

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) MAJESTIC ARMS LTD 101 A ELLIS ST STATEN ISLAND, NY 10307, RICHMOND	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 765060-2017-0036-B1B		
	3. PERMIT/LICENSE NUMBER 613085079B00054	4a. TARGET DATE 9/30/2017	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, 10/01/2016

8. PURPOSE/SPECIAL INSTRUCTIONS  
Conduct mandatory 5 year manufacturer inspection. Verify AFMER

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	9	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

Sub on: 03/15/2017  
IOI (b)(6) conducted an unannounced 5 year manufacturer of firearms compliance inspection. A closing conference was held on 03/03/2017. Majestic Arms was cited for two violations:

27 CFR 478.124(c)(1)  
Licensee failed in (b)(6) total instances to obtain a completed and/or accurate ATF form 4473 prior to transferring a firearm to a non-licensee.

27 CFR 478.124(c)(3)(iv)  
Licensee failed in (b)(6) instance to record the initial response provided by NICS on ATF form 4473 prior to the transfer of a firearm to a non-licensee.

Joanne Lally (RP), changed her last name to Longueira in 2001. The Federal Licensing System (FLS) should be updated to reflect that change.

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
FEB 2017	34.00		
MAR 2017	18.00		
ATF OFFICER'S SUBTOTAL	52.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	52.00		

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### 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) - Industry Operations Investigat (b)(6)	REVIEW DATE 03/15/2017
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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 MAJESTIC ARMS LTD	Street Address 101 A ELLIS ST	City STATEN ISLAND	State NY	Zip Code 10307-	County RICHMOND	Page 1 of 2 Pages
License/Permit/Registry Number (If any) 613085079B00054		Expiration Date 2/1/2019	Date(s) or Period of Inspection 02/21/2016 through 02/21/2017			

### 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 in (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) instances to obtain a completed and/or accurate ATF Form 4473 prior to transferring a firearm to a non-licensee.

- In (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) instances, the licensee failed to obtain a signature and date from the non-licensee on ATF Form 4473, Section A, items 16 and 17, prior to the transfer of a firearm. (ATF Forms

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

- In (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) instance, the licensee transferred a firearm to a non-licensee, who at the time of the transfer appeared to be prohibited from possessing a firearm. The non-licensee answered "yes" to item 11K on ATF Form 4473. (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Date Corrections to be Made: 03/03/2017

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Prior to making an over-the-counter transfer of a firearm to a non-licensee who is a resident of the State in which the licensee's business premises is located, the licensed manufacturer, so transferring the firearm shall obtain a Form 4473 from the transferee showing the transferee's name, sex, residence address, date and place of birth; height, weight and race of the transferee; the transferee's country of citizenship; the transferee's INS-issued alien number or admission number; the transferee's State of residence; and certification by the transferee that the transferee is not prohibited by the Act from transporting or shipping a firearm in interstate or foreign commerce or receiving a firearm which has been shipped or transported in interstate or foreign commerce or possessing a firearm in or affecting commerce.

Citation: 27 CFR 478.124(c)(1)

## Report of Violations

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Name of Proprietor MAJESTIC ARMS LTD	Street Address 101 A ELLIS ST	City STATEN ISLAND	State NY	Zip Code 10307-	County RICHMOND	Page 2 of 2 Pages
License/Permit/Registry Number (If any) 613085079B00054		Expiration Date 2/1/2019		Date(s) or Period of Inspection 02/21/2016 through 02/21/2017		

### Inspection Results

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

Number: 2

#### Nature of Violation:

Licensee failed on (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) occasion to record the initial response provided by NICS on ATF Form 4473 section B, item 21C, prior to the transfer of a firearm to a non-licensee.

Date Corrections to be Made: 02/23/2017

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

After the transferee has executed the Form 4473, the licensee shall comply with the requirements of § 478.102 and record on the form the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system.

