

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) HICKS TACKLE SHOP INC Hicks Outdoors 11404 N LINDEN RD CLIO, MI 48420, GENESEE	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 774030-2017-0190-B1B			
	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 33%;">3. PERMIT/LICENSE NUMBER 438049018M02065</td><td style="width: 33%;">4a. TARGET DATE 9/30/2017</td><td style="width: 33%;">4b. TARGET HOURS</td></tr></table>	3. PERMIT/LICENSE NUMBER 438049018M02065	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
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	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)			

6. ATF OFFICER(S) ASSIGNED (b)(6) - Assigned Investigator (b)(6) - Lead Investigator	7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 12/22/2016
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8. PURPOSE/SPECIAL INSTRUCTIONS Please conduct a Disposition Emphasis compliance inspection, to include a complete inventory and review of all ATF Forms 4473 available for the inspection period. Verify ownership, responsible persons status, and contact information. Document each finding, and enter all required information into N-SPECT. This assignment is issued in keeping with the FY2017 Domain Assessment as a "high risk" inspection based upon information received from Federal, State or local sources.	9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC
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NO. OF VIOLATIONS	10	NO. OF REFERRALS		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF TECS CHECKS	70	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: 04/05/2017 A compliance inspection was initiated on 2/15/17 and concluded with the closing conference on 3/16/17. This was the licensee's first compliance inspection under this license (previous licenses held an outlined in report). Report of Violations and Warning Letter with recall is recommended. The inspection resulted in ten violations cited. The licensee was missing one firearm after inventory reconciliation. In (b)(5) instances the licensee failed to conduct a NICS check or obtain a qualifying permit as an alternate to NICS (b)(5) involved transfer of firearm to law enforcement officer for personal use). Violts WL ONLY and Recall Inspection	12. TIME ACCOUNTING DATA <table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 30%;">ATF OFFICER'S NAME (MONTH, YEAR, HOURS)</td><td style="width: 20%;">(b)(6)</td><td style="width: 50%;"></td></tr><tr><td>FEB 2017</td><td>9.00</td><td></td></tr><tr><td>ATF OFFICER'S SUBTOTAL</td><td>9.00</td><td>ATF OFFICER'S SIGNATURE</td></tr></table> <table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 30%;">ATF OFFICER'S NAME (MONTH, YEAR, HOURS)</td><td style="width: 20%;">(b)(6)</td><td style="width: 50%;"></td></tr><tr><td>FEB 2017</td><td>48.00</td><td></td></tr><tr><td>MAR 2017</td><td>27.00</td><td></td></tr><tr><td>APR 2017</td><td>2.00</td><td></td></tr><tr><td>ATF OFFICER'S SUBTOTAL</td><td>77.00</td><td>ATF OFFICER'S SIGNATURE</td></tr><tr><td>TOTAL HOURS</td><td>86.00</td><td></td></tr></table>	ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)		FEB 2017	9.00		ATF OFFICER'S SUBTOTAL	9.00	ATF OFFICER'S SIGNATURE	ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)		FEB 2017	48.00		MAR 2017	27.00		APR 2017	2.00		ATF OFFICER'S SUBTOTAL	77.00	ATF OFFICER'S SIGNATURE	TOTAL HOURS	86.00	
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Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) HICKS TACKLE SHOP INC Hicks Outdoors 11404 N LINDEN RD CLIO, MI 48420, GENESEE	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 774030-2017-0190-B1B		
	3. PERMIT/LICENSE NUMBER 438049018M02065	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Viols WL ONLY and Recall Inspection

☒ REVIEWED

☒ CONCUR

☐ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Area Supervisor

REVIEW DATE

04/14/2017

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 HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 1 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018		Date(s) or Period of Inspection 02/01/2016 through 02/15/2017		

Inspection Results

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

Number: 1
Date Corrections to be Made: 03/23/2017
(If not corrected immediately)

Nature of Violation:
The licensee failed to furnish/obtain all of the information as called for by the headings on the form and instructions on or pertaining to the form. This occurred in (b)(3)(1)(2) instances on the following forms:
Corrective Action to be Taken: The licensee shall furnish/obtain all of the information as called for by the headings on the form and the instructions pertaining to the form.
(If not corrected immediately)

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

Citation: 27 CFR 478.21(a)

Report of Violations

Instructions

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Name of Proprietor HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 2 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018	Date(s) or Period of Inspection 02/01/2016 through 02/15/2017			

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:

The licensee failed to obtain the ATF F4473 from the transferee with all of the required information and certification by the transferee that the transferee is not prohibited. This occurred in 1 instances on the following forms:

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall obtain the ATF F 4473 from the transferee with all of the required information and certification by the transferee that the transferee is not prohibited.

