

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Sam DICARLO Sammy D's Discount Arms 4850 West North Lane Glendale, AZ 85302, Maricopa	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 785050-2018-0205-B1B		
	3. PERMIT/LICENSE NUMBER 986013070L10716	4a. TARGET DATE 6/29/2018	4b. TARGET HOURS 70
	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, 04/27/2018

8. PURPOSE/SPECIAL INSTRUCTIONS
Conduct a full scope SWB-DE (Manufacturer) compliance inspection while evaluating for trafficking indicators; Assure compliance with current provisions of GCA. *NOTE: Retain hardcopies of issued ROV (if any) and/or Ack of Regs for file retention.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	7	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	143	NO. OF TECS HITS	1	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: 06/18/2018

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
MAY 2018	25.00
JUN 2018	19.50
ATF OFFICER'S SUBTOTAL	44.50
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	44.50

13. REVIEW AND ROUTING	
REVIEW COMMENTS AND RECOMMENDATION Field inspection performed 05/17-05/25/18; a ROV was issued for six recordkeeping/reporting violations and a single administrative violation. A Warning Letter was generated and sent to the licensee (via certified post w/ return receipt) on 6/19/18. A Recall Inspection has been staged for compliance reassessment and follow-up. No further field action required. Viols WL ONLY and Recall Inspection	

<input checked="" type="checkbox"/> REVIEWED <input checked="" type="checkbox"/> CONCUR <input checked="" type="checkbox"/> SEE COMMENTS <input checked="" type="checkbox"/> FINAL DISPOSITION	
SIGNATURE AND TITLE (b)(6) - Area Supervisor	NEW DATE 06/18/2018
ROUTING SEQUENCE AND DATE (b)(6)	
<input type="checkbox"/> 1. _____	CONTROL FILE POSTED DATE _____
<input type="checkbox"/> 2. _____	
<input type="checkbox"/> 3. _____	
<input type="checkbox"/> 4. _____	

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 Sam DICARLO Sammy D's Discount Arms	Street Address 4850 West North Lane	City Glendale	State AZ	Zip Code 85302-	County Maricopa	Page 1 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 986013070L10716	Expiration Date 11/1/2020	Date(s) or Period of Inspection 05/17/2018 through 05/25/2018				

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:

Failure on (b)(3) - 112 PubI TF Forms 4473, to furnish or obtain all information as required by headings and instructions.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

IOI (b)(6) Id the Licensee that for Transferor errors, if supporting information is available to substantiate the correction, he is to make a copy of the page needing correction, initial and date the correction on the copy, and insert the corrected copy in with the original ATF Form 4473.

For Transferee errors, if the Licensee elects to have the Transferee return to make a correction, he is to make a copy of the page needing correction, have the Transferee make the correction on the copy, initial and date the correction, and insert the corrected copy in with the original ATF Form 4473.

Citation: 27 CFR 478.21(a)

Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 986013070L10716	Expiration Date 11/1/2020	Date(s) or Period of Inspection 05/17/2018 through 05/25/2018				

Inspection Results

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

Number: 2

Nature of Violation:

Failure of (b)(3) - 112 PUG TF Forms 4473, to obtain and record all required transferee information.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

For this violation, IC (b)(6) advised the Licensee that for all future transfers he must ensure that the Transferee records all the required information in Section A. If the Licensee elects to have the Transferee return to make a correction, he is to make a copy of the page needing correction, have the Transferee make the correction on the copy, initial and date the correction, and insert the corrected copy in with the original ATF Form 4473.

Citation: 27 CFR 478.124(c)(1)

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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:

Failure of (b)(3) - 112 Public F Forms 4473, to verify and record proper transferee's identification documents.

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

Number: 4

Nature of Violation:

Failure of (b)(3) - 112 Public TF Forms 4473, to record all required NICS transaction information.

Citation: 27 CFR 478.124(c)(3)(iv)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

IO (b)(6) told the Licensee that for all future ATF Form 4473 transfers; the required government issued document used by the Transferee must meet the identification requirements outlined in the ATF Form 4473 instructions and recorded correctly by the Licensee. If the Licensee elects to have the Transferee return with valid identification, he is to make a copy of the page needing correction, make the correction on the copy, initial and date the correction, and insert the corrected copy in with the original ATF Form 4473.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

IO (b)(6) told the Licensee to ensure that for future ATF Forms 4473, all NICS items are properly completed.

