

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Lisle, Paul C Lisle Construction 3145 June NE Albuquerque, NM 87111, Bernalillo	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;">785055-2015-0231-B1B</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER</td> <td style="width: 33%;">4a. TARGET DATE</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> <tr> <td style="text-align: center;">585001015A05434</td> <td style="text-align: center;">9/15/2015</td> <td></td> </tr> </table> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)	3. PERMIT/LICENSE NUMBER	4a. TARGET DATE	4b. TARGET HOURS	585001015A05434	9/15/2015	
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585001015A05434	9/15/2015						

6. ATF OFFICER(S) ASSIGNED

(b) (6) - Assigned Investigator
 (b) (6) - Lead Investigator
 (b) (6) - Assigned Investigator
 (b) (6) - Assigned Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)

(b) (6), Area Supervisor, 06/26/2015

8. PURPOSE/SPECIAL INSTRUCTIONS

As a result of a compliance inspection conducted in March 2014, a WL was sent. Conduct a full recall compliance inspection.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	8	NO. OF REFERRALS	1	111 - 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) - Industry Operations Investigator

Submitted on: 12/02/2015
Report of Violations, Revocation, Denial of Renewal Application

IOI (b) (6) recommends revocation of Federal Firearms License due to repeated violations of 27 CFR 478.21(a), 27 CFR 478.124(c)(1), 27 CFR 478.124(c)(3)(iv), 27 CFR 478.126a, and 27 CFR 478.125(e). The licensee willfully attempted to falsify ATF Form 3310.11 - Federal Firearms Licensee Firearms Inventory Theft/Loss Report in an attempt to avoid being cited by ATF during a compliance inspection.

Viols and Revocation / Denial of Renewal App

12. TIME ACCOUNTING DATA		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b) (6)	
AUG 2015	30.00	
SEP 2015	39.00	
OCT 2015	44.50	
NOV 2015	71.00	
DEC 2015	6.00	
JAN 2016	3.00	
ATF OFFICER'S SUBTOTAL	193.50	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b) (6)	
SEP 2015	3.00	
ATF OFFICER'S SUBTOTAL	3.00	ATF OFFICER'S SIGNATURE

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12. TIME ACCOUNTING DATA	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b) (6)
SEP 2015	20.00
ATF OFFICER'S SUBTOTAL	20.00
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	216.50

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

As a result of the compliance inspection, the licensee was cited for failure to ensure that the Forms 4473 were completed correctly and completely instances (Items 2, 3, 13 and 17 were left blank or were incorrect) - repeat violation from the 2014, 2012, 2010 and 2008 inspections; failure to ensure that all NICS information was recorded on the Forms 4473 as required instances - repeat of the 2014, 2012, 2010, 2008, 2007 inspections; failure to report the multiple sale of handguns instances - repeat of the 2008 inspection; failure to report the multiple sale of long guns instance; failure to record, and/or correctly record, the required information in the A/D record instances (3 firearms were reports as lost ng) - repeat of the 2014, 2010, 2008 and 2007 inspections.

For the 2015 compliance inspection, the licensee was reluctant to allow the IOIs entrance to conduct the inspection but was eventually persuaded. The licensee also completed a theft/loss report for firearms stating that he had submitted it without verifying that all the firearms were in inventory. The FFL stated that he had filed the report because he knew that ATF was going to be conducting an inspection and didn't want to get in trouble for not filing it. It was later revealed that the theft/loss report had not been submitted. After the inventory reconciliation conducted by the IOIs, the FFL was advised to submit the amended theft / loss report (down firearms) but did not do so. The report was filed by the IOI. When that report was later amended, the FFL did not file that amended report (down firearms) when instructed to do so. That amended theft/loss report was also filed by the IOI. The FFL had a personal firearms inventory of approximately firearms. The FFL displays his personal firearms along with his inventory firearms when he attends gun shows. The FFL has been advised and acknowledged that his employee (b) (6) is a prohibited person and is not allowed access to firearms. (b) (6) was assisting the FFL with the loading and unloading of firearms at the licensed premise before and after every gun show. The Lisles are sympathetic of (b) (6) and believes (b) (6) when he states that he is not prohibited. Numerous recent traces have been traced back to the FFLs personal collection. Although very few recent firearms acquired are reflected in the A/D record as being transferred to his personal collection, Mr. Lisle was transferring firearms ordered with his FFL directly into his personal collection prior to the 2014 inspection.

As a result of inspections conducted in 2015 (3), 2014 (4), 2010 (2), and 2008 (7), firearms were reported as lost / missing. For the 2014 and 2015, the lost of firearms was discovered after the FFL's participation at a gun show. (reference narrative)

Previous inspections resulted in a WL (2014, 2007), WC (2010 and 2008), ROV (2012, 1995 and 1992). The licensee received his FFL in 1964 and the first compliance inspection was conducted in 1992.