Report of Violations

Instructions

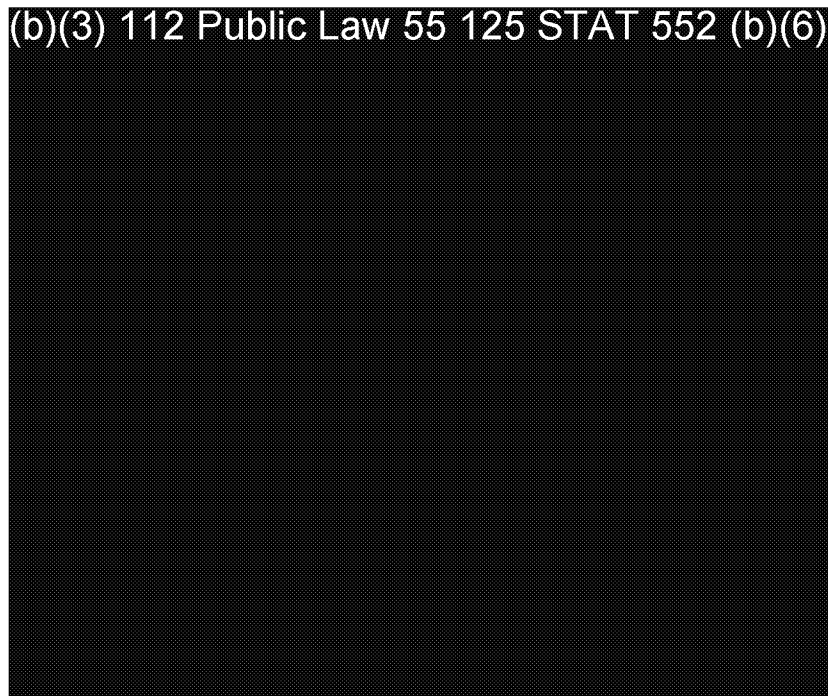
Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 3 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018	Date(s) or Period of Inspection 02/01/2016 through 02/15/2017			

Inspection Results

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

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



Citation: 27 CFR 478.124(c)(1)

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 HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 4 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065	Expiration Date 12/1/2018	Date(s) or Period of Inspection 02/01/2016 through 02/15/2017				

Inspection Results

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

For Official Use Only

November 1 2019 Production

504

ATF E-Form 5030 5
Revised April 2005

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 HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 5 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018	Date(s) or Period of Inspection 02/01/2016 through 02/15/2017			

Inspection Results

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

Number: 3

Nature of Violation:

The licensee failed to verify the identity of the transferee by examining the identification document (as defined in § 478.11) presented and properly noting on the ATF F 4473 the identification document information. This occurred in ^{(b)(3)} instances on the following forms: ^{(b)(3)} instances of incomplete identification information, ^{(b)(3)} instances of expired identification, ^{(b)(3)} instances of birth year recorded instead of expiration year)

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall verify the identity of the transferee by examining the identification document (as defined in § 478.11) presented and properly note on the ATF F 4473 the identification document information.

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 HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 6 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018		Date(s) or Period of Inspection 02/01/2016 through 02/15/2017		

Inspection Results

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

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



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

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 HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 7 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018	Date(s) or Period of Inspection 02/01/2016 through 02/15/2017			

Inspection Results

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

Number: 4

Nature of Violation:

The licensee failed to record (accurately) on the ATF F 4473 the date NICS was contacted, as well as any response provided, including transaction number. This occurred in

(b)(3)

 instances on the following forms:

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall record (accurately) on the ATF F 4473 the date NICS was contacted, as well as, any response provided, including the transaction number.

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

Report of Violations

Instructions

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Name of Proprietor HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 8 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018		Date(s) or Period of Inspection 02/01/2016 through 02/15/2017		

Inspection Results

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

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

Number: 5

Nature of Violation:

The licensee failed to identify the firearm to be transferred by listing on the Form 4473 the manufacturer/importer, type, model, caliber/gauge, and serial number. This occurred in instances on the following forms:

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

Citation: 27 CFR 478.124(c)(4)

Date Corrections to be Made: 03/23/2017

(If not corrected immediately)

Corrective Action to be Taken: The licensee shall completely identify the firearm to be transferred by listing on the Form 4473 the manufacturer/importer, type, model, caliber/gauge, and serial number.

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.

