

Assignment and Report

| | | | |
|--|---|-----------------|------------------|
| 1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) M&M GUNS AND SUPPLIES LLC 16 MAIN STREET SAINT PETERS, MO 63376, SAINT CHARLES CO. (183) | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779055-2017-0200-B1B | | |
| | 3. PERMIT/LICENSE NUMBER 543183019G07617 | 4a. TARGET DATE | 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, 01/03/2017

8. PURPOSE/SPECIAL INSTRUCTIONS

| | | | | |
|------------------------|----|---|--------------------------------|---------------------|
| 9. INSPECTION RESULTS | | <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC | 10. TRAVEL EXPENSES (OPTIONAL) | |
| NO. OF VIOLATIONS | 7 | NO. OF REFERRALS | | 2111 - PER DIEM |
| NO. OF TECS CHECKS | 30 | 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: 03/16/2017
Investigator would like to recommend Report of Violations and Warning Letter with No Recall Inspection.

Viols WL ONLY and No Recall Inspection

| 12. TIME ACCOUNTING DATA | | | |
|---|--------|-------------------------|--|
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) | | (b)(6) | |
| FEB 2017 | 48.00 | | |
| MAR 2017 | 28.00 | | |
| ATF OFFICER'S SUBTOTAL | 76.00 | ATF OFFICER'S SIGNATURE | |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) | | (b)(6) | |
| FEB 2017 | 38.00 | | |
| ATF OFFICER'S SUBTOTAL | 38.00 | ATF OFFICER'S SIGNATURE | |
| TOTAL HOURS | 114.00 | | |

| 13. REVIEW AND ROUTING | |
|---|--|
| REVIEW COMMENTS AND RECOMMENDATION Warning letter sent 03/17/17. Viols WL ONLY and No Recall Inspection | |

| | | | |
|---|--|--|---|
| <input checked="" type="checkbox"/> REVIEWED | <input checked="" type="checkbox"/> CONCUR | <input checked="" type="checkbox"/> SEE COMMENTS | <input checked="" type="checkbox"/> FINAL DISPOSITION |
| SIGNATURE AND TITLE (b)(6) - Area Supervisor | | REVIEW DATE 03/17/2017 | |

(b)(6)

Assignment and Report

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|--|---|-----------------|------------------|
| 1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) M&M GUNS AND SUPPLIES LLC 16 MAIN STREET SAINT PETERS, MO 63376, SAINT CHARLES CO. (183) | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779055-2017-0200-B1B | | |
| | 3. PERMIT/LICENSE NUMBER 543183019G07617 | 4a. TARGET DATE | 4b. TARGET HOURS |
| | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE) | | |
| | | | |

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 M&M GUNS AND SUPPLIES LLC | Street Address 16 MAIN STREET | City SAINT PETERS | State MO | Zip Code 63376- | County SAINT CHARLES CO. | Page 1 of 4 Pages |
| License/Permit/Registry Number (If any) 543183019G07617 | | Expiration Date 7/1/2019 | | Date(s) or Period of Inspection 02/06/2017 through 03/10/2017 | | |

Inspection Results

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

| | |
|---|--|
| Number: 1 | Date Corrections to be Made: (If not corrected immediately) |
| Nature of Violation: On (b)(3) 112 PUBLIC occasion the licensee transferred a firearm to a non-licensee who left question 10a blank (Ethnicity), on (b)(3) 112 PUBLIC occasions the licensee transferred a firearm to a non-licensee who left question 11a blank (Are you the actual buyer?), on (b)(3) 112 PUBLIC occasions the licensee failed to record firearm information in question 18 (type of firearm), on (b)(3) 112 PUBLIC occasions the licensee transferred a firearm to a non-licensee who left question 24/22(new form) blank (Buyer's signature), on (b)(3) 112 PUBLIC occasions the licensee transferred a firearm to a non-licensee who left question 25/23(new form) blank (recertification date). | Corrective Action to be Taken: (If not corrected immediately) Licensee was instructed on federal regulations regarding the proper completion of ATF F 4473. Licensee was instructed to make a copy of pages to be corrected in the future, and make corrections to the copy and attach the copy to the original Form 4473. |
| Citation: 27 CFR 478.21(a) | |
| Number: 2 | Date Corrections to be Made: (If not corrected immediately) |
| Nature of Violation: On (b)(3) 112 PUBLIC occasions the licensee transferred a firearm to a non-licensee with no proof that a background check was completed. | Corrective Action to be Taken: (If not corrected immediately) Licensee was instructed on federal regulations regarding the proper completion and retaining of ATF F 4473 and completing a background check. |
| Citation: 27 CFR 478.102(a) | |

