

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Hearn, Robert J. Jr. Southern Shooters Supply 120 E. F. St. Tehachapi, CA 93561, Kern	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 786040-2016-0199-B1B		
	3. PERMIT/LICENSE NUMBER 977029018C34659	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6), Area Supervisor, 06/21/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
Firearms Compliance Inspection - Please conduct a full DE compliance inspection.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	4	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	12	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: 10/31/2016

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
SEP 2016	16.00		
OCT 2016	56.00		
ATF OFFICER'S SUBTOTAL	72.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	72.00		

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

☒ REVIEWED ☒ CONCUR ☐ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 10/31/2016
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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 Hearn, Robert J. Jr. Southern Shooters Supply	Street Address 120 E. F. St.	City Tehachapi	State CA	Zip Code 93561-	County Kern	Page 1 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 977029018C34659		Expiration Date 3/1/2018		Date(s) or Period of Inspection 09/01/2015 through 09/01/2016		

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:

The licensee failed to accurately prepare the Firearm Transaction Record (ATF Form 4473) on forms. instances question 11a (actual buyer) was answered either "NO" or left blank.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee stated they would double check the ATF Form 4473 more thoroughly. No corrective action occurred since the firearm had been delivered to the non-licensee and a background check had been completed. IOI (b)(6) advised the licensee to correctly complete the ATF Form 4473 as required by the regulations and IOI (b)(6) explained to the licensee that they have the ATF Form 4473 for 10 days before delivering the firearm.

Citation: 27 CFR 478.21(a)

Number: 2

Nature of Violation:

The licensee failed to accurately prepare the Firearm Transaction Record (ATF Form 4473) on forms, as follows:

- instance question 11b "Are you an alien admitted to the United States under a nonimmigrant visa?" was left blank;
- instance question 11c "Have you ever been convicted in any court of a felony, or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation?" was left blank.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee stated they would double check the ATF Form 4473 more thoroughly. No corrective action occurred since the firearm had been delivered to the non-licensee and a background check had been completed. IOI (b)(6) advised the licensee to correctly complete the ATF Form 4473 as required by the regulations and IOI (b)(6) explained to the licensee that they have the ATF Form 4473 for 10 days before delivering the firearm.

Citation: 27 CFR 478.124(c)(1)

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

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Name of Proprietor Hearn, Robert J. Jr. Southern Shooters Supply	Street Address 120 E. F. St.	City Tehachapi	State CA	Zip Code 93561-	County Kern	Page 2 of 2 Pages
License/Permit/Registry Number (If any) 977029018C34659		Expiration Date 3/1/2018	Date(s) or Period of Inspection 09/01/2015 through 09/01/2016			

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:
The licensee failed in (b)(3) instances to record the dispositions of firearms.

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 stated they are implementing a new system to double check firearms being shipped out of the business. Most of the missed dispositions were firearms shipped to other FFLs. Corrective action was completed upon discovery of the errors in A&D records. IOI (b)(6) advised the licensee to correctly complete the A & D records as required by the regulations and IOI (b)(6) explained to the licensee that they need to check their A&D record against their inventory.

Number: 4

Nature of Violation:
The licensee failed in (b)(3) Public Law instances to complete ATF F 3310.4 Report of Multiple Sale or Other Disposition of Pistols and Revolvers, which resulted in (b)(3) Public Law firearms not being recorded as a multiple sale.

Citation: 27 CFR 478.126a

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken:
(If not corrected immediately)

The licensee stated they will be more careful and watch for multiple sales. The licensee completed ATF F 3310.4 as required by the regulations pertaining to multiple sales of handguns. On October 18, 2016 The National Tracing Center received the ATF F 3310.4 and entered the information in e Trace.

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

Date

Signature and Title of ATF Officer

Date

For Official Use Only

260

ATF E-Form 5030 5
Revised April 2005

RIP



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

1325 J Street Suite 1530
Sacramento, CA 95814

October 31, 2016

www.atf.gov

786040: (b)(6)
5340

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Robert J. Hearn Jr
Southern Shooters Supply
120 East F Street
Tehachapi, CA 93561

REF: FFL # 9-77-029-01-8C-34659

Dear Mr. Hearn:

During a recent compliance inspection at your firearms business covering the period September 1, 2015, through September 1, 2016, you were cited for violations of Title 27, Code of Federal Regulations, Part 478 and Title 18, United State Code, Chapter 44. 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 by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Investigator (b)(6). 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.

