

COLORADO SHOOTING SPORTS LLC's FCI
FCI-26974
07/18/2022 12:36 PM
IOI: (b)(6), Denver VI (IO) Field Office

LICENSEE INFORMATION

Licensee Name	RDS Key	License/Permit Number	License Type
COLORADO SHOOTING SPORTS LLC	5-84-10387	5-84-123-07-3E-10387	07 - Manufacturer of Firearms License

Business Type
Limited Liability Company (LLC)

Premises Address

Mailing Address

Premises Ownership Type
Leased/Rented

Same as Premises Address

Premises Location Type
Store Front

Address
2435 8TH AVE UNIT A
Unit N/A
GREELEY, Colorado 80631
WELD United States

Phone Type	Phone Number	Remarks
Business	+1 970-395-0664	

RECOMMENDATIONS

Final Decision

Revocation

Date

07/01/2022

Details

License was revoked effective 7/1/2022.

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

✔ Submitted to an ATF Employee

✔ Inventory sold to non-licensee or non-permittee

ATF Employee Name
(b)(6)

✔ No inventory on hand

Deputy Assistant Director - Industry Operations Megan Bennett's Recommendation

Revocation

Details

I concur with the recommendation of revocation as the FFL failed to conduct NICS checks.

Special Agent in Charge David Booth's Recommendation

I concur with DIO and Counsel on the recommendation for revocation.

Division Counsel (b)(6) Review

Details

I concur with the recommended revocation.

Director of Industry Operations Paul Brown's Recommendation

Revocation

Details

Revocation is recommended. This is based on the failure to conduct required background checks.

This is the licensee's first compliance inspection under this current license, which was issued in 2020.

Violations cited include:

In five instances, the licensee failed to complete a NICS/POC background check. Regarding this, the responsible person (RP) stated he remembered and or knows purchasers on multiple sales who did not have a background check. No prohibitions were found for these individuals. The RP did not express any compelling reasons or extenuating circumstances why the background checks were not completed.

In (b)(6) instance, the licensee failed to initiate a new NICS check after 30 days lapsed from the initial check. The RP again noted he remembered

and or knows purchasers on multiple sales who did not have a background check. No prohibitions were found for this individual.

In [] instances, the licensee failed to report multiple sales or other dispositions of pistols and revolvers. The RP admitted the multiple sale reports were not completed and also said (regarding the ROV), "It was a lot of stuff". This is a repeated violation under the company's previous license from a 2015, a 2011 and 2009 inspection as noted below.

In [] instance, the licensee failed to timely file the required Annual Firearms Manufacturing and Exportation Report. The RP stated, "I swear I remember sending that in."

In [] instance, the licensee failed to execute an ATF F 4473. The RP commented, in reference to this violation, he did not know the ATF Form 4473 was required for NFA transfers.

In [] instances, the licensee failed to properly mark firearm(s) with the caliber or gauge.

In [] instances, the licensee failed to properly mark firearm(s) with the licensee name.

In [] instances, the licensee failed to properly mark firearm(s) with the manufacturer city and state.

For these violations, the RP stated, "...he is now sending barrels for assembled firearms to an engraver for the required additional markings."

In [] instance, the licensee continued to be engaged in the business without having a Federal firearms license for approximately 27 days. One license expired on April 1, 2020 and the other was not issued until April 28, 2020. The company failed to be licensed as a dealer, manufacturer or importer of firearms. The RP indicated, "...they ran background checks until told they had an expired license. Licensee stated they were told by CBI they had a 30 day grace period. Licensee stated he sent the renewal in a month before expiration, called the licensing center and was told "they received it, but it wasn't processed yet". Licensee stated he didn't know what that meant."

Regarding the acquisition and disposition record (A&D Record), [] firearms were acquired and there were [] dispositions for the inspection period.

In [] instances, the licensee failed to maintain an accurate/complete/timely non-licensee disposition record. This is a repeated violation under the company's previous license from a 2016 inspection and a 2015 inspection as noted below.

In [] instances, the licensee failed to maintain an accurate/complete/timely manufacture or acquisition record. This is a repeated violation under the company's previous license from a 2015 and a 2009 inspection as noted below.

In [] instances, the licensee failed to maintain an accurate/complete/timely licensee disposition record. This is a repeated violation under the company's previous license from a 2015 inspection as noted below. Note, there were disposition errors also cited during the 2009 inspection under the previous license.

As a result of the A&D Record errors, there are [] firearms missing after reconciliation. No additional traces were found for these [] missing firearms.

Reference the A&D Record, the RP said, "...the "majority is paperwork issue, maybe one or two guns are missing and "...the errors are the "work of one person ((b)(6))". Regarding the disposition errors and the missing firearms, Licensee stated, "...the "majority is paperwork issue, maybe one or two guns are missing". The RP continued and again said, "...the errors are the "work of one person ((b)(6))" and he was unaware of the requirement to record a second line entry for assembled/manufactured firearms."

For this inspection period [] ATF Forms 4473 were reviewed.

On [] ATF Forms 4473, involving [] instances, the licensee failed to complete the ATF Forms 4473 as prescribed in violation of 27 CFR 478.21(a), to include the use of an obsolete ATF Form 4473. This is a repeated violation under the company's previous license from a 2015 and 2009 inspection as noted below.

On [] ATF Forms 4473, involving [] instances, the licensee failed to complete the ATF Forms 4473 as prescribed in violation of 27 CFR 478.124(c)(4). This is a repeated violation under the company's previous license from a 2015 and 2009 inspection as noted below.

On [] ATF Forms 4473, involving [] instances, the licensee failed to record NICS contact information on the ATF Forms 4473. This is a repeated violation under the company's previous license from a 2015 and 2009 inspection as noted below.

On [] ATF Forms 4473, involving [] instances, the licensee failed to complete the ATF Forms 4473 as prescribed in violation of 27 CFR 478.124(c)(1). This is a repeated violation under the company's previous license from a 2015 and a 2009 inspection as noted below.

In [] instance, the licensee failed to verify or record identification information on the ATF Form 4473. This is a repeated violation under the company's previous license from a 2009 inspection as noted below.

On [] ATF Forms 4473, involving [] instances, the licensee failed to complete the ATF Forms 4473 as prescribed in violation of 27 CFR 478.124(c)(5). This is a repeated violation under the company's previous license from a 2015 and 2009 inspection as noted below.

Regarding the numerous issues pertaining to the ATF Form 4473 errors, the RP noted "...he didn't see issues with store employee until he left. Licensee admitted he reviewed ten forms and found 190 violations. Licensee stated it's hard to "hire people that are any good". Licensee stated he has a training program for new employees."

Under a previous license, (5-84-02465) issued in 2008, a 2016 inspection resulted in a report of violations only resulting from a violation for the failure to record the disposition of each individual firearm to a non-licensee in the A&D Record in [] instances. No firearms were missing.

Also, under this license, a 2015 inspection resulted in a warning conference and a recall inspection. The violations cited include:

The failure to properly record A&D Record information in the required record on [] occasions. In [] instances, the licensee failed to record the acquisition of a firearm in the required record. In [] instances, the licensee failed to record the disposition of a firearm in the required record. For [] firearms, the licensee could not locate disposition information. For [] firearms, the licensee failed to record both the acquisition and disposition in the required record. In [] instance, the licensee recorded the wrong serial number of a firearm. There were [] missing firearms.

The transfer of a firearm to an individual when the licensee knew or had reasonable cause to believe the transferee was prohibited on [] occasions. The licensee transferred firearms to [] individuals who answered "yes" to prohibiting questions on the ATF Form 4473, including: "yes" to item 11.b., regarding indictment for a felony; "yes" to item 11.c., regarding conviction for a felony; and "yes" to item 11.k., regarding being an alien illegally in the United States.

The failure of the licensee to submit an ATF Form 3310.4 Report of Multiple Sale or Other Disposition of Pistols and Revolvers on [] occasions,

involving [] firearms.

The failure to obtain a separate license for each location at which firearms business activities are conducted in 1 instance. The licensee conducted business activities away from the premises by gunsmithing off-site, other than making immediate repairs.

