

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Grooms, Teddy Marcus & Graham, Shanae Elizabeth Grooms Tactical 35983 S Marylynne Lane Marana, AZ 85658, Pima	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 785090-2016-0239-B1B <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 986019018F08237</td> <td style="width: 33%;">4a. TARGET DATE 9/19/2016</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)	3. PERMIT/LICENSE NUMBER 986019018F08237	4a. TARGET DATE 9/19/2016	4b. TARGET HOURS
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6. ATF OFFICER(S) ASSIGNED
(b) (6) Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b) (6) Area Supervisor, 08/02/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
Possible dealing away from licensed premises (specifically, out of their vehicle). See email pertaining to firearms sold online. Obtain the names of all websites that the FFL sells firearms from. Forward trace firearms as applicable.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	9	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	143	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: 11/23/2016

Viols and Revocation / Denial of Renewal App

12. TIME ACCOUNTING DATA		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b) (6)	
AUG 2016	16.00	
SEP 2016	107.00	
OCT 2016	4.00	
NOV 2016	5.00	
JAN 2017	3.00	
ATF OFFICER'S SUBTOTAL	135.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	135.00	

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
Viols and Revocation / Denial of Renewal App

<input checked="" type="checkbox"/> REVIEWED <input checked="" type="checkbox"/> CONCUR <input type="checkbox"/> SEE COMMENTS <input type="checkbox"/> FINAL DISPOSITION	
SIGNATURE AND TITLE (b) (6) Area Supervisor	REVIEW DATE 10/07/2016

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

The licensee was subject to a firearms compliance inspection August 24, 2016 through September 28, 2016. The licensee was cited for nine violations. Specific to the recommendation of Revocation, the licensee was cited for the following: 27 CFR 478.50 - Licensee conducted business away from the licensed premises on occasions and 27 CFR 478.128(c) - The licensee knowingly made false statements and/or representation with respect to the information required by the provisions of the Gun Control Act in a sale transaction. Specifically, through forward traces the Investigator verified the licensee sold firearms off-premise on at least two occasions. The licensee was asked repeatedly throughout the inspection if they had ever conducted business away from the licensee business premise (their personal residence), and the licensee had always responded "no." Following the investigator's forward traces, the licensee told the investigator that one of his customer's, (b) (6) had called to tell him that the ATF had meet with him to discuss his firearms purchases and where they had taken place. The Investigator spoke with (b) (6) and he confirmed that he met the licensee off-premise to purchase the firearm. When asked about his conversation with (b) (6) and whether or not he had anything to say, the licensee said, "nope, I'm caught." Additionally, in response to the Report of Violations the licensee stated that he thought his license would be in danger if he was caught dealing away from his licensed premises and that's why he had said that all business transactions had occurred at his business premises.

Although the licensee's false statements to the IOI concerning the off-site sales is unacceptable, the licensee did not falsify any required records. Nowhere on the ATF Form 4473 or in the A&D Record did the licensee make any false statements. Thus, the licensee's false statements to the IOI are not actionable under 27 CFR 478.128(c). Additionally, the licensee completed an ATF Form 4473 and conducted the required background check on all off-sites sales. There were no transfers conducted without background checks and no transfers to prohibited persons. Therefore, I am recommending a DIO Waring Conference in lieu of Revocation.

DIO WC was held on 1/26/2017. A post DIO WC letter was sent to the licensee on 1/30/2017.

Viols DIO (or Delegate) Held WC ILO Revocation

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE MSMITCHEM - Director of Industry Operations	REVIEW DATE 11/28/2016
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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 Grooms, Teddy Marcus & Graham, Shanae Elizabeth Grooms Tactical	Street Address 35983 S Marylynne Lane	City Marana	State AZ	Zip Code 85658-	County Pima	Page 1 of 4 Pages
License/Permit/Registry Number <i>(If any)</i> 986019018F08237	Expiration Date 6/1/2018	Date(s) or Period of Inspection 08/24/2016 through 09/28/2016				

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:

Knowingly making false statements or representation with respect to any required information (b)(3)-Public Law 112-55 125 Stat. 552 stance.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was advised that any licensed manufacturer, licensed importer, licensed dealer, or licensed collector who knowingly makes any false statement or representation with respect to any information required by the provisions of the Act or this part shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Citation: 27 CFR 478.128(c)

Number: 2

Nature of Violation:

Failure to furnish or obtain all information as required by headings and instructions (b)(3)-Public Law 112-55 125 Stat. 552 ATF Forms 4473.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure that all information as required by the headings of the ATF Form 4473 will be completed in its entirety and reviewed for accuracy prior to the transfer of any firearm. The licensee was told make a copy of the ATF Form 4473 and make corrections to the copy for the form where the error occurred in Section D.

Citation: 27 CFR 478.21(a)

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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 verify and record proper transferee's identification documents 4473.  TF Forms

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will ensure that all required information is accurately recorded on the ATF Form 4473.

(If not corrected immediately)

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

Number: 4

Nature of Violation:

Failure to record all required NICS transaction information  TF Form 4473.

Date Corrections to be Made:

(If not corrected immediately)


Corrective Action to be Taken: The licensee will ensure that the required information is completely and accurately recorded.

(If not corrected immediately)

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

Number: 5

Nature of Violation:

Failure to record all required firearm identification information  TF Forms 4473.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee was told make a copy of the ATF Form 4473 and make corrections to the copy. The licensee will ensure that the required information is completely and accurately recorded.

(If not corrected immediately)

Citation: 27 CFR 478.124(c)(4)

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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 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 ^(18 USC Public Law 112-55, 125 Stat. 522) instance involving two firearms.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure that a Report of Multiple Sales or Other Disposition of Pistols and Revolvers (ATF Form 3310.4) will be completed when two or more handguns are sold to the same person at one time or within five business days. The licensee was instructed to immediately submit the unreported multiple sales.

Citation: 27 CFR 478.126a

Number: 7

Nature of Violation:

Failure to retain an ATF Form 4473 in ^(18 USC Public Law 112-55, 125 Stat. 522) stance.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure ATF Forms 4473 for completed firearms transactions be retained for a period of not less than 20 years after the date of sale or disposition. If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer is not complete after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his or her records for at least five years.

Citation: 27 CFR 478.129(b)

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: 8

Nature of Violation:

Failure to record required acquisition and disposition information in an Acquisition and Disposition (A&D) Record ^(27 CFR Public Law 112-55, 125 Stat. 552) instances. Specifically, failure to correctly record the serial number ^(27 CFR Public Law 112-55, 125 Stat. 552) instances, licensee acquisition information ^(27 CFR Public Law 112-55, 125 Stat. 552) instances, no importer listed in ^(27 CFR Public Law 112-55, 125 Stat. 552) instances, incorrect caliber listed in one instance, and incorrect date acquired listed in ^(27 CFR Public Law 112-55, 125 Stat. 552) instance.

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 ensure that entries into the Acquisition and Disposition Record Book be timely and correctly recorded. The licensee was instructed to correct all discrepancies in the A&D Record Book.

Number: 9

Nature of Violation:

Licensee conducted business away from the licensed premises ^(27 CFR Public Law 112-55, 125 Stat. 552) casions.

Citation: 27 CFR 478.50

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall conduct all business activity at the licensed premises or at a gun show pursuant to the provisions of 27 CFR 478.100.

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