Inspection Results

Inspection Results

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

Date Corrections to be Made: 03/23/2017

(If not corrected immediately)

Corrective Action to be Taken: The licensee shall sign and date (accurately) the form upon

(If not corrected immediately)

10 The licensee shall sign and date (accurately) the form upon
11 transfer of the firearm described on the form.

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

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 HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 10 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018		Date(s) or Period of Inspection 02/01/2016 through 02/15/2017		

Inspection Results

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

Citation: 27 CFR 478.124(c)(5)

Number: 7

Nature of Violation:

The licensee failed to conduct a NICS check or obtain a valid alternate permit prior to transferring a firearm to a non-licensee. This occurred in (b)(3) instances on the following forms:

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



Citation: 27 CFR 478.102(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall not transfer a firearm to a non-licensee prior to conducting a NICS check or obtaining a valid alternate permit.

Report of Violations

Instructions

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Name of Proprietor HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 11 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018		Date(s) or Period of Inspection 02/01/2016 through 02/15/2017		

Inspection Results

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

Number: 8

Nature of Violation:

The licensee failed to prepare a report of multiple sales when the transferring at one time or during a five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more to an unlicensed person. This occurred in instances on the following forms:

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall prepare a report of multiple sales when transferring, at one time or during a five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more to an unlicensed person. Business days for this purposes are days the licensee holds business hours or otherwise conducts business. IOI (b)(6) verified through E-trace that the multiple sales had been submitted on March 1, 2017.

Citation: 27 CFR 478.126a

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.

Inspection Results

Inspection Results

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee failed to accurately record on the Form 4473 the identifying number, date of issuance and date of expiration of the alternate permit used in lieu of a NICS check. This occurred in [REDACTED] instances on the following forms.

: The licensee shall accurately record on the Form 4473 the identifying number, date of issuance and date of expiration of the alternate permit used in lieu of a NICS check. A copy of the permit used may be attached to the Form 4473.

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

Citation: 27 CFR 478.131(a)(2)

Report of Violations

Instructions

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Name of Proprietor HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 13 of 14 Pages
License/Permit/Registry Number <i>(If any)</i> 438049018M02065		Expiration Date 12/1/2018		Date(s) or Period of Inspection 02/01/2016 through 02/15/2017		

Inspection Results

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

Number: 10

Nature of Violation:

The licensee failed to record the disposition of  firearms not later than seven days following the dated of disposition.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall record the disposition of a firearm not later than seven days following the date of disposition.

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

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 HICKS TACKLE SHOP INC Hicks Outdoors	Street Address 11404 N LINDEN RD	City CLIO	State MI	Zip Code 48420-	County GENESEE	Page 14 of 14 Pages
License/Permit/Registry Number (If any) 438049018M02065	Expiration Date 12/1/2018	Date(s) or Period of Inspection 02/01/2016 through 02/15/2017				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:
(b)(3) 112 Public Law 55 125 STAT 552

Citation: 27 CFR 478.125(e)

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

Signature and Title of ATF Officer

Date

Date

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November 1 2019 Production

514

ATF E-Form 5030 5
Revised April 2005



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

April 5, 2017

774030 (b)(6)
5300

Hicks Tackle Shop Inc.
Hicks Outdoors
11404 N. Linden Rd.
Clio, MI 48420
FFL No. 4-38-049-01-8M-02065

Dear Mr. Kearly:

During a recent compliance inspection at your firearms business covering the period of February 1, 2016 through February 15, 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) 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.

Hicks Tackle Shop Inc 4-38-02065

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 Senior Industry Operations Investigator (b)(6).

Sincerely yours,

(b)(6)

Area Supervisor
Detroit Area Office

Enclosure

cc: Federal Firearms Licensing Center
Detroit Area Office

FIREARMS INSPECTION REPORT

Name: Hacks Tackle Shop Inc
Trade Name: Hicks Outdoors

UI#: 774030-2017-0190-B1B
FFL#: 4-38-049-01-8M-02065

Address: 11404 N. Linden Rd
Clio, MI 48420; Genesee County

1 - Introduction

Inspection Profile:

On February 15, 2017, Senior Industry Operations Investigator (SIOI) (b)(6) and Special Agent (S/A) (b)(6) initiated a compliance inspection on Hicks Tackle Shop Inc. SIOI (b)(6) met with Responsible Person and President Mark Kearly. Mr. Kearly's sister (b)(6), also assisted during the inspection. The inspection was unannounced and covered the period of February 1, 2016 to present.

SIOI (b)(6) returned to the premises on February 16, 2017, February 22, 2017 with IOI (b)(6) and February 23, 2017. Onsite field work and closing conference were completed on March 16, 2017.

