

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Ricks Gun and Pawn LLC 536 Rowlandsville Road Conowingo, MD 21918, Cecil	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 761025-2018-0080-B1B		
	3. PERMIT/LICENSE NUMBER 852015029A01913	4a. TARGET DATE 3/30/2018	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

6. ATF OFFICER(S) ASSIGNED
(b)(6) - Lead Investigator
(b)(6) - Assigned Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6) Area Supervisor, 10/01/2017

8. PURPOSE/SPECIAL INSTRUCTIONS
Conduct a full scope firearms compliance inspection for this pawnshop.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	1	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	79	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: 12/04/2017

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
OCT 2017	42.75		
NOV 2017	62.50		
DEC 2017	1.00		
ATF OFFICER'S SUBTOTAL	106.25	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
NOV 2017	38.00		
ATF OFFICER'S SUBTOTAL	38.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	144.25		

13. REVIEW AND ROUTING
REVIEW COMMENTS AND RECOMMENDATION
Viols WL ONLY and No Recall Inspection

<input checked="" type="checkbox"/> REVIEWED	<input checked="" type="checkbox"/> CONCUR	<input type="checkbox"/> SEE COMMENTS	<input checked="" type="checkbox"/> FINAL DISPOSITION
SIGNATURE AND TITLE (b)(6) Area Supervisor		REVIEW DATE 12/04/2017	

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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 Ricks Gun and Pawn LLC	Street Address 536 Rowlandsville Road	City Conowingo	State MD	ZIP Code 21918	County Cecil	Page 1 of 1 Pages
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License/Permit/Registry Number (if any) 8-52-015-02-9A-01913	Expiration Date 1/1/2019	Date(s) or Period of Inspection October 24, 2016 to October 24, 2017
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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	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 478.125(e)	Licensee failed to accurately maintain the acquisition and disposition book. The licensee could not locate (b)(6) firearm in inventory which showed an open disposition in the A&D Record. The licensee also could not locate any disposition documentation for the firearm. (The firearm was reported missing as a result of the inspection.)	Investigator (b)(6) minded the licensee of the requirements of 27 CFR 478.125(e). Ms. Winona Dee Hancock submitted an ATF E-Form 3310.11, Federal Firearms Licensee Firearms Inventory Theft/Loss Report for the missing firearm.	Corrected Immediately.

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

WINONA D. HANCOCK WINONA D. HANCOCK - SEC / TREASURER

Signature and Title of ATF Officer

(b)(6)

Senior J.O. Investigator

Date
November 17, 2017

Date
November 17, 2017

ATF E-Form 5030.5
Revised April 2005

FIREARMS INSPECTION REPORT

Name: Ricks Gun and Pawn LLC
Trade Name:

UI#: 761025-2018-0080-B1B
FFL#: 8-52-015-02-9A-01913

Address: 536 Rowlandsville Road, Conowingo, MD 21918 (Cecil County)

1 - Introduction

Inspection Profile:

A firearms licensee (pawnbroker in firearms other than destructive devices) compliance inspection was conducted by ATF Senior Industry Operations Investigator (b)(6) at the licensed premises of Ricks Gun and Pawn LLC, (FFL #8-52-015-02-9A-01913) located at 536 Rowlandsville Road, Conowingo, MD 21918 (Cecil County). The inspection began on Tuesday, October 24, 2017 and was completed on Friday, November 17, 2017. No advance notice was given to the licensee. The inspection period was from October 24, 2016 to October 24, 2017. Interviewed during the course of the inspection was Ms. Winona Dee Hancock, Secretary / Treasurer and Mr. Richard Allen Smith, President. Ms. Hancock and Mr. Smith are properly listed as the two Responsible Persons on the license. Ms. Hancock and Mr. Smith each provided a valid Maryland Driver's License for identification. During the course of the inspection Investigator (b)(6) was assisted by ATF Industry Operations Investigator (b)(6).

Business Profile:

Ricks Gun and Pawn LLC is a Limited Liability Company formed in the State of Maryland on August 31, 2006. The business is located in a commercial building at 536 Rowlandsville Road, Conowingo, MD 21918 (Cecil County). The store is located in a rural area of Cecil County. The original issue date of the FFL was December 5, 2006. Business Hours are Tuesday through Saturday from 10:00am to 6:00pm; Sunday & Monday Closed. The business is open to the public.