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License/Permit/Registry Number <i>(If any)</i> 986013070L10716	Expiration Date 11/1/2020	Date(s) or Period of Inspection 05/17/2018 through 05/25/2018				

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:

Failure of (b)(3) - 112 PG ATF Form 4473, to record all required firearm identification information.

Citation: 27 CFR 478.124(c)(4)

Number: 6

Nature of Violation:

Failure of (b)(3) - 112 PG ATF Forms 4473, to properly sign and/or record the correct date of transfer of a firearm.

Citation: 27 CFR 478.124(c)(5)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

IO (b)(6) told the Licensee that if supporting information is available to substantiate the correction, he is to make a copy of the page needing correction, initial and date the correction on the copy, and insert the corrected copy in with the original ATF Form 4473.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

IO (b)(6) told the Licensee that if supporting information is available to substantiate the correction, he is to make a copy of the page needing correction, initial and date the correction on the copy, and insert the corrected copy in with the original ATF Form 4473.

Report of Violations

Instructions

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Inspection Results

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

Number: 7

Nature of Violation:

Failure on (b)(3) - 112 occasion, involving a total of (b)(3) - 112 PHS handguns, to timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days.

Citation: 27 CFR 478.126a

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The Licensee completed the missing multiple sale reports and submitted them to eTrace.

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

Sam Dicarlo

Owner

Date
5/25/18

Signature

(b)(6)

101

Date
5-25-18

For Office

FIREARMS INSPECTION REPORT

Name: Sam DiCarlo
Trade Name: Sammy D's Discount Arms

UI#: 785050-2018-0205-B1B
FFL#: 9-86-013-07-0L-10716

Address: 4850 West North Lane
Glendale, AZ 85302, Maricopa

1 - Introduction

Inspection Profile:

On May 17, 2018, Industry Operations Investigator (IOI) (b)(6), conducted a **full scope SWB-DE (Manufacturer) compliance inspection**, of Sam DiCarlo (Licensee), doing business as Sammy D's Discount Arms, a Type 07 Manufacturing FFL expiring November 1, 2020. IOI (b)(6) provided advance notice of the inspection, as the Licensee was not home on the first contact attempt.

The inspection covered October 13, 2017 to May 17, 2018. IOI (b)(6) conducted the Closing Action on May 25, 2018.

IOI (b)(6) met the Licensee, who was identified by his Arizona Drivers' License (b)(6) expiring 08/26/2028. The Licensee obtained his FFL in October of 2017 when (in response to ATF CE contact) it was determined that he was potentially dealing without a license.

This compliance inspection is in response to an ATF CE investigation of a possible trafficking situation that the Licensee alerted them to (785115-18-0122).

Business Profile:

The Licensee operates as a FFL part time from his owned home in suburban Glendale, AZ. The Licensee provides internet transfer services and conducts retails sales over the internet using backpage.com and armslist.com. With the closure of backpage.com, the Licensee is consolidating his internet sales on armslist.com. Additionally, the Licensee also sells AR receivers and assembles AR rifles. The Licensee has held this FFL since October of 2017 (6 months).

The Licensee also is in business (b)(6)

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The Licensee acquires his firearms from (b)(4)
(b)(4)

The Licensee markets via his website at www.sammydsarms.com and with a listing on several gun sales' websites, but does not sell firearms from his website. The Licensee does not currently sell at gun shows but may in the future due to the closing of backpage.com.

During the six-month inspection period, the Licensee:

- Acquired (b)(4) firearms
- Disposed of (b)(4) firearms

The local zoning and law enforcement authority for the business premises is the City of Glendale. IOI (b)(6) reviewed the following state/local permits:

- State of Arizona Transaction Privilege Tax License (b)(3) - 26 USC 6103
- City of Glendale Business License #500022980

Ownership and Control:

The Licensee operates as a State of Arizona Sole Proprietorship with Arizona Corporation Commission registration is not required and IOI (b)(6) did not detect hidden ownership. The Licensee is the sole Responsible Person on the FFL.

