

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Outback Shooting Range, LLC, The Outback Shooting Range, The 6019 Simmons Rd. Ash, NC 28420, BRUNSWICK	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 763050-2018-0126-B1B		
	3. PERMIT/LICENSE NUMBER 156019010A05863	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator (b)(6) - Assigned Investigator
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7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 12/12/2017
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8. PURPOSE/SPECIAL INSTRUCTIONS Conduct a full-scope compliance inspection.
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9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	8	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	70	NO. OF TECS HITS		2112 - P.O.A.
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.

11. ATF OFFICER'S RECOMMENDATION Submitted by (b)(6) - Industry Operations Investigator  Submitted on: 02/16/2018 Violations Warning Letter Only and Recall Inspection
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A Report of Violations was issued and a Warning Letter is recommended in lieu of a Warning Conference. Current inspection results disclosed the failure to conduct NICS checks on long gun transfers which warrant a Warning Conference. However, a Warning Letter and Recall Inspection are recommended due to the following: (1) the licensee's failure to conduct NICS checks was not a willful disregard of law, but a misunderstanding of law; (2) the licensee's records are consistent with Mr. Evans' statements that he, from the inception of his license, did not realize that NICS checks were a requirement for long gun transfers in the absence of a NC CHP/PP; there was no evidence that Mr. Evans had been conducting NICS checks on long gun transfers and abruptly stopped doing them; (3) if not for the failure to conduct a NICS checks, the recommendation would result in a Warning Letter; (4) when the error was brought to his attention, Mr. Evans took immediate action by informing his volunteers that NICS checks were required on long gun transfers in the absence of a NC CHP/PP; and (5) Mr. Evans stated he would fully comply with conducting proper transfers as he realized the consequence of not doing so, including the potential risk to public safety and placing his license in jeopardy. Mr. Evans was counseled throughout the entire onsite compliance as the improper long gun transfers were disclosed, and Mr. Evans was compliant with ATF personnel's request for information on the transfers. It should also be noted that none of the purchasers were prohibited, and most were local residents and Outback Shooting range members known by Mr. Evans or his volunteers

Note: FLS needs to be updated with the following hours of operations: Monday, Tuesday, Wednesday, Thursday and Friday from 11am to 7pm; Saturday from 1pm to 7pm; and Sunday CLOSED.

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
JAN 2018	49.50		
FEB 2018	66.50		
ATF OFFICER'S SUBTOTAL	116.00	ATF OFFICER'S SIGNATURE	

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Outback Shooting Range, LLC, The Outback Shooting Range, The 6019 Simmons Rd. Ash, NC 28420, BRUNSWICK	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 763050-2018-0126-B1B		
	3. PERMIT/LICENSE NUMBER 156019010A05863	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

### 12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
JAN 2018	16.50
ATF OFFICER'S SUBTOTAL	16.50
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	132.50

### 13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION  
Viols WL ONLY and Recall Inspection

☒ REVIEWED    ☒ CONCUR    ☐ SEE COMMENTS    ☐ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 03/06/2018
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REVIEW COMMENTS AND RECOMMENDATION  
Viols WL ONLY and Recall Inspection

DIO concurs with the alternate recommendation for a warning letter in lieu of a warning conference.

☒ REVIEWED    ☒ CONCUR    ☐ SEE COMMENTS    ☒ FINAL DISPOSITION

SIGNATURE AND TITLE SBALBRO - Director of Industry Operations	REVIEW DATE 03/08/2018
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### ROUTING SEQUENCE AND DATE

- ☐ 1. \_\_\_\_\_  
☒ 2. \_\_\_\_\_  
☐ 3. \_\_\_\_\_  
☐ 4. \_\_\_\_\_

CONTROL FILE POSTED DATE 3/08/2018

## Report of Violations

### Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Outback Shooting Range, LLC, The Outback Shooting Range, The	Street Address 6019 Simmons Rd.	City Ash	State NC	Zip Code 28420-	County BRUNSWICK	Page 1 of 5 Pages
License/Permit/Registry Number (If any) 156019010A05863	Expiration Date 1/1/2020	Date(s) or Period of Inspection 03/08/2011 through 02/11/2018				

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

#### Nature of Violation:

In (b)(3) 112 instances, the licensee failed to correctly or completely record the receipt or disposition of a firearm.

