

Report of Firearms Compliance Inspection

JOHN DWYER 's FCI  
FCI-1546  
05/01/2019 1:07 AM  
IOI (b)(6), (b)(7)(C) , Glendale III (IO) Field Office

**LICENSEE INFORMATION**

JOHN DWYER  
(Sole Proprietor)

RDS Key 9-77-27087	License/Permit Number 9-77-083-01-0A-27087	License Type 01 - Dealer License
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Business Type  
Sole Proprietorship

**Premises Address**

Premises Ownership Type  
Owned  
Premises Location Type  
Single Family Dwelling

**Mailing Address**

Same as Premises Address

Address  
247 ALDEBARAN AVE  
Unit N/A  
LOMPOC, California 93436-0000  
SANTA BARBARA County United States

Phone Type	Phone Number	Remarks
Business	+1 805-733-3022	
Email Address	Email Remarks	
(b)(6), (b)(7)(C)	Personal	

**RECOMMENDATIONS**

Final Decision

Warning Letter

Area Supervisor (b)(6), (b)(7)(C) Recommendation

Warning Letter

Details  
The licensee had repeated violations from previous compliance investigations. Recommend warning letter and recall investigation

Industry Operations Investigator (b)(6), (b)(7)(C) Recommendation

Warning Letter

Details  
The inspection revealed the licensee A&D were well maintained with all the required information with no firearms missing/or disposition. However the licensee had repeated violations on the multiple sales of pistols/revolvers, and violations pertaining to uncompleted 4473's. IOI (b)(6), (b)(7)(C) concurs with the Administrative Actions recommendation of a Warning Letter, to ensure the licensee corrective actions would be taken to eliminate future violations.

**Inspection Findings**

**FFL History**

The current inspection reveals repeated similar violation(s) for which the FFL has been cited in a Report of Violations within the previous 5 years and there has been NO significant improvement.

**ELIGIBILITY VERIFICATION**

**Business Information Verification**

**Property Ownership Verification**

Premises Ownership Type Owned	Premises Location Type Single Family Dwelling	Has the property ownership been verified? Yes
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Address  
247 ALDEBARAN AVE  
Unit N/A

Attachment(s):  
 MORTGAGE DOCUMENT.pdf

**Zoning Information Verification**

Is the proposed business activity in compliance with zoning?

Yes

Additional Findings

No concerns on zoning per Santa Barbara County Planning and Development.

**Contact Information**

Name	Date Contacted
(b)(6), (b)(7)(C)	03/28/2019
Organization	
Santa Barbara County Planning and Development	
Job Title	
Associate Planner	

Phone Type	Phone Number	Remarks
Business	(b)(6), (b)(7)(C)	business

Contact Remarks

Per (b)(6), (b)(7)(C), stated the zoning approval has been in effect since 1991, with no concerns on the use of the property to sell firearms.

Attachment(s):

**APPOINTMENT DETAILS**

Interview Date

03/07/2019

Address

247 ALDEBARAN AVE Unit N/A , LOMPOC, California 93436-0000

Remarks

Investigator (b)(6), (b)(7)(C) will scheduled an unannounced compliance inspection on 2/14/2019 at approximately 10:00am.

Responsible Attendee(s)

JOHN DWYER

Non-Responsible Attendee(s)

No items

**RESPONSIBLE PERSON(S)**

**JOHN DWYER**

Name	Gender	Race	Ethnicity
JOHN DWYER	Male	White	Not Hispanic or Not Latino

Date of Birth	SSN	Job Title
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	OWNER

**Physical Identifiers**

Height	Weight	Hair Color	Eye Color
(b)(6), (b)(7)(C)	(b)(6) lbs.	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)

**Place of Birth**

Country	State	City
United States Of America	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)

**Home Address**

(b)(6), (b)(7)(C)  
 [Redacted Address]

**Additional Names**

**Citizenship**

United States

ID Type	Country	State	ID Number

Driver's License	United States	California	(b)(6), (b)(7)(C)
Phone Type	Phone Number	Remarks	
Mobile	+1 805-689-5859		
Email Address	Email Remarks		
(b)(6), (b)(7)(C)			

**Criminal History Check**

Date Criminal History Check Conducted  
02/01/2019

**INTERVIEW QUESTIONNAIRE**

What is the proposed business activity?

Licensee sells new and used handguns/long guns to the general public, as well as friends and law enforcement.

Do they need an additional license or permit?

No

Who are their primary suppliers?

