

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) PARGA, RAYMOND MARTIN Del Valle Gunsmithing 224A Reindollar Avenue Marina, CA 93933, Monterey		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 786060-2017-0069-B1B		
		3. PERMIT/LICENSE NUMBER 977053077A02320	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
5. REQUESTED BY (SIGNATURE, TITLE AND DATE)				
6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 10/25/2016				
8. PURPOSE/SPECIAL INSTRUCTIONS				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	8	NO. OF REFERRALS		10. TRAVEL EXPENSES (OPTIONAL)
NO. OF TECS CHECKS		NO. OF TECS HITS		2111 - PER DIEM
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2112 - P.O.A.
		\$ VALUE OF TAX DECREASES		2113 - COMM. AIR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2114 - RENTAL CAR
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2115 - GPV EXPENSES
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		2116 - MISC.
				TOTAL \$ FOR INSP.
11. ATF OFFICER'S RECOMMENDATION				
Viols WL ONLY and Recall Inspection				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	(b)(6)	
APR 2017	44.00			
MAY 2017	23.00			
JUN 2017	19.00			
ATF OFFICER'S SUBTOTAL	86.00	ATF OFFICER'S SIGNATURE		
TOTAL HOURS	86.00			
13. REVIEW AND ROUTING				
REVIEW COMMENTS AND RECOMMENDATION				
<input type="checkbox"/> REVIEWED <input type="checkbox"/> CONCUR <input type="checkbox"/> SEE COMMENTS <input type="checkbox"/> FINAL DISPOSITION				
SIGNATURE AND TITLE			REVIEW DATE	

Assignment and Report

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ROUTING SEQUENCE AND DATE

- ☐ 1. _____
☐ 2. _____
☐ 3. _____
☐ 4. _____

CONTROL FILE POSTED DATE _____

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	Street Address	City	State	ZIP Code	County	Page <u>1</u> of <u>4</u> Pages
Parga, Raymond Martin	224A Reindollar Ave	Marina	CA	93933	Monterey	
License/Permit/Registry Number (if any)	Expiration Date	Date(s) or Period of Inspection				
9-77-053-07-0A-02320	January 1, 2020	April 11, 2016 - April 10, 2017				

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
1	27 CFR 478.21(a)	Failure to complete ATF Forms 4473 in accordance with instructions found on the form. On (b)(3) occasions, the licensee failed to obtain / record information or accepted incorrect information required on the ATF Form 4473. (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)	Immediately & from this date forward the licensee shall ensure that all required be completely filled out on the ATF F 4473	Immediately
2	27 CFR 478.123(d)	Failure to accurately maintain required Acquisition & Disposition Record of sales or other dispositions to nonlicensees as prescribed in section 478.123 in (b)(3) instances. 1) Disposition information not recorded when firearm was transferred on (b)(3) instances.	Immediately & from this date forward the licensee shall ensure that all firearm acquisitions and dispositions are recorded in the required records, in compliance with ATF regulations, not later than 7 days following the date of such transactions. Immediately research, verify, update and/or record any / all required information regarding missing, inaccurate, duplicate and contradictory entries contained within the current Acquisition & Disposition (A&D) records.	Immediately

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Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
3	27 CFR 478.124(c)(1)	Failure to obtain information (or accurate information) required on ATF Form 4473 (Section A). On (b)(3) occasions, the licensee failed to obtain correct, complete, and accurate information regarding one or more of the following: the certification by the transferee that the transferee is not prohibited by the Act from possessing a firearm by checking or marking, "yes" to one of the prohibited factors; the transferee's State of residence; Type of firearm transferred and certification by the transferee that the answers to Section A are true, correct, and complete. (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)	If possible, amend identified forms in accordance with instructions on the back of the ATF Form 4473. Immediately & from this date forward ensure that all Firearms Transaction Records (ATF Form 4473) are completed, in their entirety with all information required by ATF regulation in conjunction with the instructions on the form, before completing the transfer of a firearm to a non-licensee.	Immediately
4	27 CFR 124(c)(3)(i)	Failure to record on the ATF Form 4473 the alternate documentation showing current resident address. On (b)(6) 6/16/17 occasions, the licensee failed to record any information, pertaining to an identification document for a transferee, in response to information required on ATF Form 4473 question #20b. o ATF Forms 4473 transaction number: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)	Immediately amend identified form to reflect accurate information in accordance with instructions on the back of the ATF Form 4473.	Immediately

