

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Karas, Frank Frank's Guns 9103 River Rd. Marcy, NY 13403, Oneida		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 765075-2016-0061-B1B		
		3. PERMIT/LICENSE NUMBER 616065017E10897	4a. TARGET DATE 3/31/2016	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		
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, 12/31/2015				
8. PURPOSE/SPECIAL INSTRUCTIONS Conduct DE and follow up on straw purchase, coordinate with CE. Case information to follow. Contact A/S before field work.				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	1	NO. OF REFERRALS	5	10. TRAVEL EXPENSES (OPTIONAL)
NO. OF TECS CHECKS	172	NO. OF TECS HITS		2111 - PER DIEM
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2112 - P.O.A.
		\$ VALUE OF TAX DECREASES		2113 - COMM. AIR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2114 - RENTAL CAR
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2115 - GPV EXPENSES
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		2116 - MISC.
				TOTAL \$ FOR INSP.
11. ATF OFFICER'S RECOMMENDATION Submitted by (b)(6) - Investigator Submitted on: 09/07/2016 Violts WL ONLY and No Recall Inspection				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)		
JUL 2016	45.00			
AUG 2016	30.00			
SEP 2016	4.00			
ATF OFFICER'S SUBTOTAL	79.00	ATF OFFICER'S SIGNATURE		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)		
JUL 2016	43.00			
AUG 2016	18.00			
ATF OFFICER'S SUBTOTAL	61.00	ATF OFFICER'S SIGNATURE		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)		
JUL 2016	27.00			
ATF OFFICER'S SUBTOTAL	27.00	ATF OFFICER'S SIGNATURE		
TOTAL HOURS	167.00			

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Adverse Action: ^{(b)(6)} Multiple sales were not reported timely. WL sent 9-09-16

Viols WL ONLY and No Recall Inspection

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Area Supervisor

(b)(6)

Digitally signed by (b)(6)
DN: cn=(b)(6), o=ATF, ou=ATF
Date: 2016.09.09 15:05:00 -0400

REVIEW DATE

09/09/2016

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 Karas, Frank Frank's Guns	Street Address 9103 River Rd.	City Marcy	State NY	Zip Code 13403-	County Oneida	Page 1 of 1 Pages
License/Permit/Registry Number (If any) 616065017E10897		Expiration Date 5/1/2017	Date(s) or Period of Inspection 07/25/2016 through 08/19/2016			

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:

In (b)(3) 112 Public instances, the licensee sold or otherwise disposed of 2 or more handguns, at one time or during five consecutive business days, to an unlicensed person and failed to prepare/submit ATF Form 3310.4, Report of Multiple Handgun Sales for purchaser's (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Citation: 27 CFR 478.126a

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee immediately submitted ATF Form 3310.4, Report of Multiple Handgun Sale form for purchaser's (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

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

Date

8/19/2016

Signature and Title of

(b)(6)

Investigator

Date

8/19/2016

For Official Use Only April



U.S. Department of Justice
Bureau of Alcohol, Tobacco,

Firearms and Explosives

Buffalo II IO Field Office
598 Main Street, suite 200
Buffalo, NY 14202

September 09, 2016

www.atf.gov

Karas, Frank
Frank's Guns
9103 River Rd.
Marcy, NY 13403
RE: 616065017E10897

Dear Mr. Karas:

During a recent inspection at your firearms business covering the period July 2015 to July 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). You indicated that you understood the requirements of the 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.

Karas, Frank

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 (b)(6), Area Supervisor at (b)(6).

Sincerely yours,

(b)(6)

Enclosure

cc: Federal Firearms Licensing Center
Buffalo II (IO) Field Office

FIREARMS INSPECTION REPORT

Name: Karas, Frank

UI#: 765075-2016-0061-B1B

Trade Name: D/b/a Franks Guns

FFL#: 6-16-065-01-7E-10897

Address: 9103 River Rd.
Marcy, NY 13403

1 - Introduction

Inspection Profile:

On July 25, 26, 27, & 29, 2016, Industry Operations Investigators (IOI's) (b) (6) of the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), conducted an unannounced DE compliance investigation of Federal Firearms Licensee (FFL) Frank Karas D/b/a Frank's Guns. FFL and Owner, Frank Karas (NYS DL # (b) (6)) was present and interviewed during this inspection. This inspection was concluded on August 19, 2016 due to IOI (b) (6) vacation.

The inspection period covered was from July 25, 2015 through July 25, 2016. The scope of the inspection was to conduct a DE Compliance and follow up on a straw purchase.