(b)(3) 112 Public Law 55 125 STAT 552

Date Corrections to be Made: 02/06/2018

(If not corrected immediately)

Corrective Action to be Taken: The licensee will correct the A&D record by entering the missing acquisition and disposition information.

(If not corrected immediately)

Citation: 27 CFR 478.125(e)

Number: 2

#### Nature of Violation:

In (b)(3) 112 instances, the licensee conducted an in-state transfer in violation of state law which requires the purchaser provide a firearms purchase permit or proof of a concealed handgun permit in the transfer of a handgun.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Violation is uncorrectable. Preventative measures were discussed.

(If not corrected immediately)

Citation: 27 CFR 478.99(b)

## Report of Violations

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Name of Proprietor Outback Shooting Range, LLC, The Outback Shooting Range, The	Street Address 6019 Simmons Rd.	City Ash	State NC	Zip Code 28420-	County BRUNSWICK	Page 2 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 156019010A05863		Expiration Date 1/1/2020	Date(s) or Period of Inspection 03/08/2011 through 02/11/2018			

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 3

**Nature of Violation:**

In 39 instances, the licensee failed to conduct a NICS check prior to the transfer of a firearm.  
(See ROV attachment)

Citation: 27 CFR 478.102(a)

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

Violation is uncorrectable. Preventative measures were discussed.

Number: 4

**Nature of Violation:**

In 10 instances, the licensee failed to completely or accurately record required information on the ATF F 4473. (See ROV attachment)

Citation: 27 CFR 478.21(a)

**Date Corrections to be Made:** 02/12/2018

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

The licensee will make corrections to a copy of the ATF F 4473 and attach said copy to the original ATF F 4473 (except for Item 10a (ethnicity) which cannot be corrected by the licensee). Moving forward, the licensee will ensure the ATF F 4473 is completed fully and accurately.



## Report of Violations

### Instructions

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Name of Proprietor Outback Shooting Range, LLC, The Outback Shooting Range, The	Street Address 6019 Simmons Rd.	City Ash	State NC	Zip Code 28420-	County BRUNSWICK	Page 3 of 5 Pages
License/Permit/Registry Number (If any) 156019010A05863	Expiration Date 1/1/2020	Date(s) or Period of Inspection 03/08/2011 through 02/11/2018				

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 5

#### Nature of Violation:

In (b)(3) 112 instances, the licensee failed to completely or accurately record one or more of the following on the ATF F 4473, Section D.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Citation: 27 CFR 478.124(c)(4)

Date Corrections to be Made: 02/12/2018  
(If not corrected immediately)

Corrective Action to be Taken: The licensee will make corrections to a copy of the ATF F 4473 and attach said copy to the original ATF F 4473.  
(If not corrected immediately) Moving forward, the licensee will ensure the ATF F 4473 is completed fully and accurately.

Number: 6

#### Nature of Violation:

In (b)(3) 112 P instances, the licensee failed to completely or accurately record the firearm transfer date and/or sign the ATF F 4473.

(b)(6)

Date Corrections to be Made: 02/12/2018  
(If not corrected immediately)

Corrective Action to be Taken: The licensee will make corrections to a copy of the ATF F 4473 and attach said copy to the original form. Moving forward, the licensee will ensure the ATF F 4473 is completed fully and accurately.  
(If not corrected immediately)

## Report of Violations

### Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Outback Shooting Range, LLC, The Outback Shooting Range, The	Street Address 6019 Simmons Rd.	City Ash	State NC	Zip Code 28420-	County BRUNSWICK	Page 4 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 156019010A05863		Expiration Date 1/1/2020	Date(s) or Period of Inspection 03/08/2011 through 02/11/2018			

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

**Citation:** 27 CFR 478.124(c)(5)

**Number:** 7

**Nature of Violation:**

In <sup>(b)(3) 112</sup> instances, the licensee failed to verify the buyer's identifying information.

**(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)**

\*The licensee attached copies of the NCDL but did not record the identifying information on the ATF F 4473.

**Citation:** 27 CFR 478.124(c)(3)(i)

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:** For instances <sup>(b)(3) 112 Public La</sup> the violations are uncorrectable.

*(If not corrected immediately)* Preventative measures were discussed. For instances <sup>(b)(3) 112 Publi</sup> the licensee will make corrections to ATF F 4473 and attach said copy to the original.