The failure to complete [] ATF Forms 4473 as indicated by the headings on the form, and the instructions on or pertaining to the form. On [] forms the transferee left item 10.a., ethnicity, blank. On [] forms the transferee answered no to item 11.a., "Are you the actual transferee/buyer of the firearm". On [] forms the licensee left item 18, type of firearm, blank. On [] form the licensee left item 30.a., number of firearms transferred, blank. On [] forms the transferor left item 33, their name, blank. On [] forms the transferor left item 35, their title, blank.

The failure to obtain, on [] ATF Forms 4473, all required identifying information of the transferee or a signed certification that the transferee is not prohibited from acquiring a firearm, prior to transferring a firearm. On [] forms, the transferee did not properly complete item 2, current residence address. On [] form the transferee did not properly complete item 3, place of birth. On [] forms, the transferee left item 13, state of residence, blank. On [] forms the transferee left item 17, certification date, blank. On [] form the transferee completed item 17 with an incorrect date.

The failure to record, on [] ATF Forms 4473, the date on which the licensee contacted the Colorado Bureau of Investigation (CBI) Instant Background Check, as well as any response provided by the system. On [] forms, the licensee failed to record any information for items 21.a., date the background check was initiated, 21.b., the transaction number provided, and 21.c., the response provided. On [] forms, the licensee failed to record item 21.b. On [] form, the licensee failed to record item 21.c.

The failure to record the firearms manufacturer on item 26 on [] ATF Form 4473.

The failure to sign and date [] ATF Forms 4473, if the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm. On [] forms, the licensee failed to sign and date the ATF Form 4473. On [] forms, the licensee failed to record the transfer date.

The failure of the licensee to receive an approved [] (b)(3)(26 USC § 6103)
[] (b)(3)(26 USC § 6103)

Further note, during a 2011 inspection under this license the licensee failed to complete and submit ATF Form 3310.4, Report of Multiple Sales or Other Disposition of Pistols and Revolvers on [] occasions and failed to stop a transaction after receiving information that a customer was prohibited on [] occasion. The transferee checked "yes" on item 11c, stating he was a convicted felon. This inspection resulted in a warning letter.

A 2009 inspection also resulted in a warning letter and recall inspection for violations including:

The failure to obtain or record all information called for in each form as indicated by the headings on the form and the instructions on or pertaining to the form on [] ATF Forms 4473.

The failure to obtain all of the transferee's required information on [] ATF Forms 4473.

The failure to record the type of identification used by the transferee on [] ATF Form 4473.

The failure to record documentation establishing that the transferee, who is an alien legally in the United States, has resided in the State in which the licensee's business premise is located for 90 days continuously on [] ATF Forms 4473.

The failure to record the date on which the CBI was contacted, the response provided by CBI, and the transaction number given on [] ATF Forms 4473.

The failure to identify the firearm to be transferred by recording the name of the manufacturer, the type, model, caliber or gauge, and the serial number on [] ATF Forms 4473.

The failure to sign and date as the transferor on [] ATF Forms 4473.

The failure to obtain and record documentation of a transferee who is a nonimmigrant alien an exception or waiver from the nonimmigrant alien prohibition and proof of 90 days continuous residency within this State on [] ATF Form 4473.

The failure to complete and submit ATF Form 3310.4-Report of Multiple Sale or Other Disposition of Pistols and Revolvers following the sale of two or more handguns to an unlicensed person within five consecutive business days in [] instances.

The failure to accurately maintain an acquisition and disposition book in [] instances. In [] instances the licensee failed to record the firearm acquisition. In [] instances the licensee failed to record the firearm disposition. In [] instances the licensee failed to record the Federal Firearms License (FFL) number or address of whom the firearm was received from in the A&D Record. In [] instances the licensee failed to record the address of whom the firearm was transferred to in the A&D Record. In [] instances the licensee failed to record the correct firearm Type in the A&D Record.

In conclusion, it is evident this licensee makes excuses for the violations and did not appear to take responsibility for compliance. Again, the is no clear indication of any extenuating circumstances or reasons why the background checks were not conducted. Absent this, revocation should be pursued.

Area Supervisor [] (b)(6) Recommendation
Revocation

Details

The licensee was cited for several violations to include failing to conduct NICS background checks on [] occasions. Per ATF O 5370.1D and the Administration's comprehensive strategy to prevent and respond to gun crime and ensure public safety the failure to complete background checks warrants revocation as the minimum administrative action. Furthermore, Colorado Shooting Sports LLC was cited for several repeat violations resulting from inspections performed in 2009, 2011, 2015, and 2016 on its previously held FFL 5-84-02465 that expired due to an untimely renewal demonstrating ongoing disregard for the recordkeeping requirements of the GCA.

Industry Operations Investigator [] (b)(6) Recommendation
Revocation

Details

The licensee has been subject to four compliance inspections since issuance of the original license in 2008. During this time, the licensee has been cited for repeat record keeping violations resulting in numerous instances of incomplete/untimely/failed entries in the acquisition and disposition record. The licensee has been counseled on a number of occasions (i.e. report of violations, warning letters, and a warning conference) with no improvement in their record keeping practices. A theft/loss report involving [] firearms was submitted as a result of the current inspection. The recommended administrative action is revocation since previous administrative actions have proven unsuccessful.

Inspection Findings

Records and Forms

- 1. Failure to timely and/or correctly maintain records of receipt, manufacture, importation or other acquisition of [redacted] percent or more of the licensee's total acquisitions during the inspection period, with a minimum of [redacted] instances.
- 2. Failure to timely and/or correctly maintain records of sales or other dispositions of [redacted] percent or more of the licensee's total dispositions during the inspection period, with a minimum of [redacted] instances.
- 9. Failure to execute a Form 4473 (Exception: Select findings 6, 7, and 8 above for consignment sales, transfers to law enforcement officers for personal use, and FFL responsible persons; if the transferee is NOT prohibited).

Firearms

- 1. Missing firearms after inventory reconciliation (e.g., no records of disposition, required or otherwise).
- 2. Failure to mark imported or manufactured firearms appropriately.

License Type

- 1. FFL is engaged in an activity not authorized by the Federal firearms license (e.g., engaging in manufacturing firearms without a manufacturer's license).

NICS

- 4. Failure to conduct a NICS check or obtain an alternate permit.
- 6. Failure to initiate a new NICS check when a transaction is not completed within the 30-day period from the date NICS was initially contacted provided that the person is NOT prohibited.

Failure to Report

- 1. Failure to file Reports of Multiple Sale or Other Disposition of Pistols and Revolvers (F 3310.4) or Reports of Multiple Sales or Dispositions of Certain Rifles (F 3310.12) (Southwest Border states only) when legally required and with a minimum of [redacted] instances.

ELIGIBILITY VERIFICATION

Business Information Verification

Licensee Name	Business Type	Is the business valid?
COLORADO SHOOTING SPORTS LLC	Limited Liability Company (LLC)	Yes

Additional Findings

Colorado Shooting Sports LLC is registered and in good standing with the Colorado Secretary of State.

Attachment(s):

Colorado SOS Good Standing.pdf

Property Ownership Verification

Premises Ownership Type	Premises Location Type	Has the property ownership been verified?
Leased/Rented	Store Front	Yes

Address

2435 8TH AVE UNIT A
Unit N/A
GREELEY, Colorado 80631
WELD United States

Additional Findings

Licensee leases the store front location.

Attachment(s):

Property Ownership.pdf

Trade Name/DBA Verification

Trade Name/DBA	Is the trade name/DBA registered?
Colorado Shooting Sports	Yes

Contact Information

Name

Date Contacted
07/21/2021

Organization

Job Title

Attachment(s):

Rental/Lease Verification

Is the proposed business activity permitted by the property owner?

Yes

Additional Findings

Licensee leases the business premise.

Attachment(s):

lease 2018 (b)(6).pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?

Yes

Additional Findings

Licensee's business operations fall within the parameters of the local zoning ordinances.

Contact Information

Name

(b)(6)

Date Contacted
04/22/2020

Organization

City of Greeley

Job Title

Planner

Phone Type	Phone Number	Remarks
Business	+1 970-350-9780	

Attachment(s):

APPOINTMENT DETAILS

Interview Date

07/14/2021

Address

2435 8TH AVE UNIT A, Unit N/A, GREELEY, Colorado 80631

Remarks

An unannounced compliance inspection was initiated on 7/13/21.

