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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>3</u>	Type	<u>Firearms</u>	Location	<u>Bedroom</u>
Quantity	<u>6</u>	Type	<u>Firearms</u>	Location	<u>Vehicle in the driveway</u>
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: 06/27/2025 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 27 day of August, 2024, by Wesley Blum
Affiant's name

Signature of Attesting LEO Witness

Print name of Attesting LEO Witness

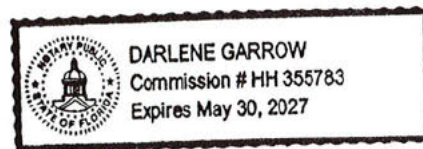
OR


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 1
PAGE 1 OF 3

On Wednesday, August 27, 2025, at approximately 1040 hours, deputies responded to [REDACTED], DeLand in reference to a shooting. Prior to arrival, Volusia Communications advised a male had shot at a male and female. It was also advised one male had a machine gun and the other had a handgun. Then Communications advised the suspects with weapons had left a homeless camp and entered the residence. All three subjects were described as Hispanic males. One subject was wearing a fluorescent yellow shirt and blue jeans. The second was described as wearing a blue shirt and black shorts. The third was described as wearing a purple shirt.

Upon arrival, deputies established a command post on Woodland Boulevard just South of the location of incident. While establishing a plan of action, Deputy Blum observed a Hispanic male matching the first given suspect description. Deputies approached the subject, and he was secured in handcuffs. [REDACTED] spontaneously uttered he called 911 and he was the person who shot a gun. The suspect was identified as [REDACTED]. [REDACTED] advised he was the only person at the residence, and the other Hispanic males had left the scene.

Deputy Blum then made telephone contact with the victims, [REDACTED] and [REDACTED]. Both advised the three Hispanic males approached their homeless camp. The homeless camp was approximately 800 feet North of the location of incident. The Hispanic male in the purple shirt was operating a bulldozer and the other two were on foot. [REDACTED] stated [REDACTED] in the florescent yellow shirt was armed with a rifle and handgun in his back waistband. The Hispanic male wearing the blue shirt and black shorts was armed with a handgun. The three suspects were on scene to destroy the homeless camp and an argument ensued between [REDACTED] and [REDACTED]. At one point, [REDACTED] stated he was going to shoot [REDACTED]. The male in the blue shirt and black shorts pointed a gun at [REDACTED]. [REDACTED] then fired multiple rounds from his rifle into the ground. [REDACTED] and the other two males went back to the residence and [REDACTED] and [REDACTED] stayed in their homeless camp. [REDACTED] and [REDACTED] then called 911. [REDACTED] and [REDACTED] were then moved from the homeless camp to the Dollar General located at 2531 North Woodland Boulevard.

Due to [REDACTED] alleging the residence was unoccupied, a plan was established to make entry into the residence. Deputies approached the residence, made multiple announcements, and heard no response from inside the residence. The door was found to be locked, and Deputy Blum utilized an agency issued ram and opened the front door of the residence. Entry was made and during the search for victims or suspects, Deputy Blum observed a black rifle with a double drum magazine

AFFIDAVIT CONTINUATIONFROM SECTION 1PAGE 2 OF 3

on a bed. The bedroom the rifle was in is on the Northwest corner of the residence. Once the residence was made safe and secure, deputies moved to the homeless camp. The camp was searched for victims and suspects and none were located. While in the camp, a spent shell casing was located near a tent. The residence and the homeless camp were secured with crime scene tape, and a crime scene log was established. The scenes were turned over to the Northwest Detective Unit.

On 08/27/2025, Detective Forster responded to [REDACTED], Deland to assist with an ongoing shooting investigation.

Upon arrival, Detective Forster made contact with [REDACTED] who explained the following:

[REDACTED] stated he is homeless and has a camp set up on the back property of [REDACTED] [REDACTED], Deland. The camp is hidden in the woods and approximately 100 yards east behind the house on the property. [REDACTED] advised the house on the property had new owners as of last month. [REDACTED] knew the owner as [REDACTED] and described him as a Hispanic male.

