#### U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

# **Assignment and Report**

OPERATING NAME AND ADDRESS     (INCLUDE ZIP CODE AND COUNTY)	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 769020-2017-0076-B1B						
Cobra One Tactical, LLC. 330A Route 46	3. PERMIT/LICENSE NUMBER						
Great Meadows,NJ 07838-0000, Warren	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)						
& ATE OFFICED/OVACCIONED							

#### F OFFICER(S) ASSIGNED

(b)(6)Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)

(b)(6), Area Supervisor, 12/09/2016

#### 8. PURPOSE/SPECIAL INSTRUCTIONS

Conduct a firearms compliance inspection utilizing DE guidelines in the IO Manual. Verify that there is no open CE investigation pertaining to the licensee; verify EIN/Trade name, proper zoning if applicable, and NJ licensure.

. INSPECTION RESULTS	CHE	ECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)		
NO. OF VIOLATIONS	4	NO. OF REFERRALS	2111 - PER DIEM		
NO. OF TECS CHECKS	9	NO. OF TECS HITS	2112 - P.O.A.		
NO. OF TAX		\$ VALUE OF TAX INCREASES	2113 - COMM. AIR		
ADJUSTMENTS		\$ 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: 01/25/2017

The licensee was cited for four violations under the GCA as follows:

The licensee failed to record the disposition of a firearm in instances and was cited under 27 CFR 478.125(e).

The licensee failed to properly execute ATF F 4473. Specifically: In instances #20a was left BLANK. The licensee was cited under 27 CFR 478.124(c)(3)(i).

instance #21a "NICS date" ERROR. The Licensee was cited under 27 CFR 478.124(c)(3)(iv).

instances #1 was not completed in full "middle name left out" BLANK and in [3331] instance each #s 3, 4 and 5 were left BLANK. The Licensee was cited under 27 CFR 478.124(c)(1).

ATF O 5370.1B calls for a Warning Letter if the licensee "Fails to record any ID on less than 5 percent of Forms 4473 examined."

Recommend renewal if application is filed timely.

Viols WL ONLY and Recall Inspection

	400	12. TIME ACCOUNTING DATA
ATF OFFICER'S NAME (MONTH, YEA	R, HOURS)	b)(6)
JAN 2017	19.50	
ATF OFFICER'S SUBTOTAL	19.50	ATF OFFICER'S SIGNATURE
TOTAL HOURS	19.50	

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# **Assignment and Report**

OPERATING NAME AND ADDRESS     (INCLUDE ZIP CODE AND COUNTY)	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 769020-2017-0076-B1B						
Cobra One Tactical, LLC.	3. PERMIT/LICENSE NUMBER 4a. TARGET DATE 4b. TARGET HOURS						
330A Route 46 Great Meadows,NJ 07838-0000, Warren	822041017D01528 3/10/2017  5. REQUESTED BY (SIGNATURE, TITLE AND DATE)						
(	13. REVIEW AND ROUTING						
REVIEW COMMENTS AND RECOMMENDATION							
Renew type 01 FFL if timely submitted and paid. Viole	ations issued. WL sent out 1-27-17.						
Viols WL ONLY and No Recall Inspection							
□ CONCUP     □ CONCUP	R XS/A / C X FINAL DISPOSITION						
SIGNATURE AND TITLE (b)(6) - Area Supervisor (b)(6)	(a) (b) (c) FINAL DISPOSITION REVIEW DATE 01/27/2017						
ROUTING SEQUENCE AND DATE	//						
□1	100						
2	CONTROL FILE POSTED DATE						
□ 3							

# Report of Violations

AMENDED ad #214

#### 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	Speet Address		City:		State	Zip Code	County	Page t of
Cobra One Tactical, LLC.	330A Route 46		Great Meadows		<b>S</b> )	0783 <b>8-000</b> 0	Warren	2 Pages
License Permis Registry Number 1994		Expiration Date		Date(s) o	or Period o	Conspection		
822041017D01528		4-1.2017		01-11-20	1.7 throug	h OL:12/2017		<u>. 33</u>

#### Inspection Results

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

Number: (

Nature of Violation:

Licensee failed to accurately complete ATF F 4373. Specifically, #2th was left blank on

ioms.

Citation: 27 CFR 478.1241cHJWil

Number: 2

Nature of Violation:

Licensee failed to record the disposition of a favorm in a timely manner. In it stances, the licensee neglected to log firearms out of his A&D record.

