

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Academy, Ltd. Academy Sports + Outdoors #123 1104 C-Bar Ranch Tr. Cedar Park, TX 78613, WILLIAMSON- 491	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 782065-2016-0227-B1B <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 574491017C03406</td> <td style="width: 33%;">4a. TARGET DATE 9/23/2016</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table>	3. PERMIT/LICENSE NUMBER 574491017C03406	4a. TARGET DATE 9/23/2016	4b. TARGET HOURS
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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 Supervisor, 12/16/2015

8. PURPOSE/SPECIAL INSTRUCTIONS
 Please conduct a compliance inspection of a Type 01 Dealer of Firearms.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	9	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	31	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: 09/30/2016
 The Federal Firearms Licensing Center should note the following:

 The license registration report received from the FLS prior to inspection lists the Social Security Number (SSN) of (b)(6) as (b)(6). This should be updated to reflect the correct SSN of (b)(6).

 All other information listed on the license registration report is complete and accurate.
 Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)		
SEP 2016	25.00		
ATF OFFICER'S SUBTOTAL	25.00	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)		
SEP 2016	71.00		
ATF OFFICER'S SUBTOTAL	71.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	96.00		

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Academy, Ltd. Academy Sports + Outdoors #123 1104 C-Bar Ranch Tr. Cedar Park, TX 78613, WILLIAMSON- 491	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <div style="text-align: center;">782065-2016-0227-B1B</div>			
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	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)			

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Nine violations were cited. Recommend a Warning Letter be issued to emphasize the importance of regulatory compliance.

Note to FFLC: Pls correct FLS to reflect RP (b)(6) SSN as (b)(6)

Viols WL ONLY and No Recall Inspection

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE	REVIEW DATE
(b)(6) - Industry Operations Investigator	09/30/2016

Digitally signed by (b)(6)
 DN: cn=(b)(6), o=BEAT, ou=San Antonio
 1.1 and Office email=(b)(6)
 c=US
 Date: 2016.09.30 13:19:33 -05:00

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 Academy, Ltd. Academy Sports + Outdoors #123	Street Address 1104 C-Bar Ranch Tr.	City Cedar Park	State TX	Zip Code 78613-	County WILLIAMSON- 491	Page 1 of 9 Pages
License/Permit/Registry Number (If any) 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

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 was cited for failure to ensure that all of the information called for on the ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form was accurately or completely furnished. (b)(3) P (b)(6) occurrences.

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

Specifically, on (b)(3) P forms question 18 was incomplete or incorrect.

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

Specifically, on (b)(3) P forms question 30a was blank or incorrect.

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On all future firearms transactions, the licensee will ensure that when executing an ATF form 4473, all of the information called for on the ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form, is accurately and completely provided by the non-licensee completing the form.

Report of Violations

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Name of Proprietor Academy, Ltd. Academy Sports + Outdoors #123	Street Address 1104 C-Bar Ranch Tr.	City Cedar Park	State TX	Zip Code 78613-	County WILLIAMSON- 491	Page 2 of 9 Pages
License/Permit/Registry Number <i>(If any)</i> 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

Inspection Results

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

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

Specifically, on ^{(b)(3) - (b)(6)} forms questions 31 and 32 were blank.

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

Citation: 27 CFR 478.21(a)

Number: 2

Nature of Violation:

The licensee was cited for failure to terminate the transfer of a firearm to an individual when knowing or having reasonable cause to believe that the person was prohibited from such a transfer, by information provided by the individual on the ATF Form 4473. ^{(b)(3) - (b)(6)} occurrence.

Specifically, question 11k was answered with a "Yes" response. The customer passed NICS.

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On all future firearms transactions, the licensee will ensure that no transfer of firearms are made to any individual if the licensee knows or has reasonable cause to believe that the person is prohibited from such a transfer by information provided by the individual on the ATF Form 4473.

Report of Violations

Instructions

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Name of Proprietor Academy, Ltd. Academy Sports + Outdoors #123	Street Address 1104 C-Bar Ranch Tr.	City Cedar Park	State TX	Zip Code 78613-	County WILLIAMSON- 491	Page 3 of 9 Pages
License/Permit/Registry Number <i>(If any)</i> 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

Inspection Results

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

Citation: 27 CFR 478.99(c)

Number: 3

Nature of Violation:

The licensee was cited for failure to obtain a complete or accurately executed ATF Form 4473 from the non-licensee completing the form, prior to making an over-the-counter transfer of a firearm. (b)(3) Part occurrences.

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On all future firearms transactions, the licensee will ensure that when executing an ATF form 4473, the non-licensee completing the form provides complete and accurate information.

Citation: 27 CFR 478.124(c)(1)

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 Academy, Ltd. Academy Sports + Outdoors #123	Street Address 1104 C-Bar Ranch Tr.	City Cedar Park	State TX	Zip Code 78613-	County WILLIAMSON- 491	Page 4 of 9 Pages
License/Permit/Registry Number: <i>(If any)</i> 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

Inspection Results

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

Number: 4

Nature of Violation:

The licensee was cited for failure to obtain or record a valid form of identification; or to obtain or record current, accurate or complete information from the identification document provided; or to obtain or record accurate or complete alternate or supplemental identification documentation; prior to the transfer of a firearm to a non-licensee. ^{(b)(3) Public} occurrences.

