

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY)  T & M Pawn & Gun, LLC T & M Pawn & Gun 1204 East Race St. Searcy, AR 72143, White	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;"><b>777060-2016-0186-B1B</b></p> 3. PERMIT/LICENSE NUMBER    4a. TARGET DATE    4b. TARGET HOURS <p style="text-align: center;">571145029C03947                      6/30/2016                      40</p> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE) <p style="text-align: center;"><b>(b) (6)</b> Chief, 01/28/2016</p>
--	---

6. ATF OFFICER(S) ASSIGNED

**(b) (6)** Lead Investigator  
**(b) (6)** - Assigned Investigator  
**(b) (6)** - Assigned Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)

**(b) (6)** Area Supervisor, 01/28/2016

8. PURPOSE/SPECIAL INSTRUCTIONS

See email forwarded through FIPB. Conduct a full DE inspection. Verify that dispositions in the A&D Record have matching Forms 4473.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	8	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	64	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: 06/09/2016

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	<b>(b) (6)</b>	
FEB 2016	9.00	
MAR 2016	32.00	
APR 2016	5.00	
MAY 2016	53.00	
JUN 2016	13.00	
ATF OFFICER'S SUBTOTAL	112.00	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	<b>(b) (6)</b>	
FEB 2016	9.00	
MAR 2016	25.00	
MAY 2016	6.00	
ATF OFFICER'S SUBTOTAL	40.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	152.00	

# Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) T & M Pawn & Gun, LLC T & M Pawn & Gun 1204 East Race St. Searcy, AR 72143, White	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 777060-2016-0186-B1B		
	3. PERMIT/LICENSE NUMBER 571145029C03947	4a. TARGET DATE 6/30/2016	4b. TARGET HOURS 40
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE) Ed Courtney, Chief, 01/28/2016		

### 13. REVIEW AND ROUTING

#### REVIEW COMMENTS AND RECOMMENDATION

Inspection concluded on 5/25/16 disclosing eight violations. A Warning Letter is warranted due to the missing firearms, no ID, and sales to people appearing to be prohibited. The Warning Letter was mailed on 6/17/16.

Viols WL ONLY and No Recall Inspection

REVIEWED

CONCUR

SEE CO

FINAL DISPOSITION

SIGNATURE AND TITLE

(b) (6) - Area Supervisor

(b) (6)

Digitally signed by (b) (6)  
DN: cn=(b) (6), New Orleans Field  
Division of Firearms Training  
email=(b) (6), c=US  
Date: 2016.06.17 16:32:26 -0500

REVIEW DATE

06/17/2016

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 T & M Pawn & Gun, LLC T & M Pawn & Gun	Street Address 1204 East Race St.	City Searcy	State AR	Zip Code 72143-	County White	Page 1 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 571145029C03947	Expiration Date 3/1/2019	Date(s) or Period of Inspection 03/07/2016 through 05/13/2016				

### 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 failed to maintain a complete and accurate Acquisition and Disposition record on (b) (3) - Public occasions: Failure to record the correct Serial Number (b) (3) - Public instances. Failure to record the disposition of a Firearm (b) (3) - Public instances. A duplicate entry was recorded (b) (3) - Public instances. (b) (3) - Public Firearms were reported missing.

**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 is to record complete and accurate firearm acquisition and disposition information in the ATF Acquisition and Disposition record.

**Number:** 2

**Nature of Violation:**

The licensee failed to obtain and record a complete and accurate ATF Form 4473 on (b) (3) - Public occasions. Failure to obtain the ethnicity of the transferee (b) (3) - Public instances in part 10(a) of section A. Accepted a "No" answer to question 11(a) (b) (3) - Public instances, left Blank (b) (3) - Public instances and (b) (3) - Public Law 112-55 accepted a "Yes" and "No" answer (b) (3) - Public instance. Failure to record the type of firearm in part 18 of section B (b) (3) - Public instances and the incorrect type (b) (3) - Public instance. Failure to record how many firearms were transferred in part 30(a) of section 1 (b) (3) - Public instances. Failure to record if a transfer was part of a pawn redemption in part 30(b) of section D (b) (3) - Public instance. Failure to record the seller's name in part 33 of section D (b) (3) - Public instance.

