

## Assignment and Report

|  |    |   |                 |                                |  |
|--|----|---|-----------------|--------------------------------|--|
| 1. OPERATING NAME AND ADDRESS<br>(INCLUDE ZIP CODE AND COUNTY)<br><br>Clark, Daniel Lee<br>Anything Pawn<br>1137 N Dixie Hwy<br>Radcliff ,KY 40160, Hardin   |    | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.)<br>775045-2016-0281-B1B |                 |                                |  |
|  |    | 3. PERMIT/LICENSE NUMBER<br>461093028J03427                                     | 4a. TARGET DATE | 4b. TARGET HOURS               |  |
|  |    | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)                                     |                 |                                |  |
| 6. ATF OFFICER(S) ASSIGNED<br>(b)(6) - Lead Investigator<br>(b)(6) - Assigned Investigator<br>(b)(6) - Assigned Investigator   |    |   |                 |                                |  |
| 7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)<br>(b)(6), Area Supervisor, 06/08/2016  |    |   |                 |                                |  |
| 8. PURPOSE/SPECIAL INSTRUCTIONS<br>Conduct a full compliance inspection.<br><br>On 6/8/2016, A/S (b)(6) received a phone call from SA (b)(6). CE interview this FFL regarding a firearm transfer involved a separate CE case. CE determined FFL initially lied and deceived them. CE returned for a second during which the FFL produced short barrel rifle and abandoned to CE. CE's initial look at required records determined dispositions had not been recorded since February 2016 and 4473's appeared to be incomplete and riddled with errors. |    |   |                 |                                |  |
| 9. INSPECTION RESULTS  |    | <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC               |                 | 10. TRAVEL EXPENSES (OPTIONAL) |  |
| NO. OF VIOLATIONS  | 13 | NO. OF REFERRALS  |                 | 2111 - PER DIEM                |  |
| NO. OF TECS CHECKS   | 42 | 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.             |  |

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### 11. ATF OFFICER'S RECOMMENDATION

Submitted by (b)(6) - Industry Operations Investigator

Submitted on: 07/18/2016

The current inspection resulted in 13 violations being cited which warrants a recommendation of Revocation due to the licensee discontinuing use of the A & D record and failing to conduct a background check or obtain an alternative permit (repeat). The licensee discontinued use of the A & D record on 2-26-16. The licensee continued to acquire and dispose of firearms after 2-26-16. There were (b)(3) total errors in the A & D record during the current inspection. A review of these errors disclosed approximately (b)(3) of the (b)(3) errors occurred prior to 2-26-16. The licensee was not maintaining an accurate A & D record even prior to discontinuing use on 2-26-16.

There were 38 total ATF F 4473s during the previous year. The licensee only logged out (b)(3) of the 38 forms in the A & D record. Numerous errors were also located on the ATF F 4473s. The licensee had a 74% error rate on the ATF F 4473s during the inspection period. The licensee had a 10.5 % error rate on the certification section. The licensee failed to report a multiple handgun sale. The licensee transferred a firearm without completing an ATF F4473/background check in (b)(3) instance. The licensee failed to retain (b)(3) ATF F 4473s. The licensee was also found to (b)(3) - (26 USC § 6103) by ATF CE. A DIO Warning Conference was previously held with the licensee on 6-9-11 in lieu of revocation (UI # 775045-2011-0073). The 2011 inspection resulted in 13 violations being cited. Some of the 2011 violations included the licensee transferring a handgun to an out-of-state resident, knowingly possessing a firearm with an obliterated serial number, transferring a firearm without a background check and failure to properly maintain the A & D record. The licensee had (b)(3) A & D errors in 2011 which was a 32% error rate. During the DIO Warning Conference, the licensee stated he would be more careful in the future to ensure firearms acquisitions and dispositions are timely recorded. During the DIO Warning Conference, the licensee also stated he would conduct periodic inventories to ensure all firearms are accurately recorded in the Acquisition & Disposition Record. During the current inspection, Daniel Clark stated he believed the last inventory he conducted for comparison to the A & D record occurred in 2014. It does not appear the licensee implemented any of the measures he stated he would implement during the inspection and DIO Warning Conference in 2011. This resulted in a drastic increase of A & D errors. There were (b)(3) A & D record errors in 2011 and (b)(3) A & D record errors in 2016. The licensee has been given repeated chances to improve the accuracy of their required records but has increasingly gotten worse. It does not appear the licensee is able and/or willing to be in compliance with the firearms regulations. It has gotten to the point where the inaccuracy and incompleteness of the licensee's required records are hindering law enforcement's efforts to reduce violent crime and protect the public. The FFL was not recording acquisitions and dispositions in the A&D record when ATF CE showed up to investigate a firearms trafficking case in June 2016. The FFL's failure to maintain an A&D book hindered the CE investigation. IOI (b)(6) recommends Revocation. No referrals were submitted.

