

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) DUNCAN ROYAL INVESTMENTS, INC SHOOTERS EXPRESS 2 CALDWELL DR BELMONT, NC 28012, GASTON		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 763025-2017-0197-B1B		
		3. PERMIT/LICENSE NUMBER 156071027M38976	4a. TARGET DATE 4/6/2017	4b. TARGET HOURS 160
		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, 02/08/2017				
8. PURPOSE/SPECIAL INSTRUCTIONS				
CONDUCT FULL PAWNBROKER'S DE/COMPLIANCE INVESTIGATION				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	4	NO. OF REFERRALS	2	10. TRAVEL EXPENSES (OPTIONAL)
NO. OF TECS CHECKS		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) - Industry Operations Investigator				
Submitted on: 04/15/2017				
Violts WL ONLY and No Recall Inspection				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
MAR 2017 96.00				
APR 2017 24.00				
ATF OFFICER'S SUBTOTAL 120.00				
ATF OFFICER'S SIGNATURE				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
MAR 2017 94.00				
ATF OFFICER'S SUBTOTAL 94.00				
ATF OFFICER'S SIGNATURE				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
MAR 2017 18.00				
ATF OFFICER'S SUBTOTAL 18.00				
ATF OFFICER'S SIGNATURE				
TOTAL HOURS 232.00				

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	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

### 13. REVIEW AND ROUTING

#### REVIEW COMMENTS AND RECOMMENDATION

PII Folder Created

Viols WL ONLY and No Recall Inspection

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

#### SIGNATURE AND TITLE

(b)(6) - Area Supervisor

Digitally signed by (b)(6)

(b)(6)  
Date: 2017.04.24 16:31:23 -04'00'

#### REVIEW DATE

04/24/2017

#### ROUTING SEQUENCE AND DATE

- ☒ 1. FFLC
- ☐ 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	Street Address	City	State	ZIP Code	County	Page 1 of 2 Pages
Duncan Royal Investments, Inc.	2 Caldwell Drive	Belmont	NC	228012	Gaston	
License/Permit/Registry Number (if any)	Expiration Date	Date(s) or Period of Inspection				
1-56-071-02-7M-38976	12/01/2017	03/14/2016 - 03/14/2017				

### Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (if not corrected immediately)	Date Corrections to be Made (if not corrected immediately)
1.	27 CFR 478.21(a)	In (b)(3) 112 Public instances, the licensee transferred a firearm prior to attaining a completed ATF Form 4473 in Section C  (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)	The transferee in both instances was run in NCIC and found to not be prohibited.	
2.	27 CFR 478.124(c)(1)	In (b)(3) 112 Public instances, the licensee transferred a firearm prior to obtaining a completed ATF Form 4473.  (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)	The transferee's in all instances were run in NCIC and found to not be prohibited.	

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

Date  
3/29/2017

Signature

(b)(6)

Date  
3/29/2017

Copy 2 - Inspection Report Copy

ATF E-Form 5030.5  
Revised April 2005



## 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	Street Address	City	State	ZIP Code	County	Page <u>2</u> of <u>2</u> Pages
Duncan Royal Investments, Inc.	2 Caldwell Drive	Belmont	NC	28012	Gaston	
License/Permit/Registry Number (if any)	Expiration Date	Date(s) or Period of Inspection				
1-56-071-02-7M-38976	12/01/2017	03/14/2016 - 03/14/2017				

### Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
3.	27 CFR 478.125(e)	<p>In <sup>(b)(3) 112 Public Law</sup> instances the licensee failed to properly acquire or dispose of firearms in a timely manner.</p> <p><b>(b)(3) 112 Public Law 55 125 STAT 552</b></p>	<p>The electronic A&amp;D record book was corrected during this inspection and a computer error was discovered and corrected by the General Manager.</p> <p>An ATF Theft/Loss Report was filed on the missing firearm. ATF issued the report number, 120170000660.</p>	
4.	27 CFR 478.126a	<p>In <sup>(b)(3) 112 Pub</sup> instance the licensee failed to report a Report of Multiple Sale by the end of the day the handguns were transferred.</p> <p><b>(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)</b></p>		



U.S. Department of Justice  
**B**  
ureau of Alcohol, Tobacco,  
Firearms and Explosives  
5701 Carmel Road, Suite 200  
Charlotte, North Carolina 28226

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

April 25, 2017

763025: (b)(6)  
5300

**WARNING LETTER**

**CERTIFIED RETURN RECEIPT REQUESTED**

Duncan Royal Investments, Inc.  
Shooters Express  
Attn: Mark Duncan  
2 Caldwell Drive  
Belmont, NC 28012

RE: FFL #1-56-071-02-7M-38976

Dear Mr. Duncan:

During a recent compliance inspection at your firearms business covering the period of January 1, 2016 to March 14, 2017, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 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) Investigators (b)(6). 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

Duncan Royal Investments, Inc.  
Mark Duncan  
RE: FFL #1-56-071-02-7M-38976

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.

