

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) B&B GUNS & AMMO LLC 242 BUTTERNUT ABILENE, TX 79602-0000, TAYLOR		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 781080-2018-0172-B1B		
		3. PERMIT/LICENSE NUMBER 575441020L10360	4a. TARGET DATE 5/1/2018	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		
6. ATF OFFICER(S) ASSIGNED (b)(6) - Assigned Investigator (b)(6) - Lead Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6) , AREA OFFICE SUPERVISOR, 11/16/2017				
8. PURPOSE/SPECIAL INSTRUCTIONS				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	6	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	6	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: 05/08/2018 Viols WC with WL and Recall				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
MAR 2018		70.00		
APR 2018		15.00		
ATF OFFICER'S SUBTOTAL		85.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS		85.00		
13. REVIEW AND ROUTING				
REVIEW COMMENTS AND RECOMMENDATION Viols WC with WL and Recall				
<input checked="" type="checkbox"/> REVIEWED <input checked="" type="checkbox"/> CONCUR <input type="checkbox"/> SEE COMMENTS <input type="checkbox"/> FINAL DISPOSITION				
SIGNATURE AND TITLE (b)(6) - Acting DIO			REVIEW DATE 05/08/2018	

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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 B&B GUNS & AMMO LLC	Street Address 242 BUTTERNUT	City ABILENE	State TX	Zip Code 79602-0000	County TAYLOR	Page 1 of 4 Pages
License/Permit/Registry Number <i>(If any)</i> 575441027L10360		Expiration Date		Date(s) or Period of Inspection 03/05/2018 through 03/27/2018		

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 to obtain (b)(3) - 112 Public Law properly completed ATF Forms 4473, Section A, prior to making an over-the-counter transfer of a firearm to a non-licensee. The licensee failed to ensure the transferee/buyer properly complete Section A, Question #11-12, of the form prior to transfer of a firearm(s).

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed to review Section A, specifically, Questions #11a-i and 12a-c, of the ATF Form 4473 to ensure the buyer completed the form prior to the transfer of a firearm(s).

Number: 2

Nature of Violation:

Failure of the licensee to ensure that a valid identification document be recorded on ATF Form 4473, as per the instructions on or pertaining to Section B, Question 18a (b)(3) - 112 Public Law

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will continue to review the forms, to include Section B, prior to transfer to ensure forms are completed correctly before filing.

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License/Permit/Registry Number <i>(If any)</i> 575441027L10360		Expiration Date		Date(s) or Period of Inspection 03/05/2018 through 03/27/2018		

Inspection Results

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

Number: 3

Nature of Violation:

Failure of the licensee to ensure that the NICS transaction number be recorded on ^{(b)(3) - 112 Public} ATF Form 4473 ^{(b)(3) - 112 Public Law 55 125}

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)

The licensee will continue to review the forms, to include Section B, Question #19a-c, prior to transfer to ensure forms are completed correctly before filing.

Number: 4

Nature of Violation:

Failure of the licensee to contact NICS or obtain a valid exception to NICS prior to transfer of a firearm(s) to a non-licensee, in ^{(b)(3) - 112 Public} instances ^{(b)(3) - 112 Public Law 55 125 Stat 552}. The licensee failed to demonstrate that a NICS background check was initiated for an over-the-counter transfer of a firearm(s) to a non-licensee, in which, the ATF Forms 4473 could not be located or reconciled.

Citation: 27 CFR 478.102(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed to properly maintain ATF Forms 4473 in accordance with ATF regulations, to include the execution of and retention of ATF Forms 4473 on the licensed business premises. The licensee was further reminded that NICS must be contacted and properly documented for firearm(s) transfers unless a valid exception to NICS is provided.

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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: 5

Nature of Violation:

Failure of the licensee to execute (b)(3) - 112 Public ATF Forms 4473 for the transfer of firearms to non-licensees. (b)(3) - 112 Public arms associated with open entries in the licensee's A&D records were subsequently transferred without a respective ATF Form 4473 on file (b)(3) - 112 Public. The licensee furnishes (b)(3) - 112 Public transaction receipts for the aforementioned firearms; however, there were no indicators that ATF Forms 4473 were ever executed.

Citation: 27 CFR 478.124(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed to properly maintain ATF Forms 4473 in accordance with ATF regulations, to include the execution of and retention of ATF Forms 4473 on the licensed business premises. The license was further reminded that NICS must be contacted and properly documented for firearm(s) transfers unless a valid exception to NICS is provided.

Report of Violations

Instructions

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License/Permit/Registry Number <i>(If any)</i> 575441027L10360		Expiration Date		Date(s) or Period of Inspection 03/05/2018 through 03/27/2018		

Inspection Results

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

Number: 6

Nature of Violation:

Failure of the licensee to timely record (b)(3)-112 acquisition and/or disposition information into the A&D record in the following instances:
(b)(3)-112 P.001 instances, the licensee failed to timely and/or correctly record acquisition entries into the A&D record prior to inspection;
(b)(3)-112 P.001 instances, the licensee failed to timely and/or correctly record disposition entries into the A&D record (disposition reconciled);
*And (b)(3)-112 P.001 firearm was missing from inventory after reconciliation (Theft/Loss report submitted to ATF).