Ricks Gun and Pawn LLC operates a pawn shop and retail store where they take in pawn and sell at retail the following items; jewelry, tools and firearms. Previously Ricks Gun and Pawn LLC also accepted electronics and musical equipment in pawn, however, Ms. Hancock stated that with the current economic climate they are being more selective on the items they are willing to accept in pawn and currently only accept jewelry, tools and firearms. Ricks Gun and Pawn LLC sells new and used firearms as well as ammunition and shooting supplies & accessories. All sales are retail sales. Ricks Gun and Pawn LLC does not operate a wholesale business. The licensee also facilitates transfers of firearms for non-licensees. During the inspection period, the licensee acquired and disposed of approximately (b)(4) firearms. (Approximately (b)(4) handguns, (b)(4) long guns and (b)(4) other / frames /

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Name: Ricks Gun and Pawn LLC
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receivers). Approximately (b)(4) of the sales are used guns, (b)(4) new guns. The following FFLs are Ricks Gun and Pawn LLC's primary suppliers of new firearms: (b)(4).

Ricks Gun and Pawn LLC has enough space at the licensed premises for the storage of all firearms in inventory as well as all required records. No offsite storage is utilized. The licensee does occasionally conduct business at gun shows, about two or three per year. The licensee maintains a website at www.ricksgunpawn.com to advertise the business, but does not conduct Internet sales through the website. The licensee will, however, occasionally sell firearms through gunbroker.com.

In addition to the Federal Firearms License (FFL), Ricks Gun and Pawn LLC possesses a State of Maryland Regulated Firearms Dealers License, a State of Maryland Trader's License, a State of Maryland second hand precious metal object license and a Maryland Sales & Use Tax License. The licensee is in compliance with Cecil County Maryland Zoning Law. The licensee does not possess any other ATF licenses. No other business is conducted on the licensed premises.

Ownership and Control:

Ricks Gun and Pawn LLC is a Limited Liability Company formed in the State of Maryland on August 31, 2006. Ms. Winona Dee Hancock is Secretary / Treasurer and Mr. Richard Allen Smith is President. Ms. Hancock and Mr. Smith are properly listed as the only two responsible persons on the license in the FLS database. There have been no unreported changes in ownership or control since the last inspection. No hidden ownership is suspected. However, upon reviewing the FLS printout with the licensee, Investigator (b)(6) discovered that the following items in FLS need to be amended / corrected: The responsible persons no longer maintain their home phone number; (b)(6) (b)(6). The phone number for Ms. Winona Dee Hancock needs to be amended to her cell phone; (b)(6). The phone number for Mr. Richard Allen Smith needs to be amended to his cell phone; (b)(6).

Variance:

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

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

2 - Recommendation

Report of Violations issued. Recommend Warning Letter Only. No Recall Inspection.

3 - Inspection History

Date of Inspection: August 19, 2015
Type of Inspection: Firearms Compliance Inspection
UI#: 761025-2015-0174 B1B
Inspection Results: Report of Violations issued. Warning Letter sent on September 10, 2015.
Cited Violations: 27 CFR 478.125(e), 27 CFR 478.124(c)(1), 27 CFR 478.124(c)(3)(i), 27 CFR 478.124(c)(3)(iv), 27 CFR 478.102(a).

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

Ricks Gun and Pawn LLC maintains their Acquisition & Disposition records in bound form in accordance with 27 CFR 478.125(e). The records were found to be kept at the licensed premises as required. All entries are hand written. Investigator (b)(6) reviewed the licensee's A&D records and found them to be kept in the proper format. At the time of inspection the licensee had 461 firearms in inventory. At the same time, review of the A&D records disclose (b)(3) - 112 Pub open entries. A full inventory was conducted by Investigator (b)(6) with the assistance of ATF Industry Operations Investigator (b)(6). Each firearm in inventory was compared to the A&D record. For each of the (b)(3) - 112 Pub firearms in inventory a corresponding open entry in the A&D record was located. All firearms in inventory were properly entered into the A&D record. However, for (b)(3) - 112 Pub of the open entries (b)(3) - 112 Public Law 55 125 Stat 552 See worksheet #1. During the inspection Ms. Hancock was unable to locate any disposition documentation for the firearm. Ms. Hancock submitted a theft / loss report for the missing firearm on November 17, 2017. See exhibit #1.

Ms. Winona Dee Hancock stated that there were no thefts or losses reported during the inspection period. Ms. Hancock stated that she conducts periodic inventories to ensure that all firearms are accounted for. Since the last inspection, the licensee found (b)(3) - 112 Pub

FIREARMS INSPECTION REPORT

Name: Ricks Gun and Pawn LLC
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firearm missing during such an inventory. On 8/24/2016, Ms. Hancock reported a

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

. See exhibit #2.

Ricks Gun and Pawn LLC's standard operating procedures regarding the A&D Record are that all entries, acquisition & disposition, are made on the day the transaction occurs. Ms. Winona Dee Hancock personally maintains the A&D records as she primarily operates the day to day activities at the store. Mr. Richard Allen Smith may make an occasional entry into the records if Ms. Hancock is unavailable. Ms. Hancock stated that all firearm shipping boxes are opened upon receipt and firearms are entered into the A&D record based upon the markings on the firearms.