-2-

Mr. Robert J. Hearn Jr.
FFL # 9-77-029-01-8C-34659

You are reminded that retention of your Federal Firearms License is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Should you have any questions regarding this matter, please contact (b)(6), Area Supervisor, at (b)(6).

Sincerely,

(b)(6)

Area Supervisor
Sacramento Area Office

cc: Federal Firearms Licensing Center
Director, Industry Operations, San Francisco Field Division
Sacramento II Area Office File

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr **UI#:** 786040-2016-0199-B1B
Trade Name: Southern Shooters Supply **FFL#:** 9-77-029-01-8C-34659

Address: 120 East F Street
Tehachapi, CA 93561

1 - Introduction

Inspection Profile:

On September 27, 2016 Industry Operations Investigator (IOI) (b) (6) conducted a firearms compliance inspection at the above address and interviewed Mr. Robert (Butch) Hearn Jr, owner. Mr. Hearn was identified by his (b) (6) Driver's License (b) (6) Mrs. Candie Hearn was identified by her California Driver's License (b) (6) The inspection period was September 1, 2015 to September 1, 2016. Advanced notification was not given. There were no other participants, e.g., other Federal, State or local agencies.

Business Profile:

Mr. Robert Hearn Jr. dba Southern Shooters Supply is a firearms business in Tehachapi, CA the property is zoned commercial/store front. Southern Shooter Supply sells new and used firearms, as well as ammunition, and related accessories. Southern Shooter Supply does gunsmithing at this location. Southern Shooter Supply has acquired (b) (4) handguns and long guns in the last twelve months. Southern Shooter Supply has sold (b) (4) handguns and long guns in the last twelve months. Southern Shooter Supply does (b) (4) retail sales with no wholesale sales. Mr. Hearn stated that (b) (4) of all guns sold are new firearms. Southern Shooter Supply does about (b) (4) used firearms sales which are private party transfers.

Southern Shooter Supply's primary suppliers are (b)(4)

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr

UI#: 786040-2016-0199-B1B

Trade Name: Southern Shooters Supply

FFL#: 9-77-029-01-8C-34659

(b)(4)

Southern Shooter Supply does not conduct business at gun shows. Southern Shooter Supply does utilize the internet for ordering and doing internet sales. Southern Shooter Supply's website is southernshootersupplyllc.com. Mr. Hearn's email is (b)(6) Southern Shooter Supply does not have any other business at this location.

Southern Shooter Supply is in compliance with State and local laws and possesses the following licenses and permits:

California Firearms Dealer (CFD) 11988

California Seller's Permit: SR DHA 99733983

California Certificate of Eligibility #000003504 expires 6/30/2017

City of Tehachapi Business License 013217 expires 6/30/2017

Southern Shooter Supply has held his type (01) dealer license since 01/23/1991.

Southern Shooter Supply does not have any off-site storage.

Ownership and Control:

Mr. Robert Hearn Jr. is established as a sole proprietor. Mr. Robert Hearn Jr. and Mrs. Candie Hearn are listed as the responsible persons on the license. FLS properly reflects this. There has been no unreported changes in ownership.

Variance:

No variance request was submitted and no variance is needed.

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr

UI#: 786040-2016-0199-B1B

Trade Name: Southern Shooters Supply

FFL#: 9-77-029-01-8C-34659

2 - Recommendation

Violations, Warning Letter only and no Recall Inspection.

3 - Inspection History

Date and Type of Inspection: 06/17/2004 Firearms Compliance Inspection

UI#: 786015-2004-0158-B1B

Inspection Results: Report of Violation

Cited: 27 CFR 125(e)-(b)(3)-(F) firearm not recorded in A&D book but found in inventory.