Variance:

The Licensee does not have any approved variances.

2 - Recommendation

Viols WL ONLY and Recall Inspection

3 - Inspection History

Date of Inspection: October 3, 2017

FIREARMS INSPECTION REPORT

Name: Sam DiCarlo
Trade Name: Sammy D's Discount Arms

UI#: 785050-2018-0205-B1B
FFL#: 9-86-013-07-0L-10716

Type of Inspection: Type 07 Application Inspection
UI#: 785050-2017-0304-B1B
Inspection Results: Application Approved
Cited Violations: None

A signed Acknowledgment of Federal Firearms Regulations, dated October 3, 2017, is in the Area Office File for this inspection.

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

The Licensee maintains his A&D records manually using commercially obtained books with timely made entries that meet the regulation requirements. IOI (b)(6) conducted a 100% physical inventory, comparing the A&D records to inventory and inventory to the A&D records, resulting in the following:

- Twenty seven open entries in the A&D records
- Twenty seven firearms in inventory

After review of the A&D records, matching inventory to the records and open dispositions to the inventory, IOI (b)(6) did not note any discrepancies.

IOI (b)(6) checked 60 firearms obtained from Sierra Auction through disposition with no discrepancies found. IOI (b)(6) found all verified dispositions, from Sierra Auction to the Licensee, in the Licensee's A&D record.

A&D SOP

The Licensee is the sole author/custodian of the required A&D records. IOI (b)(6) recommended to the Licensee that he tag his inventory and tie it to each specific firearm's A&D entry. IOI (b)(6) also instructed the Licensee not to use white out for changes and to conduct a regular gun-to-book inventory.

The Licensee protects his premises with standard residential locking hardware with electronic protection provided by a non-monitored alarm system. All firearms are stored in a gun safe.

5 - ATF Forms 4473 – NICS & Other Dispositions

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The Licensee completes ATF Forms 4473 manually, use NICS E-Check and files his ATF Forms 4473 chronologically followed by numerically. Comparison of the FFL NICS Audit Report for the six-month inspection period to the ATF Forms 4473 resulted in verification of 95 total responses out of 97 reported with no discrepancies noted for the following:

- Eighty five Proceed
- Five Open
- Five Denied

The Licensee had 257 ATF Forms 4473 on file for the 12-month inspection period and IOI (b)(6) reviewed 100%. After review of the ATF Forms 4473, IOI (b)(6) cited the Licensee for:

Failure on (b)(3)-112 ATF Forms 4473, to furnish or obtain all information as required by headings and instructions, a violation of **27 CFR 478.21(a)**. See **Worksheet 2 - 4473** (2016 Edition), **Exhibit 1** – ATF Forms 4473 27 CFR 478.21(a) violations and ATF Form 5030.5 – **Report of Violations**.

Failure on (b)(3)-112 ATF Forms 4473, to obtain and record all required Transferee information, a violation of **27 CFR 478.124(c)(1)**. See **Worksheet 2 - 4473** (2016 Edition), **Exhibit 2** – ATF Forms 4473 27 CFR 478.124(c)(1) violations and ATF Form 5030.5 – **Report of Violations**.

IOI (b)(6) checked the violation Transferees in Open Fox, N-Force and Arizona Judicial Branch Public Access to Court Case Information with no prohibiting information returned.

Failure on (b)(3)-112 ATF Forms 4473, to verify and record proper transferee's identification documents, a violation of **27 CFR 478.124(c)(3)(i)**. See **Worksheet 2 - 4473** (2016 Edition), **Exhibit 3** – ATF Forms 4473 27 CFR 478.124(c)(3)(i) violations and ATF Form 5030.5 – **Report of Violations**.

IOI (b)(6) checked the violation Transferees in Open Fox, N-Force and Arizona Judicial Branch Public Access to Court Case Information with no prohibiting information returned and addresses listed verified.

Failure on (b)(3)-112 PUBLIC ATF Forms 4473, to record all required NICS transaction information, a violation of **27 CFR 478.124(c)(3)(iv)**. See **Worksheet 2 - 4473** (2016

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Name: Sam DiCarlo
Trade Name: Sammy D's Discount Arms

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Edition), **Exhibit 4** – ATF Form 4473 27 CFR 478.124(c)(3)(iv) violations and ATF Form 5030.5 – **Report of Violations**.

