

**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
VP240027430

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* _____ Cody Forster, in my position as *{job title}* _____ Detective _____ 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:

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6 Additional pages are attached.

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

_____ Additional pages are attached.

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	1	Type	TaurusG2C 9mm	Location	3887 Tiger Bay Road, DB
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	

6 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: 01/06/2025 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization,
this 06 day of January, 2025, by Detective Forster 9344
Affiant's name

Signature of Attesting LEO Witness

Detective L. Campbell 7379

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
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(Type of Identification Produced)

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On December 27, 2024, at approximately 2208 hours, Deputy Darcy responded to _____ Deland, in reference to an aggravated assault. Upon arrival, contact was made with the reporting party, _____ (V1), who advised the following:

Just prior to contacting law enforcement, _____ was on her way home from work traveling eastbound on _____ approaching _____. _____ advised she was driving her blue _____ (bearing Florida tag _____) and was going approximately 20 - 25 MPH.

_____ stated she saw two subjects on the side of the road walking their dogs, so she made sure to give them ample room when she passed by driving into the opposing lane. As _____ drove by, the male began screaming. _____ stopped her car and screamed back to figure out what was wrong, which is when the male pulled a black firearm from his pocket, pointed it at _____'s face, and screamed "my family", seeming to imply _____ almost hit his family. The roadway in this area is approximately 20 feet wide. _____ and the unknown male were about even with _____ other in relation to the roadway edges. Streetlights in the area are sparse and there did not appear to be any in the area of the incident that could've contributed to the scene.

_____ drove off and was in fear for her safety, thinking the male was going to shoot her.

_____ returned home and got into her other vehicle in an attempt to locate where the subjects were walking to but was met with negative results. The swapped vehicle was in an attempt to conceal her identity so as to avoid further conflict with the male.

_____ described the male as white, approximately 5'10" in height, and weighing about 160 pounds. The male was wearing jeans and a camouflage pattern t-shirt. The female he was with was described as white, heavy-set, approximately 5'06" in height, and weighing about 250 pounds.

Due to the female subject appearing non-athletic, _____ believes they live in the area of _____ between _____ also thinks they are new to the neighborhood since she has not seen them before.

_____ completed a sworn written statement and was adamant she would like to pursue charges.

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_____ completed a Marsy's Law form electing to keep her information private.

On December 31, Detective Forster was assigned this case for a follow up investigation.

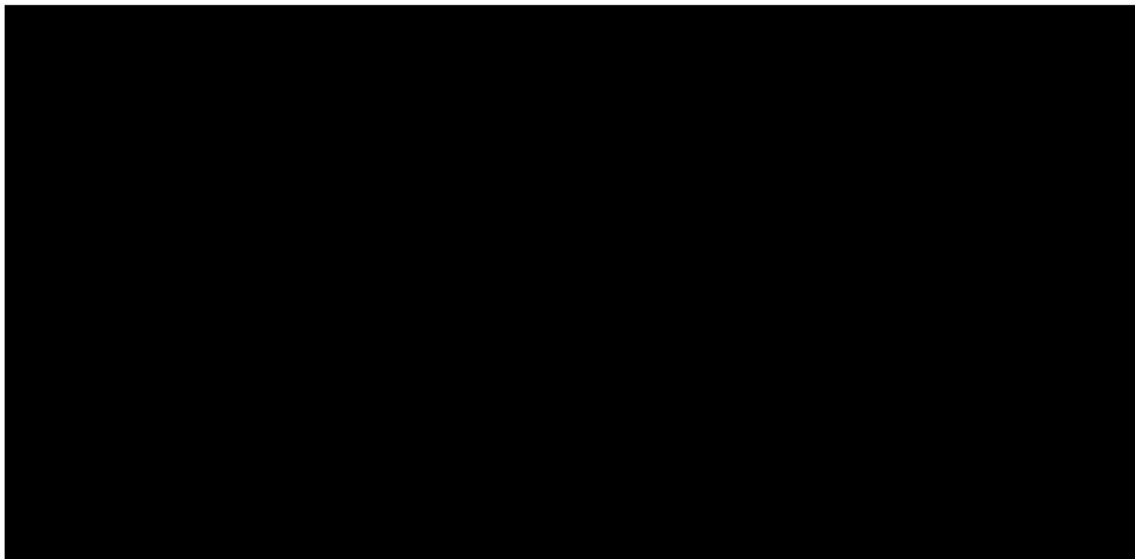
Detective Forster made contact with _____ who advised she had no new information to share at this time. Detective Forster reinterviewed _____ who explained a similar statement to the original provided to Deputy Darcy. _____ confirmed the suspect appeared to be a white male approximately 5' 10" in height and weighing about 160 pounds. _____ added the male appeared skinny and had a goatee on his face.

_____ advised she was "one hundred percent sure a gun was pointed at her" and believed it to be an all-black Glock semi-automatic pistol, due to her owning a similar firearm. _____'s firearm ownership lends credibility to her belief and understanding of the imminent danger of having a firearm pointed at her.

On the female, _____ elaborated that she was not involved other than walking one of the two dogs with the suspect.

_____ confirmed she still wished to pursue criminal charges.

Detective Forster completed a neighborhood canvas of the area which resulted in the following:



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Detective Forster observed the video surveillance from _____ which captured the incident. The camera angle provided was on the north side of the residence which captured Evergreen Rd and its connection with 5th Avenue. The start of the argument occurs off the camera, however the audio is captured.

