

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Hathorn, James Michael Dyer Guns 3627 Dyer St. El Paso, TX 79930, El Paso	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;">781110-2017-0024-B1B</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 574141017C04687</td> <td style="width: 33%;">4a. TARGET DATE 3/30/2017</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)	3. PERMIT/LICENSE NUMBER 574141017C04687	4a. TARGET DATE 3/30/2017	4b. TARGET HOURS
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6. ATF OFFICER(S) ASSIGNED
 (b)(6) - Assigned Investigator
 (b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
 (b)(6), Area Supervisor, 10/03/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
 Conduct a full SWB compliance inspection. Correct EIN in N-Spect. FFL is located in a high crime area and has never been seen.

9. INSPECTION RESULTS			<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	5	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	10	NO. OF TECS HITS		2112 - P.O.A.	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR	
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES	
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.	
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.	

11. ATF OFFICER'S RECOMMENDATION
 Submitted by (b)(6) - Industry Operations Investigator

 Submitted on: 05/01/2017

 Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)	
MAR 2017	18.00	
ATF OFFICER'S SUBTOTAL	18.00	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)	
DEC 2016	2.00	
ATF OFFICER'S SUBTOTAL	2.00	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)	
FEB 2017	2.00	
MAR 2017	31.50	
APR 2017	34.50	
ATF OFFICER'S SUBTOTAL	68.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	88.00	

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	3. PERMIT/LICENSE NUMBER 574141017C04687	4a. TARGET DATE 3/30/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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 05/02/2017
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ROUTING SEQUENCE AND DATE

- 1. _____
- 2. _____
- 3. _____
- 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Hathorn, James Michael Dyer Guns	Street Address 3627 Dyer St.	City El Paso	State TX	Zip Code 79930-	County El Paso	Page 1 of 3 Pages
License/Permit/Registry Number (If any) 574141017C04687	Expiration Date 3/1/2020	Date(s) or Period of Inspection 3/7/16 to 4/4/17				

Inspection Results

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

Number: 1

Nature of Violation:

Failure to obtain and/or furnish all information required in each ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to it. On ^{(b)(3) (1)(2)} ATF Form 4473, the licensee marked "other" (item #18), when there were only rifles transferred. On ^{(b)(3) (1)(2)} ATF Form 4473, the licensee failed to have the transferee record the "Recertification Date" (Item #25).

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

In the future, the licensee will ensure that all required information is recorded completely and correctly.

Number: 2

Nature of Violation:

Failure to verify the identity of the transferee and note on the ATF Form 4473 the type of identification used. On ^{(b)(3) (1)(2)} ATF Forms 4473, the licensee failed to document the transferee's Permanent Change of Station orders (Item #20b).

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure that all supplementary documentation is recorded in the future.

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License/Permit/Registry Number (If any) 574141017C04687	Expiration Date 3/1/2020	Date(s) or Period of Inspection 3/7/16 to 4/4/17				

Inspection Results

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

Number: 3

Nature of Violation:

Failure to correctly identify the firearm to be transferred by listing the manufacturer, model, serial number and/or caliber or gauge of the firearm on the ATF Form 4473. On [REDACTED] ATF Forms 4473, the licensee failed to record the proper caliber or gauge of the firearm being transferred (Item 30).

Citation: 27 CFR 478.124(c)(4)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: In the future, the licensee will ensure that all the correct

(If not corrected immediately)

information is recorded for the firearm transferred.

Number: 4

Nature of Violation:

Failure to enter into a record each receipt and every disposition of individual firearms. In [REDACTED] instance, the licensee recorded the wrong serial number on a firearm acquired. In [REDACTED] instances, the licensee failed to log in firearms acquired. In [REDACTED] instances, the licensee failed to log out firearms disposed.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee corrected the A&D record to show the proper

(If not corrected immediately)

information of firearms acquired, and all firearms disposed. In the future, the licensee will ensure that all firearms acquired are recorded accurately and timely in the A&D Record. In the future, the licensee will ensure that all firearms disposed are recorded timely.

