

**Final Notice of Denial of Application, Revocation
Suspension and/or Fine of Firearms License**

In the matter of:

- The application for license as a/an _____, filed by:
or
 License Number 1-54-067-01-1D-15571 as a/an
Dealer in Firearms Other than Destructive Devices, issued to:

Name and Address of Applicant or Licensee (Show number, street, city, state and Zip Code)

Jonathan Patrick Dowdy
dba - John's Shooting Gallery
41 Boon Street
Boones Mill, VA 24065

Notice is Hereby Given That:

- A request for hearing pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5) was not timely filed. Based on the findings set forth in the attached document, your
 license described above is revoked pursuant to 18 U.S.C., 923(e), 922(t)(5) or 924(p), effective:
 15 calendar days after receipt of this notice, or 9/6/21,
 license is suspended for _____ calendar days, effective _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
 licensee is fined \$ _____, payment due: _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
- After due consideration following a hearing held pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5), and on the basis of findings set out in the attached copy of the findings and conclusions, the Director or his/her designee concludes that your
 application for license described above is denied, pursuant to 18 U.S.C., 923(d).
 application for renewal of license described above is denied pursuant to 18 U.S.C. 923(d), effective:
 15 calendar days after receipt of this notice, or _____
 license described above is revoked pursuant to 18 U.S.C., 923(e), 922(t)(5) or 924(p), effective:
 15 calendar days after receipt of this notice, or _____
 license is suspended for _____ calendar days, effective _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
 licensee is fined \$ _____, payment due: _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).

If, after the hearing and receipt of these findings, you are dissatisfied with this action you may, within 60 days after receipt of this notice, file a petition pursuant 18 U.S.C. § 923(f)(3), for judicial review with the U.S. District Court for the district in which you reside or have your principal place of business. If you intend to continue operations after the effective date of this action while you pursue filing for judicial review or otherwise, you must request a stay of the action from the Director of Industry Operations (DIO), Bureau of Alcohol, Tobacco, Firearms and Explosives, at _____

prior to the effective date of the action set forth above. You may not continue licensed operations unless and until a stay is granted by the DIO.

Records prescribed under 27 CFR Part 478 for the license described above shall either be delivered to ATF within 30 days of the date the business is required to be discontinued or shall be documented to reflect delivery to a successor. See 18 U.S.C. 923(g)(4) and 27 CFR § 478.127.

After the effective date of a license denial of renewal, revocation, or suspension, you may not lawfully engage in the business of dealing in firearms. Any disposition of your firearms business inventory must comply with all applicable laws and regulations. Your local ATF office is able to assist you in understanding and implementing the options available to lawfully dispose of your firearms business inventory.

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official	Signature
08/30/2021	Michael F. Fronczak - Director, Industry Operations	

I certify that, on the date below, I served the above notice on the person identified below by:

Certified mail to the address shown below.
Tracking Number: _____

Or

Delivering a copy of the notice to
the address shown below.

Date Notice Served	Title of Person Serving Notice
08/31/2021	Industry Operations Investigator

(b)(6)

Print Name and Title of Person Served

Jonathan Patrick Dowdy - Owner

Address Where Notice Served

41 Boon Street, Boones Mill, VA 24065

Note: Previous Edition is Obsolete

Jonathan Patrick Dowdy
John's Shooting Gallery
41 Boon St.
Boones Mill, VA 24065

1-54-067-01-1D-15571

Findings of Fact and Conclusions of Law

Background and Procedural History

On or about August 9, 2021, the Director of Industry Operations, Washington Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") issued a Notice of Revocation of License and/or Civil Fine, ATF Form 4500, ("the Notice") to Jonathan Patrick Dowdy d/b/a John's Shooting Gallery. The Notice was served on Jonathan Patrick Dowdy d/b/a John's Shooting Gallery by Industry Operations Investigator _____ via personal delivery in accordance with 27 C.F.R. § 478.75 on August 13, 2021.

The Notice informed Jonathan Patrick Dowdy d/b/a John's Shooting Gallery that ATF intended to revoke its Federal license as a dealer in firearms because the licensee willfully violated the Gun Control Act (GCA) and its implementing regulations. The Notice also advised Jonathan Patrick Dowdy d/b/a John's Shooting Gallery that it could file a request for a hearing to review the revocation of its license within 15 days after receipt of the Notice.

Jonathan Patrick Dowdy d/b/a John's Shooting Gallery failed to make a timely request for a hearing within 15 days after receipt of the Notice. Accordingly, I am issuing this Final Notice of Revocation with Findings and Conclusions as prescribed by 27 C.F.R. § 478.73(b).

Findings and Conclusions

In the absence of any evidence to the contrary, I find that the violations alleged in the Notice took place as stated therein. Specifically, I find as follows:

Compliance History

ATF issued a Federal firearms license (FFL) to the licensee on March 12, 2015, following a qualification inspection.

In November 2018, the licensee was subject to its first compliance inspection by ATF Industry Operations Investigators. At the conclusion of the inspection, the licensee was cited for:

- a) Violation of 27 C.F.R. § 478.126a for failing, on _____ occasion to timely and accurately report the sale of two (2) or more pistols and/or revolvers to an unlicensed person on the same day or within five (5) consecutive business days.
- b) Violation of 27 C.F.R. § 478.129(b) for failure to retain ATF Form 4473 on _____ occasion.
- c) Violations of 27 C.F.R. § 478.125(e) for failing, on _____ occasions, to completely, accurately, and timely record information into the Acquisition and Disposition record.

On November 28, 2018, Mr. Dowdy was provided with a copy of the Report of Violations (ROV) detailing the problems ATF found during the inspection. Mr. Dowdy signed the ROV, acknowledging that he had received it and that the ATF investigator had discussed the violations with him.

