

ATTICA SYSTEMS LLC's FCI
 FCI-30686
 03/15/2022 10:11 AM
 IOI (b)(6), Kansas City III (IO) Field Office

GENERAL INFORMATION

IOI Hours Spent on Inspection
 80.0

LICENSEE INFORMATION

Licensee Name ATTICA SYSTEMS LLC	RDS Key 5-48-05213	License/Permit Number 5-48-173-07-3K-05213	License Type 07 - Manufacturer of Firearms License
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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
 1103 S SANTA FE STREET
 Unit N/A
 WICHITA, Kansas 67211
 SEDGWICK United States

Phone Type	Phone Number	Remarks
Business	+1 316-350-7757	

Email Address	Email Remarks
(b)(6)	

RECOMMENDATIONS

Final Decision
 Revocation

Deputy Assistant Director - Industry Operations Hans Hummel's Recommendation
 Revocation

Details

Concur with Division recommendation to proceed with revocation.

Special Agent in Charge Frederic Winston's Recommendation

Based upon the violations cited and current policy, I concur.

Division Counsel (b)(6) Review

Details

Senior Attorney (b)(6) and Associate Chief Counsel (b)(6) have reviewed the violation report and believe the elements are met, as well as there is not any legal barriers to proceeding forward with revocation in accordance with current policy.

Industry Operations Investigator (b)(6)'s Recommendation
 Revocation

Details

Per the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety, the inspection meets revocation standards based upon the licensee's failure to conduct a required background check.

27 CFR 478.102(a) Failure of the licensee to complete a NICS/POC background check. (1 instances). Licensee stated licensee stated that he was unaware that he could not accept an out of state conceal carry permit.

27 CFR 478.102(c) Failure of the licensee to initiate a new NICS background check after 30-day lapse of initial check. (1 instance). Licensee stated that he was aware of the 30-day expiration for the NICS Transaction Number, however, he simply forgot about that requirement when he transferred the firearm.

Other violations include failure to report multiple sales, failure to timely document dispositions, and failure to document all NICS transaction information.

Area Supervisor (b)(6)'s Recommendation

Revocation

Details

FCI-30686

LEAD IOI: (b)(6)

DATE OF INSPECTION: 10/5/2021

Per the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety, the inspection meets revocation standards based upon the licensee's failure to conduct a required background check.

Violation #2 -27 CFR 478.102(a)

Failure of the licensee to complete a NICS/POC background check. (1 instances)

Violation #3 - 27 CFR 478.102(c)

Failure of the licensee to initiate a new NICS background check after 30-day lapse of initial check. (1 instance)

Industry Operations Investigator (b)(6) Recommendation

Revocation

Details

Revocation is recommended based upon the 7/14/21 Memorandum to All Special Agents in Charge, All Directors of Industry Operations from the Acting Assistant Director (Field Operations). This memorandum describes under part 2 that "Absent extraordinary circumstances, an inspection that results in a finding that an FFL has willfully committed any of the following violations shall result in a revocation recommendation." More specifically, part 2b identifies "failing to conduct a required background check" as one of the five violations elevating inspections to revocation.

Attica Systems LLC had two NICS violations total.

-One was the transfer of a firearm without a NICS check based upon a CO Conceal Carry Permit. This is considered a willful violation despite the assertions by the licensee that he did not know he could not accept an out of state CCW as question 29 of the 4473 states "No NICS check is required because the transferee/buyer has a valid permit from the state where the transfer is to take place, which qualifies as a NICS exemption." Since directions were provided, it is considered willful.

-The second instance of a failure to conduct NICS was for a 4473 NTN that was past 30 days. The licensee admitted that he was aware of the 30 day requirement, however, stated that he forgot about the requirement at the time of transfer. This again is considered willful as the licensee admitted he was aware of the requirement.

As a result of these violations and based upon the 7/14/21 Memorandum, Revocation is recommended.

Inspection Findings

Records and Forms

- 11. Failure to retain required GCA records for transferred firearms for period of time specified by regulation.

