

**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
240009788

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* DETECTIVE A. DUFFY, in my position as *{job title}* DETECTIVE 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 05/01/2024 at approximately 0449 hours, deputies were dispatched and responded to _____ Orange City in reference to a person shot call for service. Upon arrival, deputies learned the shooting occurred between two neighbors and the victim, _____ was injured in the shoulder area. As a result, _____ was transported to Lake Monroe Hospital in Sanford for treatment.

3 Additional pages are attached.

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

_____ Additional pages are attached.

AFFIDAVIT CONTINUATION

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After acquiring initial information, deputies surrounded the camper located in Lot [REDACTED] and made announcements for the occupant to exit the camper safely. Moments later, the occupant, later identified as [REDACTED] exited the camper without incident and was secured by law enforcement. Additionally, deputies did a quick entry and search of the camper located on Lot 17 for scene safety. As a result, a long-barrel firearm was located in plain view in the immediate entryway of the camper. After being secured, [REDACTED] was read his Miranda Rights via an agency-issued Miranda Warnings Card at which time he advised he did not wish to speak to law enforcement without legal representation present. No further questions were asked. [REDACTED] had no injuries. Detectives quickly responded to the scene to begin their investigation. Once there, detectives interviewed [REDACTED]'s girlfriend, [REDACTED] who was present inside their camper in Lot 16 during the entirety of the incident. According to [REDACTED] left the residence at approximately 0430 hours that day to go to the gym before work. Prior to leaving, both [REDACTED] and [REDACTED] could hear their direct neighbor in Lot 17 [REDACTED] shouting. [REDACTED] went on to say she and [REDACTED] have heard this neighbor shouting and talking to himself incoherently many times since he moved into the lot next to theirs, which concerned them for their safety. Because of this, [REDACTED] advised [REDACTED] left the residence with his handgun for protection which is not abnormal behavior for him. While inside the residence, [REDACTED] heard the same neighbor shout, "get back inside your house or you're dead" two times. In response, [REDACTED] heard [REDACTED] say, "why are you talking to me?". Almost immediately afterward, [REDACTED] heard a very loud bang equivalent to a shotgun being fired, followed by what sounded like a smaller caliber firearm being discharged 4-5 times. [REDACTED] then looked outside and heard [REDACTED] tell her to contact [REDACTED] which she immediately did. [REDACTED] completed a written sworn statement indicating her recollection of events. Detectives also spoke to a neighboring resident to the incident, [REDACTED] in Lot 71 which is within hearing range of the location of the event. According to [REDACTED] he heard what sounded like a male telling another male to "get back inside" followed by a loud sound consistent with a shotgun being fired. Following this, [REDACTED] heard several rounds being fired from what he believed to be a smaller caliber handgun.

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AFFIDAVIT CONTINUATION

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Detectives then spoke to _____ who was at the hospital being treated for his injuries. _____ advised he has lived in this particular RV park for approximately one year and his neighbor in Lot 17, _____ moved in several months prior to this incident. _____ advised he has heard this neighbor shouting incoherently and mumbling to himself several times in the past; however, _____ has remained cordial and even waves as he comes and goes from his own camper. At approximately 0430 hours, _____ stated he was leaving his residence to go to the gym before work. While getting ready to leave, _____ heard this neighbor shouting from his lot which _____ advised he was aware and cautious of while leaving. _____ then took his handgun with him on his person (a tan in color handgun), which is not abnormal behavior for him. As he approached his vehicle and opened the door to pack his belongings inside, _____ saw his neighbor approach him from the roadway displaying a long-barrel firearm, similar in make to a shotgun. As his neighbor approached, _____ heard the neighbor tell him to "go back inside his house". _____ was initially confused and asked, "are you talking to me?", to which his neighbor said he was going to count down from three for _____ to go inside or he was going to shoot. Quickly, _____ heard the neighbor count down from three then shoot his firearm in _____'s direction. Feeling the impact of the firearm blast in his right shoulder, _____ then fell to the ground outside his vehicle then quickly retrieved his own firearm and discharged it in the direction of his neighbor several times. _____ saw his neighbor run back toward his camper but due to the darkness, _____ was unable to tell if he went inside or not. Subsequently, _____ shouted to his girlfriend to call _____ then retreated a short distance away from the area and hid in a wooded location until law enforcement arrived. While retreating, _____ stated he dropped his firearm in an unknown location. _____ was shot with a buck round and is in stable condition. Detectives on scene also reviewed the area of the incident and discovered the open camper door of the Outback camper located in Lot 17. In the open door, a long-barrel firearm is visible in plain view. Near the camper located in Lot 16, two vehicles are observed to be parked outside. The white Toyota sedan, which _____ stated he intended to leave for the gym in, was observed to have the driver's side door open and a gym bag visible on the ground outside the vehicle. Behind the vehicle, two shell casings were observed as well as one intact round of ammunition.

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	<u>1</u>	Type	<u>SHOTGUN</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>Various</u>	Type	<u>Shot gun ammo</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u></u>	Type	<u></u>	Location	<u></u>
Quantity	<u></u>	Type	<u></u>	Location	<u></u>
Quantity	<u></u>	Type	<u></u>	Location	<u></u>
Quantity	<u></u>	Type	<u></u>	Location	<u></u>

Additional pages are attached.

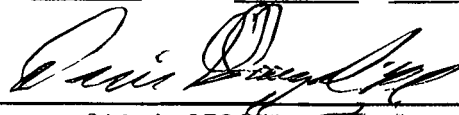
AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dated: 05/01/2024

Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 01 day of May, 2024, by DUFFY

Affiant's name


Signature of Attesting LEO Witness

Dennis Gonzalez
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)