Citation: 27 CFR 478.12Ste)

Number: 3

Nature of Violation:

Failure to properly execute ATF F 4473. In instance #21a "NICS dete" ERROR.

Citation: 27 CFR 478.124(c) Juiv)

Date Corrections to be Made:

Manat corrected immediately:

Corrective Action to be Taken: Linensee maintains photocopies of purchasers identification.

iff not corrected immediately) therefore he was able to correct the forms.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Licensee was able to use the ATF Fs 4475 in order to log

(If not corrected immediately) the firms

the fincarms out.

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

Consession to the Talen

Corrective Action to be Taken: Licensee was advised to correct the NICS transaction dute

(If not corrected immediately) using the NICS transaction log.

# Report of Violations

AMERICO GE # 344

_					- 2		
	-	-	-	 -		n	r

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 Cobra One Tactical, LLC.	Street Address 330A Route 46		City Circat Meadows	State NJ	Zip Code 07838-0000	County Warren	Page 2 of 2 Pages
License-Permit Registry Number (If any) 822041017D01528		Expiration Date 4:1:2017			Period of Inspection through 01-12-2017		

#### Inspection Results

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

Number: 4

Nature of Violation:

Failure to properly execute ATF F 4473. In instances #1 was not completed in full "middle name left out" BLANK and in instance each #5 3, 4 and 5 were left BLANK. The Licensee was cited under 27 CFR 478.124(c)(1).

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Uncorrectable. Traccability not affected.

(If not corrected immediately)

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

Enacted to Licensee

Signature and Title of ATF Officer (b) (6)

| Date | 1/24/17.

F. Waroh 11-2019 Document Production

265

AJT 5-Form 5030 5

Revised April 2005



### U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Newark Field Division - Newark III

January 27, 2017

www.atf.gov

Cobra One Tactical, LLC. 330A Route 46 Great Meadows, NJ 07838-0000 RE: 822041017D01528

Dear Keith and Ryan Aiello:

During a recent inspection at your firearms business covering the period January 2016 to January 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, 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). You indicated that you understood the requirements of the firearms laws and regulations and that corrective actions would be taken to eliminate future violations. This Warning Letter is sent to emphasize your many responsibilities as an FFL dealer to ensure all laws and regulations are adhered to.

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.

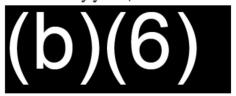
You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Cobra One Tactical, LLC.

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

Jr., Industry Operations Investigator at (b)(6)

Sincerely yours,



Area Supervisor - Newark III

#### Enclosure

c: Federal Firearms Licensing Center Newark III (IO) Field Office

 Name:
 Cobra One Tactical, LLC
 UI#:
 769020-2017-0076-B1B

 Trade Name:
 None
 FFL#:
 8-22-041-01-7D-01528

Address: 300 Route 46

Great Meadows, NJ 07838 (Warren)

#### 1 - Introduction

#### **Inspection Profile:**

Investigator (b)(6) initiated this unannounced DE Firearms Compliance Inspection on 1/11/17 at the business premise (commercial) of Cobra One Tactical, LLC (hereinafter referred to as the licensee).

On 1/11/17, Keith Aiello, member/responsible person was present and interviewed for this inspection. The licensee does not use a trade name.

This inspection covered the period of 1/11/16 through 1/11/17. This inspection was initiated on 1/11/17 and completed on 1/12/17.

Special instructions completed as follows: No open CE investigation, see below with regard to zoning, EIN and trade name.

Inspection resulted in four violations under the GCA.

### **Business Profile:**

The licensee currently possesses a Type 01, Dealer in Firearms Other Than Destructive Devices, Federal Firearms License which will expire on 4/1/17. The licensee also possesses a Type 07 Manufacturer's License (8-22-01702) which was inspected during this inspection – licensee has not yet used his Type 07 license (Ref. UI# 769020-2017-0104-B1B). The licensee also possesses a Type 06, Manufacturer of Ammo License (8-22-01701) which was not inspected during this inspection, however, the licensee stated that he had not yet used his Type 06 license.

Licensee operates his firearms business from a commercially zoned freestanding building and is properly zoned to do so. Licensee maintains gun

 Name:
 Cobra One Tactical, LLC
 UI#:
 769020-2017-0076-B1B

 Trade Name:
 None
 FFL#:
 8-22-041-01-7D-01528

safes for the storage of firearms and records as well as gun racks and display cases. This FFL does not have off-site storage. Other business conducted from the premise is a motorcycle repair shop.