During the inspection period, the licensee acquired firearms, disposed of firearms, completed forms on file. There were approximately firearms traced to the licensee during the inspection period and traces were not completed. There were firearms in the business inventory. One referral was generated and submitted to ABQ CE.

Viols and Revocation / Denial of Renewal App

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE	REVIEW DATE
(b) (6) - Area Supervisor	11/06/2015

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Licensee was subject to a recall compliance inspection August 26, 2015 through October 28, 2015. The licensee was cited with eight violations, five of which were repeat violations. Specifically, the licensee was cited for violating 27 CFR 478.125(e) - Failure to correctly record the acquisition of nine firearms, failure to correctly record the disposition of two firearms, and failure to record any disposition on three firearms. This is an error rate of 5.9 percent on acquisition entries and 5 percent on disposition entries. The licensee was unable to reconcile the three open dispositions and they were subsequently reported missing. The licensee was cited previously for this violation in March 2014 and July 2010. The licensee repeatedly failed to report the [REDACTED] firearms missing and was subsequently cited for violating 27 CFR 478.39(a). The licensee has never previously been cited for this violation. The licensee has not been subject to a Warning Conference in the past five years. Due to the licensee's compliance history, uncooperative behavior throughout the inspection, and failure to report missing firearms as required I am recommending a DIO led Warning Conference and Recall inspection.

DIO Warning Conference held on 1/11/2016.

Viols DIO (or Delegate) Held WC ILO Revocation

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE MSMITCHEM - Director of Industry Operations	REVIEW DATE 12/11/2015
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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 Lisle, Paul C Lisle Construction	Street Address 3145 June NE	City Albuquerque	State NM	Zip Code 87111-	County Bernalillo	Page 1 of 3 Pages
License/Permit/Registry Number <i>(If any)</i> 585001015A05434		Expiration Date 1/1/2018	Date(s) or Period of Inspection 03/15/2014 through 10/28/2015			

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 or obtain all information as required by headings and instructions (b)(3) - Public Law 112-55 172 Stat. 2042 ATF Form 4473.

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee was instructed on how to accurately review ATF Forms 4473.
(If not corrected immediately)

Number: 2

Nature of Violation:

Failure to obtain and record all required transferee information (b)(3) - Public Law 112-55 172 Stat. 2042 ATF Forms 4473.

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 on how to accurately review ATF Forms 4473.
(If not corrected immediately)

Number: 3

Nature of Violation:

Failure to record all required NICS transaction information (b)(3) - Public Law 112-55 172 Stat. 2042 ATF Forms 4473.

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee was instructed on how to accurately review ATF Forms 4473.
(If not corrected immediately)

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License/Permit/Registry Number <i>(If any)</i> 585001015A05434		Expiration Date 1/1/2018	Date(s) or Period of Inspection 03/15/2014 through 10/28/2015			

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 record all required firearm identification information (5/9/97 Public Law 112-55 112 Stat. 279) ATF Forms 4473.

Citation: 27 CFR 478.124(c)(4)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed on how to accurately review ATF Forms 4473.

Number: 5

Nature of Violation:

Failure to timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days (5/9/97 Public Law 112-55 112 Stat. 279) instances.

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 was instructed on how to properly and timely complete, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, ATF Form 3310.4. The licensee immediately completed and submitted ATF Form 3310.4 to appropriate agency.

Number: 6

Nature of Violation:

Failure to timely or correctly report the sale of two or more semi-automatic rifles, larger than .22 caliber with ability to accept detachable magazines, on the same day or within five consecutive business days (5/9/97 Public Law 112-55 112 Stat. 279) instance.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed on how to properly and timely complete, Report of Multiple Sale or Other Disposition of Certain Rifles, ATF Form 3310.12. The licensee immediately completed and submitted ATF Form 3310.12 to appropriate agency.

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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License/Permit/Registry Number <i>(If any)</i> 585001015A05434		Expiration Date 1/1/2018	Date(s) or Period of Inspection 03/15/2014 through 10/28/2015			

Inspection Results

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

Citation: 18 U.S.C. 923(g)(5)(A)

Number: 7

Nature of Violation:

Failure to record required acquisition and disposition information in an Acquisition and Disposition (A&D) Record instances. Specifically, failure to accurately or correctly record acquisitions in the A&D Record. Failure to accurately or correctly record dispositions in the A&D Record. Failure to timely record dispositions of firearms in the A&D Record.

Citation: 27 CFR 478.125(e)

Number: 8

Nature of Violation:

Failure to timely or correctly report Theft or Loss of firearms within 48 hours after the theft or loss is discovered instances.

Citation: 27 CFR 478.39(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed on how to properly record acquisitions and dispositions in the A&D Record.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was instructed on how to properly and timely complete, Federal Firearms Licensee Theft/Loss Report, ATF Form 3310.11. The licensee immediately completed ATF Form 3310.11 and reported theft/loss to the appropriate agencies.

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