was sent to DCF.

RPO was completed and submitted.

On 02/04/2024 at 01:43 hours Deputy Stubblefield and Deputy Rivera returned to _____ to follow up with _____ who stated _____ was just at the house. Deputies observed a vehicle that appeared to be a _____ Nissan driving west bound on west Taylor Rd. Deputies followed the vehicle and confirmed the tag attached as the one _____ was driving. A Felony Traffic stop was conducted at SR 15A and W Winnemissett Ave. _____ was given several very loud commands which he disregarded on multiple occasions. _____ failed to obey simple instructions. When told to face away from deputies _____ kept turning back towards them and when told to get on his knees, he only took one and continued to look at deputies

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despite their commands, _____ ultimately was taken into custody at 01:48 hours. A search of the vehicle was completed, the firearm was located in the center console of the vehicle loaded with one in the chamber and a full magazine.

While _____ was in the rear of the patrol vehicle, he read the deputies' report out loud stating he did none of the stuff that was stated by _____ _____ advised he was the victim and that she grabbed him. He advised he left the house to avoid conflict.

Due to _____ failing to follow simple commands he was additionally charged with resisting an officer without violence.

Photographs were taken of _____'s hands per his request.

Pratts Towing driver Ernest recovered the _____ Nissan Sentra.

The firearm was run through NCIC/FCIC database with negative results. The firearm was later submitted into District 2 evidence lockers.

Deputies notified _____ that _____ was taken into custody.

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	_____ 1	Type	9MM TARUS	Location	D2 EVIDENCE LOCKER
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: 02/04/2024

Signature of Affiant: _____

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

this 04 day of February, 2024, by Kletus Stubblefield
Affiant's name

Signature of Attesting LEO Witness _____

Jonathan Rivera
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)