The licensee conducts the retail sale of firearms and conducts transfers of firearms. Light gunsmithing activity is conducted. Licensee does not partake in consignment sales but is well versed on doing so. The licensee does not participate in gun shows. This FFL maintains his own website: cobraonetactical.com.

During the past 12 months the licensee acquired (b)(4) firearms and disposed of (b)(4) firearms.

The licensee's clientele consists of the general public.

# **Ownership and Control:**

The business is an LLC operating with the no trade name. Keith Aiello, Ryan Aiello and Teresa Aiello are equal members of the LLC and the sole responsible persons for the license. TECS/NCIC checks on all responsible persons conducted on 1/10/17 did not disclose any prohibiting information.

No additional Responsible Persons were identified. No hidden ownership is suspected.

### Variance:

FFL has no variances on file; none were requested during the course of this inspection.

#### 2 - Recommendation

The licensee was cited for four violations under the GCA as follows:

The licensee failed to record the disposition of a firearm in instances and was cited under 27 CFR 478.125(e).

The licensee failed to properly execute ATF F 4473. Specifically: In instances #20a was left BLANK. The licensee was cited under 27 CFR 478.124(c)(3)(i).

In instance #21a "NICS date" ERROR. The Licensee was cited under 27 CFR 478.124(c)(3)(iv).

 Name:
 Cobra One Tactical, LLC
 UI#:
 769020-2017-0076-B1B

 Trade Name:
 None
 FFL#:
 8-22-041-01-7D-01528

In instances #1 was not completed in full "middle name left out" BLANK and in instance each #'s 3, 4 and 5 were left BLANK. The Licensee was cited under 27 CFR 478.124(c)(1).

ATF O 5370.1B calls for a Warning Letter if the licensee "Fails to record any ID (b)(7)(E) of Forms 4473 examined."

Recommend renewal if application is filed timely.

### 3 - Inspection History

**Date of Inspection:** 12/4/13 **Type of Inspection:** Application.

UI#: 769020-2014-0076-B1B Inspection Results: Application Approved.

Cited Violations: None

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

A & D records are maintained in the proper format for the prescribed period. This FFL maintains five "active" A & D books and zero "closed" A & D Books. One A&D book is maintained for handguns, one A&D book is maintained long guns, one A&D book is maintained for Assault Rifles, one A&D book is maintained for receivers only and one A&D book is maintained for gunsmithing. There were open entries in the A&D books which did not coincide with 60 the firearms in physical inventory. Upon reconciling the A&D books it was discovered that the licensee failed to record the disposition of a firearm in instances and was cited under 27 CFR 478.125(e). {Ref. Worksheets, ROV and Exhibit 1}.

The licensee is well aware of the procedure for returning a repaired firearm and stated that he would never return a repaired firearm to anyone other than the person who he received it from.

Invoices were available for review for the inspection period and were compared to the licensee's A&D record.

 Name:
 Cobra One Tactical, LLC
 UI#:
 769020-2017-0076-B1B

 Trade Name:
 None
 FFL#:
 8-22-041-01-7D-01528

Secondary Market Analysis was conducted, six used firearms were run though NCIC and ETrace with no hits. Hardcopy of worknote is in the area office file.

No other discrepancies were disclosed.

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

FFL is retaining records for the prescribed period. There were discrepancies. Of the for the inspection period, all were reviewed and there were discrepancies. Of the forms reviewed, it was determined that the licensee "Failed to Properly Execute of the forms." Specifically, the licensee failed to properly execute ATF F 4473 in instances #20a "identification" was left blank. The licensee was cited under 27 CFR 478.124(c)(3)(i). Additionally, In instance #21a "NICS date" ERROR. The Licensee was cited under 27 CFR 478.124(c)(3)(iv). In instances #1 was not completed in full "middle name left out" BLANK and in instance each #'s 3, 4 and 5 were left BLANK. The Licensee was cited under 27 CFR 478.124(c)(1). {Ref. Worksheets, ROV and Exhibit 2}.

There were no transfers of "duty weapons" to Law Enforcement Officers.

firearms that were acquired and disposed for the inspection period were traced from acquisition to disposition via ATF F's 447s, invoices and the bound book. There were no discrepancies. There were no discrepancies on the remaining forms.

There FFL's on hand to review for the inspection period.

NICS checks were conducted as required. There were no denials for the inspection period; the licensee has a separate file set up for denials.

#### 6 - Multiple Sales

There were no multiple sales for the inspection period.

#### 7 - Suspicious/Prohibited Purchasers

There were no suspicious or prohibited purchasers disclosed during the inspection period.

