

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Madison Sporting Goods & Pawn Inc 169 SW Range Ave Madison, FL 32340, Madison	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 767065-2016-0193-B1B		
	3. PERMIT/LICENSE NUMBER 159079026M30480	4a. TARGET DATE 6/16/2016	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), Acting Area Supervisor, 05/16/2016

8. PURPOSE/SPECIAL INSTRUCTIONS  
Conduct a compliance inspection

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	2	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	11	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: 08/25/2016  
Senior Investigator (b) (6) cited two (2) violations and recommends a report of violations only and no recall inspection. This is an alternate recommendation to a warning letter.  
Viols ROV ONLY No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b) (6)		
AUG 2016	35.00		
ATF OFFICER'S SUBTOTAL	35.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	35.00		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

The Area Supervisor does not concur with the recommendation of the IOI to issue an ROV only. A Warning Letter (No Recall Inspection) is recommended by the Area Supervisor as a result of the violations cited during the inspection for the following reasons:

- 1) The licensee was cited for two violations, both of which on their own would be the basis for the issuance of a Warning Letter;
- 2) Although this is the licensee's first inspection, there have not been any changes in the responsible persons; therefore, the responsible person was present for the original onsite qualification inspection and aware of the regulatory requirements; and
- 3) The licensee has previously submitted the ATF Form 3310.4 Report of Multiple Sales or Other Dispositions of Pistols and Revolvers; therefore, the responsible person was aware of the requirement to submit the ATF Form 3310.4.

Viols WL ONLY and No Recall Inspection

<input checked="" type="checkbox"/> REVIEWED	<input type="checkbox"/> CONCUR	<input checked="" type="checkbox"/> SEE COMMENTS	<input checked="" type="checkbox"/> FINAL DISPOSITION
SIGNATURE AND TITLE (b) (6) Area Supervisor		REVIEW DATE 08/30/2016	
March 11 2019 Document Production		742	

## Assignment and Report

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	3. PERMIT/LICENSE NUMBER 159079026M30480	4a. TARGET DATE 6/16/2016	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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 Madison Sporting Goods & Pawn Inc.	Street Address 169 SW Range Ave	City Madison	State FL	Zip Code 32340-	County Madison	Page 1 of 1 Pages
License/Permit/Registry Number (If any) 159079026M30480		Expiration Date 12/1/2016	Date(s) or Period of Inspection 08/09/2016 through 08/10/2016			

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:  
§ 87(3)-Public Law instances, the licensee sold or otherwise disposed of a firearm to an individual having reasonable cause to believe the person was prohibited from receiving the firearm. Item 11c, “Have you ever been convicted in any court of a felony, or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation?” was checked “Yes” or § 87(3)-Public Law 112-56 (126 Stat. 662) 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 was advised not to transfer a firearm to an individual who has answered “Yes” to a prohibiting question on the ATF Form 4473. The licensee was also advised to have a secondary review completed of the form, prior to the transfer of a firearm, to ensure the form is complete and correct.

Number: 2

Nature of Violation:  
In § 87(3)-Public instance, the licensee failed to prepare a Report of Multiple Sale or Other Disposition of Pistols and Revolvers, ATF F 3310.4, as required.

Citation: 27 CFR 478.126a

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

Corrective Action to be Taken:  
(If not corrected immediately)

ATF Form 3310.4 was completed on August 10, 2016. The licensee was advised to prepare the Report of Multiple Sale whenever he sells or disposes of two (2) or more pistols and revolvers to the same unlicensed person at one time or during five (5) consecutive business days.

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

Date

Signature and Title of ATF Officer  
March 11 2019 Document Production 744

Date

For Official Use Only

ATF E-Form 5030 5  
Revised April 2005



**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

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Tampa Field Division

*Jacksonville, FL 32256*

August 30, 2016

767065: (b) (6)  
5373

**WARNING LETTER**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Madison Sporting Goods & Pawn Inc.  
702 South Duval Avenue  
Madison, FL 32340

Reference: FFL #1-59-079-02-6M-30480

Dear Mr. Visconti:

During a recent compliance inspection of your firearms business at 169 SW Range Avenue, Madison, Florida, covering the period of August 9, 2015 through August 8, 2016, you were cited for two (2) violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF Form 5030.5, issued at the time of the inspection, is enclosed.

The violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives 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.

Madison Sporting Goods & Pawn Inc.  
Reference: FFL #1-59-079-02-6M-30480

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 regarding this matter, please contact Investigator (b) (6) at (b) (6).