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

(b)(6)

(b)(6)

Should you have any questions regarding this matter, please contact investigator:

Respectfully yours,

(b)(6)

Area Supervisor, Charlotte Group III  
Charlotte Field Division

Enclosure

cc: Federal Firearms Licensing Center  
Charlotte Area Office

# FIREARMS INSPECTION REPORT

**Name:** Duncan Royal Investments, Inc.  
**Trade Name:** Shooters Express

**UI#:** 763025-2017-0197  
**FFL#:** 1-56-071-02-7M-38976

**Address:** 2 Caldwell Drive  
Belmont, NC 28012

## 1 - Introduction

### Inspection Profile:

On March 14<sup>th</sup>, 2017 Industry Operation Investigator (IOI) (b)(6) and IOI (b)(6) began a Disposition Emphasis Investigation (DE) of Duncan Royal Investments, Inc. located in Belmont, NC. Duncan Royal Investments, Inc. is a registered dba as Shooters Express at their location in Belmont, NC. Present at the investigation was IOI (b)(6) and IOI (b)(6), Reginald Dean White, the General Manager and (b)(6), the Sales Manager. Also present during the onsite investigation were various employees of the company who were not identified.

The onsite DE lasted from 03/14/2017 to 03/29/2017. Mr. White and Mr. (b)(6) were present during the period to assist with the investigation and to answer any questions. IOI (b)(6), also out of Charlotte Group III was present during portions of the investigation to assist with inventory and forms. No other persons or agencies were present.

### Business Profile:

Shooters Express is a large volume dealer that carries a full line of firearms from major manufacturers. Shooters Express caters towards individuals who are new to the shooting world as well as those looking to enhance their firearms knowledge through a series of classes taught at the location. Shooters Express carries a full line of pistols, rifles, shotguns and silencers with a focus on defensive products. The location also has a full service indoor range and a rental program where persons can rent firearms with and without silencers and even several machine guns are available for rent. Shooters Express also carries a large inventory of accessories relating to firearms but does not carry any type of reloading supplies or equipment.

During the investigation period it was found that Shooters Express had acquired approximately (b)(4) firearms and disposed of approximately (b)(4) firearms. The current inventory was found to be approximately 1,331 firearms on hand which includes all NFA firearms, rental firearms and GCA firearms. Shooters Express deals in primarily new firearms but does carry a small amount of consignment firearms along with conducting pawn sales. The licensee does conduct sales via the internet and is fluent on the procedures of how to ship and receive firearms for sales of this type. The licensee maintains the website <https://www.shootersexpress.com/> as their online retail store front.

# FIREARMS INSPECTION REPORT

**Name:** Duncan Royal Investments, Inc.  
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**UI#:** 763025-2017-0197  
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The licensee offers a full service range and training schedule which is detailed on their website as part of their business. The range is located in the back of the premises and has its own entrances. All of the training is offered onsite but in a separate building adjacent to the main storefront.

A separate company operates at the premises under the name Class Two Enterprises, Inc (FFL 1-56-00158). The owner, (b)(6), offers firearms, training and NFA firearms for sale at Shooters Express. All books are kept separate from those of the licensee, Shooters Express. The last inspection of Class Two Enterprises was conducted by (b)(6) (UI 763025-2014-0227).

Shooters Express has been a licensee since 11/09/1993. Shooters Express maintains a Type 02 License along with a Class III Special Occupational Tax (SOT), both of which are appropriate for the type of business that they conduct.

## **Ownership and Control:**

Duncan Royal Investments, Inc. dba Shooters Express is owned by Mark A. Duncan who is the president of the corporation. Mr. Duncan and Mr. White are the only two active persons on the license. The store is run daily by Mr. White who acts as the General Manager and by (b)(6) who is the Sales Manager. The store has several employees who are in the shop on a daily basis but have no control over the daily operations. Both the range, classroom and the shop all function on the same premises.

There is no indication of hidden ownership and no changes to the FLS database are necessary.

## **Variance:**

No variances were applied for during the inspection period.

## **2 - Recommendation**

Violations, Warning Letter Only and No Recall Inspection.