Report of Violations

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| | | | | | | |
|--|----------------------------------|--|-------------|--------------------|-----------------------------|----------------------|
| Name of Proprietor M&M GUNS AND SUPPLIES LLC | Street Address 16 MAIN STREET | City SAINT PETERS | State MO | Zip Code 63376- | County SAINT CHARLES CO. | Page 2 of 4 Pages |
| License/Permit/Registry Number (If any) 543183019G07617 | Expiration Date 7/1/2019 | Date(s) or Period of Inspection 02/06/2017 through 03/10/2017 | | | | |

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:

On (b)(3) 112 Public occasion the licensee transferred a firearm to a non-licensee who left question 10b blank (race), on (b)(3) 112 Public occasions the licensee transferred a firearm to a non-licensee who left question 11a blank (Are you the actual buyer?), on (b)(3) 112 Public occasion the licensee transferred a firearm to a non-licensee who failed to respond to question 11b (under indictment?), on (b)(3) 112 Public occasion the licensee transferred a firearm to a non-licensee who failed to respond to question 11c (dishonorable discharge?), on (b)(3) 112 Public occasions the licensee transferred a firearm to a non-licensee who failed to respond or answered "yes" to question 11i (convicted of a misdemeanor crime of domestic violence?), on (b)(3) 112 Public occasions the licensee transferred a firearm to a non-licensee who failed to respond to question 11j (renounced US citizenship?), on (b)(3) 112 Public occasions the licensee transferred a firearm to a non-licensee who failed to respond to or answered "yes" to question 11k (alien illegally in the US?), on (b)(3) 112 Public occasion the licensee transferred a firearm to a non-licensee who failed to respond to question 11l (alien admitted to the US under a nonimmigrant visa?), on (b)(3) 112 Public occasion the licensee transferred a firearm to a non-licensee who recorded the incorrect information or left blank question 16 (buyer's signature), On (b)(3) 112 Public Law 55 occasions the licensee transferred a firearm to a non-licensee who recorded the incorrect information or left blank question 17/15(new form) (certification date).

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee was instructed on federal regulations regarding the proper completion of ATF F 4473. Licensee was instructed to make a copy of pages to be corrected in the future, make corrections to the copy and attach the copy to the original 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.

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|--|----------------------------------|--|-------------|--------------------|-----------------------------|----------------------|
| Name of Proprietor M&M GUNS AND SUPPLIES LLC | Street Address 16 MAIN STREET | City SAINT PETERS | State MO | Zip Code 63376- | County SAINT CHARLES CO. | Page 3 of 4 Pages |
| License/Permit/Registry Number (If any) 543183019G07617 | Expiration Date 7/1/2019 | Date(s) or Period of Inspection 02/06/2017 through 03/10/2017 | | | | |

Inspection Results

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

Citation: 27 CFR 478.124(c)(1)

Number: 4

Nature of Violation:

On (b)(3) 112 Public Law 55 125 STAFF occasions the licensee failed to record or left blank the response to question 21a (Date NICS contacted), on (b)(3) 112 Public Law 55 125 STAFF occasions the licensee failed to record or left blank the response in question 21c/19c(new form) (Initial NICS response), on (b)(3) 112 Public Law 55 125 STAFF occasions licensee failed to record or left blank the response to question 21d (NICS response after an initial "delayed" response).

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

Number: 5

Nature of Violation:

On (b)(3) 112 Public Law 55 125 STAFF occasions the licensee failed to correctly record or left blank response to question 36/37(new form) (date transferred).

Citation: 27 CFR 478.124(c)(5)

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

Corrective Action to be Taken: Licensee was instructed on federal regulations regarding the proper completion of ATF F 4473. Licensee was instructed to make a copy of pages to be corrected in the future make corrections to the copy and attach the copy to the original Form 4473.