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On all future firearms transactions the licensee will ensure that a valid form of identification is obtained and recorded; that current, accurate and complete information is obtained and recorded from the identification document provided; and that accurate and complete alternate or supplemental identification documentation is obtained or recorded when necessary; prior to the transfer of a firearm to a non-licensee.

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

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 Academy, Ltd. Academy Sports + Outdoors #123	Street Address 1104 C-Bar Ranch Tr.	City Cedar Park	State TX	Zip Code 78613-	County WILLIAMSON- 491	Page 5 of 9 Pages
License/Permit/Registry Number <i>(If any)</i> 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

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:

The licensee was cited for failure to accurately or completely record on the ATF Form 4473, the date on which the licensee contacted NICS or any and all responses provided by the system, including any identification number provided by the system. (b)(3) PubL occurrences.

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On all future firearms transactions the licensee shall ensure that the date on which NICS is contacted, as well as any and all responses provided by the system, including any identification number provided by the system, are accurately and completely recorded on the ATF Form 4473.

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

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 Academy, Ltd. Academy Sports + Outdoors #123	Street Address 1104 C-Bar Ranch Tr.	City Cedar Park	State TX	Zip Code 78613-	County WILLIAMSON- 491	Page 6 of 9 Pages
License/Permit/Registry Number <i>(If any)</i> 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

Inspection Results

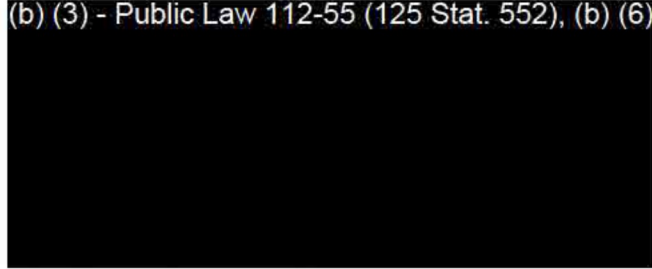
An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 6

Nature of Violation:

The licensee was cited for failure to record complete, accurate or any firearms identification information on the ATF Form 4473, (b)(3) 261 occurrences.

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



Citation: 27 CFR 478.124(c)(4)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On all future firearms transactions the licensee will ensure that complete and accurate firearms identification information is provided on the ATF Form 4473.

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 Academy, Ltd. Academy Sports + Outdoors #123	Street Address 1104 C-Bar Ranch Tr.	City Cedar Park	State TX	Zip Code 78613-	County WILLIAMSON- 491	Page 7 of 9 Pages
License/Permit/Registry Number <i>(If any)</i> 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

Inspection Results

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

Number: 7

Nature of Violation:

The licensee was cited for failure to accurately or completely sign or date the ATF Form 4473.
(b) (3) - Public Law occurrences.

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

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

Corrective Action to be Taken: On all future firearms transactions the licensee will ensure that an accurate and complete signature and date are provided on the ATF Form 4473.
(If not corrected immediately)

Citation: 27 CFR 478.124(c)(5)

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 Academy, Ltd. Academy Sports + Outdoors #123	Street Address 1104 C-Bar Ranch Tr.	City Cedar Park	State TX	Zip Code 78613-	County WILLIAMSON- 491	Page 8 of 9 Pages
License/Permit/Registry Number <i>(If any)</i> 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

Inspection Results

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

Number: 8

Nature of Violation:

The licensee was cited for failure to retain an ATF Form 4473 for a period of not less than 5 years after the date of the NICS inquiry, on a transaction where the licensee initiated a NICS check for a proposed firearms transaction, but the sale, delivery, or transfer of the firearm was not made. One occurrence.

The NICS Audit Log Report received prior to inspection, lists a NICS transaction number of (b) (6) with "Denied" status assigned to (b) (6) on 09-17-13. An Academy internal report also lists the same NICS number assigned to (b) (6) on 09-16-13 and resulting in a NICS denial on 09-17-13. The licensee is unable to produce an ATF Form 4473 documenting this transaction.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On all future firearms transactions the licensee shall ensure that all ATF Forms 4473 are retained for a period of not less than 5 years after the date of the NICS inquiry, if the licensee initiated a NICS check for the proposed firearms transaction, but the sale, delivery, or transfer of the firearm was not made.

Citation: 27 CFR 478.129(b)

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.

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License/Permit/Registry Number <i>(If any)</i> 574491017C03406	Expiration Date 3/1/2017	Date(s) or Period of Inspection 09/13/2016 through 09/21/2016				

Inspection Results

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

Number: 9

Nature of Violation:

The licensee was cited for failure to ensure that prior to the transfer of a firearm made pursuant to alternate provisions and not subject to a NICS check, a valid permit or license exempting the NICS check was retained, or relevant information from the document was accurately and completely recorded on a Form 4473. One occurrence.

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

Citation: 27 CFR 478.131(a)(2)

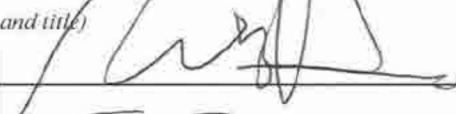
Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On all future firearms transactions the licensee shall ensure that when transferring a firearm pursuant to alternate provisions and not subject to a NICS check, a valid permit or license exempting the NICS check is retained, and relevant information from the document is accurately and completely recorded on a Form 4473.