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5	27 CFR 478.124(c)(3)(iv)	<p>• 27 CFR 478.124(c)(3)(iv): Failure to obtain / document information regarding requirements of section 478.102 (sales or deliveries of firearms) and record on the form the date on which the licensee contacted DROS, as well as any responses provided by the system, including any identification number provided by the system:</p> <p>o On (b)(3) occasion the licensee failed to either correctly record the transaction date when contacted DROS immediately prior to the transfer of a firearm, in response to information required on ATF Form 4473 question #21a, (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)</p> <p>o On (b)(3) occasions the licensee failed to record the state agency response, on which the licensee contacted DROS immediately prior to the transfer of a firearm, in response to information required on ATF Form 4473 question #21c & d. (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)</p>	Immediately & from this date forward the licensee shall ensure that all required be completely filled out on the ATF F 4473	Immediately
6	27 CFR 478.124(c)(4)	<p>• 27 CFR 478.124(c)(4): Failure on (b)(3) occasion to identify the firearm to be transferred on the Firearms Transaction Record (ATF Form 4473) by listing the name of manufacturer, the type, model, caliber, and the serial number of the firearm transferred. (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)</p>	Immediately & from this date forward the licensee shall ensure that all required be completely filled out on the ATF F 4473	Immediately

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9-77-053-07-0A-02320		January 1, 2020	April 11, 2016 - April 10, 2017			

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
7	27 CFR 478.124(c)(5)	Failure on (b)(3) occasions to sign and date or correctly date the Firearms Transaction Record (ATF Form 4473 - Section D) at the time when the documented firearm was transferred. On (b)(3) occasion, the licensee failed to sign or date or have the buyer sign or date the Firearms Transaction Record (ATF Form 4473 - Section D) at the time when the documented firearm was transferred (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)	Immediately amend identified form to reflect accurate information in accordance with instructions on the back of the ATF Form 4473.	Immediately
8	27 CFR 478.126a	Failure to report the multiple sales or other disposition of pistols and revolvers. There were (b)(3) multiple sales transactions not reported to the Violent Crimes Analysis Branch (VCAB) FFL Master Query sheet during the inspection period. The licensee failed to submit the ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers on (b)(3) occasions.	The licensee shall prepare a report of multiple sales or other disposition whenever it sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers to an unlicensed person. The report shall be prepared on ATF Form 3310.4 and submitted no later than the close of business on the day that multiple sale or other disposition occurs. Immediately report the Multiple Sales that have been identified and attach the ATF Form 3310.4 to the ATF Form 4473 that triggered the multiple sale.	Immediately

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

Signature and Title of ATF Officer

(b)(6)

Date
6/16/17

Date
6/16/17

Copy 1 - Proprietor's Copy

ATF E-Form 5030.5
Revised April 2005

FIREARMS INSPECTION REPORT

Name: Parga, Raymond Martin

UI#: 786060-2017-0069-B1B

Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

Address: 224A Reindollar Ave
Marina, CA 93933

(Monterey County)

1 - Introduction

Inspection Profile:

On April 10, 2017, Industry Operations Investigator (IOI) (b)(6) commenced an unannounced compliance inspection at the business premises of Raymond Martin Parga dba Del Valle Gunsmithing located at 224A Reindollar Ave. Marina, CA 93933.

The ATF F 5700.14, Assignment and Report, indicated to conduct a firearms compliance inspection of a 07 Manufacturer of firearms. Verify business entity and responsible person. Ensure the FFL is in compliance with ATF law and regulations.

IOI (b)(6) interviewed the following personnel during the inspection:

- (b)(6): Office Manager: (b)(6)
- Joseph Maria Parga: (b)(6)
- Raymond Martin Parga: RP/Owner: (b)(6)

The period of inspection covered April 11, 2016 through April 10, 2017.

IOI (b)(6) held a closing conference on June 16, 2017.

Business Profile:

FIREARMS INSPECTION REPORT

Name: Parga, Raymond Martin

UI#: 786060-2017-0069-B1B

Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

Raymond Martin Parga dba Del Valle Gunsmithing is licensed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) as a Type 07- Manufacturer of Firearms other than Destructive Devices. They operate a retail storefront located in Marina, CA. Del Valle Gunsmithing is a store offering firearms from personal defense to hunting. They transfer and/or stock handguns and long guns, receivers, ammunition and accessories. Their business mainly consist of (b)(4) being used firearms. Del Valle Gunsmithing provides gunsmith services to its customers. This is roughly about (b)(4) of their business. The business location is located in a commercial area just of the main street. Del Valle Gunsmithing leases the building.

