

IN THE CIRCUIT COURT OF THE 7TH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

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

VSO Case Number 21-15189

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} DEPUTY CURTIN, in my position as {job title} DEPUTY SHERIFF with the {name of law enforcement officer/agency} VOLUSIA SHERIFFS 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 attached.

 1 Additional pages are attached.

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

 0 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1 _____
PAGE 1 _____ OF 1 _____

*** BWC RECORDING *** On 08/15/2021 at approximately 1603 hours, Deputy Curtin arrived on scene at ██████████ DeLand, in reference to a suicidal person. Deputy Curtin made contact with ██████████ (R1) and ██████████ (O1) ██████████ advised the following occurred ██████████ brother ██████████ (VI) was upset today because he was asked to leave her residence. ██████████ had been staying at ██████████ and ██████████ residence for approximately a month, ██████████ asked ██████████ to leave and ██████████ demanded his firearm. ██████████ advised she did not feel comfortable giving ██████████ the firearm at this time because he was upset, shaking, pale & sweating. ██████████ also stated he was a failure, no good, and no point in being here. ██████████ requested the firearm again to which ██████████ asked why and he stated "its mine and you know why". After further arguing ██████████ advised he wanted his gun so he could kill himself. ██████████ then continued in a verbal with ██████████ and ██████████ and began trying to get the firearm. ██████████ observed ██████████ and ██████████ get into a physical altercation, the two made it outside where ██████████ jumped into his vehicle which was a red Toyota rental car bearing FL temporary tag # ██████████. ██████████ advised she went and shut the outside gate so ██████████ vehicle could not exit, because she was scared he would hurt himself. ██████████ then attempted to drive through the gate while ██████████ was standing in front of it and ██████████ jumped on the hood of the vehicle. ██████████ then reversed the vehicle and jumped out leaving the residence on foot wearing Khaki shorts, a green Papa Johns shirt, and wearing no shoes. Deputy Curtin made contact with ██████████ who advised the following ██████████ has been staying at the residence for approximately a month, ██████████ and ██████████ asked him to leave today and he requested his firearm. ██████████ told ██████████ she was not comfortable giving the firearm to ██████████ because of his state of mind. ██████████ advised ██████████ then began screaming about tearing the house apart and that he would be better off dead. ██████████ advised ██████████ tried to get the firearm from the room at which point she bear hugged and they fell to the floor in the kitchen, then they fell down the stairs outside. ██████████ then went to get into his vehicle and ██████████ advised she told ██████████ to close the gate and she jumped on the hood of the car. ██████████ almost hit ██████████ and their dog with his vehicle but jumped out of the car and jumped over the fence and ran away. Deputy Curtin determined there is substantial likelihood that without care or treatment ██████████ will cause serious bodily harm to himself in the near future, as evidence by recent behavior. Deputy Curtin further determined that ██████████ needed to be located and placed under a baker act. Deputy Curtin initiated a ping on ██████████ cell phone to help locate him, which Sergeant Odgers authorized. Deputies attempted to locate ██████████ until he was ultimately located at the intersection of SR 11 and Circle Dr, DeLand, at approximately 1820 hours. ██████████ was taken into protective custody and transported to SMA as a baker act for treatment. Deputy Curtin located ██████████ firearm, which was in ██████████ and ██████████ bedroom and took possession of it. Deputy Curtin determined that due to the circumstances of this case, a risk protection order needed to be filed on ██████████ Deputy Curtin ██████████ fire arm as a Savage .380 caliber rifle bearing serial number #H734314. A FCIC/NCIC check was conducted which yielded negative results. Deputy Curtin later submitted the firearm into the District Two evidence locker as safe keeping. Case Status: Closed.

3. Affiant ___ is X 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>Savage .380 calib</u>	Location	<u>VSO EVIDENCE</u>
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: 08/15/2021

Signature of Affiant: 

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

this 15 day of AUGUST, 2021, by DEPUTY CURTIN
Affiant's name


Signature of Attesting LEO Witness

D/S Stoltz
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)