

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Cash American Pawn LP Cash American Pawn & Bargain Ctr of Midland #1 3504-A W Wall St Midland ,TX 79703, Midland	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 781110-2016-0258-B1B		
	3. PERMIT/LICENSE NUMBER 575329029A36820	4a. TARGET DATE 8/30/2016	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)  
(b)(6), Area Supervisor, 07/26/2016

8. PURPOSE/SPECIAL INSTRUCTIONS  
Full SWB compliance inspection.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	1	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	2	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: 09/16/2016

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
AUG 2016	5.50		
SEP 2016	8.00		
ATF OFFICER'S SUBTOTAL	13.50	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
JUL 2016	10.00		
ATF OFFICER'S SUBTOTAL	10.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	23.50		

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

<input checked="" type="checkbox"/> REVIEWED	<input checked="" type="checkbox"/> CONCUR	<input type="checkbox"/> SEE COMMENTS	<input checked="" type="checkbox"/> FINAL DISPOSITION
SIGNATURE AND TITLE (b)(6) - Area Supervisor		REVIEW DATE 09/19/2016	

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	3. PERMIT/LICENSE NUMBER 575329029A36820	4a. TARGET DATE 8/30/2016	4b. TARGET HOURS
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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 Cash American Pawn LP Cash American Pawn & Bargain Ctr of Midland #1	Street Address 3504-A W Wall St	City Midland	State TX	Zip Code 79703-	County Midland	Page 1 of 1 Pages
License/Permit/Registry Number (If any) 575329029A36820		Expiration Date 1/1/2019	Date(s) or Period of Inspection 07/27/2016 through 07/27/2016			

### 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:

Failure to timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days in <sup>(b)(3)(1)(2)</sup> instances involving <sup>(b)(3)(1)(2)</sup> 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 will timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days when the circumstances require it.

(b)(6) _____ is (Proprietor's signature and title)	Date 8-11-2016
Signature and Title of ATF Officer (b)(6) _____	Date 8/11/2016

For Official Use Only



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

[www.atf.gov](http://www.atf.gov)

9/19/2016

Cash American Pawn LP  
Cash American Pawn & Bargain Ctr of Midland #1  
3504-A W Wall St  
Midland , TX 79703-  
RE: 575329029A36820

Dear Mrs. Krystal Torres:

During a recent inspection at your firearms business covering the period July, 2015 to July, 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-

Cash American Pawn LP

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  
Dallas DIO

**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:**

Krystal Torres  
Cash American Pawn & Bargain Ctr  
3504-A W Wall St.  
Midland, TX 79703



9590 9402 1587 5362 7289 98

**2. Article Number (Transfer from service label)**

7014 1620 0000 5009 7512

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

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

X *Krystal Torres* ☐ Agent ☐ Addressee

**B. Received by (Printed Name)**

**C. Date of Delivery**

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

**3. Service Type**

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

Domestic Return Receipt

**U.S. Postal Service™**

**CERTIFIED MAIL® RECEIPT**

Domestic Mail Only

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**OFFICIAL USE**

7014 1620 0000 5009 7512

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



Sent To	Krystal Torres
Street & Apt. No., or PO Box No.	Cash American Pawn & Bargain Ctr 3504-A W Wall St.
City, State, ZIP+4	Midland, TX 79703

PS Form 3800, July 2014

See Reverse for Instructions



# FIREARMS INSPECTION REPORT

**Name:** Cash America Pawn LP **UI#:** 781110-2016-0258-B1B  
**Trade Name:** Cash America Pawn & Bargain Center of Midland #1 **FFL#:** 5-75-329-02-9A-36820

**Address:** 3504-A W. Wall Street  
Midland, Texas 79703 Midland County

## 1 - Introduction

### Inspection Profile:

Industry Operations Investigators (IOI) (b) (6) initiated a Disposition Emphasis Southwest Border full firearms inspection on 7/27/2016, at the business premises of 3504-A W. Wall Street, Midland, Texas. Mrs. Krystal Torres Orona was identified by a (b) (6) Driver's License # (b) (6) and was interviewed for this inspection. The purpose and scope of this inspection was to determine the licensee's level of compliance with applicable laws and regulations governing activities as a Federal Firearms Licensee. The period of inspection was from 7/27/2015 through 7/26/16. No advanced notification was given prior to the beginning of the onsite inspection. The onsite end date for this inspection was 7/27/2016, with a review of the ROV done on 8/11/2016.

OpenFox checks on the responsible persons Krystal Torres Orona and Benjamin Percy Roberts was conducted prior to the inspection and disclosed no prohibiting information.