IOI (b)(6) checked the NICS violation Transferees in Open Fox, N-Force, ANR and Arizona Judicial Branch Public Access to Court Case Information with no prohibiting information returned.

Failure on (b)(3) - 112 F ATF Form 4473, to record all required firearm identification information, a violation of **27 CFR 478.124(c)(4)**. See **Worksheet 2 - 4473** (2016 Edition), **Exhibit 5** – ATF Form 4473 27 CFR 478.124(c)(4) violation and ATF Form 5030.5 – **Report of Violations**.

Failure on (b)(3) - 112 F ATF Forms 4473, to properly sign and/or record the correct date of transfer of a firearm, a violation of **27 CFR 478.124(c)(5)**. See **Worksheet 2 - 4473** (2016 Edition), **Exhibit 6** – ATF Forms 4473 27 CFR 478.124(c)(5) violations and ATF Form 5030.5 – **Report of Violations**.

The Licensee conducted transfers to other FFLs properly and did not have any transfers to law enforcement personnel.

ATF Form 4473 SOP

The Licensee is the sole processor of the ATF Forms 4473. Based on the results of the inspection, IOI (b)(6) reviewed the implementation of a multi review process with the Licensee as well as a review of the multiple handgun reporting requirements.

6 - Multiple Sales

For the six-month inspection period, the Violent Crime Analysis Branch's (VCAB) Firearm Trace History lists (b)(3) - 112 multiple handgun sale reported involving six handguns. After the A&D and ATF Forms 4473 review, IOI (b)(6) found (b)(3) unreported multiple handgun sales involving (b)(3) handguns. IOI (b)(6) cited the Licensee for:

Failure on (b)(3) - 112 occasions, involving a total of (b)(3) - 112 handguns, to timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days, a violation of **27 CFR 478.126a**. See **Worksheet 2 - ATF Form 4473** (2016 Edition) Review, **Exhibit 7** – ATF Forms 4473 27 CFR 478.126a violation, **Exhibit 8** – NTC Multiple Sale Summaries and **ATF Form 5030.5 – Report of Violations**.

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The Licensee submitted the (b)(3) missing reports and IOI Gilbert verified their inclusion in eTrace. See **Exhibit 8** – Multiple Sale Summaries.

IOI (b)(6) checked the (b)(3) Transferees in N-Force, eTrace and NCIC along with the (b)(3) handguns in eTrace and NCIC with (b)(6) See 7 - Suspicious/Prohibited Purchasers.

7 - Suspicious/Prohibited Purchasers

In addition to the NICS and Multiple Sale violations, IOI (b)(6) identified one suspicious purchaser (b)(6). A check of Open Fox, eTrace and Arizona Judicial Branch Public Access to Court Case Information, did not return any derogatory information. A check of N-Force indicates a closed case for a possible straw purchase. IOI (b)(6) to the ATF Phoenix Gun Crime Intelligence Group (CGIC) for their review.

For the background checks on the unreported multiple sales, IOI (b)(6) noted the following:

(b)(6)

8 - Trace Activity

The Violent Crime Analysis Branch's (VCAB) Firearm Trace History report indicates that for the six-month inspection period, there were no trace requests made of the Licensee.

IOI (b)(6) conducted secondary market analysis for 59 firearms. NCIC indicates that an (b)(6), (b)(7)(C)

The ATF CGIC forwarded the information to Glendale PD for follow-up.

9 - NFA/Importer/Collector/Manufacturer

The Licensee is not involved in NFA/Importer/Collector.

Manufacturing

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IOI (b)(6) noted that the Licensee was assembling AR style rifles. Due to confusion on the Licensee's part regarding marking and record keeping annotations, IOI (b)(6) provided the Licensee with specific guidance on how to accurately and correctly record receivers vs completed rifles and when the Licensee's assembled rifles met the definition of "manufactured", how to properly mark said firearms.

IOI (b)(6) also informed the Licensee that if he wished to continue assembling rifles, he could use another FFL under a marking variance to mark on his behalf.