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

The licensee is to obtain ethnicity, not accept a "NO" answer to question 11(a), what type of firearm is being transferred, how many firearm are being transferred, whether the firearm transfer was part of a pawn redemption and the seller's name 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 T & M Pawn & Gun, LLC T & M Pawn & Gun	Street Address 1204 East Race St.	City Searcy	State AR	Zip Code 72143-	County White	Page 2 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 571145029C03947	Expiration Date 3/1/2019	Date(s) or Period of Inspection 03/07/2016 through 05/13/2016				

### Inspection Results

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

Citation: 27 CFR 478.21(a)

# 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 T & M Pawn & Gun, LLC T & M Pawn & Gun	Street Address 1204 East Race St.	City Searcy	State AR	Zip Code 72143-	County White	Page 3 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 571145029C03947	Expiration Date 3/1/2019	Date(s) or Period of Inspection 03/07/2016 through 05/13/2016				

### 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:**

The licensee failed to obtain a complete and accurate ATF Form 4473 (b)(3) - Pub occasions. Failed to obtain the county of residence in part 2 of section A (b)(3) - Pub instances. Accepted the incorrect county of residence in part 2 of section A (b)(3) - Pub instances. Failed to obtain the state of residence in part 2 of section A (b)(3) - Pub instance. Accepted a P.O. Box in part 2 of section A (b)(3) - Pub instance. Failure to obtain an answer to question 11(b) of felony status in section A (b)(3) - Public Law 112-55 (125 C) instance. Failure to obtain an answer to question 11(c) of felony conviction in section A (b)(3) - Pub instance. Failure to obtain an answer to question 11(d) of Fugitive from justice status in section A (b)(3) - Public Law 112-55 (125 C) instance. Failure to obtain an answer to question 11(e) of drug use status in section A (b)(3) - Pub instance. Failure to obtain an answer to question 11(f) of mentality defective status in section A (b)(3) - Pub instance. Failure to obtain an answer to question 11(g) of military discharge status in section A (b)(3) - Pub instance. Failure to obtain an answer to question 11(h) of restraining order status in section A (b)(3) - Pub instance. Failure to obtain an answer to question 11(i) of misdemeanor of domestic violence status in section A (b)(3) - Pub instance. Failure to obtain an answer to question 11(j) of renouncing of US citizenship status in section A (b)(3) - Pub instances. Failure to obtain an answer to question 11(k) of alien status in section A (b)(3) - Pub instance. Failure to obtain an answer to question 11(l) of visa status in section A (b)(3) - Pub instances. Failure to record the state of residence in part 13 of section A (b)(3) - Pub instances. Failure to record the country of citizenship in part 14 of section A in (b)(3) - Pub instances. Failure to record a certification date in part 17 of section A (b)(3) - Pub instances and the incorrect date (b)(3) - Pub instance.

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

The licensee is to record complete and accurate address information, answers to questions, state of residence, country of citizenship and certification dates on the ATF Form 4473.

(b) (6)  
5/29/16

## 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 T & M Pawn & Gun, LLC T & M Pawn & Gun	Street Address 1204 East Race St.	City Searcy	State AR	Zip Code 72143-	County White	Page 4 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 571145029C03947	Expiration Date 3/1/2019	Date(s) or Period of Inspection 03/07/2016 through 05/13/2016				

### Inspection Results

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

**Citation:** 27 CFR 478.124(c)(1)

**Number:** 4

**Nature of Violation:**

The licensee failed to record any identification information in part 20(a) <sup>(b) (3) - Pub</sup> occasion.