Responsible Attendee(s)

ANTHONY NAVARRO

Non-Responsible Person(s)

(Deactivated)

RESPONSIBLE PERSON(S)

ANTHONY NAVARRO

Name

ANTHONY NAVARRO

Gender

Male

Race

White

Ethnicity

Hispanic or Latino

Date of Birth

(b)(6)

SSN

Job Title

CEO

Physical Identifiers

Height

(b)(6)

Weight

Hair Color

Eye Color

Place of Birth

Country

United States Of America

State

(b)(6)

City

Home Address

(b)(6)

Additional Names

Citizenship

United States

ID Type	Country	State	ID Number
Driver's License	United States	Colorado	(b)(6)

Phone Type	Phone Number	Remarks
Mobile	(b)(6)	

Email Address	Email Remarks
coloradoshootingsports1@gmail.com	

Criminal History Check

Date Criminal History Check Conducted
03/25/2021

Criminal History Check Comments
Computerized criminal history checks on the RP resulted in no prohibiting factors.

NON-RESPONSIBLE PERSON(S)

Name	Date of Birth	Job Title
		Store Manager

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?

Colorado Shooting Sports LLC previously held a Type 07 (5-84-02465) at the proposed business premises but failed to timely renew, resulting in the submission of an application for a new Type 07 FFL issued on 4/28/20. The licensee is engaged in the retail sale of new and used firearms to the general public. Additionally, the licensee assembles AR type firearms for resale. Colorado Shooting Sports LLC provided gunsmith, private party and FFL/internet transfers. The licensee conducted consignments and trade-in's and may attend gunshows. The licensee holds (b)(3)(26 USC § 6103) Colorado Shooting Sports LLC provides firearm safety courses for the general public. The licensee reports manufacturing twenty firearms since obtaining the license in April 2020.

Do they need an additional license or permit?
No

Who are their primary suppliers?
Licensee utilizes a number of distributors for acquisition of new firearms.

Business Activities

Selected Operational Security Measures

No items

(b)(3)(26 USC § 6103)

Internet Sales/Transfers

Retail

Gunsmith

Gun Show Participant

Internet Sales/Transfers Website

coloradoshootingsportsstore.com

PREMISES INFORMATION

Inspection Area Description

The licensee operates from a store front location in a commercial area of Greeley, CO. There is no off-site storage. The licensee asserts all manufacturing and retail activities take place at the license premise.

Primary Activity

Retail

Selected Physical Security Measures

Bars on Doors

Bars on Windows

Safe(s)/Vault(s)

GPS Coordinates

Latitude

40.39784

Longitude

104.69120

ONSITE SUMMARY

Total Number of ATF Form 4473s for Inspection Review Period

Total Number of ATF F 4473 Reviewed

(b)(6)

Total Number of Open Dispositions in A & D Record

(b)(6)

Total Number of Firearms in Inventory
150

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation

(b)(4)

Total Number of Acquisitions in the Last 12 Months

(b)(4)

Total Number of Dispositions in the Last 12 Months

(b)(4)

Onsite Start Date

Onsite End Date

Number of Reported Lost/Stolen Firearms During Inspection Period

Total Number of Traces During Inspection Review Period

Total Number of Those Traces That Were Unresolved

Inspection Period Start Date

Inspection Period End Date

Number Of Traces Resolved By IOI

[Click Here to See List of Perfected Traces](#)

(b)(3)(26 USC § 6103)

AFMER Verified
Yes

(b)(3)(26 USC § 6103)

Additional Comments

inventory - failed acquisitions + failed dispositions + missing firearms = total open dispositions

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

Attachment(s)

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Licensee Response to Violations Report.pdf

Licensee Response to Violations Report.pdf

Firearm Theft Loss List.pdf

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.</p> <p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p>	<p style="text-align: center;">(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)</p>
<p>27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Execute and accurately record (on an ATF Form 4473) a new NICS/POC background check, after any 30-day expiration of a previously conducted NICS/POC check, on all future over-the-counter firearm transactions.</p>	<p>NICS Violation, <input type="checkbox"/> (b)(6) 8/7/2020</p>
<p>27 CFR 478.102(a): Failure to complete a NICS/POC background check</p> <p>ATF Forms 4473: 5 Number of Instances: 5</p>	<p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p> <p>Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.</p>	<p style="text-align: center;">(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)</p>
<p>18 U.S.C. 923(g)(5)(A): Failure to timely file required AFMER</p> <p>Number of Instances: 1</p>	<p>Complete and submit required ATF Form 5300.11 (Annual Firearms Manufacturing and Exportation Report).</p>	<p>Failure to submit AFMER for 2020.</p>
<p>27 CFR 478.124(a): Failure to execute an ATF F 4473</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p style="text-align: center;">(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)</p>
<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Complete all forms as prescribed.</p> <p>Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.</p> <p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Ensure that the most up-to-date version of the ATF Form 4473 is used for all future over-the-counter transactions.</p>	<p style="text-align: center;">(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)</p>

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)		
7	<p>27 CFR 478.92(a)(1)(ii)(B): Failure to properly mark firearm (s) with caliber or gauge</p> <p>Number of Instances: <input type="text"/></p>	<p>Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.</p> <p style="text-align: center;">(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)</p>
8	<p>27 CFR 478.92(a)(1)(ii)(C): Failure to properly mark firearm (s) with licensee name</p> <p>Number of Instances: <input type="text"/></p>	<p>Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.</p> <p style="text-align: center;">(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)</p>
9	<p>27 CFR 478.92(a)(1)(ii)(D): Failure to properly mark firearm (s) with manufacturer city and state</p> <p>Number of Instances: <input type="text"/></p>	<p>Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.</p> <p style="text-align: center;">(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)</p>
10	<p>27 CFR 478.41(b): Failure to be licensed as a dealer, manufacturer or importer of firearms</p> <p>Number of Instances: <input type="text"/></p>	<p>Each person intending to engage in the business as a firearms manufacturer or dealer shall file an application with ATF and receive the license required for such business.</p> <p>Licensee continued to dispose firearms after discontinuance of the FFL (5-84-02465/expired 4/1/20) and re-issuance of the new FFL (5-84-10387) issued on 4/28/20.</p>
	<p>27 CFR 478.123(d): Failure to maintain an accurate/complete/timely nonlicensee disposition record</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm disposition information. Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report. Amend/Update A&D Record to accurately record all required firearm disposition information.</p> <p>Amend/Update consolidated A&D record to conform with conditions set forth under ATF Ruling 2016-3.</p> <p style="text-align: center;">(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF</p>

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

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(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

27 CFR 478.123(b): Failure to maintain an accurate/complete/timely licensee disposition record

Number of Instances:

Accurately, completely & timely record all required future firearm disposition information. Amend/Update consolidated A&D record to conform with conditions set forth under ATF Ruling 2016-3.

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

27 CFR 478.123(a): Failure to maintain an accurate/complete/timely manufacture or acquisition record

Number of Instances:

Accurately, completely & timely record all required future firearm acquisition information.
Amend/Update A&D Record to accurately record all required firearm acquisition information.
Amend/Update consolidated A&D record to conform with conditions set forth under ATF Ruling 2016-3.
Create A&D Record from all available sources of record (i.e. invoices, work/claim tags, receipts, etc).

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473

ATF Forms 4473:
Number of Instances:

Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.
Ensure that all required firearm identification information is obtained and accurately recorded on all future ATF Forms 4473, Section D.
Ensure that the required transferor/seller signature and date of transfer is obtained and accurately recorded on all future ATF Forms 4473, Section D.