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.

ELIGIBILITY VERIFICATION

Business Information Verification

Licensee Name	Business Type	Is the business valid?
ATTICA SYSTEMS LLC	Limited Liability Company (LLC)	Yes

Additional Findings

According to the Kansas Secretary of State, the business has been registered as a domestic limited liability company since 4/16/2020, and is active and in good standing. The members of the LLC are correctly identified as responsible persons in FLS. No issues of hidden control/ownership were identified.

Attachment(s):

FCI-30686 KS SoS Active and Good Standing.pdf

Property Ownership Verification

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

Address

1103 S SANTA FE STREET
Unit N/A
WICHITA, Kansas 67211
SEDGWICK United States

Additional Findings

The business premises is suitable for the activities conducted. The business operates from storefront near the downtown area of Wichita, Kansas. According to the Sedgwick County Appraiser's Office, the business premises is owned by Levihen, LLC. Off-site storage is not utilized.

Attachment(s):

Rental/Lease Verification

Is the proposed business activity permitted by the property owner?
 Yes

Additional Findings

Property is rented by: (b)(4). As the rental/lease agreement did not identify firearms being manufactured or dealt from the premise, a letter was acquired through the licensee from (b)(4) allowing Attica to operate the FFL from the location.

Attachment(s):

FCL-30686 Lease Agreement.pdf

FCL-30686 Property Owner Consent to manufacture firearms 10-18-21.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?
 Yes

Additional Findings

There are no zoning regulations prohibiting the licensee's business activities per KSA 12-16,124 which states, "No city or county shall adopt any ordinance, resolution or regulation, and no agent of any city or county shall take any administrative action, governing the purchase, transfer, ownership, storage or transporting of firearms or ammunition, or any component or combination thereof."

Attachment(s):

KSA 12-16, 124 - Firearms and Ammo; Regulation by City or County, Limitations (2015).pdf

APPOINTMENT DETAILS

Interview Date

10/05/2021

Address

1103 S SANTA FE STREET, Unit N/A, WICHITA, Kansas 67211

Responsible Attendee(s)

AARON MICHAEL CHILDRESS

RAEANN LYNN CHILDRESS

Non-Responsible Person(s)

No Items

RESPONSIBLE PERSON(S)

AARON MICHAEL CHILDRESS

Name	Gender	Race	Ethnicity
AARON MICHAEL CHILDRESS	Male	White	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)	(b)(6)	CEO	

Physical Identifiers

Height	Weight	Hair Color	Eye Color
(b)(6)	(b)(6)	(b)(6)	(b)(6)

Place of Birth

Country	State	City
United States Of America	(b)(6)	(b)(6)

Home Address

(b)(6)

Additional Names

Citizenship

United States

ID Type	Country	State	ID Number
Driver's License	United States	Kansas	(b)(6)
Phone Type	Phone Number	Remarks	
Mobile	(b)(6)		

Email Address	Email Remarks
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted
09/28/2021

Criminal History Check Comments

A NCIC inquiry was conducted on the above date with no prohibiting information identified. The individual received a proceed in NICS on 8/24/2020 via NTN (b)(6)

RAEANN LYNN CHILDRRESS

Name	Gender	Race	Ethnicity
RAEANN LYNN CHILDRRESS	Female	White	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)		CFO / BUSINESS MANAGER	

Physical Identifiers

Height	Weight	Hair Color	Eye Color
	(b)(6)		

Place of Birth

Country	State	City
United States Of America	(b)(6)	

Home Address

(b)(6)

Additional Names

Citizenship

United States

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

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

Email Address	Email Remarks
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted
09/28/2021

Criminal History Check Comments

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INTERVIEW QUESTIONNAIRE

What is the proposed business activity?

