

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) LUTER'S SUPPLY CO INC 104 S ADAMS ST TYLERTOWN,MS 39667-2502, WALTHALL	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 777040-2016-0084-B1B		
	3. PERMIT/LICENSE NUMBER 164147018G12351	4a. TARGET DATE 1/29/2016	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, 10/16/2015

8. PURPOSE/SPECIAL INSTRUCTIONS
CONDUCT ONSITE FIREARMS DISPOSITION EMPHASIS (DE) INSPECTION PER GUIDELINES SET FORTH IN IOI MANUAL.

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) - Area Supervisor
Submitted on: 01/05/2016

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
NOV 2015	2.00		
DEC 2015	36.00		
ATF OFFICER'S SUBTOTAL	38.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	38.00		

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

☒ REVIEWED ☒ CONCUR ☐ SEE COMMENTS ☒ FINAL DISPOSITION
SIGNATURE AND TITLE
(b)(6) - Area Supervisor
REVIEW DATE
01/07/2016

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 LUTER'S SUPPLY CO INC	Street Address 104 S ADAMS ST	City TYLERTOWN	State MS	Zip Code 39667-2502	County WALTHALL	Page 1 of 1 Pages
License/Permit/Registry Number (If any) 164147018G12351	Expiration Date 7/1/2018	Date(s) or Period of Inspection 12/29/2015 through 12/31/2015				

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 properly maintain the A & D book.

-Licensee was missing (b)(3) firearms from inventory

Citation: 27 CFR 478.125(c)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee was instructed to complete and submit ATF Form 3310.11 at this time and to enter the F number and date into the A & D records for the missing firearms.

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

Date

12-31-2015

Signature and Title of ATF Officer

(b)(6)

Date

12-31-2015



U.S. Department of Justice
Bureau of Alcohol, Tobacco,
Firearms and Explosives
One Galleria Blvd., Suite 1700
Metairie, LA 70001

www.atf.gov

January 7, 2016

777040 (b)(6)
5373

CERTIFIED MAIL – RETURN RECEIPT REQUIRED

Luter's Supply Co Inc.
104 S Adams St
Tylertown MS 39667
Re: 1-64-147-01-8G-12351

Dear Mr. Luter:

During a recent compliance inspection at your firearms business covering the period of December 29, 2014 to December 29, 2015, you were cited for violations of Title 27, Code Of Federal Regulations, Part 478. A copy of the Report of Violations, ATF Form 5030.5, issued at time of the inspection is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator(s). You indicated that you understood the requirements of the Federal 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.

Luter's Supply Co Inc.

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

Sincerely yours,

(b)(6)

Area Supervisor

Enclosure

cc: Federal Firearms Licensing Center
New Orleans III (IO) Field Office

FIREARMS INSPECTION REPORT

Name: Luter's Supply Co Inc.
Trade Name:

UI#: 777040-2016-0084-B1B
FFL#: 1-64-147-01-8G-12351

Address: 104 S Adams St
Tylertown MS 39667 (Walthall County)

1 - Introduction

Inspection Profile:

Investigator, (b)(6) conducted a DE Onsite Firearms (Dealer) Inspection of the federally licensed (Type 01) firearms business, owned by Luter's Supply Company Inc. The inspection began on December 29, 2015 with the closing conference held on December 31, 2015.

During the inspection the following individual was interviewed in person and identified himself by means of a valid Mississippi driver's license as;

Mr. Maxwell Joseph Luter w/m (b)(6) (Vice-President)
MS DL (b)(6) expires 07-23-2023

Mr. Luter answered questions, provided requested information, and assisted with the completion of the inspection. The required records were examined for the one year period of December 29, 2014 to December 29, 2015.

Advance notification was not given for this inspection.

Business Profile:

Between December 29, 2014 and December 29, 2015, the licensee acquired approximately (b)(4) firearms and disposed of approximately (b)(4) firearms. Of the firearms acquired and disposed approximately (b)(4) were long guns and approximately (b)(4) were hand guns. All of the items in inventory are new firearms, this dealer does not deal in secondary market firearms. The licensee's main suppliers of new firearms are (b)(4).

