

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

VOLUSIA SHERIFF'S OFFICE,

Petitioner

v.

Case No.: VP250008119

Division: DISTRICT TWO

VSO Case Number
VP250008119

[REDACTED]
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

SECTION II. RESPONDENT

1. Respondent's full legal name: [REDACTED]
2. Respondent's current address: *{street address, city, state, and zip code}*:
[REDACTED] DELAND, FL 32724
3. Physical description of Respondent:
Race: WHITE Sex: Male ☐ Female ☒ Date of Birth: [REDACTED]
Height: 5'01 Weight: 200 Eye Color: BROWN Hair Color: BROWN
4. Distinguishing marks or scars: N/A
5. Vehicle *{make/model}*: N/A 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}*: [REDACTED]
9. Respondent's attorney's name, address, and telephone number *{if known}*: UNKNOWN

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

☒ 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:

☒ 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 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.

**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
VP250008119

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} _____ DEPUTY B. BANKS _____, in my position as {job title} _____ DEPUTY _____ 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 CONTINUATION PAGES

1 Additional pages are attached.

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

SEE CONTINUATION PAGES

1 Additional pages are attached.

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 _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
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: 04/21/2025

Signature of Affiant: _____



Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization,

this 21 day of April, 2025, by Deputy B. Banks
Affiant's name



Signature of Attesting LEO Witness

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)

AFFIDAVIT CONTINUATION

FROM SECTION _____
PAGE 1 OF 1

BWC RECORDING

On 04/21/2025 at approximately 1835 hours, Deputy Banks responded to [REDACTED] Deland, in reference to a suicidal person. It is important to note the reporting party, [REDACTED] (R1) was not on scene and calling into dispatch from a separate location. Deputy Banks made contact with [REDACTED] who advised her friend, [REDACTED] (V1) had sent concerning text messages in a Facebook group chat where [REDACTED] stated she was going to put a gun to her head, ultimately killing herself.

Upon arrival Deputy Banks made contact with [REDACTED] (O1) who advised Deputy Banks his stepdaughter, [REDACTED] was currently at the aforementioned address and [REDACTED] would go get her. Shortly after, [REDACTED] came out of the front door of the residence and made contact with Deputies on scene. Deputy Banks advised [REDACTED] the reasoning for Deputies to be on scene to which [REDACTED] stated she was aware of the text messages she had sent but further stated she was ok, and she was handling it on her own with family. [REDACTED] never stated to Deputy Banks specifically what she had said in the text messages, only acknowledging [REDACTED] knew what Deputy Banks was referring to.

Deputies further made contact with [REDACTED] who advised Deputies that [REDACTED] had been making suicidal statements and it being worse on today's incident, 04/21/2025 due to [REDACTED] losing her place of employment on today's incident.

Due to the screenshots of the text messages provided by [REDACTED] and statements provided by [REDACTED] and [REDACTED], Deputy Banks deemed [REDACTED] met Baker Act criteria and without intervention posed a risk to herself. [REDACTED] was then placed into protective custody and later transported to SMA.

Deputy Banks later completed an RPO for [REDACTED] due to her threatening to put a gun to her head, ultimately ending her life. The digital photographs of the text messages exchanged between [REDACTED] and [REDACTED] were later uploaded as digital evidence using Axon Capture.

Deputies had no further involvement with this incident.

Case Status: Closed

Respectfully submitted this 21 day of APRIL, 2025.


Signature of Petitioner

VOLUSIA SHERIFF'S OFFICE
Law Enforcement Agency

Service Address