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)

		(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)
<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)
<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)
<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Ensure that all required NICS alternative permit information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)

27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473

ATF Forms 4473:
Number of Instances:

Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF,(b)(6)

18

THEFT/LOSS REPORT

Acquisition Date	Type	Manufacturer	Importer	Model	Caliber/Gauge	Serial Number
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(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

(b)(3) (112 Pub. L. 55 125 Stat 552) - per ATF

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection. Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p>	<p>Licensee admitted the multiple sale reports weren't done and added (regarding ROV), "It was a lot of stuff".</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 09/29/2021</p>
<p>27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Execute and accurately record (on an ATF Form 4473) a new NICS/POC background check, after any 30-day expiration of a previously conducted NICS/POC check, on all future over-the-counter firearm transactions.</p>	<p>Licensee remembered/knows buyers on multiple sales that didn't have a NICS check.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 09/29/2021</p>
<p>27 CFR 478.102(a): Failure to complete a NICS/POC background check</p> <p>ATF Forms 4473: <input type="checkbox"/></p>	<p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p> <p>Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.</p>	<p>Licensee remembered/knows buyers on multiple sales that didn't have a NICS check.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p>

3	Number of Instances: <input type="text"/>			Date Licensee Notified 09/29/2021
4	18 U.S.C. 923(g)(5)(A): Failure to timely file required AFMER Number of Instances: 1	Complete and submit required ATF Form 5300.11 (Annual Firearms Manufacturing and Exportation Report).	Licensee stated, "I swear I remember sending that in".	Status Correction Verified Verified Method In Person Date Correction Verified 09/29/2021
5	27 CFR 478.124(a): Failure to execute an ATF F 4473 ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/>	Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.	Licensee stated he didn't know the 4473 form had to be completed for NFA transfers.	Status Licensee Notified Verified Method In Person Date Licensee Notified 09/29/2021
6	27 CFR 478.21(a): Failure to complete forms as prescribed ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/>	Complete all forms as prescribed. Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions. Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions. Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified. Ensure that the most up-to-date version of the ATF Form 4473 is used for all future over-the-counter transactions.	Licensee stated he didn't see issues with store employee until he left. Licensee admitted he reviewed ten forms and found 190 violations. Licensee stated it's hard to "hire people that are any good". Licensee stated he has a training program for new employees. Licensee stated, "this (ROV) is nice. I was expecting to be more or worse. There's probably 10,000 violations". Licensee further stated, "when I reviewed ten forms, I found 18-19 violations per form. 190 violations in 10 forms".	Status Licensee Notified Verified Method In Person Date Licensee Notified 09/29/2021
7	27 CFR 478.92(a)(1)(ii)(B): Failure to properly mark firearm(s) with caliber or gauge Number of Instances: <input type="text"/>	Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.	Licensee reports he is now sending barrels for assembled firearms to an engraver for the required additional markings.	Status Licensee Notified Verified Method In Person Date Licensee Notified 09/29/2021
8	27 CFR 478.92(a)(1)(ii)(C): Failure to properly mark firearm(s) with licensee name Number of Instances: <input type="text"/>	Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.	Licensee reports he is now sending barrels for assembled firearms to an engraver for the required additional markings.	Status Licensee Notified Verified Method In Person Date Licensee Notified 09/29/2021
9	27 CFR 478.92(a)(1)(ii)(D): Failure to properly mark firearm(s) with manufacturer city and state Number of Instances: <input type="text"/>	Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.	Licensee reports he is now sending barrels for assembled firearms to an engraver for the required additional markings.	Status Licensee Notified Verified Method In Person Date Licensee Notified 09/29/2021

10	<p>27 CFR 478.41(b): Failure to be licensed as a dealer, manufacturer or importer of firearms</p> <p>Number of Instances: <input type="checkbox"/></p>	<p>Each person intending to engage in the business as a firearms manufacturer or dealer shall file an application with ATF and receive the license required for such business.</p>	<p>Licensee stated they ran background checks until told they had an expired license. Licensee stated they were told by CBI they had a 30 day grace period. Licensee stated he sent the renewal in a month before expiration, called licensing center and was told "they received it, but it wasn't processed yet". Licensee stated he didn't know what that meant.</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 09/29/2021</p>
11	<p>27 CFR 478.123(d): Failure to maintain an accurate/complete/timely nonlicensee disposition record</p> <p>Number of Instances: <input type="checkbox"/></p>	<p>Accurately, completely & timely record all required future firearm disposition information. Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report. Amend/Update A&D Record to accurately record all required firearm disposition information. Amend/Update consolidated A&D record to conform with conditions set forth under ATF Ruling 2016-3.</p>	<p>Regarding the missing inventory, the licensee stated the "majority is paperwork issue, maybe one or two guns are missing". Licensee stated the errors are the "work of one person ((b)(6))". As a result of the violations, the licensee reports implementing a new filing system and reviews forms and bound books multiple times a day. Licensee reports using a new POS system which allows for more time at the end of the day for doubling checking records. Licensee stated he is now the only person handling the NFA transfers and paperwork. Licensee admitted he "assumed everything was good", but now requires his employees show proof the work was done.</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 09/29/2021</p>
12	<p>27 CFR 478.123(b): Failure to maintain an accurate/complete/timely licensee disposition record</p> <p>Number of Instances: <input type="checkbox"/></p>	<p>Accurately, completely & timely record all required future firearm disposition information. Amend/Update consolidated A&D record to conform with conditions set forth under ATF Ruling 2016-3.</p>	<p>Regarding the missing inventory, the licensee stated the "majority is paperwork issue, maybe one or two guns are missing". Licensee stated the errors are the "work of one person ((b)(6))". Licensee stated he was unaware of the requirement to record a second line entry for assembled/manufactured firearms.</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 09/29/2021</p>
13	<p>27 CFR 478.123(a): Failure to maintain an accurate/complete/timely manufacture or acquisition record</p> <p>Number of Instances: <input type="checkbox"/></p>	<p>Accurately, completely & timely record all required future firearm acquisition information. Amend/Update A&D Record to accurately record all required firearm acquisition information. Amend/Update consolidated A&D record to conform with conditions set forth under ATF Ruling 2016-3. Create A&D Record from all available sources of record (i.e. invoices, work/claim tags, receipts, etc).</p>	<p>Regarding the missing inventory, the licensee stated the "majority is paperwork issue, maybe one or two guns are missing". Licensee stated the errors are the "work of one person ((b)(6))". Licensee stated he was unaware of the requirement to record a second line entry for assembled/manufactured firearms.</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 09/29/2021</p>
14	<p>27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that all required firearm identification information is obtained and accurately recorded on all future ATF Forms 4473, Section D. Ensure that the required transferor/seller signature and date of transfer is obtained and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>Licensee stated he didn't see issues with store employee until he left. Licensee admitted he reviewed ten forms and found <input type="checkbox"/> violations. Licensee stated it's hard to "hire people that are any good". Licensee stated he has a training program for new employees.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 09/29/2021</p>
15	<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B. Execute a required NICS/POC background check for all future over-the-counter firearm transactions. Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>Licensee stated he didn't see issues with store employee until he left. Licensee admitted he reviewed ten forms and found <input type="checkbox"/> violations. Licensee stated it's hard to "hire people that are any good". Licensee stated he has a training program for new employees.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 09/29/2021</p>

<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p> <p>16</p>	<p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Licensee stated he didn't see issues with store employee until he left. Licensee admitted he reviewed ten forms and found [] violations. Licensee stated it's hard to "hire people that are any good". Licensee stated he has a training program for new employees.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 09/29/2021</p>
<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p> <p>17</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Ensure that all required NICS alternative permit information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>Licensee stated he didn't see issues with store employee until he left. Licensee admitted he reviewed ten forms and found [] violations. Licensee stated it's hard to "hire people that are any good". Licensee stated he has a training program for new employees.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 09/29/2021</p>
<p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p> <p>18</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>Licensee stated he didn't see issues with store employee until he left. Licensee admitted he reviewed ten forms and found [] violations. Licensee stated it's hard to "hire people that are any good". Licensee stated he has a training program for new employees.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 09/29/2021</p>

CLOSING CONFERENCE

(10/6/2021)
10/06/2021

Closing Conference Additional Notes

On July 13, 2021, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Industry Operations Investigators [] (b)(6) initiated the onsite portion of a limited compliance inspection for Colorado Shooting Sports LLC, following the issuance of a Type 07 license on April 28, 2020. Colorado Shooting Sports previously operated under FFL 5-84-02465 but failed to timely renew. Initially, the inspection focused on an educational emphasis following an initial telephonic qualification inspection; however, resulted in a full scope compliance inspection due to numerous record keeping and inventory errors. The inspection covered the period of April 28, 2020 through July 13, 2021. During the inspection, Investigator [] (b)(6) interviewed [] (b)(6) (member and responsible person) and [] (b)(6) (store manager). The inspection concluded on September 29, 2021.