Detective Forster observed _____'s brake lights on her vehicles light up as the unknown male suspect yells. An argument ensued in which a male voice yells at _____ "you almost hit me and my family" _____'s response is illegible and both parties separate. Based on the location, time of day, and no one else present on the video surveillance, it corroborates the voices heard are _____ and the unknown male.

Detective Forster observed an unknown male and unknown female walk westbound on Evergreen Rd away from the incident. The female is heard stating to the male suspect, "come on, why you point a gun at somebody". She continued, "are you serious" and "what are you thinking". Detective Forster observed the couple turn and walk south bound on 5th Avenue, _____.

Detective Forster observed video surveillance from _____ which captured the unknown male and female walk past the residence prior to the aggravated assault. Detective Forster observed them walking two smaller dogs, which _____ advised in her original statement. Based on the neighborhood canvas, it appeared the couple traveled in a square around their neighboring streets.

Detective Forster continued his canvas to _____ to ask if the residence had video surveillance. At this time, Detective Forster made contact with _____ a resident of the aforementioned address. _____ physique matched the description provided by _____

_____ appeared concerned and seemingly froze at the sight of Detective Forster. _____ began to answer Detective Forster's questions slowly, with a stiff posture, and an unemotional affect. _____ was curious as to why Detective Forster was completing a canvas, Detective Forster advised it was due to a person pointing a gun at someone, in which _____ never responded. _____ explained there was no video surveillance at their residence.

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Detective Forster was contacted by the residence of _____ who advised his wife looked at the video surveillance and recognized the unknown male and female. Detective Forster spoke with _____ who stated she recognized the subjects in the video surveillance. _____ explained the couple matched the description of the married couple at _____

_____ completed a sworn written statement.

Detective Forster accessed investigative databases and observed _____'s wife, to live at the residence. _____ is approximately 5' 06" in height and a heavier set blonde female. This physique was similar to the female captured in the video surveillance. It should be noted, while at _____'s residence Detective Forster heard dogs barking from inside.

Detective Forster completed an FCIC/NCIC criminal history check on _____ which showed three misdemeanor charges, all which were filed or dropped.

On January 3, 2025, Detective Forster generated a photo lineup and made contact with _____. Detective Forster contacted _____ and asked if she would be willing to participate in a photo lineup, _____ agreed. However, _____ advised she is unsure how beneficial it would be due to her primarily being focused on the firearm, rather than the subjects' features.

Deputy Edwards assisted by meeting with _____ to conduct the photo lineup. Deputy Edwards read _____ the photo lineup instructions and presented the simultaneous lineup. _____ observed the photo lineup and advised she was not confident enough to select one of the photographs. Detective Forster later obtained and submitted the lineup into the District Two evidence locker.

Detective Forster determined, due to the couple to having leashed dogs, the time of night, and the woman appearing heavier set, the couple lived local in the neighborhood. This corroborates how _____ drove past the subjects on her way home from work.

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[REDACTED]'s stopped vehicle and clear view of the male allowed [REDACTED] to observe the firearm. Further, the act by the male of producing and displaying a firearm, and then pointing the same firearm at [REDACTED] after her vehicle stopped negates any claim of being in fear of [REDACTED]'s driving.

Detective Forster queried past calls at [REDACTED] DeLand and observed body cam footage which showed [REDACTED] retreat inside his residence when ordered by law enforcement to stop. [REDACTED] was wearing a camouflage shirt, like [REDACTED]'s description. It should be noted, deputies observed [REDACTED] to have a firearm in his waistband during this incident. The video does not show which firearm [REDACTED] had on his person before retreating inside his residence. This corroborates documents [REDACTED] is known to carry firearms on his person while outside his residence.

Through Detective Forster's investigation, coupled with physical evidence and statements, Detective Forster determined probable cause exist to charge [REDACTED] with aggravated assault with a deadly weapon.

Detectives made contact with [REDACTED] at [REDACTED] Debary where he was secured and placed under arrest. Detectives were granted consent to search his work vehicle bearing Florida tag [REDACTED] via the registered owner. Detectives were unable to locate any firearm inside the vehicle. Detectives completed a search incident to arrest of [REDACTED]'s person which yielded negative results for a firearm.

Based on Detective Forster's training and experience, a personally owned firearm would either be attached to their person, in their vehicle, or in their residence. Due to the firearm not being located on [REDACTED]'s person or in his vehicle, the other reasonable location would be [REDACTED]'s residence at [REDACTED] DeLand. Detective Forster is seeking a residential search warrant in an attempt to locate the firearm used in the incident.

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Throughout Detective Forster's investigation, which began at the date of 12-31-2024, Detective Forster has completed surveillance on the address of _____ DeLand. During this time, Detective Forster has observed two vehicles at the residence. The first vehicle at the residence was a gray _____ bearing Florida tag _____ which was registered to _____. The second vehicle encountered at the residence was a _____ bearing Florida tag _____ registered to _____'s employer. Detective Forster completed a query of past calls listed at _____ DeLand which resulted in law enforcement only encountering _____ and _____. Due to this, Detective Forster believed these to be the only two parties which reside at the aforementioned residence.

_____ was transported to VCBJ without incident.