Investigator (b)(6) selected 25 firearms from the A&D records with dispositions recorded and found the corresponding ATF F 4473 on file documenting the disposition. No discrepancies were disclosed. In addition Investigator (b)(6) selected 25 ATF F 4473 and located the corresponding A&D records for each. Again no discrepancies were disclosed. During the inspection no firearms were discovered with obliterated serial numbers nor were any illegal firearms discovered. Review of the A&D record did not disclose any trafficking indicators.

5 - ATF Forms 4473 – NICS & Other Dispositions

The licensee had (b)(3) - 112 Pub ATF F 4473 on file for the inspection period. (b)(3) - 112 were the 2012 edition and (b)(3) - 112 Pub were the 2016 edition. The ATF F 4473 were found to be at the licensed premises and were filed in accordance with an approved variance dated August 27, 2015, from the ATF Firearms Industry Programs Branch. ATF F 4473 are filed chronologically by the type of background check conducted (i.e. by NICS transactions for sales and transfers of long guns, pawn redemptions, and consignment returns or by MD State Police run background checks for sales and transfers of handguns and other regulated firearms). Forms where a NICS check was conducted but no firearm transfer occurred are filed chronologically by certification date. Investigators (b)(6) and (b)(6) reviewed each of the (b)(3) - 112 Pub ATF F 4473 on file. Investigators (b)(6) and (b)(6) found each ATF F 4473 to be properly executed and filed.

A FFL Audit Report for firearm transactions was requested from the FBI NICS for the time frame of October 23, 2016 through October 23, 2017. The audit report revealed 89 proceed transactions, one delayed transaction and one open transaction in the last 60 days. The audit report also revealed eight denied transactions and one under appeal transaction for the period requested. Investigator (b)(6) compared the NICS numbers listed on the Audit Log to the NICS numbers recorded on the ATF Forms 4473. No discrepancies were disclosed.

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A second audit report for firearms transactions was requested through the State of Maryland for regulated firearm transactions from October 23, 2016 to October 23, 2017. The State of Maryland provided a spreadsheet of Not Disapproved transactions for the time frame requested.

During the inspection period the licensee conducted transfers of firearms to other licensees. Prior to transferring any firearms to another licensee Ms. Winona Dee Hancock stated that she ensured that a certified copy of the recipient's FFL was received prior to transferring any firearms to another licensee. Investigator (b)(6) encouraged the licensee to utilize the ATF FFL EZ Check system before transferring any firearms to another licensee in order to verify the validity of such license. Investigator (b)(6) also encouraged the licensee to print the FFL EZ Check response for filing with the certified copy of the FFL as proof that the license was valid at the time the firearm was transferred.

During the inspection period the licensee conducted one transfer to law enforcement. The transfer was properly documented on the Law Enforcement Agencies Department Letterhead in accordance with **27 CFR 478.134**.

During the inspection Investigator (b)(6) discussed the licensee's standard operating procedures relevant to the ATF Form 4473 completion with Ms. Winona Dee Hancock. Ms. Hancock stated that she personally executes approximately 99% or more of the ATF F 4473, from presenting the form to the customer for completion through the transferring of a firearm. Ms. Hancock stated that in her absence Mr. Richard Allen Smith executes the remainder of the ATF F 4473. Ms. Hancock further stated that as soon as the firearm is transferred the ATF F 4473 are numbered and filed in accordance with their approved variance.

6 - Multiple Sales

On Monday, October 23, 2017, Investigator (b)(6) queried the ATF e-Trace database for multiple sale information for Ricks Gun and Pawn LLC, FFL #8-52-01913. The query revealed (b)(6) multiple sales involving (b)(6) firearms from October 23, 2016 to October 23, 2017. Review of the Licensee's required records did not disclose any unreported multiple sales.

7 - Suspicious/Prohibited Purchasers

During the review of the licensee's Acquisition and Disposition Records and ATF F 4473s on file for the inspection period, Investigators (b)(6) did not identify any possible traffickers, straw purchasers or other suspicious purchasers. Investigator (b)(6) selected 10 firearm purchasers for criminal history queries which resulted in no

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hits for prohibiting criminal information. No referrals were generated as a result of this inspection.

8 - Trace Activity

On Monday, October 23, 2017 Investigator (b)(6) queried the ATF e-Trace database for Trace activity for Ricks Gun and Pawn LLC, FFL #8-52-01913. The query revealed (b)(6) successful traces and zero unsuccessful traces from October 23, 2016 to October 23, 2017.

Investigator (b)(6) selected 69 firearms for query in the NCIC stolen gun database as well as the ATF e-Trace database which resulted with no hits.