Viols and Revocation / Denial of Renewal App

### 12. TIME ACCOUNTING DATA

|  |        |
|--|--------|
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6) |        |
| JUN 2016                                       | 40.00  |
| JUL 2016                                       | 45.00  |
| ATF OFFICER'S SUBTOTAL                         | 85.00  |
| ATF OFFICER'S SIGNATURE                        |        |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6) |        |
| JUN 2016                                       | 9.00   |
| ATF OFFICER'S SUBTOTAL                         | 9.00   |
| ATF OFFICER'S SIGNATURE                        |        |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6) |        |
| JUN 2016                                       | 9.00   |
| ATF OFFICER'S SUBTOTAL                         | 9.00   |
| ATF OFFICER'S SIGNATURE                        |        |
| TOTAL HOURS                                    | 103.00 |

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### 13. REVIEW AND ROUTING

#### REVIEW COMMENTS AND RECOMMENDATION

In June, 2016 ATF CE contacted the store in person regarding a firearms trafficking case involving a non-licensee. This FFL was not the target of the investigation and the FFL provided ATF CE with false information regarding a firearm acquisition. ATF CE discovered the FFL discontinued maintaining A&D records which caused a significant hindrance of the firearms trafficking investigation. This inspection is a result of IO being notified by CE of GCA recordkeeping violations. Ultimately, the FFL was cited for 13 violations of which two rise to the level of revocation. Discontinue use of A&D since 2/26/2016 and repeat violation of transferring a firearm without a background check. Additionally, 10 of the 13 violations are repeat violations from the 2011 inspection for which a DIO Warning Conference was held in lieu of revocation. A&D errors increased from 22 during the 2011 inspection to 68 in this inspection. Also, an (b) (3) - (26 USC § 6103) was surrendered to CE. A PII was sent to DIO Rogers on 8/12/2016 for a recommendation to pursue revocation.

Viols and Revocation / Denial of Renewal App

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b) (6) Area Supervisor

REVIEW DATE

08/12/2016

#### REVIEW COMMENTS AND RECOMMENDATION

The licensee has been licensed since 2009, when a qualification inspection was conducted. In 2010, an inspection resulted in a DIO held warning conference, in lieu of revocation. In 2012, the licensee was inspected without violations. This inspection is a result of IO being notified by CE of GCA recordkeeping violations. The FFL was cited for 13 violations of which two rise to the level of revocation. Discontinued use of A&D since 2/26/2016 and a repeat violation of transferring a firearm without a background check. Additionally, 10 of the 13 violations are repeat violations from the 2011 inspection. A&D errors increased from 22 during the 2011 inspection to 68 in this inspection. Also, an (b) (3) - (26 USC § 6103) was surrendered to CE. Prior to the inspection, the FFL provided ATF CE with false information regarding a firearm acquisition. ATF CE discovered the FFL discontinued maintaining A&D records which caused a significant hindrance of the firearms trafficking investigation. The lead IOI and Area Supervisor recommend revocation.

Viols and Revocation / Denial of Renewal App

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☐ FINAL DISPOSITION

SIGNATURE AND TITLE

APROGERS - DIO

REVIEW DATE

08/15/2016

#### ROUTING SEQUENCE AND DATE

- ☐ 1. \_\_\_\_\_
- ☐ 2. \_\_\_\_\_
- ☐ 3. \_\_\_\_\_
- ☐ 4. \_\_\_\_\_

CONTROL FILE POSTED DATE \_\_\_\_\_

Report of Violations

Instructions

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|---|------------------------------------|-----------------------------|--|--------------------|------------------|----------------------|
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| License/Permit/Registry Number <i>(If any)</i><br>461093028J03427 |                                    | Expiration Date<br>9/1/2018 | Date(s) or Period of Inspection<br>06/09/2016 through 07/15/2016 |                    |                  |                      |

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 properly maintain the acquisition and disposition record in **015** instances.

Licensee failed to record a firearm acquisition in the A & D record in **006** instances. Licensee failed to record a firearm disposition in the A & D record in **006** instances. Licensee transferred a firearm with no acquisition or disposition entry in the A & D record in eight instances. Licensee discontinued use of the A & D record on 2-26-16. Licensee continued to acquire and dispose of firearms after 2-26-16.

**Citation:** 27 CFR 478.125(e)

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

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

The licensee was instructed to begin maintaining the A & D record accurately and in a timely manner. Licensee was instructed to make the appropriate corrections to the A & D record, which he did.

Report of Violations

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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 properly complete ATF F4473s. <sup>(b)(3)</sup> forms were examined. Errors were found in <sup>(b)(3)</sup> instances on <sup>(b)(3)</sup> forms. The following was found:

In <sup>(b)(3)</sup> instance, Item 10a (2012 edition) was blank.

In <sup>(b)(3), P</sup> instances, Item 30a (2012 edition) was blank.

In <sup>(b)(3), P</sup> instances, Item 30b (2012 edition) was blank.

In <sup>(b)(3)</sup> instances, Item 31 (2012 edition) was blank.

In <sup>(b)(3)</sup> instances, Item 32 (2012 edition) was blank or incomplete.

In <sup>(b)(3)</sup> instances, Item 33 (2012 edition) was blank.

In <sup>(b)(3)</sup> instances, Item 35 (2012 edition) was blank.

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 was instructed to examine all ATF F4473s completed by purchasers to ensure that all required information is fully complete and correct. Licensee was instructed to properly complete ATF F4473s.



## Report of Violations

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| License/Permit/Registry Number <i>(If any)</i><br>461093028J03427 |                                    | Expiration Date<br>9/1/2018 | Date(s) or Period of Inspection<br>06/09/2016 through 07/15/2016 |                    |                  |                      |

### 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 obtain a properly completed ATF F4473 in <sup>(b)(3), Pub L</sup> out of 38 forms examined. A total of <sup>(b)(3), Pub L</sup> instances were found to be either missing, incomplete or incorrect. The following was found:

In <sup>(b)(3), Pub L</sup> instance, Item 1 (2012 edition) was incomplete.