# FIREARMS INSPECTION REPORT

**Name:** Duncan Royal Investments, Inc.  
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**UI#:** 763025-2017-0197  
**FFL#:** 1-56-071-02-7M-38976

## 3 - Inspection History

**Date of Inspection:** 08/02/2010  
**Type of Inspection:** Disposition Emphasis  
**UI#:** 763025-2010-0018  
**Inspection Results:** Violations with Report of Violations Only, No Recall Inspection  
**Cited Violations:** 27 CFR 478.124(c)(1), 27 CFR 478.124(c)(3)(ii), 27 CFR 478.126a

**Date of Inspection:** 04/02/2007  
**Type of Inspection:** Firearms Compliance Investigation  
**UI#:** 763025-2007-0022  
**Inspection Results:** No Violations, No Further Action, No Referrals  
**Cited Violations:** None

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

A full inventory of the licensee's firearms was completed. The licensee had 1,331 firearms in inventory and (b)(3) 112 Pub open entries in the A&D Record. The A&D Book is kept in electronic format which is in compliance with ATF Ruling 2016-1. (b)(3) 112 Public Law 55 firearms were found to not be in the licensee's inventory as well as (b)(3) 112 Public Law 5 firearms that had been disposed of, but were still on hand. This was immediately corrected and was primarily caused by a computer error that would fill in the "transferred" field at the same time the "sold" field was being filled out when an item was placed on "lay-away". The licensee was found to be in violation of **27 CFR 478.125(e) (Violation 3, Worksheet 01)** for the untimely acquisitions and untimely dispositions.

(b)(3) 112 Public La firearms was reported as a loss during the inspection period. An ATF E-Form 3310.11 was filed for the missing firearm (**Violation 03, Worksheet 01, Exhibit 03**).

No trafficking issues or obliterated serial numbers were discovered during the investigation.

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

The licensee had approximately (b)(3) 112 Public ATF Forms 4473 on file for the previous 15 months, all of which were reviewed. During the inspection it was found that in (b)(3) 112 Public instances, the licensee transferred a firearm prior to attaining a completed ATF Form 4473 where (b)(3) 112 transferees failed to properly answer questions in Section 11 and (b)(3) 112 transferee failed to certify the form (**Violation 02, Worksheet 02, Exhibit 02**). The licensee was cited for a violation of **27 CFR 478.124(c)(1)**.

## FIREARMS INSPECTION REPORT

**Name:** Duncan Royal Investments, Inc.  
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In [REDACTED] instances, the licensee failed to correctly record the following required information in Section C on the ATF Form 4473 on questions 24 & 25 (**Violation 01, Worksheet 02, Exhibit 01**). The licensee was found to be in violation of **27 CFR 478.21(a)**.

Mr. White was reminded to go over all sections of the form for accuracy before completing the transfer and how to correct any errors discovered on forms after the transfer has been made. At the point of sale the licensee stated that he tries to have a second employee review the form for completeness but this does not always occur. A separate person in the back of the store does review forms for errors and will at times make corrections when needed. The licensee maintains the forms in alphabetical order and keeps them separated by year. Due to the way the licensee maintains the form it was not possible to only review the forms for a 12 month period. All of the forms for the years 2016 and 2017 were reviewed due to keeping them in alphabetical format.

The FFL Audit Log was run which contained 83 instances of activity. Of the NICS transactions reviewed, 82 were proceed and one (1) denial. All transactions were verified on the relevant ATF Form 4473's.

### **6 - Multiple Sales**

The licensee records multiple sales on an ATF Form 3310.4 and keeps the copy multiple of the sale with the coinciding ATF Form 4473. The licensee was associated with [REDACTED] multiple sale transactions involving [REDACTED] firearms.

In [REDACTED] instance the licensee failed to properly file a Report of Multiple Sale (**Violation 04, Worksheet 02, Exhibit 04**). The licensee was found to be in violation of **27 CFR 478.126a**.

### **7 - Suspicious/Prohibited Purchasers**

[REDACTED] suspicious purchasers were uncovered during the investigation, (b)(6) [REDACTED]. Both persons were referred to Group Supervisor (b)(6) [REDACTED] and are detailed in referral numbers 2017-0010 and 2017-0011.



## FIREARMS INSPECTION REPORT

**Name:** Duncan Royal Investments, Inc.  
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### 8 - Trace Activity

Shooter's Express was associated with (b)(3) 112 firearm trace requests (including (b)(3) 112 duplicates), (b)(3) 112 Public Law 55 125 STAT 552.

(b)(6)

Mr. White was reminded of the importance of completing a trace and that he has 24 hours to complete a trace.

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

The licensee is a Type 02 Pawnbroker and Special Occupational Tax Class III dealer. The licensee deals primarily in silencers but also sells short barrel firearms as well. There were no discrepancies with any NFA firearms and all information is correct and timely on all forms reviewed.

All firearms were compared with the NFA registry and no discrepancies were found.