Del Valle Gunsmithing acquired approximately a total of (b)(4) firearms, of which (b)(4) were sales/transfers and (b)(4) were for gunsmithing services during the last 12 months. Approximately (b)(4) were pre-owned and (b)(4) were new. The licensee also disposed of approximately (b)(4) firearms within the last 12 months.

Del Valle Gunsmithing does not conduct business at gun shows. No other business is on the premises, nor does the licensee conduct any other business. They have no off-site storage locations and do not sell black powder and require no other ATF Licenses.

The licensee's primary suppliers include, but are not limited to, (b)(4) (b)(4).

The licensee is in compliance with the State and local laws. The licensee provided IOI (b)(6) with the following current licenses and/or permits:

- Certificate of Eligibility (12997) (Issued to Raymond Martin Parga)
- California Dept. Of Justice Licensure Submission Acknowledgement
 - California Department of Justice Centralized List of Firearms Dealer Identification (CFD #:21002)
 - State Board of Equalization Seller's Permit #(SR GHC 100-441268)
- State of California Large Capacity Magazine Permit (21002) (Issued to Raymond Martin Parga)

FIREARMS INSPECTION REPORT

Name: Parga, Raymond Martin

UI#: 786060-2017-0069-B1B

Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

- City of Marina Business License (9913002620)
- DOJ Firearms Safety Certificate Program No. 102785
- Monterey County Sale of Concealable Weapons Permit # 2016SCWP004
- ATF FFL #9-77-053-07-7A-02320

IOI (b)(6) obtained a copy of the documents during the inspection. The copies are attached as **Exhibit #2**.

Ownership and Control:

Del Valle Gunsmithing is a sole proprietorship owned and operated by Raymond Martin Parga. Mr. Parga has complete control of the inventory and records and is the only responsible person on the license. Recently he has turned the majority of his attention to Gunsmithing. In fact, he mentioned how he is thinking of closing to the general public on a couple of days a week to focus on the gunsmithing portion of the business. Although (b)(6) and Joseph conduct most of the transfers and record entries into the acquisition and disposition book, Mr. Parga still is heavily involved in the transactions. During the inspection, (b)(6) stated that she has decided to leave Del Valle Gunsmithing. (b)(6) maintains the paperwork.

Hidden ownership was not suspected. No changes in ownership of the ongoing business has occurred since the last inspection. The FLS Database properly lists Mr. Parga as the only responsible person.

Variance:

Del Valle Gunsmithing has no approved variances with ATF. No variance requests were made during the inspection.

FIREARMS INSPECTION REPORT

Name: Parga, Raymond Martin

UI#: 786060-2017-0069-B1B

Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

2 - Recommendation

Viols WL ONLY and Recall Inspection

3 - Inspection History

Date and Type of Inspection: April 29, 2013 - Compliance Inspection

UI#: 786060-2013-0026-B1B

Inspection Results: Viols WL and Recall

Violations: 478.21a, 478.102a, 478.124(c)(3)(i), 478.126a

Date and Type of Inspection: November,8, 2010 - Qualification Inspection

UI#: 786060-2011-0055-B1B

Inspection Results: Application Approved

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

On April 13, 2017, IOI **(b)(6)** examined the various acquisition and disposition (A&D) record books. There were a total of 27 A & D Books that contained 499 open entries. The open entries were contained in the following A&D record books:

- Firearms A & D Book Sales - 250
- Firearms A & D Book Gunsmithing - 200
- Firearms A & D Book NRA - 28
- Firearms A & D Book WPD - 1

FIREARMS INSPECTION REPORT

Name: Parga, Raymond Martin

UI#: 786060-2017-0069-B1B

Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

- Firearms A & D Book Storage - 20

During the inspection, IOI (b)(6) examined the A&D records for proper format, accuracy and to ensure that entries were timely made. During that review, IOI (b)(6) discovered the following:

Failure to accurately maintain required Acquisition & Disposition Records.