Business Profile:

Business is conducted under the name Hicks Outdoors. Aside from firearms, fishing, hunting, and archery equipment and supplies are sold, as well as related clothing. The licensee acquired approximately (b)(4) firearms in the previous 12 months and disposed of approximately (b)(4) firearms in that time. All firearms sales are conducted at the retail level. Roughly (b)(4) of firearms dealt with are handguns and roughly (b)(4) of firearms are used. Mr. Kearly stated that he takes in (b)(4) used firearms a year and is thinking about stopping that practice completely. The main suppliers are (b)(4)) and direct from manufacturers. Business is not conducted at gun shows. The licensee maintains a website at www.hicksoutdoors.net. The licensee's physical inventory is not listed on the website, rather customers can browse firearms from various manufacturers and have a firearm shipped to the licensee for purchase. Mr. Kearly stated this is part of the National Firearms Dealer Network.

There is a barber shop on site as well, which Mr. Kearly stated is its own entity and owned by his father Roy Kearly, who is also the Vice President of Hicks Tackle Shop Inc. There are no other ATF licenses held. This license has been held since November 2003. Previously ATF license 4-38-43273 was held as Hicks Tackle Inc, with Roy and Kathleen Kearly listed as responsible persons, from 1997 to 2003. ATF license 4-38-17229 was held as Roy Kearly and Dallas Hicks, with Roy and Kathleen Kearly listed as responsible persons, from 1994-1997.

FIREARMS INSPECTION REPORT

Name: Hacks Tackle Shop Inc
Trade Name: Hicks Outdoors

UI#: 774030-2017-0190-B1B
FFL#: 4-38-049-01-8M-02065

Ownership and Control:

Hicks Tackle Shop Inc is a corporation registered with the State of Michigan Department of Licensing and Regulatory Affairs (LARA). The business was incorporated in 1981 by Dallas Hicks, Roy Kearly's former business partner. The first record on file with LARA showing Roy Kearly as an owner is dated May 2006. In December 2009, Mr. Roy Kearly was listed as President and Kathleen Kearly was listed as Secretary with LARA. The most recent change of officers listed with LARA in 2015 shows Mark Kearly as President and Roy Kearly as Vice President (**Exhibit One**). Mark Kearly verified that this is correct.

Variance:

Currently no variances are held. No variances were requested.

2 - Recommendation

Report of Violations and Warning Letter with Recall. The inspection resulted in ten violations cited. The licensee was missing (b)(3)PUB firearm after inventory reconciliation. In (b)(3)PUB instances the licensee failed to conduct a NICS check or obtain a qualifying permit as an alternate to NICS ((b)(3)PUB instances of expired permit, (b)(3)PUB instance of permit valid in future, (b)(3)PUB instances of accepting MCOLES card issued to law enforcement officers).

3 - Inspection History

This is the licensee's first compliance inspection.

Date of Inspection:	12/11/2006
Type of Inspection:	Amended Application via telephone
UI#:	774030-2007-0103
Inspection Results:	Amended license issued.
Cited Violations:	None
Date of Inspection:	10/31/2003
Type of Inspection:	Application
UI#:	774030-2004-0060
Inspection Results:	Application approved and license issued.
Cited Violations:	None

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

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On February 22, 2017, IOI (b)(6) and SIOI (b)(6) completed the inventory. There were 973 firearms in physical inventory and (b)(3) Pub open dispositions in the A&D records. On February 23, 2017, SIOI (b)(6) left the licensee with a list of firearms that needed to be located in physical inventory or transferred on an ATF F 4473. The A&D record is in the proper format and contains the required information. There were no theft or loss reports filed during the inspection period. (b)(3) Pub firearm was reported missing as a result of the inspection. Primarily, (b)(6) makes the entries in the A&D record. Mr. Kearly stated that they try to conduct an inventory at least twice a year.

On March 16, 2017, SIOI (b)(6) returned to the premises. All firearms had been accounted for with the exception of (b)(3) Pub. (b)(6) completed ATF F 3310.11 for the missing firearm. The licensee was cited for failing to record the disposition of (b)(3) Pub firearms. **Violation Ten, Worksheet One, and Exhibit Two**

5 - ATF Forms 4473 – NICS & Other Dispositions

There were (b)(3) Pub ATF Forms 4473 on file for the past 12 months. All forms were reviewed. A total of (b)(3) Pub violations were cited as a result of the forms review. A total of 81 NICS transaction numbers listed on the FFL Audit Log were compared to the ATF Forms 4473 with no discrepancies (**Exhibit Three**). Transfers to other licensee are conducted properly. (b)(6) reviews the ATF Forms 4473 prior to filing them away. As a result of the inspection, Mr. Kearly stated that he has asked all employees to slow down when conducting a firearms transaction and to try not to answer other customer questions and phone calls until the transaction is complete. Once a customer decides on a firearm to purchase, the employee at the gun counter will walk the firearm and customer to the front counter. The customer completes the ATF F 4473 at the front counter and a front counter employee will complete the transaction.