Sincerely yours,

(b) (6)

Area Supervisor

cc: FFLC  
Jacksonville Area Office

Attachment

# FIREARMS INSPECTION REPORT

Name: Madison Sporting Goods & Pawn Inc.  
Trade Name: N/A

UI#: 767065-2016-0193-B1B  
FFL#: 1-59-079-02-6M-30480

Address: 169 SW Range Avenue  
Madison, FL 32340 (Madison)

## 1 - Introduction

### Inspection Profile:

On August 9, 2016, Senior Investigator (b)(6) initiated an onsite disposition emphasis inspection. The onsite days for the inspection were August 9, and August 10, 2016. Daryl (Glenn) Frith, President, and (b)(6) Jr., Manager, were interviewed in connection with the inspection. The inspection period covered during this review was August 9, 2015, to August 8, 2016. Advance notification was provided to ensure the licensee was available during Senior Investigator's (b)(6) temporary duty assignment (TDY) travel status.

### Business Profile:

The licensee operates a sporting goods store in a commercial building located in downtown Madison, Florida. The business sells firearms, hunting and fishing equipment, bait and other sporting goods. The business hours are 8:00 a.m. to 5:30 p.m., Monday through Friday, and 8:00 a.m. to 3:00 p.m. on Saturday. The Type 02 pawnbroker license was issued in November of 2013.

In the last year, the licensee acquired and disposed of approximately (b)(4) firearms. The licensee estimates an even distribution of handgun and long gun transfers. The licensee estimates (b)(4) percent of sales are new firearms with (b)(4) percent involving used or pawned firearms. The business does gunsmithing onsite as well. The business does not have a special occupational tax (SOT) stamp for dealing in National Firearms Act (NFA) weapons.

The licensee is in compliance with state/local law and has the appropriate licenses. The licensee does not sell firearms at gun shows. The licensee does not do business over the Internet but will conduct transfers for individuals. There is no offsite storage.

### Ownership and Control:

There have been no changes in ownership or control. The licensee continues to operate as a domestic for profit corporation. Daryl Frith, President, and Revonda Frith, Vice President, are the only responsible persons associated with the Federal firearms license. A query of the Florida Department of State, Division of Corporations, online public inquiry revealed Mr. Frith as the only corporate officer.

# FIREARMS INSPECTION REPORT

**Name:** Madison Sporting Goods & Pawn Inc.  
**Trade Name:** N/A

**UI#:** 767065-2016-0193-B1B  
**FFL#:** 1-59-079-02-6M-30480

Mr. Frith stated he was going through a divorce and is in the process of buying out his wife's share of their businesses. In addition, Mr. Frith stated (b)(6) primarily runs the sporting goods store and he oversees several businesses they operate in Madison. Mr. Frith was advised to add his son as a responsible person and remove Ms. Frith once the sale is completed. Senior Investigator (b)(6) mailed fingerprint cards and instructions to Mr. Frith on August 25, 2016.

A criminal history query on Daryl Frith Jr. was negative. No hidden ownership was discovered.

## Variance:

The licensee does not hold any variances and maintains a written A&D Record.

## 2 - Recommendation

Senior Investigator (b)(6) cited two (2) violations and recommends a report of violations only and no recall inspection. This is an alternate recommendation to a warning letter.

## 3 - Inspection History

The licensee's only inspection is the qualification inspection listed below.

**Date of Inspection:** 10/10/2013  
**Type of Inspection:** Qualification Inspection  
**UI#:** 767065-2013-0311-B1B  
**Inspection Results:** Application Approved  
**Cited Violations:** None

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

The A&D Record is in the proper format. A full inventory was conducted where each firearm in inventory was compared to the A&D Record. There were 208 firearms in inventory and (b)(3)-11 open dispositions. No discrepancies were noted.

(b)(3)-112 Public Law 55 125 50 disposition entries from the A&D Record were traced to ATF Forms 4473. ATF Forms 4473 were traced to the A&D Record to ensure the firearms were properly recorded in the A&D Record. No discrepancies were noted during either check.

No thefts or losses occurred during the inspection period or as a result of the inspection. No potential trafficking indicators were noted during the A&D Record review.



# FIREARMS INSPECTION REPORT

**Name:** Madison Sporting Goods & Pawn Inc.  
**Trade Name:** N/A

**UI#:** 767065-2016-0193-B1B  
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## 5 - ATF Forms 4473 – NICS & Other Dispositions

Approximately [REDACTED] ATF Forms 4473 were on file for the review period according to the number of background checks associated with the licensee over the previous twelve (12) months. Each of the forms was reviewed for completeness and accuracy.

[REDACTED] ATF Forms 4473 were discovered where the purchaser checked “Yes” to item 11c (**Worksheet 2 and Exhibit 1**). The licensee was cited for a violation of 27 CFR 478.99(c), ATF EF 5030.5 reference number 1. Senior Investigator (b)(6) conducted criminal history queries on the [REDACTED] transferees to ensure they were not prohibited. No disabling convictions were discovered for either individual. No other violations were cited except for failing to file a multiple sale report listed below in Section – 6.

The licensee maintains the ATF Forms 4473 in chronological order and separately retains in chronological order the Forms 4473 with respect to which a sale, delivery or transfer did not take place. Transfers to other licensees are properly recorded in the A&D Record. No transfers to law enforcement officers were made under the provisions of 27 CFR 478.134.