(b)(4)

**Business Activities**

- Retail
- Gun Show Participant
- Law Enforcement Sales

Selected Operational Security Measures

Controlled Access to ATF Recordkeeping

Suspicious persons/activities reporting protocols

**PREMISES INFORMATION**

Inspection Area Description

Location of inspection is located in the home office, with (b)(4)

Primary Activity

Retail

**GPS Coordinates**

Latitude  
34.70748N  
Longitude  
120.46932W

Selected Physical Security Measures

No items

**ONSITE SUMMARY**

Total # of ATF F 4473 Reviewed

(b)(3)

Total # of Open Dispositions in A & D Record

(b)(3)

Total # of Firearms in Inventory

73

Total # of Firearms Missing after Reconciliation

0

Total # of Acquisitions in the Last 12 Months

(b)(4)

Total # of Dispositions in the Last 12 Months

(b)(4)

Additional Comments

The DROS history report for the past twelve (12) months were requested for California Department of Justice. Investigator (b)(6), (b)(7)(C) verified fifty-one (51) DROS numbers to the ATF F 4473s. No discrepancies were noted.

Attachment(s)

Report of Violations.pdf

Licensee Response to Violations Report.pdf

**REPORT OF VIOLATIONS**

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Regulation	Corrective Actions	Instance Details
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>Number of Instances: 0</p>	<p>The licensee was advised to immediately submit ATF Form 3310.4. The licensee provided the investigator copies of the submitted ATF Form 3310.4.</p> <p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.</p> <p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p>	<p>(b)(3) - 112 Public Law 55 125 Stat 552 (b)(6) (b)(7)(C)</p>
<p>27 CFR 478.134(a): Improper sale of firearm(s) to law enforcement officers</p> <p>Number of Instances: 1</p>	<p>The licensee was advised to ensure that all future transactions involving law enforcement officers must retain an official certification letter from the officer's agency.</p> <p>Obtain and retain sufficient agency letterhead certification letters (in lieu of an ATF Form 4473) for all future firearm transfers to law enforcement officers purchasing firearms for official duty.</p>	<p>The licensee failed to obtain a certification on agency letterhead, signed by a person in authority within the agency stating that the officer will use the firearm in official duties and that a records check reveals that the purchasing officer has no convictions for misdemeanor crimes of domestic violence.</p>
<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>Number of Instances: 0</p>	<p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>(b)(3) - 112 Public Law 55 125 Stat 552 (b)(6) (b)(7)(C)</p>
<p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>Number of Instances: 0</p>	<p>The licensee was advised to ensure that all ATF Form 4473 must be accurately executed, and that all required transferor/seller signatures and dates are obtained prior to the transfer of any firearms.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future</p>	<p>(b)(3) - 112 Public Law 55 125 Stat 552 (b)(6) (b)(7)(C)</p>

**LICENSEE RESPONSE REPORT**

Regulation	Corrective Actions	Licensee Response	Status Details
27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers  Number of Instances: 0	The licensee was advised to immediately submit ATF Form 3310.4. The licensee provided the investigator copies of the submitted ATF Form 3310.4. Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection. Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.	The licensee stated he forgot to submit the forms, and ensure he will in the future that the forms will be submitted in a timely manner	Status Licensee Notified Verified Method In Person Date Licensee Notified 04/01/2019
27 CFR 478.134(a): Improper sale of firearm(s) to law enforcement officers  Number of Instances: 1	The licensee was advised to ensure that all future transactions involving law enforcement officers must retain an official certification letter from the officer's agency. Obtain and retain sufficient agency letterhead certification letters (in lieu of an ATF Form 4473) for all future firearm transfers to law enforcement officers purchasing firearms for official duty.	The licensee stated he was confused due to the California DROS system showed that the firearms should be released since it was law enforcement officer.	Status Correction Verified Verified Method In Person Date Correction Verified 04/01/2019
27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473  Number of Instances: 0	Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions. Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified. Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.	The licensee stated he overlooked the 4473's for completion and will ensure that all 4473's will be thoroughly reviewed and corrected prior to the release of the firearms.	Status Correction Verified Verified Method In Person Date Correction Verified 04/01/2019
27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473  Number of Instances: 0	The licensee was advised to ensure that all ATF Form 4473 must be accurately executed, and that all required transferor/seller signatures and dates are obtained prior to the transfer of any firearms. Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.	The licensee stated he overlooked the 4473's for completion and will ensure that all 4473's will be thoroughly reviewed and corrected prior to the release of the firearms.	Status Correction Verified Verified Method In Person Date Correction Verified 04/01/2019

**CLOSING CONFERENCE**

Closing Conference Date

04/03/2019

Attachment(s)

Acknowledgment of Regulations.pdf

Attendee(s)

JOHN DWYER

**WARNING LETTER**

Delivery Method

Email

Type	Email
JOHN DWYER Email	(b)(6), (b)(7)(C)

**EXHIBITS****Inspection**

Category	Attac
Correspondence	Spartan Notification RE: 9-77-27087 Inspection Results
WarningLetterReturnEmail	John Dwyer Reponse FW Warning letter.msg
Correspondence	Action required concerning your Federal Firearms License
WarningLetter	Warning Letter.pdf
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	Information Concerning Your Federal License/Permit
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ClosingConferenceSummary	Acknowledgment of Regulations.pdf
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
PropertyOwnershipVerification	MORTGAGE DOCUMENT.pdf