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will establish a review system to ensure all acquired and disposed firearms are recorded in a timely manner, per ATF regulations. The licensee was educated on the proper way to maintain computerized A&D records and was given one (1) week to reconcile the A&D record discrepancies. A Theft/Loss Report was prepared for (b)(3)-112 P.001 firearm that was not logged out of the book and could not be accounted for.

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

Pattie Wolf

Signature and Title of ATF

(b)(6)

Date

3-27-18

Date

3/27/18

FIREARMS INSPECTION REPORT

Name: B&B Guns & Ammo, LLC
Trade Name:

UI#: 781080-2018-0172-B1B
FFL#: 5 75 441 02 0L 10360

Address: 242 Butternut Street
Abilene, Texas 79602 (Taylor County)

1 - Introduction

Inspection Profile:

On March 5-8, 2018, March 22, 2018, and March 27, 2018, ATF Industry Operations Investigator (b)(6) conducted a Recall Southwest Border Pawnbroker Compliance Inspection for B&B Guns & Ammo, LLC, located at 242 Butternut Street, Abilene, Texas, 79602. On March 5, 2018, Investigator (b)(6) conducted an opening conference with Members Patti and Lance Wolfe, identified by Texas Driver's License (b)(6), respectively.

The period of inspection was from March 5, 2017, through March 5, 2018.

Advance notification was not given for this inspection.

There were no other Federal, State, or local agencies participating in this inspection.

Business Profile:

B&B Guns & Ammo, LLC operates as a pawnshop from a retail storefront located in Abilene, Texas. The storefront is located in a commercially zoned neighborhood and is owned by the licensee. This business pawns used handguns and long guns and sell new and used handguns and long guns for retail sale to the general public. The licensee is a large volume firearms dealer in which firearm accessories, ammunition, knives, hunting gear, apparel, tools, equipment, and other items typically found in pawn shops are also for sale on premises. The licensee is also a dealer in NFA firearms.

The licensee is currently in the process of discontinuing the pawn aspect of the business; the licensee is no longer accepting firearms in pawn. The licensee stated that they are no longer interested in pawning firearms and/or other items and will be liquidating their current pawn inventory over the next several months. Eventually, the licensee will cater primarily to its firearm and archery customers. There are no other businesses conducted on premises.

Approximately, (b)(4) firearms were acquired and (b)(4) firearms were disposed within the 12-month inspection period. Approximately, (b)(4) of the firearms acquired are new and (b)(4) are used. The majority of all used firearms are acquired from individuals from either direct sales, trades, buys or pawns. The licensee offers customer consignments.

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Approximately, (b)(4) of the licensee's firearms are in pawn or layaway, while (b)(4) are in inventory for retail sale.

The primary suppliers for new firearms are acquired from (b)(4), (b)(4).

Occasionally, the licensee will engage in firearm sales through internet auctions on GunBroker.com. The licensee advertises firearm sales on its website; however, firearm sales are not conducted via the internet. The licensee engages in business at local gun show events several times a year. The licensee does not offer gunsmith services.

B&B Guns and Ammo operates under a valid Texas Sales and Use Tax Permit, (b)(3) - 26 USC 6103. This pawnshop has an active account with the Office of Consumer Credit Commissioner, #4100 (filing #14039). The licensee's trade name, B&B Pawn & Trading, is listed with the Texas Secretary of State and is valid through July 2024; however, the licensee does not wish to add this tradename to the ATF license.

This business is in compliance with State and local laws and meets all zoning requirements with no off-site storage.

Ownership and Control:

B&B Guns and Ammo, LLC is a Texas-formed Limited Liability Company (LLC) and is registered with the Texas Secretary of State as of April 2, 2013. The Texas Secretary of State query did not disclose any changes or amendments to the original formation documents.

According to the licensee, Members Pattie and Lance Wolfe jointly own (b)(4) of the business, while two (2) of their sons, Members Jeremy and Landon Wolfe, each own (b)(4) of the business. The Texas Secretary of State query only lists Lance, Landon and Jeremy Wolfe as governing members. Pattie Wolfe was not listed as a current member. The licensee was informed of this discrepancy during the previous inspection and stated then that they would ensure the LLC documents were filed correctly. Investigator (b)(6) explained to the licensee that the LLC documents on file with the Secretary of State have not been updated since its formation in 2013 and need to be amended to include Pattie Wolfe as a member, as soon as possible. Pattie Wolfe jointly owns (b)(4) of the company and has control in the daily operations of the business. Mrs. Wolfe stated she would ensure updated documents are filed and accurately represent her as an active governing member of this business.

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Pattie, Lance, Landon, and Jeremy Wolfe are all correctly listed as responsible persons in the Federal Licensing System database. Lance and Pattie Wolfe's (b)(4), is employed full-time and is involved with the daily operations of the store; therefore, is also listed as a responsible person/store manager in FLS. (b)(4) does not have any ownership or control in the business. There have been no changes to the business entity. Hidden ownership is not suspected.