The licensee was cited for failure to furnish/obtain all of the information as called for by the headings on the form and the instructions on or pertaining to the form. **Violation One, Worksheet Two, and Exhibit Four**

The licensee was cited for failure to obtain a complete ATF F 4473, including certification from the transferee. **Violation Two, Worksheet Two, Exhibit Five**

The licensee failed to obtain or record complete identification information on the ATF F 4473. **Violation Three, Worksheet Two, Exhibit Six**

The licensee failed to record complete NICS information on the ATF F 4473. **Violation Four, Worksheet Two, Exhibit Seven**

The licensee failed to identify the firearm to be transferred on the ATF F 4473. **Violation Five, Worksheet Two, Exhibit Eight**

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The licensee failed to sign and/or date the ATF F 4473 upon transfer of a firearm.

Violation Six, Worksheet Two, Exhibit Nine

The licensee failed to conduct a NICS check, or obtain a valid alternate, prior to the transfer of a firearm to a non-licensee. **Violation Seven, Worksheet Two, Exhibit Ten**

The licensee failed to submit a report of multiple sale. **Violation Eight, Worksheet Two, Exhibit Eleven**

The licensee failed to accurately record on the ATF F 4473, the alternate permit information. **Violation Nine, Worksheet Two, Exhibit Twelve**

6 - Multiple Sales

Per the Violent Crime Analysis Branch (VCAB) Master Query, the licensee submitted (b)(3)(F) multiple handgun sales involving (b)(3)(F) firearms in the past 12 months (**Exhibit Thirteen**). There were (b)(3)(F) unreported multiple sales discovered involving (b)(3)(F) firearms. **Violation Eight, Worksheet Two, Exhibit Eleven**

7 - Suspicious/Prohibited Purchasers

Prior to the inspection, SIOI (b)(6) queried some of the purchasers listed on the VCAB Master Query who had multiple handgun sales. It was discovered that (b)(3)(F) individual had made (b)(3)(F) multiple handgun purchases on the same day. (b)(3)(F) at Hicks Outdoors and (b)(3)(F) at another local licensee. A query of N-Force showed that there is an open investigation on the individual; therefore, a referral was not submitted. S/A (b)(6) s business card was attached to a copy of the ATF F 4473 on file. Criminal history checks were conducted on (b)(3)(F) individuals to include those who answered "yes" on the ATF F 4473, those where no NICS response was recorded, and those with non-qualifying alternate permits and incomplete permit information. No prohibiting information was discovered.

8 - Trace Activity

The VCAB master query indicated (b)(3)(F) successful firearm traces to the licensee in the past 12 months. A secondary market analysis was completed with no derogatory information disclosed. A total of (b)(3)(F) firearms were queried in the Law Enforcement Information Network (LEIN) and E-trace with negative results.

9 - NFA/Importer/Collector/Manufacturer

The licensee does not conduct these activities.

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10 - Referrals

There were no referrals submitted as a result of the inspection.

11 - Other

The licensee has the Youth Handgun Safety Act poster displayed and is aware to provide the Youth Handgun Safety Act pamphlet. The licensee is aware of the Child Safety Lock Act requirement to provide a safety device with the transfer of a handgun.

12 - Closing Actions

On March 16, 2017, SIOI (b)(6) issued and reviewed the Report of Violations (ROV) with Mr. Kearly and (b)(6). Each violation was reviewed. Mr. Kearly and (b)(6) acknowledged that they understood the violations. Mr. Kearly signed the ROV and a copy was left for their records.

On the same day, SIOI (b)(6) reviewed the regulations as outlined on the Acknowledgement of Federal Firearms Regulations with Mr. Kearly and (b)(6). All questions were addressed. Completion of the ATF F 4473 Firearm Transaction Record, Acquisition and Disposition record, and NICS background checks were discussed in detail as well as completion and timely submission of the multiple sales report. The licensee was advised of various State of Michigan requirements pertaining to the sale of firearms, the Youth Handgun Safety Act, and Child Safety Lock Act of 2005. Mr. Kearly and SIOI (b)(6) signed the Acknowledgement (**Exhibit Thirteen**). See **Exhibit Fourteen** for a list of reference material provided.

13 - Violations

1. 27 CFR 478.21(a)

Nature of Violation: The licensee failed to furnish/obtain all of the information as called for by the headings on the form and instructions on or pertaining to the form. This occurred in (b)(3) Pub Int instances on the following forms:

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)
and 32 blank
and 32 blank
33 and 35 blank
and 25 blank
11a error (answered "no")
—34 and 36 blank

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(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) 23, 34 and 36 blank
1a error (answered "no")

Licensee's Response: Mrs. Thibaut stated that they were going too fast, answering phones and trying to help customers all at once. Mr. Kearly stated that he has asked the employees to slow down and that they are no triple checking the forms.