Luter's Supply Company Inc. is not a wholesaler; they do not conduct business at gun shows. There are no offsite storage locations. The business does not engage in internet advertising for the sale of firearms. In addition to firearms, Luter's Supply Company Inc. sells: bathtubs, showers and Jacuzzis. Luter's Supply Company Inc. does not operate any other business from the business premise. Business is conducted from a store front shop owned by the licensee.

The business premise is located in an urban business district inside the city limits of Tylertown Mississippi. There were no safety risks observed. Luter's Supply Company Inc. acquired their original FFL for this business on 07-18-1981.

FIREARMS INSPECTION REPORT

Name: Luter's Supply Co Inc.
Trade Name:

UI#: 777040-2016-0084-B1B
FFL#: 1-64-147-01-8G-12351

There are no other ATF licenses or permits held or required by Luter's Supply Company Inc. All required local and state tax licenses were valid at the time of this inspection. The business is in compliance with all local zoning ordinances and the premises are not located within a school zone.

Ownership and Control:

There have been no changes in ownership or control of the business since the original application was filed. A query conducted using the search engine on the Mississippi Secretary of State website revealed Luter's Supply Company Inc. was a properly registered corporation in good standing. FLS properly lists Mr. Maxwell Joseph Luter (Vice-President) and his father, Mr. Emmette Davis Luter (President) as the only two responsible persons for this license.

Variance:

There are no variances on file for licensee 1-64-147-01-8G-12351 and none requested at the time of this inspection.

2 - Recommendation

Violations WL Only and No Recall Inspection

3 - Inspection History

The following reflects the last two inspections of this FFL;

Date of Inspection: April 05, 2011
Type of Inspection: Compliance Inspection
UI#: 777070-2011-0159
Lead Investigator: (b)(6)
Inspection Results: Violations WL Only and No Recall Inspection
Cited Violations:
27 CFR 478.102
Failure to conduct NICS background check.
License transferred a firearm to a judge who had a non-qualifying concealed weapons permit.

Date of Inspection: February 06, 2003
Type of Inspection: Compliance Inspection
UI#: 777040-2003-0203
Lead Investigator: (b)(6)
Inspection Results: No Violations/No Further Action
Cited Violations: None

FIREARMS INSPECTION REPORT

Name: Luter's Supply Co Inc.
Trade Name:

UI#: 777040-2016-0084-B1B
FFL#: 1-64-147-01-8G-12351

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

Luter's Supply Company Inc. maintains one hand written acquisition and disposition book. The records are maintained in the proper format and all of the proper headings, columns, manufacturers, models, serial numbers, importers etc. are utilized. All acquisitions and dispositions are recorded in the A & D book the same day the acquisition or disposition is made and a full firearm inventory is made every year. The licensee had not filed any theft/loss reports during this inspection period, one theft/loss report (b)(3) - 112 Public Law 95 125 Stat 592 was filed as a result of this inspection for two missing firearms.

Full inventory verification was conducted during this inspection. The serial numbers on the firearms in inventory were cross referenced with the information recorded in the A & D book for (b)(3) firearms. There were 22 firearms in the physical inventory and (b)(3) open entries in the A & D book. Twenty five firearms were checked from acquisition through disposition without discrepancy and no trafficking issues discovered. The licensee was cited for the following A & D violation;

27 CFR 478.125(e)

Nature of violation:

Failure to properly maintain the A & D book.

-Licensee was missing (b)(3) - 112 firearms from inventory

Reference Violation 1, Worksheet 1, Exhibit 1 copy of signed ATF F 3310.11

5 - ATF Forms 4473 – NICS & Other Dispositions

For the period of 10/28/2015 to 12/28/2015, the FFL Audit Log showed one proceed response and for the 12 month period of this inspection no denied responses. The one response were verified by ATF Form 4473 review.