IOI (b)(6) noted that the Licensee did not produce any raw manufactured firearms during the six-month inspection period.

Since receiving his FFL, the Licensee has correctly and timely filed one AFMER report.

10 - Referrals

IOI (b)(6) did not generate any referrals.

11 - Other

IOI Gilbert checked the Licensee in the following systems:

- Open Fox
- N-Force
- Arizona Judicial Branch Public Access to Court Case Information
- Accurant and/or CLEAR

Because of the searches, no prohibiting information was returned.

The Licensee is not in violation of the Youth Handgun Safety Act. The Youth Handgun Safety Act poster was readily visible to Transferees and the Licensee states that he gives a Youth Handgun Safety act brochure to every Transferee receiving a handgun. The Licensee also has secure gun storage/safety devices available for all handgun transfers.

12 - Closing Actions

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IOI (b)(6) conducted a Closing Conference with Licensee Sam DiCarlo on May 25, 2018. IOI (b)(6) reviewed the ATF Form 5030.5 Report of Violations (ROV) with the Licensee, who stated that he understood the nature of the violations cited and the corrective action required. After review of the issues and violations, the Licensee signed the ROV, acknowledging that he had received a copy, after which IOI (b)(6) signed and retained the original.

IOI (b)(6) provided and/or reviewed the following ATF forms, publications and regulations with the Licensee to include:

- Federal Firearms Reference Guide (2014) Download Instructions
- Acquisition and Disposition Records (manual & computerized)
- ATF Form 4473 with ATF Open Letter re Correcting ATF F 4473 Errors
- Location, Content and Sign-Up Procedure for FFL Newsletters
- FFL Newsletter Index
- FFL Newsletter / July 2017
- State Regulations Found at www.atf.gov
- ATF Theft and Loss Report
- NICS Information along with Flip Delay/Deny Card
- ATF Form 3310.04 – Multiple Sale Report / Handguns
- FFL Security Advisory – FFL Burglaries
- Important ATF Phone Numbers
- FFL Disaster Preparedness Brochure
- Loss Prevention for Firearms Retailers
- FFL Alert Program
- How to Conduct a Firearms Inventory
- Annual AFMER submission & FAQs with AFMER Form
- Current ATF Manufacturing Rulings at www.atf.gov
- Applicability of the ITAR Registration Requirement to Firearms Manufacturers and Gunsmiths
- ATF's Manufacturing vs. Gunsmithing Determination – August 15, 2008

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- Marking Requirements
- Filing for a Marking Variance

IOI (b)(6) provided an opportunity for the Licensee to ask any questions or discuss any concerns from the compliance inspection. IOI (b)(6) reviewed the Acknowledgement of Federal Firearms Regulations with the Licensee, which the Licensee then signed, retaining a copy. See **Exhibit 9** – Acknowledgement of Federal Firearms Regulations.

13 – Violations

1 27 CFR 478.21(a)

Nature of Violation:

Failure on (b)(3) - 112 Pub ATF Forms 4473, to furnish or obtain all information as required by headings and instructions.

Specifics of the violation:

Failure on (b)(3) - 112 Pub ATF Forms 4473, to correctly record the required information in Item 16 – Type of firearm(s) to be transferred (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Failure on (b)(3) - 112 Pub ATF Form 4473, to ensure that the Transferee signed Item 22 – Transferee's / Buyer's Signature and dated Item 23 – Recertification Date (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Failure on (b)(3) - 112 Pub ATF Forms 4473, to correctly record the required information in Item 29 – Total Number of Firearms (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)
(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Failure on (b)(3) - 112 Pub ATF Forms 4473, to correctly record the required information in Item 33 – Trade/corporate name and address of transferor/seller and Federal Firearms License Number and Item 36 Transferor's/Seller's Title (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response:

The Licensee had no response.

Corrective Action:

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IOI (b)(6) told the Licensee that for Transferor errors, if supporting information is available to substantiate the correction, he is to make a copy of the page needing correction, initial and date the correction on the copy, and insert the corrected copy in with the original ATF Form 4473.