27CFR124(c)(1) [REDACTED] ATF Form 4473 out of [REDACTED] reviewed was found question 12a was answered "NO".

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

IOI (b) (6) conducted a full inventory which disclosed 618 firearms in inventory and open entries in the A&D records. A discrepancy of (b) (6) firearms were found in acquisition and disposition records. The (b) (6) firearms were dispositions not recorded. A&D records are in the proper format. Southern Shooter Supply does not use computerize records. No trafficking issues were found or detected. No obliterated serial numbers or illegal firearms were found during the inspection. No (b) (6) gun parts were found in stock and Mr. Hearn stated he does not deal in flats or (b) (6) gun parts. See violation two, in #13 below.

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr **UI#:** 786040-2016-0199-B1B
Trade Name: Southern Shooters Supply **FFL#:** 9-77-029-01-8C-34659

Violation Three and Worksheet One

5 - ATF Forms 4473 – NICS & Other Dispositions

IOI (b) (6) reviewed (b)(3) ATF Form 4473s on file. A full review of ATF Form 4473s was conducted for the last twelve months. Licensee was cited for (b)(3) violations with regards to ATF Form 4473. (b)(3) ATF Form 4473s were reviewed against the disposition records and no discrepancies were found. See violation one and two in #13 below and exhibit one.

IOI (b) (6) verified the FFL audit log from the Department of Justice California by sampling (b)(3) NICS (DROS) checks. All NICS (DROS) information was correct. Southern Shooter Supply had no denials for the inspection period.

Sales to Law Enforcement were handled in the proper format. Southern Shooter Supply completes a NICS (DROS) on all firearms to Law Enforcement with a letter attached from their agency.

Southern Shooter Supply does internet sales which involves transfers with other Federal Firearms Licensee. A copy of the licensee's Federal Firearms License is on file with Southern Shooter Supply.

Violation One and Two, Worksheet Two, Exhibit One

6 – Multiple Sales

The e-trace lead report provided by VCAB disclosed (b)(3) multiple sales for the inspection period. During the inspection (b)(3) multiple sales were found during the

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr
Trade Name: Southern Shooters Supply

UI#: 786040-2016-0199-B1B
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inspection period involving (b)(3) Pub Law 112 handguns.

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



Violation Four, Worksheet Two and Exhibit Two

7 – Suspicious/Prohibited Purchasers

No suspicious/prohibited purchasers were found.

8 – Trace Activity

The trace history provided disclosed no open traces and (b)(3) Pub 112 traces had been completed by the tracing center. Southern Shooter Supply had used firearms for sell at the time of the inspection. Secondary market report was generated sampling (b)(3) Pub 112 used firearms. All firearms came back with no hits or reported stolen.

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr

UI#: 786040-2016-0199-B1B

Trade Name: Southern Shooters Supply

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Exhibit Three

9 - NFA/Importer/Collector/Manufacturer

Southern Shooter Supply does not deal in NFA, importing, collecting or manufacturing.

10 - Referrals

No referrals were generated or needed at this time.

11 - Other

The Youth Handgun Safety Act poster was properly posted. Gun locking devices are available to the customers.

12 - Closing Actions

IOI (b) (6) held a closing conference with Mr. Robert Hearn and Mrs. Candie Hearn on October 26, 2016. IOI (b) (6) reviewed the Acknowledgement of Federal Firearms Regulations and discussed the Report of Violation which Mr. Robert Hearn signed and was given a copy.

Exhibit Four

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr

UI#: 786040-2016-0199-B1B

Trade Name: Southern Shooters Supply

FFL#: 9-77-029-01-8C-34659

13 - Violations

1. **27 CFR 478.21(a)**

Nature of Violation:

The licensee failed to accurately prepare the Firearm Transaction Record (ATF Form 4473) on (b)(3)(b) Law 112-55 12 forms. (b)(3)(b) Law instances question 11a (actual buyer) was answered either "NO" or left blank.

Licensee's Response:

The licensee stated that they just missed seeing the blanks on the ATF Form 4473 during the review of the ATF Form 4473 before entering them into the A&D book.

