

**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 230008310

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, *{full legal name}* BORIS RODRIGUEZ, 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:

On 05/01/2023 at approximately 1953 hours Deputies responded to the _____ _____ Deltona in reference to a disturbance involving a firearm. Upon arrival Deputy Rodriguez spoke to _____ (D1), who stated the following: _____ came home and was approached by _____ (V1), who was carrying a hammer in his hand. _____ stated he did not feel threatened by _____ or the
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1 Additional pages are attached.

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

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 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1
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presence of the hammer. ██████ began to yell at ██████ about speeding and driving recklessly in the neighborhood. ██████ stated he then got his firearm out of his car and handed it to his wife ██████ (D2). ██████ stated he did not want any problems.

Deputy Rodriguez then spoke to ██████ (V2), who stated the following: ██████ saw a Red Mustang traveling at a high rate of speed traveling down Gramercy Dr. ██████ went to confront the driver and before arriving at the residence saw her neighbor ██████ coming from the address stating stop following me with your dog and gun in your pocket. ██████ then interjected to speak with ██████ and ██████ and ██████ then got into ██████'s face and asked what she was going to do about it. ██████ and ██████ then began to chest bump ██████. ██████ showed Deputy Rodriguez a digital video of the incident. The video corroborated ██████'s accounts of the events and revealed ██████ carrying a firearm in her left hand that was not secured in a holster or case. ██████ provided a sworn written statement, wished to keep her information private per Marsy's Law, and wished to pursue criminal charges.

Deputy Rodriguez then spoke to ██████ who stated the following: ██████ was wood working when he saw a Red Mustang speeding and driving recklessly through the neighborhood. ██████ approached ██████ admitted to having the hammer in his hand but stated he did not bring it as a weapon. ██████ stated upon approaching ██████ ██████ released his dog who then ran at ██████ and began to bark aggressively. ██████ was in fear and raised his hammer at the dog. ██████ then told ██████ to not touch his dog and removed a Black semi auto pistol out of his car and pointed it at ██████. ██████ was in fear for his life as ██████ pointed his firearm at him. ██████ then attempted to retreat to his home. ██████ was followed by ██████ and ██████. ██████ allowed his dog to follow ██████. ██████ stated he looked back multiple times and saw ██████ following him while pointing the gun at him. ██████ then saw ██████ who confronted ██████ and ██████. ██████ and ██████ began to chest bump ██████ and ██████. ██████ provided a sworn written statement, wished to keep his information private per Marsy's law, and wished to pursue criminal charges,

Deputy Rodriguez read ██████ and ██████ their Miranda warnings from his agency issued card. ██████ and ██████ both refused to speak with Deputy Rodriguez.

████████ did inform Detective St John the Taurus G3C was located in the master bedroom on top of the dresser.

3. Affiant is is not aware of any existing protection order governing the respondent under any applicable statute.

_____ 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>Taurus g3C</u>	Location	<u>[REDACTED] Deltona</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

_____ 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: 05/02/2023

Signature of Affiant:  9/4/24

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

this 02 day of May, 2023, by D/S RODRIGUEZ
Affiant's name


Signature of Attesting LEO Witness

N. KAPTEN
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)