

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) EVANS BROTHERS GUNS LLC 712 CRIPPEN ROAD HUNTINGTON, TX 75949, ANGELINA	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 781025-2016-0280-B1B		
	3. PERMIT/LICENSE NUMBER 575005018J04991	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)  
(b)(6), Area Supervisor, 03/23/2016

8. PURPOSE/SPECIAL INSTRUCTIONS  
Conduct a Southwest border firearms compliance inspection ensuring the licensee is compliant with local zoning and ATF regulations.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	3	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: 04/12/2016  
  
Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
MAR 2016	11.50		
APR 2016	16.00		
ATF OFFICER'S SUBTOTAL	27.50	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	27.50		

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

☒ REVIEWED    ☒ CONCUR    ☐ SEE COMMENTS    ☒ FINAL DISPOSITION  
SIGNATURE AND TITLE    REVIEW DATE  
(b)(6) - Area Supervisor    04/12/2016

ROUTING SEQUENCE AND DATE  
☐ 1. \_\_\_\_\_  
☐ 2. \_\_\_\_\_  
☐ 3. \_\_\_\_\_  
☐ 4. \_\_\_\_\_  
CONTROL FILE POSTED DATE \_\_\_\_\_

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	Page 1 of 2 Pages
EVANS BROTHERS GUNS LLC	712 CRIPPEN ROAD	HUNTINGTON	TX	75949-	ANGELINA	

License/Permit/Registry Number (If any)	Expiration Date	Date(s) or Period of Inspection
575005018J04991	9/1/2018	03/30/2016 through 04/01/2016

Inspection Results

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

Number: 1

Nature of Violation:

Failure to verify and record proper transferee's identification documents on ATF Forms 4473.

On form, item #20a was left blank.

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 verify and record proper transferee's identification documents on all ATF Forms 4473.

Number: 2

Nature of Violation:

Failure to record required acquisition and disposition information in an Acquisition and Disposition (A&D) Record in instances.

In instances, the licensee failed to record the acquisition of a firearm in compliance with 27 CFR 478.125(e).

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will record the aquisition of all firearms no later than the close of the next business day that the firearm was recieved.

Sep 10 2018 Production

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For Official Use Only

ATF E-Form 5030 5

Revised April 2005

## 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 EVANS BROTHERS GUNS LLC	Street Address 712 CRIPPEN ROAD	City HUNTINGTON	State TX	Zip Code 75949-	County ANGELINA	Page 2 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 575005018J04991	Expiration Date 9/1/2018	Date(s) or Period of Inspection 03/30/2016 through 04/01/2016				

## Inspection Results

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

**Number:** 3

**Nature of Violation:**

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 § 87(2)(b) instance involving § 87(2)(b) firearms.

**Citation:** 27 CFR 478.126a

**Date Corrections to be Made:**

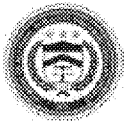
*(If not corrected immediately)*

**Corrective Action to be Taken:**

(If not corrected immediately)

: The licensee will comply with 27 CFR 478.126a, by completing and submitting the ATF Form 3310.11 when the circumstances require it.

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i>	Date
Signature and Title of ATF Officer	Date



**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*April 15, 2016*

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

781025: (b) (6)  
5000

EVANS BROTHERS GUNS LLC  
712 CRIPPEN ROAD  
HUNTINGTON, TX 75949-  
RE: 575005018J04991

Dear Mr. Casey L. Evans:

During a recent inspection at your firearms business covering the period March 30, 2015 to March 29, 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.

EVANS BROTHERS GUNS LLC

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

Sincerely yours,

(b)(6)

Area Supervisor for Dallas Group V

Enclosure

cc: Federal Firearms Licensing Center  
Dallas V (IO) Field Office

# FIREARMS INSPECTION REPORT

**Name:** Evans Brothers Guns LLC  
**Trade Name:**

**UI#:** 781025-2016-0280-B1B  
**FFL#:** 5-75-005-01-8J-04991

**Address:** 712 Crippen Road  
Huntington, Texas 75949 Angelina County

## 1 - Introduction

### Inspection Profile:

Industry Operations Investigator (IOI) (b)(6) initiated a full firearms inspection on 3/30/2016, at the business premises of 712 Crippen Road, Huntington, Texas. Mr. Casey Lovell Evans was identified by a Texas 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 3/30/15 through 3/29/16. No advanced notification was given prior to the beginning of the onsite inspection. The onsite end date for this inspection was 4/1/2016.

OpenFox checks on the responsible person Casey Lovell Evans and Kerry Lane Evans was conducted prior to the inspection and disclosed no prohibiting information.

### Business Profile:

The licensee maintains a Type 01 dealer's license, and a Special Occupational Tax Stamp (SOT) which qualifies him as a Class 3, NFA dealer with the 01 being originally issued on 08/13/2009. The FFL licensed business premises is located in rural location that houses a gun shop and shooting range that is open to the public.

