

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
240003747

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Brittany Crofutt, 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:

On 02/20/2024 at 0951 hours, Deputy Legath responded to [REDACTED] in reference to a male brandishing a firearm while in a disturbance with several people. Volusia County Dispatch advised that the neighbor next to [REDACTED] had walked out of his residence screaming, and pointed a firearm at the three landscapers working at the property. The suspect male was then said to have left the area in a white pickup truck.

2 Additional pages are attached.

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

Deputy Legath made contact with [REDACTED] at [REDACTED] advised that she was sitting on her front screened in porch when the incident occurred. [REDACTED] stated that she saw the lawncare truck pull up front of the neighbor's house. [REDACTED] observed [REDACTED] come out of his residence yelling at the landscapers in a similar fashion to what the victims described. [REDACTED] then observed [REDACTED] draw a black handgun from his rear waistband with his right hand.

1 Additional pages are attached.

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AFFIDAVIT CONTINUATION

FROM SECTION 2

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[REDACTED] then stated that [REDACTED] individually pointed it at each victim. [REDACTED] stated that she has surveillance footage of the incident. [REDACTED] showed Deputy Legath the digital camera footage of the incident. Deputy Legath could hear [REDACTED] exit his residence and immediately start yelling at the victims in the video. The victims are then heard having a verbal exchange with [REDACTED]. The victims then audibly state that they would move the truck. [REDACTED] camera footage is obscured on the phone based viewer by the trademark logo of the camera brand.

[REDACTED] advised that her husband is not home and that she believes if the video is viewed through the cloud based server that it would not show the trademark logo. [REDACTED] also advised that she would email Deputy Legath the clip of video detailing the incident. It should be noted that [REDACTED] recollection of the incident directly matched that of the three victims.

AFFIDAVIT CONTINUATION

FROM SECTION 1
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Deputy Legath arrived on scene and made contact with the victims, [REDACTED] and [REDACTED]. The victims were standing by their landscaping truck at [REDACTED]. [REDACTED] advised that the suspect [REDACTED] at [REDACTED] became upset that the lawncare truck was parked in front of [REDACTED]. The suspect male came out of the residence at [REDACTED] and yelled "Get the Fuck out of my driveway" to [REDACTED] and [REDACTED] and [REDACTED] advised [REDACTED] then walked up closer to them. [REDACTED] and [REDACTED] advised [REDACTED] that he should not to talk to them like that. [REDACTED] overheard [REDACTED] and [REDACTED] in an altercation with [REDACTED] walked to the back of the landscaping vehicle. The victims stated that [REDACTED] then drew a black handgun from [REDACTED]'s rear waistband and pointed it at each individual victim. The victim's stated that [REDACTED] pointed the firearm and then withdrew it, and then pointed it again at all three victims individually. The victim's agreed to move the landscape truck and [REDACTED] walked back to his [REDACTED] truck [REDACTED] then drove down the street and circled the block two times, each time when passing, pointing and giving a thumbs up to the victims. All three victims advised that they felt [REDACTED] was threatening them and felt in fear for their lives. [REDACTED] then called [REDACTED] to report the incident.

The neighbor [REDACTED] at [REDACTED] also observed the incident and also called [REDACTED] to report it. [REDACTED] and [REDACTED] advised that they would be able to identify [REDACTED] if they would see him again. [REDACTED] and [REDACTED] advised that they would like to pursue charges. The victims stated that [REDACTED] then left the area and was not currently home.

[REDACTED] and [REDACTED] filled out voluntary statements and affirmed that their writing of the incident was truthful.

Deputy Legath made contact with [REDACTED] at [REDACTED]. [REDACTED] advised that she was sitting on her front screened in porch when the incident occurred. [REDACTED] stated that she saw the lawncare truck pull up front of the neighbor's house. [REDACTED] observed [REDACTED] come out of his residence yelling at the landscapers in a similar fashion to what the victims described. [REDACTED] then observed [REDACTED] draw a black handgun from his rear waistband with his right hand. [REDACTED] then stated that [REDACTED] individually pointed it at each victim. [REDACTED] stated that she has surveillance footage of the incident. [REDACTED] showed Deputy Legath the digital camera footage of the incident. Deputy Legath could hear [REDACTED] exit his residence and immediately start yelling at the victims in the video. The victims are then heard having a verbal exchange with [REDACTED]. The victims then audibly state that they would move the truck. [REDACTED] camera footage is obscured on the phone based viewer by the trademark logo of the camera brand.

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AFFIDAVIT CONTINUATION

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[REDACTED] advised that her husband is not home and that she believes if the video is viewed through the cloud based server that it would not show the trademark logo. [REDACTED] also advised that she would email Deputy Legath the clip of video detailing the incident. It should be noted that [REDACTED] recollection of the incident directly matched that of the three victims.

While speaking with [REDACTED] Deputy Legath observed a white Ford truck with a topper driving down [REDACTED] toward [REDACTED] residence. The three victim's who were currently conducting landscaping work, all yelled "there he go," referring to the suspect's vehicle. Deputy Legath and Deputy Snowden made contact with [REDACTED] as he was backing into the residence at [REDACTED]. Deputy Legath advised [REDACTED] to step out of the vehicle. [REDACTED] complied and [REDACTED] was secured in handcuffs. [REDACTED] advised that he had a concealed firearm on his person and that [REDACTED] possesses a concealed firearms permit. Deputy Legath retrieved a black in color Smith and Wesson M&P 9mm semi-automatic firearm from [REDACTED] rear waistband. The firearm was carried in a black kydex plastic holster. The firearm was found to be loaded with one round in the chamber of the firearm. Deputy Legath read and advised [REDACTED] of his Miranda Right's via a department issued card. [REDACTED] advised that he would speak with Deputy Legath.

[REDACTED] stated that he did draw a firearm and point it at the three victims and that he was sorry. Deputy Legath confirmed that [REDACTED] s firearm was not stolen and the validity of his concealed weapons permit. [REDACTED] is not a convicted felon and was lawfully in possession of the firearm at the time of incident.

[REDACTED] was placed under arrest for three counts of Aggravated Assault Without Intent to Kill total bond of 15000 dollars US Currency. [REDACTED] was transported to Volusia County Brach Jail without incident.

0 Known protection orders are attached

Quantity	1	Type	S&W 9mm handg	Location	Evidence
Quantity	19	Type	9mm rounds	Location	Evidence
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	

0 Additional pages are attached.

Dated: 02/21/2024 Signature of Affiant:  #8939


Signature of Attesting LEO Witness

OR

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