

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Butcher, Bryan S Atwood Armory 65 E Cr 1175 N Atwood, IL 61913, Douglas		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 772060-2016-0304-B1B			
		3. PERMIT/LICENSE NUMBER 337041017D02852	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, 02/11/2016					
8. PURPOSE/SPECIAL INSTRUCTIONS Please conduct a full scope firearms compliance inspection of this Type 01 FFL. During initial review of this assignment please ensure the shared drive is reviewed for any additional variance approvals, correspondences, etc. that are not located in the file. No NFA inventory The Business name is a registered LLC but FLS shows the FFL as Individually Owned Zoning - Please utilize the Shared Zoning Folder for all zoning information. If a location needs added, deleted or amended/updated, please do so to ensure we maintain an accurate and up to date database.					
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	7	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: 11/29/2016 An onsite compliance inspection was conducted on October 27, 2016 at the above licensed premise. It was discovered that there was not a completed Acquisition and Disposition Record. (b)(6) (b)(6) (b)(6) A return visit was made on Nov 8, 2016 to conclude the inspection, issue a Report of Violations and hold the closing conference. Owner, Bryan Butcher and RP Charidy Butcher were interviewed by IOI (b)(6). Advance notice was given due to limited hours of operation. The period of inspection was 11/27/2015 through 11/27/2016. One violation was disclosed. Violts WL ONLY and No Recall Inspection					
12. TIME ACCOUNTING DATA					
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)			
AUG 2016		4.00			
OCT 2016		17.00			
NOV 2016		41.00			
ATF OFFICER'S SUBTOTAL		62.00	ATF OFFICER'S SIGNATURE		
TOTAL HOURS		62.00			

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Concur with alternate recommendation of Warning Letter with No Recall in lieu of a Warning Conference. FFL was maintaining computerized A&D Records but due to the computer crashing all records were lost. Clearly the FFL did not meet the requirements for backing up the computer program but the FFL was able to fully recreate a manual A&D Record utilizing invoices and ATF F 4473s. Because the FFL was diligent in recreating an accurate A&D Record book and was thorough in maintaining invoices, etc. the FFL was able to accurately and completely recreate the entire book. Also, the FFL is now aware of the requirements of maintaining computerized records and now will maintain the records manually to ensure no future loss of records.

With DIO concurrence Warning Letter signed and mailed by A/S (b)(6) on 12/2/16.

Viols WL ONLY and No Recall Inspection

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☐ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 12/01/2016
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REVIEW COMMENTS AND RECOMMENDATION

DIO Concurs with Warning Letter.

Viols WL ONLY and No Recall Inspection

☒ REVIEWED ☒ CONCUR ☐ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE TEARNOLD - Director, Industry Operations	REVIEW DATE 12/01/2016
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ROUTING SEQUENCE AND DATE

- ☐ 1. _____
- ☐ 2. _____
- ☐ 3. _____
- ☐ 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Butcher, Bryan S Atwood Armory	Street Address 65 E Cr 1175 N	City Atwood	State IL	Zip Code 61913-	County Douglas	Page 1 of 1 Pages
License/Permit/Registry Number (If any) 337041017D02852		Expiration Date 4/1/2017		Date(s) or Period of Inspection 10/27/2015 through 10/27/2016		

Inspection Results

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

Number: 1

Nature of Violation:

Licensee failed to have a complete Acquisition and Disposition Record.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made: 11/08/2016
(If not corrected immediately)

Corrective Action to be Taken: Licensee created a hard copy Bound Book using invoices and ATF forms 4473.
(If not corrected immediately)

I Have Received a Copy of This Report

(b)(6)

Date
11-8-2016

Signature and Title of ATF Officer

(b)(6)

March 11 2019 Document Production

Date
11-8-2016



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

12/2/16

772060: (b)(6)
5373

**CERTIFIED MAIL
RETURNED RECEIPT REQUESTED**

Mr. Bryan Butcher
Atwood Armory
65 E CR 1175 N
Atwood Armory, IL 61913
RE: 3-37-041-01-7D-02852

Dear Mr. Butcher:

During a recent inspection at your firearms business covering the period 11/27/2015 to 11/27/2016, 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 by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Industry Operations Investigator (b)(6), during the closing conference held at your licensed premises on November 08, 2016. 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 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 to ensure that criminals do not gain access to firearms. ATF appreciates the

Mr. Bryan Butcher
Atwood Armory
RE: 3-37-041-01-7D-02852

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.

Should you have any questions concerning this matter, please contact ATF Investigator (b)(6) at (b)(6).

Sincerely,

(b)(6)

Area Supervisor
Springfield II FO
Downs Grove SO

Enclosure

c: Federal Firearms Licensing Center
Springfield II Field Office

FIREARMS INSPECTION REPORT

Name: Bryan S. Butcher
Trade Name: Atwood Armory

UI#: 772060-2016-0304-B1B
FFL#: 3-37-041-01-7D-02852

Address: 65 E County Road 1175 N
Atwood, IL 61913

Douglas County

1 - Introduction

Inspection Profile:

An onsite compliance inspection was conducted on October 27, 2016 at the above licensed premise. It was discovered that there was not a completed Acquisition and Disposition Record. When IOI (b)(3) Pub law 112-55 returned to finish the inspection on Oct. 28, 2016, RP Charidy Butcher (b)(3) Pub law 112-55 125 Stat. 552 and IOI (b)(3) Pub law 112-55 could not finish the inspection. A return visit was made on Nov 8, 2016 to conclude the inspection, issue a Report of Violations and hold the closing conference. Owner, Bryan Butcher and RP Charidy Butcher were interviewed by IOI (b)(3) Pub law 112-55 125 Stat. 552. Advance notice was given due to limited hours of operation. The period of inspection was 11/27/2015 through 11/27/2016. One violation was disclosed.