The closing conference was conducted and a Report of Violations was issued on August 19, 2016. The licensee was cited for the following violation:

1: 27 CFR 478.126(a) (b) (6) instances).

Business Profile:

Frank Karas, D/b/a Frank's Guns has maintained a Type 01 Dealer in Federal Firearms License since 1981. This is the fourth compliance inspection for this licensee.

A review of the acquisition and disposition (A&D) records and ATF Forms 4473 on file revealed that during the last 12 months the licensee had acquired approximately (b) (4) firearms and disposed of approximately (b) (4) firearms. The licensee does not sell any firearms wholesale. The licensee sells at two gun shows a year both located in Syracuse, NY.

The licensee maintains all firearms available for sale in several different gun safes as well as gun racks and counters, in addition to two other rooms located on the residential business premises. The licensee was in compliance with applicable state, city and county zoning laws and ordinances. There was no off-

FIREARMS INSPECTION REPORT

Name: Karas, Frank

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site storage.

Additionally, IOI (b) (6) verified that the licensee had the required New York State Dealer in Firearms License, (#DLR-63) as required by state law. (See Exhibit 13.)

Ownership and Control:

Frank Karas, D/b/a Frank's Guns has maintained a Type 01 Dealer in Federal Firearms License since 1981. IOI (b) (6) queried the Federal Licensing System and determined that Mr. Karas is the sole Owner/ Responsible person for this license in his name. (Exhibit 11.)

The inspection did not reveal any changes in ownership or any indication of hidden ownership. IOI (b) (6) determined that this licensee is actively engaged in the business and that the license is valid until May 1, 2017. (Exhibit 12.) Additionally, Frank's Guns is registered as a business with the New York State Department of Taxation and Finance under ID# (b)(3) - 26 USC 6103. (Exhibit 10.) IOI (b) (6) ran a CCH check on Mr. Karas and no hits were discovered. (Exhibit 14.)

Variance:

The licensee does not have any variances nor does require one at this time.

2 - Recommendation

IOI (b) (6) recommends Violations, Warning Letter Only and no Recall Inspection.

3 - Inspection History

This is the fourth compliance inspection since the licensee obtained their Type 01 Dealer in Federal Firearms License in 1981.

Date and Type of Inspection: June 16 through July 20, 2011. Recall Compliance Investigation.

UI#: 765075-2010-0295-B1B

Inspection Results: No Further Action Recommended.

Cited Violations: None.

Date and Type of Inspection: 6/2/2009. Compliance Inspection.

UI#: 765075-2009-0293-B1B

Inspection Results: Violations Warning Conference with Warning Letter and Recall.

FIREARMS INSPECTION REPORT

Name: Karas, Frank

UI#: 765075-2016-0061-B1B

Trade Name: D/b/a Franks Guns

FFL#: 6-16-065-01-7E-10897

Cited Violations: 27 CFR 478.125(e), 262 instances. 27 CFR 472.21(a) (b)(3) instance.

Date and Type of Inspection: 2/9/2000. Compliance Inspection.

UI#: 762040-2000-0217-B1B.

Inspection Results: No Violations No Further Action.

Cited Violations: None.

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

At the time of the compliance inspection the licensee was maintaining 1142 firearms in inventory. IOI's (b)(6) reviewed the Acquisition & Disposition (A&D) Record. There were 1142 firearms in inventory, and there were (b)(3) open entries in the A&D record. There were no discrepancies in the inventory.

5 - ATF Forms 4473 – NICS & Other Dispositions

There were (b)(3) ATF Forms 4473 on file for the period of investigation. The licensee last conducted a Firearms disposition in August of 2016. There was one denied transaction during the inspection period. There were zero NICS discrepancies identified. There were 93 NICS Checks conducted utilizing the FFL Audit Report Log. No discrepancies were noted. IOI (b)(6) verified that the licensee was maintaining the one denial as required in a separate folder.

6 – Multiple Sales

There were (b)(3) multiple handgun sale reports for the investigation period. IOI (b)(6) identified (b)(3) unreported multiple handgun sales involving (b)(3) handguns that were discovered while reviewing ATF Forms 4473. IOI (b)(6) assisted Mr. Karas on July 26, 2016 in completing and submitting the required multiple sale forms to the required authorities. The forms contained information on pistols that were transferred during the inspection period. Through a review of the ATF Forms 4473, IOI (b)(6) verified that the licensee had not completed these (b)(3) ATF Forms 3310.4 as required and identified these (b)(3) instances where the licensee failed to complete an ATF Form 3310.4 as required. As a result of this information, an ATF Form 5030.5, Report of Violations was generated and given to this licensee. (Reference Worksheet 2 and ATF Form 5030.5, Report of Violations.)