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i>	 Stone Director	Date 09-21-16
Signature and Title of ATF Officer	(b)(6) FOI	Date 09-21-16



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
8610 Broadway, Ste. 410
San Antonio, TX 78217

September 30, 2016

www.atf.gov

782065 (b)(6)
5373

WARNING LETTER

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

Academy LTD / D.B.A. Academy Sports & Outdoors #123
Attn: Mylinda Jones
1800 N Mason Rd
Katy, TX 77449
RE: 5-74-491-01-7C-03406

Dear Mylinda Jones:

During a recent inspection at your firearms business covering the period September 1, 2015, through September 13, 2016, you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 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) Industry Operations Investigator(s). 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 to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

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

-2-

Academy LTD / D.B.A. Academy Sports & Outdoors #123

Attn: Mylinda Jones

RE: 5-74-491-01-7C-03406

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

Sincerely,

(b)(6)

Area Supervisor
San Antonio II Field Office

Enclosure

cc: Federal Firearms Licensing Center
San Antonio II Field Office
Houston FD



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

8610 Broadway, Ste. 410
San Antonio, TX 78217

September 30, 2016

www.atf.gov

782065 (b)(6)
5373

WARNING LETTER

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

Academy LTD / D.B.A. Academy Sports & Outdoors #123
Attn: Bill Harrison
1104 C-Bar Ranch Trail
Cedar Park, TX 78613
RE: 5-74-491-01-7C-03406

Dear Bill Harrison:

During a recent inspection at your firearms business covering the period September 1, 2015, through September 13, 2016, you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 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) Industry Operations Investigator(s). 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 to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

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

-2-

Academy LTD / D.B.A. Academy Sports & Outdoors #123
Attn: Bill Harrison
RE: 5-74-491-01-7C-03406

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

Sincerely,

(b)(6)

Area Supervisor
San Antonio II Field Office

Enclosure

cc: Federal Firearms Licensing Center
San Antonio II Field Office
Houston FD

FIREARMS INSPECTION REPORT

Name: Academy, Ltd.
Trade Name: Academy Sports + Outdoors #123

UI#: 782065-2016-0227-B1B
FFL#: 5-74-491-01-7C-03406

Address: 1104 C-Bar Ranch Trail
Cedar Park, TX 78613

1 - Introduction

Inspection Profile:

Industry Operations Investigators (IOI) (b)(6), met with William Benjamin "Bill" Harrison, Store Manager, on September 13-19, 2016, and again on September 21, 2016, for the purpose of conducting a firearms compliance inspection for a Type 01 Federal Firearms License (FFL). Also assisting in the inspection were (b)(6), both associates in the gun department; and (b)(6), all management personnel.

The period of inspection was September 1, 2015 to September 13, 2016. The onsite inspection commenced on September 13, 2016, and was completed September 21, 2016. No additional records were reviewed at the September 21st meeting. No other federal, state or local agencies participated in the inspection.

Academy, Ltd. is a national retail sporting goods store chain which operates approximately 200 retail stores in 15 states. Corporate headquarters are located in Katy, Texas.

Business Profile:

Academy Sports + Outdoors #123 (hereafter referred to as ASO123) is a sporting goods discount store chain. The company carries an extensive line of name-brand equipment and clothing and shoes for competitive sports, physical fitness training, and outdoor recreational activities such as camping, hunting, fishing, and boating. Corporate headquarters are located in Katy, Texas, a suburb of Houston, where the company also owns a large warehouse facility used for effective inventory control and distribution.

All firearms acquired by ASO123 are now received from the Academy Distribution Center (ADC), located in Katy. The distribution center purchases firearms directly from manufacturers and also through wholesalers, and distributes them to individual Academy stores. Firearm shipments are received weekly, if not more frequently.

ASO123 currently conducts business as a Type 01 FFL through the sale of new firearms, including both handguns and long guns, to the general public. The

FIREARMS INSPECTION REPORT

Name: Academy, Ltd.
Trade Name: Academy Sports + Outdoors #123

UI#: 782065-2016-0227-B1B
FFL#: 5-74-491-01-7C-03406

licensee deals in new firearms exclusively, and also sells ammunition and firearms accessories.

Occasionally, ASO123 facilitates the transfer of firearms as a service to customers, and charges a \$40 fee for this service. (b)(6) estimates that these transactions comprise less than one percent of all firearm transfers.

The licensee also occasionally accepts repair guns, which are returned to the manufacturer for warranty service. Repair firearms are only accepted from customers who originally purchased the gun from ASO123.

ASO123 does not conduct business at gun shows or accept guns on consignment in order to sale them on behalf of their owners. Nor do they currently deal in firearms regulated under the National Firearms Act or offer training classes for concealed handgun permits.

ASO123 acquired approximately (b)(4) firearms, of which approximately (b)(4) were handguns; and disposed of approximately (b)(4) firearms, of which approximately (b)(4) were handguns; in the past twelve months.

Clientele consists of the general public. Retail firearms are supplied exclusively by the (b)(4) in Katy, and shipments are received at least weekly. Repair firearms are received from former customers and returned to manufacturers for warranty service.

Academy, Ltd. maintains a company website for advertising and promoting products maintained in company retail stores. No on-line sales of firearms are conducted from the site. The licensee does not maintain active accounts with on-line gun forums, such as gunbroker.com.