Corrective Action:

The licensee stated they would double check the ATF Form 4473 more thoroughly. No corrective action occurred since the firearm had been delivered to the non-licensee and a background check had been completed. IOI (b) (6) advised the licensee to correctly complete the ATF Form 4473 as required by the regulations and IOI (b) (6) explained to the licensee that they have the ATF Form 4473 for 10 days before delivering the firearm.

Worksheet Two and Exhibit One

2. **27 CFR 478.124(c)(1)**

“REPEAT OF VIOLATION CITED ON May 18, 2004.”

Nature of Violation:

The licensee failed to accurately prepare the Firearm Transaction Record

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr

UI#: 786040-2016-0199-B1B

Trade Name: Southern Shooters Supply

FFL#: 9-77-029-01-8C-34659

(ATF Form 4473) on (b)(3)Pub Law 112-55 forms, as follows:

- 1) (b)(3)Pub Law 112-55 instance question 11b “Are you an alien admitted to the United States under a nonimmigrant visa?” was left blank;
- 2) (b)(3)Pub Law 112-55 instance question 11c “Have you ever been convicted in any court of a felony, or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation?” was left blank.

Licensee’s Response:

The licensee stated that they just missed seeing the blanks on the ATF Form 4473 during the review of the ATF Form 4473 before entering them into the A&D book.

Corrective Action:

The licensee stated they would double check the ATF Form 4473 more thoroughly. No corrective action occurred since the firearm had been delivered to the non-licensee and a background check had been completed. IOI (b)(6) advised the licensee to correctly complete the ATF Form 4473 as required by the regulations and IOI (b)(6) explained to the licensee that they have the ATF Form 4473 for 10 days before delivering the firearm.

Worksheet Two and Exhibit One

3. **27 CFR 478.125(e)**

“REPEAT OF VIOLATION CITED ON May 18, 2004.”

Nature of Violations:

The licensee failed in (b)(3)Pub instances to record the dispositions of firearms.

Licensee’s Response:

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr

UI#: 786040-2016-0199-B1B

Trade Name: Southern Shooters Supply

FFL#: 9-77-029-01-8C-34659

The licensee stated that the errors occurred during the time of Mr. Robert Hearn's open heart surgery and death of two family members.

Corrective Action:

The licensee stated they are implementing a new system to double check firearms being shipped out of the business. Most of the missed dispositions were firearms shipped to other FFLs. Corrective action was completed upon discovery of the errors in A&D records. IOI (b) (6) advised the licensee to correctly complete the A & D records as required by the regulations and IOI (b) (6) explained to the licensee that they need to check their A&D record against their inventory.

Worksheet One

4. **27 CFR 478.126a**

Nature of Violations: The licensee failed in (b)(3)(Pub Law 112-55 12) instances to complete ATF F 3310.4 Report of Multiple Sale or Other Disposition of Pistols and Revolvers, which resulted in (b)(3)(Pub Law 112-55 12) firearms not being recorded as a multiple sale.

Licensee's Response:

The licensee stated they missed doing multiple sales form. It was an oversight on their part.

Corrective Action:

The licensee stated they will be more careful and watch for multiple sales. The licensee completed ATF F 3310.4 as required by the regulations pertaining to multiple sales of handguns. On October 18, 2016 The National Tracing Center received the ATF F 3310.4 and entered the information in e Trace.

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr **UI#:** 786040-2016-0199-B1B
Trade Name: Southern Shooters Supply **FFL#:** 9-77-029-01-8C-34659

Reference: Worksheet Two and Exhibit Two

(b) (6)	Investigator	10/24/2016
Signature	Title	Date of Report

Index of Worksheets and Exhibits

ATF F 5030.5 Report of Violations

Worksheets:

- 1 – A&D Review Worksheets
- 2 – ATF F4473 Review (2012)

Exhibits:

- 1 – Copies of ATF Form 4473s
- 2 – Copies of multiple sales form
- 3 – Secondary Market Work note
- 4 – Acknowledgement of Federal Firearms Regulations

FIREARMS INSPECTION REPORT

Name: Robert J Hearn Jr

UI#: 786040-2016-0199-B1B

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