7 – Suspicious/Prohibited Purchasers

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Trade Name: D/b/a Franks Guns

FFL#: 6-16-065-01-7E-10897

Four suspicious purchasers were identified as being potential non-licensees engaged in the business of dealing firearms without a Federal Firearms License. Four referrals were submitted to (b) (6) Supervisor, New York Field Division, for informational purposes. See ATF Forms 5000.21, Referral of Information, for more information. (Reference Referrals and Exhibits 2-9.) The four individuals were as follows:

1. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]

IOI (b) (6) ran CCH Checks on all four individuals and no hits were discovered. (Exhibits 3, 5, 7, 9.)

8 – Trace Activity

According to the Violent Crime Analysis Branch query results, the licensee was associated with (b)(3) - 112 firearm trace requests during the last 12 months. Both firearms were successfully traced to this dealer. There have not been any unsuccessful firearms traces associated with this dealer in the past 12 months.

9 - NFA/Importer/Collector/Manufacturer

The FFL does not engage in the business of NFA Firearms or Importing, Manufacturing or Collecting Firearms.

10 - Referrals

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(Exhibits 3, 5, 7, 9.)

11 - Other

IOI (b) (6) observed that the licensee had the Youth Handgun Safety Act (YHSA) poster displayed at the licensed premises and will be providing handgun purchasers with the required YHSA notice pamphlets. The licensee understands the requirements of the Child Safety Lock Act of 2005. All handguns purchased are provided with locks.

Additionally, IOI (b) (6) verified with Syracuse Criminal Enforcement ATF Special Agent (S/A) (b) (6) that there was no ongoing investigation regarding the suspected straw purchase. Agent (b) (6) said that there was no active investigation and that there was only an initial interview and that the case was closed.

12 - Closing Actions

A closing conference was conducted on August 19, 2016. IOI's (b) (6) and licensee Frank Karas were present at the closing conference. The licensee was cited for one violation. The Acknowledgement of Federal Firearms Regulations was reviewed with Mr. Karas. The Acknowledgement was signed by Mr. Karas during the closing conference. (See Exhibit 1.)

13 - Violations

1. 27 CFR 478.126(a)

Nature of Violation: In (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) instances, the licensee sold or otherwise disposed of (b)(3) or more handguns, at one time or during five consecutive business days, to an unlicensed person and failed to prepare/submit ATF Form 3310.4, Report of Multiple Handgun Sales for purchaser's (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6).

Licensee's Response: Licensee indicated that they had attempted to send the Multiple Sales via fax and were given a busy signal. Licensee did not attempt to follow through after the initial busy signal was given.

Corrective Action: The licensee immediately submitted ATF Form 3310.4, Report of Multiple Handgun Sale form for purchasers (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

FIREARMS INSPECTION REPORT

Name: Karas, Frank

UI#: 765075-2016-0061-B1B

Trade Name: D/b/a Franks Guns

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<div>X</div>	Investigator	8/30/2016
Signature	Title	Date of Report

Index of Worksheets and Exhibits

WORKSHEETS:

- **INFORMATIONAL AND STATISTICAL PAGE**
- **WORKSHEET 1-INVENTORY AND A&D REVIEW**
- **WORKSHEET 2-ATF FORM 4473 (2008 EDITION)**
- **WORKSHEET 3-ATF FORM 4473 (2012 EDITION)**
- **STATISTICAL PAGE**

EXHIBITS:

- **Exhibit 1-"Acknowledgement of Federal Firearms Regulations."**
- **Exhibit 2-(b) (6) Referral Guns List.**
- **Exhibit 3 (b) (6) Referral Criminal History Query.**
- **Exhibit 4 (b) (6) Referral Guns List.**
- **Exhibit 5-(b) (6) Referral Criminal History Query.**
- **Exhibit 6-(b) (6) Referral Guns List.**
- **Exhibit 7 (b) (6) Referral Criminal History Query.**
- **Exhibit 8-(b) (6) Referral Guns List.**
- **Exhibit 9-(b) (6) Referral Criminal History Query.**
- **Exhibit 10-NY State Dealer in Firearms License.**
- **Exhibit 11-Federal Licensing System (FLS) Query.**

FIREARMS INSPECTION REPORT

Name: Karas, Frank

UI#: 765075-2016-0061-B1B

Trade Name: D/b/a Franks Guns

FFL#: 6-16-065-01-7E-10897

- **Exhibit 12-ATF Federal Firearms License.**
- **Exhibit 13-New York State Department of Taxation and Finance.**
- **Exhibit 14-(b) (6) Criminal History Query.**