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IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR CITRUS COUNTY, FLORIDA

Detective Rachel Montgomery/CCSO
Petitioner (Law Enforcement/Agency),

v.

Case No.: 2018-MH-81

Division: _____

Kevin Dwayne Morgan
Respondent
_____ /

ORDER GRANTING TEMPORARY EX PARTE RISK PROTECTION

THIS CAUSE came before the Court upon [a hearing on] Petitioner's Petition for [Temporary Ex Parte] Risk Protection Order. The Court having reviewed the Petition, considered all relevant evidence presented, and being otherwise fully advised in the premises, the Petition is hereby GRANTED. The Court finds there is reasonable cause to believe the Respondent poses a significant danger of causing personal injury to himself/herself or others in the near future by having in his/her custody or control any firearm or ammunition, or by purchasing, possessing, or receiving, a firearm or ammunition.

The Court has received evidence [based on personal knowledge] [and initialed those facts found] that:

PMB The Respondent engaged in a recent act or threat of violence against himself or herself, or others;

PMB The Respondent engaged in an act or threat of violence, including but not limited to acts or threats of violence against himself or herself, within the past 12 months;

PMB The Respondent is seriously mentally ill or has recurring mental health issues;

_____ The Respondent has violated a risk protection order or no contact order issued under sections ~~741.30, 784.046, or 784.048~~ 784.0485, Florida Statutes;

ANGELA VICK
CLERK OF THE CIRCUIT COURT



AND COMPTROLLER
BY Angela Vick D.C.
THIS 12th DAY OF Sept 2018

18 SEP 18 4:07 PM

- The Respondent is the subject of a previous or existing risk protection order;
- The Respondent has violated a previous or existing risk protection order;
- The Respondent has been convicted of, had adjudication withheld on, or pled *nolo contendere* to a crime that constitutes domestic violence as defined in section 741.28, Florida Statutes, or in any other state;
- The Respondent has used, or threatened to use, against himself or herself or others, a weapon;
- The Respondent has unlawfully or recklessly used, displayed or brandished a firearm
- PMS The Respondent has used or threatened to use on a recurring basis physical force against another person, or has stalked another person;
- The Respondent has been arrested for, convicted of, had adjudication withheld, or pled *nolo contendere* to a crime involving violence or a threat of violence in Florida or in another state;
- The Respondent, based on corroborated evidence, has abused or is abusing controlled substances or alcohol;
- PMS The Respondent has recently acquired firearms or ammunition;

In addition, the Court has:

PMS Considered all relevant information from family and household members concerning Respondent;

PMS Received witness testimony while the witness was under oath concerning the present matter; and

PMS Considered other relevant evidence as follows:

- a sworn petition for an involuntary mental health examination executed by Joane Morgan in Citrus case number 2018-MH-78
- a sworn petition for protection alleging domestic violence per § 741.30 executed by Joane Morgan in Citrus case 2018-DR-1313

Respondent owns, has, and/or is known to have guns or other weapons, including:

- Estimated 10-15 handguns
- Estimated 50-60 long rifles
- Ammunition in large quantities

RESPONDENT IS HEREBY ORDERED TO SURRENDER ALL FIREARMS AND AMMUNITION THAT HE/~~SHE~~ HAS IN HIS/~~HER~~ CUSTODY, CONTROL OR POSSESSION.

The Final Risk Protection Order Hearing is hereby scheduled in Courtroom C in the court facility located at: 110 N. Apopka Ave. Inverness FL 34450 on September 25 20 18 at 9:00 (A.M.) P.M This hearing shall be to determine if a final risk protection order should be issued.

To the subject of this protection order: This order is valid until the date noted above. You are required to surrender all firearms and ammunition that you own in your custody, control, or possession. You may not have in your custody or control, or purchase, possess, receive, or attempt to purchase or receive, a firearm or ammunition while this order is in effect. You must surrender immediately to the Citrus County Sheriff's Office all firearms and ammunition in your custody, control, or possession and any (AC) license to carry a concealed weapon or firearm issued to you under section 790.06, Florida Statutes. A hearing will be held on the date and at the time noted above to determine if a risk protection order should be issued. Failure to appear at that hearing may result in a court issuing an order against you which is valid (AC). You may seek the advice of an attorney as to any matter connected with this order.

Respondent and/or his/~~her~~ attorney may file any responsive pleadings in this cause with the Clerk K of the Circuit Court located 110 N Apopka Avenue Inverness, FL 34452 and must submit a copy to the Honorable Peter A. Brigham located at 110 N Apopka Avenue Inverness, FL 34452 (AC)

A violation of this order constitutes a third degree felony punishable by up to 5 years in prison and a \$5,000 fine. Respondent has the sole responsibility to refrain from violating this order's provision. Only a court can change the order and only upon written request.

DONE and ORDERED in Chambers, Inverness, Citrus County, Florida, this
16 day of September, 2018.



Judge

Copies furnished to:
Petitioner
Respondent
Florida Department of Agriculture and Consumer Services

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the clerk of the circuit court of Citrus County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

By: 

Print name: Stephanie Harris
[Name of deputy clerk]
[SEAL]



ACKNOWLEDGMENT

I, _____ acknowledge receipt of a certified copy of this Order Granting
Temporary Ex Parte Risk Protection.