[REDACTED] advised he was asleep in his camp when he was woken up by his dogs barking. [REDACTED] went outside his handmade structure and observed three Hispanic males. [REDACTED] recognized one of the males as "[REDACTED]" and stated he had a black rifle with a drum style magazine slung around his upper body and a handgun on his hip. "[REDACTED]" was wearing a long sleeve highlighter yellow/green shirt and jeans. [REDACTED] confirmed "[REDACTED]" is the new resident [REDACTED] [REDACTED], who was identified as [REDACTED]

[REDACTED] did not recognize the second male and described him to be around forty years of age, short, buzzed hair that is balding, blue shirt, blue shorts, and appeared Hawaiian or Hispanic. [REDACTED] stated this male had a handgun. [REDACTED] explained the third male was in a bulldozer which he could not see inside of.

[REDACTED] explained the Hispanic males intended on destroying his homeless camp. [REDACTED] stated as the bulldozer approached, a verbal altercation ensued between [REDACTED] and "[REDACTED]". During this verbal altercation, [REDACTED] stated he was shirtless and never had any items in his hands. [REDACTED] advised "[REDACTED]" told him to leave or he would shoot him. [REDACTED] explained he told "[REDACTED]" he would have to shoot him. "[REDACTED]" later fired two shots at the feet of [REDACTED] which did not strike

AFFIDAVIT CONTINUATIONFROM SECTION 1PAGE 3 OF 3

him. [REDACTED] explained he was in fear for his life and believed [REDACTED] had the capability to take his life in that moment.

After the gunshots, [REDACTED]'s friend [REDACTED] called law enforcement and advised to the Hispanic male's law enforcement is coming. [REDACTED] stated the males decided to retreat to the residence on the property. [REDACTED] noted, him and [REDACTED] hid in their handmade structure until law enforcement ordered them out and secured them. [REDACTED] informed Detective Forster he wished to pursue criminal charges due to him being in fear for his life. [REDACTED] swore to her verbal testimony which was also audio recorded.

Detective Forster later made contact with [REDACTED] who corroborated [REDACTED]'s statement. [REDACTED] advised during the verbal altercation she was holding their two dogs while the second Hispanic male with a handgun pointed the gun at her and the dogs. [REDACTED] explained the male stated, "I will shoot those dogs". [REDACTED] stated she was in fear for her life as well and wished to pursue criminal charges. [REDACTED] swore to her verbal testimony which was audio recorded.

Patrol deputies informed Detective Forster that [REDACTED] was advised of his constitutional rights via an agency issued Miranda card, which he understood and did not wish to speak with Detective Forster.

Through Detective Forster's investigation, coupled with physical evidence and statements, Detective Forster determined probable cause exists to charge [REDACTED] with two counts of aggravated assault.

[REDACTED] was later transported to VCBJ without incident.

A search warrant was conducted of [REDACTED] residence and nine firearms were located in the residence and inside [REDACTED] vehicle. Also recovered was 75.2 grams of suspected cocaine. [REDACTED] was additionally charged with armed trafficking of cocaine.

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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
VP250017754

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 West Indiana Avenue, DeLand Florida 32720

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: H Sex: Male ☒ Female ☐ Date of Birth: _____
Height: 5' 02" Weight: 195 Eye Color: Brown Hair Color: Black
4. Distinguishing marks or scars: _____
5. Vehicle {make/model}: _____
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
VP250017754

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 VP250017754

____ 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.
By person, telephone, and/or certified mail.

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.

☒ 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
VP250017754

Respectfully submitted this 27 day of August, 2025.



Signature of Petitioner

Vollusia Sheriffs Office
Law Enforcement Agency

123 West Indiana Avenue, DeLand Florida 32720

Service Address

