

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) SHOOTER'S ROOST LLC 2301 South Fayette Street Beckley, WV 25801, RALEIGH	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 775060-2016-0054-B1B		
	3. PERMIT/LICENSE NUMBER 455081016H01976	4a. TARGET DATE 7/31/2016	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 10/21/2015		

6. ATF OFFICER(S) ASSIGNED
(b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6), ACTING AREA SUPERVISOR, 10/21/2015

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.

Inspection based upon trace history and time to crime. (b)(3) 112 Public Law 55 125 STAT 552.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	5	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	45	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: 02/29/2016

On February 9, 2016, Industry Operations Investigator (IOI) (b)(6) from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) initiated an unannounced Disposition Emphasis compliance inspection for Federal Firearms Licensee, Shooter's Roost LLC. Member Eric Stratton, was interviewed at the business premises in Beckley, WV. The inspection period was from February 9, 2015 through February 9, 2016. The on-site inspection concluded February 18, 2016.

Member Eric Stratton stated that he intends to renew the ATF license prior to the expiration date of August 1, 2016.

This inspection involved an inventory of 622 firearms and an examination of 1,500 Forms 4473. Five (5) violations were cited - 27 CFR 478.22(a); 27 CFR 478.125(e); 27 CFR 478.21(a); 27 CFR 478.124(c)(1); and 27 CFR 478.126a.

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
FEB 2016	71.00		
ATF OFFICER'S SUBTOTAL	71.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	71.00		

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

IOI (b)(6) completed a Disposition Emphasis (DE) FFL Investigation. As a result of the investigation, five record keeping violations were cited, and a Warning Letter to include a Recall Inspection was recommended. The violations cited are as follows: 27 CFR 478.22(a), failure to print A & D Record book at least semiannually, 27CFR 478.125(e), (b)(6) duplicate entries in the A & D Record. 27 CFR 478.21(a), Failure to execute ATF F 4473 where type of firearm was left blank. 27 CFR 478.124(c)(1), licensee accepted a P.O Box for the current address. 27 CFR 478.126 (a), failure to report multiple handgun sale in (b)(6) instances, involving (b)(6) handguns. Based on the lower number of violation instances with regards to the large volume of firearms and ATF F 4473's reviewed. I concur with IOI (b)(6)'s recommendation of Warning Letter to include a Recall Inspection.

Viols WL ONLY and Recall Inspection

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Area Supervisor

REVIEW DATE

03/01/2016

ROUTING SEQUENCE AND DATE

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

CONTROL FILE POSTED DATE _____

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 SHOOTER'S ROOST LLC	Street Address 2301 South Fayette Street	City Beckley	State WV	Zip Code 25801-	County RALEIGH	Page 1 of 3 Pages
License/Permit/Registry Number <i>(If any)</i> 455081016H01976		Expiration Date 8/1/2016		Date(s) or Period of Inspection		

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 comply with alternate recordkeeping procedures. The licensee keeps the firearms acquisition and disposition record (A&D Record) electronically on computer. ATF Ruling 2013-5 allows for this alternate method of recordkeeping in lieu of maintaining the record in bound form, provided several conditions are met. One of those conditions, printing the entire A&D Record at least semiannually, was not performed by the licensee.

Citation: 27 CFR 478.22(a)

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

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

The licensee corrected this violation by printing and providing the A&D Record in less than the 24 hours required by ATF Ruling 2013-5. The licensee was instructed to print the record at least semi-annually from this point forward.

Number: 2

Nature of Violation:
Failure to properly maintain the record of firearms acquisitions and dispositions (A&D Record). There were 01/31/2016 duplicate entries in the electronic A&D Record.

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 immediately entered correcting entries in the electronic A&D Record so that it accurately reflected all acquisitions and dispositions.

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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:

- Number:** 3
- Nature of Violation:**
Failure to properly execute ATF Forms 4473. In (b)(3) 112 Pub instance, Section A, Item 18, "Type of firearm(s) to be transferred (check or mark all that apply)" was blank and in (b)(3) 112 Pub instance it was incomplete.
- Citation:** 27 CFR 478.21(a)
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** The licensee was instructed in the correct procedure for completing and reviewing ATF Forms 4473. From this point forward, the licensee shall ensure that all ATF Forms 4473 are properly executed.
- Number:** 4
- Nature of Violation:**
Failure to properly execute ATF Forms 4473 Firearms Transaction Record. In (b)(3) 112 Pub instance the licensee accepted a P.O. Box for the "Current Residence Address" at Section A, Item 2.
- Citation:** 27 CFR 478.124(c)(1)
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** The licensee was instructed in the correct procedure for completing and reviewing ATF Forms 4473. From this point forward, the licensee shall ensure that all ATF Forms 4473 are properly executed.
- Number:** 5
- Nature of Violation:**
Failure to report a multiple handgun sale by close of business on the day that the multiple sale occurred. In (b)(3) 112 Pub instances the licensee sold a handgun to the same unlicensed individual, involving (b)(3) 112 Pub firearms, but failed to report the multiple sales to ATF and to the local CLEO, until the following business day.
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** The licensee's Responsible Person, Eric Stratton, stated that this was oversight on his part and that from this point forward he will file the report by close of business on the day that the multiple sale occurs.

U.S. Department of Justice

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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

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

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ATF E-Form 5030 5
Revised April 2005



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
300 Summers Street, Suite 1400
Charleston, West Virginia 25301

March 1, 2016

www.atf.gov

775060: (b)(6)
5300

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Shooter's Roost LLC
Members Eric Stratton and Raymond Erickson
2301 South Fayette Street
Beckley, WV 25801

Dear Mr. Stratton and Mr. Erickson:

During a recent compliance inspection at your firearms business covering the period of February 9, 2015 through February 9, 2016, 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.

The violations were fully explained to you by Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (b)(6). You indicated that you understood the requirements of the firearms laws and regulations. You further indicated that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and ensure the public's safety. It is essential that you comply with all Federal laws and regulations that govern your Federal Firearms License business. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal Firearms License is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Shooter's Roost LLC

Should you have any questions regarding this matter, please contact Industry Operations Investigator (b)(6)

Sincerely,

(b)(6)

Area Supervisor
Charleston II Field Office (IO)

Enclosure

cc: National Licensing Center
Director, Industry Operations, Louisville Field Division
Charleston II Field Office (IO)