Business Profile:

The business is a high volume dealer who transfers approximately (b)(4) firearms per year. There were (b)(4) acquisitions and (b)(4) dispositions in the last 12 months. Transfers have been (b)(4)% new firearms of which (b)(4)% are long guns and (b)(4)% hand guns. The licensee did not attend gun shows or perform gunsmithing. The licensee operates from the basement of a home owned by the licensee outside the city limits of Atwood, IL in Douglas County. The entire basement has been made into a gun shop with a separate entrance from the home. There are no zoning restrictions that would prohibit the licensee from operating his firearms business from his home. GPS co-ordinates were entered in N-SPECT.

Ownership and Control:

The license is individually owned by Bryan Butcher with his wife Charidy as a Responsible Person. This was accurately reflected in N-SPECT.

Variance:

Licensee has no variance on file.

2 - Recommendation

Report of Violation, Warning Letter, No Recall Inspection.

This is an alternate recommendation. The one violation was able to be corrected and no other violations were disclosed. Future compliance is assured.

FIREARMS INSPECTION REPORT

Name: Bryan S. Butcher
Trade Name: Atwood Armory

UI#: 772060-2016-0304-B1B
FFL#: 3-37-041-01-7D-02852

3 - Inspection History

The last inspection was an application inspection conducted in February 2011, resulting in a recommendation of Approve Original.

Date and Type of Inspection: Feb. 2, 2011 Application Inspection

UI#: 772060-2011-0128-B1B

Inspection Results: Application Approved

Cited Violations:

1. No Violations

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

The physical inventory was taken on October 27, 2016 and consisted of 15 firearms. There was no completed A & D Record. Charidy Butcher stated that they had been keeping a computerized Bound Book but that the computer had crashed and the record had been lost. She had started to re-create the A & D Record using invoices and ATF Forms 4473. The inventory could not be reconciled until the Bound Book was completely recreated. IOI (b)(6) worked with Charidy the remainder of the day creating the Bound Book. When IOI (b)(6) returned the following day, to complete the BB and finish the inspection, Charidy thought she was having a heart attack and left to go to the emergency room. IOI (b)(6) also left. Charidy recreated the A & D Record the following week. IOI (b)(6) returned on Nov. 8, 2016 to finish the inspection. The inventory was reconciled. There were no missing firearms. Future compliance assured.

The entire Acquisition and Disposition Record was recreated from commercial invoices and ATF Forms 4473. It was explained to the licensee what was required to keep an electronic A & D Record and was given the Regulatory Fact Sheet explaining the regulations. The licensee stated that a hard copy of the Bound Book would be kept in the future.

The licensee was cited for:

Violation of 27 CFR 478.125(e) was cited. This was a not repeat violation. Refer to #13 Violations.

5 - ATF Forms 4473 – NICS & Other Dispositions

A review of (b)(6) ATF Forms 4473 from the last twelve months revealed no violations.

50 FTIP checks were compared to the ISP FTIP query. Licensee was timely contacting

FIREARMS INSPECTION REPORT

Name: Bryan S. Butcher
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FTIP prior to the transfer of a firearm.

6 – Multiple Sales

A Trace/Multiple Sales Query revealed no multiple sales. A review of all ATF Forms 4473 revealed no unreported multiple sales.

7 – Suspicious/Prohibited Purchasers

There were no suspicious/prohibited purchasers.

8 – Trace Activity

A Trace/Multiple Sale query revealed there had been 0 successful traces in the last 3 years. The average time to crime was 17 months.

One used firearm in inventory and 4 used firearms that had been transferred were run for traces. There were no hits on the firearms.

9 - NFA/Importer/Collector/Manufacturer

Licensee does not deal in NFA firearms or manufacture firearms. Licensee does not hold a collector's license.

10 - Referrals

No referrals were generated as a result of the compliance inspection.

11 - Other

No other significant information to report.

12 - Closing Actions

A formal closing conference was held with the RP, Charidy Butcher on Nov. 8, 2016. All regulatory requirements were discussed with the licensee, including secure gun storage, safety devices, and required records, conduct of business, straw purchases and miscellaneous provisions. An ATF Firearms Newsletter, Youth Handgun Poster and pamphlets, Theft/Loss Report, Multiple Sales Report and ATF Phone List was provided to the licensee. The Acknowledgment of Federal Firearms Regulations was

FIREARMS INSPECTION REPORT

Name: Bryan S. Butcher
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also reviewed and signed and dated by Charidy Butcher (Exhibit No. 1).

The loss of the computerized A & D Record was discussed in detail with the licensee. The Licensee was able to recreate the entire Acquisition and Disposition Record from commercial invoices and ATF Forms 4473. It was explained to the licensee what was required to keep an electronic A & D Record and was given the Regulatory Fact Sheet explaining the regulations. The licensee stated that a hard copy of the Bound Book would be kept in the future.

13 - Violations

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

Nature of Violation

Licensee failed to have a complete Acquisition and Disposition Record.

Licensee's Response

The licensee stated that the Acquisition and Disposition Record that had been kept computerized had been lost off the computer.

Corrective Action

Licensee re-created the Acquisition and disposition Record using invoices and ATF Forms 4473. The entire Acquisition and Disposition Record was recreated from commercial invoices and ATF Forms 4473. No entries are missing. It was explained to the licensee what was required to keep an electronic A & D Record and was given the Regulatory Fact Sheet explaining the regulations. The licensee stated that a hard copy of the Bound Book would be kept in the future.

FIREARMS INSPECTION REPORT

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 Expired certificate

X (b)(6)

Industry Operations Investigator
Signed by: (b)(6)

Index of Worksheets and Exhibits