### Business Profile:

The licensee maintains a Type 02 pawnbroker license, with an original issue date of 01/15/1992. The licensee owns and operates a pawn shop in a commercial store front location that makes consumer loans using personal items as collateral. The licensee maintains an inventory of used handguns and long guns. A review of the licensee's acquisition and disposition (A&D) record disclosed that the licensee acquired (b) (4) firearms during the inspection period. The licensee disposed of (b) (4) firearms during the inspection period. Mrs. Orona stated that the firearms business consists of (b) (4) retail sales. The inspection of the A&D Record for the inspection period disclosed the licensee's firearms business consisted of (b) (4) used firearms taken in from the general public from the making of a consumer loans.

The licensee does not sell at or attend gun shows.

The licensee holds an active pawn broker license with the State of Texas. The license number is 984-4547. IOI (b) (6) queried this license number with the Texas Office of Consumer Credit Commissioner and determined the lending license to be active and in good standing.

## FIREARMS INSPECTION REPORT

**Name:** Cash America Pawn LP **UI#:** 781110-2016-0258-B1B  
**Trade Name:** Cash America Pawn & Bargain Center of Midland #1 **FFL#:** 5-75-329-02-9A-36820

A query of the Federal Licensing System indicates the licensee currently holds a Type 02 FFL (FFL #5-75-36820), which is the subject of this inspection. Cash America Pawn LP holds several other federal firearms licenses throughout the country.

Mrs. Orona stated that the licensee does not utilize off-site storage of firearms.

### **Ownership and Control:**

Investigator (b) (6) queried the ATF FLS database for the status of the licensee prior to the inspection, which indicates that the licensee, Cash America Pawn LP d.b.a. Cash America Pawn & Bargain Center of Midland #1, is a limited partnership. On 7/27/2016, Investigator (b) (6) interviewed Mrs. Orona regarding the licensee's business structure. Mrs. Orona stated the licensee is a limited partnership that is publically traded and owned. Investigator (b) (6) determined that there have not been any unreported changes in the business structure of the firearms business.

There are currently only two responsible persons associated with this license. Mrs. Orona stated that she did not wish to add additional responsible persons at the time of the onsite inspection.

### **Variance:**

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



### **2 - Recommendation**

Violations, Warning Letter Only, No Recall Inspection

### **3 - Inspection History**

**Date of Inspection:** 12/6/2011  
**Type of Inspection:** Southwest Border Compliance Inspection



# FIREARMS INSPECTION REPORT

**Name:** Cash America Pawn LP **UI#:** 781110-2016-0258-B1B  
**Trade Name:** Cash America Pawn & Bargain Center of Midland #1 **FFL#:** 5-75-329-02-9A-36820

**UI#:** 781110-2012-0095-B1B  
**Inspection Results:** Violations, ROV Only, and No Recall Inspection  
**Cited Violations:** 27 CFR 478.99(c), 27 CFR 478.124(c)(3)(i), 27 CFR 478.129(b)

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

Investigator (b) (6) conducted a full firearms inventory. The investigator conducted a comparison of the firearms inventory and the A&D record, which disclosed 212 firearms in physical inventory and (b)(3)(B) open disposition entries. No discrepancies were disclosed.

The responsibility for maintaining the A&D record rests alone with store manager, and employees of the pawn shop. As soon as firearms are received, they are recorded in the A&D record. As soon as a firearm is sold, that disposition is recorded immediately. The internal controls for the A&D record are adequate.

Inspection of the licensee's A&D record did not disclose any trafficking issues relating to the acquisition or disposition of firearms. The licensee's A&D record is in the proper format. Investigator (b) (6) traced (b)(3)(B) firearms through the licensee's required records from acquisition through disposition. No discrepancies were disclosed.

## **5 - ATF Forms 4473 – NICS & Other Dispositions**

Investigator (b) (6) counted (b)(3)(B) ATF Forms 4473 on file for the inspection period of 7/27/2015, through 7/26/2016. A review of all (b)(3)(B) ATF Forms 4473 disclosed no discrepancies.

The responsibility for completing the ATF Forms 4473 is shared by all store employees. All employees are allowed to complete firearm transactions, and the ATF Forms 4473 are double check for accuracy before the customer leaves the store. The internal controls for the completion of the ATF Forms 4473 is adequate.

The licensee retains/files the ATF Forms 4473 alphabetically. The licensee made no sales to law enforcement officers per the provisions of 27 CFR 478.134 during the inspection period. The licensee files denials and non-transaction ATF Forms 4473 separately as required.