Firearms transactions are conducted from the firearms department counter inside the ASO123 retail store. Lockable glass display cases, gun racks and storage shelves are utilized for gun storage. Two gun vaults located behind the firearms counter are used for over-flow storage. No storage of firearms is maintained inside the facility warehouse.

All entrance doors to the facility are equipped with locks. A security system which is monitored on-site and through the corporate office is present and features glass breaks, motion detectors, alarms and numerous surveillance cameras located both inside the store and in the parking lot.

Firearms records are maintained inside locked file cabinets located in the facility training room. Gun department personnel and management have access

FIREARMS INSPECTION REPORT

Name: Academy, Ltd.
Trade Name: Academy Sports + Outdoors #123

UI#: 782065-2016-0227-B1B
FFL#: 5-74-491-01-7C-03406

to the firearms counter and gun storage areas. Management personnel have access to facility entrance doors and the firearm records file cabinets.

The licensed business premises are located on commercial property within the city limits of Cedar Park, Texas. The property is zoned commercial. The site is in a high consumer traffic area adjacent to TX Highway 183 and fronts Whiteside Avenue (also known as FM 1431). Access from the ATF Austin Satellite Office is entered in NSPECT.

Williamson County has no zoning restrictions which would affect the firearms business activities conducted by the licensee and was recently verified by IOI (b)(6).

Additionally, IOI (b)(6) spoke by phone with (b)(6), Senior Planner with the City of Cedar Park Planning Department. (b)(6) confirmed that the property is zoned commercial and there are no prohibitions to conducting a firearms business from the location. (b)(6) may be reached by phone at 512-401-5058.

Academy Ltd. retail stores hold Type 01 FFL's at numerous locations throughout the U.S.

ASO123 does not hold any other ATF licenses, or any applicable state or local firearms-related licenses. There are no other business activities conducted on the premises. There is currently no off-site storage.

The FFLC originally issued the firearms license to ASO123 on July 24, 2008.

Ownership and Control:

A business organizations inquiry on the Texas Secretary of State (TSOS) website by IOI (b)(6) reflects that Academy, Ltd. operates as a Domestic Limited Partnership (LP) which is licensed to operate in Texas. Academy Managing Co., LLC is listed as the general partner. An Assumed Name Certificate (dba) for the trade name "Academy Sports + Outdoors" is also on file with TSOS (*Exhibit 1*). TSO123 is a business component of Academy, Ltd.

(b)(6) is listed as President/CEO of Academy Managing Co., LLC, along with several other corporate officers. The corporate officer/responsible person list and copies of corporate documentation for Academy, Ltd. may be found using the designated corporate RDS key of 5-76-00004 in the Federal Licensing System (FLS).

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The license registration report received from the FLS prior to inspection, lists Bill Harrison, Store Manager, as the only responsible person on the license, and he is listed correctly.

IOI (b)(6) queried OpenFox and NFORCE for criminal history and open firearms cases on Bill Harrison prior to inspection, with no prohibitive information disclosed.

Prior to inspection, IOI (b)(6) conducted a property records search on the Williamson County Appraisal District's website which identified BRE RC 1890 Ranch TX, LP as the owner of the property on which the licensed business premises are located (*Exhibit 2*).

IOI (b)(6) was provided with a copy of a 19 page Lease Agreement document between BRE RC 1890 Ranch TX, LP, Landlord, and Academy, Ltd. The use of premises section states that the retail sale of firearms is permitted. A copy of pages 1, 2 and 5 of the lease document are included with this report (*Exhibit 3*).

There have been no changes in ownership or control in the past year, and no indications of hidden ownership were found. Mr. Harrison was reminded that any change in the ownership or control, or change in the business structure of the current FFL, would require that a new gun license be applied for.

The Federal Firearms Licensing Center should note the following:

The license registration report received from the FLS prior to inspection lists the Social Security Number (SSN) of William Harrison as (b)(6). This should be updated to reflect the correct SSN of (b)(6).

All other information listed on the license registration report is complete and accurate.

Variance:

The licensee holds the following approved variances:

-Filing ATF Forms 4473 by disposition date, and further separated by long guns (to include pistol grip firearms) and handgun sales.

-Use of the abbreviation "PG" in lieu of writing "pistol grip" under the "Type" column of the acquisition and disposition (A&D) record.

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- Utilizing computerized recordkeeping in lieu of manual records, which has been superseded by ATF Ruling 2013-5.

Copies of these approved variances are on file with the ATF Houston Field Division.

The computerized system utilized by all Academy retail stores uses software called Pacific Island, and is maintained by the corporate IT department in Katy. The corporate office maintains an on-site server with network functions to back up records each day, from all retail outlets.

IOI (b)(6) has reviewed the firearm A&D functions of the Academy electronic system during compliance inspections in the past, and the records maintained appeared to contain all required information and operate within the parameters of ATF Ruling 2013-5.

No additional variance requests were made during the inspection.

2 - Recommendation

Violations, WARNING LETTER ONLY, No Recall Inspection.

3 - Inspection History

This is the first firearms compliance inspection conducted on the licensee since acquiring the license which could be verified in NSPECT, and the only inspection conducted in the past five years.

Results of the previous inspection is listed below.

Date of Inspection: July 17, 2008
Type of Inspection: Qualification Inspection for Type 01 FFL.
UI#: 782065-2008-0357-B1B – Investigator (b)(6)
Inspection Results: Approve Original.
Cited Violations: None.