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

Corrective Action to be Taken: Licensee was instructed on federal regulations regarding the proper completion of ATF F 4473. Licensee was instructed to make a copy of pages to be corrected in the future, make corrections or have customer make corrections to the copy, and attach the copy to the original 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 M&M GUNS AND SUPPLIES LLC | Street Address 16 MAIN STREET | City SAINT PETERS | State MO | Zip Code 63376- | County SAINT CHARLES CO. | Page 4 of 4 Pages |
| License/Permit/Registry Number (If any) 543183019G07617 | Expiration Date 7/1/2019 | Date(s) or Period of Inspection 02/06/2017 through 03/10/2017 | | | | |

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:

On (b)(3) 112 Pub occasions the licensee recorded a firearm as logged out when in inventory, on (b)(3) 112 Pub occasions the licensee failed to record the disposition of firearms into the A&D book, on (b)(3) 112 Pub occasion the disposition couldn't be reconciled which resulted in the completion of ATF F 3310.11, ATF Theft/Loss Report.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made: 03/03/2017
(If not corrected immediately)

Corrective Action to be Taken: The licensee was instructed to complete ATF F 3310.11, ATF Theft/Loss Report for the missing firearm. The licensee was also instructed to record the dispositions and acquisitions into the A&D book and to make corrections to incorrect entries.

Number: 7

Nature of Violation:

On (b)(3) 112 Pub occasions, licensee was missing ATF Forms 4473 for the following firearms:

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

Citation: 27 CFR 478.129(b)

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

Corrective Action to be Taken: Licensee was instructed on federal regulations regarding retaining ATF Forms 4473.
(If not corrected immediately)

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

(b)(6)

Date

03-07-2017

Signature

(b)(6)

Date

3-7-2017

For

ction



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
1222 Spruce Street, Room 6.205
St. Louis, Missouri 63103

www.atf.gov

March 17, 2017

779055: (b) (6)
5300

CERTIFIED MAIL – Return Receipt Requested

Mr. Michael E. Almstedt
M&M Guns and Supplies LLC
16 Main Street
St. Peters, Missouri 63376

RE: Federal Firearms License: #5-43-183-01-9G-07617

Dear Mr. Almstedt:

During a recent inspection at your firearms business covering the period February 06, 2016 to February 05, 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, was issued to you.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (b)(6). You indicated that you understood the requirements of the firearms laws and regulations and that corrective action 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

Almstedt, Michael E.

-2-

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

(b)(6)

Area Supervisor
Saint Louis, Missouri

Enclosure

c: Federal Firearms Licensing Center

Address: 16 Main St
St. Peters, MO 63376

1 - Introduction

Inspection Profile:

On 02/06/17, Industry Operations Investigators (IOIs) (b)(6) and (b)(6), and Investigative Analyst (IA) (b)(6) initiated an unannounced Federal Firearms Compliance Inspection at the licensed business premises of M & M Guns And Supplies, LLC located at 16 Main Street, St. Peters, MO 63376. The inspection began 02/06/17 and ended 02/10/17. The scope of the inspection was 02/06/16-02/05/2017.

Michael Almstedt, member/ responsible person and Mathew Cartwright (employee) were available for inspection; positive identification verified.

Business Profile:

M & M Guns And Supplies, LLC is a shooting supply store located in suburban St. Charles County. The licensee is in the business of selling new and used handguns and long guns, gun accessories, ammunition and NFA weapons. During the past (12) months, licensee acquired (b)(4) firearms; (b)(4) hand guns, (b)(4) long guns. Licensee disposed of (b)(4) firearms. The business inventory consist of (b)(4) new firearms and (b)(4) % used firearms. The main suppliers used by the licensee are (b)(4). (b)(4) The licensee does not participate in gun shows. Licensee does conduct internet sales through gunbroker.com and has a website (mmguns.com). Licensee does not have any other ATF license's but holds a current SOT stamp as an NFA dealer.

Licensee is compliant with local and state zoning requirements.