Citation: 27 CFR 478.124(c)(3)(iv)

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

Date

3-3-17

Signature and Title of ATF Officer

Date

03-03-17

April 9 2017

(b)(6)

Industry Operations Investigator



**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*32 Old Slip, Suite 3500, New York, NY 10005*

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*March 15, 2017*

[www.atf.gov](http://www.atf.gov)

765060 (b)(6)  
5700

Majestic Arms Ltd  
101A Ellis Street  
Staten Island, NY 10307

RE: 613085079B00054

Dear Mr. & Mrs. Longueira:

During a recent inspection at your firearms business covering the period February 2016 to February 2017 you were cited for violation of Title 27, Code of Federal Regulations, Part 478.

A copy of Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you or your designated responsible person by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator(s). You or your responsible person 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.

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.

Majestic Arms Ltd

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

Sincerely yours,

(b)(6)

Acting Area Supervisor

Enclosure

c: Federal Firearms Licensing Center  
New York VI (IO) Field Office



# FIREARMS INSPECTION REPORT

**Name:** Majestic Arms Ltd.  
**Trade Name:**

**UI#:** 765060-2017-0036 B1B  
**FFL#:** 6-13-085-07-9B-00054

**Address:** 101 A Ellis Street  
Staten Island, NY 10307

## 1 - Introduction

### Inspection Profile:

On February 21, 2017, Industry Operations Investigator (IOI) (b)(6) conducted an unannounced compliance inspection of Majestic Arms Ltd. The inspection was for Majestic Arms' ATF Type 07 Manufacturing of Firearms license (6-13-00054). Present and interviewed were Dino Longueira, President and Joanne Longueira, Vice Present, both presented their New York State driver's licenses as identification.

The inspection period was February 21, 2016 through February 21, 2017.

The inspection concluded on March 3, 2017.

### Business Profile:

Majestic Arms Ltd. is a firearms manufacturing company that specializes in custom handgun parts for competitive shooting. The licensee sells upgrade parts (grips, sights, triggers, speed strip kits) for Ruger handguns. The licensee also sells firearms (handguns & long guns) to the general public through appointments. The business premises is located in a small garage/warehouse in Staten Island, NY. Mr. Longueira stated that Majestic Arms Ltd. deals in (b)(4)% new and (b)(4)% used firearms. In the last 12 months the licensee acquired (b)(4) firearms and disposed of (b)(4) firearms.

The licensee does retail sales only. The main suppliers of firearms are (b)(4). The licensee's website is [www.majesticarms.com](http://www.majesticarms.com). The licensee sells firearms on the internet through [www.gunbroker.com](http://www.gunbroker.com). There are no other businesses on the premises.

The licensee holds all appropriate New York City licenses. The business premises is zoned for manufacturing. The licensee has held the ATF Type 07 license since May 2001. The ATF Type 07 license is appropriate for the business activities.

### Ownership and Control:

Majestic Arms Ltd. is a corporation with 4 controlling members (Dino Longueira, Joanne Longueira, Eric Ryan, and William Tracy). Dino Longueira (RP) is the majority shareholder. IOI (b)(6) reviewed the licensee's corporate filings.

# FIREARMS INSPECTION REPORT

**Name:** Majestic Arms Ltd.  
**Trade Name:**

**UI#:** 765060-2017-0036 B1B  
**FFL#:** 6-13-085-07-9B-00054

In 2001, Joanne Lally (RP), changed her last name to Longueira. The Federal Licensing System (FLS) should be updated to reflect that change.

## Variance:

The licensee does not hold any variances. No variances were requested during the inspection.

## **2 - Recommendation**

### **Violations, Warning Letter Only and No Recall Inspection.**

Per the Federal Firearms Administrative Action Policy and Procedures ATF O 5370.1C a Warning Letter is recommended due to the nature of the violations.

## **3 - Inspection History**

According to the NSPECT database, Majestic Arms Ltd. has had two compliance inspections for the ATF Type 07 license since 2009.