[Name of petitioner]

I, _____ acknowledge receipt of a certified copy of this Order Granting
Temporary Ex Parte Risk Protection.

[Name of Respondent]

REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES. If you are a person with a disability who needs accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact ADA Coordinator at the Office of the Trial Court Administrator, Citrus County Court House,

_____ (Address) and

_____ (Phone Number), at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR CITRUS COUNTY, FLORIDA

Detective Rachel Montgomery/CCSO
Petitioner (Law Enforcement
Officer/Agency)

v.

Case No.: 2018 MH 81

Division: _____

Kevin Dwayne Morgan
Respondent

PETITION FOR TEMPORARY EX PARTE RISK PROTECTION ORDER
OR RISK PROTECTION ORDER

SECTION I. PETITIONER

1. Petitioner's full legal name or name of petitioning agency Detective Rachel Montgomery/CCSO
2. Petitioner's law enforcement office/agency is located at { street address, city, state and zip code}: 1 Dr. Martin Luther King Jr. Avenue Inverness, FL 34450

SECTION II. RESPONDENT

1. Respondent's full name: Kevin Dwayne Morgan
2. Respondent's current address: { street address, city state, and zip code }
[REDACTED]
3. Physical description of Respondent:
Race: White Sex: Male Male Female: _____ DOB: 14-Feb-75
Height: 5'11" Weight: 220 Eye Color: Blue Hair Color: Brown
4. Distinguishing marks or scars: Large scar on left side of neck
5. Vehicle: {make/model} Ford F-150 Color: Bronze Tag Num. 787TEF (FL)
6. Other names Respondent goes by: aliases or nicknames } n/a
7. Respondent's email address: (if known) unknown
8. Respondent's Driver's license number: (if known) [REDACTED]
9. Respondent's attorney's name, address, and telephone number: {if known}
John M. Blackstone (352)794-0222
7655 W Gulf to Lake Highway Crystal River, FL 34429

- _____ has used, or threatened to use, against himself/herself or others, any weapons
_____ has unlawfully or recklessly used, displayed or brandished a firearm;
_____ has used or threatened to use on a recurring basis physical force against another person
or has stalked another person;
_____ has been arrested for, convicted of, had adjudication withheld, or pled *nolo contendere*
to a crime involving violence or a threat of violence in Florida or in any other state;
 _____ has recently acquired firearms or ammunition;
 _____ other (Additional relevant information may be attached).

SECTION IV. NOTICE

- _____ Petitioner has made a good faith effort to provide notice to a family or household
member of the Respondent and to any known third party who may be at risk of violence
in compliance with F.S. 790.401(2)(f).
_____ Petitioner will take the following steps to provide notice as required by F.S. 790.401(2)(f)
-

SECTION V. TEMPORARY EX PARTE RISK PROTECTION ORDER

For the foregoing reasons, petitioner requests the Court to enter a TEMPORARY EX PARTE
RISK PROTECTION ORDER in this matter requiring Respondent to:

1. Immediately surrender all firearms and ammunition in his or her custody, control, or
possession and any license to carry a concealed weapon or firearm to the *(name of law
enforcement agency)*; Citrus County Sheriff's Office
2. Not have in his/her custody, control, or possession any firearm or ammunition while this
order is in effect;
3. Not purchase, possess, receive, or attempt to purchase or receive, a firearm or
ammunition while this order is in effect; and

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR CITRUS COUNTY, FLORIDA

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST *{Name of Respondent}* Kevin Dewayne Morgan

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF CITRUS

I, *{full legal name}* Detective Rachel Ann Montgomery in my position as *{job title}* Domestic Violence Detective with the *{name of the law enforcement office/agency}* Citrus County Sheriff's Office, swear and affirm that the following facts are true and correct.

1. *{Name of Respondent}* Kevin Dewayne Morgan 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 significant dangerous acts by the respondent.

The Citrus County Sheriff's Office became aware of an alleged violation of injunction for protection against domestic violence. The respondent, Kevin Dewayne Morgan, was alleged to have entered a protected residence located at [REDACTED] and retrieved various items from the residence. These items included a silver Ford Mustang registered to the respondent, various clothing, medications, and several firearms. During this investigation, it was discovered that the victim/petitioner had filed for an injunction for protection against domestic violence as well as an ex-parte order for baker act. The alleged facts listed in both affidavits indicate that the respondent has had a decline in mental stability over the last four months. In this time, the respondent has displayed erratic behaviors to include making threats to dismember a former paramour and threats to kill his entire family while yielding a vial containing a paralytic agent. Additionally, the respondent has purchased several firearms and ammunition during this time period.

 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.

Date: 18-Sep-18

Signature of Affiant Rachel Montgomery

Sworn to or affirmed and signed before me on 9/18/18 by Rachel Montgomery
who is personally known to me or _____ presented _____
as identification.

Sheri Moeckel
Notary Public, State of Florida
My commission expires: 7/4/19