### 8 - Trace Activity

For the period of 1/10/16 through 1/10/17, there were no traces nor were there any unresolved traces.

 Name:
 Cobra One Tactical, LLC
 UI#:
 769020-2017-0076-B1B

 Trade Name:
 None
 FFL#:
 8-22-041-01-7D-01528

There were no instances of Theft/Loss reports for this FFL during this inspection period. No Theft/Loss reports were filed as a result of this inspection.

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

This FFL does not conduct operations as an Importer, Collector nor does he deal in NFA firearms. The licensee does hold a Type 07 manufacturer's license which was inspected under UI# 769020-2017-0104-B1B. The licensee also hold a Type 06 manufacture of ammunition license which was not inspected, however, the licensee stated that he has never used the Type 06 license.

#### 10 - Referrals

No referrals were generated as a result of this inspection.

#### 11 - Other

Child safety locks are available. YHGSA poster was posted, pamphlets were available.

The FFL's email address is cobraonetactical@yahoo.com.

Licensee stated that he did attend the FFL seminar held by ATF in May 2016.

# 12 - Closing Actions

On 1/12/17, Investigator (b)(6) held a closing conference with the licensee. During said closing conference, the following topics were discussed at length with him: record keeping, inventory control, NICS, licensing/change in control, gunsmithing, prohibited sales and retention of records. The licensee was issued a Report of Violations which he signed. The Acknowledgement of Federal Firearms Regulations was reviewed, point by point and signed by the licensee (Exhibit 3). Additionally, the notice regarding selling firearms after expiration, revocation or surrender of FFL was reviewed with and provided to the licensee. The licensee was advised as to how to acquire current the Federal Firearms Regulations on the ATF website.

This Investigator's business card and AO/CE contact information was left with the licensee in the event that he requires assistance.

#### 13 - Violations

1. 27 CFR 478.124(c)(3)(i) – Records and Reports.

 Name:
 Cobra One Tactical, LLC
 UI#:
 769020-2017-0076-B1B

 Trade Name:
 None
 FFL#:
 8-22-041-01-7D-01528

**Nature of Violation:** Licensee failed to accurately complete ATF F 4473. Specifically, #20a "identification" was left blank on forms.

**Corrective Action:** Licensee maintains photocopies of purchaser's identification, therefore he was able to correct the forms.

**Licensee's Response:** Licensee stated that he did not intentionally fail to record the required information; he further stated that he was careless and will pay close attention to detail in the future.

## 2. 27 CFR 478.125(e) – Records and Reports.

Nature of Violation: Licensee failed to record the disposition of a firearm in a timely manner. In instances, the licensee neglected to log firearms out of his A&D record.

**Corrective Action:** Licensee was able to use the ATF F's 4473 in order to log the firearms out.

**Licensee's Response:** Licensee stated that he did not intentionally fail to record the disposition of firearms; he further stated that he was careless and will pay close attention to detail in the future.

#### 3. 27 CFR 478(c)(3)(iv) - Records and Reports.

**Nature of Violation:** Failure to properly execute ATF F 4473. In "NICS date" ERROR.

**Corrective Action:** Licensee was advised to correct the NICS transaction date using the NICS transaction log.

**Licensee's Response:** Licensee stated that he did not intentionally enter the wrong date in error and will be more careful in the future.

#### 4. 27 CFR 478.124(c)(1) – Records and Reports.

**Nature of Violation:** Failure to properly execute ATF F 4473. In instances #1 was not completed in full "middle name left out" BLANK and in instance each #'s 3, 4 and 5 were left BLANK.

Corrective Action: Uncorrectable. Traceability not affected.

**Licensee's Response:** Licensee stated he will be more careful in the future when reviewing the forms.

 Name:
 Cobra One Tactical, LLC
 UI#:
 769020-2017-0076-B1B

 Trade Name:
 None
 FFL#:
 8-22-041-01-7D-01528



**Industry Operations Investigator** 

#### **Index of Worksheets and Exhibits**

## **Included with this report**

Firearms Worksheets. Report of Violations.

Hardcopy of worknote in the A/O file.

### **Index of Exhibits**

Exhibit 1 - A&D record violations.

Exhibit 2 - ATF F 4473 violations.

Exhibit 3 - Acknowledgement of Federal Firearms Regulations.

 Name:
 Cobra One Tactical, LLC
 UI#:
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 Trade Name:
 None
 FFL#:
 8-22-041-01-7D-01528