

**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 240015368

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* Joseph Borbely, 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:

See attached pages

5 Additional pages are attached.

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

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_____ Additional pages are attached.

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On Thursday, July 11, 2024, before 11am, [REDACTED] had her purse stolen from inside of her white [REDACTED] passenger vehicle bearing Florida license plate: [REDACTED] while in the parking lot of the Taylor Place Apartments (1575 S. Woodland Boulevard, Deland).

Around 1pm, [REDACTED] received a notification on her cellphone that someone had used her Capitol One credit card, which had been in her purse that was stolen. She stated the notification advised the credit card was used at Checkers (133 S. Woodland Boulevard, Deland). She said she drove to Checkers and advised her boyfriend [REDACTED] and her daughter [REDACTED] were with her. She advised when she arrived at Checkers she spoke with employees at the restaurant, who stated the people who used the credit card were still in the drive thru line waiting to receive food. The employees pointed to the vehicle, which was a black Toyota Camry [REDACTED] and [REDACTED] approached the vehicle, [REDACTED] was on the driver's side and [REDACTED] was on the passenger side. [REDACTED] stated the front passenger window was down and she observed her purse in the vehicle. She further stated the driver, who she described as a white female was holding one of her [REDACTED] stolen credit cards. She said she grabbed her credit card and purse from within the vehicle and the driver drove off. She advised her foot was run over and they last saw the vehicle travel west on W. Georgia Avenue, Deland. [REDACTED] and [REDACTED] described the vehicle as a black Toyota Camry with a specialized license plate that was blue and yellow in color.

[REDACTED] contacted law enforcement but she received no response and was not able to report the incident. [REDACTED] stated she again reported the incident to the Deland Police Department a couple hours later and this time the Deland Police Department responded and took a report.

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Around 4:25pm, [REDACTED] and [REDACTED] were still in [REDACTED]'s white [REDACTED] passenger vehicle in Deland. They noticed a black Toyota Camry with the same-colored specialized license plate. [REDACTED] advised she began to follow the vehicle, which was speeding and using evasive driving techniques to get away. While following the vehicle (black Toyota Camry), [REDACTED] and [REDACTED] all advised they saw the rear windows of the black Toyota Camry go down and two black males stick their bodies out the window. They all stated they saw the two occupants begin to fire rounds at them. Just prior to the shooting, [REDACTED] was using the video function on her cellphone and was able to capture the license plate of the black Toyota Camry (Florida license plate [REDACTED]). You can also hear the gunshots coming from the black Toyota Camry.

The registration for Florida license plate: [REDACTED] showed registered to [REDACTED] with an address of [REDACTED] which is [REDACTED] Deltona.

Law enforcement checked the license plate on the black Toyota Camry through LPR's (License Plate Reader) and saw that it hit a license plate reader [REDACTED]

It was learned that the shooting took place on S. Spring Garden Avenue. Multiple shell casings were located at [REDACTED]. The Volusia Sheriff's Office Crime Scene Unit responded and located 10 shell casings. The shell casings located were from two different caliber ammunitions.

This license plate reader is between the incident and [REDACTED] and the camera showed the vehicle traveling in the direction of [REDACTED]

At 5:08pm, Sergeant Charles of the Volusia Sheriff's Office arrived at [REDACTED] and saw the black Toyota Camry was backed into the driveway. At that time the vehicle was unoccupied. Sergeant Charles watched the vehicle from a distance and eventually saw [REDACTED] exit [REDACTED] and enter into the black Toyota Camry. Sergeant Charles stated he could see [REDACTED] utilizing a white cloth and appeared to be wiping down the back passenger area of the vehicle.

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At approximately 6:22pm, Sergeant Charles observed 4 individuals, one being [REDACTED], exit [REDACTED] and enter into the black Toyota Camry. As the vehicle drove off of the property and onto the roadway, Sergeant Charles conducted a traffic stop on the vehicle. The occupants were secured and identified. In plain view, in the center console area was a Glock handgun and on the floorboard of the driver seat was a Checker's bag. [REDACTED] was the driver, the front passenger was identified as [REDACTED] and the two rear passengers were identified as [REDACTED] and [REDACTED]. Deputies requested Pratts Towing to the scene tow the black Toyota Camry to VSO Evidence Facility pending further investigation.