NCIC background checks were conducted on Responsible Persons Lance, Pattie, Landon, Jeremy, and Levi Wolfe with no prohibiting or derogatory information disclosed. NFORCE queries for individuals revealed no past or current criminal investigations. An FLS query for individuals revealed that both Lance and Pattie Wolfe were also listed as responsible persons on a previously held license, FFL#5-75-441-02-2C-04537, a partnership obtained in 2009. In 2013, the partnership between Lance and Pattie Wolfe was subject of a warning conference held on 9/23/2013. There were no pending revocations or other adverse action issues associated with any of the individual queries in FLS.

Variance:

There are no ATF approved variances on file for this licensee and none were requested as a result of this inspection.

2 - Recommendation

Violations. Warning Conference with Warning Letter and Recall.

3 - Inspection History

The licensee's inspection history is as follows:

Date of Inspection:	September 19, 2016
Type of Inspection:	SWBI Compliance Inspection
UI#:	781080-2016-0365-B1B
Inspection Results:	Violations. Warning Letter Only and Recall Inspection
Cited Violations:	§478.21a §478.124(c)(1) §478.124(c)(3)(i) §478.124(c)(3)(iii) §478.124(c)(3)(iv) §478.126a §478.131(a)(2) §478.99(c)

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Name: B&B Guns & Ammo, LLC
Trade Name:

UI#: 781080-2018-0172-B1B
FFL#: 5 75 441 02 0L 10360

§478.125(e)
§478.124(a)

Date of Inspection: September 24, 2014
Type of Inspection: Qualification/Application Inspection
UI#: 781080-2016-0327-B1B
Inspection Results: Application Approved
Cited Violations: Not Applicable

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

Investigator (b)(6) completed a full inventory during the inspection, which included a comparison between the firearms in inventory and the firearms documented in the licensee's computer-based A&D software. During the opening conference, it was determined that the licensee utilizes two (2) sets of computerized records. One set of computerized records are maintained on behalf of the stores' original pawnbroker software and point-of-sale system and the other is a separate computer using Sports South's A&D recordkeeping software. Initially, the licensee stated that the primary computer that is linked to the pawn and POS system is the more accurate recordkeeping system, however, it was later determined that the licensee's Sports South A&D records are the more accurate record. The licensee explained that the pawn software automatically generates a gun book number and barcoded label that is placed on a tag attached to the corresponding firearm once it is entered into the system. The Sports South system generates a different, non-barcoded, gun book number that is not used by the licensee for inventory purposes. Initially, Investigator (b)(6) conducted a complete inventory using the licensee's pawn software A&D record, at the direction of the licensee. Upon completion of this inventory, over (b)(6) entry discrepancies were revealed, dating back to 2009 when the licensee purchased the store. The licensee was unaware of these discrepancies, since a gun-to-book/book-to-gun inventory had never been conducted using this method. The licensee later remembered that the Sports South software was used during the previous inspection, but was dependent upon the use of the barcoded gun book number created by the pawn software for inventory purposes. Since, the licensee does not use the gun book number generated by the Sport South system; there is no effective way to conduct a full inventory using that software system exclusively. Using the gun book number generated by the pawn software computer and cross-referencing that list with the printed Sport South A&D book, Investigator (b)(6) was able to successfully conduct a complete gun-to-book/book-to-gun inventory.

Investigator (b)(6) explained to the licensee that they can maintain multiple A&D books; however, they must dedicate one system as their primary recordkeeping system for ATF purposes. A combination of both systems is not permitted, as per ATF regulations. The licensee could not confidently rely on either computer system to accurately represent the stores' inventory. The licensee explained that they conduct

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routine firearm inventories; however, they do not do a complete gun-to-book/book-to-gun inventory.

Investigator (b)(6) conducted a full inventory by comparing both sets of computerized A&D records; however, the licensee was cited for discrepancies identified using the Sports South computerized A&D records, only. There were 801 firearms in physical inventory, which corresponded with (b)(3) - 11 open entries in the A&D record. The licensee was cited for the following violations pertaining to 27 CFR §478.125(e) in which the licensee failed to timely record (b)(3) acquisition entries and (b)(3) disposition entries (**Report of Violations #6 and Worksheet #1**). All A&D entries were immediately reconciled.

In addition, the licensee was unable to provide documentation or proof of disposition for (b)(3) - 112 Public Law 55 125 Stat 552 open entry in the A&D record. A theft/loss report, incident (b)(3) - 112 Public Law 55 125 Stat 552, was submitted as a result of this inspection for (b)(3) - 112 Public Law 55 125 Stat 552 firearm associated with an unresolved disposition (**Report of Violations #6, Worksheet #1 and Exhibit #1**).