Ownership and Control:

Business is listed as an LLC, with Michael Almstedt listed as member. Responsible persons are correctly shown in FLS. At the time of the inspection, investigator did not suspect any form of hidden ownership with current business operations.

Variance:

No active variances on file. No activity conducted that requires a variance.

2 - Recommendation

Investigator would like to recommend Report of Violations and Warning Letter with No Recall Inspection.

3 - Inspection History

Date of Inspection: 06/01/2010
Type of Inspection: Application Inspection
UI#: 779055-2010-0256-B1B
Inspection Results: Application approved
Cited Violations: No violations cited.

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

Investigators conducted a full inventory. At the time of inspection, there were (207) firearms in inventory and (b)(3) - 112 P open dispositions; which included (b)(3) - 1 NFA weapons; resulting in (b)(3) - 1 firearm discrepancies. All firearm discrepancies were reconciled. There were (23) firearms traced through licensee's records during the past (12) months. There was (b)(3) - 112 Public L thefts/losses to report during the inspection period. No trafficking issues to report, and no firearms in business inventory contained an obliterated serial number. A sampling of the licensee's commercial invoices were traced through the licensee's required records; no discrepancies. The A&D record books are in the proper format but there were some violations cited:

27 CFR 478.125(e) On (b)(3) - 112 Public L occasions the licensee recorded a firearm as logged out when in inventory, on (b)(3) - 112 Public Law 55-12 occasions the licensee failed to record the disposition of firearms into the A&D book, on (b)(3) - 112 Public L occasion the disposition couldn't be reconciled which resulted in the completion of ATF F 3310.11, ATF Theft/Loss Report (exhibit 1).

(See Violation Report and Inventory, A&D-Worksheet 1)

5 - ATF Forms 4473 – NICS & Other Dispositions

There were (b)(3) - 112 P Forms 4473 on file for the last 12 months. All Forms 4473 were reviewed. IOI Huddleston obtained the NICS FFL audit log for the last (60) days including all the denied transactions over the last (12) months. The FFL Audit Report indicates (13) denials in the last (12) months and (501) proceeds in the last (60) days. Investigators verified (435) NICS transaction numbers from the FFL Audit Report with the ATF F 4473; no discrepancies. The review disclosed various record keeping violations. The licensee was cited for the following ATF Form 4473 violations:

27 CFR 478.21(a)

On (b)(3) - 112 Public L occasion the licensee transferred a firearm to a non-licensee who left question 10a blank (Ethnicity), on (b)(3) - 112 Public L occasions the licensee transferred a firearm to a non-licensee who left question 11a blank (Are you the actual buyer?), on (b)(3) - 112 Public L occasions the licensee failed to record firearm information in question 18 (type of firearm), on (b)(3) - 112 Public L occasions the licensee transferred a firearm to a non-licensee who left question 24/22(new form) blank (Buyer's signature), on (b)(3) - 112 Public L occasions the licensee transferred a firearm to a non-licensee who left question 25/23(new form) blank (recertification date).

27 CFR 478.102(a)

On [REDACTED] occasions the licensee transferred a firearm to a non-licensee with no proof that a background check was completed.

27 CFR 478.124(c)(1)

On [REDACTED] occasion the licensee transferred a firearm to a non-licensee who left question 10b blank (race), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who left question 11a blank (Are you the actual buyer?), on [REDACTED] occasion the licensee transferred a firearm to a non-licensee who failed to respond to question 11b (under indictment?), on [REDACTED] occasion the licensee transferred a firearm to a non-licensee who failed to respond "yes" to question 11e (unlawful user of narcotic drugs?), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who failed to respond to question 11g (dishonorable discharge?), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who failed to respond or answered "yes" to question 11i (convicted of a misdemeanor crime of domestic violence?), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who failed to respond to question 11j (renounced US citizenship?), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who failed to respond to or answered "yes" to question 11k (alien illegally in the US?), on [REDACTED] occasion the licensee transferred a firearm to a non-licensee who failed to respond to question 11l (alien admitted to the US under a nonimmigrant visa?), on [REDACTED] occasion the licensee transferred a firearm to a non-licensee who recorded the incorrect information or left blank question 16 (buyer's signature), On [REDACTED] occasions the licensee transferred a firearm to a non-licensee who recorded the incorrect information or left blank question 17/15(new form) (certification date).