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

A full physical inventory (a gun to book inventory comparing serial numbers) was conducted during the inspection. After reconciliation, there were (b)(6) firearms listed as open entries in the A&D book, which corresponded with 844 firearms counted in inventory. Approximately 482 of the inventoried firearms were handguns.

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The A&D record is computerized and maintains information in the proper format as required by ATF guidelines. All information is accurate and entries are timely made. Approximately [REDACTED] firearms were tracked through the licensee's records from acquisition to disposition with no discrepancies found.

There were no thefts or losses reported during the inspection period, nor was there any discovery of obliterated serial numbers or illegal firearms. No trafficking indicators were found.

IOI [REDACTED] reminded the licensee of the importance of conducting regular firearm inventories. Bill Harrison stated that nightly firearm counts are conducted, and a physical inventory of all firearms is conducted the first week of each month. Corporate internal audits of firearms inventory is conducted bi-annually.

Standard operating procedures utilized by the licensee include the following:

Firearm transactions are conducted from a commercial retail store. All entry doors are secured and an electronic security system is present.

Firearms are stored in designated locations behind the gun department counter and include two gun vaults and locked glass display cases. Management personnel and gun department associates have access to the gun storage areas.

The A&D record is computerized and entries for the acquisition or disposition of firearms are made at the time firearms are received or transferred.

Nightly firearm counts and monthly firearm inventories are conducted.

Approximately eight gun department associates and management personnel are currently responsible for conducting sales and transfers of firearms and maintaining the A&D record. [REDACTED], a manager and member of the firearms audit team, is consulted on inventory control issues.

Corporate policy dictates that all firearm department associates be "Firearms Certified", which requires corporate firearms training that includes completing computer-based learning (CBL) firearms training modules, observation of a trained "Firearms Certified" associate and conducting observed firearms transactions.

Firearm associates are administered a firearms proficiency exam prior to conducting gun transactions, which must be completed with a passing score. This training is mandatory for all incoming firearm associates and is also used as annual refresher training for current personnel.

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Academy, Ltd. maintains a firearms compliance staff at the corporate office in Katy, who conduct annual firearms inspections at individual stores.

Corporate policy prohibits the transfer of firearms after three business days on a NICS delay. A secondary response approving the transaction must be received prior to transfer.

The software system utilized for the electronic A&D record, records NICS transaction numbers, calculates the age of customers, and flags for multiple sales transactions on both handguns and long guns.

An internal form used as a check list for documentation required of customers, is utilized on all firearms transactions.

5 - ATF Forms 4473 – NICS & Other Dispositions

IOI's (b)(6) reviewed (b)(6) "proceed" ATF Forms 4473 on file covering the inspection period. There were (b)(6) "cancelled/delayed transaction" forms where no gun transfer occurred, and (b)(6) "denied" forms from the inspection period, which were also reviewed, for a total of (b)(6) forms reviewed.

Additionally, (b)(6) "denied" forms from the previous five years were also verified and maintained on file by the licensee as required, but were not counted in the total number of forms reviewed.

Prior to inspection, IOI (b)(6) received a NICS Audit Log Report, which was used to verify 246 firearm transactions conducted during the inspection period.

There were no sales of firearms to law enforcement, and transfers to or from other licensees were conducted correctly. There were no trafficking issues noted during the inspection period.

IOI (b)(6) reminded the licensee of the importance of reviewing forms, when executed, with the customer immediately prior to transfer and again before permanently filing them.

Bill Harrison stated that corporate policy requires that ATF Forms 4473 are checked for accuracy by management personnel before a transfer is completed by an associate. Management staff then escort the customer and firearm to exit the facility. Forms are then staged in the manager's booth and audited the following morning. A weekly audit of forms is conducted before permanent filing of the forms by (b)(6). Lastly, Mr. Harrison and (b)(6) conduct a monthly audit of all ATF Forms 4473. All accuracy checks are conducted by management personnel.

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Standard operating procedures utilized by the licensee include the following:

ATF Forms 4473 are reviewed with the customer immediately prior to transfer.

Forms are currently filed by disposition date, and further separated by long guns (to include pistol grip firearms) and handgun sales. Denied and cancelled transaction forms are file separately.

In the event that mistakes are detected in reviewing ATF Forms 4473, certified letters are mailed out requesting that the customer return to the store in order to make the necessary corrections. Corrections are made on a copy of the original form completed.

Firearms sales logs are printed daily and maintained with the ATF Forms 4473 generated on that day. These logs include the customer name and NICS transaction numbers corresponding to the transaction. Daily Audit Forms are also generated to track all NICS transaction numbers.

NICS background checks are currently conducted via E-NICS, and a copy of the NICS decision sheet, which includes the transaction number, is attached to the ATF Form 4473.

Academy, Ltd. maintains a corporate database for “store denials” which is used to identify individuals that have exhibited odd behavior or answered prohibitive questions erroneously and are deemed a risk for receiving firearms. An internal checklist is completed on a prospective customer prior to the customer completing an ATF Form 4473, and this checklist is utilized to run the customer’s information against the store denial database to ensure that they have not been denied a firearms transaction by the store in the past.

Approximately eight gun department associates and management personnel are currently responsible for completion and verification of ATF Forms 4473, review of the forms and proper filing of the forms following execution.