Corrective Action: The licensee shall furnish/obtain all of the information as called for by the headings on the form and the instructions pertaining to the form. SIOI (b)(6) advised the licensee to correct those items that can be corrected by March 23, 2017. On March 23, 2017 (b)(6) confirmed that all corrections had been completed.

2. **Worksheet Two and Exhibit Four**
27 CFR 478.124(c)(1)

Nature of Violation: The licensee failed to obtain the ATF F4473 from the transferee with all of the required information and certification by the transferee that the transferee is not prohibited. This occurred in (b)(3) instances on the following forms:

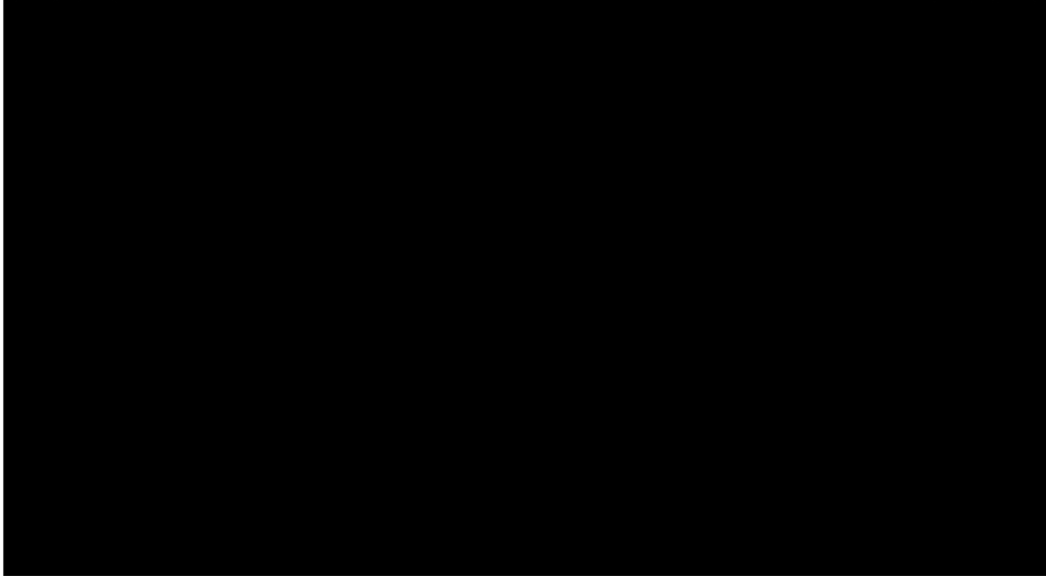
(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

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



Licensee's Response: The licensee stated this was oversight and they were working too fast.

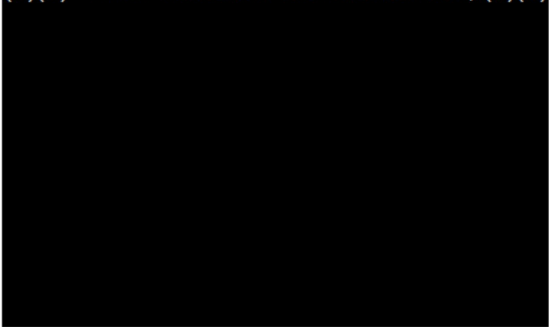
Corrective Action: The licensee shall obtain the ATF F 4473 from the transferee with all of the required information and certification by the transferee that the transferee is not prohibited.

Worksheet Two and Exhibit Five

3. 27 CFR 478.124(c)(3)(i)

Nature of Violation: The licensee failed to verify the identity of the transferee by examining the identification document (as defined in § 478.11) presented and properly noting on the ATF F 4473 the identification document information. This occurred in (b)(3) instances on the following forms: (b)(3) Pub Law 1 instances of incomplete identification information, (b)(3) Pub instances of expired identification, (b)(3) instances of birth year recorded instead of expiration year)

