

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} ██████████

VCSO Case Number 190018501

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Deputy Royce James, in my position as {job title} Deputy Sheriff with the {name of law enforcement officer/agency} Volusia County Sheriff 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 Attachment

2 Additional pages are attached.

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

_____ Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 1 OF 2

On 08-28-2019 at approximately 0130 hours, Deputy James was made aware of an incident which occurred the previous evening. The information on the previous report are as follows:

On 08/27/2019, at approximately 1702 hours, Deputies received a telephoned handled call from Detective Romero (R1), who works for Santa Anna PD. Detective Romero advised he needed to speak to a Sergeant, reference an incident that occurred on 08/27/2019. Sergeant Shephard contacted Detective Romero, who advised the following information:

Detective Romero advised that [REDACTED] (D1), who lives at [REDACTED] Deland, contacted a Realtor Company in their jurisdiction, but was originally attempting to contact the suicide hotline. Detective Romero advised [REDACTED] sated the following information to the Realtor Company:

[REDACTED] advised "I am going to shoot everyone, if you do not come out of the building", "Watch out for your children, I am going to shoot everyone up",and "I want to kill myself". Detective Romero advised that [REDACTED] then proceeded to hang the phone up. Detective Romero advised he listened to the recording, and determined that [REDACTED] was intoxicated due to his slurred speech, and unable to make sense. Detective Romero advised he was able to determine the individual was [REDACTED] because he introduced himself immediately when the Realtor Company answered the phone. Detective Romero advised that he tracked the phone number back to [REDACTED] address. Detective Romero advised he contacted the Volusia Sheriff's Office in regards to the incident. Detective Romero advised due to the statements and accusations made by [REDACTED] that a information report was completed. Detective Romero had no other further information to provide, reference the incident.

It is to note that [REDACTED] has a history of getting heavily intoxicated when returning home from work, and contacting the suicide hotline. Within the past couple of months, Deputies have responded to [REDACTED] address in reference to him contacting the suicidal hotline. Both times Deputies attempted to contact [REDACTED] and he advised over the phone that he never called the hotline, and would refuse answering his door for Baker Act Evaluation from Deputies on scene. [REDACTED] has been uncooperative with Deputies, and does not like Law Enforcement. Deputy Lawrence completed this report for informational purposes, and no charges have been developed at this time.

AFFIDAVIT CONTINUATION

FROM SECTION 1
PAGE 2 OF 2

Once Deputy James reviewed the prior incident, he was then able to hear the recording left by [REDACTED]. It should be noted [REDACTED] resides in the area of responsibility of Deputy James so he is very familiar with [REDACTED]. Deputy James has been to numerous calls for service in which [REDACTED] was intoxicated and is well aware of how he sounds when he is heavily intoxicated. Deputy James listened to the recording left by [REDACTED] and could tell he was heavily intoxicated not only by knowing him personally but his slurred speech and difficulty maintaining a conversation. During the conversation, [REDACTED] appeared as if he thought he was calling a suicide hotline. When the person [REDACTED] called told him he had the wrong number, he became frustrated and hostile. [REDACTED] was heard saying, "Ok cool, I am going to blow you guys up in a little bit." [REDACTED] also said, "Dont step out of the building, cause I am going to shoot all of you guys. If you guys step out of the building, you are going to make a big mistake." When the person [REDACTED] called informed him again he has the wrong number, he said, "You might want to watch your back when you step out of the building, you might want to watch your children when they get out of school." Also in the phone call, [REDACTED] was heard verifying his phone number of [REDACTED] to make sure the caller had his correct number. Deputy James looked up the phone number [REDACTED] said on the phone call and verified it belonged to him.

Deputy James responded to [REDACTED] job, [REDACTED] located at [REDACTED], Deland and successfully made contact with him. [REDACTED] was read his Miranda rights which he said he understood. [REDACTED] was asked about the phone call and him being intoxicated the previous night. [REDACTED] denied ever making a phone call or drinking by saying he was on probation and he is not allowed to drink alcohol. [REDACTED] was read the phone number he left on the recording and he admitted it was his home number. [REDACTED] was challenged on him denying ever making the phone call. Deputy James informed [REDACTED] he is very familiar with his voice when he is intoxicated and was sure it was him on the recording. Deputy James also allowed [REDACTED] to listen to the recording where he was asked was that his voice. [REDACTED] then admitted it was him on the recording and he admitted to saying what he said on the phone. [REDACTED] justified what he said by saying he gets a lot of calls from unwanted callers and just wanted the phone calls to stop. [REDACTED] was then taken into custody, searched and placed into a patrol vehicle. Once [REDACTED] arrest paperwork was completed, he was transported to VCBJ. Due to [REDACTED] being currently under probation, his probation was subsequently violated (See case number 190018563).

[REDACTED] was asked if he owns firearms or does he have access to any firearms and he said no, he does not.

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 _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____
Quantity _____	Type _____	Location _____

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: 08-28-2019

Signature of Affiant: _____



Sworn to or affirmed and signed before me on 08-28-2019 by Royce James who is personally known to me or ___ presented _____, as identification.

 9066
Notary Public, State of Florida
My commission expires: _____