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

**Number:** 5

**Nature of Violation:**

The licensee failed to record a complete and accurate ATF Form 4473 <sup>(b) (3) - Pub</sup> occasions. Failure to record the correct NICS initiation date in part 21(a) of section B <sup>(b) (3) - Pub</sup> instance. Failure to record the NTN in part 21(b) of section B <sup>(b) (3) - Pub</sup> instances. Failure to record the initial NICS response in part 21(c) of section B <sup>(b) (3) - Pub</sup> instances. Failure to record the NICS response following a delay in 21(d) of section B <sup>(b) (3) - Pub</sup> instances.

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

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

The licensee is to record complete and accurate identification information on ATF Form 4473.

*(If not corrected immediately)*

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

The licensee is to record complete and accurate NICS information on ATF Form 4473.

*(If not corrected immediately)*

## 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 T & M Pawn & Gun, LLC T & M Pawn & Gun	Street Address 1204 East Race St.	City Searey	State AR	Zip Code 72143-	County White	Page 5 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 571145029C03947	Expiration Date 3/1/2019	Date(s) or Period of Inspection 03/07/2016 through 05/13/2016				

### 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 failed to record a complete and accurate ATF Form 4473 (b) (3) - (P)(4) occasions: Failure to record the correct firearm manufacturer in part 26 of section D (b) (3) - (P)(4) instance. Failure to record the correct firearm model in part 27 of section D (b) (3) - (P)(4) instance. Failure to record the caliber/gauge of the firearm in part 30 of section D (b) (3) - (P)(4) instance.

**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)*

The licensee is to record complete and accurate firearm information on ATF Form 4473.

**Number:** 7

**Nature of Violation:**

The licensee failed to record a complete and accurate ATF Form 4473 (b) (3) - (P)(4) occasion: Failure to record the date of transfer correctly in part 36 of section D (b) (3) - (P)(4) instance.

**Citation:** 27 CFR 478.124(c)(5)

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

The licensee is to record the seller's signature and the date of firearm transfer on 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 T & M Pawn & Gun, LLC T & M Pawn & Gun	Street Address 1204 East Race St.	City Searey	State AR	Zip Code 72143-	County White	Page 6 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 571145029C03947	Expiration Date 3/1/2019	Date(s) or Period of Inspection 03/07/2016 through 05/13/2016				

### 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 accepted "Yes" answers to questions 11(i) <sup>(b) (3) - Pub</sup> occasions and question 11(k) <sup>(b) (3) - Pub</sup> occasions on ATF Form 4473.

**Citation:** 27 CFR 478.99(c)

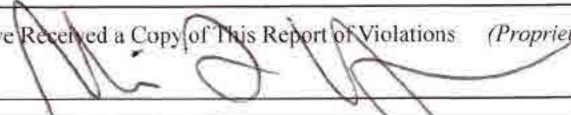
**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

The licensee is to deny transfer of a firearm when the transferee answers "Yes" to any prohibiting question on ATF Form 4473.

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i> <i>x</i>  <i>x</i> Member	Date <i>x</i> 5/25/16
<b>(b) (6)</b> <i>TOI</i>	Date 5/25/2016



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives  
425 West Capitol Avenue, Suite 775  
Little Rock, Arkansas 72201

www.atf.gov

June 17, 2016

77706(b) (6)  
5300

CERTIFIED MAIL

Mr. Marvin Yarbrough  
Member  
T & M Pawn & Gun, LLC  
1204 East Race Street  
Searcy, Arkansas 72143

*Federal Firearms License 5-71-145-02-9C-03947*

Dear Mr. Yarbrough:

During a recent compliance inspection at your firearms business covering the period of March 7, 2015, until March 7, 2016, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) investigator. You indicated that you understood the requirements of the firearms laws and regulations. You further indicated 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 effort 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 ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area, and 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.