Although, the Sports South A&D book inventory revealed fewer discrepancies, there were many disadvantages to this system. Investigator (b)(6) advised the licensee to implement a new system for tagging the firearms that would incorporate the gun book number generated by the Sport South system, as opposed to the using the pawn software gun book number. In doing so, the licensee would be able to conduct a complete gun-to-book/book-to-gun inventory without having to cross-reference the pawn computer inventory list. The Sport South system does not have the ability to print out a barcode label nor does it have point-of-sale capabilities. The licensee is in the process of phasing-out the pawn software and will need a primary computer system that is ATF compliant, has barcode capabilities and includes a point-of-sale system. At the conclusion of the inspection, the licensee was able to identify the limitations with regard to both computer systems and is actively in the process of researching alternative software systems that can meet their future needs.

The A&D books were reviewed for purchase of crime guns and repeat purchasers. The majority of the firearms that enter the store are customers' used firearms through trades or consignments. The licensee is no longer accepting used firearms in pawn. There were (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

(b)(6) The licensee explained that (b)(6) is a repeat buyer and often has internet transfers sent to the store for pick-up. He also trades and consigns firearms from time-to-time. (b)(6) is a frequent buyer and is also employed part-time at the store. The licensee did not suspect any unusual purchasing habits with regard to either individual. Investigator (b)(6) ran e-Trace queries for (b)(6) and (b)(6) which disclosed zero (0) trace results; however, (b)(3) - 112 Public Law 55 125 Stat 552 Referrals were not generated based on these query results.

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Trafficking indicators were reviewed against firearm sales with no issues discovered. No obliterated serial numbers were discovered and no illegal firearms were identified.

(b)(3) - 112 Public Law 55 125 Stat 552 firearms were traced through the licensee's records from the time of acquisition to disposition, with no discrepancies identified.

A theft/loss report was submitted to (b)(3) - 112 Public Law 55 125 Stat 552, for the loss of (b)(3) - 112 Public Law 55 125 Stat 552 firearm missing from inventory/unresolved disposition, identified as a result of this inspection. A theft/loss report was also reported as a result of a previous inspection held in 2016, in which the licensee reported (b)(3) - 112 Public Law 55 125 Stat 552 missing from inventory, (b)(3) - 112 Public Law 55 125 Stat 552 firearm was eventually recovered. The licensee reported a theft/loss again in 2016 for the theft/loss of (b)(3) - 112 Public Law 55 125 Stat 552 firearms, (b)(3) - 112 Public Law 55 125 Stat 552 in which (b)(3) - 112 Public Law 55 125 Stat 552 firearm was recovered. In 2015, the licensee filed a theft/loss report for the theft/loss of (b)(3) - 112 Public Law 55 125 Stat 552 firearm.

5 - ATF Forms 4473 – NICS & Other Dispositions

The ATF Forms 4473 are current and accurately maintained. There were (b)(3) - 112 Public Law 55 125 Stat 552 chronologically filed ATF Forms 4473 on file for the inspection period. All ATF Forms 4473 were reviewed for completeness, accuracy, and trafficking issues. The licensee was cited for numerous form discrepancies during the previous inspection and has since implemented a thorough ATF Forms 4473 review system. Pattie Wolfe is responsible for ensuring the ATF Forms 4473 are reviewed prior to transfer and again before filing. The development of a forms review system has significantly decreased the quantity of ATF Forms 4473 discrepancies since the last inspection.

During the form review, however, Investigator (b)(6) identified (b)(3) - 112 Public Law 55 125 Stat 552 ATF Forms 4473 with errors that correlate with three (3) cited violations (**Report of Violations #1-3, Worksheet #2 (2016 edition) and Exhibit #2**). Details of these violations can be found under Section 13—Violations.

Additionally, (b)(3) - 112 Public Law 55 125 Stat 552 firearms associated with open entries in the licensee's A&D records were subsequently transferred without respective ATF Forms 4473 on file. The licensee was cited for the failure to execute an ATF Form 4473 in (b)(3) - 112 Public Law 55 125 Stat 552 instances and the failure to conduct NICS background checks in each of these instances (**Report of Violations #4-5, Worksheet #2 (2016 version), and Exhibit #3**). Details of these violations can be found under Section 13—Violations.

An FFL Audit Report was obtained from the Violent Crime Analysis Branch. There were 100 NICS NTN "proceed" responses reported and verified with those documented on the corresponding ATF Forms 4473, with no discrepancies identified.

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The FFL Audit Report was also compared with the denials on file. There were six (6) 'denied' responses listed on the FFL Audit Log for the inspection period, which was compared with those documented on the ATF Forms 4473. No discrepancies were identified. The licensee understands that any firearm(s) associated with a 'deny' NICS response should not be transferred and that the respective ATF Form 4473 should be filed separately. The denied ATF Forms 4473 were compared with the licensee's A&D book to ensure a straw purchase did not occur. Investigator (b)(6) did not identify any straw purchase transactions.

The ATF Forms 4473 were inspected for commonly recovered crime guns, weapons of choice, repeat purchasers, different handwriting style/ink, and types of identification presented. It was determined that there were no indicators of trafficking or suspicious activity.

Transfers are properly documented with copies of other Federal Firearms Licenses kept on file. There were no sales of duty weapons to law enforcement officers for this inspection period.

