

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
VP250022851

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Brian Gabriel Santiago, in my position as {job title} Deputy Sheriff 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:

See attached pages.

2 Additional pages are attached.

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

See attached pages.

2 Additional pages are attached.

AFFIDAVIT CONTINUATION

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BWC

MARSY'S LAW INVOKED

On 11/07/2025 at approximately 1559 hours, Deputies responded to _____, Deltona in reference to an aggravated assault with a firearm. Upon arrival, Deputies made contact with _____ (V1), who advised the following:

_____ dropped off his vehicle to a mechanic who resided at _____, Deltona to fix his vehicle. _____ advised the male informed him that his vehicle was completed and to come pick the vehicle up and pay him the money. _____ came to the residence on 11/7/2025 at approximately 0200 hours where he and the subject got into a verbal argument over the payment price which resulted in law enforcement being called and _____ left the residence without incident. _____ returned to the residence at approximately 1200 hours in an attempt to get his vehicle back and pay the male, however the male was not home. _____ called a locksmith to enter the vehicle and make him a new key so he can leave with his vehicle. When the locksmith, later identified as _____ (W1), arrived the subject later identified as _____ (D1) also arrived. _____ became infuriated due to _____ being on his property again. _____ went inside his residence and came back out with a 12-gauge shot gun in his hand. _____ racked a round in the chamber and yelled at _____ in Spanish to leave the residence. _____ immediately began running away from the residence. _____ also left. As _____ was running away, he observed _____ get inside the vehicle bearing Louisiana tag _____ and leave the residence heading towards Interstate 4. _____ described the subject as a Hispanic male, approximately 5'05 inches, with a large full black beard and a shaved head. _____ advised he would be able to identify the suspect. _____ completed a sworn written statement of the incident indicating he wished to pursue charges. _____ completed a Marsy's Law form indicating he wished to keep his information confidential.

Deputy Santiago spoke with _____ on the phone (PX _____), who advised he was the locksmith and witnessed the entire incident. _____ advised he observed the male come home, go inside the residence and come out with a 12-gauge shotgun and rack a round in the chamber. Deputy Santiago asked _____ to return for a statement, but he advised he was at his residence at _____ and did not wish to return. Deputy Santiago sent an attempt to contact for Daytona Beach Police Department to make contact with _____ with negative results.

AFFIDAVIT CONTINUATION

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While on scene, Deputies located the vehicle traveling eastbound on state road 472. Deputies were able to get the vehicle stopped and secured [REDACTED] who was the driver and the only occupant of the vehicle. Deputy Santiago transported [REDACTED] to the location for a show up where he positively identified [REDACTED] as the male who pulled the shotgun on him. [REDACTED] was subsequently placed under arrest for aggravated assault.

In the search incident to arrest, deputies found a 12-gauge shotgun shell in [REDACTED]'s left pocket, which was later submitted into the district 4 Evidence Locker as evidence.

Deputy Martin read [REDACTED] his Miranda Warnings from an agency issued Miranda Warnings card, to which he advised he understood and wished to speak to Deputy Santiago. [REDACTED] advised he observed [REDACTED] on his property when he was already told by deputies prior that [REDACTED] was not allowed on the property. [REDACTED] admitted to being extremely upset, going inside his residence, grabbing a 12-gauge shotgun, racking a round, and yelling at [REDACTED] to get off of his property. [REDACTED] got into the red Honda belonging to [REDACTED] and left the scene. A show up was completed at a later date and submitted into records.

At the conclusion of Deputy Santiago's investigation coupled with statements from all parties along with physical evidence, Deputy Santiago determined [REDACTED] pulled out a shotgun and threatened to use the shotgun if [REDACTED] did not leave, putting [REDACTED] in a well-founded fear for his life. [REDACTED] was subsequently arrested and charged with aggravated assault with a deadly weapon.

[REDACTED]'s vehicle was returned to him at the consent of [REDACTED] after [REDACTED] paid \$500 for the mechanical services provided.

Deputy Santiago conducted a criminal history check on [REDACTED] which revealed only one prior arrest when [REDACTED] was a juvenile for disorderly conduct out of Paterson Police Department, New Jersey.

[REDACTED] was transported to the Volusia County Branch Jail.

Case Status: Arrest/Adult

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>12-guage ammo</u> | Location | <u>VSO EVIDENCE</u> |
| Quantity | <u>1</u> | Type | <u>12-guage shot gun</u> | Location | <u>Unknown</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> |

0 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: 11/08/2025 Signature of Affiant: Brian Santiago

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 08 day of November, 2025, by Deputy Brian Santiago
Affiant's name

Beau Westfall
Signature of Attesting LEO Witness

Deputy Beau Westfall
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)