A) Licensee failed, in (b)(6) instances, to properly document the transfer (disposition) of firearms in its required Acquisition & Disposition (A & D) records as follows:

- Disposition NOT recorded at time of ATF Inspection: (b)(6) instances
Exhibit 3

From April 10 – 14, 2017, IOI (b)(6) physically inventoried all of the firearms on the business premises. IOI (b)(6) counted 499 firearms at the business premises. After reconciliation of the firearms to the A & D Book, all firearms were accounted for.

IOI (b)(6) confirmed that the firearms were disposed by reviewing either an invoice, or email. IOI (b)(6) retained a copy of the disposed firearm disposition on the A & D Book.

(Exhibit 3A)

IOI (b)(6) cited the licensee for violating 27 CFR 478.123(d). Refer to section 14 – violations, Exhibit #3, 3A, violation #2 and worksheet 1 for the discrepancies in the acquisition and disposition book. (See Worksheet # 1)

FIREARMS INSPECTION REPORT

Name: Parga, Raymond Martin

UI#: 786060-2017-0069-B1B

Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

5 - ATF Forms 4473 – NICS & Other Dispositions

IOI (b)(6) examined approximately 1457 ATF Forms 4473. The licensee maintained ATF Forms 4473 as follows: ATF Form 4473 are located in binders in chronological order according to transfer date.

All 1457 ATF Forms 4473 were reviewed. 25 ATF Forms 4473 were compared to the Dealer Records of Sale (DROS), California's point of contact system audit log for accuracy relating to the period of inspection. While reviewing Forms 4473, (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) violations were found:

- **27 CFR 478.21(a):** Failure to complete ATF Forms 4473 in accordance with instructions found on the form. On (b)(3) occasions, the licensee failed to obtain / record information or accepted incorrect information required on the ATF Form 4473.

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

Exhibit 4

The licensee was cited for 27 CFR 478.21(a) (ROV #1, Worksheet 2-4473, Exhibit #4)

- **27 CFR 478.124(c)(1):** Failure to obtain information (or accurate information) required on ATF Form 4473 (Section A). On (b)(3) occasions, the licensee failed to obtain correct, complete, and accurate information regarding one or more of the following: the certification by the transferee that the transferee is not prohibited by the Act from possessing a firearm by checking or marking, "yes" to one of the prohibited factors; the transferee's State of residence; Type of firearm transferred and certification by the transferee that the answers to Section A are true, correct, and complete.

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

Exhibit 5

The licensee was cited for 27 CFR 478.124(c)(1) (ROV #3, Worksheet 2-4473, Exhibit #5)

FIREARMS INSPECTION REPORT

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Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

- **27 CFR 124(c)(3)(i):** Failure to record on the ATF Form 4473 the type, ID number and expiration date of the identification document used to verify the identity of the transferee. On (b)(3) 112 occasions, the licensee failed to correctly record information, pertaining to an identification document for a transferee, in response to information required on ATF Form 4473 question #20a.

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

Exhibit 6

The licensee was cited for 27 CFR 478.124(c)(3)(i) (ROV #4, Worksheet 2-4473, Exhibit #6)

- **27 CFR 478.124(c)(3)(iv):** Failure to obtain / document information regarding requirements of section 478.102 (sales or deliveries of firearms) and record on the form the date on which the licensee contacted DROS, as well as any responses provided by the system, including any identification number provided by the system:
 - On (b)(3) 112 occasion the licensee failed to either correctly record the transaction date when contacted DROS immediately prior to the transfer of a firearm, in response to information required on ATF Form 4473 question #21a,

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

- On (b)(3) 112 occasions the licensee failed to record the state agency response, on which the licensee contacted DROS immediately prior to the transfer of a firearm, in response to information required on ATF Form 4473 question #21c & d.

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

Exhibit 7

The licensee was cited for 27 CFR 478.124(c)(3)(iv) (ROV #5, Worksheet 2-4473 Exhibit #7)

- **27 CFR 478.124(c)(5):** Failure on (b)(3) 112 occasions to sign and date or correctly date the Firearms Transaction Record (ATF Form 4473 - Section D) at the time when the documented firearm was transferred.
 - On (b)(3) 112 occasion, the licensee failed to sign or date or have the buyer sign or date the Firearms Transaction Record (ATF Form 4473 - Section D) at the time when the documented firearm was transferred

FIREARMS INSPECTION REPORT

Name: Parga, Raymond Martin

UI#: 786060-2017-0069-B1B

Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

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

The licensee was cited for 27 CFR 478.124(c)(5) (ROV #6, Worksheet 2-4473[2012 edition], Exhibit #8)

A review of the licensee's denials, indicated that they were filed properly and separately. Transfers to other licensees were conducted properly. There were sales of firearms to law enforcement officers; however, an ATF Form 4473 was executed and a background check was conducted. No indication of firearms trafficking were discovered.