The licensee maintains an inventory of new and used handguns and long guns, and also a small inventory of Class 3 weapons. Review of the licensee's acquisition and disposition (A&D) record disclosed that the licensee acquired approximately (b)(4) firearms during the inspection period. The licensee disposed of approximately (b)(4) firearms during the inspection period.

Mr. Evans stated that the firearms business consists of (b)(4) retail sales and conducts no wholesale firearms business. The inspection of the A&D record for the inspection period disclosed the licensee's firearms business consisted of approximately (b)(4) new firearms and (b)(4) used firearms. The firearms inventory consists of approximately (b)(4) % handguns and (b)(4) % long guns, and (b)(4) % NFA weapons. Mr. Evans stated that the primary suppliers of the firearms inventory are (b)(4).

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Mr. Evans stated that Evans Brothers Guns LLC does not participate in gun shows.

A query of the Texas Comptroller of Public Accounts, Taxpayer and Vendor Accounts Information disclosed that the licensee holds active Texas Sales and Use Tax Permit # (b)(3) - 26 USC 6103

Mr. Evans stated that no other business at the business premises, other than the gun shop and shooting range.

A query of FLS indicates the licensee currently holds one Type 01 Federal firearms license (FFL) #5-75-04991 at this location, which is the subject of this inspection.

A review of the Angelina County Central Appraisal District website disclosed that Evans Brothers Guns LLC owns the licensee's business premises/property located at 712 Crippen Road, Huntington, Texas.

The location of the licensed business premises is outside the city limits, and therefore not subject to any zoning or planning restrictions.

Mr. Evans stated that the licensee does not utilize off-site storage of firearms.

## **Ownership and Control:**

Evans Brothers Guns LLC is a domestic limited liability company based in Texas with a formation date of 05/2/2005. The LLC is in good standing according to the Texas Secretary of State database. The entity's place of business for this inspection is located at 712 Crippen Road, Huntington, Texas. There is currently only two responsible persons for this license. The licensee did not wish to add any responsible person during the onsite inspection. There were no unreported changes in ownership or control of the licensed firearm business. No indications of hidden ownership were disclosed during the course of this inspection.

## **Variance:**

The licensee does not currently have any ATF approved variances. During the course of the inspection, the licensee did not request any variances.

## **2 - Recommendation**

Violations, Warning Letter Only, No Recall Inspection

# FIREARMS INSPECTION REPORT

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## 3 - Inspection History

**Date of Inspection:** August 2009  
**Type of Inspection:** Qualification Inspection  
**UI#:** 781025-2009-0220-B1B  
**Inspection Results:** License issued on 8/13/2009  
**Cited Violations:** None

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

IOI (b)(6) conducted a comparison of the firearms in inventory to the firearms in the acquisition and disposition record. The full firearms inventory revealed a total of 117 firearms on hand. The A&D record book showed a total of (b)(3)-(f) open dispositions. The (b)(3)-(f) discrepancies were firearms that were in the physical inventory, but not recorded in the A&D record. The licensee was cited for violating 27 CFR 478.125(e) in (b)(3)-(f) instances.

Violation #2: 27 CFR 478.125(e) in (b)(3)-(f) instances **See Worksheet 1- Inventory and A&D Review Worksheet, ATF Form 5030.5-Report of Violations.**

The responsibilities for maintaining the firearm A&D record rests entirely with Mr. Casey Evans. The licensee stated that as soon as a firearm is received it is recorded in the book immediately, and when a firearm is sold it is recorded in the A&D record immediately.

During the inspection period, the licensee was not associated with any firearm thefts. Due to the (b)(3)-(f) firearms not recorded in the A&D record, the internal controls for maintaining the A&D record must be considered inadequate.

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

The licensee's ATF Forms 4473 are filed chronologically. The total number of ATF Forms 4473 on file for the last 12 months was (b)(3)-(f). Investigator (b)(6) reviewed all (b)(3)-(f) ATF Forms 4473, and disclosed violations of the following regulations:

Violation #1: 27 CFR 478.124(c)(3)(i) in (b)(3)-(f) instance. **See Worksheet 2-ATF Forms 4473 Review Worksheet, Exhibit 1, ATF Forms 4473, ATF Form 5030.5-Report of Violations.**

IOI (b)(6) verified 62 NICS transactions against the NTN's on the FFL Audit Log. No violations were disclosed.



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The responsibility for completing and reviewing all ATF Forms 4473 rests only with Mr. Casey Evans. The internal control practices for the completion of the ATF Forms 4473 are inadequate with regards to this (b)(3) form. Investigator (b)(6) reviewed the ATF Form 4473 and reminded Mr. Evans of the importance of ensuring that no omissions of information occur on any of the ATF Forms 4473.

The licensee made no sales to law enforcement.

## **6 - Multiple Sales**

According to the Violent Crime Analysis Branch (VCAB), the licensee reported seven multiple sales in the past 12 months. A review of (b)(3) ATF Forms 4473 disclosed (b)(3) - 112 unreported multiple sale of (b)(3) - 112 handguns, and no unreported multiple sales of long during the inspection period. Accordingly, the licensee was cited for violating 27 CFR 478.126a.

