

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Dwyer, John 247 Aldebaran Avenue Lompoc, CA 93436, Santa Barbara	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;">784025-2016-0396-B1B</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 977083017A27087</td> <td style="width: 33%;">4a. TARGET DATE</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)	3. PERMIT/LICENSE NUMBER 977083017A27087	4a. TARGET DATE	4b. TARGET HOURS
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6. ATF OFFICER(S) ASSIGNED
 (b)(6) - Assigned Investigator
 (b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
 (b)(6), Area Supervisor, 09/21/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
 Please conduct a compliance inspection.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	1	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS		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) - Investigator

 Submitted on: 03/17/2017
 Investigator (b)(6) also recommends the approval of the renewal application for license #9-77-083-01-7A-27087.

 Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)			
	DEC 2015	8.00	
	NOV 2016	8.00	
	DEC 2016	12.00	
ATF OFFICER'S SUBTOTAL		28.00	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)			
	NOV 2016	8.00	
	DEC 2016	12.00	
	MAR 2017	3.00	
ATF OFFICER'S SUBTOTAL		23.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS		51.00	

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Warning Letter issued on 03/17/17. The warning letter is sufficient administrative action at this time, a recall will not be necessary due to licensee's compliance history.

Viols WL ONLY and No Recall Inspection

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor (b)(6)	REVIEW DATE 03/17/2017
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Digitally signed by (b)(6)
 DN: cn=US, o=U.S. Government, ou=Dept of Justice,
 email=(b)(6)
 0 8 2342, 19200100, 100.1.1=15001001181891
 Date: 2017.03.17 14:10:13 -07'00'

ROUTING SEQUENCE AND DATE

- 1. _____
- 2. _____
- 3. _____
- 4. _____

CONTROL FILE POSTED DATE _____



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Bureau of ATF
550 N. Brand Blvd. #800
Glendale, CA 91203

www.atf.gov

Dwyer, John
247 Aldebaran Avenue
Lompoc, CA 93436-
RE: 977083017A27087

Dear John Dwyer:

During a recent inspection at your firearms business covering the period 11-30-2015 to 11-30-2016 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 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.

Should you have any questions regarding this matter, please contact (b)(6) (b)(6), Area Supervisor at (b)(6).

Sincerely yours,

(b)(6)

3/17/17

Enclosure

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

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 Dwyer, John	Street Address 247 Aldebaran Avenue	City Lompoc	State CA	Zip Code 93436-	County Santa Barbara	Page 1 of 1 Pages
License/Permit/Registry Number (If any) 977083017A27087	Expiration Date	Date(s) or Period of Inspection 11/30/2016 through 12/05/2016				

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)} instances the Licensee failed to report and file ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers

Citation: 27 CFR 478.126(a)

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

Corrective Action to be Taken: Licensee will immediately prepare and submit ATF Form 3310.4 to ATF
 (If not corrected immediately)

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

Signature and Title

[Signature]


ATF Investigator

Date
12-5-16

Date
12/5/2017

For Official Use Only

Report of Violations

Instructions

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License/Permit/Registry Number <i>(If any)</i> 977083017A27087		Expiration Date	Date(s) or Period of Inspection 11/30/2016 through 11/30/2015			

Inspection Results

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Number: 1

Nature of Violation:

In Instances the Licensee failed to report and file ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers

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Date Corrections to be Made:

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Corrective Action to be Taken:

(If not corrected immediately)

Licensee will immediately prepare and submit ATF Form 3310.4 to ATF

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i>	Date
Signature and Title of ATF Officer	Date

Dwyer, John
247 Aldebaran Avenue
Lompoc, CA 93436-
RE: 977083017A27087

Dear John Dwyer:

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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.

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Should you have any questions regarding this matter, please contact (b)(6) (b)(6), Area Supervisor at (b)(6).

Sincerely yours,

(b)(6)

Enclosure

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

FIREARMS INSPECTION REPORT

Name: John Dwyer
Trade Name:

UI#: 784025-2016-0396-B1B
FFL#: 9-77-083-01-7A-27087

Address: 247 Aldebaran Ave
Lompoc, CA 93436

1 - Introduction

Inspection Profile:

On November 30, 2016, Investigators (b) (6) and (b) (6) conducted an unannounced firearms compliance/renewal investigation incorporating the procedures and guidelines for a firearms investigation in the Industry Operation Manual. This investigation was conducted at the business premises, located at 247 Aldebaran Ave, Lompoc, CA 93436. Investigator (b) (6) interviewed licensee John Dwyer (DI# (b) (6) DOB (b) (6)). Deconfliction was conducted by Investigator (b) (6) through the Firearms Licensing System with negative results. No advance notification was given to the licensee prior to the investigation. The period of review was from 11-30-2015 to 11-30-2016. There was 1 violation cited during this investigation.

Business Profile:

The licensee maintains a Type 01-Dealer of Firearms License. The licensee is actively engaged in the business of selling and transferring firearms and firearms accessories. The licensee acquired approximately (b)(3) 112 PL 55 125 STAT 552 firearms and disposed of approximately (b)(3) 112 PL 55 125 STAT 552 firearms in the last twelve (12) months.

The licensee does not maintain any off-site storage. There are no other businesses located on the business premise. This location is the licensee residence and is suitable for the proposed business operations. The licensee is in compliance with all the required State and local licenses.

