

IN THE CIRCUIT COURT OF THE Seventh JUDICIAL CIRCUIT,  
IN AND FOR Volusia COUNTY, FLORIDA

VSO Case Number  
21-16537

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST *{Name of Respondent}* [REDACTED]

**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF Volusia

I, *{full legal name}* Sargent. Jason Paul, in my position as *{job title}* Sargent with the *{name of law enforcement officer/agency}* Volusia Sheriff Office, swear and affirm that the following facts are true and correct.

1. *{Name of Respondent}* [REDACTED] 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 Additional Pages for Narrative\*\*\*  
\_\_\_\_\_  
\_\_\_\_\_

3 Additional pages are attached.

2. *{Name of Witness}* [REDACTED] provided the following information based on his/her personal knowledge:

\_\_\_\_\_  
\_\_\_\_\_  
\*\*\*See Additional Pages for Narrative\*\*\*  
\_\_\_\_\_  
\_\_\_\_\_

3 Additional pages are attached.

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

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**AFFIDAVIT CONTINUATION**

FROM SECTION 2 \_\_\_\_\_  
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On 09/04/2021 at 0001 hours, Sgt. Paul responded to the District Four office in reference to a report of a Deputy involved battery. Upon arrival, Sgt. Paul was informed ██████████ and ██████████ were involved in a domestic disturbance.

Sgt. Paul interviewed ██████████ who provided the following recorded statement; ██████████ stated, she and ██████████ have been in an intimate relationship and have been living together as a family for the past 18 months. ██████████ stated Thursday night to Friday morning, she and ██████████ engaged in an argument that resulted in ██████████ battering her and threatening to kill her.

On Thursday (09/02/2021) evening, sometime after dinner, ██████████ and ██████████ traveled to the Ocean Breeze bar and grill located in New Smyrna. ██████████ stated, throughout the night, ██████████ consumed 13 beers and one shot of liquor. ██████████ stated ██████████ is typically a heavy drinker and this amount of alcohol was not unusual for him.

At approximately 0140 hours (09/03/2021), ██████████ and ██████████ were traveling west on State Road 44, in the direction of their home. ██████████ was driving the vehicle as they were approaching an intersection close to Interstate 4. ██████████ stated, ██████████ observed the traffic light turn red and he sped up and drove through the intersection at a high rate of speed. ██████████ stated she began yelling at him, demanding he stop the vehicle and let her out. ██████████ came to a stop in the median near the intersection of North Glencoe Road.

██████████ stated she exited the vehicle and walked down the road in an attempt to get away from ██████████ ██████████ began yelling at her, demanding she get back into the vehicle. ██████████ did not feel safe, she stated she felt if she got back into the vehicle, he would hurt her as he had done in the past. ██████████ eventually pulled the car up to where she was walking, exited the vehicle and grabbed ahold of ██████████ ██████████ began violently yanking and her belt and waistband of her pants. While he grabbed her and pulled her, he was screaming at her to get into the vehicle. ██████████ screamed multiple times for him to let her go, and stated she was terrified something bad was going to happen to her.

██████████ stated, ██████████ screamed she was going to get him arrested. ██████████ then stated he did not care. As vehicles passed by, ██████████ told her no one cared about her and she was a piece of shit. The entire time, ██████████ had a hold of ██████████ hindering her ability to escape and holding her against her will. ██████████ stated ██████████ then pushed her down and continued to scream at her and said "you are going to see a side of me you have never seen."

██████████ stated, at this time a Volusia County deputy just happen to drive by with their emergency lights activated. The deputy did not stop and was unknown if they were observed on the side of the road.

\*It should be noted, at 0153 hours, Volusia Sheriff's Office received a priority call for a suspicious incident. Using Force Watch, it was discovered Deputy Palmier was in that area of SR 44 during that time frame while responding to the priority call.

AFFIDAVIT CONTINUATION

FROM SECTION 2 \_\_\_\_\_

PAGE 2 OF 3 \_\_\_\_\_

██████ then stated, "if you call the cops, I have no problem shooting at cops, I will fucking kill a cop." "If that fucking cop comes back here, I will hold you at gun point and we both will die." ██████ stated she felt he was going to shoot her. ██████ made a movement towards his waistband and she screamed at him "no." ██████ eventually got back into the car, fearing if she did not cooperate, things would get worse. ██████ sat in the back seat and they drove home. ██████ stated ██████ slept downstairs and she stayed in the upstairs bedroom by herself, staying up all night in fear.

██████ showed injuries to her arms she sustained from ██████ grabbing her. She showed a photograph of her pants displaying the stains and tears. These photographs were copied and submitted into evidence. ██████ also provided a screen shot of text messages she received from ██████ 09/03/2021 at 1423 hours; "sorry for being the piece of trash you always feared." 09/03/20021 at 1731 hours; "Look I love you beyond anything. I'm completely wrong, and I hate myself for it. I'm sorry for everything. I wish yesterday didn't go like that."

██████ texted:

"you had me screaming, crying, and begging you to let me go and you didn't and you pushed me down more then you told me you were going to hold me at gun point if I called the cops so that they would shoot you and that you had no problem shooting the first cop that got there and then said you would kill yourself right there and reached for your gun. How do you expect me to forgive that?"

██████ replied;

"I don't expect you to forgive a lot of things. I wish I never was that way last night."

The photographs of the text messages and the injuries were submitted into evidence.

████████████████████ completed a written statement and indicated that she wished to pursue charges against ██████████

Using an iPhone app ██████ shares with ██████ she was able to see his current location. ██████ was found to be at his friend's apartment located at 500 Jimmy Ann Drive, Daytona Beach, ██████ Sgt. Bello along with other deputies made contact with ██████ and placed him into custody without incident. ██████ was transported to the District Four officer where Sgt. Paul read him his Miranda warnings from a VSO Miranda card. ██████ agreed to answer questions without an attorney present.

██████ stated, he and ██████ began to argue after he had run a red light coming home from the Ocean Breeze. ██████ stated he let ██████ out of the vehicle and they continued to argue. ██████ stated ██████ walked off and he followed her, telling her to get back into the car. ██████ admitted to grabbing ahold of ██████ by the pants. ██████ admitted he held ██████ for the purpose of stopping her from leaving. ██████ admitted ██████ did not want him to touch her and yet he grabbed her against her will. ██████ denied making any threatening statements regarding his gun and shooting the police. When asked where his handgun was, ██████ stated he left it at his friend's house where he was just taken into custody.

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:

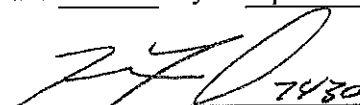
Quantity <u>1</u>	Type <u>Glock 45</u>	Location <u>VSO Evidence / Daytona Bch</u>
Quantity <u>1</u>	Type <u>Sig P365</u>	Location <u>VSO Evidence / Daytona Bch</u>
Quantity <u>31</u>	Type <u>9mm Ammo</u>	Location <u>VSO Evidence / Daytona Bch</u>
Quantity <u>1</u>	Type <u>Glock Mag</u>	Location <u>VSO Evidence / Daytona Bch</u>
Quantity <u>1</u>	Type <u>Sig Mag</u>	Location <u>VSO Evidence / Daytona Bch</u>
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: 09/04/2021 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 4th day of September, 2021, by Sgt. J. Paul #8070  
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)