

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY)  Gemco Coins & Jewelry, LLC Gemco Coins Jewelry & Pawn 5311 West Broad Street Columbus, OH 43228, Franklin		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 773015-2016-0317-B1B		
		3. PERMIT/LICENSE NUMBER 431049026D04220	4a. TARGET DATE 9/30/2016	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 02/19/2016		
6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator (b)(6) - Assigned Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 02/19/2016				
8. PURPOSE/SPECIAL INSTRUCTIONS Conduct Firearms Disposition Emphasis Inspection. Refer to IOI Manual, Chapter C – Firearms Inspections and FY 16 Domain Assessment. Conduct 100% inventory and ATF Form 4473 review unless authorized in advanced by Area Supervisor and DIO. Please conduct this compliance inspection in conjunction with the "06" compliance inspection. See also 2016-0316.				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	10	NO. OF REFERRALS	2111 - PER DIEM	
NO. OF TECS CHECKS	1	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  Submitted on: 03/25/2016 IO (b)(6) disclosed 10 violations, including (b)(6) instances of not filing multiple handgun sale reports timely or at all, and (b)(6) instances of transferring firearms after the National Instant Criminal Background Check System (NICS) transaction number (NTN) had expired. With regard to the second violation, some of these NTN's had been expired for nearly a year. These were due to FFL conducting NICS pre-checks on pawns and not conducting a new NICS check upon redemption.  Viols WC with WL and Recall				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
FEB 2016		3.00		
MAR 2016		56.50		
MAY 2016		3.00		
ATF OFFICER'S SUBTOTAL		62.50		
		ATF OFFICER'S SIGNATURE		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
MAR 2016		13.00		
ATF OFFICER'S SUBTOTAL		13.00		
		ATF OFFICER'S SIGNATURE		
TOTAL HOURS		75.50		

## Assignment and Report

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	5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 02/19/2016		

### 13. REVIEW AND ROUTING

#### REVIEW COMMENTS AND RECOMMENDATION

Agree with IOIs recommendation of Warning Conference and Recall for FY 17.

Ten violations, including [REDACTED] instances of not filing multiple handgun sale reports timely or at all, and [REDACTED] instances of transferring firearms after the National Instant Criminal Background Check System (NICS) transaction number (NTN) had expired. With regard to the second violation, some of these NTN's had been expired for nearly a year. These were due to FFL conducting NICS pre-checks on pawns and not conducting a new NICS check upon redemption.

Viols WL ONLY and Recall Inspection

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☐ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 04/04/2016
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#### REVIEW COMMENTS AND RECOMMENDATION

Viols WC with WL and Recall

☒ REVIEWED ☒ CONCUR ☐ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE JALEDoux - Director Industry Operations	REVIEW DATE 04/04/2016
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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 Gemco Coins & Jewelry, LLC Gemco Coins Jewelry & Pawn	Street Address 5311 West Broad Street	City Columbus	State OH	Zip Code 43228-	County Franklin	Page 1 of 8 Pages
License/Permit/Registry Number <i>(If any)</i> 431049026D04220		Expiration Date 4/1/2016		Date(s) or Period of Inspection 03/01/2016 through 03/08/2016		

## 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:

Failure to ensure (b)(3) ATF Forms 4473 were accurately completed. Specifically, licensee failed to:

- Ensure the non-licensee filling out Section A of ATF Form 4473 was the actual transferee. On (b)(3) 112 Pub forms non-licensee answered "No" to Item 11a;
- Ensure the transferee re-certified by signing and dating in Section C, Items 24-25 respectively on (b)(3) 112 Pub forms;
- Ensure the transferee correctly entered date in Section C, Item 25 on (b)(3) 112 Pub forms;
- Enter the number of firearms transferred in Section D, Item 30a on (b)(3) 112 Pub forms.

Citation: 27 CFR 478.21(a)

### Date Corrections to be Made:

*(If not corrected immediately)*

### Corrective Action to be Taken:

*(If not corrected immediately)*

Licensee shall ensure ATF Forms 4473 are completed as prescribed by regulation and by form instructions. Licensee shall not transfer firearms to any transferee that indicates he/she is not the actual buyer of the firearm, as indicated on Section A, Item 11a of the ATF Form 4473.

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 431049026D04220	Expiration Date 4/1/2016	Date(s) or Period of Inspection 03/01/2016 through 03/08/2016
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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:  
Failure to ensure transferee completed Section A of ATF Form 4473 properly on [REDACTED] forms.  
Specifically, licensee failed to ensure transferee:  
  
a) Entered accurate/current residential address in Item 2 on [REDACTED] forms;  
  
b) Entered accurate date of birth in Item 7 on [REDACTED] form;  
  
c) Answered Item 11j on [REDACTED] form;  
  
d) Indicated State of residence in Item 13 on [REDACTED] forms;  
  
e) Indicated country of citizenship in Item 14 on [REDACTED] form;  
  
f) Certified form by signing in Item 16 on [REDACTED] form;  
  
g) Certified form by completely/correctly writing date in Item 17 on [REDACTED] forms.