**Date and Type of Inspection:** 12/17/2012: Compliance inspection  
**UI#:** 765060-2013-0062  
**Inspection Results:** No violations, no further action, no referrals  
**Cited Violations:** None

**Date and Type of Inspection:** 12/14/2009: Compliance inspection  
**UI#:** 765060-2010-0076  
**Inspection Results:** No violations, no further action, no referrals  
**Cited Violations:** None

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

IOI (b)(6) reviewed the licensee's acquisition and disposition (A&D) records. The licensee keeps the A&D records in bound books. All entries are timely made and all required information is present. IOI (b)(6) conducted a 100% inventory of firearms. The licensee had 78 firearms in inventory at the time of inspection (34 long guns, 44 handguns). No discrepancies were found upon comparison of the inventory on hand to the A&D record. There were (b)(6) open dispositions in the A&D records. Mr. Longueira assures that acquisitions and dispositions are logged into the A&D records in a timely fashion.

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



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IOI (b)(6) reviewed all disposition records from the inspection period. The licensee keeps ATF Forms 4473 filed in chronological order. The licensee had (b)(3) Pub ATF Forms 4473 on file for the last twelve months. IOI (b)(6) reviewed (b)(3) Pub ATF Forms 4473 for discrepancies. The licensee was cited 2 violations;

The licensee failed in (b)(3) instances to obtain a complete and/or accurate ATF Form 4473 prior to transferring a firearm to a non-licensee.

In (b)(3) instances, item #16 and #17 were blank on ATF Form 4473. In (b)(3) instance, the licensee transferred a firearm to a non-licensee who at the time of the transfer appeared to be prohibited from possessing a firearm (**refer to 7-Suspicious/Prohibited Purchasers**) (27 CFR 478.124(c)(1) Violation 1, Exhibit 1, 2, 3, Worksheet 2).

The licensee failed in (b)(3) instance to record the initial response provided by the NICS system on the ATF Form 4473 (27 CFR 478.124(c)(3)(iv) Violation 2, Exhibit 4, Worksheet 2, refer to 11-Other).

The licensee properly transfers firearms to other federal firearms licensees. IOI (b)(6) compared (b)(3) National Instant Criminal Background Check System (NICS) numbers from the NICS transaction audit log to the NICS transaction numbers reflected on ATF Forms 4473. No discrepancies were found.

## 6 – Multiple Sales

The licensee's Violent Crime Analysis Branch master query (VCAB report) reflected (b)(3) multiple handgun sales form was submitted during the inspection period. IOI (b)(6) reviewed ATF Forms 4473 for the inspection period to assure all necessary multiple sale forms were submitted. Review revealed (b)(3) multiple sale form involving (b)(3) firearms attached to the ATF Form 4473, but not reflected on VCAB report. Mr. Longueira provided IOI (b)(6) with the fax report reflecting the form had been submitted to ATF in the allotted time. IOI (b)(6) verified the (b)(3) multiple sale form was re-submitted via email and confirmed in the ATF e-trace system.

## 7 – Suspicious/Prohibited Purchasers

(b)(6), (b)(3) Pub law 112-55 125 Stat. 552 answered "yes" on ATF Form 4473 to question 11K "Are you an alien illegally in the United States?" As a result IOI (b)(6) conducted a criminal background check on (b)(6), (b)(3) Pub law 112-55 125 Stat. 552 through the Open Fox database, as well as the TECS system. All checks were negative. (b)(6), (b)(3) Pub law 112-55 125 Stat. 552 is a U.S. citizen. The NICS check on the ATF Form 4473 was a "proceed".

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## 8 - Trace Activity

According to the National Tracing Center (NTC), Majestic Arms had [REDACTED] successful traces in the last 12 months. The traces were completed by the NTC prior to the inspection date.

IOI (b)(6) randomly chose 5 firearms in inventory and queried them through the ATF e-trace system. No hits were found.

