

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
VP260015800

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} JORDAN LEWIS, 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:

4 Additional pages are attached.

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

4 Additional pages are attached.

AFFIDAVIT CONTINUATIONFROM SECTION 1PAGE 1 OF 4**BWC RECORDING**

On July 22, 2026, at approximately 2036 hours, deputies responded to [REDACTED], DeLand, in reference to an anonymous weapons complaint reporting that a firearm had been discharged at the residence.

Upon arrival, met with [REDACTED] who was standing near the entrance of the residence while holding an alcoholic beverage. [REDACTED] denied that anyone had discharged a firearm at the residence. When deputies asked whether anyone else was inside, [REDACTED] stated he was the only person present.

At that time, a female, later identified as [REDACTED] was standing on the staircase directly behind [REDACTED]. [REDACTED] shook her head affirmatively and silently mouthed words indicating deputies were at the correct residence.

Due to [REDACTED]'s nonverbal cues and [REDACTED]'s statement that he was alone, deputies separated [REDACTED] from [REDACTED] and escorted her to a location where she could be interviewed privately. [REDACTED] primarily spoke Spanish and had difficulty communicating in English. Deputy Gomez was contacted to assist with the interview in Spanish.

[REDACTED] reported that she and [REDACTED] had been married for approximately thirty-seven years and had adult children in common. Their adult children no longer resided at the residence and were not present during the incident.

[REDACTED] stated she disputed being married she and [REDACTED] had been separated for approximately two years but continued residing in the same home. [REDACTED] and [REDACTED] occupied separate bedrooms, and each maintained exclusive authority over his or her respective bedroom.

[REDACTED] reported that on July 22, 2026, at approximately 1900 hours, she and [REDACTED] became involved in a verbal argument inside the residence concerning suspected infidelity.

During the argument, [REDACTED] retrieved a lever-action rifle and carried it from the residence into the front yard. From her location, [REDACTED] clearly observed [REDACTED] carrying the rifle.

While [REDACTED] was watching, [REDACTED] intentionally discharged one round from the rifle into the grassy area near the front entrance of the residence.

The location was residential property, approximately .52 acres, and used primarily as a dwelling. The firearm was discharged outdoors during an emotionally charged domestic argument while [REDACTED] and neighboring residents were nearby. The discharge was not related to lawful self-defense, defense of property, official duties, hunting, or any other lawful purpose. The manner and location of the discharge created an unjustifiable risk of injury or property damage.

[REDACTED]'s act of retrieving and discharging the rifle during the argument caused [REDACTED] to believe he was threatening her and might use the rifle against her, which caused her to retreat

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 2 OF 4

farther into the residence and into the kitchen.

[REDACTED] immediately reentered the residence while still holding the recently discharged rifle and followed [REDACTED] into the kitchen. While armed with the rifle and possessing the apparent present ability to carry out the threat, [REDACTED] told [REDACTED] "If you say anything, something bad will happen to you."

[REDACTED] felt that [REDACTED]'s statement, his continued possession of the rifle, and his preceding discharge of the rifle as a threat of physical violence and believed that [REDACTED] would also harm her if she reported the firearm discharge or his threats to law enforcement.

After making the threat, [REDACTED] was standing approximately four feet from [REDACTED] [REDACTED] turned away from her and walked in the direction of his bedroom while continuing to carry the rifle. That was the last location she observed [REDACTED] carrying the firearm.

Due to [REDACTED]'s threat, [REDACTED] did not personally contact law enforcement immediately after the incident.

[REDACTED] provided deputies with Ring doorbell footage bearing a date and time stamp of July 22, 2026, at approximately 1918 hours. Deputies reviewed the footage, which depicted [REDACTED] exiting the residence while carrying a rifle and discharging one round into the grassy area near the front entrance. The footage then depicted [REDACTED] returning inside the residence, consistent with [REDACTED]'s account.

[REDACTED]'s account remained internally consistent and was corroborated by the Ring doorbell footage, the physical evidence at the scene, and a neighboring witness who reported hearing a gunshot at approximately the same time.

[REDACTED] provided a handwritten sworn statement and indicated she wished to press charges.

Deputy Cue provided [REDACTED] with a Legal Rights and Remedies pamphlet, which she acknowledged receiving. [REDACTED] completed the applicable Domestic Violence Worksheet, Victim Notification Card, and Lethality Threat Assessment. Marsy's Law was explained to [REDACTED] and she invoked her rights under Marsy's Law.

Deputy Cue provided [REDACTED] with a VSO business card containing the case number and instructed her to contact the Volusia Sheriff's Office if she required further assistance or if [REDACTED] attempted to contact, threaten, intimidate, or retaliate against her.

[REDACTED] did not report any physical injuries, and deputies did not observe any visible injuries during the initial investigation.