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

On [REDACTED] occasions the licensee failed to record or left blank the response to question 21a (Date NICS contacted), on [REDACTED] occasions the licensee failed to record or left blank the response in question 21c/19c (new form) (Initial NICS response), on [REDACTED] occasions licensee failed to record or left blank the response to question 21d (NICS response after an initial "delayed" response).

27 CFR 478.124(c)(5)

On [REDACTED] occasions the licensee failed to correctly record or left blank response to question 36/37(new form) (date transferred).

27 CFR 478.129(b)

On [REDACTED] occasions, licensee was missing ATF Forms 4473.

(See Violation Report and Forms 4473- Worksheet 2)

6 - Multiple Sales

According to the Firearms Trace History Report, the licensee was associated with [REDACTED] multiple sales of handguns involving [REDACTED] firearms. There were [REDACTED] multiple sale

forms on file that did not show up on the Firearms Trace History Report and one firearm listed with an incorrect serial number. The additional forms were faxed to the ATF National Tracing Center.

7 - Suspicious/Prohibited Purchasers

IOI (b)(6) conducted TECS/NCIC check on (10) purchasers and (10) firearms; no derogatory information.

8 - Trace Activity

A FFL History Query was obtained. There were (b)(6) successful firearm trace requests for the past 12 months. A secondary market analysis was conducted on (10) used firearms located in the licensee's inventory. NCIC/TECS checks were conducted; no derogatory information.

9 - NFA/Importer/Collector/Manufacturer

The licensee has a current SOT stamp as an NFA dealer; (7) NFA weapons in inventory; no discrepancies. No importing and no manufacturing.

10 - Referrals

No referrals generated.

11 - Other

Deconfliction was conducted by the Lead IOI (b)(6) through NFORCE with negative results.

12 - Closing Actions

Investigator conducted a closing conference with Michael Almstedt, member/responsible person and (b)(6) (employee) on March 7, 2017. Results of the compliance inspection were discussed. Investigator reviewed the Acknowledgement of the Federal Firearms Rules and Regulations (**exhibit 2**) and the licensee was given a copy the ROV (Report of Violations) statement which was signed and dated (**exhibit 3**). All questions and concerns were answered by the investigator.

13 - Violations

1. 27 CFR 478.21(a)

Nature of violation:

On (b)(3) - 112 PUBLIC occasion the licensee transferred a firearm to a non-licensee who left question 10a blank (Ethnicity), on (b)(3) - 112 PUBLIC occasions the licensee transferred a firearm to a non-licensee who left question 11a blank (Are you the actual buyer?), on (b)(3) - 112 PUBLIC occasions the licensee failed to record firearm information in question 18 (type of firearm), on (b)(3) - 112 PUBLIC occasions the licensee transferred a firearm to a non-licensee who left question 24/22(new form) blank (Buyer's signature), on (b)(3) - 112 PUBLIC occasions the licensee transferred a firearm to a non-licensee who left question 25/23(new form) blank (recertification date).

Licensee's response: The licensee stated they were unaware of the mistakes.

Corrective Action: Licensee was instructed on federal regulations regarding the proper completion of ATF F 4473. Licensee was instructed to make a copy of pages to be corrected in the future, and make corrections to the copy and attach the copy to the original Form 4473.

2. **27 CFR 478.102(a)**

Nature of violation:

On [REDACTED] occasions the licensee transferred a firearm to a non-licensee with no proof that a background check was completed.

Licensee's response: The licensee stated that they could not locate the ATF F 4473.

Corrective Action: Licensee was instructed on federal regulations regarding the proper completion and retaining of ATF F 4473 and completing a background check.

