

**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
24-7625

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Alexandra Brown, 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:

See attached.

4 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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MARSY'S LAW INVOKED

BWC RECORDING

On April 04, 2024, at approximately 1118 hours, Deputy Brown responded to [REDACTED] Debary, in reference to a suspicious incident involving a firearm.

It should be noted, VSO Dispatch was told by the caller that a male shot a gun inside the residence and was threatening to shoot someone in the face, however, no one was shot during the incident. Additionally, VSO deputies were called to the residence once prior to this incident on the same day. The prior incident was determined to be civil in nature.

Upon arrival, Deputy Brown made contact with [REDACTED] (O1) who advised the following:

[REDACTED] and her boyfriend, [REDACTED] (V1), have been staying at the residence for the past couple of days. [REDACTED] (D1), who is the owner of the residence, is supposedly [REDACTED]'s "best friend" and he allowed them to stay while they were visiting from Maryland. On the same day, at approximately 0900 hours, [REDACTED] began to aggressively talk about conspiracies, DEA agents, and other topics. [REDACTED]'s behavior appeared bizarre and out of the ordinary to [REDACTED]. Due to this [REDACTED] and [REDACTED] began to gather their belongings to leave the residence. It should be noted [REDACTED] explained [REDACTED] is known to have firearms in the residence and on his person, however, [REDACTED] did not observe a firearm in [REDACTED]'s hands at the time of the incident. At some point, while [REDACTED] and [REDACTED] were in the bedroom, [REDACTED] was in the living room yelling and making threats of shooting [REDACTED]. [REDACTED] was acting erratic in an attempt to make [REDACTED] and [REDACTED] leave the residence quicker. [REDACTED] then heard what she believed was a gunshot which came from the living room where [REDACTED] was standing. At this time, the bedroom door was closed, and [REDACTED] felt in fear for her life at which point she called [REDACTED]. [REDACTED] heard [REDACTED] make numerous statements to come out of the bedroom so he can shoot them. [REDACTED] waited in the room until [REDACTED] agreed to put the gun away so she could leave the residence. [REDACTED] stated she did not wish to pursue criminal charges and only wanted law enforcement to help get their belongings out of the residence. [REDACTED] completed a sworn written statement. Deputy Brown did not observe injury to [REDACTED] and fire rescue was not needed.

Deputy Brown then contacted [REDACTED] who advised the same sequence of events as [REDACTED] stated. [REDACTED] added that [REDACTED] threatened to shoot him in the face. [REDACTED] further expressed the fear

AFFIDAVIT CONTINUATION

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he felt when [REDACTED] made threats to cause harm and then proceeded to fire the firearm [REDACTED] wished to pursue criminal charges and completed a sworn written statement. [REDACTED] invoked Marsy's Law to keep his information private. Deputy Brown did not observe injury to [REDACTED] and fire rescue was not needed.

Deputy Rivera and Sergeant Godenzi made initial contact with [REDACTED] who appeared hostile and did not wish to speak with law enforcement. [REDACTED] then stated he knew his rights. [REDACTED] then advised nothing occurred and had no firearm on him. During contact, [REDACTED] repeatedly denied the allegations of shooting a firearm and stated the cameras in his residence don't work. At some point, [REDACTED] allowed deputies to enter his home at which point deputies observed one 9mm shell casing lying on the living room floor in front of the patio doors. Deputy Brown collected the shell casing and later submitted it into an evidence locker located at District 6. Deputies then observed a bullet hole in the screen of the patio cover. Photos of the bullet hole were later submitted onto axon capture. [REDACTED] admitted to firing his firearm inside the residence. See their supplements for further information. Deputy Brown determined probable cause existed to place [REDACTED] under arrest for aggravated assault with a deadly weapon and negligent discharge of a firearm. [REDACTED] was then placed under arrest without incident. Deputy Brown requested a criminal history check on [REDACTED] which showed he did not have one.

Upon searching [REDACTED]'s person, a clear open plastic baggy containing a crystal-like substance was found in [REDACTED]'s left pants pocket. [REDACTED] immediately uttered the unknown substance was not his and that he found it on the floor. Deputy Brown utilized Sirchie Test Kit #15 and tested the unknown substance for Methamphetamine. Upon testing the crystal-like substance, it immediately tested presumptive positive for Methamphetamine. [REDACTED] was additionally charged with possession of Methamphetamine. Deputy Brown later submitted the crystal-like substance into an evidence locker located at District 6. While Deputy Brown was transporting [REDACTED] to District 6 for paperwork, [REDACTED] spontaneously uttered he only fired the gun as a warning shot to get them to leave. When [REDACTED] was placed in the holding cell at District 6, [REDACTED] later uttered to Sergeant Godenzi, he fired a Glock 17 during the incident.

It should be noted, a firearm was not collected on scene. Due to the nature of the incident, Deputy Brown later completed a temporary risk protection order in order to retrieve [REDACTED]'s firearms.

Deputy Brown later transported [REDACTED] to VCBJ where he was turned over.

3. Affiant ☐ is ☒ is not aware of any existing protection order governing the respondent under any applicable statute.

NONE 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:

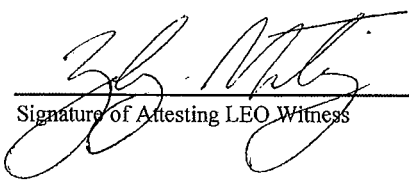
| | | | | | |
|----------|-------|------|-------|----------|-------|
| Quantity | _____ | Type | _____ | Location | _____ |
| Quantity | _____ | Type | _____ | Location | _____ |
| Quantity | _____ | Type | _____ | Location | _____ |
| Quantity | _____ | Type | _____ | Location | _____ |
| Quantity | _____ | 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: 04/05/2024 Signature of Affiant:  #9533

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 05 day of April, 2024, by D/S A. Brown
Affiant's name


Signature of Attesting LEO Witness

D/S Z. MARTINEZ 9509
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)