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

DI DE	, DETITION FOR DICK PRO	PECTION OF DED		VSO Case Number VP250008631
IN KE	: PETITION FOR RISK PRO AGAINST {Name of Respon			V1230000031
		<u>AFFIDAVIT</u>		
STAT	E OF FLORIDA			
COU	NTY OF VOLUSIA			
I,	{full legal name}	Ethan Thomas	, in my po	sition as {job
	Deputy Sheriff		f law enforcement of	-
_		wear and affirm that the f	ollowing facts are tru	ue and correct.
1.	{Name of Respondent}		poses a signific	_
	of causing personal injury to h	nimself/herself or others b	y having a firearm o	r any
	ammunition in his/her custody	or control or by purchas	ing, possessing or re-	ceiving a
	firearm or any ammunition. T	he following specific stat	ements, actions, or fa	acts give rise
	to a reasonable fear of signific	cant dangerous acts by the	respondent:	
	On 04/27/2025, at approximal Normandy Blvd, Deltona, in informed responding Deputies armed with a firearm.	reference to a fight. While	e enroute, Central Dis	spatch
	Additional pages ar	e attached.		
2.	{Name of Witness}		provided the follo	owing
	information based on his/her p	personal knowledge:		
	See Section 1.			
	Additional pages ar	e attached.		

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

VOLUSIA SHERIFF'S OFFICE	
Petitioner	
	Case No.:
v.	Division:
	VSO Case Number
	VP250008631
Respondent	
PETITION FOR TEMPORARY EX PA	RTE RISK PROTECTION ORDER
AND RISK PROTE	CTION 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 locate	
123 West Indiana Ave, Deland Florida 32720	
SECTION II. RESPONDENT	
1. Respondent's full legal name:	
2. Respondent's current address: {street address, city,	• ,
Deltona, Florida, 32	725
3. Physical description of Respondent:	
Race: WHITE Sex: Male Female	
<u> </u>	Color: BRO Hair Color: BALD
4. Distinguishing marks or scars: N/A	
5. Vehicle {make/model}: Mazda	Color: Silver Tag Number:
6. Other names Respondent goes by {aliases or nickr	names}:
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 telepho	one number {if known}:

N/A

VSO Case Number	
VP250008631	

#### SECTION III. BASIS FOR PETITION

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.
  - <u>X</u> [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:

<u>X</u>	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 <i>nolo contendere</i> in Florida or in any other state to a crime that constitutes domestic violence as defined in s. 741.28, Fla. Stat.;
_X_	has used, or threatened to use, against himself/herself or others, any weapons;
<u>×</u>	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 <i>nolo contendere</i> 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).

VSO Case Number	
VP250008631	

#### SECTION IV. NOTICE

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.
· · · · <u>-</u>	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};
- 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.

3. Affiant $\prod$ is $\boxtimes$	is not aware of any exist	ing protection order governing the
respondent under any	applicable statute.	
Known prot	ection orders are attache	ed .
believes to be in the ras follows:	espondent's current own	arms and ammunition the petitioner ership, possession, custody or control are
		Location Residence
		Location Residence
		Location
		Location
		Location
Quantity	Туре	Location
STATEMENTS AND FAC ARE TRUE AND CORRE Dated:04/28/2025	Signature of Affiar scribed before me by mean	at: Deputy 9/37  as of ⊠ physical presence or □ online notarization,
	Name of Notary Public) uced Identification	-
(Type of Identification Produced)		

### IN RE: PETITION FOR RISK PROTECTION ORDER AGAINST {Name of Respondent}

#### **AFFIDAVIT CONTINUATION**

FROM SECTION 1
PAGE 1 OF 4
Upon arrival, Deputy Martin made contact with (W1), who provided Deputy Martin with an unloaded Taurus GC6 black handgun bearing serial number TMT26001.  advised that his father, was in the backyard of and he was not armed. While deputies began setting up a perimeter, exited from the backyard of and complied with deputies' instructions. Deputy Taylor detained
Deputy Carrow read his Miranda rights from an agency-issued Miranda warning card where advised he understood his rights and wished to speak to deputies. reported the following:
advised that around 1000 hours, he began drinking alcoholic beverages. While at his
brother-in-law's house at approximately 1400 hours, his wife, (V1), began a
verbal argument with about his genitalia not working during intercourse.
caused him to get very upset, and the verbal argument escalated.
their Jeep with and they began traveling westbound on Howland Blvd near the
intersection of Fort Smith. and advised that, due to complaining more, exited
the vehicle and began walking back to his brother-in-law's residence.
he called his son, to come pick him up and bring him back to his residence at
Upon entering the residence, continued complaining at
which frustrated causing him to exit the residence and retrieve his Taurus handgun
from his vehicle parked in the front driveway.
residence and was holding the firearm in his right hand pointing down by his side.
that he told "Don't fuck me with several" several times.
residence through the back door. advised Deputy Thomas that while he was in the backyard
he thought about committing suicide by using the firearm. explained that he attempted to
return to the residence through the back door but was unable to because the door was locked.
advised that he then removed the magazine from the firearm and threw the gun and the
magazine in the backyard. advised that the family left the residence and he remained in the
backyard till law enforcement arrived.

#### IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent}

#### AFFIDAVIT CONTINUATION

#### IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent}

#### **AFFIDAVIT CONTINUATION**

FROM SECTION1
PAGE 3 OF 4
exited the home and went to the car to retrieve his 9mm handgun. and her children, and were all standing next to each other in front of when entered the home with his handgun. had the handgun in his hand by his side when he raised it up and pointed at the and her children, yelling "don't fuck with me".  was in fear that would shoot her, so she dropped his belongings and ran outside. stated she did not believe would shoot the children because his anger was directed towards her. advised that she does not want to press charges. did not complete a written statement but was sworn to her verbal statement. completed a Marsy's Law form for herself, as well as and and in which she elected to keep their information private. completed a victim's notification card and was given a domestic violence resource brochure.
Deputy Girdwood made contact with (V2), who advised the following:
statements corroborated the statements of her brother, went into further detail stating the rolling disturbance was in the area of Fort Smith Blvd and Howland Blvd. explained that has been drinking all day and appeared to be heavily intoxicated. was informed by her mother while was driving, was grabbing the shifter and putting it in different gears while she was driving. stated due to actions while was driving, told him to get out of the vehicle. Stated then went to his brother-in-law's residence, where she assumed he continued to drink. It should be noted that was not in the vehicle with her parents but was told the mentioned information by her mother, when she arrived home without her father, explained herself and went to their uncle's house to pick up and bring him home. When and arrived home with an argument ensued between and . The argument led to retrieving a firearm from his vehicle parked in the driveway of their
residence. explained when came back into the house, the argument between
and started again, leading to pull the firearm from his waistband. explained never pointed the firearm but held it on his right side while continuously stating in Spanish.
"Don't fuck with me". explained her and stood between and and to separate them, at which point went into the backyard and was locked out by explained after went into the yard, she and the rest of her family went to the front of the house to remain separated until law enforcement arrived on the scene. It should be noted that (V3) did not wish to speak to deputies about the incident.

#### IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent}

1

FROM SECTION

#### **AFFIDAVIT CONTINUATION**

Deputy Thomas collected the black taurus handgun, the seven 9mm rounds, and the back magazine and submitted the items to a District Four evidence locker for evidentiary purposes.

Case Status: Adult/Arrest

VSO Case Number	
VP250008631	

Respectfully submitted this <u>28th</u> day of <u>April</u>, <u>2025</u>.

Signature of Petitioner

Volusia Sheriff's Office

Law Enforcement Agency

123 West Indiana Ave, Deltona, Florida, 32720

Service Address

## INSTRUCTIONS FOR PETITION FOR TEMPORARY EX PARTE RISK PROTECTION ORDER AND RISK PROTECTION ORDER

#### When should this form be used?

This form should be used to obtain an order that will require a person who is at high risk of harming himself/herself or others to immediately surrender all firearms and ammunition in his/her custody, control, or possession and any license to carry a concealed weapon or firearm.

#### Who may file this form?

A petition must be filed by a law enforcement officer or law enforcement agency.

#### Where should this form be filed?

A petition must be filed in the county where the petitioner's law enforcement office is located or the county where the respondent resides.

#### What must be shown?

The petition and accompanying affidavit must allege specific statements, actions, or facts based on personal knowledge that give rise to a reasonable fear of significant dangerous acts by the Respondent, and that 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.

IN THE CIRCUIT COURT OF THE SEVENTH	JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA	_ COUNTY, FLORIDA
VOLUÇIA CHEDIEE'C OFFICE	
VOLUSIA SHERIFF'S OFFICE, Petitioner	
	Case No.:
v.	Division:
	VSO Case Number
,	VP250008631
Respondent	
PETITION FOR TEMPORARY EX PARTE I	RISK PROTECTION ORDER
AND RISK PROTECTION	N ORDER
SECTION I. PETITIONER	
1. Petitioner's full legal name or name of petitioning agency	v: Volusia Sheriff's Office
2. Petitioner's law enforcement office/agency is located at {s	street address, city, state, and zip code}:
123 West Indiana Ave, Deland Florida 32720	
SECTION II. RESPONDENT	
1. Respondent's full legal name:	
2. Respondent's current address: {street address, city, state,	and zip code}:
Deltona, Florida, 32725	•
3. Physical description of Respondent:	
Race: WHITE Sex: Male X Female	Date of Birth:
Height: 5'09 Weight: 210 Eye Color	:: BRO Hair Color: BALD
4. Distinguishing marks or scars: N/A	
5. Vehicle {make/model}: Mazda Color:	Silver Tag Number:
6. Other names Respondent goes by {aliases or nicknames}	:
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 nur	mber {if known}:
N/A	(9 mm my .

#### VSO Case Number VP250008631

#### SECTION III. BASIS FOR PETITION

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.
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- 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.
  - <u>X</u> [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:

<u>×</u>	was involved in a recent act or threat of violence against himself/herself or others;
<u>×</u>	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;
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<u>×</u>	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 <i>nolo contendere</i> 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;
X	other (Additional relevant information may be attached).

VSO Case Number	
VP250008631	

#### **SECTION IV. NOTICE**

<u> </u>	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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- 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.

VSO Case Number	
VP250008631	

Respectfully submitted this  $\underline{28th}$  day of  $\underline{\hspace{1cm}}$  April ,  $\underline{\hspace{1cm}}$  ,  $\underline{\hspace{1cm}}$  2025 .

Signature of Petitioner

Volusia Sheriff's Office

Law Enforcement Agency

123 West Indiana Ave, Deltona, Florida, 32720

Service Address