- California Firearms Dealer license #15292
- County of Santa Barbara license #30934
- Seller permit #SR ARD 777908

Ownership and Control:

The licensee operates as a sole proprietor. There were no changes in ownership or control. There is no indication of hidden ownership.

Variance:

There are no approved variance on file.

FIREARMS INSPECTION REPORT

Name: John Dwyer
Trade Name:

UI#: 784025-2016-0396-B1B
FFL#: 9-77-083-01-7A-27087

2 - Recommendation

Violations, Warning letter only and Recall.

Investigator (b) (6) also recommends the renewal application for license #9-77-083-01-7A-27087

3 - Inspection History

The following compliance investigations conducted during the past five years.

Date of Inspection: August 2015
Type of Inspection: Compliance Investigation
UI#: 784025-2014-0232-B1B
Inspection Results: No Violations, No Further Action, No Referrals
Cited Violations: None

Date of Inspection: March 2011
Type of Inspection: Compliance Investigation
UI#: 784025-2011-0026-B1B
Inspection Results: No Violation, No Further Action, No Referrals
Cited Violations: None

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

The licensee uses manual Acquisition and Disposition (A&D) records. The A&D record had all of the required information in the entries. Investigator (b) (6) verified there were (b)(3) - 112 Public Law 55 125 Stat 552 entries in the A&D record. Investigator (b) (6) conducted a full inventory. A comparison from the inventory to the A&D records verified there were no discrepancies.

There were no firearms with obliterated serial numbers found in the inventory. No firearms were report stolen in the past twelve (12) months. Investigator (b) (6) verified this information per the ATF Violent Crime Analysis Branch.

5 - ATF Forms 4473 – NICS & Other Dispositions

The licensee files the ATF Forms 4473s numerically. There were (b)(3) 112 PL 55 125 STAT 552 ATF Form 4473s on file for this investigation period. Investigator (b) (6) reviewed all forms. There were no discrepancies disclosed.

FIREARMS INSPECTION REPORT

Name: John Dwyer
Trade Name:

UI#: 784025-2016-0396-B1B
FFL#: 9-77-083-01-7A-27087

The DROS history report for the past twelve (12) months was requested from California Department of Justice. Investigator (b) (6) verified forty-nine (49) DROS numbers to the ATF F 4473s. There were no discrepancies noted.

6 - Multiple Sales

According to the FFL History query from the ATF Violent Crime Analysis Branch, the licensee was involved in (b)(3) - 112 Public Law 55-122 sales involving ten (b)(3) - 1 handguns. During a review of the ATF F 4473s Investigator Johnson (b)(3) - 112 PL 55-125 S/AI 552 unreported sales of multiple handguns during this investigation. The licensee was cited for the following:

- 27 CFR 478-126a-Failure to report and file ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers.

Investigator (b) (6) verified the licensee prepared and submitted ATF F 3310.4 to ATF (*Refer to Exhibit #1*).

7 - Suspicious/Prohibited Purchasers

The ATF F 4473s were reviewed by purchaser's names and addresses to determine if the purchasers were potential traffickers or straw purchasers or may be engaging in the business without an FFL. The ATF Form 4473s were also reviewed for high crime firearms and weapons of choice. No prohibited or straw purchases were disclosed. No firearm trafficking information was disclosed during the review process. No persons that may possibly be dealing in firearms without a license were found

8 - Trace Activity

A Crime Gun Analysis Branch (CGAB) history report was requested. The licensee had (b) successful trace requests.

9 - NFA/Importer/Collector/Manufacturer

The licensee does not engage in NFA, importing, manufacturing and collecting curios and relic's firearms.

10 - Referrals

No referral was generated during this investigation.

11 - Other

FIREARMS INSPECTION REPORT

Name: John Dwyer
Trade Name:

UI#: 784025-2016-0396-B1B
FFL#: 9-77-083-01-7A-27087

The licensee understand the requirement that a licensed dealer must provide a trigger lock to each transferee of a handgun if the handgun does not already come with a trigger lock. No school zone was found to be within a 1000 feet vicinity of the business premises. No other findings were disclosed during this investigation.

12 - Closing Actions

On December 05, 2016, Investigators (b) (6) held a closing conference with John Dwyer. The violation recorded on the ATF F 5030.5, Report of Violation (*Refer to Exhibit #2*) was discussed along with the cause of the violation and the corrective action. Each applicable topic was discussed on the Acknowledgement of Federal Firearm Regulations. Emphasis was placed on the acquisition and disposition records, consignment firearms, gunsmith activities, completion of ATF Forms 4473, identification documents and straw purchases. Mr. Dwyer signed and dated the Acknowledgement of Federal Regulations, and received a copy (*Refer to Exhibit #3*).

13 - Violations

1. **27 CFR 478.126a-**

Violation: In (b)(3) Instances the Licensee failed to report and file ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers

Licensee Response: Licensee stated he got busy and forgot to file and submit the ATF Form 3310.4 in a timely manner.

2. **Corrective Action:** Licensee will immediately prepare and submit ATF Form 3310.4 to ATF
- 3.
- 4.
- 5.
- 6.

X (b) (6)

Industry Operations Investigator

Index of Worksheets and Exhibits

FIREARMS INSPECTION REPORT

Name: John Dwyer
Trade Name:

UI#: 784025-2016-0396-B1B
FFL#: 9-77-083-01-7A-27087

1. Report of Multiple Sale or Other Disposition of Pistols and Revolvers
2. Report of Violation
3. Acknowledgement of Federal Regulations.
4. Warning Letter