6 - Multiple Sales

There were (b)(3) multiple sales involving (b)(3) handguns during the inspection period that were reported on the Violent Crime Analysis Branch FFL Master Query. There were no unreported multiple handgun sales identified for the inspection period.

(b)(3) - 112 Public Law 55 125 Stat 5 of the multiple sale purchasers shown on the FFL Master Query were run through the e-Trace database to determine if additional multiple purchasers were from other dealers or if there were any traces associated with the individual(s). The queries did not reveal any additional trafficking indicators for individual purchasers.

7 - Suspicious/Prohibited Purchasers

Upon review of the physical inventory and all records, no suspicious or prohibited purchasers were identified. No possible traffickers or straw purchasers were identified. No referrals or discrepancies were discovered.

Investigator (b)(6) ran an NCIC background check for (b)(3) - 112 Public Law 55 individual purchaser, associated with cited violation #1, whereby the buyer (b)(3) - 112 Public Law 55 answered "yes" on Section A, Question #11.b, 11.c, and 11.d of the ATF Form 4473. There was no prohibiting or derogatory information disclosed for the individual and no referrals were generated as a result. The buyer provided a valid Texas issued License to Carry permit in lieu of conducting a NICS check at the time of transfer.

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8 - Trace Activity

The FFL Trace History Report was requested from the Violent Crime Analysis Branch. There was ^{(b)(3) - 112 Public Law} successful trace associated with this licensee for this inspection period. The trace was successfully completed to an individual purchaser with a time-to-crime of ^{(b)(3) - 112 Public Law 55 125 Stat 552}. There are no active NFORCE cases associated with this trace/individual.

There were zero (0) NCIC background checks performed on firearms. A secondary market analysis and e-Trace queries were conducted on 23 used firearms resulting in no derogatory information for firearms.

9 - NFA/Importer/Collector/Manufacturer

The licensee is a dealer in NFA weapons. This licensee does not manufacture or import any firearms or ammunition. ^{(b)(3) - 26 USC 6103}

A comparison of the NFA weapons found on the National Firearms Registration and Transfer Report (NFRTR) and the NFA weapons in inventory revealed ^{(b)(3) - 26 USC 6103}

Once the ATF Form 4 has been approved, the licensee contacts the customer and arranges a future transfer. The licensee does not maintain copies of ATF Forms 4. During the previous inspection, it was recommended that the licensee implement a filing system for NFA approval documents, such as ATF Forms 3 and 4. Store Manager ^{(b)(6)} has implemented a system; however, ^{(b)(6)} admitted that he is not consistent with the new filing system. Investigator ^{(b)(6)} recommended that the licensee maintain copies of ATF Forms 3 and 4 in a 3-ring binder, to ensure critical paperwork is not misplaced or misfiled.

10 - Referrals

No referrals were made as a result of this inspection.

11 - Other

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The licensee is in compliance with the Youth Handgun Safety Act, as the poster was posted and pamphlets are made available to customers. The licensee has gun locks available upon request.

12 - Closing Actions

On March 27, 2018, Investigator (b)(6) conducted a closing conference with Members Lance and Pattie Wolfe. Investigator (b)(6) discussed results of the inspection and reviewed ATF Form 5030.5—Report of Violations in detail. A review of the Federal Firearms Laws and Regulations was conducted with Mrs. Wolfe and a signed copy of the Acknowledgment of Federal Firearms Regulations was obtained as **Exhibit #4**.

13 - Violations

1. 27 CFR 478.124(c)(1)

REPEAT VIOLATION FROM SEPTEMBER 19, 2016

Nature of Violation

Failure to obtain (b)(3) - 112 Public Law properly completed ATF Forms 4473, Section A, prior to making an over-the-counter transfer of a firearm to a non-licensee. The licensee failed to ensure the transferee/buyer properly complete Section A, Question #11-12, of the form prior to transfer of a firearm(s).

Licensee's Response

The licensee explained that these forms must have been overlooked, despite the established ATF Forms 4473 review system that was implemented as a result of the previous inspection. Pattie Wolfe personally reviews the forms at the time of transfer and prior to filing.

Corrective Action

The licensee was instructed to review Section A, specifically, Questions #11a-i and #12a-c, of the ATF Form 4473 to ensure the buyer completed the form prior to the transfer of a firearm(s).

References—Report of Violations #1-3, Worksheet #2 (2016 edition) and Exhibit #2

2. 27 CFR 478.124(c)(3)(i)

REPEAT VIOLATION FROM SEPTEMBER 19, 2016

FIREARMS INSPECTION REPORT

Name: B&B Guns & Ammo, LLC
Trade Name:

UI#: 781080-2018-0172-B1B
FFL#: 5 75 441 02 0L 10360

Nature of Violation

Failure of the licensee to ensure that a valid identification document be recorded on (b)(3) - 1A
(b)(3) ATF Form 4473, as per the instructions on or pertaining to Section B, Question 18a.

Licensee's Response

The licensee explained that these forms must have been overlooked, despite the established ATF Forms 4473 review system that was implemented as a result of the previous inspection.

