

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  
VP250014882

\_\_\_\_\_,  
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 AVE, DELAND, FL 32724

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: WHITE Sex: Male ☒ Female ☐ Date of Birth: \_\_\_\_\_  
Height: 508 Weight: \_\_\_\_\_ Eye Color: BRO Hair Color: BRO
4. Distinguishing marks or scars: TATTOOS AND PIERCINGS ON FACE
5. Vehicle {make/model}: \_\_\_\_\_ Color: \_\_\_\_\_ Tag Number: \_\_\_\_\_
6. Other names Respondent goes by {aliases or nicknames}: \_\_\_\_\_
7. Respondent's email address {if known}: \_\_\_\_\_
8. Respondent's Driver's License number {if known}: \_\_\_\_\_
9. Respondent's attorney's name, address, and telephone number {if known}: \_\_\_\_\_

### SECTION III. BASIS FOR PETITION

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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 VP250014882
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X 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.

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#### 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 SHERIFFS 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 SHERIFFS 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 19 day of JULY, 2025.

 9622

\_\_\_\_\_  
Signature of Petitioner

Volusia Sheriff's Office

Law Enforcement Agency

123 W INDIANA AV, DELAND, FL

\_\_\_\_\_  
Service Address



**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  
VP250014882

**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, *{full legal name}* \_\_\_\_\_ R. GOMEZ \_\_\_\_\_, in my position as *{job title}* \_\_\_\_\_ DEPUTY \_\_\_\_\_ with the *{name of law enforcement officer/agency}* \_\_\_\_\_ VOLUSIA SHERIFFS 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 CONTINUATION PAGE

\_\_\_\_\_ Additional pages are attached.

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

SEE CONTINUATION PAGE

\_\_\_\_\_ Additional pages are attached.

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent} \_\_\_\_\_

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**AFFIDAVIT CONTINUATION**

FROM SECTION 1&2

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\*\*\*BWC RECORDING\*\*\*

On 7/19/25 at approximately 1339 hours, Deputy Gomez was dispatched and responded to the [REDACTED] Deland in reference to a suicidal person armed with a firearm. Upon arrival, Deputy Gomez made contact with [REDACTED] (R1) who stated the following:

[REDACTED] husband, [REDACTED] (V1) had made concerning statements to harm himself through text messages. [REDACTED] provided the messages which stated the following, "I'll be "blue" soon" and "It will be easy for them to find me (maybe) I'm in a state park so firing some rounds in the ground will bring them to me and I got the last one to paint the trees". [REDACTED] completed a sworn written statement.

It should be noted [REDACTED] had access to [REDACTED] phone location which was pinging in the woods adjacent to the location of incident.

Based on the suicidal statements and deputies having access to [REDACTED] location, Air One responded for a fly over and a ping was conducted on [REDACTED] phone.

Deland Police assisted deputies with a perimeter of the surrounding openings of the woods. Announcements were made to were at 1438 hours, Deputy Gomez observed [REDACTED] at the dead end of S Orange Ave, Deland. [REDACTED] complied with deputies and was taken into custody without further incident. [REDACTED] did not appear to be injured while deputies made contact with him.

Upon searching [REDACTED] deputies located a Taurus handgun (SN:ADE29D075) concealed inside of his waistband. [REDACTED] spontaneously uttered he never fired the gun inside the woods. Furthermore, [REDACTED] wished to not voluntary surrender his firearms to law enforcement at this time. A criminal history check was conducted which revealed [REDACTED] to not be a convicted felon.

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent} \_\_\_\_\_

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**AFFIDAVIT CONTINUATION**

FROM SECTION 1&2

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\_\_\_\_\_ explained he was just in his feelings and did not mean for law enforcement to get involved. The incident stemmed from \_\_\_\_\_ and \_\_\_\_\_ having money issues recently and \_\_\_\_\_ being laid off from his job.

Based on the above information, Deputy Gomez determined \_\_\_\_\_ is a harm to himself as evident from recent behavior. \_\_\_\_\_ was taken into protective custody under a Baker Act and transported to Stewart Marchman in Daytona for further treatment

A Risk Protection Order was petitioned for \_\_\_\_\_ and the firearm was entered into evidence as safekeeping.

The Weekend Watch Commander and Sgt McGinnis were notified and responded to the incident.

Case Status: CLOSED

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>1</u>	Type	<u>HANDGUN</u>	Location	<u>EVIDENCE</u>
Quantity	<u>12</u>	Type	<u>9MM ROUNDS</u>	Location	<u>EVIDENCE</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

YES 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: 07/19/2025 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this 19TH day of January, 2025, by DEP R. GOMEZ  
Affiant's name

  
Signature of Attesting LEO Witness

DEP A. GRANITO 8525  
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)