

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

VSO Case Number
VP260000210

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Bo Nguyen, in my position as {job title} Deputy Sheriff 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 page for complete narrative.

4 Additional pages are attached.

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

See continuation page for witness accounts.

4 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 1 OF 2

On January 3, 2026, at approximately 1918 hours, Deputy Nguyen responded to a reported physical disturbance at [REDACTED], New Smyrna Beach, Volusia County, Florida. Prior to arrival, dispatch advised that the suspect, later identified as [REDACTED] (D1), was possibly armed with a firearm and was repeatedly stating, "No way out, no way out."

Upon arrival, Deputy Nguyen heard a single loud bang that sounded consistent with a gunshot. Additional deputies arrived on scene and began making their way onto the property to locate and confront [REDACTED]

Deputy Nguyen made contact with [REDACTED] (V1), identified as [REDACTED]'s girlfriend. [REDACTED] advised that earlier in the day, she and [REDACTED] had gone fishing. She observed [REDACTED] exhibiting slurred speech and behaving unusually. [REDACTED] stated that when [REDACTED] consumes alcohol, he becomes aggressive, and they had previously agreed not to drink. [REDACTED] confronted [REDACTED] regarding possible alcohol consumption, which he denied, stating he was simply "very happy." While driving home, [REDACTED] continued to question [REDACTED] which escalated into a verbal argument. [REDACTED] stated [REDACTED] became aggressive and struck her twice in the left eye. Following the battery, [REDACTED] fled to the nearby residence of [REDACTED] (R1), which is located on the same property, and asked him for help. [REDACTED] and [REDACTED] attempted to calm [REDACTED] but their efforts were unsuccessful. [REDACTED] then ran into another residence on the property where [REDACTED] resides, entered [REDACTED]'s bedroom, retrieved a .38 caliber handgun that [REDACTED] keeps beside his bed, and exited the residence with the firearm. [REDACTED] advised that she and [REDACTED] have been dating for approximately three months, although [REDACTED] and [REDACTED] do not live together, or reside as a family.

Deputy Nguyen observed visible swelling to [REDACTED]'s left eye, there was purple and red swelling on [REDACTED]'s left eye, consistent with her account of the incident. [REDACTED] completed a sworn written statement detailing the events. Although [REDACTED] stated she did not wish to pursue charges, [REDACTED] also wanted to invoke Marsy's Law to keep her information confidential. She was transported by EMS to Advent Health Bert Fish Medical Center in New Smyrna Beach for evaluation due to her injury. Later, according to the doctor, it was determined [REDACTED] had orbital fracture.

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

VSO Case Number
VP260000210

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 2 OF 2

Deputy Nguyen also made contact with _____ who stated _____ arrived at his residence bleeding and requesting help. Peatross advised he confronted _____ outside in an attempt to calm him down and prevent law enforcement involvement. _____ stated _____ repeatedly attempted to shove _____ into a truck. _____ was able to break away and ran into _____'s residence.

_____ stated _____ then exited the residence holding _____'s handgun and engaged in erratic behavior. _____ allowed _____ into his residence, locked the doors, and contacted 911. _____ advised he did not initially want to involve law enforcement due to his personal relationship with _____ but felt he had no choice due to _____'s behavior. _____ completed a sworn written statement and declined to pursue charges related to the firearm.

Deputy Miller photographed _____'s injuries, and the photographs were later uploaded to Evidence.com. _____'s brothers arrived on scene and assisted deputies in communicating with _____. After approximately two hours, _____ complied and surrendered. Deputies took _____ into custody without further incident. Deputy Nguyen later completed a Risk Protection Order, and later submitted it. The Firearm was later return to Peatross.

Based on the totality of the circumstances, including witness statements, observed physical injury, photographic evidence, and _____'s actions during the incident, Deputy Nguyen determined probable cause existed and placed _____ under arrest for False Imprisonment, and Aggravated Battery.

3. Affiant is is not aware of any existing protection order governing the respondent under any applicable statute.

None 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: 1/03/2026 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 03rd day of January, 2026, by Deputy Bo Nguyen #9798
Affiant's name


Signature of Attesting LEO Witness

G. ROSS 9181
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)