Colorado Shooting Sports has operated as a Type 07 – Manufacturer of Firearms since 2008. Colorado Shooting Sports manufactures, buys and sells new and used firearms, as well as [] (b)(2)(25 USC § 6103) to the general public. The licensee is a low volume manufacturer that assembles AR type firearms for retail sale. The licensee may attend gunshows. Colorado Shooting Sports utilizes a website (www.coloradoshootingssportsstore.com) to sell firearms, equipment and accessories. Additionally, the licensee provides firearms training classes. During the inspection period, the license acquired approximately [] (b)(6) firearms and disposed of approximately [] (b)(6) firearms. The licensee reports manufacturing twenty firearms since obtaining the license.

Investigator [] (b)(6) deemed the Type 07 license appropriate for the licensee's business operations. The licensee's business operations do not require any additional ATF licenses/permits.

Investigator [] (b)(6) conducted computerized criminal history checks on the responsible person and store manager ([] (b)(6)) with no prohibiting factors found.

There have been no unreported changes in ownership, control, or business structure. There were no additional responsible persons added to the license. Hidden ownership is not suspected.

From July 12-13, 2021, Investigators [] (b)(6) conducted a review of ATF Forms 4473 and an inventory reconciliation. Investigators reviewed [] ATF Forms 4473 for the inspection period. There were [] firearms in inventory. The licensee's A&D record revealed [] open dispositions. A theft/loss report involving [] firearms was submitted as a result of this inspection [] (b)(2)(17 Public Law 96-103 304592). Investigator [] (b)(6) queried the reported theft/loss firearms through eTrace with no additional traces were identified.

Investigator [] (b)(6) reviewed the licensee's A&D records to verify whether they contained the required information, determine if the information was accurate, and whether entries were timely made. Additionally, Investigator [] (b)(6) discovered a folder marked "Not Found in Books" containing [] completed ATF Forms 4473. When questioned, Mr. Navarro stated the information on the forms had probably not been entered into the bound book. Investigator [] (b)(6) advised the licensee to record the acquisition and disposition information of each firearm recorded on the forms into the bound book. The licensee was cited with the following bound book violations:

27 CFR 478.123(a) – licensee failed to maintain an accurate/complete/timely manufacture or acquisition record in [] instances.

27 CFR 478.123(b) – licensee failed to maintain and an accurate/complete/timely disposition record to a licensee in [] instances.

27 CFR 478.123(d) – licensee failed to maintain and an accurate/complete/timely disposition record to a non-licensee in [] instances.

A query of the CBI/NICS system revealed [] transactions. Investigators [] (b)(6) verified 100 CBI/NICS transactions to the FFL Audit Log with no discrepancies found.

Investigator [] (b)(6) identified [] ATF Form 4473 in which the licensee transferred a firearm without running a second NICS check after the 30 day expiration of the original NICS check. The licensee was cited with 27 CFR 478.102(c) – failure to initiate a new NICS check after 30 day lapse of the initial check in [] instance. Investigator [] (b)(6) conducted computerized criminal history checks on the [] transferee with no prohibiting factors found.

Investigator [] (b)(6) identified five ATF Forms 4473 in which the licensee failed to conduct a NICS check before transferring the firearm. The licensee was cited with 27 CFR 478.102(a) – failure to complete a NICS/POC background check in five instances. Investigator [] (b)(6) conducted computerized criminal history checks on the five identified transferees with no prohibiting factors found.

The review of the licensee's ATF Forms 4473 completed during the inspection period did not disclose any prohibited persons, straw purchasers, or possible traffickers. Investigator

(b)(6) conducted computerized criminal history checks on thirteen suspicious purchasers with no prohibiting factors found. No referrals were generated as a result of this inspection.

For the inspection period, the Violent Crime Analysis Branch (VCAB) reports the licensee was associated with zero multiple sales. The licensee has been subject to trace requests since receiving the license. Investigator (b)(6) identified a number of unreported multiple sales for the inspection period. The licensee was cited with violating 27 CFR 478.126(a) – failure to report multiple sales or other dispositions of pistols and revolvers in instances involving firearms.

Investigator (b)(6) identified a number of firearm transfers conducted between the time the previous license expired and before the issuance of the new license. The licensee was cited with violating 27 CFR 478.41(b) – failure to be licensed as a dealer, manufacturer, or importer of firearms.

Investigators (b)(6) and (b)(6) identified assembled firearms in the licensee's inventory with no corresponding record of manufacture or the required additional markings. The licensee's acquisition records showed the firearms coming into their inventory as receivers. The licensee was cited with violating 27 CFR 478.92 - failure to properly mark firearms with manufacturer name, city, state and caliber in instances.

Investigator (b)(6) discovered the licensee failed to submit the Annual Firearms Manufacturing Report (AFMER) for the 2020 calendar year. The licensee was cited with violating 18 USC 923(g)(5)(A) – failure to timely file required AFMER.

Investigator (b)(6) identified firearm's transfer in which the licensee failed to execute ATF Form 4473. The licensee was cited with violating 27 CFR 478.124 – failure to execute ATF Form 4473 in instance.

Investigators (b)(6) identified a number of handguns on premises but not in the A&D record. When questioned, Mr. Navarro stated they were his personal collection used for the firearm's training courses. Investigator (b)(6) advised the licensee to enter the firearms into the A&D record since they are used during the course of his normal business operations.

The licensee has been subject to four compliance inspections since issuance of the original license in 2008. During this time, the licensee has been cited for repeat record keeping violations resulting in numerous instances of incomplete/untimely/failed entries in the acquisition and disposition record. The licensee has been counseled on a number of occasions (i.e. report of violations, warning letters, and a warning conference) with no improvement in their record keeping practices. A theft/loss report involving firearms was submitted as a result of the current inspection. The recommended administrative action is revocation since previous administrative actions have proven unsuccessful.

Inspection History:

December 6, 2016 – Recall Disposition Emphasis (DE) Compliance Inspection
788070-2017-0016-B1B
5-84-123-07-7D-02465

Violations ROV Only and No Recall Inspection
27 CFR 478.123(d) (REPEAT VIOLATION CITED ON MAY 15, 2015) - failure to record the disposition of each individual firearm to a non-licensee in the Acquisition and Disposition Record in instances.

April 15, 2015 – DE Compliance Inspection
788070-2015-0115-B1B
5-84-123-07-7D-02465

Violations. Warning Conference and Recall Inspection.
27 CFR 478.123(d) (REPEAT VIOLATION CITED SEPTEMBER 23, 2009) - failure to properly record acquisition and disposition information in the required record on occasions.

27 CFR 478.99(c) (REPEAT VIOLATION CITED February 28, 2011) - transfer of a firearm to an individual when the licensee knew or had reasonable cause to believe the transferee was prohibited on occasions. The licensee transferred firearms to individuals who answered yes to prohibiting questions on the ATF Form 4473, including: yes to item 11.b., regarding indictment for a felony; yes to item 11.c., regarding conviction for a felony; and yes to item 11.k., regarding being an alien illegally in the United States.

27 CFR 478.126a (REPEAT VIOLATION CITED February 28, 2011 AND SEPTEMBER 23, 2009) - failure of the licensee to submit an ATF Form 3310.4 Report of Multiple Sale or Other Disposition of Pistols and Revolvers on occasions, involving firearms.

27 CFR 478.21(a) (REPEAT VIOLATION CITED SEPTEMBER 23, 2009) - failure to complete ATF Forms 4473 as indicated by the headings on the form, and the instructions on or pertaining to the form.

27 CFR 478.124(c)(1) (REPEAT VIOLATION CITED SEPTEMBER 23, 2009) - failure to obtain, on ATF Forms 4473, all of the required identifying information of the transferee or a signed certification that the transferee is not prohibited from acquiring a firearm, prior to transferring a firearm.