Of the (b)(3)PubLaw ATF Forms 4473 reviewed, (b)(3) forms were cited (*Exhibit 4*) and contained errors resulting in the following:

The licensee was cited under **27 CFR 478.21(a)** for failure to ensure that all of the information called for on the ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form was accurately or completely furnished. (b)(3) occurrences. (*See Worksheets, Exhibit 4 and Violation #1 on ATF Form 5030.5, Report of Violations*).

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The licensee was cited under **27 CFR 478.99(c)** for failure to terminate the transfer of a firearm to an individual when knowing or having reasonable cause to believe that the person was prohibited from such a transfer, by information provided by the individual on the ATF Form 4473. (b)(3) Pub. L. occurrence. (See *Worksheets, Exhibit 4 and Violation #2 on ATF Form 5030.5, Report of Violations*).

The licensee was cited under **27 CFR 478.124(c)(1)** for failure to obtain a complete or accurately executed ATF Form 4473 from the non-licensee completing the form, prior to making an over-the-counter transfer of a firearm. (b)(3) Pub. L. occurrences. (See *Worksheets, Exhibit 4 and Violation #3 on ATF Form 5030.5, Report of Violations*).

The licensee was cited under **27 CFR 478.124(c)(3)(i)** for failure to obtain or record a valid form of identification; or to obtain or record current, accurate or complete information from the identification document provided; or to obtain or record accurate or complete alternate or supplemental identification documentation; prior to the transfer of a firearm to a non-licensee. (b)(3) Pub. L. occurrences. (See *Worksheets, Exhibit 4 and Violation #4 on ATF Form 5030.5, Report of Violations*).

The licensee was cited under **27 CFR 478.124(c)(3)(iv)** for failure to accurately or completely record on the ATF Form 4473, the date on which the licensee contacted NICS or any and all responses provided by the system, including any identification number provided by the system. (b)(3) Pub. L. occurrences. (See *Worksheets, Exhibit 4 and Violation #5 on ATF Form 5030.5, Report of Violations*).

The licensee was cited under **27 CFR 478.124(c)(4)** for failure to record complete, accurate or any firearms identification information on the ATF Form 4473. (b)(3) Pub. L. occurrences. (See *Worksheets, Exhibit 4 and Violation #6 on ATF Form 5030.5, Report of Violations*).

The licensee was cited under **27 CFR 478.124(c)(5)** for failure to accurately or completely sign or date the ATF Form 4473. (b)(3) Pub. L. occurrences. (See *Worksheets, Exhibit 4 and Violation #7 on ATF Form 5030.5, Report of Violations*).

The licensee was cited under **27 CFR 478.129(b)** for failure to retain an ATF Form 4473 for a period of not less than 5 years after the date of the NICS inquiry, on a transaction where the licensee initiated a NICS check for a proposed firearms transaction, but the sale, delivery, or transfer of the firearm was not made. (b)(3) Pub. L. occurrence. (See *Worksheets, and Violation #8 on ATF Form 5030.5, Report of Violations*).

The licensee was cited under **27 CFR 478.131(a)(2)** for failure to ensure that prior to the transfer of a firearm made pursuant to alternate provisions and not subject to a NICS check, a valid permit or license exempting the NICS check was retained, or relevant

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information from the document was accurately and completely recorded on a Form 4473. (b)(3)(F)(b) occurrence. (See Worksheets, Exhibit 4 and Violation #9 on ATF Form 5030.5, Report of Violations).

6 - Multiple Sales

Prior to inspection, IOI (b)(6) received a Firearms Trace History Report on the licensee from the Violent Crime Analysis Branch (VCAB). There were (b)(3)(F) reported multiple handgun sale transactions involving (b)(3)(F)(b) handguns during the inspection period. No unreported multiple handgun sales were discovered during the inspection.

There were also (b)(3)(F) reported multiple sales of certain rifles transactions involving (b)(3)(F) rifles during the inspection period. No unreported multiple sales of certain rifles transactions were discovered during the inspection.

It should be noted that there were several discrepancies discovered on the VCAB report. They are as follows:

(b)(3) Pub law 112-55 125 Stat. 552



IOI (b)(6) will contact (b)(6), Supervisor of the Multiple Sales Data Entry Group, at the ATF National Tracing Center, and report the discrepancies.

7 - Suspicious/Prohibited Purchasers

No Prohibited Purchasers were identified during this inspection.

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IOI (b)(6) conducted random OpenFox queries on (b)(3) Texas Concealed Handgun/License to Carry permits, with no prohibitive information discovered. Additionally, (b)(3) License to Carry permit check was executed on (b)(3) named on ATF Forms 4473 which were cited during the inspection (b)(3), in order to determine the correct license number.

This totals (b)(3) checks of individuals conducted during the inspection, and does not include the background checks conducted on responsible persons on the FFL prior to inspection.

No referrals were made.

8 - Trace Activity

Prior to inspection, IOI (b)(6) received a Firearms Trace History Report of the licensee from the VCAB. There were (b)(3) successful traces of a firearm to the licensee during the inspection period, and no unresolved traces during the past three years.

No used firearms were in inventory at the time of inspection and no secondary market analysis was conducted.

9 - NFA/Importer/Collector/Manufacturer

ASO123 does not conduct any NFA, Importer, Collector or Manufacturing operations.

10 - Referrals

No referrals were generated as a result of this inspection.