In <sup>(b)(3), Pub L</sup> instance, Item 7 (2012 edition) was blank.

In <sup>(b)(3), Pub L</sup> instance, Item 11c (2012 edition) was blank. NCIC did not disclose this individual was prohibited.

In <sup>(b)(3), Pub L</sup> instance, Item 11g (2012 edition) was blank. NCIC did not disclose this individual was prohibited.

In <sup>(b)(3), Pub L</sup> instance, Item 11j (2012 edition) was blank. NCIC did not disclose this individual was prohibited.

In <sup>(b)(3), Pub L</sup> instances, Item 17 (2012 edition) was blank or incorrect.

In <sup>(b)(3), Pub L</sup> instance, the licensee completed Section A of the ATF F 4473 on a transfer to <sup>(b)(3), 112-55 Pub L</sup>. The ATF F 4473 specifically states this section must be completed personally by the transferee/buyer.

#### Date Corrections to be Made:

*(If not corrected immediately)*

#### Corrective Action to be Taken:

*(If not corrected immediately)*

Licensee was instructed to examine all ATF F4473s completed by purchasers to ensure that all required information is fully complete and correct. Licensee was instructed that the transferee/buyer must personally complete Section A of the ATF F 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><br>461093028J03427 |                                    | Expiration Date<br>9/1/2018 | Date(s) or Period of Inspection<br>06/09/2016 through 07/15/2016 |                    |                  |                      |

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)(1)

Number:

4

Nature of Violation:

After the transferee has executed the ATF F4473, the licensee shall verify the identity of the transferee by examining the identification document. The licensee failed to receive a valid identification or failed to record id information in (b)(3) instance on (b)(3) form.

In (b)(3) instance, Item 20a (2012 edition) was incomplete.

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)

The licensee must verify the identity of the transferee by examining the identification document and record all transferee's identification information on the ATF F4473.

Number:

5

Nature of Violation:

Failure to properly complete ATF F4473s. 38 forms were examined. Errors were found in (b)(3) instances on (b)(3) forms. The following was found:

In (b)(3) instance, Item 21c (2012 edition) was blank.

In (b)(3) instance, Item 21d (2012 edition) was blank.

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 was instructed to properly complete ATF F4473s.

April 9 Production

211

RIP

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ATF E-Form 5030 5

Revised April 2005

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

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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: 6

Nature of Violation:  
Failure to properly complete ATF F4473s. 38 forms were examined. Errors were found in 10 instances on 10 forms. The following was found:  
  
In 1 instance, Item 26 (2012 edition) was blank.  
  
In 1 instances, Item 27 (2012 edition) was blank.  
  
In 1 instances, Item 28 (2012 edition) was blank.  
  
In 1 instance, Item 29 (2012 edition) was blank.  
  
In 1 instances, Item 30 (2012 edition) was blank.

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

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

Licensee was instructed to begin completing ATF F4473 completely and accurately.

April 9 Production

212

RIP

For Official Use Only

ATF E-Form 5030 5  
Revised April 2005



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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:

**Citation:** 27 CFR 478.126a

## Report of Violations

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| License/Permit/Registry Number <i>(If any)</i><br>461093028J03427 |                                    | Expiration Date<br>9/1/2018 | Date(s) or Period of Inspection<br>06/09/2016 through 07/15/2016 |                    |                  |                      |

### 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 properly complete ATF F4473s. 38 forms were examined. Errors were found in (b)(3), F instances on (b)(3), F forms. The following was found:

In (b)(3), F instances, Item 23 (2012 edition) was incomplete. NCIC disclosed that in (b)(3), F instances, the permits were valid at the time of transfer.

Citation: 27 CFR 478.131(a)(2)

#### Date Corrections to be Made:

*(If not corrected immediately)*

**Corrective Action to be Taken:** Licensee was instructed to begin completing ATF F4473 completely and accurately.  
*(If not corrected immediately)*

Number: 10

#### Nature of Violation:

The licensee failed to conduct a background check (NICS check) or obtain a valid state permit in (b)(3), F instance in violation of 27CFR478.102(a).

In this instance, the licensee transferred a (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6) for a pawn redemption to an individual named (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6) without conducting a background check or completing an ATF F 4473. The licensee also failed to record this disposition in the A & D record. The licensee found a pawn redemption ticket indicating the pawn redemption to (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6). NCIC did not indicate this individual was prohibited.

Citation: 27 CFR 478.102(a)

#### Date Corrections to be Made:

*(If not corrected immediately)*

**Corrective Action to be Taken:** The licensee was instructed to conduct a NICS check or obtain valid alternative permit for any firearms transferred/sold.  
*(If not corrected immediately)*



## Report of Violations

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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:** 11

#### Nature of Violation:

The licensee transferred a firearm without completing an ATF F4473 in (b)(3), 1137 N Dixie Hwy instance in violation of 27CFR478.124(a).

In this instance, the licensee transferred a (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6) for a pawn redemption to an individual named (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6) without conducting a background check or completing an ATF F 4473. The licensee also failed to record this disposition in the A & D record. The licensee found a pawn redemption ticket indicating the pawn redemption to (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6). NCIC did not indicate this individual was prohibited.