BUSINESS PROFILE-

On a full time basis, Childress runs his gun manufacturing business, however, he also does consultancy work as (b)(6). (b)(6) Searches online for the group turned up negative results following the inspection (b)(6). (b)(6)

Childress stated that he sells manufactured firearms, body armor, and tries to cater sales to customer preferences with black rifles. (b)(4)

(b)(4)

Over the inspection period, Attica has acquired approximately (b)(4) firearms and disposed of (b)(4) firearms. This disposition number includes (b)(4) receivers that once completed were deemed blemished/defective and destroyed. Proper methods of destruction were discussed with Childress to include best practices of photographing destroyed firearms.

Childress stated that 85-90% of his overall business is made up of firearms sales with 100% of these being retail sales. Of this, 100% of the firearms sold are new (0% used) and he

sells long guns (b)(4) and handguns (b)(4). The business also does (b)(4) of its firearms sales through special orders and approximately (b)(4) are transfers. Attica's main suppliers for parts are (b)(4). Childress stated in the future that he will be acquiring lower receivers from (b)(4) who will mark firearms for Attica under a variance. The licensee does have a website (atticasystems.com) and has not utilized sites such as Gunbroker.com. The business' advertisement is through word of mouth and its website. The licensee has conducted business at gun shows but stated that he does not want to do them anymore. Attica also does very small amounts of gunsmith services upon customer request.

Attica has possessed this license since 9/22/2020.

The license held is appropriate for the business and the licensee is in compliance with all state/local laws. There are no other businesses held on the premise. There is no offsite storage of records or firearms.

OWNERSHIP AND CONTROL-

The licensee is a LLC that is active and in good standing with the KS Sec of State. Attica has two responsible persons on the license in Aaron and Raeann Childress. Childress said his wife has little to do with the license, however, it appeared that she had helped him with his A&D Books based upon handwriting. Attica used to have 3 employees to run the books and work in the back, but got rid of them to do problems with the personnel. This happened between Apr and Aug 2021.

Also, upon questioning, (b)(6) discovered that Attica had what Childress called a "silent investor." Childress stated that a business contact he had, (b)(6), of San Diego, CA had given a business loan to Attica of \$ (b)(4). He stated that (b)(6) had contacts with the defense industry and was pushing him towards ITAR activities. (b)(6) directly asked (b)(6) was now working with the LLC, giving direction, had financial interests, etc. All of these questions were responded to with a no. Childress clarified that (b)(6) attempted to get into the LLC, however, the (b)(4) was simply a loan that would be paid back in full within the next month or so. On 10/29/21, (b)(6) ran (b)(6) information in TLO and NCIC and discovered him to not be prohibited.

No signs of hidden ownership were disclosed.

VARIANCES-

The licensee does not have any variances on file, nor was any variance requested during the inspection. The licensee did say that a marking variance would be applied for in the near future as (b)(4) will start producing Attica marked receivers for the LLC in the future.

Do they need an additional license or permit?

No

Who are their primary suppliers?

Attica's main suppliers for parts are (b)(4). Childress stated in the future that he will be acquiring lower receivers from (b)(4) who will mark firearms for Attica under a variance.

Business Activities

(b)(3)(26 USC § 6103)

- Retail
- Gunsmith
- Gun Show Participant

Selected Operational Security Measures

- Controlled Access to ATF Recordkeeping
- Controlled Access to Keys

SUPPLEMENTAL QUESTIONNAIRE

General Business Operations

If there is a security system, who has access to the security codes?

Aaron and Raeann Childress

Who has keys to the premises?

Aaron and Raeann Childress

Who has keys to locked inventory?

Aaron Childress

Who is operating the business on a day-to-day basis?

Aaron Childress

Is financial backing provided by anyone that is not a responsible person on the license/permit?

(b)(6) as identified in the report. It was annotated in the report that (b)(6) is not prohibited.

Are any employees known to be prohibited?

No

Are any employees associated with a previously denied/revoked/surrendered license/permit?