Citation: 27 CFR 478.124(c)(1)

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

Corrective Action to be Taken: Martin acknowledged the violation and had no questions.  
(If not corrected immediately)

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1130

ATF E-Form 5030 5  
Revised April 2005



# Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 431049026D04220		Expiration Date 4/1/2016	Date(s) or Period of Inspection 03/01/2016 through 03/08/2016			

## 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:

Failure to accurately/completely record identification document (ID) information in Section B of ATF Form 4473 on (b)(3) forms. Specifically, licensee failed to:

- a) Accurately/completely record expiration date of ID in Item 20a on (b)(3) 112 forms;
- b) Ensure a valid ID was used. In (b)(3) 112 instance an expired ID was used;
- c) Ensure proper alternate identification was used for military personnel; only PCS orders were obtained but not military ID on (b)(3) 112 forms.

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

### Date Corrections to be Made:

*(If not corrected immediately)*

### Corrective Action to be Taken:

*(If not corrected immediately)*

Licensee shall ensure a valid identification document is obtained and recorded properly on ATF Form 4473 in Section B. If address on primary identification does not match address, supplemental government-issued identification is required and must be recorded in Item 20b.

# Report of Violations

## Instructions

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License/Permit/Registry Number <i>(If any)</i> 431049026D04220		Expiration Date 4/1/2016		Date(s) or Period of Inspection 03/01/2016 through 03/08/2016		

## 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:

Failure to completely/accurately record NICS information in Section B of ATF Form 4473 on (b)(3) forms. Specifically, licensee failed to:

- a) Accurately record NICS contact date in Item 21a on (b)(3) 112 Pub forms;
- b) Record NICS transaction number in Item 21b on (b)(3) 112 Pub forms;
- c) Record initial NICS response in Item 21c on (b)(3) 112 Pub form;
- d) Accurately/completely record a follow up NICS response after an initial delay in Item 21d on (b)(3) 112 Pub forms.

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

### Date Corrections to be Made:

*(If not corrected immediately)*

### Corrective Action to be Taken:

*(If not corrected immediately)*

Licensee shall ensure that for all transactions with non-licensees NICS will be contacted prior to making the transfer and all NICS information is recorded properly on ATF Form 4473.

## Report of Violations

### Instructions

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Name of Proprietor Gemco Coins & Jewelry, LLC Gemco Coins Jewelry & Pawn	Street Address 5311 West Broad Street	City Columbus	State OH	Zip Code 43228-	County Franklin	Page 5 of 8 Pages
License/Permit/Registry Number <i>(If any)</i> 431049026D04220		Expiration Date 4/1/2016	Date(s) or Period of Inspection 03/01/2016 through 03/08/2016			

### Inspection Results

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

<b>Number:</b> 5	<b>Date Corrections to be Made:</b> <i>(If not corrected immediately)</i>
<b>Nature of Violation:</b> Failure to properly identify firearm information in Section D of ATF Form 4473 on (b)(3) 112 Public forms. Specifically, licensee failed to:  a) Record firearm model in Item 27 on (b)(3) 112 Public form;  b) Record firearm serial number in Item 28 on (b)(3) 112 Public forms;  c) Record firearm type in Item 29 on (b)(3) 112 Public form.	<b>Corrective Action to be Taken:</b> <i>(If not corrected immediately)</i> Licensee shall ensure ATF Forms 4473 with incomplete firearm information are corrected. Licensee shall also ensure all firearm information is accurately recorded in Section D of form as prescribed by regulation.
<b>Citation:</b> 27 CFR 478.124(c)(4)	
<b>Number:</b> 6	<b>Date Corrections to be Made:</b> <i>(If not corrected immediately)</i>
<b>Nature of Violation:</b> Failure to properly certify transfer of firearm in Section D of ATF Form 4473 on (b)(3) 112 Public forms by accurately entering date in Item 36.	<b>Corrective Action to be Taken:</b> <i>(If not corrected immediately)</i> Licensee shall fix dates. Licensee shall, with the transfer of every firearm, complete the ATF Form 4473 by signing in Item 34 and recording the correct date in Item 36
<b>Citation:</b> 27 CFR 478.124(c)(5)	

# Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 431049026D04220		Expiration Date 4/1/2016	Date(s) or Period of Inspection 03/01/2016 through 03/08/2016			

## Inspection Results

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

<b>Number:</b> 7	<b>Date Corrections to be Made:</b> <i>(If not corrected immediately)</i>
<b>Nature of Violation:</b> Failure to transfer a firearm prior to the 30 day expiration of a NICS check. Licensee conducted (b)(3) transfers when the NICS check was conducted and the NICS transaction number was received 31 days or earlier.	<b>Corrective Action to be Taken:</b> <i>(If not corrected immediately)</i> Licensee shall ensure that no firearms transfers occur over 30 days from the NICS check.
<b>Citation:</b> 27 CFR 478.102(c)	
<b>Number:</b> 8	<b>Date Corrections to be Made:</b> <i>(If not corrected immediately)</i>
<b>Nature of Violation:</b> Failure to complete and submit ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, in (b)(3), (b)(3), (b)(3) instances. Licensee also failed to timely submit ATF Forms 3310.4 by the close of the business day in (b)(3), (b)(3), (b)(3) instances.	<b>Corrective Action to be Taken:</b> <i>(If not corrected immediately)</i> Licensee shall prepare ATF Form 3310.4 for the cited forms and submit to ATF and local law enforcement. Licensee shall submit ATF Form 3310.4 whenever the licensee sells or otherwise disposes of two or more handguns within five consecutive business days to an unlicensed person.
<b>Citation:</b> 27 CFR 478.126a	