## 9 - NFA/Importer/Collector/Manufacturer

The licensee did not manufacture any firearms during the inspection period. The ATF F 5300.11/Annual Firearms Manufacturing and Exportation Report (AFMER) has been properly and timely submitted. The licensee does not deal in NFA firearms and did not import any firearms during the inspection period.

## 10 - Referrals

No referrals were made as a result of this inspection.

## 11 - Other

IOI (b)(6) conducted a criminal background check on (b)(6), (b)(3) Pub law 112-55 125 Stat. 552 through the Open Fox database. All checks were negative. IOI (b)(6) provided ATF NICS Liaison (b)(6) the NICS Transaction Number (NTN) for the above mentioned ATF Form 4473. (b)(6) confirmed that the NTN was valid and that the transaction was not a denial.

IOI (b)(6) conducted criminal background checks on both responsible persons (Dino and Joanne Longueira) through the Open Fox database. All checks were negative.

## 12 - Closing Actions

On March 03, 2017, IOI (b)(6) reviewed the Federal Firearms Regulations with Dino Longueira. IOI (b)(6) explained to Mr. Longueira that Majestic Arms Ltd. may not operate contrary to state or local law. Mr. Longueira signed the Acknowledgement of Federal Firearms Regulations and a copy was provided (Exhibit 5). IOI (b)(6) also reviewed the Report of Violations with Mr. Longueira. Mr. Longueira signed a copy of the Report of Violations and a copy was provided (Exhibit 6).

## 13 - Violations

1. 27 CFR 478.124(c)(1)

# FIREARMS INSPECTION REPORT

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**FFL#:** 6-13-085-07-9B-00054

## Nature of Violation:

Licensee failed in (b)(3) Pub law 112-55 total instances to obtain a completed and/or accurate ATF form 4473 prior to transferring a firearm to a non-licensee. In (b)(3) Pub law 112 instances the licensee failed to obtain a signature and date from the non-licensee on ATF form 4473, Section A, items 16 and 17 prior to the transfer of a firearm. In (b)(3) Pub law 112 instance the licensee transferred a firearm to a non-licensee who at the time of the transfer appeared to be prohibited from possessing a firearm. The non-licensee answered "yes" to item 11K on ATF form 4473.

## Licensee's Response:

Mr. Longueira stated he will do a better job reviewing the ATF Forms 4473 prior to making firearm transfers.

## Corrective Action:

Prior to making an over-the-counter transfer of a firearm to a non-licensee, the licensed manufacturer, so transferring the firearm shall obtain a Form 4473 from the transferee showing the transferee's name, sex, residence address, date and place of birth; height, weight and race of the transferee; the transferee's country of citizenship; the transferee's INS-issued alien number or admission number; the transferee's State of residence; and certification by the transferee that the transferee is not prohibited by the Act from transporting or shipping a firearm in interstate or foreign commerce or receiving a firearm which has been shipped or transported in interstate or foreign commerce or possessing a firearm in or affecting commerce.

## 2. **27 CFR 478.124(c)(3)(iv)**

## Nature of Violation:

Licensee failed in (b)(3) Pub law 112 instance to record the initial response provided by NICS on ATF form 4473 ((b)(3) Pub law 112-55 125 Stat. 552, (b)(6)) section B, item 21C, prior to the transfer of a firearm to a non-licensee.

## Licensee's Response:

Mr. Longueira stated that he will have an ATF Form 4473 overview check list to use as a tool to help him review his ATF Forms 4473 for completeness before transferring firearms to his customers.

## Corrective Action:

After the transferee has executed the Form 4473, the licensee shall comply with the requirements of § 478.102 and record on the form the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system.

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X

(b)(6)

Industry Operations Investigator

## Index of Worksheets and Exhibits

### **Exhibits:**

1. (b)(3) Pub law 112-55 125 Stat. 552, (b)(6)
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. Acknowledgement of regulations
6. Report of violations

### **Worksheets:**

1. Inventory A&D
2. ATF F4473 (2012 addition)
3. ATF F4473 (2016 addition)