**Citation:** 27 CFR 478.124(a)

#### Date Corrections to be Made:

*(If not corrected immediately)*

**Corrective Action to be Taken:** The licensee was instructed to complete an ATF F 4473 for any firearms transferred/sold.  
*(If not corrected immediately)*

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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: 12

#### Nature of Violation:

Failure to retain an ATF F4473 in (b)(3), F instances.

In the first instance, the licensee transferred a (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6) to an individual named (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6). The licensee failed to retain this ATF F 4473 as required by regulations.

In the second instance, the licensee transferred a (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6) to an individual named (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6). The licensee failed to retain this ATF F 4473 as required by regulations.

Citation: 27 CFR 478.129(b)

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed to retain the ATF F 4473s in which a sale, delivery, or transfer takes place in either alphabetical, chronological or numerical order for a period of not less than 20 years.

Number: 13

#### Nature of Violation:

(b) (3) - (26 USC § 6103)

(b) (3) - (26 USC § 6103)

Citation: 26 U.S.C. 5861(d)

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed that all NFA weapons in his possession must be registered. A rifle is considered an NFA weapon if it has a barrel length less than 16" or an overall length less than 26".

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

Date

Signature and Title of ATF Officer

Date

April 9 Production

216

RIP

Notice to Revoke or Suspend License and/or  
Impose a Civil Fine

In the matter of License Number 4-61-093-02-8J-03427, as a/an dealer, including pawnbroker, in firearms other than  
destructive devices issued to:

Name and Address of Licensee (Show number, street, city, State and ZIP Code)

Daniel Lee Clark  
dba Anything Pawn  
1137 North Dixie Highway  
Radcliff, Kentucky 40160

Notice Is Hereby Given That:

Pursuant to the statutory provisions and reasons stated in the attached page(s), the Director or his/her designee,  
Bureau of Alcohol, Tobacco, Firearms and Explosives, intends to take action on the license described above.

☒ The above identified license may be revoked pursuant to 18 U.S.C. 922(a), 922(i)(5) or 924(p).


☐ The above identified license may be suspended pursuant to 18 U.S.C. 922(i)(5) or 924(p).

☐ The above identified licensee may be fined pursuant to 18 U.S.C. 922(r)(5) or 924(p).

Pursuant to 18 U.S.C. 922(a)(2) and/or 922(i)(5), you may file a request with the Director of Industry Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives, at 500 Dr. Martin Luther King Jr. 1 Suite 500, Leesville, KY 40022, in duplicate, for a hearing to review the revocation, suspension and/or fine of your license. The request must be received at the above address within 15 days of your receipt of this notice. Where a timely request for a hearing is made, the license shall remain in effect pending the outcome of the hearing; and if the license is due to expire, the license will remain in effect provided a timely application for renewal is also filed. The hearing will be held as provided in 27 CFR § 478.

If you do not request a hearing, or your request for a hearing is not received by ATF on time, a final notice of revocation, suspension, and/or imposition of civil fine (ATF Form 5300.13) shall be issued.

☒ Please see enclosed brochure

|            |  |  |
|------------|--|--|
| Date       | Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official | Signature  |
| 10/17/2015 | Adam Rogers, Director, Industry Operations                                     |  |

certify that on the date shown below served the above notice on the person identified below by:

☒ Certified mail to the address shown below. Tracking Number: 7015 3025 0001 3393 7903. ☐ Delivering a copy of the notice to the address shown below.

|                                       |                                |                                    |
|---------------------------------------|--------------------------------|------------------------------------|
| Date Notice Served                    | Title of Person Serving Notice | Signature of Person Serving Notice |
|                                       | P                              |                                    |
| Print Name and Title of Person Served | Signature of Person Served     |                                    |

Address Where Notice Served



# ATF Form 4500, Notice of Revocation of License

Daniel Lee Clark dba Anything Pawn

1137 North Dixie Highway

Radcliff, Kentucky 40160

4-61-093-02-8J-03427

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given of the revocation of the Federal firearms license specified above, in that the Director, Industry Operations, United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), Louisville Field Division, has reason to believe that Daniel Lee Clark dba Anything Pawn ("Licensee"), 1137 North Dixie Highway, Radcliff, Kentucky 40160, a Dealer, including Pawnbroker, in Firearms Other than Destructive Devices, willfully violated the provisions of the Gun Control Act of 1968, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478.

## Compliance History

ATF issued a Federal firearms license to the Licensee following a qualification inspection conducted in 2009. Compliance inspections were conducted in 2010 and 2012. Following the 2010 inspection, the Licensee attended a warning conference with ATF at which point the cited violations and proposed corrective actions were discussed. Following the warning conference, ATF sent the Licensee a letter advising that "any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license."

## Current Inspection

As a result of the compliance inspection conducted beginning June 9, 2016, the following willful violations were disclosed:

## Violations

### False Statement

1. On June 8, 2016 the Licensee, by and through its agents and employees, willfully made a false statement or representation with respect to information required by the provisions of Title 18, United States Code or (b)(3), Public Law 112-55, 125 Stat. 552, (b)(6) Regulations, Part 478. The Licensee falsely stated to ATF special agents that the Licensee had not acquired a [REDACTED] In violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.128(c).