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

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License/Permit/Registry Number (If any) 431049026D04220	Expiration Date 4/1/2016	Date(s) or Period of Inspection 03/01/2016 through 03/08/2016
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Inspection Results

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

Number: 9

Nature of Violation:  
Failure to retain (b)(3) 112 ATF Form 4473 wherein no firearm was transferred for an term of not less than five (5) years.

Citation: 27 CFR 478.129(b)

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

Corrective Action to be Taken:  
(If not corrected immediately)

Licensee shall ensure that all ATF Forms 4473 where a firearm transfer occurred are filed properly (alphabetically, chronologically, or by serial number) and retained for not less than 20 years. All forms where NICS is contacted but no transaction occurred must be retained for not less than five (5) years.

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ATF E-Form 5030 5  
Revised April 2005

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

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

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

**Corrective Action to be Taken:**  
(If not corrected immediately)

: Untimely acquisitions and dispositions reconciled during period of inspection. Licensee is to ensure A&D record is filled in accurately and within regulations. All acquisitions must be recorded by the next business day and all dispositions must be recorded within seven (7) days of disposition. Always ensure all transfers not conducted on ATF Form 4473 are to other FFLs.

- ation:**
- 27 CFR 478.125(e)

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Bureau of Alcohol, Tobacco,  
Firearms and Explosives

550 Main Street, Room 8507  
Cincinnati, Ohio 45202

APR 12 2016

www.aif.gov

773015:  
3019

(b)(6)

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Gemco Coins & Jewelry, LLC  
Gemco Coins Jewelry & Pawn  
5311 West Broad Street  
Columbus, OH 43228

4-31-049-02-6D-04220

Dear Mr. Martin

During a recent inspection at your firearms business covering the period of March 1, 2015, to March 1, 2016, you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you or your representative during the inspection. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

You should be aware that any willful violations of the Gun Control Act may result in revocation of your Federal firearms license. As a result of the recently cited violations, it is important that we have a meeting with you to discuss the violations found. The conference will be held on **April 26, 2016, at 10:00 am at 230 West Street, Suite 400, Columbus, Ohio 43215.** The agenda for the meeting will include a discussion of the reasons for the violations, a review of the legal requirements, and a discussion of steps to be taken by you to ensure future compliance. Although we do not believe it necessary, legal counsel may assist you at your own expense if you so choose. Please bring with you documentation verifying the corrective action you have taken.

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 to aid in this effort to combat violent crime.

Gemco Coins & Jewelry, LLC

We will conduct a follow-up inspection in the future. Any violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license.

Please contact me at (b)(6) to ask any questions you may have regarding this conference. We look forward to meeting with you to resolve these issues.

Sincerely,

(b)(6)

Area Supervisor

Enclosure

cc: Federal Firearms Licensing Center  
Cincinnati II Field Office  
Correspondence File





U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

550 Main Street, Room 8507  
Cincinnati, Ohio 45202

APR 28 2016

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773015:  
3019



**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Gemco Coins & Jewelry, LLC  
Gemco Coins Jewelry & Pawn  
5311 West Broad Street  
Columbus, OH 43228

4-31-049-02-6D-04220

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You should be aware that any willful violations of the Gun Control Act may result in revocation of your Federal firearms license. As a result of the recently cited violations, it is important that we have a meeting with you to discuss the violations found. The conference will be held on **May 12, 2016, at 11:00 am at 230 West Street, Suite 400, Columbus, Ohio 43215**. The agenda for the meeting will include a discussion of the reasons for the violations, a review of the legal requirements, and a discussion of steps to be taken by you to ensure future compliance. Although we do not believe it necessary, legal counsel may assist you at your own expense if you so choose. Please bring with you documentation verifying the corrective action you have taken.

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 to aid in this effort to combat violent crime.

Gemco Coins & Jewelry, LLC

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Sincerely,

(b)(6)

Area Supervisor

Enclosure

cc: Federal Firearms Licensing Center  
Cincinnati II Field Office  
Correspondence File

# FIREARMS INSPECTION REPORT

**Name:** Gemco Coins & Jewelry, LLC  
**Trade Name:** Gemco Coins Jewelry & Pawn

**UI#:** 773015-2016-0317 B1B  
**FFL#:** 4-31-049-02-6D-04220

**Address:** 5311 West Broad Street  
Columbus, OH 43228 (Franklin County)

## 1 - Introduction

### Inspection Profile:

On March 1, 2016 Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (IOI) (b)(6) began a compliance inspection on federal firearms licensee (FFL) Gemco Coins & Jewelry, LLC doing business as (dba) Gemco Coins Jewelry & Pawn. The inspection period covered March 1, 2015 through March 1, 2016. The inspection dates were March 1 through March 8, 2016. IOI (b)(6) interviewed Greg Martin, Owner, whose identity was verified via State of Ohio driver's license. No advanced notification was provided. No other agencies collaborated on this inspection. Assisting with this inspection at times were IOI (b)(6) and Special Agent (SA) (b)(6).