Corrective Action

The licensee will continue to review the forms, to include Section B, prior to transfer to ensure forms are completed correctly before filing.

References—Report of Violations #1-3, Worksheet #2 (2016 edition) and Exhibit #2

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

REPEAT VIOLATION FROM SEPTEMBER 19, 2016

Nature of Violation

Failure of the licensee to ensure that the NICS transaction number be recorded on (b)(3) - 1A
(b)(3) ATF Form 4473.

Licensee's Response

The licensee explained that these forms must have been overlooked, despite the established ATF Forms 4473 review system that was implemented as a result of the previous inspection.

Corrective Action

The licensee will continue to review the forms, to include Section B, Question #19a-c, prior to transfer to ensure forms are completed correctly before filing.

References—Report of Violations #1-3, Worksheet #2 (2016 edition) and Exhibit #2

4. 27 CFR 478.102(a)

Nature of Violation

Failure of the licensee to contact NICS or obtain a valid exception to NICS prior to transfer of a firearm(s) to a non-licensee, in (b)(3) - 1A instances. The licensee failed to demonstrate that a NICS background check was initiated for an over-the-counter

FIREARMS INSPECTION REPORT

Name: B&B Guns & Ammo, LLC
Trade Name:

UI#: 781080-2018-0172-B1B
FFL#: 5 75 441 02 0L 10360

transfer of a firearm(s) to a non-licensee, in which, the ATF Forms 4473 could not be located or reconciled.

Licensee's Response

The licensee furnished (b)(3) - 112 Public Law 561 transaction receipts for the aforementioned firearms; however, there were no indicators that ATF Forms 4473 and NICS background checks were ever executed.

Corrective Action

The licensee was instructed to properly maintain ATF Forms 4473 in accordance with ATF regulations, to include the execution of and retention of ATF Forms 4473 on the licensed business premises. The licensee was further reminded that NICS must be contacted and properly documented for firearm(s) transfers unless a valid exception to NICS is provided.

References—Report of Violations #4, Worksheet #2 and Exhibit #3

5. 27 CFR 478.124(a)

REPEAT VIOLATION FROM SEPTEMBER 19, 2016

Nature of Violation

Failure of the licensee to execute (b)(3) - 112 Public Law 561 ATF Forms 4473 for the transfer of firearms to non-licensees (b)(3) - 112 Public Law 561 firearms associated with open entries in the licensee's A&D records were subsequently transferred without a respective ATF Form 4473 on file. The licensee furnished two (2) transaction receipts for the aforementioned firearms; however, there were no indicators that ATF Forms 4473 were ever executed.

Licensee's Response

The licensee furnished two (2) transaction receipts for the aforementioned firearms; however, there were no indicators that ATF Forms 4473 and NICS background checks were ever executed. The licensee looked through years' worth of ATF Forms 4473, but was unsuccessful in finding the missing (if executed) forms.

Corrective Action:

The licensee was instructed to properly maintain ATF Forms 4473 in accordance with ATF regulations, to include the execution of and retention of ATF Forms 4473 on the licensed business premises. The license was further reminded that NICS must be contacted and properly documented for firearm(s) transfers unless a valid exception to NICS is provided.

References—Report of Violations #5, Worksheet #2, and Exhibit #3

FIREARMS INSPECTION REPORT

Name: B&B Guns & Ammo, LLC
Trade Name:

UI#: 781080-2018-0172-B1B
FFL#: 5 75 441 02 0L 10360

6. 27 CFR 478.125(e)

REPEAT VIOLATION FROM SEPTEMBER 19, 2016

Nature of Violation:

Failure of the licensee to timely record (b)(3) acquisition and/or disposition information into the A&D record in the following instances:

- In (b)(3) instances, the licensee failed to timely and/or correctly record acquisition entries into the A&D record prior to inspection;
- In (b)(3) instances, the licensee failed to timely and/or correctly record disposition entries into the A&D record (disposition reconciled);
- and (b)(3) - 112 Public L firearm was missing from inventory after reconciliation (Theft/Loss report submitted to ATF).

Licensee's Response

The licensee explained that acquired firearms are immediately logged into their pawn A&D records, but are sometimes not logged into the Sports South A&D book at the same time. The licensee currently uses redundant steps when logging guns in and out of two separate A&D records, which, lends itself to additional mistakes. When certain steps are not followed in a consistent manner, entries are overlooked and unaccounted for.

Corrective Action:

The licensee will establish a review system to ensure all acquired and disposed firearms are recorded in a timely manner, per ATF regulations. The licensee was educated on the proper way to maintain computerized A&D records and was given one (1) week to reconcile the A&D record discrepancies. A Theft/Loss Report was prepared for one (1) firearm that was not logged out of the book and could not be accounted for.