6 – Multiple Sales

There were (b)(3) multiple sales transactions involving (b)(3) firearms not reported to the Violent Crimes Analysis Branch (VCAB) FFL Master Query sheet during the inspection period of 11 April 2016 through 10 April 2017. A copy of the Firearm Trace History is attached as **Exhibit #9**.

The licensee failed to prepare and submit the ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers on (b)(3) occasion involving (b)(3) handguns. The ATF Form 4473's for the multiple sale are attached as **Exhibit #10**.

The licensee was instructed to report the unreported multiple sales to the tracing center, which he successfully did on

IOI (b)(6) cited the licensee for violating 27 CFR 478.126a. (See Section 14 – Violations, Violation #7 and Worksheet #2)

7 – Suspicious/Prohibited Purchasers

FIREARMS INSPECTION REPORT

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(b)(3)(112) person did not answer one of the prohibited questions therefore IOI (b)(6) did a background check on the following individual to assure he was not prohibited.

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

No other suspicious purchasers were identified in the last 12 months.

8 – Trace Activity

The number of traces provided by VCAB master query in the past 12 months was (b)(3)
All traces have been successfully perfected by the licensee.

9 - NFA/Importer/Collector/Manufacturer

Although the licensee is a 07 Manufacturer Mr. Parga stated that he has not yet engaged in manufacturing. Mr. Parga had questions relating to manufacturing firearms from both unfinished receivers and lower receivers. IOI (b)(6) answered questions Mr. Parga had and explained ATF Ruling 2015-1. Mr. Parga has been in compliance with the AFMER requirement which indicates no manufacturing activity has been performed.

(Exhibit #11)

The licensee is not an importer and does not engage in the business of firearms that fall under the NFA.

10 - Referrals

IOI (b)(6) did not generate any referrals as a result of this inspection.

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11 - Other

The owner and RP was on vacation the week of the inspection. IOI (b)(6) was able to communicate with Mr. Parga throughout the week on the phone. Further, Mr. Parga allowed IOI (b)(6) permission to deal with both employees at the business premises.

12 - Closing Actions

IOIs (b)(6) held the closing conference with Raymond Martin Parga(Owner/RP) on June 16, 2017.

IOI (b)(6) discussed all applicable regulations listed on the “Acknowledgement of Federal Firearms Regulations”. Raymond Martin Parga signed the certification acknowledging receipt. The certification is attached as **Exhibit #1**.

IOI (b)(6) also discussed the Child Safety Lock Act of 2005 and informed the licensee that it shall be unlawful for any licensed importer, license manufacturer, or licensed dealer to sell, deliver, or transfer any handgun to any person other than any person licensed under this chapter, unless the transferee is provided with a secure gun storage or safety device for that handgun.

Furthermore, IOI (b)(6) reviewed the Report of Violations (ROV) in detail with the Mr. Parga. Raymond Martin Parga signed and dated the ROV.

IOI (b)(6) informed the licensee of the following ATF reference materials and forms that can be downloaded on the ATF Website: ATF P 5300.4 (Federal Firearms Regulations Reference Guide – 2014 Edition), ATF F 5300.38 Application for an

FIREARMS INSPECTION REPORT

Name: Parga, Raymond Martin

UI#: 786060-2017-0069-B1B

Trade Name: Del Valle Gunsmithing

FFL#: 9-77-053-07-0A-02320

Amended Federal Firearms License, ATF P 3317.2 Safety and Security Information for Federal Firearms Licensees, ATF P 5300.11 Firearms Curios or Relics List, ATF Forms 4473, ATF Form 3310.11 (Federal Firearms Licensee Firearms Inventory Theft/Loss Report), ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers), ATF F 3310.12 (Report of Multiple Sale or Other Disposition of Certain Rifles), ATF I 5300.1 (Youth Handgun Safety Act Poster), ATF I 5300.2 (Youth Handgun Safety Act Notices), ATF I 5300.23A (Gun Show Guidelines), ATF I 5300.44 ATF Ruling 2016-1 Computerized Acquisition and Disposition Records, ATF Ruling 2013-5 Electronic Records for ATF F4473, ATF P 5310.1 (Gun Free School Zone Notice), ATF P 3312.8 Personal Firearms Record, ATF P 5300.15 Federal Firearms Licensee Quick Reference and Best Practices Guide, and ATF Newsletters. IOI Barajas also provided the licensee with the local ATF address and telephone numbers.

