

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) BARNES, WENDELL KING GUNS FOR LESS 1310A JEFF DAVIS DRIVE TYLER, TX 75703, SMITH	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;">781025-2016-0077-B1B</p> 3. PERMIT/LICENSE NUMBER 4a. TARGET DATE 4b. TARGET HOURS <p style="text-align: center;">575423018L05044</p> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)
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6. ATF OFFICER(S) ASSIGNED
(b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6) Area Supervisor, 10/01/2015

8. PURPOSE/SPECIAL INSTRUCTIONS
 CONDUCT A SOUTHWEST BORDER FIREARMS DISPOSITION EMPHASIS INSPECTION. ENSURE THE LICENSEE MEETS LOCAL ZONING AND ATF REGULATIONS.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	6	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	3	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)** Senior IOI

Submitted on: 12/23/2015
 Alternative Recommendation: Licensee had a total of one firearm in inventory. The investigator cited the licensee with six violations of the Federal firearms regulations during this inspection; two of which were failure to record the identification document on ATF Form 4473 **(b)(6)** instances); and failure to prepare and submit an ATF Form 3310.4 (multiple sale report) when the licensee transferred more than one handgun to the same individual during a single transaction **(b)(6)** instances). The seriousness of the violations merits a warning conference; however, the investigator recommends a warning letter and recall inspection. The investigator based this recommendation on the following: (1) the licensee did not have any firearms missing from inventory, (2) the licensee did not transfer any firearms to prohibited persons during the inspection period, and (3) the licensee did not have any firearm traces during the inspection period. The investigator discussed the seriousness of the violations with the responsible person and steps that could be taken to ensure the same violations do occur in the future.

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
OCT 2015	19.00		
NOV 2015	6.00		
DEC 2015	8.00		
ATF OFFICER'S SUBTOTAL	33.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	33.00		

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	3. PERMIT/LICENSE NUMBER 575423018L05044	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

I concur with the alternate recommendation of Violations, WL, and Recall Inspection. The results of this particular inspection may benefit from a Warning Letter and follow up on the corrective actions stated by the licensee by conducting a Recall Inspection.

Viols WL ONLY and Recall Inspection

REVIEWED CONCUR SEE COMMENTS FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) Director, Industry Operations	REVIEW DATE 12/31/2015
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REVIEW COMMENTS AND RECOMMENDATION

Viols WL ONLY and Recall Inspection

REVIEWED CONCUR SEE COMMENTS FINAL DISPOSITION

SIGNATURE AND TITLE KRMURPHY - Director, Industry Operations	REVIEW DATE 01/20/2016
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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 BARNES, WENDELL KING GUNS FOR LESS	Street Address 1310A JEFF DAVIS DRIVE	City TYLER	State TX	Zip Code 75703-	County SMITH	Page 1 of 3 Pages
License/Permit/Registry Number <i>(If any)</i> 575423018L05044		Expiration Date 11/1/2018	Date(s) or Period of Inspection 11/17/2015 through 11/19/2015			

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 furnish all information called for in each ATF Form 4473 as indicated by the headings on the ATF Form 4473 and the instructions on or pertaining to the ATF Form.
 Number of forms: █ {questions #31-32}

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will ensure that all ATF Forms 4473 are properly completed.
(If not corrected immediately)

Number: 2

Nature of Violation:

Failure to obtain a completely completed ATF F 4473 from a nonlicensee prior to the transfer of a firearm. Number of forms: █ {question #11b-l; and #17}

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will ensure that nonlicensee completes all information on ATF F 4473 prior to the transfer of a firearm.
(If not corrected immediately)

Number: 3

Nature of Violation:

Failure to verify and correctly record the identification documents on the ATF Form 4473.
 Number of forms: █ {question #20a - identification documentation}

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will always verify and correctly record all identification information on the ATF Forms 4473.
(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: 4

Nature of Violation:

Failure to comply with the requirements of §478.102 and accurately record on the form the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system. Number of forms {question #21a-d}

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)

The licensee will always ensure that the NICS system contact date or response provided by the NICS system is accurately recorded on the ATF Form 4473.

Number: 5

Nature of Violation:

Failure to report and prepare a Report of Multiple Sale or Other Disposition of Pistols and Revolvers (ATF F 43310.4) to report the sale or other disposition of two or more pistols or revolvers or any combination thereof to a nonlicensee at one time or during five consecutive business days. Number of forms: (involving firearms)

Citation: 27 CFR 478.126a

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will report and prepare a Report of Multiple Sale or Other Disposition of Pistols and Revolvers (ATF F 43310.4) to report the sale or other disposition of two or more pistols or revolvers or any combination thereof to a nonlicensee at one time or during five consecutive business days.

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.

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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 accurately record the firearm disposition information in the Acquisition & Disposition Record. Number of Instances: 6

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 will accurately and timely record the acquisition and disposition information in the Acquisition and Disposition Record.

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



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

January 23, 2016

www.atf.gov

781025: (b)(6)
5000

BARNES, WENDELL KING
GUNS FOR LESS
1310A JEFF DAVIS DRIVE
TYLER, TX 75703
RE: 575423018L05044

Dear Mr. Barnes:

During a recent inspection at your firearms business covering the period November 15, 2014 to November 14, 2015 you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you or your designated responsible person by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator(s). You or your responsible person indicated that you understood the requirements of the firearms laws and regulations and that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

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

BARNES, WENDELL KING

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

Sincerely yours,

(b)(6)

Area Supervisor for Dallas Group V

Enclosure

cc: Federal Firearms Licensing Center
Dallas V (IO) Field Office