### Acquisition and Disposition Record Violations

2. The Licensee, by and through its agents and employees, willfully failed to timely and/or accurately record the acquisition of [REDACTED] firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.125(e). See Appendix A, § 1.



3. The Licensee, by and through its agents and employees, willfully failed to timely and/or accurately record the disposition of [REDACTED] firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.125(e). See Appendix A, § 2.
4. The Licensee, by and through its agents and employees, willfully failed to record the acquisition and disposition of [REDACTED] firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.125(e). See Appendix A, § 3.

**Background Check Violation**

5. The Licensee, by and through its agents and employees, willfully transferred [REDACTED] firearm to an unlicensed person on [REDACTED] occasion, in violation of 18 U.S.C. § 922(t)(1) and 27 C.F.R. § 478.102. See Appendix A, § 4.

**ATF Form 4473 Violations**

6. The Licensee, by and through its agents and employees, willfully failed to obtain/execute Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form on [REDACTED] occasions involving [REDACTED] forms, in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.21(a). See Appendix A, § 5.
7. The Licensee, by and through its agents and employees, willfully failed to identify the firearm to be transferred on Form 4473 on [REDACTED] occasions involving [REDACTED] forms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(4). See Appendix A, § 6.
8. The Licensee, by and through its agents and employees, willfully failed to sign and date the Form 4473 certifying that the Licensee does not know or have reason to believe the transferee is disqualified by law from receiving the firearm described on the form on [REDACTED] occasions involving [REDACTED] forms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 124(c)(5). See Appendix A, § 7.
9. The Licensee, by and through its agents and employees, willfully sold or otherwise disposed of a firearm to an unlicensed person without recording the transaction on a firearms transaction record, ATF Form 4473, on [REDACTED] occasion, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(a)(1). See Appendix A, § 8.

**Failure to Report Multiple Sale**

10. The Licensee, by and through its agents and employees, willfully failed to timely and accurately report the sale or other disposition of two or more pistols and/or

ATF Form 4500, Notice of Revocation of License

revolvers to an unlicensed person on (b)(3) occasion, in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a. See Appendix A, § 9.

Failure to Retain Records

11. The Licensee, by and through its agents and employees, willfully failed to retain each ATF Form 4473 for a period of not less than 20 years after the date of the sale or disposition on (b)(3) occasions, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.129(b). See Appendix A, § 10.

Appendix A

§ 1

Firearm Description

Acquisition Not Recorded

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



§ 2

Firearm Description

Disposition Not Recorded

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



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



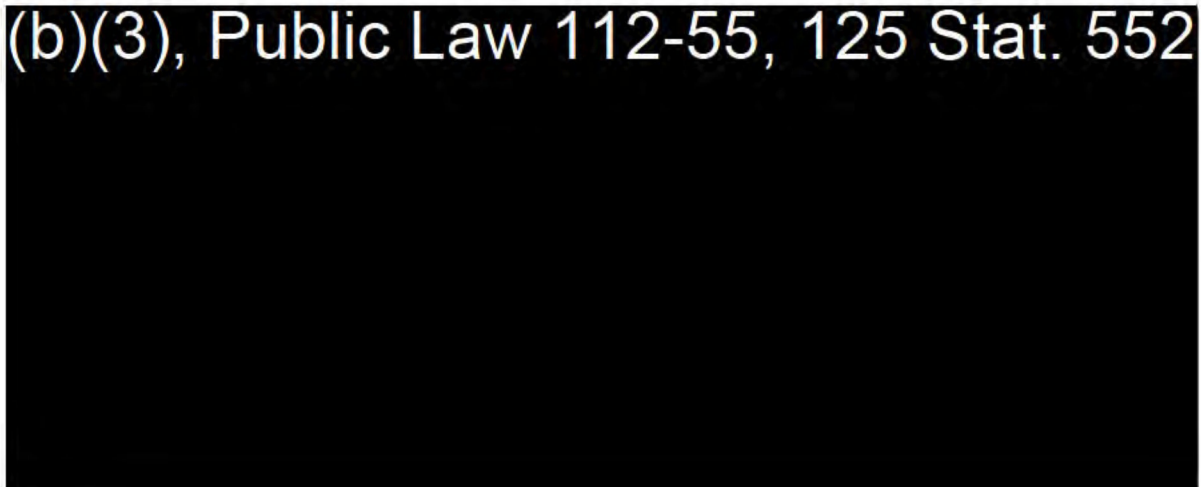
(b)(3), Public Law 112-55, 125 Stat. 552



§ 3

Firearm Description                      Failure to Record Acquisition and Disposition

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



§ 4

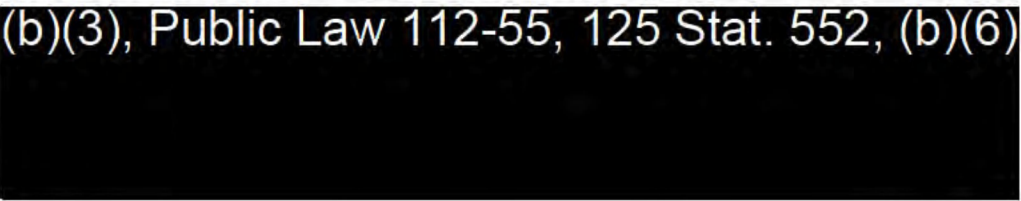
Transferee                      Date                      Discrepancy

