

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) LMS FIREARMS LLC BIO TACTICAL 1307 EAST AIRLINE DR. VICTORIA, TX 77901, VICTORIA	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 782110-2017-0217-B1B		
	3. PERMIT/LICENSE NUMBER 574469078A03555	4a. TARGET DATE 3/15/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6), Area Supervisor, 02/14/2017

8. PURPOSE/SPECIAL INSTRUCTIONS

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS		NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	2	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: 03/10/2017

Application Approved

12. TIME ACCOUNTING DATA	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
FEB 2017	10.00
MAR 2017	13.00
ATF OFFICER'S SUBTOTAL	23.00
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	23.00

13. REVIEW AND ROUTING
REVIEW COMMENTS AND RECOMMENDATION
Application Approved

<input checked="" type="checkbox"/> REVIEWED	<input checked="" type="checkbox"/> CONFIRMED	(b)(6) TS	<input checked="" type="checkbox"/> FINAL DISPOSITION
SIGNATURE AND TITLE (b)(6) - Area Supervisor		REVIEW DATE 03/10/2017	

ROUTING SEQUENCE AND DATE

☐ 1. _____

☐ 2. _____

☐ 3. _____

☐ 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

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

Name of Proprietor LMS FIREARMS LLC	Street Address 208 TAOS DR	City VICTORIA	State TX	Zip Code 77904-	County VICTORIA	Page 1 of 5 Pages
License/Permit/Registry Number (If any) 574469078A03555	Expiration Date 1/1/2018	Date(s) or Period of Inspection 03/02/2017 through 03/27/2017				

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 obtain and/or furnish all information required in each ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form. Violation occurred in (b)(3), Public Forms.

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

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall obtain and/or furnish all information required in each ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form. The licensee was instructed to double check all ATF Forms 4473 for errors and obvious omissions before the transfer of a firearm to a non-licensee.

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Name of Proprietor LMS FIREARMS LLC	Street Address 208 TAOS DR	City VICTORIA	State TX	Zip Code 77904-	County VICTORIA	Page 2 of 5 Pages
License/Permit/Registry Number (If any) 574469078A03555		Expiration Date 1/1/2018	Date(s) or Period of Inspection 03/02/2017 through 03/27/2017			

Inspection Results

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

Number: 2

Nature of Violation:

Failure to obtain a properly completed ATF Form 4473, Section A, prior to making an over-the-counter transfer of a firearm to a non-licensee, who is a resident of the State in which the licensee's premises is located. Violation occurred in

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

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall obtain a properly completed ATF Form 4473, Section A, prior to making an over-the-counter transfer of a firearm to a non-licensee, who is a resident of the State in which the licensee's premises is located. The licensee was instructed to double check all ATF Forms 4473 for errors and obvious omissions before the transfer of a firearm to a non-licensee.

Report of Violations

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License/Permit/Registry Number (If any) 574469078A03555	Expiration Date 1/1/2018	Date(s) or Period of Inspection 03/02/2017 through 03/27/2017				

Inspection Results

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

Number: 3

Nature of Violation:

Failure to verify the identity of the transferee and note on the ATF Form 4473 the type of identification used. Violation occurred in (b)(3),Public Law 112-55, 125 Stat 552, (b)(6)

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

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 shall verify the identity of the transferee and note on the ATF Form 4473 the type of identification used along with the correct ID# and Expiration date. The licensee was instructed to double check all ATF Forms 4473 for errors and obvious omissions before the transfer of a firearm to a non-licensee. A checklist was suggested as a way to properly complete the ATF Form 4473.

Number: 4

Nature of Violation:

Failure to comply with the requirements of Sec.478.102, and record on the ATF Form 4473 the date on which the licensee contacted NICS, as well as any responses or identification number provided by the system. Violation occurred in (b)(3),Public Law 112-55, 125 Stat 552, (b)(6)

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall comply with the requirements of Sec.478.102, and record on the ATF Form 4473 the date on which the licensee contacted NICS, as well as any responses or identification number provided by the system. The licensee was advised to appropriately and accurately record NICS responses on the ATF Form 4473.

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License/Permit/Registry Number (If any) 574469078A03555	Expiration Date 1/1/2018	Date(s) or Period of Inspection 03/02/2017 through 03/27/2017				

Inspection Results

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

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

Number: 5

Nature of Violation:

Failure to retain the ATF Form 4473 for the prescribed period of time, where the licensee initiated a NICS check for a proposed firearms transaction, but the sale, delivery, or transfer of the firearm was not made. Violation occurred in (b)(3), Public Law 112-55, 125 Stat 552, (b)(6)

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

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 shall retain the ATF Form 4473, for the prescribed period of time, where the licensee initiated a NICS check for a proposed firearms transaction, but the sale, delivery, or transfer of the firearm was not made. The licensee was instructed to file all no sale, no transfer and denied ATF Forms 4473 for the prescribed five years in a locked file cabinet.

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 enter into a record each receipt and every disposition of individual firearms.
Violation occurred in (b)(3), Public instances.

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

Citation: 27 CFR 478.123(d)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall enter into a record each receipt and every disposition of individual firearms. The licensee was reminded of his responsibility to properly record all dispositions within seven days of the transfer of firearm to a non-licensee. The licensee was advised to record all dispositions immediately following a transfer of a firearm to avoid forgetting recording the firearm transaction.

I Have (b)(6) Report of Violations (Proprietor's signature and title)

Date
3/27/17

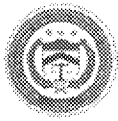
Signature and Title of ATF Officer

(b)(6)

IOI

Date
3/27/2017

For Office



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

McAllen II Field Office

APR 21 2017

McAllen, TX 78504

www.atf.gov

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

782110: EDS
1000

LMS Firearms LLC
208 Taos Dr.
Victoria, TX 77904

REF: 5-74-469-07-8A-03555

Dear Mr. Imes:

During a recent compliance inspection at your firearms business covering the period of March 2, 2016 to March 01, 2017 you were cited for violations of 27 Code of Federal Regulations, Part 48. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

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

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

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.

LMS Firearms LLC

Should you have any questions regarding this matter, please contact (b)(6) Area Supervisor at (b)(6).

Sincerely yours,

(b)(6)

Area Supervisor, McAllen II

Enclosure

c: National Firearms Licensing Center
McAllen II Area Office