No

PREMISES INFORMATION

Inspection Area Description

PREMISES-

The inspection was conducted at the licensed premise on 10/5/2021 by IOI (b)(6). This inspection was a short notice tasker from ASI (b)(6) and was thought to have associations with another FFL, Fall Creek Armory, 5-48-04995, that was having an inspection during the same timeframe. Aaron Childress is the RP on Attica Systems, LLC who is the FFL. Of note, contact was attempted for an unannounced inspection on 9/30/21, but the licensee did not show up for listed business hours. After waiting for Childress and attempting communication via cell phones, (b)(6) drove to Childress house and made contact with the subject who stated that he was recovering from COVID-19 and would not be out of quarantine until Monday, 10/4/21. The licensee's premise is suitable for the activities conducted. The premise is an office/warehouse located in an urban area in Wichita, KS. The property is owned by (b)(4) according to the Sedgwick County, KS Assessor (see attachments). (b)(4) also provided a document indicating they were aware of the licensee's operation of a manufacturing license from the premise. The licensee is in compliance with state laws and zoning restrictions. The licensee does not have any off site storage. After not being able to conduct the inspection on 9/30/21, (b)(6) drove to Caldwell, KS to assist IOI (b)(6) with her inspection of Fall Creek. While assisting, it was noted by (b)(6) that the owners of Fall Creek started receiving communications from Attica asking for firearm information for A&D Records. (b)(6) confronted Childress during the inspection on this topic and Childress stated that he was trying to make sure his books were in perfect order for the inspection.

The close for this inspection was held via Zoom on 11/5/21.

Childress was identified by his KS DI (b)(6).

Business is normally conducted from the main office in the front of the building while inventory and records are stored in the back warehouse area. There are cameras throughout the building and therefore the inspection was likely recorded.

There were no safety of health concerns identified during the inspection. The premise was relatively clean and the owner had no dogs on site. The owner had no loaded firearms on the premise.

The licensee was notified of the right of entry and that records, inventory, and the premise are subject to inspection.

Spartan was not utilized for this inspection due to time constraints from photographing 4473 errors.

A check of NFORCE was conducted for active CE cases and no information was derived indicating the licensee is under investigation.

During the close, Childress mentioned to (b)(6) that he was about to submit an amended application for the license to move it back to his house at (b)(6).

This amended application reached (b)(6) via ASI (b)(6) on 11/12/21. That same day, (b)(6) contacted Childress once more to verify there were no further changes to the license and

ensure there was no change in control associated with this move. Childress acknowledged this and expressed that he was sick of the area that the building was located at because of the homeless in the area and being a rougher side of town. These were sentiments also expressed during the inspection as far back as early October. Ultimately, Childress stated that he intends to move the license once more from his residence (no current timeframe was given) to another location North of Wichita that he is trying to purchase. This property was said to be approximately 40 acres and Childress stated he intended to continue gun manufacturing and wanted to set up a firing range. (b)(6) noted that the licensee failed to sign the amended application and had not filled out question 4. The requested corrections to the amended application were not sent back to (b)(6) until 11/17/21 after two additional requests to do so. Childress does own the residence according to the Sedgwick County Assessor (see attachments).

Primary Activity

Retail

GPS Coordinates

Latitude
37.67295

Longitude
97.33059

Selected Physical Security Measures

Bars on Windows

Bars on Doors

Security Cameras

Deadbolts

Safe(s)/Vault(s)

ONSITE SUMMARY

Total Number of ATF Form 4473s for Inspection Review Period

Total Number of ATF F 4473 Reviewed

Total Number of Open Dispositions in A & D Record

Total Number of Firearms in Inventory

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation

Total Number of Acquisitions in the Last 12 Months

Total Number of Dispositions in the Last 12 Months

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

NEA Documents Verified

Additional Comments

INSPECTION HISTORY

1/19/2021 – Amended Application

UI: FCA-1005

Inspection Results: Approve Application

9/9/2020 – Application Inspection

UI: FAI-20641

Inspection Results: FFL Issued

ACQUISITION & DISPOSITION (A&D) RECORD-INVENTORY-

Attica maintains handwritten A&D records that meet the formatting requirements set forth in 27 CFR.