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

§ 5

Transferee                      Date                      Discrepancy


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



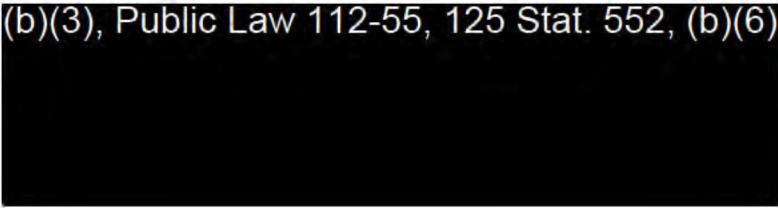
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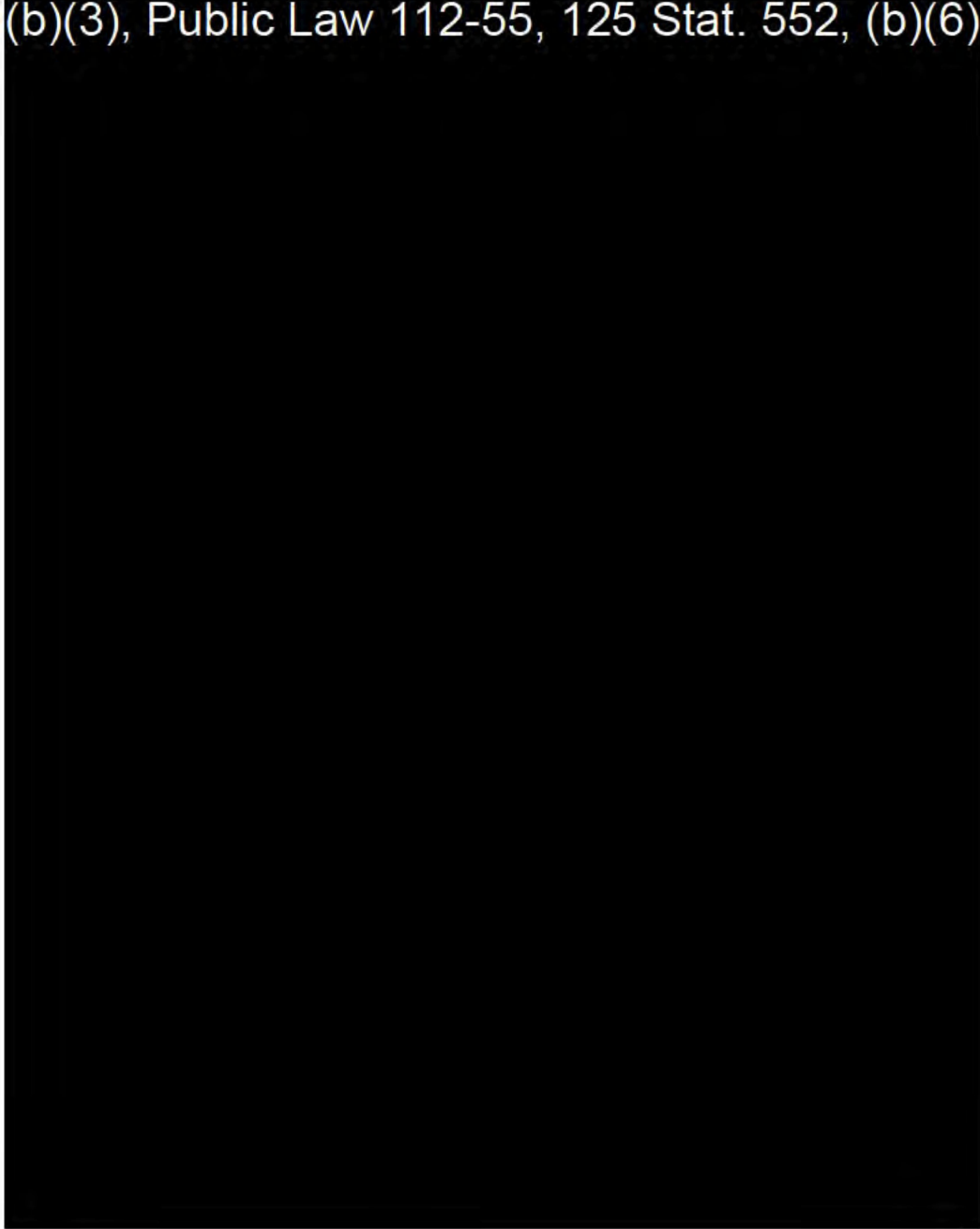
(b)(3), Public Law 112-55, 125 Stat. 552, (b)(6)



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

A large black rectangular redaction box covering the majority of the upper half of the page.

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

A large black rectangular redaction box covering the majority of the lower half of the page.



ATF Form 4500, Notice of Revocation of License

§ 8

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

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

§ 9

Transferee \_\_\_\_\_ Date \_\_\_\_\_ Firearms \_\_\_\_\_

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

## EXPLANATION OF THE HEARING PROCESS



### Hearings

A determination has been made to deny your original or renewal application for a Federal firearms license or to revoke your existing Federal firearms license.

As indicated on the enclosed form, you have the right to request a hearing. This brochure provides general guidance and an overview of the hearing process for industry members that may assist you in making a decision to request a hearing, and to appropriately prepare for a hearing should you request one.