This inspection was conducted concurrently with an inspection on Gemco Coins & Jewelry, LLC's Type 06 Manufacturer of Ammunition license. Reference Unique Identifier (UI) # 773015-2016-0316 for further information regarding that inspection.

Note that FFL is a client of FFL Guard. Reference Section 11 (Other) of this report for further information.

### Business Profile:

Gemco Coins & Jewelry, LLC operates primarily as a firearms store as well as a pawn shop. The store sells new and used firearms; and pawns and redeems firearms as well. Primary suppliers for firearms are (b)(4), (b)(4), and the general public. At the time of the inspection 613 firearms were in inventory (30% long guns, 70% handguns). Approximately 43% of inventory were used firearms. Over the course of the past twelve months Gemco Coins & Jewelry, LLC acquired (b)(4) firearms and disposed (b)(4) firearms (approximately (b)(4) handguns, (b)(4) long guns). Approximately (b)(4) of all transactions are pawn redemptions with the rest as retail sales. Licensee has held FFL since 2013. Firearms are also sold through the Gunbroker website; these transactions consist (b)(4) of all total sales. No sales are made at gun shows. The licensee holds the appropriate State of Ohio vendor's license for the reporting of sales tax and the appropriate State of Ohio pawnbroker's license (PB.100636.000). Premises is located in Prairie Township, Franklin County, Ohio. According to Dana Scott, Prairie Township Zoning Clerk, the premises is located in a commercial area and has no zoning



# FIREARMS INSPECTION REPORT

**Name:** Gemco Coins & Jewelry, LLC  
**Trade Name:** Gemco Coins Jewelry & Pawn

**UI#:** 773015-2016-0317 B1B  
**FFL#:** 4-31-049-02-6D-04220

ordinances. There is no off-site storage.

## **Ownership and Control:**

The business entity is listed as a limited liability company (LLC) and is active in the State of Ohio. The Federal Licensing System (FLS) currently exhibits the FFL as a corporation: Gemco Coins & Jewelry, Inc. This is incorrect; FLS should be updated to reflect actual business entity. Greg Martin is the owner and sole responsible person. IOI (b)(6) detected no signs of hidden ownership.

**Reference Exhibit #1 for further information.**

## **Variance:**

Licensee holds no variances and requested none.

## **2 - Recommendation**

Recommend warning conference with recall inspection. IOI (b)(6) disclosed 10 violations, including (b)(3) - 112 Public L instances of not filing multiple handgun sale reports timely or at all, and (b)(3) - 112 instances of transferring firearms after the National Instant Criminal Background Check System (NICS) transaction number (NTN) had expired. With regard to the second violation, some of these NTN's had been expired for nearly a year. These were due to FFL conducting NICS pre-checks on pawns and not conducting a new NICS check upon redemption.

Due to extensive violations, IOI (b)(6) recommends warning conference to ensure future compliance.

## **3 - Inspection History**

**Date of Inspection:** February 20, 2013  
**Type of Inspection:** Qualification Inspection  
**UI#:** 773015-2013-0213  
**Inspection Results:** License issued.

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

A&D record is in bound book format with four (4) books currently maintained. Open dispositions totaled (b)(3) - 112 Public L entries. A full inventory was conducted of 613 firearms with (b)(3) - 112 Public L discrepancies. Inventory disclosed that (b)(3) - 112 Public L firearms were in inventory and were either not entered into A&D record or were erroneously disposed. An additional firearm was not logged out prior to inspection, but was reconciled with the pawn ticket.

While reviewing A&D record, (b)(6) disclosed (b)(3) entries in the book that had

# FIREARMS INSPECTION REPORT

**Name:** Gemco Coins & Jewelry, LLC  
**Trade Name:** Gemco Coins Jewelry & Pawn

**UI#:** 773015-2016-0317 B1B  
**FFL#:** 4-31-049-02-6D-04220

firearms either being acquired from or disposed to

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



According to Martin, all firearms are logged in and out at the same day as the acquisition or disposition. Inventories were conducted once a year, however, Martin has stepped that up to every three (3) months.

There have been (b)(3) traces for this FFL since previous inspection through February 20, 2016 with (b)(3) - 112 Public Law in the past 12 months. Though no thefts/losses have been reported in the past 12 months, (b)(3) - 112 Public firearm was reported stolen prior to that date. Further, a firearm was reported as missing inventory to ATF the day IOI (b)(6) arrived.