13 - Violations

1. 27 CFR 478.21(a)

Nature of Violation:

Failure to complete ATF Forms 4473 in accordance with instructions found on the form. On [REDACTED] occasions, the licensee failed to obtain / record information or accepted incorrect information required on the ATF Form 4473.

Licensee's Response:

Licensee stated that they will pay more attention and in fact now has the wife come in routinely to review and organize the paper work.

Corrective Action:

If possible, amend identified forms in accordance with instructions on the back of the ATF Form 4473. Immediately & from this date forward ensure that all Firearms Transaction Records (ATF Form 4473) are completed, in their entirety with all

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information required by ATF regulation in conjunction with the instructions on the form, before completing the transfer of a firearm to a non-licensee.

Refer to: (ROV #1, Worksheet 2-4473, Exhibit #4)

2. **27 CFR 478.123(d)**

Nature of Violation:

Failure to accurately maintain required Acquisition & Disposition Record of sales or other dispositions to non-licensees as prescribed in section 478.123(d) in [REDACTED] instances.

A) Licensee failed, in [REDACTED] instances, to properly document the disposition of firearms in its required Acquisition & Disposition (A & D) records as follows:

- 1) The licensee failed to record the disposition of firearms in [REDACTED] instances.

Licensee's Response:

Licensee did not have an answer for the bound book. They will also retrain and pay special attention to all entries at the end of the day. Further, although Mr. Parga understands he is the RP he depended on the person who has since left to assure that firearms were disposed.

Corrective Action:

Immediately & from this date forward the licensee shall ensure that all firearm acquisitions and dispositions are recorded in the required records, in compliance with ATF regulations, not later than 7 days following the date of such transactions.

Refer to: (ROV #2, Worksheet 1, Exhibit #3 & 3A)

3. **27 CFR 478.124(c)(1)**

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Nature of Violation:

Failure to obtain information (or accurate information) required on ATF Form 4473 (Section A). On (b)(3) occasions, the licensee failed to obtain correct, complete, and accurate information regarding one or more of the following: the certification by the transferee that the transferee is not prohibited by the Act from possessing a firearm by checking or marking, "yes" to one of the prohibited factors; the transferee's State of residence; Type of firearm transferred and certification by the transferee that the answers to Section A are true, correct, and complete.

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

Licensee's Response:

Licensee stated that the will pay closer attention while reviewing the forms during the transfer of the firearms.

Corrective Action:

Immediately & from this date forward ensure that all Firearms Transaction Records (ATF Form 4473) are completed, in their entirety with all information required by ATF regulation in conjunction with the instructions on the form, before completing the transfer of a firearm to a non-licensee.

Refer to: ROV #3, Worksheet 2-4473[2012 edition], Exhibit #5

4. 27 CFR 124(c)(3)(i)

Nature of Violation:

Failure to record on the ATF Form 4473 the alternate documentation showing current resident address. On (b)(3) occasions, the licensee failed to record any information, pertaining to an identification document for a transferee, in response to information required on ATF Form 4473 question #20b.

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

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Licensee's Response:

Licensee stated that the will pay closer attention while reviewing the forms during the transfer of the firearms.

Corrective Action:

Immediately & from this date forward ensure that all Firearms Transaction Records (ATF Form 4473) are completed, in their entirety with all information required by ATF regulation in conjunction with the instructions on the form, before completing the transfer of a firearm to a non-licensee.

Refer to: ROV #4, Worksheet 2-4473[2012 edition], Exhibit #6

5. 27 CFR 478.124(c)(3)(iv)

Nature of Violation:

Failure to obtain / document information regarding requirements of section 478.102 (sales or deliveries of firearms) and record on the form the date on which the licensee contacted DROS, as well as any responses provided by the system, including any identification number provided by the system:

On [REDACTED] occasion the licensee failed to either correctly record the transaction date when contacted DROS immediately prior to the transfer of a firearm, in response to information required on ATF Form 4473 question #21a,

- ATF Form 4473 transaction number: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

On [REDACTED] occasions the licensee failed to record the state agency response, on which the licensee contacted DROS immediately prior to the transfer of a firearm, in response to information required on ATF Form 4473 question #21c & d.