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 Hathorn, James Michael Dyer Guns	Street Address 3627 Dyer St.	City El Paso	State TX	Zip Code 79930-	County El Paso	Page 3 of 3 Pages
License/Permit/Registry Number (If any) 574141017C04687	Expiration Date 3/1/2020	Date(s) or Period of Inspection 3/7/16 to 4/4/17				

Inspection Results

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

Number: 5

Nature of Violation:

Failure to prepare and submit a report of multiple sales or other disposition (ATF Form 3310.4) whenever the licensee sells or otherwise disposes of, two or more pistols, or revolvers, or any combination of pistols or revolvers totaling two or more to an unlicensed person at one time or during any five consecutive business days. The licensee failed to prepare and submit ^{(b)(3)} Multiple Sales or Other Dispositions of Pistols and Revolvers, ATF Form 3310.4, for ^{(b)(3)} multiple sales conducted involving ^{(b)(3)} firearms.

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 prepared and submitted five 5 Multiple Sales or Other Dispositions of Pistols and Revolvers, ATF Form 3310.4, for 5 multiple sales conducted involving 10 firearms. In the future, the licensee will prepare and submit reports on all multiple sales conducted in a timely manner as prescribed by law.

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

(b)(6)

DWN GR

Date
4/4/17

Signature of ATF Officer

(b)(6)

IOI

Date
4/4/17



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

5/2/2017

Hathorn, James Michael
Dyer Guns
3627 Dyer St.
El Paso, TX 79930-
RE: 574141017C04687

Dear James Hathorn:

During a recent inspection at your firearms business covering the period March, 2016 to March, 2017 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.

Hathorn, James Michael

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

Sincerely yours

(b)(6)

El Paso Area Supervisor

Enclosure

c: Federal Firearms Licensing Center
El Paso II (IO) Field Office
DIO Murphy

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 James Michael Hathorn
 Dyer Guns
 3615 McKinley
 El Paso, TX 79930



9590 9402 1587 5362 7287 38

2. Article Number (Transfer from service label)

7014 1820 0000 5009 6690

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Agent
 Addressee

B. Received by (Printed Name)

James M. Hathorn

C. Date of Delivery

5/4/17

D. Is delivery address different from item 1? Yes
 if YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**U.S. Postal Service™
 CERTIFIED MAIL® RECEIPT**
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

7014 1820 0000 5009 6690

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



James Michael Hathorn
 Dyer Guns
 3615 McKinley
 El Paso, TX 79930

PS Form 3800, July 2014

See Reverse for Instructions

FIREARMS INSPECTION REPORT

Name:	James Michael Hathorn	L	781110-2017-0024-B1B
		I#:	
Trade	Dyer Guns	F	5-74-141-01-7C-04687
Name:		FL#:	

9 - NFA/Importer/Collector/Manufacturer

The licensee is not licensed as a collector, importer or manufacturer. The licensee is not conducting business in any way that would require additional ATF licenses. The licensee does not pay Special Occupational Tax and does not have any registered NFA Firearms.

10 - Referrals

There were no referrals generated as a result of this inspection.

11 - Other

The licensee is in compliance with the Youth Handgun Safety Act (poster and notice), and secure gun storage / safety devices.

No forward trace information was received and therefore there were no discrepancies.

12 - Closing Actions

A closing conference was held with James Hathorn, Sole Proprietor/RP, on April 4, 2017. A review and discussion of the Acknowledgement of Federal Firearms Regulations was conducted ensuring that the licensee understood these regulations. All questions posed by the Licensee were addressed and answered. A copy of the acknowledgement, signed by James Hathorn and IOI (b) (6) is included in this report (**Exhibit 10**).

IOI (b) (6) supplied the licensee with information regarding gun shows, ATF phone numbers to include numbers to the area office supervisor. The licensee was advised on how to order forms from the ATF.GOV website.

On April 4, 2017, IOI (b) (6) issued a Report of Violations to Mr. Hathorn. The ROV was explained and signed by Mr. Hathorn and IOI (b) (6)

FIREARMS INSPECTION REPORT

Name:	James Michael Hathorn	I	781110-2017-0024-B1B
		I#:	
Trade	Dyer Guns	F	5-74-141-01-7C-04687
Name:		FL#:	

Exhibit 7- ATF F 4473 discrepancies (Viol #2)- 27 CFR 478.124(c)(3)(i)

Exhibit 8- ATF F 4473 discrepancies (Viol #3)- 27 CFR 478.124(c)(4)

Exhibit 9- Multiple Sales Report discrepancies (Viol #5)- 27 CFR 478.126a

Exhibit 10- Acknowledgement of Federal Firearms Regulations