### Background

The Gun Control Act of 1968 and its implementing regulations specify certain licensing requirements for those intending to engage in a firearms business.

ATF is authorized to deny a license when an inspection reveals the applicant is not qualified to receive or not qualified to continue to hold the license. ATF may also revoke a license when it is determined that a

current licensee is no longer eligible to continue licensed operations.

### Your Rights

ATF has made one of the above determinations in your case, issuing you either a Notice of Denial or a Notice of Revocation of License. You have the right to request a hearing to review the proposed denial or revocation action found in the notice you received. This is done by submitting written notification to the Director, Industry Operations (DIO) who issued your Notice. Timeliness is important. *You only have 15 days from your receipt of the Notice to request a hearing.*

Although you may hire an attorney, it is not required, although it may be in your interest to do so. That is your option.

### Hearing Overview

If you submit a letter requesting a hearing to the DIO in time, the DIO or his/her representative will begin to make arrangements for the hearing. The date and time of the hearing will be set by ATF, but you will be consulted as to your availability. ATF will also notify you of the location of the hearing, taking into consideration convenience to you and the availability of government office space that is close to you to conduct the hearing. Once the date, time, and place are set, you will be notified in writing (via certified mail, return receipt requested).

**NOTE:** Under no circumstances will you, your representative, or witnesses be permitted to bring firearms or any other

## EXPLANATION OF THE HEARING PROCESS

weapons to the hearing. The hearing will not begin, or will cease, if it is determined this policy has been violated.

ATF field division in which your licensed business is located.

### Conduct of the Hearing

The hearing is generally scheduled not later than 90 days from the date of the letter notifying you of the date, time, and location of the hearing. There are, however, limited circumstances that may require the hearing to be rescheduled for good cause, as determined by the DIO.

The hearing itself is informal in nature, and adherence to civil court rules and procedures is not required. There is no sworn testimony and formal courtroom procedures are not required. The hearing is recorded via audiotape recorder. The resulting tape, along with exhibits presented at the hearing, constitutes the official record of the hearing.

***ATF does not videotape the hearing proceedings and you will not be allowed to videotape the hearing.*** You may make an audiotape recording of the proceedings, or have the proceedings recorded by a stenographer at your own expense, provided this recording is not disruptive to the proceedings. However, the ATF recording of the hearing is the official record of the proceeding.

### Hearing Officer

The hearing officer is designated by ATF. The selection of the hearing officer is dependent upon a number of factors, including the nature of your case. A hearing officer will be selected who has no prior knowledge of your case and has had no interactions with you or your licensed operations. In most cases, the assigned hearing officer will come from outside the

The hearing officer will ensure the proceedings are conducted in an orderly and professional manner. The purpose of the hearing is to allow both parties to fully present all relevant evidence and arguments regarding the denial or revocation of a license or permit. Most hearings require less than a single day to complete.

The government will be represented by an attorney and will present its evidence first. The government will generally call as a witness the ATF industry operations investigator(s) who conducted your application or compliance inspection, or other ATF employees who have relevant information concerning your case.

At the conclusion of the government's presentation, you will have the opportunity to respond. Make sure you state your case as clearly and factually as possible. The case you present will receive the same consideration by the hearing officer as the government's case. Be willing and prepared to address each violation described in the Notice you received. You may call witnesses. Your witnesses should be able to speak to the findings in the Notice, and may be, for example, the store manager, an employee, bookkeeper, or clerk. You may also present relevant evidence. Relevant evidence is evidence which tends to prove or disprove an issue at the hearing, such as whether the alleged violation occurred as stated in the Government's Notice of Denial or Revocation.

#### EXPLANATION OF THE HEARING PROCESS

Both parties have the right to question all witnesses. The party calling a witness shall have the right to re-direct examination of the witness. You should need no legal training to state your case. The most important consideration is that both parties – you and the government – are given a chance to fully explain the findings and violations disclosed during the application inspection or compliance inspection.

When the hearing officer is satisfied all evidence and arguments have been fully presented by the parties, the hearing officer will advise you that the DIO will make a decision in the matter and will notify you of the final decision in writing.

If, after review of the entire record, you failed to satisfy licensing requirements, or willful violations are found, the DIO may issue a final notice of denial or revocation, which will be sent to you via certified mail.

If you are not satisfied with the final decision of the DIO, you may appeal the decision to Federal district court within 60 days. The hearing proceedings may become part of the review.

Following completion of the hearing, the hearing officer prepares a factual report summarizing the proceedings. This report will be forwarded to the DIO, who makes the denial or revocation decision for ATF.

A license may be denied based on your failure to satisfy licensing requirements, or based on past willful violations.

Generally speaking, ATF will cite willful violations as the basis for revocation cases. Willful violations are those violations meeting the statutory requirement for denial or revocation. "Willfulness," as defined by the courts means the purposeful disregard of a known legal duty, or plain indifference to a licensee's legal obligation. ATF is not required to prove you *intended* to violate the law, only that you knew your legal obligation as a licensee, and you purposefully disregarded this obligation or were plainly indifferent to your obligation.



# EXPLANATION OF THE HEARING PROCESS

If you have any questions concerning the hearing process, please contact the DIO for the ATF division in which you are located.