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

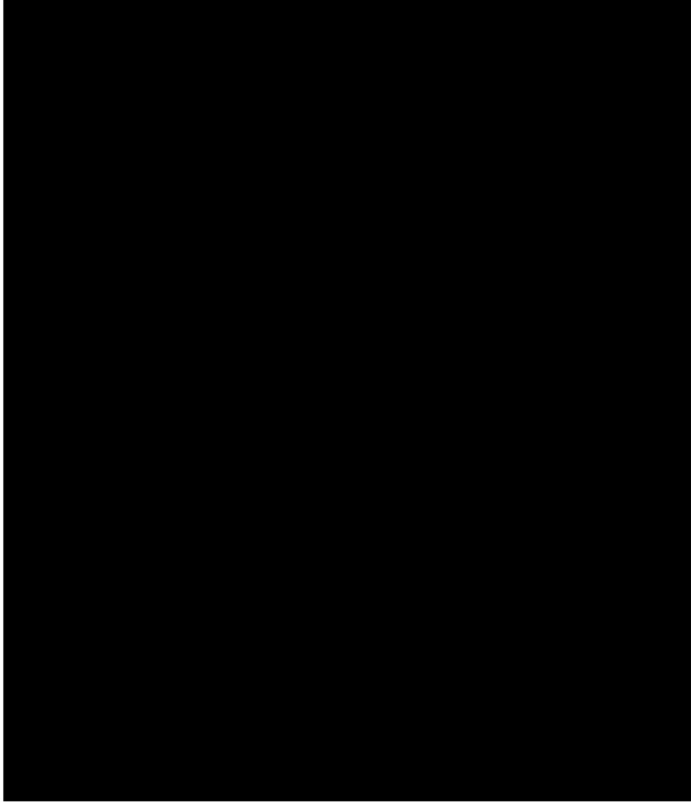


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Name: Hacks Tackle Shop Inc
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(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)



Licensee's Response: The licensee stated this was oversight, clerical errors. Mr. Kearly added that they try to be efficient and make the customers happy. He stated that he is now having the employees slow down and not answer phones and talk to other customers {while the transaction is completed}.

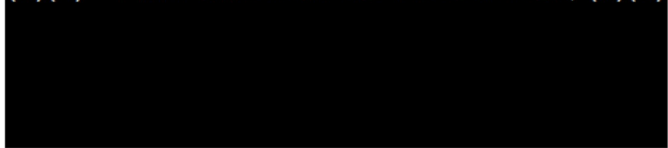
Corrective Action: The licensee shall verify the identity of the transferee by examining the identification document (as defined in § 478.11) presented and properly note on the ATF F 4473 the identification document information.

Worksheet Two and Exhibit Six

4. 27 CFR 478.124(c)(3)(iv)

Nature of Violation: The licensee failed to record (accurately) on the ATF F 4473 the date NICS was contacted, as well as any response provided, including transaction number. This occurred in ^{(b)(3)} instances on the following forms:

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

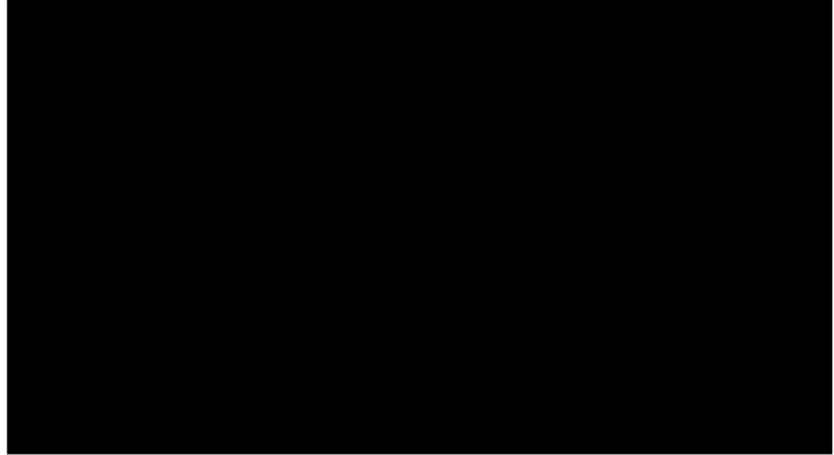


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(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)



Licensee's Response: The licensee stated this was oversight and they were working too fast.


Corrective Action: The licensee shall record (accurately) on the ATF F 4473 the date NICS was contacted, as well as, any response provided, including the transaction number.

Worksheet Two and Exhibit Seven

5. 27 CFR 478.124(c)(4)

Nature of Violation: The licensee failed to identify the firearm to be transferred by listing on the Form 4473 the manufacturer/importer, type, model, caliber/gauge, and serial number. This occurred in (b)(3) instances on the following forms:

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



Licensee's Response: The licensee stated this was oversight and they were working too fast.

Corrective Action: The licensee shall completely identify the firearm to be transferred by listing on the Form 4473 the manufacturer/importer, type, model, caliber/gauge, and serial number. SIOI Morin advised the licensee to correct those items by March 23, 2017. On March 23, 2017 (b)(6) confirmed that all corrections had been completed.