For Transferee errors, if the Licensee elects to have the Transferee return to make a correction, he is to make a copy of the page needing correction, have the Transferee make the correction on the copy, initial and date the correction, and insert the corrected copy in with the original ATF Form 4473.

Worksheets and Exhibits: Worksheet 1 / Exhibit 1 – ATF Forms 4473 27 CFR 478.21(a) violations

2 27 CFR 478.124(c)(1)

Nature of Violation:

Failure on (b)(3) - 112 ATF Forms 4473, to obtain and record all required transferee information.

Specifics of the violation:

Failure on (b)(3) - 112 occasion to stop the transfer of a firearm, when the Transferee responded with a "Yes" to Questions 11b, 11c, 11d, 11e, 11f, 11g, 11h and 11i (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) (b)(3) - 112.

Failure on (b)(3) - 112 occasion to stop the transfer of a firearm, when the Transferee did not respond to Questions 11c (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Failure on (b)(3) - 112 occasion to stop the transfer of a firearm, when the Transferee did not respond to Questions 12c (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Failure on (b)(3) - 112 ATF Form 4473, to ensure that the Transferee signed Item 14 – Transferee's/Buyer's Signature (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) and

Failure on (b)(3) - 112 ATF Forms 4473, to ensure that the Transferee recorded the correct date in Item 15 – Certification Date (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response:

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The Licensee had no response.

Corrective Action:

For this violation, IOI (b)(6) told the Licensee that for all future transfers he must ensure that the Transferee records all the required information in Section A before making a transfer. If the Licensee elects to have the Transferee return to make a correction, he is to make a copy of the page needing correction, have the Transferee make the correction on the copy, initial and date the correction, and insert the corrected copy in with the original ATF Form 4473.

Worksheets and Exhibits: Worksheet 2 / Exhibit 2 – ATF Forms 4473 27 CFR 478.124(c)(1) violations

3 27 CFR 478.124(c)(3)(i)

Nature of Violation:

Failure on (b)(3) - 112 ATF Forms 4473, to verify and record proper transferee's identification documents.

Specifics of the violation:

Failure on (b)(3) - 112 ATF Form 4473, to correctly record the required government issued document examined in Item 18a – Identification (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)) and

Failure on (b)(3) - 112 ATF Forms 4473, to record the required government issued document examined in Item 18b – Alternate Documentation, secondary government issued identification when the address on the primary government issued identification provided by the transferee and recorded in Item 20a – Identification, did not match what the licensee recorded in Item 2 – Current Residence Address (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response:

The Licensee had no response.

Corrective Action:

IOI (b)(6) told the Licensee that for all future ATF Form 4473 transfers; the required government issued document used by the Transferee must meet the identification requirements outlined in the ATF Form 4473 instructions and recorded correctly by the Licensee. If the Licensee elects to have the Transferee return with valid identification, he is to make a copy of the page needing correction, make the correction on the copy,

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initial and date the correction, and insert the corrected copy in with the original ATF Form 4473.

Worksheets and Exhibits: Worksheet 2 / Exhibit 3 – ATF Forms 4473 27 CFR 478.124(c)(3)(i) violations

4 27 CFR 478.124(c)(3)(iv)

Nature of Violation:

Failure on (b)(3) ATF Forms 4473, to record all required NICS transaction information.

Specifics of the violation:

Failure on (b)(3) - 112 ATF Forms 4473, to correctly record the required information for Item 19a - Date the Transferee's identifying information was transmitted to NICS (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)) and

Failure on (b)(3) ATF Forms 4473, to correctly record the required information for Item 19d – If initial response received from NICS was “Delayed”, the following response was received from NICS (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)).

Licensee Response:

The Licensee had no response.

Corrective Action:

IOI (b)(6) told the Licensee to ensure that for future ATF Forms 4473, all NICS items are properly completed.

Worksheets and Exhibits: Worksheet 2 / Exhibit 4 – ATF Forms 4473 27 CFR 478.124(c)(3)(iv) violations

5 27 CFR 478.124(c)(4)

Nature of Violation:

Failure on (b)(3) - 112 ATF Form 4473, to record all required firearm identification information.