**Reference Section 13 (Violations) of this report (Violation #10) for further information.**

**Reference Report of Violations #10 for further information.**

**Reference Worksheet #1 for further information.**

**Reference Exhibit #2 for further information.**

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

IOIs reviewed all ATF Forms 4473 on hand within the past 12 months (b)(3) - 112 Public forms total). Out of the (b)(3) - 112 Public forms reviewed, IOI (b)(6) disclosed (b)(3) - 112 Public forms with errors. These violations included:

- Not ensuring form is completed as prescribed by regulation;
- Not ensuring transferee fills out form completely/accurately in Section A;
- Not properly acquiring/recording identification document (ID) information in Section B of form;
- Not completely/accurately recording National Instant Criminal Background



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- Check System (NICS) information in Section B of form;
- Not recording firearm information in Section D of form;
  - Not accurately certifying firearm transfer in Section D of form.

Greg Martin disclosed the store uses NICS pre-checks for pawns. During ATF Form 4473 review, IOIs disclosed that Martin only ran the initial pre-check and did not conduct another NICS check when the firearm was redeemed. IOIs only cited for those forms where the NICS check was expired when the transfer occurred (over 30 days). IOI (b)(6) carefully instructed Martin on proper procedure for conducting NICS pre-checks; that all redemptions require another NICS check regardless of when the initial check was conducted. Martin disclosed he would halt using the NICS pre-checks unless an individual was concerned about failing the check. Further, IOI (b)(6) disclosed that if an individual who failed a NICS pre-check for a pawn, the FFL was required to report this information to the local law enforcement agency. Martin reported any denials for NICS pre-checks to the Franklin County Sheriff shortly thereafter.

A NICS audit log check disclosed 297 NICS responses for this FFL within the scope of this inspection (19 denied, 264 proceed, 14 delayed/open) with (b)(3) - 112 Public L discrepancy; a form where a NICS check was conducted but not retained was found.

Martin disclosed that the store, since January 2016, has had a second person review forms and then he reviews the weeks' worth of forms prior to filing. Forms are filed by month (chronological).

IOI (b)(6) also reminded Martin of requirements for transfers to Armed Forces members; to ensure only those stationed in Ohio with Permanent Change of Station (PCS) orders and a valid military ID could be transferred a firearm. Further, IOI (b)(6) exhibited the entry on the ATF Form 4473 regarding having the form filled out on behalf of a non-licensee if they cannot read or write.

**Reference Section 13 (Violations) of this report (Violations #1-7, 9) for further information.**

**Reference Report of Violations #1-7, 9 for further information.**

**Reference Worksheet #2 for further information.**

**Reference Exhibits #3-9 for further information.**

## **6 - Multiple Sales**

The Violent Crime Analysis Bureau (VCAB) disclosed (b)(3) - 1 reported multiple handgun sales for the FFL within the inspection scope. IOI (b)(6) disclosed (b)(3) - 112 Public L multiple handgun sale that were unreported and (b)(3) - 112 Public L that were not reported timely. IOI (b)(6) directed FFL to submit ATF Forms 3310.4 for the (b)(3) - 112 Public L transactions immediately. Martin disclosed multiple handgun sales were disclosed via reviewing the past five (5)

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days' worth of ATF Forms 4473.

**Reference Section 13 (Violations) of this report (Violation #8) for further information.**

**Reference Report of Violations #8 for further information.**


**Reference Worksheet #2 for further information.**

**Reference Exhibit #10 for further information.**

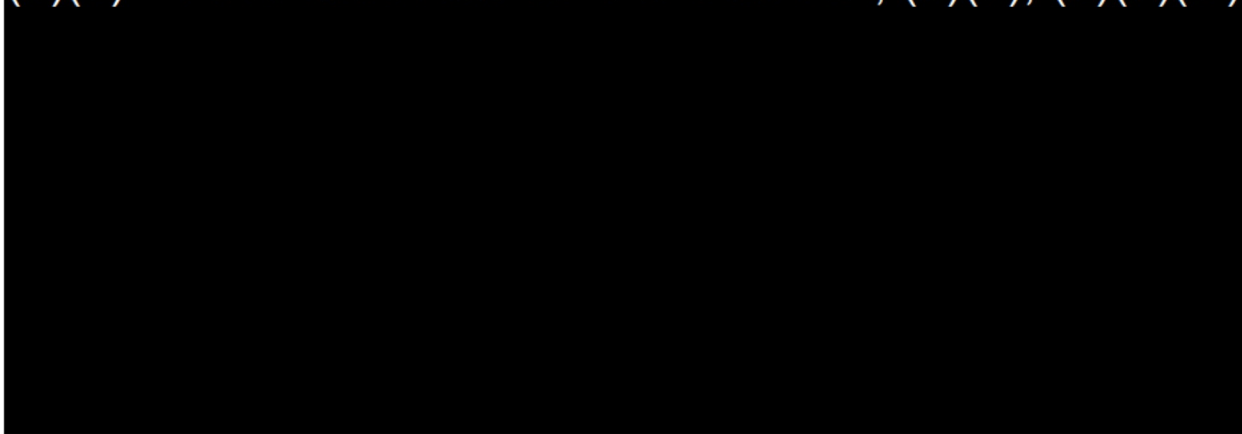
### **7 - Suspicious/Prohibited Purchasers**

Though FFL is not on the Ohio LEADS program, Marin disclosed that all used guns' invoices are sent to the Franklin County Sheriff to ensure if firearms are stolen. IOIB (b)(6) did not run firearms through National Crime Information Center (NCIC) via OpenFox, but several secondary market firearms were run in E-Trace to determine if traces needed updated. IOI (b)(6) also ran all firearms involved Gun Envy, LLC or Great Machine, LLC in E-Trace in addition to those found in worknotes. Through this, IOI (b)(6) identified two (2) firearms in E-Trace that required notification to the National Tracing Center (NTC):

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



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





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

IOI (b)(6) attempted to gather information on those individuals who (b)(3) - 112 Public Law 55 125 Stat 552

IOI (b)(6) also investigated those who bought firearms and marked "no" to Item 11a. No possible diversion/trafficking suspected at this time.