T & M Pawn & Gun, LLC

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

(b) (6) (b) (6)

Sincerely yours,

(b) (6)

Area Supervisor

Enclosure

cc: Federal Firearms Licensing Center  
Little Rock II Field Office

# FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

**Address:** 1204 East Race Street  
Searcy, AR 72143

## 1 - Introduction

### Inspection Profile:

Investigators (b)(6) and (b)(6) conducted a full Disposition Emphasis compliance inspection of T&M Pawn and Gun, LLC, on March 7-11, 14, May 13 & 25, 2016. Investigative Analyst (b)(6) assisted with the Form 4473 review. The inspection occurred at the licensee's premises.

The compliance inspection was conducted according to the instructions on ATF Form 5700.14. The inspection was unannounced and covered the period from March 7, 2015, through March 7, 2016. Mr. Marvin Tindal Yarbrough (AR D.L. (b)(6)), Member, was interviewed during the inspection.

### Business Profile:

The licensee operates a Pawn Shop for the Searcy, AR area. In the last 12 months, (b)(4) firearms were acquired and (b)(4) were disposed of. The estimated percentage of business is as follows:

- Retail: (b)(4)
- Pawn: (b)(4)
- NFA: (b)(4)
- New firearms: (b)(4)
- Used firearms: (b)(4)
- Long guns: (b)(4)
- Handguns: (b)(4)

Most firearms are acquired from distributors. Some firearms are acquired from non-licensed individuals. New firearms are not acquired from any particular distributor – most are either internet transfers or special orders using the cheapest distributor that can be found. The licensee does display and transfer firearms at gun shows. Additionally, the business was in compliance with all known State and local licenses/permits. All required records are kept on the licensed premises, and no off-site storage is utilized for firearms. The type 02 (*Pawnbroker of Firearms*) license is appropriate for the operations being conducted.

### Ownership and Control:

The licensee is an Arkansas limited liability company (**See Exhibit 1**). There have been no unreported changes in the ownership or structure of the business. Mr. Marvin Tindall Yarbrough (Member / 100% ownership) is listed as the

# FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

responsible person. No additional responsible people were identified as a result of this inspection. NCIC checks revealed no prohibiting data for Mr. Yarbrough. The licensee is engaged in the business, and no hidden ownership was disclosed.

## Variance:

The licensee has no current variances.

## 2 - Recommendation

Report of Violations with Warning Letter and Recall Inspection.

## 3 - Inspection History

This was the licensee's first compliance inspection following their qualification inspection in January 2013.

**Date of Inspection:** January 2013  
**Type of Inspection:** Qualification  
**UI#:** 777060-2013-0204  
**Inspection Results:** Issuance of License  
**Cited Violations:** No Violations

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

The licensee had 536 firearms in inventory at the time of the inspection. The A&D record listed (b)(3) - 13 firearms in stock. After completing the inventory of the licensee and comparing each firearm to its corresponding entry in the A&D record, the following was disclosed (**See Violation 1 and Worksheet 1**):

- Failure to record the correct Serial Number for (b)(3) - 13 firearms (**See Exhibit 2**).
- Failure to record the disposition of (b)(3) - 13 firearms (**See Exhibit 2**).
- Recorded a duplicate entry (b)(3) - 13 instances (**See Exhibit 3**).
- (b)(3) - 13 Public Law 55 firearms had no disposition listed. No record could be found documenting its disposition, so it was reported missing from inventory (**See Exhibits 4**).

A total of 206 firearms transferred during the inspection period were traced through the required records from acquisition through disposition with no other discrepancies noted and no trafficking issues disclosed. The licensee's official A&D record is in a hand written format.

# FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

Mr. Yarbrough stated that they do conduct an inventory checks but not on a regular basis.