27 CFR 478.124(c)(3)(iv) (REPEAT VIOLATION CITED SEPTEMBER 23, 2009) - failure to record, on ATF Forms 4473, the date on which the licensee contacted the Colorado Bureau of Investigation Instant Background Check, as well as any response provided by the system.

27 CFR 478.124(c)(4) (REPEAT VIOLATION CITED SEPTEMBER 23, 2009) - on ATF Form 4473, the licensee failed to record the firearms manufacturer on item 26.

27 CFR 478.124(c)(5) (REPEAT VIOLATION CITED SEPTEMBER 23, 2009) - failure to sign and date ATF Forms 4473, if the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm.

27 CFR 478.50 - failure to obtain a separate license for each location at which firearms business activities are conducted. The licensee conducted business activities away from the premises by gunsmithing off-site, other than making immediate repairs.

27 CFR 479.84 - failure of the licensee to receive an approved (b)(3)(26 USC § 6103) firearms in inventory that were not registered to the company.

February 28, 2011 – Full Scope Recall Inspection
788020-2011-0302-B1B
5-84-123-07-7D-02465

Violations. Warning Letter and No Recall Inspection
27 CFR 478.126a (REPEAT VIOLATION CITED SEPTEMBER 23, 2009) – failure to complete and submit ATF Form 3310.4, Report of Multiple Sales or Other Disposition of Pistols and Revolvers on occasions.

27 CFR 478.99(c) – failure to stop a transaction after receiving information that a customer was prohibited on occasion. The transferee checked yes on item 11c, stating he was a convicted felon.

(b)(6), (b)(7)(E)

September 21, 2009 – Firearms Compliance Inspection
788020-2009-0625-B1B
5-84-123-07-7D-02465

Violations. Warning Letter and Recall.

27 CFR 478.21(a) - failure to obtain and record all information called for in each form as indicated by the headings on the form and the instructions on or pertaining to the form on ATF Forms 4473.

27 CFR 478.124(c)(1) - failure to obtain all of the transferee's required information on ATF Forms 4473.

27 CFR 478.124(c)(3)(i) - failure to record the type of identification used by the transferee on ATF Form 4473.

27 CFR 478.124(c)(3)(ii) - failure to record documentation establishing that the transferee, who is an alien legally in the United States, has resided in the State in which the licensee's business premise is located for 90 days continuously on ATF Forms 4473.

27 CFR 478.124(c)(3)(iv) - failure to record the date on which the Colorado Bureau of Investigation (CBI) was contacted, the response provided by CBI, and the transaction number given on ATF Forms 4473. 27 CFR 478.124(c)(4) - failure to identify the firearm to be transferred by recording the name of the manufacturer, the type, model, caliber or gauge, and the serial number on ATF Forms 4473. 27 CFR 478.124(c)(5) - failure to sign and date as the transferor on ATF Forms 4473.

27 CFR 478.124(c)(3)(iii) - failure to obtain and record documentation of a transferee, who is a nonimmigrant alien, an exception or waiver from the nonimmigrant alien prohibition

and proof of 90 days continuous residency within this State on [redacted] ATF Form 4473.
 27 CFR 478.126a - failure to complete and submit ATF Form 3310.4-Report of Multiple Sale or Other Disposition of Pistols and Revolvers following the sale of two or more handguns to an unlicensed person within five consecutive business days on [redacted] instances.
 27 CFR 478.125(e) - failure to accurately maintain an acquisition and disposition book. In [redacted] instances the licensee failed to record the firearm acquisitions. In [redacted] instances the licensee failed to record the firearm disposition. In [redacted] instances the licensee failed to record the Federal Firearms License (FFL) number or address of whom the firearm was received from in the A&D Book. In [redacted] instances the licensee failed to record the address of whom the firearm was transferred to in the A&D Book. In [redacted] instances the licensee failed to record the correct firearm Type in the A&D Book.

March 13, 2008 – Application Inspection
 788020-2008-0265-B1B
 5-84-123-07-0G-0246
 Issuance of a Type 07 FFL

The company’s previous Type 01 dealer license had one compliance inspection concurrent with the 2009 manufacturer license inspection, but the licensee surrendered the license and no inspection activities were conducted. Prior to that, the dealer license was subject to a qualification inspection.

On September 29, 2021, Investigator [redacted] reviewed and signed the Acknowledgement of Federal Firearms Regulations, ATF Forms and record keeping requirements with the licensee.

Investigator [redacted] advised the applicant of the regulations, requirements, and proper completion of ATF Forms 4473, ATF Form 3310.4 – Report of Multiple Sale, ATF Form 3310.11 - Theft/Loss Report, and the acquisition and disposition record as it pertains to manufacturers, dealers, and gunsmiths.

The licensee understands that firearms acquired with the FFL are to be maintained separate from personal firearms. Additionally, the licensee understands the requirement to execute ATF Form 4473 and a background check for any firearm transferred from the business inventory to a personal collection. The applicant was advised of the process for disposing of their business inventory after revocation, expiration, or surrender of license.

The licensee maintains a handwritten A&D record for retailed, manufactured, and repaired firearms. Investigator [redacted] discussed the regulatory requirements pertaining to the marking and record keeping requirements for manufactured firearms. Investigator [redacted] explained and ensured the licensee submits ATF Form 5300.11 – Annual Manufacturing and Exportation Report (AFMER).

Attachment(s)

Attendee(s)

ANTHONY NAVARRO

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-84-10387 Inspection Results
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
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Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
Correspondence	DIO Paul Brown Returned Inspection FCI-26974
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ReturnedSignedROV	Report of Violations signed.pdf
ReturnedSignedROV	Report of Violations signed.pdf
ViolationsPDF	Report of Violations.pdf
ReturnedSignedROV	Report of Violations signed.pdf
ViolationsPDF	Report of Violations.pdf
Correspondence	Spartan Notification RE: 5-84-10387 Monitored Case
ReturnedSignedROV	Report of Violations signed.pdf

ViolationsPDF
LicenseeResponseToViolationsPDF
Correspondence
ClosingConferenceSummary
ViolationsPDF
ViolationsPDF
ViolationsPDF
OnSiteSummaryInformation
PropertyOwnershipVerification
RentalLeaseVerification
BusinessVerification
Correspondence
Correspondence
FirearmTheftLossList

Report of Violations.pdf
Licensee Response to Violations Report.pdf
Spartan Notification RE: 5-84-10387 Monitored Case
Acknowledgment of Regulations.pdf
Report of Violations.pdf
Report of Violations.pdf
Report of Violations.pdf
[REDACTED] pdf
Property Ownership.pdf
lease 2018; (b)(6) pdf
Colorado SOS Good Standing.pdf
Spartan Notification RE: 5-84-10387 Monitored Case
Spartan Notification RE: 5-84-10387 Monitored Case
Firearm Theft Loss List.pdf

Notice to Revoke or Suspend License and/or Impose a Civil Fine

In the matter of License Number 5-84-123-07-3E-10387, as a/an

Manufacturer of Firearms Other Than Destructive Devices issued to:

Name and Address of Licensee (Show number, street, city, State and ZIP Code)

Colorado Shooting Sports, LLC
2435 8th Avenue, Unit A
Greeley, Colorado 80631

Notice Is Hereby Given That:

Pursuant to the statutory provisions and reasons stated in the attached page(s), the Director or his/her designee, Bureau of Alcohol, Tobacco, Firearms and Explosives, intends to take action on the license described above.

The above identified license may be revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p).

The above identified license may be suspended pursuant to 18 U.S.C. 922(t)(5) or 924(p).

The above identified licensee may be fined pursuant to 18 U.S.C. 922(t)(5) or 924(p).

Pursuant to U.S.C. 923(f)(2) and/or 922(t)(5), you may file a request with the Director of Industry Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives, at 950 17th Street, Suite 1800, Denver, Colorado 80202, in duplicate, for a hearing to review the revocation, suspension and/or fine of your license. The request must be received at the above address within 15 days of your receipt of this notice. Where a timely request for a hearing is made, the license shall remain in effect pending the outcome of the hearing; and if the license is due to expire, the license will remain in effect provided a timely application for renewal is also filed. The hearing will be held as provided in 27 CFR Part 478.