Detective [REDACTED] and Detective [REDACTED] were interviewing [REDACTED] and [REDACTED] at the time the vehicle was located. All three advised the same thing, that two occupants in the back of the Toyota Camry shot at them numerous times. They all advised they were scared, and everyone still appeared to be shaken up from being shot at. [REDACTED] briefly advised her purse contained several items of jewelry at the time it was stolen. [REDACTED] was recording a video on her cell phone during the incident. Detectives reviewed the provided video and could hear a noise consistent with gunshots along with [REDACTED] screaming "they're shooting at us."

A show up was completed and [REDACTED] identified [REDACTED] as the shooter. [REDACTED] and [REDACTED] identified [REDACTED] as the driver of the black Camry at the Checker's earlier in the day.

Detective [REDACTED] and Detective [REDACTED] interviewed all four occupants of the black Toyota Camry. All subjects were informed of their Miranda Rights prior to the questioning. [REDACTED] refused to speak with detectives.

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_____ provided detectives with information regarding her day. She advised that this morning she was with _____ and _____ in _____'s vehicle (black Toyota Camry). She stated they were going to her cousin's residence, which was in Taylor Place Apartments. She said as they were driving, they saw a vehicle with its door open and when they pulled up next to it, _____ stole a purse from within it. She stated they never went to her cousin's place, but instead they fled the apartment complex and went straight to Checker's. She advised while at Checker's a man and woman approached the vehicle and a woman reached into the car and took the purse from _____. When detectives were talking more with _____ about the stolen property from the purse, which one of the items was a diamond bracelet, she advised the bracelet she was wearing was given to her by _____. _____ stated she did not know it was stolen and told detectives to take it. Later in the day, _____ and the other occupants observed a vehicle following them and eventually tried to run them off the road. She stated _____ was driving and trying to get away from the vehicle. _____ occupied the front passenger seat while _____ (_____'s cousin), and _____ (_____'s boyfriend), were in the backseats. _____ advised _____ fired a gun at the vehicle following them. She stated after this incident they went to _____'s residence (where they were stopped).

_____ advised he was in the vehicle with _____ and _____ when the purse was stolen from the apartment complex earlier in the day. _____ confirmed he was in _____'s vehicle when they noticed a car was following them (right before the shots occurred), however _____ advised he never heard gunshots. _____ placed himself and _____ in the backseats of the vehicle. _____ did not know who stole the purse or fired the gun.

_____ advised he was in _____'s vehicle at the time of the shooting and confirmed the shots came from the black Toyota Camry he was in. _____ originally advised he did not know who fired a gun but stated he and _____ rolled down the rear windows moments before _____ shot a gun from the vehicle.

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_____ and _____ stated after the shooting occurred, they drove to _____
_____ Deltona. _____ stated he lived at _____ with _____

Crime Scene Investigator _____ later responded to process the scene and collected gunshot residue from the defendant. See _____ supplement for additional information.

Detectives obtained a search warrant for _____ Deltona. After execution of the search warrant, detectives located multiple firearms and ammunition that was consistent with shell casings located on scene of the shooting. Additionally, a gold chain with a large gold cross was located on the kitchen counter. The victims were contacted who advised the chain was theirs.

All evidence was later uploaded to Evidence.com

Based on the statements provided, coupled with the physical evidence, Detective _____ determined probable cause exist to charge _____ with three counts of aggravated assault with a deadly weapon without the intent to kill, and discharging a firearm from a vehicle.

Volusia Sheriff's Office Investigative Costs are above the standard minimum and are as follows \$1,800.00.

0 Known protection orders are attached

Quantity	4	Type	Semi-autos	Location	VSO Evidence
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	
Quantity		Type		Location	

Additional pages are attached.

Dated: 07/12/2024

Signature of Affiant: Jul 23

this 12 day of July, 2024, by Joseph Borbely
Affiant's name

Sworn to (or affirmed)
this 12 day of

6 WEABZ DOT 7852

Print name of Attesting LEO Witness

OR

(Print, Type, or Stamp Commissioned Name of Notary Public)

(Type of Identification Produced)