## Report of Violations

### Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Outback Shooting Range, LLC, The Outback Shooting Range, The	Street Address 6019 Simmons Rd.	City Ash	State NC	Zip Code 28420-	County BRUNSWICK	Page 5 of 5 Pages
License/Permit/Registry Number (If any) 156019010A05863	Expiration Date 1/1/2020	Date(s) or Period of Inspection 03/08/2011 through 02/11/2018				

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 8

#### Nature of Violation:

In <sup>(b)(6)</sup> instances, the licensee failed to ensure the ATF F 4473, Section A, was correctly completed by the purchaser. (See ROV attachment)

Date Corrections to be Made:  
(If not corrected immediately)

Corrective Action to be Taken:  
(If not corrected immediately)

Violation is uncorrectable. Preventative measures were discussed. Moving forward, the licensee will ensure the buyer completes the ATF F 4473 fully and accurately prior to transferring the firearm.

Citation: 27 CFR 478.124(c)(1)

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)

*x Boyd Ray Evans*

Date

2/5/18

Signature and Title of ATF Officer

(b)(6)

FO Investigator

Date

2/5/18

ROV Attachment – Outback Shooting Range, LLC, The dba Outback Shooting Range, The

**27 CFR 478.102(a)** In 39 instances, the licensee failed to conduct a NICS check prior to the transfer of a firearm.

**(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)**






27 CFR 478.21(a) In <sup>(b)(3) 11</sup> instances, the licensee failed to completely or accurately record required information on the ATF F 4473.

**(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)**



(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)



27 CFR 478.124(c)(1) In  instances, the licensee failed to ensure the ATF F 4473, Section A, was correctly completed by the purchaser.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)



(b)(6)

(b)(6)

*ID Investigator 2/5/18*

*2/5/18*

# FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

**Premises Address:** 6019 Simmons Road  
Ash, NC 28420 BRUNSWICK

**Phone:** 910-287-4867

**Hours:** Monday, Tuesday, Wednesday, Thursday, Friday 11am-7pm  
Saturday 1pm-7pm  
Sunday CLOSED

## 1 - Introduction

### Inspection Profile:

On 1/23/2018, Industry Operations Investigator (IOI) (b)(6) commenced a compliance inspection of FFL Outback Shooting Range, LLC, The d/b/a Outback Shooting Range, The. IOI (b)(6) met with Responsible Person (RP) Boyd "Ray" Evans. Mr. Evan's identification was verified by his (b)(6) (b)(6). The inspection period was 3/8/2011 to 1/22/2018. The inspection period was extended to the licensee's first date of acquisition due to the number of improper transfers that were disclosed. The scope of the inspection was 1/23/2018 to 1/25/2018. Advance notification was not given. IOI (b)(6) assisted on 1/24 and 1/25/2018.

### Business Profile:

The licensee sells new and used GCA firearms at a private, indoor shooting range which it leases. Mr. Evans and four part-time volunteers handle the daily operations and firearms sales. Mr. Evans generally works the later hours of the day while the volunteers work the morning shifts. Volunteers are awarded free access to the range. Firearms are primarily procured from (b)(4) (b)(4). The licensee does not participate in gun show sales. The licensee frequently conducts internet transfers for a fee but seldom conducts internet sales via third party sites. No other business is conducted on the premises. The licensee does not conduct law enforcement transfers. The licensee does not conduct black powder sales. No other ATF licenses are required. The licensee meets all of the current zoning and privilege license requirements. There is no off-site storage of firearms. The licensee utilizes a gun safe, which is stored in a storage room near the lobby. The licensee does not have any type of alarm system. Metal bars are in place on all windows. Cameras are in place but were not functioning at the time of inspection.

# FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

During the scope of the inspection, the licensee acquired (b)(4) firearms and disposed of (b)(4) firearms. Approximately (b)(4) of firearms acquired and disposed of were new firearms.

## **Ownership and Control:**

The Outback Shooting Range, LLC is still an active limited liability company formed 8/9/2010, according to the North Carolina Department of the Secretary of State website. FLS accurately lists Mr. Evans and wife Lorrie Evans as the only two RPs. There have been no changes in control and no RPs have been added or removed. There is no hidden ownership suspected.

## **Variance:**

The licensee does not currently have approved variances, and no variances were requested as a result of this inspection.