### 10 - Referrals

Two referrals were generated as a result of the investigation, 2017-0010 and 2017-0011. 2017-0010 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6), (b)(7)(C)

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6), (b)(7)(C)

2017-0011 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6), (b)(7)(C)

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6), (b)(7)(C)

# FIREARMS INSPECTION REPORT

**Name:** Duncan Royal Investments, Inc.  
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**UI#:** 763025-2017-0197  
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## 11 - Other

During the investigation it was found that the licensee carried some spare parts from a company called Dead Air Armament (FFL 1-56-119-07-7G-09667). The parts were front end caps as well as various mounts from the company. In previous statements it has been clear that any part made for a silencer and to be used in a silencer, is classified as a silencer itself. IOI (b)(6) discussed the parts with Director of Industry Operations (DIO) Stephen Albro who then contacted the Firearms and Technology Division to get clarification on whether the parts were silencers. It was determined that the mounts are not classified as silencers and since the front end cap has another use on a part from Dead Air Armament that the front end cap would not be considered a silencer.

No other information to report.

## 12 - Closing Actions

IOI (b)(6) and IOI (b)(6) held a closing conference on March 29<sup>th</sup>, 2017 with Mr. White and (b)(6). IOI (b)(6) reviewed the Report of Violations (ROV) with the licensee and discussed the violations with him. Mr. White signed the ROV and was given a copy. IOI (b)(6) discussed the importance of reviewing the ATF Form 4473 for correctness and completeness along with other general record keeping procedures involved in maintaining the computerized A&D Record. The Licensee stated that it was an error on their part by not looking over the form for completeness prior to making the transfer.

The Acknowledgement of Federal Firearms Regulations was discussed in detail covering Required Records and Reports, Conduct of Business, Licenses, Miscellaneous Provisions, State Laws and Local Ordinances, Gunsmithing Activities and General Questions. IOI (b)(6) answered all of Mr. White's and (b)(6) questions at the end of the review. Mr. White signed the Acknowledgement and was given a copy (Exhibit 05).

IOI (b)(6) gave his contact information to Mr. White for future questions, problems or concerns.



## FIREARMS INSPECTION REPORT

**Name:** Duncan Royal Investments, Inc.  
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### 13 - Violations

#### 1. 27 CFR 478.21(a)

##### Nature of Violation:

In <sup>(b)(3) 112 Public Law</sup> instances, the licensee failed to correctly record the following required information in Section C on the ATF Form 4473 on questions 24 & 25.

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

##### Licensee's Response:

The staff will try to double check each form prior to the transfer of the firearm and that there was no reason for the error.

##### Corrective Action:

The transferee in <sup>(b)(3) 112</sup> instances was run in NCIC and found to not be prohibited.

#### 2. 27 CFR 478.124(c)(1)

##### Nature of Violation:

In <sup>(b)(3) 112 Public Law</sup> instances, the licensee transferred a firearm prior to attaining a completed ATF Form 4473.

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

##### Licensee's Response:

The staff does currently check for missing responses in Section 11, but will work to ensure that none are missed going forward.

##### Corrective Action:

The transferee's in all instances were run in NCIC and found to not be prohibited.

## FIREARMS INSPECTION REPORT

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### 3. 27 CFR 478.125(e)

#### Nature of Violation:

In (b)(3) 112 Public Law 55 instances the licensee failed to properly acquire or dispose of firearms in a timely manner.

1. In (b)(3) 112 Public Law 55 instances the licensee failed to acquire firearms in a timely manner. Log # (b)(3) 112 Public Law 55 125 STAT 552 were not in the A&D record book prior to the inspection.
2. In (b)(3) 112 Public Law 55 instances the licensee failed to dispose of firearms in a timely manner. Log # (b)(3) 112 Public Law 55 125 STAT 552 were marked as transferred in the electronic A&D record book.
3. In (b)(3) 112 Public Law 55 instance the licensee was unable to locate a firearm, Log # (b)(3) 112 Public Law 55 125 STAT 552

#### Licensee's Response:

The licensee stated that part of the errors are in fact due to the way that the inventory report was populated and also that sometimes the term "sold" can equate to being "transferred" in the system. He will work with the IT specialist going forward to try to eliminate the error.

#### Corrective Action:

The electronic A&D record book was corrected during this inspection and a computer error was discovered and corrected by the General Manager.

An ATF Theft/Loss Report was filed on the missing firearm. ATF issued the report number, (b)(3) 112 Public Law 55 125 STAT 552.

### 4. 27 CFR 478.126a

#### Nature of Violation:

In (b)(3) 112 Public Law 55 instance the licensee failed to properly file a Report of Multiple Sale.

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

#### Licensee's Response:

He will discuss the importance of completing the report with all employees.

#### Corrective Action:

The licensee is currently working on a way to prevent the need to file the form from being missed by their computer A&D record.

## FIREARMS INSPECTION REPORT

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**UI#:** 763025-2017-0197  
**FFL#:** 1-56-071-02-7M-38976

**X**

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Industry Operations Investigator

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

1. ATF Form 4473's for Violation 1
2. ATF Form 4473's for Violation 2
3. ATF Theft Loss Report for Violation 3
4. ATF Form 4473's for Violation 4
5. Acknowledgement of Federal Firearms Regulations