References—Report of Violations #6, Worksheet #1 and Exhibit #1

5/8/2018
X (b)(6)

Industry Operations Investigator
Signed by (b)(6)

Index of Worksheets and Exhibits

WORKSHEETS

Worksheet #1—A&D/Inventory Discrepancies

FIREARMS INSPECTION REPORT

Name: B&B Guns & Ammo, LLC
Trade Name:

UI#: 781080-2018-0172-B1B
FFL#: 5 75 441 02 0L 10360

Worksheet #2—ATF Forms 4473 Discrepancies

EXHIBITS:

Exhibit #1—Copy of Theft/Loss Report

Exhibit #2—Copy of ATF Form 4473 in Support of 4473 Violations #1-3

Exhibit #3—Copy of Pawn A&D Record Receipt in Support of Violations #4-5

Exhibit #4—Acknowledgement of Federal Firearms Regulations



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
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781080 (b)(6)
5370

May 10, 2018

B&B Guns & Ammo LLC
Attn: Lance Wolfe
242 Butternut Street
Abilene, TX 79602

Re: Federal Firearms License Number: 57510360
Dear Mr. Wolfe:

As a result of a recent compliance inspection conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at your firearms business located at 242 Butternut St., Abilene, TX 79602 on 03/05/18 through 03/27/18, you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you during the inspection.

You should be aware that any willful violations of the Gun Control Act may result in revocation of your Federal firearms license. As a result of the recently cited violations, it is important that we have a meeting with you to discuss the violations found. The conference will be held in the Ft. Worth Field Office located at 6000 Western Place, Ste. 400, Ft. Worth, TX 76107 on May 30, 2018 (Wednesday) at 10:00am. The agenda for the meeting will include a discussion of the reasons for the violations, a review of the legal requirements, and a discussion of steps to be taken by you to ensure future compliance. Although we do not believe it necessary, legal counsel may assist you at your own expense if you so choose. **Please bring with you documentation verifying the corrective action you have taken and any compliance plan you have developed to ensure these violations do not recur.**

Also, you are hereby notified that, pursuant to 18 U.S.C. § 930(a), no person may bring a firearm or other dangerous weapon into an ATF office. Possession of a firearm or other dangerous weapon in an ATF office may result in a fine of \$100,000 or imprisonment for not more than 1 year or both.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort 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 to aid in this effort to combat violent crime.

Mr. Wolfe
57510360

We will conduct a follow-up inspection in the future. Any violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license.

Please contact Industry Operations Investigator (b)(6) a (b)(6) or me at (b)(6) to confirm this appointment, and to ask any questions you may have regarding this conference. We look forward to meeting with you to resolve these issues.

Sincerely,

(b)(6)
Area Supervisor
Ft. Worth Field Office



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

781080 (b)(6)
5370

May 17, 2018

B&B Guns & Ammo LLC
Attn: Lance Wolfe
242 Butternut Street
Abilene, TX 79602

Re: Federal Firearms License Number: 57510360
Dear Mr. Wolfe:

As a result of a recent compliance inspection conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at your firearms business located at 242 Butternut St., Abilene, TX 79602 on 03/05/18 through 03/27/18, you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you during the inspection.

You should be aware that any willful violations of the Gun Control Act may result in revocation of your Federal firearms license. As a result of the recently cited violations, it is important that we have a meeting with you to discuss the violations found. The conference has been rescheduled and will be held in the Ft. Worth Field Office located at 6000 Western Place, Ste. 400, Ft. Worth, TX 76107 on June 7, 2018 (Thursday) at 10:00am. The agenda for the meeting will include a discussion of the reasons for the violations, a review of the legal requirements, and a discussion of steps to be taken by you to ensure future compliance. Although we do not believe it necessary, legal counsel may assist you at your own expense if you so choose. **Please bring with you documentation verifying the corrective action you have taken and any compliance plan you have developed to ensure these violations do not recur.**

Also, you are hereby notified that, pursuant to 18 U.S.C. § 930(a), no person may bring a firearm or other dangerous weapon into an ATF office. Possession of a firearm or other dangerous weapon in an ATF office may result in a fine of \$100,000 or imprisonment for not more than 1 year or both.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort 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 to aid in this effort to combat violent crime.

Mr. Wolfe
57510360

We will conduct a follow-up inspection in the future. Any violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license.

Please contact Industry Operations Investigator (b)(6) at (b)(6) or me at (b)(6) to confirm this appointment, and to ask any questions you may have regarding this conference. We look forward to meeting with you to resolve these issues.

Sincerely,

(b)(6)
Area Supervisor
Ft. Worth Field Office



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

DALLAS FIELD DIVISION

6000 Western Place, Ste. 400
Ft. Worth, TX 76107
www.atf.gov

781080-(b)(6)
5370

June 21, 2018

B&B Guns & Ammo, LLC
Attn: Mr. & Mrs. Wolfe
242 Butternut Street
Abilene, TX 79602

Re: Federal Firearms License Number: 57510360

Dear Mr. & Mrs. Wolfe:

This letter is a follow-up to the warning conference held with you on 6/14/18. During this conference, the repeated violations cited during the inspection conducted on 3/5/18 through 3/27/18 and the necessary corrective action to prevent the violations from reoccurring were discussed. In attendance at this meeting, representing the ATF Dallas Field Division, were Area Supervisor (b)(6) [REDACTED] and Industry Operations Investigator (IOI) (b)(6) [REDACTED]. In attendance, representing the licensee, at this meeting was Lance Wolfe and Patti Wolfe.