## **2 - Recommendation**

Violations Warning Letter Only and Recall Inspection

A Report of Violations was issued and a Warning Letter is recommended in lieu of a Warning Conference. Current inspection results disclosed the failure to conduct NICS checks on long gun transfers which warrant a Warning Conference. However, a Warning Letter and Recall Inspection are recommended due to the following: (1) the licensee's failure to conduct NICS checks was not a willful disregard of law, but a misunderstanding of law; (2) the licensee's records are consistent with Mr. Evans' statements that he, from the inception of his license, did not realize that NICS checks were a requirement for long gun transfers in the absence of a NC CHP/PP; there was no evidence that Mr. Evans had been conducting NICS checks on long gun transfers and abruptly stopped doing them; (3) if not for the failure to conduct a NICS checks, the recommendation would result in a Warning Letter; (4) when the error was brought to his attention, Mr. Evans took immediate action by informing his volunteers that NICS checks were required on long gun transfers in the absence of a NC CHP/PP; and (5) Mr. Evans stated he would fully comply with conducting proper transfers as he realized the consequence of not doing so, including the potential risk to public safety and placing his license in jeopardy. Mr. Evans was counseled throughout the entire onsite compliance as the improper long gun transfers were disclosed, and Mr. Evans was compliant with ATF personnel's request for information on the transfers. It should also be noted that none of the purchasers were prohibited, and most were local residents and Outback Shooting range members known by Mr. Evans or his volunteers.

Note: FLS needs to be updated with the following hours of operations: Monday, Tuesday, Wednesday, Thursday and Friday from 11am to 7pm; Saturday from 1pm to 7pm; and Sunday CLOSED.



# FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

## 3 - Inspection History

**Date and Type of Inspection:** 12/22/2010, Qualification Inspection by IOI [REDACTED]  
**UI#:** 763050-2011-0128  
**Inspection Results:** Approve Application  
**Cited Violations:** n/a

## 4 - Acquisition & Disposition (A&D) Record - Inventory

The licensee maintains a paper A&D log book which is its official record book. The licensee acquired a total of [REDACTED] firearms and disposed of [REDACTED] during the inspection period. A full inventory was conducted and it disclosed that the licensee had nine (9) firearms in inventory and [REDACTED] open entries in the A&D record book. Reconciliation was not required.

The review also disclosed that in [REDACTED] instances the licensee failed to record the receipt and/or disposition information in a correct or timely manner (Exhibit 1).

No theft or loss report was submitted during the inspection period or as a result of this inspection. A total of zero firearms were traced through the licensee's required records. A total of zero firearms with obliterated serial numbers and illegal firearms were discovered. No referrals were made. The Licensee has not implemented a standard operating procedure regarding the licensee's A&D record and inventory. However, Mr. Evans generally enters the A&D log information for all firearms on the date of receipt or disposition of the firearm.

Reference Worksheet 1 and **Exhibit 1**

## 5 - ATF Forms 4473 – NICS & Other Dispositions

A total of [REDACTED] version 2012 and 2016 ATF Forms 4473 were reviewed in addition to [REDACTED] version 2008 forms for a total of [REDACTED] ATF Forms 4473 reviewed for the inspection period.\* Mr. Evans uses telephonic NICS checks exclusively. Mr. Evans is solely responsible for checking the ATF F 4473s. A review of all [REDACTED] forms disclosed the following:

- In [REDACTED] instances, the licensee conducted an in-state transfer in violation of state law (**Exhibit 2**);
- In [REDACTED] instances, the licensee failed to conduct a NICS check prior to the transfer of a firearm (**Exhibit 3**);

## FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

- In (b)(1) instances, the licensee failed to completely or accurately record required information on the ATF F 4473 (**Exhibit 4**);
- In (b)(3)(1)(2)(F) instances, the licensee failed to completely or accurately record one or more of items in Section D (**Exhibit 5**);
- In (b)(3)(1)(2)(F)(b) instances, the licensee failed to completely or accurately record the firearm transfer date and/or sign the ATF F 4473 (**Exhibit 6**);
- In (b)(3)(1)(2) instances, the licensee failed to verify the buyer's identifying information (**Exhibit 7**); and
- In (b)(1) instances, the licensee failed to ensure the ATF F 4473, Section A, was correctly completed by the purchaser (**Exhibit 8**).