For the 12 month period of this inspection, there were (b)(3) ATF Forms 4473 on file that documented completed transfers to non-licensees. These forms were filed chronologically. A second review of all completed ATF Forms 4473 is made before this licensee transfers any firearm. All (b)(3) ATF Forms 4473 were reviewed with no violations being found or cited.

FIREARMS INSPECTION REPORT

Name: Luter's Supply Co Inc.
Trade Name:

UI#: 777040-2016-0084-B1B
FFL#: 1-64-147-01-8G-12351

All transfers from licensee to licensee were conducted properly and no sales to law enforcement officers were documented during this inspection period.

6 - Multiple Sales

According to the information received from the Violent Crime Analysis Branch, Luter's Supply Company Inc. reported no multiple sales in the last 12 months. This Investigator did not discover any unreported multiple sales.

7 - Suspicious/Prohibited Purchasers

There were no possible traffickers, straw purchasers, prohibited persons, or any other suspicious purchasers identified during this inspection. NCIC checks were run on the two responsible persons, these checks did not develop any hits or prohibiting convictions for referral.

There were no individual firearm purchasers who's initial NICS response was delayed and no resolution was ever provided according to box 21e on the 4473s during this inspection period.

8 - Trace Activity

According to the information received from the Violent Crime Analysis Branch, Luter's Supply Company Inc. was not the final dealer for any firearms traced between December 2014 and December 2015. There were no unsuccessful traces attributed to the licensee in the last 12 months. No trace violations were cited.

This licensee only deals in new firearms and no secondary market firearms were acquired or disposed of by this licensee.

9 - NFA/Importer/Collector/Manufacturer

This Type 01 FFL licensee is not an NFA/SOT Holder, Importer, Collector or Manufacturer.

10 - Referrals

No referrals were made as a result of this inspection.

11 - Other

The licensee was in compliance with the Youth Handgun Safety Act (poster and notice) and secure gun storage/safety devices were available in the business

FIREARMS INSPECTION REPORT

Name: Luter's Supply Co Inc.
Trade Name:

UI#: 777040-2016-0084-B1B
FFL#: 1-64-147-01-8G-12351

premises.

12 - Closing Actions

The closing conference was conducted on December 31, 2015. Mr. Maxwell Joseph Luter (Vice-President) was in attendance. A copy of the violation cited was given to Mr. Luter and explained in great detail. Mr. Luter signed the violation and was given the opportunity to provide a response for the violation (see violation section for licensee's response). This Investigator reviewed the Acknowledgement of Federal Firearms Regulations and the notice of selling firearms after revocation, expiration or surrender of an FFL in great detail with Mr. Luter. Mr. Luter signed the acknowledgement form and a copy was provided to him as required. Mr. Luter was given ATF contact information, information concerning secure gun storage and safety device requirements, example copies of all required ATF forms and instructions on how to visit the ATF website for further education and information.

Mr. Luter advised he had never attended any ATF training classes but has visited the ATF web-site for education and information.

Reference exhibit 2 - Acknowledgement of Federal Firearms Regulations.

13 - Violations

1. **27 CFR 478.125(e)**

Nature of violation:

Failure to properly maintain the A & D book.

-Licensee was missing (b)(7)(C) firearms from inventory

Licensee's response:

The licensee advised they have looked everywhere and have no idea where the firearms went.

Corrective action:

Licensee was instructed to complete and submit ATF Form 3310.11 at this time and to enter the F number and date into the A & D records for the missing firearms.

Reference Worksheet 1, Exhibit 1 copy of signed ATF F 3310.11

FIREARMS INSPECTION REPORT

Name: Luter's Supply Co Inc.
Trade Name:

UI#: 777040-2016-0084-B1B
FFL#: 1-64-147-01-8G-12351

X

Industry Operations Investigator

Index of Worksheets and Exhibits

Worksheet 1

Exhibit 1 copy of signed ATF F 3310.11

Exhibit 2 - Acknowledgement of Federal Firearms Regulations