

**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
VP250014489

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} VALENTE ESTRADA, 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:

BWC RECORDING

On 07/12/25 at approximately 1822 hours, deputies responded to _____ Deltona in reference to a suicidal person. Deputy Rodriguez spoke with _____ (R1) who advised his son, _____ (V1) was suicidal. _____ family received a picture from _____ of _____ pointing a gun at his head. _____ also informed deputies,

1 Additional pages are attached.

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

RECIEVED A PICTURE FROM _____ OF HIM POINTING A FIREARM AT HIS HEAD.

_____ Additional pages are attached.

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent} _____

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AFFIDAVIT CONTINUATION

FROM SECTION 1

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_____ children, _____ (O1) and _____ (O2) were possibly inside the residence.

Deputies created a perimeter around the residence and secured the area. Deputy Rodriguez received information from a family member on scene, _____ was going to exit the residence peacefully. _____ exited the residence peacefully and was secured. Deputies cleared the residence for any other threats or people injured. Deputy Rodriguez located the black handgun in plain view in the master closet on top of the gun safe, which was used in the photograph pointed to _____ head. Deputy Rodriguez informed Deputy Estrada the black handgun had a round inside and the hammer was cocked back ready to be used.

Deputy Estrada would later speak with _____ sister, _____ (W1). _____ confirmed receiving a picture of _____ with a gun to his head. _____ sent the picture via email.

_____ confirmed he never used the firearm towards his children, the children were safe in their room. Deputy Rodriguez spoke with _____ and received consent to secure the firearms. _____ told Deputy Rodriguez the firearms were located inside the master bedroom, inside the master bedroom closet. A consent to search form was later completed. Deputy Estrada assisted Deputy Rodriguez in retrieving the firearms and ammunition. The items collected were all documented on a risk protection order receipt property form. An RPO was also completed for _____. All the items retrieved were submitted into a D4 evidence locker.

_____ was transported to Stuart Marchman in Daytona Beach. Director Quann was notified of this incident. A copy of this report was provided to her and DCF.

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

_____ 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>2</u>	Type	<u>HANDGUN</u>	Location	<u>GUN SAFE</u>
Quantity	<u>1</u>	Type	<u>SHOTGUN</u>	Location	<u>GUN SAFE</u>
Quantity	<u>1</u>	Type	<u>RIFLE</u>	Location	<u>GUN SAFE</u>
Quantity	<u>1,269</u>	Type	<u>AMMO</u>	Location	<u>GUN SAFE</u>
Quantity	<u>2</u>	Type	<u>MAGAZINES</u>	Location	<u>GUN SAFE</u>
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: 07/12/2025

Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 12 day of July, 2025, by D/S V. ESTRADA
Affiant's name


Signature of Attesting LEO Witness

D/S T. BABA
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)

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

VOLUSIA SHERIFF'S OFFICE,
Petitioner

v.

Case No.: _____

Division: _____

VSO Case Number VP250014489

_____,
Respondent

**PETITION FOR TEMPORARY EX PARTE RISK PROTECTION ORDER
AND RISK PROTECTION ORDER**

SECTION I. PETITIONER

1. Petitioner's full legal name or name of petitioning agency: VOLUSIA SHERIFF'S OFFICE
2. Petitioner's law enforcement office/agency is located at *{street address, city, state, and zip code}*:
123 W. INDIANA AVENUE 4TH FLOOR, DELAND, FL, 32720

SECTION II. RESPONDENT

1. Respondent's full legal name: _____
2. Respondent's current address: *{street address, city, state, and zip code}*:

3. Physical description of Respondent:
Race: W Sex: Male ☒ Female ☐ Date of Birth: _____
Height: _____ Weight: _____ Eye Color: BLUE Hair Color: _____
4. Distinguishing marks or scars: N/A
5. Vehicle *{make/model}*: _____ Color: _____ Tag Number: _____
6. Other names Respondent goes by *{aliases or nicknames}*: N/A
7. Respondent's email address *{if known}*: N/A
8. Respondent's Driver's License number *{if known}*: _____
9. Respondent's attorney's name, address, and telephone number *{if known}*: N/A

SECTION III. BASIS FOR PETITION

VSO Case Number VP250014489

In support of this Petition the undersigned Law Enforcement Officer/Agency alleges:

1. 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.
2. A sworn affidavit alleging specific statements, actions, or facts based on personal knowledge that give rise to a reasonable fear of significant dangerous acts by the Respondent is attached to this petition and incorporated by reference.
3. The attached sworn affidavit includes a list of the quantities, types, and locations of all firearms and ammunition believed to be in the Respondent's ownership, possession, custody, or control.
4. Respondent poses a significant danger of injury to himself/herself or others by having in his/her control, or by purchasing, possessing, or receiving, a firearm or ammunition.