### Reference Worksheet 2, 3 and 4 and Exhibits 2 through 8

There is evidence that Mr. Evans was aware of how to conduct a NICS check, but not aware of when a NICS check was required. For example, on 4/29/2011, Mr. Evans called in a NICS check and recorded the NTN on the ATF F 4473 (although it was for a handgun in lieu of a CHP/PP, which was cited in this inspection). Subsequent handgun transfers show where Mr. Evans collected a CHP/PP and conducted a NICS check simultaneously. However, the records indicate that from the inception of firearms sales in 2011, Mr. Evans did not conduct NICS checks on long guns nor require the buyer present a CHP/PP. For those few long gun sales in which the licensee did record a CHP/PP on the ATF F 4473, Mr. Evans explained that he would record the CHP/PP if the buyer presented it, but he did not specifically require or ask the buyer to provide a CHP/PP.

When questioned about how an FFL should properly conduct the transfer of a handgun, Mr. Evans incorrectly stated the buyer had to complete the ATF F 4473 and provide a CHP/PP. When asked how to properly conduct the transfer of a long gun, Mr. Evans also incorrectly stated that the buyer had to complete the ATF F 4473 and provide a valid driver's license. IOI (b)(6) then asked Mr. Evans if he was not specifically aware that either a NICS check or NC CHP/PP was required in the transfer of a long gun. Mr. Evans responded that he was not aware of the requirement and reiterated that he believed that only the transferee's driver's license was required for long gun transfers. IOI (b)(6) informed Mr. Evans how to properly conduct long gun transfers as well as handgun transfers. Mr. Evans's demeanor and reaction was that of surprise and concern at realizing he had erroneously conducted long gun transfers for years. Mr. Evans stated he would immediately inform his volunteers how to properly conduct transfers. IOI (b)(6) provided her contact information for future reference.

Note: A query of all purchasers in which the licensee did not conduct a NICS check disclosed that those purchasers were NOT prohibited.

# FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
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\*Data from the Violation Summary of the worksheets were entered into NSpect, however this data does not include the version 2008 forms which could not be calculated into the Violation Summary statistics.

## 6 – Multiple Sales

The Violent Crime Gun Analysis Branch (VCAB) Trace History documents (b)(3) multiple sale (MHS) reports involving (b)(7)(F) firearms that were reported by the licensee for the inspection period. There were no unreported MHS disclosed as a result of this inspection.

## 7 – Suspicious/Prohibited Purchasers

(b)(3)(1)(2)(b) suspicious purchasers were identified as a result of this inspection (**Reference Exhibits 9**).

## 8 – Trace Activity

On 1/10/2018, a Firearms Trace History report was performed by the Violent Crime Analysis Branch (VCAB) and disclosed (b)(3)(1)(2)(b) successful traces and zero unsuccessful traces from 1/10/2015 to 1/10/2018.

## 9 - NFA/Importer/Collector/Manufacturer

The licensee does not have an NFA tax stamp, nor is it an importer, collector or manufacturer. There were no NFA weapons found during the inspection.

## 10 - Referrals

There were no referrals generated as a result of this inspection.

## 11 - Other

The licensee was in compliance with the Youth Handgun Safety Act, Child Safety Lock Act, North Carolina General Statutes 14-315.1 and 14-315.2, and providing secure gun storage or a safety device. The licensee uses a gun safe (b)(4)

## 12 - Closing Actions

On 2/8/2018, IOI (b)(6) held a closing conference with Mr. Evans. IOI (b)(6) reviewed and discussed the Acknowledgement of Federal Firearms Regulations Form

## FIREARMS INSPECTION REPORT

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(AFFR) which Mr. Evans certified receipt by signing (**Reference Exhibit 10**). The FFL Best Practices Guide, the ATF List of Important Contact Numbers, and a Don't Lie for the other Guy packet, and other ATF publications were provided to Mr. Evans.

During the closing conference, IOI (b)(6) reviewed the Report of Violations (ROV) with Mr. Evans. Mr. Evans acknowledged the mistakes that he and his employees made and took full responsibility. Mr. Evans pledged to ensure future compliance by instructing employees to double-check the ATF F 4473 prior to the transfer of the firearm. Mr. Evans stated he would reexamine all forms prior to filing them. IOI (b)(6) provided an example of a completed ATF F 4473 as a reference for him and his employees. IOI (b)(6) also provided a "Don't Lie for the Other Guy" packet. Mr. Evans stated he was now fully aware that long gun transfers required a NICS check or CHP/PP and that he would be fully compliant moving forward. Mr. Evans posed questions regarding the transfer of receivers and conducting law enforcement sales which IOI (b)(6) addressed.