**Reference Referral #2016-0023 for further information.**

**Reference Secondary Market Information, Suspicious Purchaser Query and Traces Perfected worknotes for further information.**

## **8 - Trace Activity**

There were (b)(3) - 112 Public Law 55 125 Stat 552 traces for this FFL since previous inspection through February 20, 2016 with (b)(3) - 112 Public Law 55 125 Stat 552 in the past 12 months. IOI (b)(6) ran 85 secondary market firearms through E-Trace, and updated (b)(3) - 112 Public Law 55 125 Stat 552 trace for the National Tracing Center (NTC).

**Reference Secondary Market Information and Traces Perfected worknotes for further information.**

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

Gemco Coins & Jewelry, LLC holds a Type 06 Manufacturer of Ammunition license Reference UI # 773015-2016-0316 for further information regarding that inspection.

Gemco Coins & Jewelry, LLC holds a Class 03 SOT to deal in National Firearms Act (NFA) weapons. NFA Branch disclosed (b)(3) - 112 Public Law 55 125 Stat 552 NFA firearms in FFL's inventory via National Firearm Registration and Transfer Record (NFRTR). Licensee maintains a separate A&D book for NFA; there (b)(3) - 112 Public Law 55 125 Stat 552 open dispositions in A&D record. A full inventory was conducted and 15 NFA weapons were in inventory (all silencers). There was (b)(3) - 26 USC 6103 in inventory but not on NFRTR; ATF Form 4 was approved.

Gemco Coins & Jewelry, LLC does not manufacture, import or collect firearms.

## **10 - Referrals**



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No referrals generated.

## 11 - Other

Federal firearms license posted at premises. Licensee was reminded to ensure Youth Handgun Safety Poster was also posted and notices are on hand for distribution. IOI (b)(6) Byrd also discussed using the "SKU" number on firearms versus using the actual model and ensure the latter is written in the A&D record.

IOI (b)(6) queried N-Force and notified Columbus I Field Office prior to initiation of compliance inspection, no active or pending ATF CE inquiries or investigations.

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

No illicit or illegal activity is or was suspected on Martin or his FFL.

According to Martin, Grimes offered to use the Type 06 FFL to manufacture ammunition at his location at 5050 Nike Drive, Suites A&B, Hilliard, Ohio 43026 under his company Great Machine, LLC. This never came to fruition.

IOI (b)(6) attempted this inspection first on March 1, 2016. At this time, IOI (b)(6) reviewed A&D record and interviewed Martin about some preliminary inspection items. IOI (b)(6) began to question Martin about Eric Grimes, during which a voice came from the speaker phone in the office stating that they wished to "get an attorney on the line." IOI (b)(6) asked who was on the phone, Martin stated "FFL Guard." IOI (b)(6) asked if FFL Guard had been on the line the entire conversation, Martin disclosed it had "just been for the last few minutes as we talked about this." At no point had Martin disclosed FFL Guard was on the phone. At this point, IOI (b)(6) disclosed he would return tomorrow and left the premises, contacting Cincinnati II Area Supervisor (AS) (b)(6) (b)(6) about FFL Guard's presence and the situation. Martin eventually called IOI (b)(6) later that day to apologize; he disclosed he had not meant to "ambush" IOI (b)(6). At this time, IOI (b)(6) disclosed to Martin that FFL Guard's presence was entirely the FFL's call, however, knowledge of their presence should be made aware to ATF when onsite. IOI (b)(6) returned the following day with IOI (b)(6) and did not re-engage the Grimes conversation until March 8, 2016. At this time, (b)(6), (b)(7)(C)

Once again, FFL Guard was on the phone but this was made aware prior to the call being made. No issues arose.

## 12 - Closing Actions

IOI (b)(6) held closing conference on March 25, 2016 with Greg Martin. Martin had FFL Guard on the phone as IOI (b)(6) went through the violations. Martin signed and

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reviewed Report of Violations and Acknowledgement of Federal Firearms Regulations.  
IOI (b)(6) answered all questions and provided contact information.

**Reference Exhibit #11 for further information.**

### 13 - Violations

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

##### Nature of violation:

Failure to ensure (b)(6) ATF Forms 4473 were accurately completed. Specifically, licensee failed to:

- a) Ensure the non-licensee filling out Section A of ATF Form 4473 was the actual transferee. On (b)(6) forms non-licensee answered "No" to Item 11a;
- b) Ensure the transferee re-certified by signing and dating in Section C, Items 24-25 respectively on (b)(6) forms;
- c) Ensure the transferee correctly entered date in Section C, Item 25 on (b)(6) forms;
- d) Enter the number of firearms transferred in Section D, Item 30a on (b)(6) forms.