Miami, FL  
Nashville, TN  
New Orleans, LA  
New York, NY  
Newark, NJ

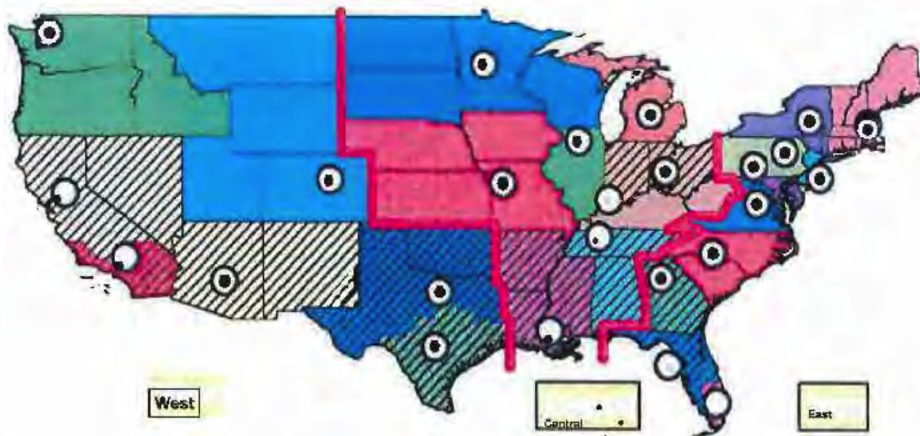
Atlanta, GA  
Baltimore, MD  
Boston, MA  
Charlotte, NC  
Chicago, IL  
Columbus, OH  
Dallas, TX  
Denver, CO  
Detroit, MI  
Houston, TX  
Kansas City, MO  
Los Angeles, CA  
Louisville, KY

(404) 417-2600  
(617) 963-2003  
(617) 557-2203  
(704) 719-5805  
(312) 845-7200  
(614) 827-6500  
(469) 227-4500  
(303) 575-7300  
(313) 302-3400  
(281) 716-6200  
(816) 559-0200  
(813) 259-2500  
(502) 753-3400

Philadelphia, PA  
Phoenix, AZ  
San Francisco, CA  
Seattle, WA  
St. Paul, MN  
Tampa, FL  
Washington, DC

(305) 597-4800  
(615) 565-1400  
(504) 841-7000  
(646) 335-9000  
(973) 412-1179  
(215) 446-7800  
(602) 776-5400  
(975) 557-2800  
(206) 204-3205  
(651) 726-0200  
(813) 202-730  
(202) 648-8020

## ATF Field Divisions



### Industry Operations Regions

North (No Hatching)

South (Hatching)

### ATF Field Divisions

Atlanta  
Baltimore  
Boston  
Charlotte  
Chicago  
Columbus

Dallas  
Denver  
Detroit  
Houston  
Kansas City  
Los Angeles  
Louisville  
Miami  
Nashville  
New Orleans

New York  
Phoenix  
Portland  
San Francisco  
Seattle  
Tampa  
Washington

**Rogers, Adam P.**

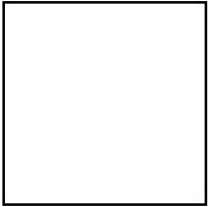
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**From:** (b)(6)  
**Sent:** Monday, October 31, 2016 3:26 PM  
**To:** Rogers, Adam P.; (b)(6)  
**Subject:** Delivery Status of Notice to Revoke - Daniel Clark dba Anything Pawn

Attempted delivery on 10/19/2016.

Your item is being held at the Post Office in RADCLIFF, KY 40160 on October 19, 2016 at 1:04 pm because the business was closed. The item will be delivered the next delivery day that the business is open. If this item is unclaimed after 15 days then it will be returned to the sender.

**From:** auto-reply@usps.com [mailto:auto-reply@usps.com]  
**Sent:** Monday, October 31, 2016 3:22 PM  
**To:** (b)(6). <(b)(6)@atf.gov>  
**Subject:** USPS Item Business Closed for Shipment 70133020000133937905



**Tracking Number: 70133020000133937905**

---

Hello (b)(6),

**Thank you for using  
USPS.com.**

This is a post-only message. Please do not respond.

cheryl rayner has requested that you receive the current USPS Tracking® information, as shown below.

Current USPS Tracking® e-mail information provided by the U.S. Postal Service.



Tracking Number: [70133020000133937905](#)

Updated Delivery Date: October 19, 2016

Service Type: Certified Mail™

| Shipment Activity | Location           | Date & Time              | Shipping Partner |
|-------------------|--------------------|--------------------------|------------------|
| Business Closed   | RADCLIFF, KY 40160 | October 19, 2016 1:04 pm |                  |
| Arrived at Unit   | RADCLIFF, KY 40160 | October 19, 2016 8:37 am |                  |

USPS has not verified the validity of any email addresses submitted via its online USPS Tracking® tool.

For more information, or if you have additional questions on USPS Tracking® services and features, please visit the Frequently Asked Questions (FAQs) section of our USPS Tracking® site at <http://www.usps.com/shipping/uspstrackingfaqs.htm>

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You can track your packages using USPS Text Tracking™ by texting your tracking number to 28777 (2USPS™) or selecting the Text Update option on our USPS Tracking® site. Standard Message and Data Rates may apply.

For more information go to <https://www.usps.com/text-tracking/welcome.htm>

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