Worksheet Two and Exhibit Eight

6. 27 CFR 478.124(c)(5)

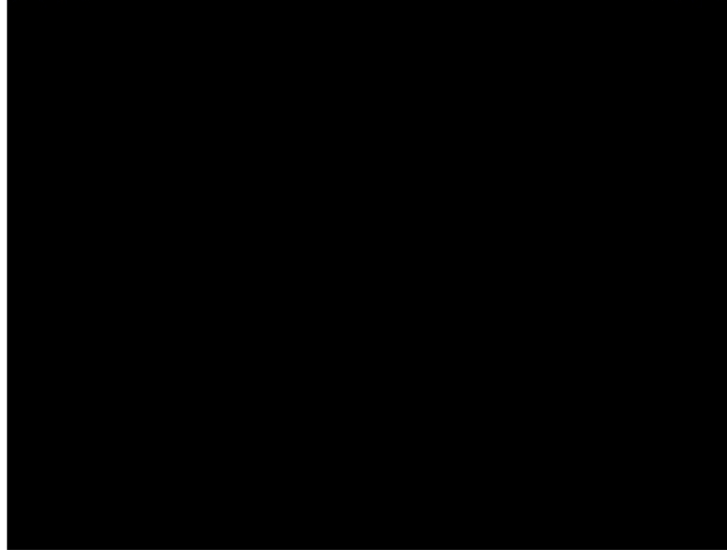
FIREARMS INSPECTION REPORT

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Nature of Violation: The licensee failed to sign/date (accurately) the form at the time of transfer, if the licensee did not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm and transferred the firearm described on the Form 4473. This occurred in ^{(b)(3)} instances on the following forms:

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



Licensee's Response: The licensee stated this was oversight and they were working too fast.

Corrective Action: The licensee shall sign and date (accurately) the form upon transfer of the firearm described on the form. SIOI ^{(b)(6)} advised the licensee to correct those items by March 23, 2017. On March 23, 2017 ^{(b)(6)} confirmed that all corrections had been completed.

Worksheet Two and Exhibit Nine **27 CFR 478.102(a)**

7.

Nature of Violation: The licensee failed to conduct a NICS check or obtain a valid alternate permit prior to transferring a firearm to a non-licensee. This occurred in ^{(b)(3) Pub} instances on the following forms:

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



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

Licensee's Response: The licensee stated this was oversight and they were working too fast. Mr. Kearly added that the new Michigan CPL is unreadable and the ink fades off. In regards to the MCOLES, when the law changed, they were under the impression that it was an alternate to the NICS check due to officers (police) coming to the store and advising that it was an alternate as well as the updated Pistol Sales Record with a space for the MCOLES number.

Corrective Action: The licensee shall not transfer a firearm to a non-licensee prior to conducting a NICS check or obtaining a valid alternate permit. IOI (b)(6) conducted criminal history checks on the purchasers and no prohibiting information was discovered.

8. **Worksheet Two and Exhibit Ten**
27 CFR 478.126a

Nature of Violation: The licensee failed to prepare a report of multiple sales when the transferring at one time or during a five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more to an unlicensed person. This occurred in (b)(3) instances on the following forms:

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

Licensee's Response: The licensee stated this was overlooked.

Corrective Action: The licensee shall prepare a report of multiple sales when transferring, at one time or during a five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more to an unlicensed person. Business days for this purposes are days the licensee holds business hours or otherwise conducts business. IOI (b)(6) verified through E-trace that the multiple sales had been submitted on March 1, 2017.

9. **Worksheet Two and Exhibit Eleven**
27 CFR 478.131(a)(2)

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Nature of Violation: The licensee failed to accurately record on the Form 4473 the identifying number, date of issuance and date of expiration of the alternate permit used in lieu of a NICS check. This occurred in (b)(3) Pub instances on the following forms.

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

Licensee's Response: The licensee stated this was oversight and they were working too fast.

Corrective Action: The licensee shall accurately record on the Form 4473 the identifying number, date of issuance and date of expiration of the alternate permit used in lieu of a NICS check. A copy of the permit used may be attached to the Form 4473.

10. **Worksheet Two and Exhibit Twelve**
27 CFR 478.125(e)

Nature of Violation: The licensee failed to record the disposition of (b)(3) P firearms not later than seven days following the dated of disposition.

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

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Licensee's Response: The licensee stated this was oversight and they were working too fast.

Corrective Response: The licensee shall record the disposition of a firearm not later than seven days following the date of disposition. All dispositions had been recorded by the closing conference. On March 23, 2017, IOI (b)(6) verified through E-trace that the theft/loss report had been submitted for the missing firearm.

Worksheet One and Exhibit Two

X

Industry Operations Investigator

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