##### Licensee's response:

Martin acknowledged the violation and had no questions.

##### Corrective action:

Licensee shall ensure ATF Forms 4473 are completed as prescribed by regulation and by form instructions. Licensee shall not transfer firearms to any transferee that indicates he/she is not the actual buyer of the firearm, as indicated on Section A, Item 11a of the ATF Form 4473.

**Reference Report of Violations #1 for further information.**

**Reference Worksheet #2 for further information.**

**Reference Exhibit #3 for further information.**

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

##### Nature of violation:

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Failure to ensure transferee completed Section A of ATF Form 4473 properly [REDACTED] forms. Specifically, licensee failed to ensure transferee:

- a) Entered accurate/current residential address in Item 2 on [REDACTED] forms;
- b) Entered accurate date of birth in Item 7 on [REDACTED] form;
- c) Answered Item 11j on [REDACTED] form;
- d) Indicated State of residence in Item 13 on [REDACTED] forms;
- e) Indicated country of citizenship in Item 14 on [REDACTED] form;
- f) Certified form by signing in Item 16 on [REDACTED] form;
- g) Certified form by completely/correctly writing date in Item 17 on [REDACTED] forms.

### **Licensee's response:**

Martin acknowledged the violation and had no questions.

### **Corrective action:**

Prior to making an over-the-counter transfer of a firearm to a non-licensee, the licensee shall every time thoroughly review an ATF Form 4473 to ensure transferee has completed the form correctly. The individual in this violation who did not answer question 11j was investigated and determined not to be prohibited.

**Reference Report of Violations #2 for further information.**

**Reference Worksheet #2 for further information.**

**Reference Exhibit #4 for further information.**

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

#### **Nature of violation:**

Failure to accurately/completely record identification document (ID) information in Section B of ATF Form 4473 [REDACTED] forms. Specifically, licensee failed to:

- a) Accurately/completely record expiration date of ID in Item 20a on [REDACTED] forms;
- b) Ensure a valid ID was used. In [REDACTED] instance an expired ID was used;

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c) Ensure proper alternate identification was used for military personnel; only PCS orders were obtained but not military ID on (b)(3) - 112 Public Law forms.

### **Licensee's response:**

Martin acknowledged the violation and had no questions.

### **Corrective action:**

Licensee shall ensure a valid identification document is obtained and recorded properly on ATF Form 4473 in Section B. If address on primary identification does not match address, supplemental government-issued identification is required and must be recorded in Item 20b.

**Reference Report of Violations #3 for further information.**

**Reference Worksheet #2 for further information.**

**Reference Exhibit #5 for further information.**

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

### **Nature of violation:**

Failure to completely/accurately record NICS information in Section B of ATF Form 4473 (b)(3) - 112 Public Law forms. Specifically, licensee failed to:

- a) Accurately record NICS contact date in Item 21a on (b)(3) - 112 Public Law forms;
- b) Record NICS transaction number in Item 21b on (b)(3) - 112 Public Law forms;
- c) Record initial NICS response in Item 21c on (b)(3) - 112 Public Law form;
- d) Accurately/completely record a follow up NICS response after an initial delay in Item 21d on (b)(3) - 112 Public Law forms.

### **Licensee's response:**

Martin acknowledged the violation and had no questions.

### **Corrective action:**

Licensee shall ensure that for all transactions with non-licensees NICS will be contacted prior to making the transfer and all NICS information is recorded properly

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on ATF Form 4473.

**Reference Report of Violations #4 for further information.**  
**Reference Worksheet #2 for further information.**  
**Reference Exhibit #6 for further information.**

5. **27 CFR 478.124(c)(4)**

**Nature of violation:**

Failure to properly identify firearm information in Section D of ATF Form 4473 on (b)(3)-(1)(2) Public Law 9 forms. Specifically, licensee failed to:

- a) Record firearm model in Item 27 on (b)(3)-(1)(2) Public form;
- b) Record firearm serial number in Item 28 on (b)(3)-(1)(2) Public forms;
- c) Record firearm type in Item 29 on (b)(3)-(1)(2) Public form.

**Licensee's response:**

Martin acknowledged the violation and had no questions.

**Corrective action:**

Licensee shall ensure ATF Forms 4473 with incomplete firearm information are corrected. Licensee shall also ensure all firearm information is accurately recorded in Section D of form as prescribed by regulation.

**Reference Report of Violations #5 for further information.**  
**Reference Worksheet #2 for further information.**  
**Reference Exhibit #7 for further information.**

6. **27 CFR 478.124(c)(5)**

**Nature of violation:**

Failure to properly certify transfer of firearm in Section D of ATF Form 4473 on (b)(3)-(1)(2) Public Law 9 forms by accurately entering date in Item 36.

**Licensee's response:**

Martin acknowledged the violation and had no questions.