You were given the opportunity to comment on the violations and what specific action you have taken to ensure that the violations will not reoccur. With respect to the violations cited below, we are providing a summary of your response to each violation:

1) 27 CFR 478.124(c)(1)

Nature of Violation:

Failure to obtain (b)(3) - 112 Public Law properly completed ATF Forms 4473, Section A, prior to making an over-the-counter transfer of a firearm to a non-licensee. The licensee failed to ensure the transferee/buyer properly complete Section A, Question #11-12, of the form prior to transfer of a firearm(s).

Licensee Response:

The licensee stated that they would double check the ATF Forms 4473 for completeness before the customer leaves the store. At least two (2) separate employees will review each form after the customer certifies the form and again during the NICS part of the transaction. The forms will be reviewed again the following morning before filing permanently.

2) 27 CFR 478.124(c)(3)(i)

Nature of Violation:

Failure of the licensee to ensure that a valid identification document be recorded on (b)(3) - 112 Public L ATF Form 4473, as per the instructions on or pertaining to Section B, Question 18a.

Licensee Response:

The licensee stated that they would double check the ATF Forms 4473 for completeness before the customer leaves the store. At least (b)(3) - 112 Public L separate employees will review each form after the customer certifies the form and again during the NICS part of the transaction. The forms will be reviewed again the following morning before filing permanently.

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

Nature of Violation:

Failure of the licensee to ensure that the NICS transaction number be recorded on (b)(3) - 112 Public L ATF Form 4473.

Licensee Response:

The licensee stated that they would double check the ATF Forms 4473 for completeness before the customer leaves the store. At least two (2) separate employees will review each form after the customer certifies the form and again during the NICS part of the transaction. The forms will be reviewed again the following morning before filing permanently.

4) 27 CFR 478.102

Nature of Violation:

Failure of the licensee to contact NICS or obtain a valid exception to NICS prior to transfer of a firearm(s) to a non-licensee, in (b)(3) - 112 Public L instances. The licensee failed to demonstrate that a NICS background check was initiated for an over-the-counter transfer of a firearm(s) to a non-licensee, in which, the ATF Forms 4473 could not be located or reconciled.

Licensee Response:

The licensee stated that they recently merged their (b)(3) - 112 Public L A&D records into one (1) computerized system, referred to as their MUNZ/Sales Computer. The merge of these records will account for all types of acquisitions, such as consignments, trades, and pawns. This system will automatically populate a barcoded label that will follow the gun from acquisition to disposition. The licensee will be required to demonstrate that a NICS check was conducted, because the system will not allow the disposition to take place without a NICS response.

5) 27 CFR 478.124(a)

Nature of Violation:

Failure of the licensee to execute (b)(3) - 112 Public Law ATF Forms 4473 for the transfer of firearms to non-licensees. (b)(3) - 112 Public Law firearms associated with open entries in the licensee's A&D records were subsequently transferred without a respective ATF Form 4473 on file. The licensee furnished (b)(3) - 112 Public Law transaction receipts for the aforementioned firearms; however, there were no indicators that ATF Forms 4473 were ever executed.

Licensee Response:

The licensee stated that they recently merged their (b)(3) - 112 Public Law A&D records into one (1) computerized system, referred to as their MUNZ/Sales Computer. The merge of these records will account for all types of acquisitions, such as consignments, trades, and pawns. This system will automatically populate a barcoded label that will follow the gun from acquisition to disposition. The licensee will be required to demonstrate that a NICS check was conducted, because the system will not allow the disposition to take place without a NICS response.

6) 27 CFR 478.125(c)

Nature of Violation:

Failure of the licensee to timely record (b)(3) acquisition and/or disposition information into the A&D record in the following instances:

- (b)(3) - 112 Public Law instances, the licensee failed to timely and/or correctly record acquisition entries into the A&D record prior to inspection;
- (b)(3) - 112 Public Law instances, the licensee failed to timely and/or correctly record disposition entries into the A&D record (disposition reconciled);
- and (b)(3) - 112 Public Law firearm was missing from inventory after reconciliation (Theft/Loss report submitted to ATF).

Licensee Response:

The licensee stated that their computerized software system automatically prints a barcoded label for all firearms that are acquired into the store, to include consignments, trades, and pawns. Acquisitions will be properly accounted for, since ALL guns will now have a barcoded tag on it. The label will facilitate sales/dispositions, as well as, internal store audits.

During the conference, Mrs. and Mr. Wolfe stated that they understood the severity of these violations.

The violations for which you were cited could adversely impact law enforcement's ability to reduce violent crime and protect the public. You are reminded that future violations, repeat or otherwise, could be viewed as willful and may result in the revocation of your license. You may anticipate further inspections to ensure your compliance.

Please contact us if you have any questions concerning your responsibilities as a licensee or if you require further clarification about particular requirements of Federal firearms laws.

Sincerely,

(b)(6)

Area Supervisor
Ft. Worth Field Office