11 - Other

The licensee holds an Employer Identification Number (EIN) with the Internal Revenue Service of (b)(3) 26USC6103.

The licensee's Type 01 Federal Firearms License, Youth Handgun Safety Act poster and Texas Sales and Use Tax Permit (1-74167-0067-6) were posted and verified by IOI (b)(6).

An account status search on the Texas Comptroller of Public Accounts (TCPA) website indicated that the licensee's sales tax permit was active at the time of inspection (*Exhibit 5*).

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Youth Handgun Safety Act Notice pamphlets and gun locks were available for distribution.

It should be noted that Academy retail stores carry exploding targets, commonly known as tannerite, as part of their sporting goods inventory. IOI (b)(6) provided Bill Harrison with a copy of the National Explosives Task Force Public Safety Advisory dated May 29, 2015, which details the safe use of such products. Mr. Harrison stated that the advisory would be posted.

12 - Closing Actions

IOI (b)(6) conducted a closing conference at the licensed business premises on September 21, 2016. Present at the closing conference was Bill Harrison, Store Manager; (b)(6), Assistant Store Manager; and (b)(6), Manager.

The ATF website was emphasized as a useful and informative reference tool and all present were encouraged to utilize it when encountering questions or problems in conducting firearms transactions or related industry business.

All those present were also encouraged to contact an Industry Operations representative in the ATF San Antonio Field Office with questions or problems encountered in conducting firearms transactions or related industry business.

Mr. Harrison was reminded that any change in the ownership or control, or change in the business structure of the current FFL, would require that a new gun license be applied for.

Additional topics discussed with those present included (but were not limited to) maintenance of A&D books, execution of ATF Forms 4473, multiple sales transactions of handguns and certain rifles, theft/loss reports, retention of records, transactions between licensees, Youth Handgun Safety Act requirements, sales to law enforcement, licenses, responding to trace requests, personal firearms and compliance with state and local laws.

Inspection results were then discussed. The ATF E-Form 5030.5, Report of Violations (ROV) and the Acknowledgement of Federal Firearms Regulations were then reviewed. All present were given the opportunity to ask questions regarding the inspection.

Mr. Harrison signed a copy of the ROV and was provided with a signed copy of the document. Mr. Harrison also signed a copy of the Acknowledgement of Federal Firearms Regulations and was provided with a signed copy of this document as well (*Exhibit 6*).

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The licensee was provided with a copy of the “Important Notice – Selling Firearms AFTER Revocation, Expiration or Surrender of an FFL”.

Store personnel has not attended any dealer seminars in the past year.

The licensee was also provided with the following reference materials:

- (1) ATF Publication 5300.15 (06/10), Federal Firearms Licensee Quick Reference and Best Practices Guide.
- (2) ATF P 3317.2 (02/10), Safety and Security Information for Federal Firearms Licensees.
- (3) ATF P 3317.7 (12/09), Disaster Preparedness for Federal Firearms Licensees.
- (4) ATF P 5380.1 (01/16), Loss Prevention for Firearms Retailers.
- (5) A list of current ATF telephone numbers and addresses.

13 - Violations

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

Nature of violation:

The licensee was cited for failure to ensure that all of the information called for on the ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form was accurately or completely furnished. (b)(3) occurrences.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)



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(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that these errors probably occurred due to associates rushing at the time of transaction and not detecting the error, and management personnel unable to detect the errors during review.

Corrective Action:


On all future firearms transactions, the licensee will ensure that when executing an ATF form 4473, all of the information called for on the ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form, is accurately and completely provided by the non-licensee completing the form.

(See Worksheets, Exhibit 4 and Violation #1 on ATF Form 5030.5, Report of Violations).

2. **27 CFR 478.99(c)**

Nature of violation:

The licensee was cited for failure to terminate the transfer of a firearm to an individual when knowing or having reasonable cause to believe that the person was prohibited from such a transfer, by information provided by the individual on the ATF Form 4473.

 occurrence.

Specifically, question 11k was answered with a "Yes" response. The customer passed NICS.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that this error probably occurred due to associates rushing at the time of transaction and not detecting the error, and management personnel unable to detect the error during review.

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Corrective Action:

On all future firearms transactions, the licensee will ensure that no transfer of firearms are made to any individual if the licensee knows or has reasonable cause to believe that the person is prohibited from such a transfer by information provided by the individual on the ATF Form 4473.

(See Worksheets, Exhibit 4 and Violation #2 on ATF Form 5030.5, Report of Violations).

3. **27 CFR 478.124(c)(1)**

Nature of violation:

The licensee was cited for failure to obtain a complete or accurately executed ATF Form 4473 from the non-licensee completing the form, prior to making an over-the-counter transfer of a firearm.  occurrences.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that these errors probably occurred due to associates rushing at the time of transaction and not detecting the error, and management personnel unable to detect the errors during review.

Corrective Action:

On all future firearms transactions, the licensee will ensure that when executing an ATF form 4473, the non-licensee completing the form provides complete and accurate information.

(See Worksheets, Exhibit 4 and Violation #3 on ATF Form 5030.5, Report of Violations).