FFL: JOHN DWYER  
 Inspection: FCI-1546  
 Date Generated: 4/3/2019  
 RDS Key: 9-77-27087  
 Lead Industry Operations Investigator: (b)(6), (b)(7)(C)

Regulation	Corrective Action(s)	Instance Details
1 27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers  Number of Instances: (b)(3) - 1	Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.  Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.  The licensee was advised to immediately submit ATF Form 3310.4. The licensee provided the investigator copies of the submitted ATF Form 3310.4.	(b)(3) - 112 Public Law 55 125 Stat 552 (b)(6) (b)(7)(C)
2 27 CFR 478.134(a): Improper sale of firearm(s) to law enforcement officers  Number of Instances: 1	Obtain and retain sufficient agency letterhead certification letters (in lieu of an ATF Form 4473) for all future firearm transfers to law enforcement officers purchasing firearms for official duty.  The licensee was advised to ensure that all future transactions involving law enforcement officers must retain an official certification letter from the officer's agency.	The licensee failed to obtain a certification on agency letterhead, signed by a person in authority within the agency stating that the officer will use the firearm in official duties and that a records check reveals that the purchasing officer has no convictions for misdemeanor crimes of domestic violence.
3 27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473  Number of Instances: (b)(3)	Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.  Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.  Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.	(b)(3) - 112 Public Law 55 125 Stat 552 (b)(6) (b)(7)(C)
4 27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473	Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.  Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all	(b)(3) - 112 Public Law 55 125 Stat 552 (b)(6) (b)(7)(C)

Number of Instances: [REDACTED]

future ATF Forms 4473, Section D.

The licensee was advised to ensure that all ATF Form 4473 must be accurately executed, and that all required transferor/sellor signatures and dates are obtained prior to the transfer of any firearms.

(b)(3) - 112 Public Law 55 125 Stat 552 (b)(6) (b)(7)(C)

**Signature(s)**

My signature below certifies that on Wednesday, April 3, 2019 ATF IOI [REDACTED] reviewed the above information with me and answered my questions regarding this information. I understand I can receive a copy of this for my records. I understand that this is only a general overview of the violations and that I will be responsible for familiarizing myself with all of the laws and regulations governing my licensed/permitted business.

Printed Name:

JOHN DWYER

Signature Date:

Wednesday, April 3, 2019

[REDACTED]  
(b)(6), (b)(7)(C)

Licensee Response to Violations Report

**FFL:** JOHN DWYER  
**Inspection:** FCI-1546  
**Date Generated:** 4/3/2019  
**RDS Key:** 9-77-27087  
**Lead Industry Operations Investigator:** (b)(6), (b)(7)(C)

Regulation	Corrective Action(s)	Licensee Response
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>1 Number of Instances: 1</p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.</p> <p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p> <p>The licensee was advised to immediately submit ATF Form 3310.4. The licensee provided the investigator copies of the submitted ATF Form 3310.4.</p>	<p>The licensee stated he forgot to submit the forms, and ensure he will in the future that the forms will be submitted in a timely manner</p>
<p>27 CFR 478.134(a): Improper sale of firearm(s) to law enforcement officers</p> <p>2 Number of Instances: 1</p>	<p>Obtain and retain sufficient agency letterhead certification letters (in lieu of an ATF Form 4473) for all future firearm transfers to law enforcement officers purchasing firearms for official duty.</p> <p>The licensee was advised to ensure that all future transactions involving law enforcement officers must retain an official certification letter from the officer's agency.</p>	<p>The licensee stated he was confused due to the California DROS system showed that the firearms should be released since it was law enforcement officer.</p>
<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>3 Number of Instances: 1</p>	<p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>The licensee stated he overlooked the 4473's for completion and will ensure that all 4473's will be thoroughly reviewed and corrected prior to the release of the firearms.</p>
<p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>4 Number of Instances: 1</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p> <p>The licensee was advised to ensure that all ATF Form 4473 must be accurately executed, and that all required transferor/seller signatures and dates are obtained prior to the transfer of any firearms.</p>	<p>The licensee stated he overlooked the 4473's for completion and will ensure that all 4473's will be thoroughly reviewed and corrected prior to the release of the firearms.</p>



April 29, 2019

WARNING LETTER

JOHN DWYER

247 ALDEBARAN AVE  
LOMPOC, California 93436-0000

Re: Federal Firearms License Number: 9-77-27087.

JOHN DWYER ,

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 247 ALDEBARAN AVE Unit N/A , LOMPOC, California 93436-0000 on 3/7/2019 through 4/3/2019 , you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you during the inspection. A copy of the Report of Violations, ATF Form 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by ATF Industry Operations Investigator (b)(6), (b)(7)(C) . You indicated that you understood the requirements of the firearms laws and regulations as a licensee. You further indicated that corrective actions would be taken to eliminate future violations.

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

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

Should you have any questions regarding this matter, please contact Industry Operations Investigator (b)(6), (b)(7)(C) .

Sincerely,  
(b)(6), (b)(7)(C)  
Area Supervisor  
Glendale III (IO) Field Office

Attachment