The ATF investigator then reviewed federal firearms regulations and recordkeeping requirements with Mr. Dowdy and provided him with an opportunity to ask questions. Mr. Dowdy stated he understood the regulations and signed the Acknowledgment of Federal Firearms Regulations. The ATF investigator provided a copy of the signed Acknowledgment to Mr. Dowdy.

The licensee received a warning letter on or about January 3, 2019, which detailed the violations discovered during the inspection. The letter also reminded the licensee that future violations may be considered willful and could result in the revocation of its federal firearms license.

Current Inspection

On February 3, 2021, ATF Industry Operations Investigator _____ conducted a compliance inspection of the licensee's premises that covered the period February 3, 2020 through February 3, 2021. This compliance inspection was initiated pursuant to a recommendation of a warning letter and recall inspection resulting from the compliance inspection conducted in November 2018. The inspection revealed the following willful violations of the GCA and its regulations:

Legal and Factual Ground for Revocation

1. You violated 18 U.S.C. §§ 922(m) and 923(g)(1)(A), and 27 C.F.R. §§ 478.121(c) and 478.128(c), on approximately _____ occasions by knowingly making a false entry and/or representation on ATF Form 4473 and/or the Acquisition and Disposition

record relating to firearms missing from your inventory in an effort to conceal the lack of required documentation for the missing firearms. *See* Appendix A, ¶ 1.

2. You violated 18 U.S.C. §§ 922(m) and 923(g)(1)(A), and 27 C.F.R. § 478.21(a), involving approximately _____ occasions (on _____ ATF Forms 4473) by failing to obtain/execute ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form (such as questions 6, 10.a, 15, 16, 18.a, 21.a, 23, 24, 29, 34, and 36). *See* Appendix A, ¶ 2.
3. You violated 18 U.S.C. § 922(t)(1)(A) and 27 C.F.R. § 478.102(a)(1) by failing to conduct a NICS background check on a purchaser of a firearm. Instead, you falsely recorded a Virginia State Police approval number _____ on the ATF Form 4473, which approval number was unrelated to the purchaser and/or the firearm transaction. *See* Appendix A, ¶ 3.
4. You violated 18 U.S.C. §§ 922(m) and 923(g)(1)(A), and 27 C.F.R. § 478.124(c)(1), on approximately _____ occasions (on _____ ATF Forms 4473) by failing to record certain identifying and residence information required by ATF Form 4473. *See* Appendix A, ¶ 4.
5. You violated 18 U.S.C. §§ 922(m) and 923(g)(1)(A), and 27 C.F.R. § 478.124(c)(1), on _____ occasion (on _____ ATF Form 4473) by failing to have a transferee/buyer complete Section C of ATF Form 4473 as required when the transfer of the firearm takes place on a different day from the date that the transferee/buyer signed Section A. *See* Appendix A, ¶ 5.
6. You violated 18 U.S.C. §§ 922(m), 922(t)(1)(C), and 923(g)(1)(A), and 27 C.F.R. § 478.124(c)(3)(i) on _____ ATF Forms 4473 by failing to provide a complete response to question 18.a/26.b, which requires that the licensee verify and properly record the identity of the transferee by examining a valid government-issued identification document (as defined in 27 C.F.R. § 478.11). *See* Appendix A, ¶ 6.
7. You violated 18 U.S.C. §§ 922(m), 922(t)(4), and 923(g)(1)(A), and 27 C.F.R. § 478.124(c)(3)(iv) on approximately _____ occasions (on _____ ATF Form 4473) for failing to record background check information on ATF Form 4473 prior to the transfer of a firearm. *See* Appendix A, ¶ 7.
8. You violated 18 U.S.C. §§ 922(m) and 923(g)(1)(A), and 27 C.F.R. § 478.124(c)(4), on approximately _____ occasions (on _____ ATF Form 4473) by failing to record certain information about the firearm to be transferred (questions 24, 25, 26, 27, and 28) on the ATF Form 4473 prior to transfer of the firearm. *See* Appendix A, ¶ 8.
9. You violated 18 U.S.C. §§ 922(m) and 923(g)(1)(A), and 27 C.F.R. § 478.124(c)(5), on approximately _____ occasions (on _____ ATF Forms 4473) by failing to properly sign and/or record the correct date of

transfer of a firearm on ATF Form 4473 certifying that the licensee does not know or have reason to believe the transferee is disqualified by law from receiving the firearm described on the form. *See Appendix A, ¶ 9.*

10. You violated 18 U.S.C. §§ 922(m) and 923(g)(1)(A), and 27 C.F.R. § 478.125(e), on approximately _____ occasions by failing to completely, accurately, and/or timely record information into the Acquisition and Disposition record. This is a repeat violation. The licensee was previously cited for other violations of 27 C.F.R. § 478.125(e) during the 2018 compliance inspection. *See Appendix A, ¶ 10.*
11. You violated 18 U.S.C. § 923(g)(3) and 27 C.F.R. § 478.126a, on approximately _____ occasions by failing to timely and accurately report the sale of two (2) or more pistols and/or revolvers to an unlicensed person on the same day or within five (5) consecutive business days. This is a repeat violation. The licensee was previously cited for another violation of 27 C.F.R. § 478.126a during the 2018 compliance inspection. *See Appendix A, ¶ 11.*

Revocation

Accordingly, the Federal firearms license held by Jonathan Patrick Dowdy d/b/a John's Shooting Gallery, shall be revoked at close of business on the date stated on the first page of this Final Notice of Revocation.

8/30/21

Date

MICHAEL
FRONCZAK

Digitally signed by
MICHAEL FRONCZAK
Date: 2021.08.30 18:48:37
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Michael F. Fronczak
Director, Industry Operations
Washington Field Division