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Specifics of the violation:

Failure on (b)(3) - 112 ATF Form 4473, to correctly record the required information for Item 24 – Manufacture and / or Importer, Item 25 – Model, Item 26 – Serial Number, Item 27 – Type and 28 – Caliber or Gauge (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response:

The Licensee had no response.

Corrective Action:

IOI (b)(6) told the Licensee that if supporting information is available to substantiate the correction, he is to make a copy of the page needing correction, initial and date the correction on the copy, and insert the corrected copy in with the original ATF Form 4473.

Worksheets and Exhibits: Worksheet 2 / Exhibit 5 – ATF Form 4473 27 CFR 478.124(c)(4) violation

6 27 CFR 478.124(c)(5)

Nature of Violation:

Failure on four ATF Forms 4473, to properly sign and/or record the correct date of transfer of a firearm.

Specifics of the violation:

Failure on (b)(3) - 112 ATF Form 4473, to sign Item 34 – Transferor's / Seller's Signature (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)) and

Failure on (b)(3) - 112 F ATF Forms 4473, to correctly record the date transferred for Item 36/37 – Date Transferred (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response:

The Licensee had no response.

Corrective Action:

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IOI (b)(6) told the Licensee that if supporting information is available to substantiate the correction, he is to make a copy of the page needing correction, initial and date the correction on the copy, and insert the corrected copy in with the original ATF Form 4473.

Worksheets and Exhibits: Worksheet 2 / Exhibit 6 – ATF Forms 4473 27 CFR 478.124(c)(5) violations

7 27 CFR 478.126a

Nature of Violation:

Failure on (b)(3) occasion, involving a total of (b)(3) handguns, to timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response:

The Licensee had no response.

Corrective Action:

The Licensee completed the missing multiple sale reports and submitted them to eTrace.

Worksheets and Exhibits: Worksheet 2 / Exhibit 7 – ATF Form 4473 27 CFR 478.126a violation & Exhibit 8 – NTC Multiple Sale Summaries

6/18/2018

X (b)(6)

Industry Operations Investigator
Signed by: ATF

Index of Worksheets and Exhibits

Worksheet 2 – 4473 (2016 Edition) Review
Exhibit 1 – ATF Forms 4473 27 CFR 478.21(a) violations

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Exhibit 2 – ATF Forms 4473 27 CFR 478.124(c)(1) violations
Exhibit 3 – ATF Forms 4473 27 CFR 478.124(c)(3)(i) violations
Exhibit 4 – ATF Forms 4473 27 CFR 478.124(c)(3)(iv) violations
Exhibit 5 – ATF Form 4473 27 CFR 478.124(c)(4) violation
Exhibit 6 – ATF Forms 4473 27 CFR 478.124(c)(5) violations
Exhibit 7 – ATF Forms 4473 27 CFR 478.126a violations
Exhibit 8 – NTC Multiple Sale Summaries
Exhibit 9 – Acknowledgement of Federal Firearms Regulations



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
Phoenix Field Division

June 19, 2018

www.atf.gov

VIA CERTIFIED MAIL

Sam DiCarlo
Sammy D's Discount Arms
4850 West North Lane
Glendale, Arizona 85302

Re: 9-86-013-07-0L-10716

Mr. DiCarlo:

As you are aware, Industry Operations Investigator (b)(6) from the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") conducted an inspection of your firearms business at your licensed premises beginning on May 17, 2018, which continued through May 25, 2018. That inspection, covering your business activities from October 13, 2017 to May 17, 2018, revealed the following violations of the Gun Control Act of 1968, Title 18, United States Code, Chapter 44 and the implementing regulations, Title 27, Code of Federal Regulations. Part 478:

- 27 CFR 478.21(a)
- 27 CFR 478.124(c)(1)
- 27 CFR 478.124(c)(3)(i)
- 27 CFR 478.124(c)(3)(iv)
- 27 CFR 478.124(c)(4)
- 27 CFR 478.124(c)(5)
- 27 CFR 478.126a

The violations disclosed during this recent inspection were fully explained to you by Investigator (b)(6)t, where upon you 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.

Should you have any questions regarding this matter, please feel free to contact me directly at

(b)(6)

Sincerely,

(b)(6)

Area Su

Attachment: ROV