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

The licensee had approximately [REDACTED] ATF Forms 4473 on file for the examination period, and they were all reviewed. The review disclosed the following violations (See **Worksheet 2**):

- The licensee failed to obtain ethnicity, accepted “No” answers and failed to obtain a response to question 11(a), failed to record the type of firearm being transferred, failed to record how many firearms were being transferred, failed to record whether the transfer was part of a pawn redemption and failed to record the seller’s name (See **Violation 2 and Exhibit 5**).
- The licensee failed to obtain the county and state of residence, accepted a P.O. Box as an address; and failed to obtain answers to prohibiting questions, state of residence, country of citizenship, and certification information (See **Violation 3 and Exhibit 6**).
- The licensee failed to record identification information (See **Violation 4 and Exhibit 7**).
- The licensee failed to record complete and accurate NICS information (See **Violation 5 and Exhibit 8**).
- The licensee failed to record complete and accurate firearm information (See **Violation 6 and Exhibit 9**).
- The licensee failed to record the accurate date of transfer (See **Violation 7 and Exhibit 10**).
- The licensee accepted “Yes” answers to prohibiting questions (See **Violation 8 and Exhibit 11**).

NCIC checks were conducted on individuals who did not have NICS responses recorded, the individuals who recorded a “No” answer to question 11(a), failed to record responses to prohibiting questions and answered “Yes” to prohibiting questions. No prohibiting information was discovered.

The ATF Forms 4473 on file were being maintained chronologically. Denials (or ATF Forms 4473 that were not associated with a firearm transfer) were being filed separately and in chronological order. No wholesale transactions had occurred during the inspection period. Verification of 128 NICS checks was confirmed with no discrepancies via the NICS audit log.

Mr. Yarbrough stated that Forms are not reviewed during the transaction or by himself on a weekly basis.

# FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

## **6 - Multiple Sales**

There were (b)(3) multiple sales reported during the inspection period according to Violent Crime Analysis Branch. A review of the licensee's records for the inspection period disclosed no unreported multiple sales.

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

No traffickers, prohibited purchases, straw purchasers, or any other suspicious purchasers were identified as a result of this inspection.

## **8 - Trace Activity**

There were (b)(3) completed traces for the licensee during the inspection period according to the Violent Crime Analysis Branch. Fifty (50) secondary market firearms were queried through NCIC with no hits returned.

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

The licensee is not a licensed manufacturer, collector or importer; however, the licensee did pay Special Occupational Tax (SOT) as a dealer of NFA firearms. The licensee is current regarding payment of SOT.

Investigator (b)(6) conducted a complete inventory of the NFA inventory of the licensee. The National Firearms Registration and Transfer Record (NFRTR) had (b)(3) firearms registered to the licensee; the licensee had 22 NFA firearms in physical inventory. The Forms were being retained properly.

## **10 - Referrals**

No referrals were issued in conjunction with this inspection.

## **11 - Other**

The licensee was in compliance with the Youth Handgun Safety Act, having both the poster displayed and applicable handouts available. Secure gun storage/safety devices were also available.

## **12 - Closing Actions**

On May 25, 2016, Investigator (b)(6) conducted a closing conference with Mr. Marvin Yarbrough. A review of the federal firearms regulations and the Report of Violations was conducted with Mr. Yarbrough who confirmed this review by signing the Acknowledgement of Federal Firearms Regulations (**See Exhibit 12**). The

# FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

Report of Violations was reviewed with Mr. Yarbrough who verified that review by recording his signature, title, and the date of review. All questions regarding ATF regulations and related matters were addressed and answered during the closing conference.

## 13 - Violations

### 1. 27 CFR 478.125(e)

**Nature of violation:** The licensee failed to maintain a complete and accurate Acquisition and Disposition record on (b)(3)-1 occasions: Failure to record the correct Serial Number in ten instances. Failure to record the disposition of a Firearm in ten instances. A duplicate entry was recorded in (b)(3)-112F instances. Three Firearms were reported missing.

**Licensee's response:** The licensee stated that they were aware of the proper protocol for recording the ATF acquisition and disposition record and just missed the mistakes.

**Corrective action:** The licensee is to record complete and accurate firearm acquisition and disposition information in the Acquisition and Disposition record.