Violation #3: 27 CFR 478.126a in (b)(3) instance, **See Worksheet 2-ATF Forms 4473 Review Worksheet, Exhibit 2, ATF Forms 4473, ATF Form 5030.5-Report of Violations.**

IOI (b)(6) instructed Mr. Evans to complete and submit the ATF Form 3310.4 immediately.

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

During the onsite inspection and review of the licensee's required records, IOI (b)(6) did not identify any suspicious or prohibited purchasers.

## **8 - Trace Activity**

IOI (b)(6) requested a trace history for the licensee from the Violent Crime Analysis Branch prior to the onsite inspection. This report showed that the licensee was associated with (b)(3) successful firearm traces during the inspection period. IOI (b)(6) queried these (b)(3) - 112 traces in eTrace. The time to crime for these firearms was 564 days and 1283 days respectively. A query of the individual purchasers did not disclose any indicators or patterns of trafficking, or being engaged in the business without a license. No further action was taken in reference to these two traces.

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

The licensee is a Type-01 Dealer of firearms and does not engage in the business of importing, collecting or manufacturing firearms or ammunition. The licensee also maintains a current SOT stamp and is qualified as a Class 3 dealer. IOI (b)(6)

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conducted a full NFA inventory and records review at the time of inspection, and found no discrepancies. The licensee is accurately maintaining all NFA records as required.

## 10 - Referrals

No referrals were generated as a result of this inspection.

## 11 - Other

The licensee was in compliance with Youth Handgun Safety Act (poster and notice) requirements and secure gun storage and safety device requirements. No firearms sold by the licensee were traced to or from Mexico.

## 12 - Closing Actions

On 4/1/2016, IOI (b)(6) held a closing conference with Mr. Casey Evans. IOI (b)(6) reviewed in detail the Report of Violations and provided educational guidance on the proper completion of the ATF Form 4473, proper keeping of an A&D record, as well as other matters related to the proper conduct of business. Mr. Evans signed the Report of Violations, and was provided with a copy for his records (**Exhibit 3**).

IOI (b)(6) reviewed the Acknowledgement of Federal Firearms Regulations on 4/1/16, discussing all applicable regulations including ATF's right of entry and examination, recordkeeping requirements, theft or losses of firearms, Report of Multiple Handgun and Rifle Sales and tracing procedures. Mr. Evans signed the Acknowledgement of Federal Firearms Regulations, and was provided with a copy for his records (**Exhibit 4**). IOI (b)(6) provided Mr. Evans with his contact information, and encouraged him to use this contact information when questions arise regarding ATF compliance.

## 13 - Violations

### 1. 27 CFR 478.124(c)(3)(i)

**Nature of Violation:** Failure to verify and record proper transferee's identification documents on (b)(3) - ATF Form 4473.

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

**Licensee's Response:** The spouse of responsible person Casey Evans was helping out with the completion of ATF Forms 4473. The Evans family is caring for a family member with terminal cancer, and they had a lot of added stress during this time period. In the future, all ATF Forms 4473 will be review by no less than three people. In

## FIREARMS INSPECTION REPORT

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addition, Mr. Casey Evans spent time explaining the importance of the proper completion of the ATF Form 4473 to his wife.

**Corrective Action:** The licensee will verify and record proper transferee's identification documents on all ATF Forms 4473.

2. **27 CFR 478.125(e)**

**Nature of Violation:** Failure to record required acquisition and disposition information in an Acquisition and Disposition (A&D) Record in (b)(3) instances.

In (b)(3) instances, the licensee failed to record the acquisition of a firearm in compliance with 27 CFR 478.125(e).

**Licensee's Response:** The delivery of these (b)(3) firearms came as Mr. Casey Evans was closing the doors for the day, and he simply forgot to record the acquisition of these (b)(3) firearms. To avoid a repeat of this violation, Mr. Evans will be sure to record the firearms in the A&D record immediately upon receiving them.

**Corrective Action:** The licensee will record the acquisition of all firearms no later than the close of the next business day that the firearm was received.

3. **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)(3) instance involving two firearms.

**Licensee's Response:** Mr. Casey Evans stated that he was unsure how he missed filing this report. He stated that he is familiar with the requirement, and that he has filed several of these multiple sale reports in compliance with the regulations. Mr. Evans stated that in the future, he will immediately complete the multiple sale, and now that he understands that he can submit the completed form electronically, he will email the form instead of faxing it.

**Corrective Action:** The licensee will comply with 27 CFR 478.126a, by completing and submitting the ATF Form 3310.11 when the circumstances require it.

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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 ATF Form 4473 violations

Exhibit 2- Evidence of unreported multiple sale

Exhibit 3- ATF Form 5030.5 Report of Violations.

Exhibit 4- Acknowledgement of Federal Firearms Regulations