If you do not request a hearing, or your request for a hearing is not received by ATF on time, a final notice of revocation, suspension, and/or imposition of civil fine (ATF Form 5300.13) shall be issued.

Please see included brochure

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official	(b)(6)
12/13/2021	Paul W. Brown Director, Industry Operations	

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

Certified mail to the address shown below.
Tracking Number: 7017107000089870094

Or

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

Date Notice Served	Title of Person Serving Notice	(b)(6)
12/13/2021	Director, Industry Operations	

Print Name and Title of Person Served _____ Signature of Person Served (if applicable)

Address Where Notice Served

2435 8th Avenue, Unit A Greeley, Colorado 80631

COLORADO SHOOTING SPORTS, LLC
5-84-123-07-3E-10387

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given that the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") intends to revoke the Federal firearms license held by Colorado Shooting Sports LLC ("Licensee"), as a Manufacturer in Firearms Other Than Destructive Devices. Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Denver Field Division, has reason to believe that the Licensee willfully violated the provisions of the Gun Control Act of 1968, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478 (collectively "GCA") as described herein.

Compliance History

ATF originally issued a Federal firearms license to Licensee in 2008. ATF subsequently conducted compliance inspections of Licensee in 2009, 2011, 2015 and 2016. As a result of the 2009 and 2011 inspections, ATF issued warning letters to Licensee. As a result of the 2015 inspection, Licensee (specifically, owner and responsible person (b)(6)) attended a warning conference with ATF in which violations and proposed corrective actions were reviewed. The 2016 inspection resulted in the issuance of a Report of Violations.

Licensee did not timely renew its original license before it expired in March 2020. ATF issued the current license in April 2020 after Licensee submitted a new application for license.

Current Inspection

On July 13, 2021, ATF Industry Operations Investigator (b)(6) conducted a compliance inspection at Licensee's premises that revealed the following:

1. On 5 occasions, Licensee willfully transferred a firearm to an unlicensed person without first contacting the NICS and obtaining a unique identification number before allowing the transfers; and on 1 occasion, Licensee willfully transferred a firearm to an unlicensed person without first contacting the NICS and obtaining a unique identification number as Licensee failed to initiate a new NICS check after 30 days lapse of initial check on (b)(6) instance before allowing the transfer, all in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a). See Appendix ¶ 1.
2. Licensee willfully engaged in an activity for which it was not licensed, in violation of 18 U.S.C. § 922(a)(1)(A) and 27 C.F.R. § 478.41(b). Specifically, Colorado Shooting Sports LLC continued to engage in the business as a Federal firearms licensee after its license expired in March 2020 and before a new license was issued to it in April 2020. See Appendix ¶ 2.

3. On occasions, Licensee willfully failed to timely and/or accurately report the sale or other disposition of two or more pistols and/or revolvers during any five consecutive business days to an unlicensed person, in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a. See Appendix ¶ 3.

4. On occasions, Licensee willfully failed to obtain/execute the Firearms Transaction Record, ATF Form 4473 as indicated by the headings on the Form and the instructions on or pertaining to the Form, in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.21(a). See Appendix ¶ 4.

Appendix

Paragraph 1

Licensee willfully transferred a firearm to an unlicensed person without first contacting the NICS and obtaining a unique identification number before allowing the transfers; and Licensee willfully transferred a firearm to an unlicensed person without first contacting the NICS and obtaining a unique identification number as Licensee failed to initiate a new NICS check after 30 days lapse of initial check before allowing the transfer, all in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a).

#	Date	Transferee	Discrepancy
1	02/10/2021	(b)(6)	The licensee failed to complete a NICS/POC background check.
2	08/29/2020		The licensee failed to complete a NICS/POC background check.
3	06/06/2020		The licensee failed to complete a NICS/POC background check.
4	11/11/2020		The licensee failed to complete a NICS/POC background check.
5	01/20/2021		The licensee failed to complete a NICS/POC background check.
6	08/07/2020		The licensee failed to initiate a new NICS check after 30-day lapse of initial check.

Paragraph 2

Licensee willfully engaged in an activity for which it was not licensed, in violation of 18 U.S.C. § 922(a)(1)(A) and 27 C.F.R. § 478.41(b). Specifically, Colorado Shooting Sports LLC continued to engage in the business as a Federal firearms licensee after its license expired in on April 1, 2020 and before a new license was issued to it on April 28, 2020.

#	Date FFL Expired	Date new FFL Issued	Discrepancy
(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)			

Paragraph 3

Licensee willfully failed to timely and/or accurately report the sale or other disposition of two or more pistols and/or revolvers during any five consecutive business days to an unlicensed person, in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a

#	Date	Transferee	Firearms
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

Paragraph 4

Licensee willfully failed to obtain/execute the Firearms Transaction Record, ATF Form 4473 as indicated by the headings on the Form and the instructions on or pertaining to the Form, in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.21(a).

#	Date	Transferee	Discrepancy
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

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

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

**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 5-84-123-07-3E-10387 as a/an
Manufacturer of Firearms Other than Destructive Devices, issued to:

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

Colorado Shooting Sports, LLC
2435 8th Avenue, Unit A
Greeley, Colorado 80631

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 _____,
 - 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 May 31, 2022
 - 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 950 17th Street, Suite 1800, Denver, Colorado 80202

_____ ,
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	(b)(6)
04/11/2022	Paul W. Brown 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: 70171070000089870995

Or

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

Date Notice Served	Title of Person Serving Notice	(b)(6)
04/11/2022	Director, Industry Operations	

Print Name and Title of Person Served	Signature of Person Served

Address Where Notice Served
(b)(6) Messner Reeves LLP 1430 Wynkoop Street, Suite 300, Denver, Colorado 80202

Note: Previous Edition is Obsolete

Background

Colorado Shooting Sports, LLC, (hereinafter, Licensee), holds Federal firearms license number 5-84-123-07-3E-10387, as a manufacturer of firearms other than destructive devices, issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) pursuant to the Gun Control Act of 1968 (GCA), as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478.

On December 13, 2021, ATF issued a Notice to Revoke or Suspend License and/or Impose a Civil Fine, ATF Form 4500 (5300.4) (Notice to Revoke), to Licensee. By letter dated December 17, 2021, Licensee timely requested a hearing to review that Notice.

The hearing occurred on March 9, 2022, at the ATF Office in Denver, Colorado. ATF Director, Industry Operations, Denver Field Division, Paul Brown conducted the hearing. ATF was represented by ATF Division Counsel (b)(6). ATF Industry Operations Investigator (IOI) (b)(6) appeared as a witness on behalf of the Government. Licensee's Responsible Person and owner, Anthony Navarro, was present and testified at the hearing. Licensee employee (b)(6), and former employee (b)(6) also testified for Licensee. Licensee was represented by Attorney (b)(6) from the Messner Reeves law firm. Court Reporter (b)(6) transcribed the hearing. Both the Government and Licensee offered testimony. The Government submitted 14 exhibits, and Licensee submitted 6 exhibits. The testimony and exhibits introduced at the hearing constitute the record in this proceeding.

Findings of Fact

Having reviewed the record in this proceeding, I make the following findings:

1. Licensee obtained the subject Federal firearms license in 2008. Prior to the issuance of the license, ATF initiated an application inspection of Licensee and met with Anthony Navarro, the sole Responsible Person for Licensee. At that time, ATF reviewed the relevant Federal firearms laws and regulations with Anthony Navarro.
2. ATF subsequently conducted compliance inspections of Licensee in 2009, 2011, 2015 and 2016. ATF issued a Report of Violations to Licensee following each of these inspections. As a result of the 2009 and 2011 inspections, ATF issued warning letters to the Licensee. As a result of the 2015 inspection, Licensee (specifically, owner and Responsible Person Anthony Navarro) attended a warning conference with ATF in which violations and proposed corrective actions were reviewed.

