

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

CITY OF ORLANDO,
Petitioner,

Case No. 2018-DR-3425-O

v.

Division: 40

CHRISTIAN VELASQUEZ,
Respondent.

**FINAL ORDER DENYING PETITION FOR RISK PROTECTION ORDER AND
DISSOLVING TEMPORARY EX PARTE RISK PROTECTION ORDER**


THIS CAUSE having come before the Court upon the Petition for Risk Protection Order filed March 16, 2018 by the City of Orlando, and the Court having reviewed the Petition and the file and heard argument from counsel at a hearing held April 02, 2018, and after due consideration, it is ORDERED and ADJUDGED as follows:

1. The City's Petition to extend the Temporary Ex Parte Protection Order into a permanent (12 month) Risk Protection Order pursuant to F.S. 794.401(8) is DENIED.
2. The Temporary Ex Parte Risk Protection Order entered by this Court on March 16, 2018 is DISSOLVED as of April 02, 2018, effectively immediately with oral pronouncement of the Court's ruling.
3. Respondent's Motion to Dismiss the Petition on Constitutional Grounds is DENIED.
4. The Court finds that the City/Petitioner did not meet its burden to prove by clear and convincing evidence that Respondent poses a "significant danger" requiring that a risk protection order be entered pursuant to the terms of F.S. 794.401(8).

5. Ultimately, after issuance of the Temporary Risk Protection Order, the City/Petitioner determined that the Respondent neither owned nor possessed any firearms that would have been subject to seizure or surrender under the Temporary Ex Parte Risk Protection Order. Petitioner is therefore not required to return any firearms to Respondent or provide further notice to household members pursuant to § 790.401(8), Fla. Stat.

6. The Court shall retain jurisdiction to enforce the terms of this Order.

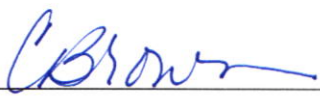
DONE and ORDERED in Chambers in Orlando, Orange County, Florida this 4th day of April, 2018, nunc pro tunc 2nd April 2018.



Honorable Bob LeBlanc, Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via hand delivery/electronic service/United States Postal Service this 4 day of April 2018 to Kendra Parris, 7065 Westpointe Blvd., Ste. 317, Orlando, FL 32835, info@parrislaw.org; Alexander Karden, P.O. Box 913, Orlando, FL 32802, alexander.karden@cityoforlando.net.



Judicial Assistant/~~Attorney~~