

**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 230005838
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**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I, *{full legal name}* \_\_\_\_\_ JACOB FRANKLIN \_\_\_\_\_, in my position as *{job title}* \_\_\_\_\_ DEPUTY \_\_\_\_\_ 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}* \_\_\_\_\_ 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 03/26/2023, at 1040 hours, Deputy Franklin was dispatched to a suicidal male, located at _____ Deltona. Upon arrival, Deputies contacted _____ (R1) who advised her husband, _____ (O1) was making suicidal statements and mentioned using a firearm.
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\_\_\_\_ 1 \_\_\_\_ Additional pages are attached.

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

_____ MADE LAW ENFORCEMENT AWARE _____ WAS MAKING SUICIDAL STATEMENTS AND THREATENING TO USE A FIREARM. _____ FURTHER INFORMED DEPUTIES _____ HAS ACCESS TO FIREARMS AND FREQUENTLY ABUSES ALCOHOL.
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\_\_\_\_ 0 \_\_\_\_ Additional pages are attached.

**AFFIDAVIT CONTINUATION**

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\_\_\_\_\_ stated that earlier in the morning \_\_\_\_\_ made statements to her that he was going to shoot himself in the head because he was being divorced by \_\_\_\_\_. \_\_\_\_\_ stated \_\_\_\_\_ had multiple firearms secured in a gun safe in the garage and an unsecured firearm on his nightstand in their bedroom. \_\_\_\_\_ had a well founded fear that \_\_\_\_\_ was going to carry out the suicidal act. \_\_\_\_\_ advised that \_\_\_\_\_ was on the back porch of the residence talking to an unknown person on the phone at the time of deputies arrival.

\_\_\_\_\_ was able to view the residences security camera footage which was able to live view \_\_\_\_\_ on the back porch. Due to the quality of the surveillance camera footage, deputies were unable to determine if \_\_\_\_\_ had immediate access to his firearms. Sergeant Hachenberger made multiple PA announcements over the loud speaker of a patrol vehicle in an attempt to have \_\_\_\_\_ exit the residence unarmed. After multiple announcements \_\_\_\_\_ complied and laid face down on the floor of the back porch. Deputies made entry into the residence and were able to visibly see that \_\_\_\_\_ was unarmed. \_\_\_\_\_ was then placed into protective custody under the Baker Act.

Upon speaking with \_\_\_\_\_ it was apparent he was under the influence of alcohol due to his slurred speech and staggered gait. On the ground near where \_\_\_\_\_ was laying was an empty 750ml bottle of vodka. Upon asking \_\_\_\_\_ what was going on, he became belligerent and asked for a lawyer multiple times.

\_\_\_\_\_ was then transported to the SMA Chet Bell Crisis Center where he was turned over to medical personnel for further mental evaluation.

\_\_\_\_\_ willingly turned over all firearms and ammunition at the residence to deputies. Deputies on scene collected 11 firearms and 2651 rounds of ammunition. Deputy Franklin completed a risk protection order for \_\_\_\_\_ and later submitted it to the RPO submissions.

Deputy Franklin later transported all the aforementioned firearms and ammunition to the Volusia Sheriff's Office Evidence facility.

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**AFFIDAVIT CONTINUATION**

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It should be lastly noted, [REDACTED] stated to deputies [REDACTED] told her "you better get out of here for your safety". [REDACTED] stated she took that statement as a credible threat due to her knowledge of [REDACTED]'s access to firearms and feared for her safety.

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>5</u>	Type	<u>HANGUNS</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>6</u>	Type	<u>RIFLES</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>120</u>	Type	<u>7MM</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>180</u>	Type	<u>243MM</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>223</u>	Type	<u>556MM</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>188</u>	Type	<u>9MM</u>	Location	<u>VSO EVIDENCE</u>

1 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: 03/26/2023 Signature of Affiant: 

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 26 day of March, 2023, by JACOB FRANKLIN  
Affiant's name

  
Signature of Attesting LEO Witness

TIFFANY KAGLE  
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)

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Quantity	<u>200</u>	Type	<u>38 SPECIAL</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>158</u>	Type	<u>357 MAGNUM</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>517</u>	Type	<u>45 CAL</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>897</u>	Type	<u>22 CAL</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>158</u>	Type	<u>12 GAUGE</u>	Location	<u>VSO EVIDENCE</u>
Quantity	<u>5</u>	Type	<u>RIFLE MAGS</u>	Location	<u>VSO EVIDENCE</u>

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TIFFANY KAGLE  
Print name of Attesting LEO Witness

OR

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Signature of Notary Public

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(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known or Produced Identification

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