☒ **[Required for Temporary Ex Parte Risk Protection Order]** Respondent poses this significant risk of injury in the near future.

5. Relevant evidence for the Court's consideration is detailed in the attached affidavit and shows that the Respondent:

- ☒ was involved in a recent act or threat of violence against himself/herself or others;
- ☐ engaged in an act or threat of violence; including but not limited to acts or threats of violence against himself/herself; within the past 12 months;
- ☐ is seriously mentally ill or has recurring mental health issues;
- ☐ has violated a risk protection order or no contact order issued under sections 741.30, 784.046, or 784.0485, Fla. Stat.;
- ☐ is the subject of a previous or existing risk protection order;
- ☐ has violated a previous or existing risk protection order;
- ☐ has been convicted of, had adjudication withheld on, or pled *nolo contendere* in Florida or in any other state to a crime that constitutes domestic violence as defined in s. 741.28, Fla. Stat.;
- ☒ has used, or threatened to use, against himself/herself or others, any weapons;
- ☒ has unlawfully or recklessly used, displayed or brandished a firearm;
- ☐ has used or threatened to use on a recurring basis physical force against another person or has stalked another person;
- ☐ has been arrested for, convicted of, had adjudication withheld, or pled *nolo contendere* to a crime involving violence or a threat of violence in Florida or in any other state;
- ☐ has abused or is abusing controlled substances or alcohol;
- ☐ has recently acquired firearms or ammunition;
- ☐ other (Additional relevant information may be attached).

SECTION IV. NOTICE

VSO Case Number VP250014489

____ Petitioner has made a good faith effort to provide notice to a family or household member of the Respondent and to any known third party who may be at risk of violence in compliance with s. 790.401(2)(f), Fla.Stat.

____ Petitioner will take the following steps to provide notice as required by s. 790.401(2)(f), Fla.Stat.

SECTION V. RISK PROTECTION ORDERS

For the foregoing reasons, petitioner requests the Court to enter:

 X A **TEMPORARY EX PARTE RISK PROTECTION ORDER** in this matter requiring Respondent to:

1. Immediately surrender all firearms and ammunition in his or her custody, control, or possession and any license to carry a concealed weapon or firearm to the *{name of law enforcement agency}*; VOLUSIA SHERIFF'S OFFICE
2. Not have in his/her custody, control, or possession any firearm or ammunition while this order is in effect;
3. Not purchase, possess, receive, or attempt to purchase or receive, a firearm or ammunition while this order is in effect; and
4. Abide by any other lawful relief the Court may order.

Petitioner further requests this Court to schedule a Hearing for a Risk Protection Order to be held within 14 days.

 X A **RISK PROTECTION ORDER** in this matter requiring Respondent to:

1. Immediately surrender all firearms and ammunition in his or her custody, control, or possession and any license to carry a concealed weapon or firearm to the *{name of law enforcement agency}*; VOLUSIA SHERIFF'S OFFICE
2. Not have in his/her custody, control, or possession any firearm or ammunition while this order is in effect;
3. Not purchase, possess, receive, or attempt to purchase or receive, a firearm or ammunition while this order is in effect; and
4. Abide by any other lawful relief the Court may order.

Petitioner requests the Risk Protection Order to remain in effect for a period the Court deems appropriate, up to and including but not exceeding 12 months.

Respectfully submitted this 12 day of JULY, 2025.



Signature of Petitioner

VOLUSIA SHERIFF'S OFFICE

Law Enforcement Agency

123 W INDIANA AVENUE 4TH FLOOR,
DELAND FL, 32720

Service Address