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

Licensee's Response:

Licensee stated that the will pay closer attention while reviewing the forms during the

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transfer of the firearms.

Corrective Action:

Immediately & from this date forward ensure that all Firearms Transaction Records (ATF Form 4473) are completed, in their entirety with all information required by ATF regulation in conjunction with the instructions on the form, before completing the transfer of a firearm to a non-licensee.

Refer to: ROV #5, Worksheet 2-4473[2012 edition], Exhibit #7

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

Nature of Violation:

Failure on (b)(3) occasions to sign and date or correctly date the Firearms Transaction Record (ATF Form 4473 - Section D) at the time when the documented firearm was transferred.

On (b)(3) occasion, the licensee failed to sign or date or have the buyer sign or date the Firearms Transaction Record (ATF Form 4473 - Section D) at the time when the documented firearm was transferred

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

Licensee's Response:

Licensee stated that the will pay closer attention while reviewing the forms during the transfer of the firearms.

Corrective Action:

Immediately & from this date forward ensure that all Firearms Transaction Records (ATF Form 4473) are completed, in their entirety with all information required by ATF regulation in conjunction with the instructions on the form, before completing the transfer of a firearm to a non-licensee.

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- **Refer to: ROV #6, Worksheet 2-4473[2012 edition], Exhibit #8**

27 CFR 478.126a

Nature of Violation:

Failure to report the multiple sales or other disposition of pistols and revolvers.

There were ^{(b)(3)} multiple sales transactions not reported to the Violent Crimes Analysis Branch (VCAB) FFL Master Query sheet during the inspection period.

7.

The licensee failed to submit the ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers on ^{(b)(3)} occasions.

Licensee's Response:

Licensee thought they were completing them. They will implement a system to catch multiple sales by grabbing a blank report and inserting it in the 4473 to remind them upon the buyers return to pick up the firearm.

Corrective Action:

The licensee shall prepare a report of multiple sales or other disposition whenever it sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person. The report shall be prepared on ATF Form 3310.4 and submitted no later than the close of business on the day that multiple sale or other disposition occurs.

Immediately report the Multiple Sales that have been identified to date and ensure the timely filing of Multiple Sales Reports (ATF Form 3310.4) from this date forward.

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Refer to: ROV #7, Worksheet 2-4473[2012 edition], Exhibit #9 & 10

	Industry Operations Investigator	June 19, 2017
Signature	Title	Date of Report

Index of Worksheets and Exhibits

Worksheets

Exhibit 1 – Signed Acknowledgment of Federal Firearms Regulations

Exhibit 2 – State and Local Business Licenses

Exhibit 3 – Sample of A & D Book

Exhibit 3A – A & D Book Disposed

Exhibit 4 – ATF Form 4473; 478.21(a)

Exhibit 5 – ATF Form 4473; 478.124(c)(1)

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Exhibit 6 – ATF Form 4473; 478.124(c)(3)(i)

Exhibit 7 – ATF Form 4473; 478.124(c)(3)(iv)

Exhibit 8 – ATF Form 4473 478.124(c)(5)

Exhibit 9 – Firearm Trace History Report

Exhibit 10 – Multiple Sales not reported 4473's

Exhibit 11 – AFMER Report



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
5601 Arnold Road, Suite 400
Dublin, CA 94568

7/12/2017

www.atf.gov

VIA CERTIFIED MAIL

PARGA, RAYMOND MARTIN
Del Valle Gunsmithing
224A Reindollar Avenue
Marina, CA 93933-
RE: 977053077A02320

Dear Mr. Raymond Parga:

During a recent inspection at your firearms business covering the period April 11, 2016 to April 10, 2017 you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you or your designated responsible person by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator(s). You or your responsible person indicated that you understood the requirements of the firearms laws and regulations and 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. This is critical to carrying out our mission to protect the public and to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. 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.

PARGA, RAYMOND MARTIN

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

Sincerely yours,

(b)(6)

Dublin III Area Supervisor

Enclosure

c: Federal Firearms Licensing Center
Dublin III (IO) Field Office