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

Nature of violation:

On [REDACTED] occasion the licensee transferred a firearm to a non-licensee who left question 10b blank (race), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who left question 11a blank (Are you the actual buyer?), on [REDACTED] occasion the licensee transferred a firearm to a non-licensee who failed to respond to question 11b (under indictment?), on [REDACTED] occasion the licensee transferred a firearm to a non-licensee who failed to respond "yes" to question 11e (unlawful user of narcotic drugs?), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who failed to respond to question 11g (dishonorable discharge?), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who failed to respond or answered "yes" to question 11i (convicted of a misdemeanor crime of domestic violence?), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who failed to respond to question 11j (renounced US citizenship?), on [REDACTED] occasions the licensee transferred a firearm to a non-licensee who failed to respond to or answered "yes" to question 11k (alien illegally in the US?), on [REDACTED] occasion the licensee transferred a firearm to a non-licensee who failed to respond to question 11l (alien admitted to the US under a nonimmigrant visa?), on [REDACTED] occasion the licensee transferred a firearm to a non-licensee who recorded the incorrect information or left blank question 16 (buyer's signature), On [REDACTED] occasions the licensee transferred a firearm to a non-licensee who recorded the incorrect information or left blank question 17/15(new form) (certification date).

Licensee's response: The licensee stated they were unaware of the mistake.

Corrective Action: Licensee was instructed on federal regulations regarding the proper completion of ATF F 4473. Licensee was instructed to make a copy of pages to be corrected in the future, make corrections to the copy and attach the copy to the original Form 4473.

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

Nature of violation:

On (b)(3) - 112 Public occasions the licensee failed to record or left blank the response to question 21a (Date NICS contacted), on (b)(3) - 112 Public Law occasions the licensee failed to record or left blank the response in question 21c/19c (new form) (Initial NICS response), on (b)(3) - 112 Public Law 55 125 Stat 552 occasions licensee failed to record or left blank the response to question 21d (NICS response after an initial "delayed" response).

Licensee's response: The licensee stated they were unaware of the mistake.

Corrective Action: Licensee was instructed on federal regulations regarding the proper completion of ATF F 4473. Licensee was instructed to make a copy of pages to be corrected in the future make corrections to the copy and attach the copy to the original Form 4473.

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

Nature of violation:

On (b)(3) - 112 Public Law 55 125 Stat 552 occasions the licensee failed to correctly record or left blank response to question 36/37(new form) (date transferred).

Licensee's response: The licensee stated they were unaware of the mistakes.

Corrective Action: Licensee was instructed on federal regulations regarding the proper completion of ATF F 4473. Licensee was instructed to make a copy of pages to be corrected in the future, make corrections or have customer make corrections to the copy, and attach the copy to the original Form 4473.

6. **27 CFR 478.125(e)**

Nature of violation:

On (b)(3) - 112 Public occasions the licensee recorded a firearm as logged out when in inventory, on (b)(3) - 112 Public Law 55 125 occasions the licensee failed to record the disposition of firearms into the A&D book, on (b)(3) - 112 Public L occasion the disposition couldn't be reconciled which resulted in the completion of ATF F 3310.11, ATF Theft/Loss Report.

Licensee's response: The licensee stated they could not find the ATF F 4473 for the missing firearm. The buyer was contacted and provided a picture of the box of the missing firearm but not the firearm. One of the firearms that did not have a disposition, (Manf: S&W, Model: SD9VE, S/N: (b)(6) Type: 9mm), was actually returned to

the customer the same day it was acquired but the licensee did not put the disposition in the A&D book. The firearm is now in the custody of St. Louis County PD (**exhibit 4**).

Corrective Action:

The licensee was instructed to complete ATF F 3310.11, ATF Theft/Loss Report for the missing firearm. The licensee was also instructed to record the dispositions and acquisitions into the A&D book and to make corrections to incorrect entries.

7. **27 CFR 478.129(b)**

Nature of violation:

On ^{(b)(3) - 112 Public L} occasions, licensee was missing ATF Forms 4473 for the following firearms:

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

Licensee's response:

The licensee stated he did complete the ATF Forms 4473 but was unable to locate them.

Corrective Action:

Licensee was instructed on federal regulations regarding retaining ATF Forms 4473.

X

(b)(6)

Industry Operations Investigator

Index of Worksheets and Exhibits

EXHIBIT 1 – ATF Theft/Loss Report

EXHIBIT 2 – Acknowledgement of ATF Rules and Regulations

EXHIBIT 3 - Report of Violations

EXHIBIT 4 - St. Louis County Police Report

WORKSHEET 1 – Inventory, A&D

WORKSHEET 2 – Forms 4473 Review