

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

VSO Case Number
22-7771

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* Deputy Sara Peas, 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:

BWC RECORDING On 04/20/2022, at approximately 1200 hours, deputies responded to La Costa Village, 1275 La Costa Village Blvd, Port Orange, for a suicidal person. Property manager, _____ (R1), advised a resident, _____ (V1), had made a threat to harm himself. Deputy Peas arrived on scene and met with _____ advised _____ had come into the office with his service dog and told _____ that his doctors wanted to admit him to a psych ward ...

3 Additional pages are attached.

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

_____ advised _____ came into the office of La Costa Village and advised his doctor was wanting to have him check into a psych ward. _____ advised _____ told her he was having a problem and pointed at his head. _____ advised _____ told her he was going to go home, get his gun, and kill himself. _____ advised _____ was calm during the conversation. _____ provided a sworn written statement.

1 Additional pages are attached.

AFFIDAVIT CONTINUATION

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_____ advised _____ pointed to his head and said he had been having problems. _____ advised _____ told her he was going to go home, get his gun, and kill himself. _____ advised _____ demeanor was very calm during the conversation before he exited the office area. _____ provided a written statement and a sworn oral statement captured on BWC.

_____ advised _____ lives at _____, Port Orange, with his wife, _____ (OI). _____ advised _____ has a disability of some kind and was not able to provide any further details on it. _____ provided a contact number for both _____ and _____ as well as emergency contact information. _____ advised _____ had never acted in this manner before and had not received any complaints about him being violent. _____ advised the only complaints she has received about _____ was he acted "weird".

After speaking with _____ deputies responded to the residence, _____, Port Orange. Deputies set up a perimeter and attempted to make contact with _____ and _____ via phone. While attempting to make phone contact, a VSO drone was brought in and made announcements for _____ to exit the residence. After multiple attempts to reach _____ and _____ deputies were able to make phone contact with _____ who willingly exited his home and began speaking with deputies.

_____ advised he had been having mental health issues as well as physical health issues. _____ advised he had been under a large amount of stress due to housing accommodations for his service dog. _____ advised sometimes he thought it would be easier to just get a gun and end his life. _____ made the statement of "I'll just get a gun and blow my brains out" in the presence of Deputy Peas. _____ advised he does have firearms. _____ advised one was a .357 Magnum that was in a shed outside. _____ did not advise how many other firearms he had at the time. During the interaction, _____ was cooperative with deputies.

After speaking with _____ deputies spoke with _____ _____ advised all the firearms were secured in a safe and _____ did not have the combination to the safe. _____ did not elaborate on how many firearms were in the safe or where the safe was located inside the residence. Deputy Peas did not observe any firearms in plain view inside the residence. Deputy Peas did not collect any firearms while on scene ...

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An FCIC/NCIC check of _____ yielded negative results for a concealed weapons permit or a criminal history.

Through Deputy Peas' investigation it was determined there would be a substantial likelihood that without the proper care or treatment, _____ would likely cause serious bodily harm to himself. _____ was taken into protective custody under the Baker Act and was later transported Halifax Hospital for treatment.

Due to the statements made by _____ and the access to firearms at the residence, a risk protection order was completed by Deputy Peas and forwarded to Volusia Sheriff's Office Legal Advisor.

CASE STATUS: ACTIVE / PENDING LEGAL ADVISOR.

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>.357</u> | Type | <u>Magnum</u> | Location | <u>[REDACTED]</u> |
| Quantity | <u>Unknown</u> | Type | <u>Unknown</u> | Location | <u>[REDACTED]</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: 04/21/2022 Signature of Affiant: *Sara Peas # 94109*

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 21 day of April, 2022, by Deputy Sara Peas
Affiant's name

[Signature]
Signature of Attesting LEO Witness

Deputy Michael Asby
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)