A query of the Firearm Eligibility System (FES) maintained by the Florida Department of Law Enforcement (FDLE) was conducted in order to obtain a list of approval/denial numbers for the inspection period. Seventy-five (75) approval/denial numbers were compared to ATF Forms 4473 by date. No discrepancies were noted.

## 6 - Multiple Sales

An eTrace query revealed [REDACTED] multiple sales involving [REDACTED] handguns for the inspection period. [REDACTED] unreported multiple sale, involving [REDACTED] firearms, was discovered during the review of ATF Forms 4473 (**Worksheet 2**). The licensee was cited for a violation of 27 CFR 478.126a, ATF EF 5030.5 reference number 2. A copy of the completed Report of Multiple Sales, ATF F 3310.4, is attached (**Exhibit 2**).

## 7 - Suspicious/Prohibited Purchasers

One (1) suspicious/prohibited purchaser was discovered during the inspection for further investigation. The individual received a conditional non-approval during the background check. The firearm was subsequently transferred six (6) days later to another individual residing at the same address. A criminal history query on the individual receiving the non-approval did not show any prohibiting convictions. No referral was generated based on the prosecutorial merit.

## 8 - Trace Activity



## FIREARMS INSPECTION REPORT

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FFL#: 1-59-079-02-6M-30480

An eTrace query revealed (b)(3) - 112 Public Law traces for the inspection period. Each of the traces was successfully completed. A secondary market exam was conducted to ensure firearms in inventory were not reported stolen or previously traced. Five (5) firearms were queried in NCIC and eTrace and no problems were noted.

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

The licensee is not involved in any of the activities listed in this section.

### 10 - Referrals

No referrals were generated.

### 11 - Other

The licensee is in compliance with the Youth Handgun Safety Act and has secure gun storage/safety devices available for sale. The requirements of the Child Safety Lock Act of 2005 were reviewed with Mr. Frith.

The licensed premises are not located within 1000 feet of a school. No safety concerns were noted. Criminal history queries did not disclose any disabling convictions for Mr. Frith or Ms. Frith, the two responsible persons. An additional four (4) criminal history queries were conducted (listed in the report in Sections 1, 5 and 7) bringing the total to six (6).

### 12 - Closing Actions

The Acknowledgement of Federal Firearms Regulations (Exhibit 3) was reviewed with the Mr. Frith on August 10, 2016, and he certified same. A business card was supplied and he was encouraged to call the ATF Office if he had any questions in the future. The Report of Violations, ATF EF 5030.5, was sent to the licensee via email on August 22, 2016. Mr. Frith signed and returned the form on August 23, 2016.

### 13 - Violations

1. 27 CFR 478.99(c) – Sales or deliveries to prohibited categories of persons.

Nature of Violation – In (b)(3) - 112 Public Law instances, the licensee sold or otherwise disposed of a firearm to an individual having reasonable cause to believe the person was prohibited from receiving the firearm. Item 11c, "Have you ever been convicted in any court of a felony, or any other crime, for which the judge could have imprisoned you for more

## FIREARMS INSPECTION REPORT

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than one year, even if you received a shorter sentence including probation?" was checked "Yes" on (b)(3) - 112 Public ATF Forms 4473.

**Licensee's Response** – Mr. Frith, President, stated "We need to do a better job of checking these forms before selling the firearms."

**Corrective Action** – The licensee was advised not to transfer a firearm to an individual who has answered "Yes" to a prohibiting question on the ATF Form 4473. The licensee was also advised to have a secondary review completed of the form, prior to the transfer of a firearm, to ensure the form is complete and correct.

### Reference Worksheet 2 and Exhibit 1

#### 2. 27 CFR 478. 126a – Reporting multiple sales or other disposition of pistols and revolvers.

**Nature of Violation** – In (b)(3) - 112 Public instance, the licensee failed to prepare a Report of Multiple Sale or Other Disposition of Pistols and Revolvers, ATF F 3310.4, as required.

**Licensee's Response** – Mr. Frith, President, stated "That was a mistake and we will make sure they are completed from now on."

**Corrective Action** – ATF Form 3310.4 was completed on August 10, 2016. The licensee was advised to prepare the Report of Multiple Sale whenever he sells or disposes of two (2) or more pistols and revolvers to the same unlicensed person at one time or during five (5) consecutive business days.

### Reference Worksheet 2 and Exhibit 2

X

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Industry Operations Investigator

## FIREARMS INSPECTION REPORT

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Trade Name: N/A

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### Index of Worksheets and Exhibits

Report of Violations

Worksheets

Alternate Recommendation

Exhibits

1. ATF Forms 4473 documenting Violation #1
2. Report of Multiple Sale documenting Violation #2
3. Acknowledgement of Federal Firearms Regulations