9 - NFA/Importer/Collector/Manufacturer

The licensee does not deal in NFA firearms. The licensee does not import or manufacture firearms, and is not a collector of curios and relics.

10 - Referrals

No referrals were generated as a result of this inspection.

11 - Other

Ricks Gun and Pawn LLC was found to be in compliance with both the Youth Handgun Act (poster and notice) and secure gun storage/safety devices. Investigator (b)(6) assisted the licensee with setup to receive e-mail updates from ATF and encouraged the licensee to utilize the ATF FFL EZ Check site to check the validity of a FFL prior to selling or transferring any firearms to another licensee.

12 - Closing Actions

On Friday, November 17, 2017, ATF Senior Industry Operations Investigator (b)(6) (b)(6) a closing conference with Ms. Winona Dee Hancock, Secretary / Treasurer. During the closing a Report of Violations was issued to the licensee. Investigator (b)(6) explained the violation to Ms. Hancock and discussed corrective measures to ensure that the violation is not repeated in the future. Ms. Hancock signed the Report of Violations acknowledging her receipt and a copy was provided to her. Also, during the closing Investigator (b)(6) reviewed the Federal Firearms Regulations with Ms. Hancock. The "Acknowledgement of Federal Firearms Regulations" was signed by Ms. Hancock and a copy was provided to her for her records. **See exhibit #3.** The materials referenced during the review were provided to the licensee.

FIREARMS INSPECTION REPORT

Name: Ricks Gun and Pawn LLC
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13 - Violations

1. **27 CFR 478.125(e) – REPEAT OF VIOLATION CITED ON AUGUST 28, 2015.**

Nature of violation:

Licensee failed to accurately maintain the acquisition and disposition book. The licensee could not locate (b)(3)-(b)(7) firearm in inventory which showed an open disposition in the A&D Record. The licensee also could not locate any disposition documentation for the firearm. (The firearm was reported missing as a result of the inspection.)

Licensee's response:

Ms. Hancock stated that the firearm was located during the last inventory (August 2016), however, she could not locate the firearm or any disposition documentation for the firearm. Ms. Hancock stated that she will continue to search for the disposition of the firearm until she has exhausted all possible dispositions to include searching commercial records and contacting other FFLs she has transferred firearms to in the past to see if it was shipped without paperwork.

Corrective action:

Investigator (b)(6) reminded the licensee of the requirements of 27 CFR 478.125(e). Ms. Winona Dee Hancock submitted an ATF E-Form 3310.11, Federal Firearms Licensee Firearms Inventory Theft/Loss Report for the missing firearm on 11/17/2017.

(Ms. Hancock faxed the Theft/Loss Report to the ATF National Tracing Center, this was witnessed by Investigator (b)(6). On 12/4/2017 Investigator (b)(6) queried the ATF eTrace database and verified that the firearm was entered into the system. See FFL Theft (b)(3)-(b)(7) Public Law 85-126 Stat 552.)

Reference Worksheet 1 and Exhibit 1.

X

(b)(6)

Senior Industry Operations Investigator

Index of Worksheets and Exhibits

- **Worksheet #1** – Inventory and A&D Review Worksheet.
- **Exhibit #1** – Copy of FFL Theft / Loss Report, dated 11/17/2017.

FIREARMS INSPECTION REPORT

Name: Ricks Gun and Pawn LLC
Trade Name:

UI#: 761025-2018-0080-B1B
FFL#: 8-52-015-02-9A-01913

- **Exhibit #2** – Copy of FFL Theft / Loss Summary, FFL Theft Number: [REDACTED].
- **Exhibit #3** – Copy of Acknowledgement of Federal Firearms Regulations.



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
31 Hopkins Plaza, 5th Floor
Baltimore, Maryland 21021

December 1, 2017

www.atf.gov

761025 (b)(6)
5373

WARNING LETTER

DELIVERED VIA FED EX – SIGNATURE CONFIRMATION REQUESTED

Ricks Gun and Pawn, LLC
ATTENTION: Mr. Richard A. Smith and Ms. Winona D. Hancock
536 Rowlandsville Road
Conowingo, MD 21918

Reference: FFL # 8-52-015-02-9A-01913

Dear Mr. Smith & Ms. Hancock:

During a recent compliance inspection at your firearms business covering the period October 24, 2016 through October 24, 2017, you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 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 (b)(6)). 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 ensure that criminals do not gain access to firearms. 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 conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise,

Ricks Gun and Pawn, LLC
Reference FFL # 8-52-015-02-9A-01913

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 contact (b)(6) Area Supervisor, at (b)(6)

(b)(6)

Area Supervisor
Baltimore Area Office

Enclosure

c: Federal Firearms Licensing Center
Baltimore V Field Office