Deputies examined the area where the Ring footage depicted [REDACTED] discharging the rifle and observed a fresh divot in the grassy area near the front entrance. Deputies attempted to locate the projectile but were unsuccessful.

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 3 OF 4

Photographs were taken of the divot and surrounding area and uploaded to Axon Evidence under the associated case number.

Deputies conducted a neighborhood canvass for witnesses and additional surveillance footage.

At _____, deputies contacted _____ who reported hearing a loud “pop” coming from the direction _____ at approximately 1919 hours on July 22, 2026. Adkins could not provide additional information.

No other surveillance cameras containing apparent evidentiary value were located during the canvass.

While _____ was being interviewed, _____ continued consuming his alcoholic beverage. _____ became frustrated with the investigation and instructed deputies to leave the property. No determination was made during the initial patrol investigation that _____ had been impaired when he discharged the rifle on July 22, 2026.

Based upon _____’ s sworn statement, the Ring doorbell footage, the physical evidence at the scene, and Adkins’ corroborating account, Deputy Lewis determined there was probable cause to believe _____ intentionally threatened _____ by retrieving and discharging a rifle during their domestic argument, immediately following _____ into the residence while still armed, and confronting her in the kitchen while possessing the apparent ability to immediately use the rifle against her.

Based on totality of circumstances, Deputy Lewis established probable cause to charge _____ with:

Aggravated Assault with a Deadly Weapon (Domestic Violence).

_____’ s actions caused _____ to retreat and created in her a well-founded fear that _____ was about to commit immediate violence against her. Furthermore, The assault was committed with a firearm, a deadly weapon.

Tampering with a Victim or Witness.

_____ knowingly threatened and intimidated _____ by telling her that something bad would happen to her if she said anything while he continued holding the recently discharged rifle. The circumstances established that _____ made the threat with the specific intent to hinder, delay, or prevent _____ from communicating information to law enforcement concerning the firearm discharge and aggravated assault.

Discharging a Firearm on Residential Property.

AFFIDAVIT CONTINUATIONFROM SECTION 1PAGE 4 OF 4

[REDACTED] intentionally and recklessly discharged the rifle outdoors on residential property used primarily as a dwelling. [REDACTED] fired the rifle into the grassy front yard during an emotionally charged domestic argument while [REDACTED] and neighboring residents were nearby. The manner and location of the discharge created an unjustifiable risk to persons or property, and no lawful self-defense, defense-of-property, official-duty, hunting, or other lawful exception applied. These facts established probable cause to charge [REDACTED] with:

[REDACTED] was taken into custody and transported to the Volusia County Branch Jail without further incident.

Deputy Lewis subsequently completed a Risk Protection Order related to the incident.

After [REDACTED] was secured and transported, [REDACTED] escorted deputies into the residence and voluntarily gave deputies permission to search the common areas for the rifle. Deputies searched the common areas within the scope of [REDACTED]'s consent but did not locate the firearm. Deputies did not enter or search [REDACTED]'s bedroom because [REDACTED] reported [REDACTED] maintained exclusive authority over that room.

[REDACTED] reiterated that she last observed [REDACTED] carrying the rifle toward his bedroom after he threatened her in the kitchen.

Based upon [REDACTED]'s statement, [REDACTED]'s exclusive authority over the bedroom, his continued possession of the rifle when he walked toward that room, the lack of evidence that [REDACTED] left the residence before deputies arrived, and the unsuccessful consent search of the common areas, deputies believed the rifle was probably located inside [REDACTED]'s bedroom.

I.S.S. Detectives were contacted and responded to the scene. Detective Ferrari assumed the follow-up investigation.

Case status: Adult Arrest.

On 07/23/2026 at approximately 0320 hours, a search warrant was executed for [REDACTED] (D1) bedroom located at [REDACTED] DeLand. See Detective Ferrari's supplemental report for additional details. During the search, a brown and black .38 Special/.357 Magnum rifle was located underneath the bed mattress of [REDACTED]. The firearm was rendered safe, and deputies located two (2) Federal .357 Magnum rounds inside the rifle. A spent Federal .357 Magnum casing was located near the pillow on the bed.

The above items were collected and submitted the District Two 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>1</u>	Type	<u>RIFLE</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>
Quantity	<u> </u>	Type	<u> </u>	Location	<u> </u>

0 Additional pages are attached.

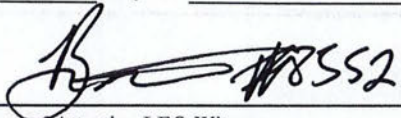
AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dated: 07/23/2026

Signature of Affiant: 

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

this 23 day of July, 26, by Lewis, Jordan
Affiant's name


Signature of Attesting LEO Witness

D/S Bivone #0552
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)