

**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
vp260012173

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} BEAU WESTFALL, 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:

SEE ATTACHED PAGES

3 Additional pages are attached.

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

SEE VSO REPORT

1 Additional pages are attached.

AFFIDAVIT CONTINUATIONFROM SECTION 1
PAGE 1 OF 2****BWC********Marsy's Law Invoked****

On June 7th, 2026, at approximately 0930 hours, Deputy Westfall (9306) responded to [REDACTED] Deltona in reference to a shooting.

Upon arrival, Deputy Westfall spoke with Deputy Nelson who had just spoken with [REDACTED] (V1) regarding the incident. Deputy Nelson explained that [REDACTED] did not know if he was shot at with a bb gun or an actual firearm, however [REDACTED] in front of Deputy Nelson checked his shirt and recovered metal fragments, which Deputy Nelson recovered and placed in a sealed bag.

Due to the possibility of an actual firearm being involved, Deputy Westfall then went to [REDACTED] Deltona where [REDACTED] stated the other male involved, later identified as [REDACTED] (S1) resides. Deputies utilized a PA System of a patrol vehicle and were able to have [REDACTED] exit his residence through the open garage, which he complied and was secured in handcuffs pending the investigation. [REDACTED] informed Deputies the weapon he had used was located inside of a black crossbody bag which he was wearing at the time he was secured.

Deputy Battista removed the firearm from [REDACTED] person and turned it over to Deputy Westfall who rendered it safe. Deputy Westfall noticed he was handed a Colt Detective Spec .38 special (serial#: F57330). As Deputy Westfall rendered the firearm safe, he removed four spent casings and two rounds from within the firearm. As Deputy Westfall removed the ammunitions, he smelt a strong odor of freshly burnt gun powder coming from the firearm. Deputy Westfall secured the firearm inside of a secured compartment of his patrol truck.

A FCIC/ NCIC return for the firearm's serial number F57330 was returned with no result.

Deputy Westfall returned to speak with [REDACTED] who explained he was inside of the residence and his two dogs were outside in the backyard, which is enclosed by a wooden privacy fence. [REDACTED] stated while he was cooking breakfast for himself and his family, he heard three loud bangs coming from outside of his residence, which he stated he believed may have been a tree branch breaking. [REDACTED] went outside to see what caused the noise, when he observed [REDACTED] standing in his front yard, away from his handicap motor scooter and appeared to have been brandishing a possible revolver. [REDACTED] stated he knows [REDACTED] to walk/ travel the neighborhood on his handicap scooter with his dog which he keeps off a leash. [REDACTED] stated [REDACTED] dog frequently goes into other individuals' yards in the neighborhood. [REDACTED] explained he began to yell at [REDACTED] due to his family being inside of the residence and believed [REDACTED] firing a firearm in the direction of the residence would possibly cause harm to his family. As [REDACTED] was yelling at [REDACTED] he stayed in the general area of the front door of his residence. [REDACTED] then went on to explain he heard a bang and crack and retreated inside of the residence and called 911. [REDACTED] completed a sworn written statement advising he wished to pursue charges and invoked Marsy's

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AFFIDAVIT CONTINUATION

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Law.

Deputy Santiago went to [REDACTED], Deltona and spoke with [REDACTED] (W1), who stated he was in his front yard about to start cutting the grass when he heard a loud pop, which he believed was a firework going off nearby and then heard what he believed was screaming children. [REDACTED] was inside of his residence when he looked out through the kitchen window and observed a male holding a revolver. [REDACTED] went to retrieve his animals from outside and heard approximately three shots. [REDACTED] completed a sworn written statement.

Deputy Westfall completed a neighborhood canvass around [REDACTED], which yielded multiple properties with video surveillance, however the cameras only record incidents on their respective properties.

Deputies observed a mark consistent with a gunshot on the side of the exterior garage wall, near the front door of [REDACTED]. Deputies placed crime scene tape around the property and maintained security of the crime scene.

Deputy Westfall requested a Criminal History for [REDACTED] which returned with no criminal history.

Sergeant Lococo was made aware of all the findings and notified the on-call weekend ISS supervisor, Sergeant Johnson, who stated Detectives and the VSO Crime Scene Unit would be arriving to the scene.

**** [REDACTED] was arrested for aggravated assault with a firearm and shooting into an occupied dwelling based on the investigation and evidence at the scene. ****

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

0 Known protection orders are attached

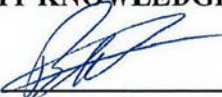
4. The quantities, types, and locations of all firearms and ammunition the petitioner believes to be in the respondent's current ownership, possession, custody or control are as follows:

Quantity	<u>1</u>	Type	<u>HANDGUN</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: 06/07/2026

Signature of Affiant:  93026

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 7TH day of June, 2026, by Deputy B. Westfall
Affiant's name

 9542
Signature of Attesting LEO Witness

S. Murphy
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)