4. **27 CFR 478.124(c)(3)(i)**

Nature of violation:

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The licensee was cited for failure to obtain or record a valid form of identification; or to obtain or record current, accurate or complete information from the identification document provided; or to obtain or record accurate or complete alternate or supplemental identification documentation; prior to the transfer of a firearm to a non-licensee. (b)(3) Pub L 112-55 125 Stat. 552, (b)(6) occurrences.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that these errors probably occurred due to associates rushing at the time of transaction and not detecting the error, and management personnel unable to detect the errors during review.

Corrective Action:

On all future firearms transactions the licensee will ensure that a valid form of identification is obtained and recorded; that current, accurate and complete information is obtained and recorded from the identification document provided; and that accurate and complete alternate or supplemental identification documentation is obtained or recorded when necessary; prior to the transfer of a firearm to a non-licensee.

(See Worksheets, Exhibit 4 and Violation #4 on ATF Form 5030.5, Report of Violations).

5. **27 CFR 478.124(c)(3)(iv)**

Nature of violation:

The licensee was cited for failure to accurately or completely record on the ATF Form 4473, the date on which the licensee contacted NICS or any and all responses provided by the system, including any identification number provided by the system. (b)(3) Pub L 112-55 125 Stat. 552, (b)(6) occurrences.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

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(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that these errors probably occurred due to associates rushing at the time of transaction and not detecting the error, and management personnel unable to detect the errors during review.

Corrective Action:

On all future firearms transactions the licensee shall ensure that the date on which NICS is contacted, as well as any and all responses provided by the system, including any identification number provided by the system, are accurately and completely recorded on the ATF Form 4473.

(See Worksheets, Exhibit 4 and Violation #5 on ATF Form 5030.5, Report of Violations).

6. **27 CFR 478.124(c)(4)**

Nature of violation:

The licensee was cited for failure to record complete, accurate or any firearms identification information on the ATF Form 4473. (b)(3) Pub L 112-55 125 Stat. 552, (b)(6) occurrences.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that these errors probably occurred due to associates rushing at the time of transaction and not detecting the error, and management personnel unable to detect the errors during review.

Corrective Action:

FIREARMS INSPECTION REPORT

Name: Academy, Ltd.
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On all future firearms transactions the licensee will ensure that complete and accurate firearms identification information is provided on the ATF Form 4473.

(See Worksheets, Exhibit 4 and Violation #6 on ATF Form 5030.5, Report of Violations).

7. **27 CFR 478.124(c)(5)**

Nature of violation:

The licensee was cited for failure to accurately or completely sign or date the ATF Form 4473. (b)(3) Pub law occurrences.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that these errors probably occurred due to associates rushing at the time of transaction and not detecting the error, and management personnel unable to detect the errors during review.

Corrective Action:

On all future firearms transactions the licensee will ensure that an accurate and complete signature and date are provided on the ATF Form 4473.

(See Worksheets, Exhibit 4 and Violation #7 on ATF Form 5030.5, Report of Violations).

8. **27 CFR 478.129(b)**

Nature of violation:

The licensee was cited for failure to retain an ATF Form 4473 for a period of not less than 5 years after the date of the NICS inquiry, on a transaction where the licensee initiated a NICS check for a proposed firearms transaction, but the sale, delivery, or transfer of the firearm was not made. (b)(3) Pub occurrence.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

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(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that the missing form is probably misfiled, which is the reason it cannot currently be located.

Corrective Action:

On all future firearms transactions the licensee shall ensure that all ATF Forms 4473 are retained for a period of not less than 5 years after the date of the NICS inquiry, if the licensee initiated a NICS check for the proposed firearms transaction, but the sale, delivery, or transfer of the firearm was not made.

(See Worksheets and Violation #8 on ATF Form 5030.5, Report of Violations).

9. **27 CFR 478.131(a)(2)**

Nature of violation:

The licensee was cited for failure to ensure that prior to the transfer of a firearm made pursuant to alternate provisions and not subject to a NICS check, a valid permit or license exempting the NICS check was retained, or relevant information from the document was accurately and completely recorded on a Form 4473. **(b)(3) Pub** occurrence.

(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)

Licensee's Response:

Bill Harrison stated that this error probably occurred due to associates rushing at the time of transaction and not detecting the error, and management personnel unable to detect the error during review.

Corrective Action:

On all future firearms transactions the licensee shall ensure that when transferring a firearm pursuant to alternate provisions and not subject to a NICS check, a valid permit or license exempting the NICS check is retained, and relevant information from the document is accurately and completely recorded on a Form 4473.

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(See Worksheets, Exhibit 4 and Violation #9 on ATF Form 5030.5, Report of Violations).

X

Industry Operations Investigator

Index of Worksheets and Exhibits
ATF Form 5030.5, Report of Violations

Worksheets

Exhibit 1 – Copy of a business organizations inquiry on the TSOS website for Academy, Ltd.

Exhibit 2 – Copy of a property search on the Williamson County Appraisal District website identifying BRE RC 1890 Ranch TX, LP as the owner of the property on which the licensed business premises are located.

Exhibit 3 – Copy of pages 1, 2 and 5 of a Lease Agreement document between BRE RC 1890 Ranch TX, LP, Landlord, and Academy, Ltd.

Exhibit 4 – Copies of 28 ATF Forms 4473 cited during the inspection.

Exhibit 5 – Copy of an account status search on the TCPA website.

Exhibit 6 – Acknowledgement of Federal Firearms Regulations signed by William Benjamin “Bill” Harrison, Store Manager, on September 21, 2016.