**Reference:** Inventory and A&D Review Worksheet and Exhibits 2-4

### 2. 27 CFR 478.21(a)

**Nature of violation:** The licensee failed to obtain and record a complete and accurate ATF Form 4473 on (b)(3)-1 occasions. Failure to obtain the ethnicity of the transferee in (b)(3)-11 instances in part 10(a) of section A. Accepted a "No" answer to question 11(a) in (b)(3)-11 instances, left Blank in (b)(3)-11 instances and accepted a "Yes" and "No" answer in (b)(3)-112 instances. Failure to record the type of firearm in part 18 of section B in (b)(3)-11 instances and the incorrect type in (b)(3)-11 instance. Failure to record how many firearms were transferred in part 30(a) of section D in (b)(3)-112F instances. Failure to record if a transfer was part of a pawn redemption in part 30(b) of section D in (b)(3)-11 instance. Failure to record the seller's name in part 33 of section D in (b)(3)-11 instance.

**Licensee's response:** The licensee stated that they were aware of the proper protocol for obtaining and recording the ATF Form 4473 and just missed the mistakes on the forms.

**Corrective action:** The licensee is to obtain ethnicity, not accept a "NO" answer to question 11(a), what type of firearm is being transferred, how many firearm are being transferred, whether the firearm transfer was part of a pawn redemption and the seller's name on the ATF Form 4473.

# FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

**Reference:** ATF Form 4473 Review Worksheet and Exhibit 5

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

**Nature of violation:** The licensee failed to obtain a complete and accurate ATF Form 4473 on (b)(3)-112 occasions. Failure to obtain the county of residence in part 2 of section A in (b)(3)-112 instances. Accepted the incorrect county of residence in part 2 of section A in (b)(3)-112 instances. Failure to obtain the state of residence in part 2 of section A in (b)(3)-112 instance. Accepted a P.O. Box in part 2 of section A in one instance. Failure to obtain an answer to question 11(b) of felony status in section A in (b)(3)-112 instance. Failure to obtain an answer to question 11(c) of felony conviction in section A in (b)(3)-112 instance. Failure to obtain an answer to question 11(d) of Fugitive from justice status in section A in (b)(3)-112 instances. Failure to obtain an answer to question 11(e) of drug use status in section A in (b)(3)-112 instance. Failure to obtain an answer to question 11(f) of mentality defective status in section A in (b)(3)-112 instance. Failure to obtain an answer to question 11(g) of military discharge status in section A in (b)(3)-112 instance. Failure to obtain an answer to question 11(h) of restraining order status in section A in (b)(3)-112 instance. Failure to obtain an answer to question 11(i) of misdemeanor of domestic violence status in section A in (b)(3)-112 instance. Failure to obtain an answer to question 11(j) of renouncing of US citizenship status in section A in (b)(3)-112 instances. Failure to obtain an answer to question 11(k) of alien status in section A in (b)(3)-112 instance. Failure to obtain an answer to question 11(l) of visa status in section A in (b)(3)-112 instances. Failure to record the state of residence in part 13 of section A in (b)(3)-112 instances. Failure to record the country of citizenship in part 14 of section A in (b)(3)-112 instances. Failure to record a certification date in part 17 of section A in (b)(3)-112 instances and the incorrect date in (b)(3)-112 instance.

**Licensee's response:** The licensee stated that they were aware of the proper protocol for completing ATF Form 4473 and just missed it on the form.

**Corrective action:** The licensee is to record complete and accurate address information, answers to questions, state of residence, country of citizenship and certification dates on the ATF Form 4473.

**Reference:** ATF Form 4473 Review Worksheet and Exhibit 6

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

**Nature of violation:** The licensee failed to record any identification information in part 20(a) on (b)(3)-112 occasion.