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### **Corrective action:**

Licensee shall fix dates. Licensee shall, with the transfer of every firearm, complete the ATF Form 4473 by signing in Item 34 and recording the correct date in Item 36.

**Reference Report of Violations #6 for further information.**  
**Reference Worksheet #2 for further information.**  
**Reference Exhibit #8 for further information.**

### 7. **27 CFR 478.102(c)**

#### **Nature of violation:**

Failure to transfer a firearm prior to the 30 day expiration of a NICS check. Licensee conducted [REDACTED] transfers when the NICS check was conducted and the NICS transaction number was received 31 days or earlier.

#### **Licensee's response:**

Martin acknowledged the violation and had no questions. He disclosed that these were due to the fact that he ran NICS pre-checks on pawns and did not run an additional check during the pawn redemption. He was also unaware the NICS check expired.

#### **Corrective action:**

Licensee shall ensure that no firearms transfers occur over 30 days from the NICS check. Additional NICS checks were not conducted since NICS checks were conducted as pre-checks on pawns.

**Reference Report of Violations #7 for further information.**  
**Reference Worksheet #2 for further information.**  
**Reference Exhibit #9 for further information.**

### 8. **27 CFR 478.126a**

#### **Nature of violation:**

Failure to complete and submit ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, in [REDACTED] instances. Licensee also failed to timely submit ATF Forms 3310.4 by the close of the business day in [REDACTED] instances.

#### **Licensee's response:**

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Martin acknowledged the violation and had no questions.

### **Corrective action:**

Licensee shall prepare ATF Form 3310.4 for the cited forms and submit to ATF and local law enforcement. Licensee shall submit ATF Form 3310.4 whenever the licensee sells or otherwise disposes of two or more handguns within five consecutive business days to an unlicensed person.

**Reference Report of Violations #8 for further information.**  
**Reference Worksheet #2 for further information.**  
**Reference Exhibit #10 for further information.**

### 9. **27 CFR 478.129(b)**

#### **Nature of violation:**

Failure to retain (b)(3) - 112 Public L ATF Form 4473 wherein no firearm was transferred for an term of not less than five (5) years.

#### **Licensee's response:**

Martin acknowledged the violation and had no questions.

### **Corrective action:**

Licensee shall ensure that all ATF Forms 4473 where a firearm transfer occurred are filed properly (alphabetically, chronologically, or by serial number) and retained for not less than 20 years. All forms where NICS is contacted but no transaction occurred must be retained for not less than five (5) years.

**Reference Report of Violations #9 for further information.**  
**Reference Worksheet #2 for further information.**

### 10. **27 CFR 478.125(e)**

#### **Nature of violation:**

Failure to maintain an accurate acquisition and disposition (A&D) record (b)(3) - 112 Public L instances. Specifically, licensee:

- a) Logged (b)(3) - 112 Public L firearms out as disposed that were in current inventory;



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- b) Had (b)(3) - 112 Public L firearm in inventory not in A&D record;
- c) Failed to record (b)(3) - 112 Public L firearm as disposition prior to inspection;
- d) Had (b)(3) - 112 Public Law entries in A&D record that were erroneous. Licensee had apparently dealt with Gun Envy, LLC, a FFL, for gunsmithing. Of these gunsmithing transfers, these (b)(3) - 112 Public Law 55 125 Stat 552 exhibit the firearms going to or coming from "Great Machine, LLC", a non-FFL, for these gunsmithing transactions.

### **Licensee's response:**

Martin acknowledged the violation and had no questions. The FFL Guard representative made a comment regarding FFLs being able to ship or drop off firearms for another FFL at an address separate from the one listed on the license; IOI (b)(6) disclosed that had no bearing on the violation.

### **Corrective action:**

Untimely acquisitions and dispositions reconciled during period of inspection. Licensee is to ensure A&D record is filled in accurately and within regulations. All acquisitions must be recorded by the next business day and all dispositions must be recorded within seven (7) days of disposition. Always ensure all transfers not conducted on ATF Form 4473 are to other FFLs.

**Reference Report of Violations #10 for further information.**

**Reference Worksheet #1 for further information.**

**Reference Exhibit #2 for further information.**

X

(b)(6)

Industry Operations Investigator

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

Exhibit #1 – State of Ohio Certificate of Limited Liability Company

Exhibit #2 – Spreadsheet and pages from A&D record showing transfers to/from Gun Envy, LLC or Great Machine, LLC

Exhibit #3 – Copies of ATF Forms 4473 in support of Violation #1

Exhibit #4 – Copies of ATF Forms 4473 in support of Violation #2



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Exhibit #5 – Copies of ATF Forms 4473 in support of Violation #3  
Exhibit #6 – Copies of ATF Forms 4473 in support of Violation #4  
Exhibit #7 – Copies of ATF Forms 4473 in support of Violation #5  
Exhibit #8 – Copies of ATF Forms 4473 in support of Violation #6  
Exhibit #9 – Copies of ATF Forms 4473 in support of Violation #7  
Exhibit #10 – Copies of ATF Forms 4473 in support of Violation #8  
Exhibit #11 – Acknowledgement of Federal Firearms Regulations