### **13 - Violations**

#### **1. 27 CFR 478.125(e)**

##### **Nature of Violation:**

In (b)(3) 112 Public Law 55 125 STAT 552 instances, the licensee failed to correctly or completely record the receipt or disposition of a firearm.

(b)(3) 112 Public Law 55 125 STAT 552

##### **Licensee Response:**

The licensee stated the instances were oversights.

##### **Correction Action:**

The licensee will correct the A&D record by entering the missing acquisition and disposition information.



## FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

Reference Worksheet 1 and Exhibit 1

2. **27 CFR 478.99(b)**

**Nature of Violation:**

In <sup>(b)(3)(112)</sup> instances, the licensee conducted an in-state transfer in violation of state law which requires the purchaser provide a firearms purchase permit or proof of a concealed handgun permit in the transfer of a handgun.

**(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)**

**Licensee Response:**

The licensee stated these instances took place during the initial months of starting his FFL business when he was unsure of how to conduct a handgun transfer.

**Corrective Action:**

Violation is uncorrectable. Preventative measures were discussed.

Reference Worksheet 2 and Exhibit 2

3. **27 CFR 478.102(a)**

**Nature of Violation:**

In <sup>(b)(3)</sup> instances, the licensee failed to conduct a NICS check prior to the transfer of a firearm.

**(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)**

## FIREARMS INSPECTION REPORT

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(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)



**Licensee Response:**

The licensee stated that he was not aware that, at a minimum, NICS checks were required for long guns transfers/sales and that he had been doing so for years.

**Corrective Action:**

Violation is uncorrectable. Preventative measures were discussed.

Reference Worksheets 2-4 and Exhibit 3

4.      **27 CFR 478.21(a)**

**Nature of Violation:**

## FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

In <sup>(b)(3)</sup> instances, the licensee failed to completely or accurately record required information on the ATF F 4473.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)



## FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)





## FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)



**Licensee Response:**

The licensee stated that these instances were oversights or resulted as a lack of misunderstanding of recordkeeping requirements.


**Corrective Action:**

The licensee will make corrections to a copy of the ATF F 4473 and attach said copy to the original ATF F 4473 (except for Item 10a (ethnicity) which cannot be corrected by the licensee). Moving forward, the licensee will ensure the ATF F 4473 is completed fully and accurately.

Reference Worksheets 2-4 and Exhibit 4

5. **27 CFR 478.124(c)(4)**

**Nature of Violation:**

In  instances, the licensee failed to completely or accurately record one or more of the following on the ATF F 4473, Section D.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)



**Licensee Response:**

The licensee stated that these instances were oversights. Mr. Evans stated that he is ultimately responsible for ensuring the firearm information is completed on the ATF F 4473 and admits to failing to do so in these instances.

**Correction Action:**

## FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

The licensee will make corrections to a copy of the ATF F 4473 and attach said copy to the original ATF F 4473. Moving forward, the licensee will ensure the ATF F 4473 is completed fully and accurately.

Reference Worksheets 2-4 and Exhibit 5

6. **27 CFR 478.124(c)(5)**

**Nature of Violation:**

In <sup>(b)(3) 112 Public</sup> instances, the licensee failed to completely or accurately record the firearm transfer date and/or sign the ATF F 4473.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

**Licensee Response:**

The licensee stated that these instances were oversights.

**Corrective Action:**

The licensee will make corrections to a copy of the ATF F 4473 and attach said copy to the original form. Moving forward, the licensee will ensure the ATF F 4473 is completed fully and accurately.

Reference Worksheets 2-4 and Exhibit 6

7. **27 CFR 478.124(c)(3)(i)**

**Nature of Violation:**

In <sup>(b)(3) 112 Pu</sup> instances, the licensee failed to verify the buyer's indentifying information.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

## FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

\*The licensee attached copies of the NCDL but did not record the identifying information on the ATF F 4473.

### **Licensee Response:**

Mr. Evans stated these instances were oversights.