**Licensee's response:** The licensee stated that they were aware of the proper protocol for completing ATF Form 4473.

## FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

**Corrective action:** The licensee is to record complete and accurate identification information on ATF Form 4473.

**Reference:** ATF Form 4473 Review Worksheet and Exhibit 7

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

**Nature of violation:** The licensee failed to record a complete and accurate ATF Form 4473 on (b)(3)-112 occasions. Failure to record the correct NICS initiation date in part 21(a) of section B in (b)(3)-11 instances. Failure to record the NTN in part 21(b) of section B in (b)(3)-112 P instances. Failure to record the initial NICS response in part 21(c) of section B in (b)(3)-112 P instances. Failure to record the NICS response following a delay in 21(d) of section B in (b)(3)-112 P instances.

**Licensee's response:** The licensee stated that they were aware of the proper protocol for completing ATF Form 4473 and just missed the errors.

**Corrective action:** The licensee is to record complete and accurate NICS information on ATF Form 4473.

**Reference:** ATF Form 4473 Review Worksheet and Exhibit 8

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

**Nature of violation:** The licensee failed to record a complete and accurate ATF Form 4473 on (b)(3)-112 P occasions. Failure to record the correct firearm manufacturer in part 26 of section D in (b)(3)-11 instances. Failure to record the correct firearm model in part 27 of section D in (b)(3)-112 P instances. Failure to record the caliber/gauge of the firearm in part 30 of section D in (b)(3)-11 instances.

**Licensee's response:** The licensee stated that they were aware of the proper protocol for completing the ATF Form 4473 and just missed the errors on the form.

**Corrective action:** The licensee is to record complete and accurate firearm information on ATF Form 4473.

**Reference:** ATF Form 4473 Review Worksheet and Exhibit 9

# FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

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

**Nature of violation:** The licensee failed to record a complete and accurate ATF Form 4473 on (b)(3)-(11) occasion. Failure to record the date of transfer correctly in part 36 of section D in (b)(3)-(11) instance.

**Licensee's response:** The licensee stated that they were aware of the proper protocol for completing the ATF Form 4473 and just missed the errors on the form.

**Corrective action:** The licensee is to record the seller's signature and the date of firearm transfer on ATF Form 4473.

**Reference:** ATF Form 4473 Review Worksheet and Exhibit 10

8. **27 CFR 478.99(c)**

**Nature of violation:** The licensee transferred firearms on three occasions to people who appeared to be prohibited but were not actually prohibited. The licensee accepted "Yes" answers to questions 11(i) on (b)(3)-(11) occasion and question 11(k) on (b)(3)-(11) occasions on ATF Form 4473.

**Licensee's response:** The licensee stated that they were aware of the proper protocol for completing the ATF Form 4473 and just missed the errors on the form.

**Corrective action:** The licensee is to deny transfer of a firearm when the transferee answers "Yes" to any prohibiting question on ATF Form 4473.

**Reference:** ATF Form 4473 Review Worksheet and Exhibit 11

X

---

Industry Operations Investigator

## Index of Worksheets and Exhibits

### Worksheets:

1. Inventory and A&D Review
2. ATF Form 4473 Review

# FIREARMS INSPECTION REPORT

**Name:** T&M Pawn and Gun, LLC  
**Trade Name:**

**UI#:** 777060-2016-0186-B1B  
**FFL#:** 5-71-145-02-9C-03947

## **Exhibits:**

1. Arkansas Secretary of State of Information Page
2. Acquisition and Disposition Record (Serial Number Errors / Firearms Not Logged Out)
3. Acquisition and Disposition Record (Duplicate Entries)
4. Acquisition and Disposition Record (Missing Firearms)
5. ATF Forms 4473 (**27 CFR 478.21(a)**)
6. ATF Forms 4473 (**27 CFR 478.124(c)(1)**)
7. ATF Forms 4473 (**27 CFR 478.124(c)(3)(i)**)
8. ATF Forms 4473 (**27 CFR 478.124(c)(3)(iv)**)
9. ATF Forms 4473(**27 CFR 478.124(c)(4)**)
10. ATF Forms 4473 (**27 CFR 478.124(c)(5)**)
11. ATF Forms 4473 (**27 CFR 478.99(c)**)
12. Acknowledgement of Federal Firearms Regulations