

**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  
VP250007612

**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, {full legal name} KAILEN DARCY, in my position as {job title} DEPUTY SHERIFF 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:

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

On 04/15/2025, at approximately 1512 hours, Deputy Darcy responded to \_\_\_\_\_ Deland in reference to a suicidal subject. Prior to arrival, the reporting party, \_\_\_\_\_ (R1), called 9-1-1 at the advice of the Florida Domestic Abuse Hotline after telling them her husband, \_\_\_\_\_ (V1), stole her purse, phone,

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

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

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

**AFFIDAVIT CONTINUATION**FROM SECTION 1  
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wallet, driver's license, and money. [REDACTED] also disabled [REDACTED] vehicle leaving her stranded at their residence with her two children, [REDACTED] (O1) and [REDACTED], a minor (O2). [REDACTED] also said [REDACTED] threatened to kill himself.

Upon arrival, contact was made with [REDACTED] at her home who advised the following:

Approximately five years ago, [REDACTED] friend killed himself which caused [REDACTED] to change and fall into a depression. [REDACTED] has also become increasingly controlling and verbally abusive towards [REDACTED] which caused severe issues in their relationship. [REDACTED] cited several incidents where [REDACTED] stole her property, the most recent being today. [REDACTED] said [REDACTED] took her phone out of her hand and said he was going to cancel her phone plan. [REDACTED] confirmed she was not in the process of trying to contact law enforcement when [REDACTED] took the phone from her. [REDACTED] also advised [REDACTED] has never physically abused her but has punched holes in walls. [REDACTED] has begun seeing a therapist and for the last month has been sleeping on the living room couch. This caused the argument today between herself and [REDACTED] which caused [REDACTED] to begin packing his things. [REDACTED] during this time, gathered his firearms and other personal property and loaded it into his vehicle, a [REDACTED] pickup truck (bearing Florida tag [REDACTED]). [REDACTED] told [REDACTED] "once I'm done I'm going to shoot myself" and then got in his vehicle and left in an unknown direction.

[REDACTED] and [REDACTED] were on scene, but they were doing schoolwork with headphones on during this incident and did not witness anything.

[REDACTED] completed a sworn written statement and swore and affirmed to her statements which were recorded on Deputy Darcy's body worn camera. [REDACTED] was also given advice on how to file for an injunction for protection and was given a domestic violence resource pamphlet.

[REDACTED] was entered into FCIC/NCIC as missing and endangered by teletype operator Danhart # 8128. Deputies searched the area and eventually located [REDACTED] vehicle parked at the Airport Bar and Restaurant, located at 1120 Airport Terminal Rd. [REDACTED] was found inside drinking and was taken into protective custody without incident. [REDACTED] father, [REDACTED] (04), and [REDACTED] brother-in-law, [REDACTED] (05), responded to pick up [REDACTED] vehicle. [REDACTED] prior to taking the vehicle, provided deputies with consent to remove the firearms and ammunition from the vehicle which were collected and submitted as seized property to the District 2 evidence locker.

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:

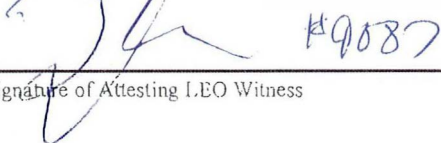
Quantity	<u>4</u>	Type	<u>Hand guns</u>	Location	<u>VSO</u>
Quantity	<u>2</u>	Type	<u>Rifles</u>	Location	<u>VSO</u>
Quantity	<u>1</u>	Type	<u>Shot gun</u>	Location	<u>VSO</u>
Quantity	<u>481</u>	Type	<u>Ammo Rounds</u>	Location	<u>VSO</u>
Quantity	<u>4</u>	Type	<u>Magzines</u>	Location	<u>VSO</u>
Quantity	<u>1</u>	Type	<u>Spare Barrel</u>	Location	<u>VSO</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: 04/15/2025 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 15 day of April, 2025, by DEPUTY KAELEIN DARCY 9062  
Affiant's name

  
Signature of Attesting LEO Witness

DEPUTY TAYLOR WHITE 9087  
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  
VP250007612

\_\_\_\_\_,  
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 SHERIFFS OFFICE
2. Petitioner's law enforcement office/agency is located at *{street address, city, state, and zip code}*:  
123 W. INDIANA AVE DELAND FLORIDA 32721

SECTION II. RESPONDENT

1. Respondent's full legal name: \_\_\_\_\_
2. Respondent's current address: *{street address, city, state, and zip code}*:  
\_\_\_\_\_ DELAND FLORIDA 32724
3. Physical description of Respondent:  
Race: WHITE Sex: Male ☒ Female ☐ Date of Birth: \_\_\_\_\_  
Height: 5'10 Weight: 280 Eye Color: HAZEL Hair Color: BROWN
4. Distinguishing marks or scars: \_\_\_\_\_
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

VSO Case Number  
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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

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☒ 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:

☒ 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.

☒ 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.

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Respectfully submitted this 15 day of APRIL, 2025.

K. D. 9062  
**Signature of Petitioner**

VOLUSIA SHERIFFS OFFICE

Law Enforcement Agency

123 W. INDIANA AVE

DELAND, FLORIDA 32721

Service Address