### **Corrective Action:**

For instances (b)(3) 112 Public Law 55 125, the violations are uncorrectable. Preventative measures were discussed. For instances (b)(3) 112 Public Law 55 125 the licensee will make corrections to ATF F 4473 and attach said copy to the original.

Reference Worksheets 3-4 and Exhibit 7

### 8. **27 CFR 478.124(c)(1)**

#### **Nature of Violation:**

In (b)(3) instances, the licensee failed to ensure the ATF F 4473, Section A, was correctly completed by the purchaser.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

## FIREARMS INSPECTION REPORT

**Name:** Outback Shooting Range, LLC, The      **UI#:** 763050-2018-0126  
**Trade Name:** Outback Shooting Range, The      **FFL#:** 1-56-019-01-0A-05863

### **Licensee Response:**

The licensee stated these instances were oversights.

### **Corrective Action:**

Violation is uncorrectable. Preventative measures were discussed. Moving forward, the licensee will ensure the buyer completes the ATF F 4473 fully and accurately prior to transferring the firearm.

Reference Worksheets 2-4 and Exhibit 8

X

(b)(6)

Industry Operations Investigator

### **Index of Worksheets and Exhibits**

Worksheet 1 – Inventory

Worksheet 2 – ATF F 4473 Worksheet

Exhibit 1 – Documentation of Violation 1 (A&D)

Exhibit 2 – Documentation of Violation 2

Exhibit 3 - Documentation of Violation 3

Exhibit 4 – Documentation of Violation 4

Exhibit 5 - Documentation of Violation 5

Exhibit 6 - Documentation of Violation 6

Exhibit 7 - Documentation of Violation 7

Exhibit 8 – Documentation of Violation 8

Exhibit 9 - Suspicious Purchasers

Exhibit 10 – Acknowledgement of Federal Firearms Regulations Form (AFFR)



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives  
1801 Stanley Road, Suite 300  
Greensboro, NC 27407

March 13, 2018

www.atf.gov

763050:  
5373

(b)(6)

**WARNING LETTER**

**CERTIFIED RETURN RECEIPT REQUESTED**

Mr. Boyd Ray Evans  
The Outback Shooting Range, LLC  
6667 Myrtle Head Rd.  
Ash, NC 28420

Re: Federal Firearms License Number: 1-56-019-01-0A-05863

Dear Evans:

As a result of a recent compliance inspection conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at your firearms business located at 6019 Simmons Rd., Ash, NC 28420, on January 23, 2018 through January 25, 2018, you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you during the inspection. A copy of the Report of Violations, ATF Form 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by ATF Industry Operations Investigator (b)(6). You indicated that you understood the requirements of the firearms laws and regulations as a licensee. You further indicated that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditional upon compliance with Federal laws and regulations. Since the violations cited in this most recent inspection were fully explained to you, and you stated you understood your compliance responsibilities as a licensee, any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Mr. Boyd Ray Evans  
The Outback Shooting Range, LLC

Should you have any questions regarding this matter, please contact Industry Operations Investigator (b)(6).

Sincerely yours,

(b)(6)

Area Supervisor

Enclosure

cc: Federal Firearms Licensing Center  
Greensboro II Area Office



# CERTIFIED MAIL

**U.S. DEPARTMENT OF JUSTICE**  
**BUREAU OF ALCOHOL, TOBACCO, FIREARMS**  
**AND EXPLOSIVES**  
**Greensboro II - Industry Operations**  
**1801 Stanley Rd. - Suite 300**  
**Greensboro, NC 27407**  
**OFFICIAL BUSINESS**  
**PENALTY FOR PRIVATE USE \$300**



7016 3010 0000 1807 3735

**Mr. Boyd Ray Evans**  
**The Outback Shooting Range, LLC**  
**6667 Myrtle Head Rd.**  
**Ash, NC 28420**



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☐ Return Receipt (hardcopy) \$ \_\_\_\_\_

☐ Return Receipt (electronic) \$ \_\_\_\_\_

☐ Certified Mail Restricted Delivery \$ \_\_\_\_\_

☐ Adult Signature Required \$ \_\_\_\_\_

☐ Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

**Total Postage** \$ \_\_\_\_\_

Sent To **Mr. Boyd Ray Evans**

Street and Apt. **The Outback Shooting Range, LLC**

City, State, Zip **6667 Myrtle Head Rd.**  
**Ash, NC 28420**

Postmark Here

PS Form 380

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