3. The Notice to Revoke alleged that:

- On 5 occasions, Licensee willfully transferred a firearm to an unlicensed person without first contacting the NICS and obtaining a unique identification number before allowing the transfers; and on 1 occasion, Licensee willfully transferred a firearm to an unlicensed person without first contacting the NICS and obtaining a unique identification number as Licensee failed to initiate a new NICS check after 30 days lapse of initial check on [] instance before allowing the transfer, all in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a).
- On [] occasions, Licensee willfully failed to timely and/or accurately report the sale or other disposition of two or more pistols and/or revolvers during any five consecutive business days to an unlicensed person, in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a.
- On [] occasions, Licensee willfully failed to obtain/execute the Firearms Transaction Record, ATF Form 4473 as indicated by the headings on the Form and the instructions on or pertaining to the Form, in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.21(a).

4. The evidence at the hearing established that on multiple occasions ATF instructed the Licensee, specifically Anthony Navarro, that he could not sell firearms without conducting a background check on all transfers of firearms to non-licensees; that he must report all multiple sales of handguns; and that he must follow the recordkeeping requirements, including insuring that the ATF Form 4473 was properly and completely filled out. The evidence also established that Licensee had been previously cited on multiple occasions for failing to report multiple sales of handguns, and for failing to ensure the ATF Form 4473 was properly and completely filled out. These two violations had also specifically been covered with Anthony Navarro during a previous in-person warning conference with an ATF supervisor in 2015.

5. There were no objections or challenges to the exhibits produced at the hearing, and the exhibits in conjunction with the testimony established that the facts as alleged in the Notice to Revoke did occur. Based upon the testimony and documents submitted at the hearing, I find that the facts set forth in the Notice to Revoke occurred.

Conclusions of Law

1. Pursuant to the GCA, ATF may, after notice and opportunity for hearing, revoke a Federal firearms license if the licensee has willfully violated any provision of the GCA or the regulations issued thereunder. 18 U.S.C. § 923(e); 27 C.F.R. § 478.73.

2. For purposes of the regulatory provisions of the GCA, a “willful” violation occurs when a licensee knows of its legal obligations and either purposefully disregards the requirements or is plainly indifferent to them. *Borchardt Rifle Corp. v. Cook*, 684 F.3d 1037, 1043 (10th Cir. 2012); *General Store, Inc. v. Van Loan*, 560 F.3d 920 (9th Cir. 2009); *Fairmont Cash Mgmt., LLC v. James*, 858 F.3d 356 (5th Cir. 2017); *Taylor v. Hughes*, 548 F. App’x 822 (3rd Cir. 2015); *Shawano Gun & Loan v. Hughes*, 650 F.3d 1070 (7th Cir. 2011); *American Arms, Int’l v. Herbert*, 563 F.3d 78 (4th Cir. 2009); *Armalite, Inc. v. Lambert*, 544 F.3d 644 (6th Cir. 2008); *On Target Sporting Goods, Inc. v. Attorney General*, 472 F.3d 572 (8th Cir. 2007); *Willingham Sports, Inc. v. Bureau of Alcohol, Tobacco, Firearms and Explosives*, 415 F.3d 1274, 1276 (11th Cir. 2005). See also *Bryan v. United States*, 524 U.S. 184, 197-98 (1998).

No “bad purpose or evil motive” is required for an act to be willful for regulatory purposes. *Article II Gun Shop, Inc. v. Gonzales*, 441 F.3d 492, 497-98 (7th Cir. 2006); *Willingham*, 415 F.3d at 1276-77; *Appalachian Res. Dev. Corp. v. McCabe*, 387 F.3d 461, 464-65 (6th Cir. 2004); moreover, “[a] single violation of the GCA is a sufficient basis for denying an application or revoking a firearms dealer’s license.” *Appalachian*, 387 F.3d at 464; *Fulkerson v. Lynch*, 261 F.Supp. 3d 779, 783 (W.D. Ky. 2017); *Augustson v. Holder*, 728 F. Supp. 2d 1279, 1286 (D. N.M. 2010).

A business entity’s federal firearms license may be revoked because of willful violations by the business entity’s agents and employees. See *Fin & Feather Sport Shop, Inc. v. United States Treasury Dep’t*, 481 F. Supp. 800, 807 (D. Neb. 1979); *McLemore v. United States Treasury Dep’t*, 317 F. Supp. 1077, 1078-79 (N.D. Fla. 1970). See also, *Al’s Loan Office, Inc. v. United States Dep’t of Treasury*, 738 F. Supp. 221, 224 (E.D. Mich. 1990).

3. Having found that the evidence establishes that Licensee violated the GCA and the regulations issued thereunder, it must now be determined whether such violation was willfully committed. For the reasons stated below, I conclude that Licensee’s conduct constitutes a willful violation.
4. The evidence and testimony presented at the hearing reveals that ATF informed Licensee’s sole Responsible Person, Anthony Navarro, on numerous occasions about the requirements concerning background checks that had to be conducted when transferring a firearm to a non-licensee. He also was informed repeatedly that multiple sale reports had to be filed. Finally, Mr. Navarro was informed that required ATF records had to be filled out and maintained. In this regard, ATF originally issued a Federal firearms license to Licensee in 2008. ATF subsequently conducted compliance inspections of Licensee in 2009, 2011, 2015 and 2016. As a result of the 2009 and 2011 inspections, ATF issued warning letters to Licensee. As a result of the 2015 inspection, Licensee

(specifically, owner and Responsible Person Anthony Navarro) attended a warning conference with ATF in which violations and proposed corrective actions were reviewed. During inspections in 2008, 2009, 2011, 2015, 2016, and 2020 the GCA regulations applicable to Federal Firearms Licensees were explained by ATF investigators to Licensee Responsible Person Anthony Navarro.

5. I find that based upon the record, Licensee knew of its obligations as a Federal firearms licensee and purposefully disregarded or was plainly indifferent to those obligations. As such, I conclude that Licensee willfully violated the Gun Control Act and its regulations.
6. I conclude that Licensee willfully violated 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a); 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a; and 18 U.S.C. § 922(m) and 27 C.F.R. § 478.21(a). Accordingly, as provided by 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, the Federal firearms license held by Colorado Shooting Sports, LLC, is revoked.

I also conclude that each of the violations are independently a basis for revocation. I would revoke the license even if only one of the violations was deemed to be a willful violation.

Dated this 11th day of April, 2022.

(b)(6)

PAUL W. BROWN

Director, Industry Operations

Denver Field Division

Bureau of Alcohol, Tobacco, Firearms and Explosives

United States Department of Justice



U.S. Department of Justice

**Bureau of Alcohol, Tobacco,
Firearms and Explosives**

Washington DC

www.atf.gov

IMPORTANT NOTICE

Selling Firearms AFTER Revocation, Expiration, or Surrender of an FFL

Former Federal Firearms licensees (FFLs) who continue to sell firearms after the revocation, expiration, or surrender of their license are subject to the same rules as persons who have never been licensed in determining whether they are "engaged in the business" of selling firearms without a license in violation of 18 U.S.C. § 922(a)(1)(A). Accordingly, former licensees who wish to dispose of any remaining business inventory must adhere to the following guidance:

Business inventory must be disposed of by the former FFL in a manner that, objectively, does not constitute being engaged in the business of dealing in firearms using the same facts and circumstances test that would apply to persons who have never been licensed.

The preferred manner of disposition is for the former licensee to:

- Arrange for another FFL to purchase the business inventory (and other assets) of the business; or
- Consign the inventory to another FFL to sell on consignment, or at auction.

Should a former FFL decide against those options, he/she should be aware that future sales - whether from his/her personal firearms collection or otherwise - will be evaluated for a potential violation of 18 U.S.C. § 922(a)(1)(A), just as would occur with a person who had never been licensed.

If a former FFL is disposing of business inventory, the fact that no purchases are made after the date of license revocation, expiration, or surrender does not immunize him/her from potential violations of 18 U.S.C. § 922(a)(1)(A). Instead, business inventory acquired through repetitive purchases while licensed are attributed to the former FFL when evaluating whether subsequent sales constitute engaging in the business of dealing in firearms without a license.

ATF remains committed to assisting former licensees in complying with Federal firearms laws. If you have questions, please contact your local ATF office.

**CURTIS
GILBERT** Digitally signed by
CURTIS GILBERT
Date: 2022.04.04
16:12:22 -04'00'

Curtis Gilbert
Deputy Assistant Director (Industry Operations)
Field Operations