Investigator (b) (6) conducted a verification of 44 NTN numbers disclosed on the FFL Audit Log to ATF Forms 4473, and no discrepancies were disclosed.

# FIREARMS INSPECTION REPORT

<b>Name:</b>	Cash America Pawn LP	<b>UI#:</b>	781110-2016-0258-B1B
<b>Trade Name:</b>	Cash America Pawn & Bargain Center of Midland #1	<b>FFL#:</b>	5-75-329-02-9A-36820

## 6 - Multiple Sales

According to the firearm trace history report, the licensee reported five multiple sales during the inspection period. During the course of the onsite inspection, Investigator (b) (6) compared the report to the A&D record, reviewed the ATF Form 4473, and determined that the licensee had two unreported multiple handgun sales in violation of 27 CFR 478.126a -See Worksheet 2-ATF Form 4473 Review Worksheet, Exhibit 1, ATF Forms 4473 and completed multiple sale reports, ATF Form 5030.5-Report of Violations.

## **7 - Suspicious/Prohibited Purchasers**

The investigator conducted a review of the A&D Record for individuals with repeat firearm purchases of common crime guns with no significant investigative results.

## 8 - Trace Activity

The licensee was associated with (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

[REDACTED], IOI (b) (6) took no further investigative action relating to this trace.

**9 - NFA/Importer/Collector/Manufacturer**

The licensee is not a NFA Dealer, Special Occupational Taxpayer, importer, collector or manufacturer.

## 10 - Referrals

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

## 11 - Other

The licensee has secure gun storage and safety devices available for purchasers of firearms. The premises are not located within 1,000 feet of a school zone. Investigator (b) (6) also observed that the licensee had the Youth Handgun Safety Act Poster hanging at the premises.

## FIREARMS INSPECTION REPORT

**Name:** Cash America Pawn LP **UI#:** 781110-2016-0258-B1B  
**Trade Name:** Cash America Pawn & Bargain Center of Midland #1 **FFL#:** 5-75-329-02-9A-36820

Mrs. Orona stated that a Youth Handgun Safety Act Notice (ATF I 5300.2) is given to each individual with the purchase of a handgun.

The licensee maintains trigger locks, and supplies each customer (nonlicensee) with a trigger lock with the purchase of a handgun, although no handguns are sold at this location.

### **12 - Closing Actions**

Investigator (b) (6) held a closing conference on 7/27/2016, with the Store Manager, Mrs. Krystal Torres Orona. Investigator (b) (6) reviewed the Acknowledgement of Federal Firearms Regulations with Mrs. Orona. A copy of the acknowledgement, signed by Mrs. Orona, is attached to this report (**Exhibit 2**). On 8/11/2016, IOI (b) (6) electronically provided the Report of Violations to Mrs. Orona, and reviewed the contents on the single violation over the telephone. Mrs. Orona then signed the Report of Violations (**Exhibit 3**). The investigator gave a copy of the signed Acknowledgement of Federal Firearms Regulations to Mrs. Orona to retain for her records. Investigator (b) (6) also provided Mrs. Orona with several opportunities to ask questions. Investigator (b) (6) answered all questions and ensured that she had the contact information for the Dallas V Industry Operations Office should future questions arrive regarding ATF compliance.

### **13 - Violations**

1. 27 CFR 478.126a

**Nature of Violation:** Failure to timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days in (b) (6) instances involving four firearms.

**Licensee's Response:** Mrs. Orona stated that the failure to complete and submit the multiple handgun sale was an inadvertent human error in one instance. In the other instance, Mrs. Orona stated that since the firearm were sold on a different day, that she didn't catch it. To avoid a repeat violation she has trained her employees on the circumstances that would require a multiple sale to be completed, and will be more careful in her review of ATF Forms 4473.

**Corrective Actions:** The licensee will timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days when the circumstances require it.

# FIREARMS INSPECTION REPORT

**Name:** Cash America Pawn LP **UI#:** 781110-2016-0258-B1B  
**Trade Name:** Cash America Pawn & Bargain Center of Midland #1 **FFL#:** 5-75-329-02-9A-36820

X

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Industry Operations Investigator

## **Index of Worksheets and Exhibits**

Information Page

Worksheet 1

Worksheet 2

Other Statistics

## Exhibits

Exhibit 1- Evidence of Unreported multiple hand gun sales and completed ATF Form 3310.4.

Exhibit 2- Signed Report of Violations.

Exhibit 3- Acknowledgement of Federal Firearms Regulations.