There were 4 firearms in inventory and open entries in the A&D book. There were (b)(4) firearms acquired and approximately (b)(4) firearms disposed of.

(b)(3) errors were discovered in the A&D Book that showed Aaron Childress (RP on the license) received (b)(3) (112 Public Law 55 125 Stat 552)

(b)(6) Childress stated that he must have recorded the wrong date of transfer in the book for the (b)(3) (112 Public Law 55 125 Stat 552) that he (Childress) received as a result. (violation)

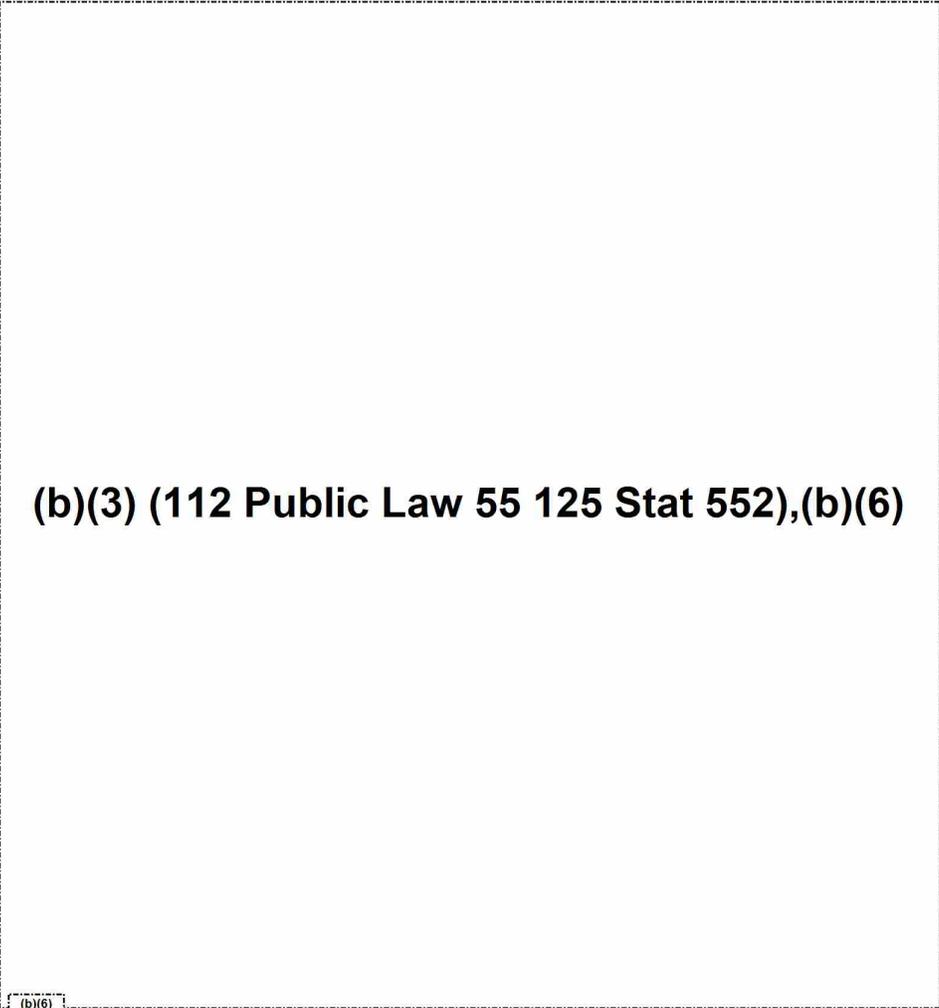
The licensee maintained both a manufacturing book as well as a sales books. After creation of the firearm in the manufacturing book, Attica would transfer these firearms to the sales book. (b)(6) was able to track and ensure a high degree of accuracy between the books, however, he suggested that the licensee alter their record keeping which Childress agreeing he would as it was often difficult for him to maintain and track under the current system. (b)(6) instructed the FFL to begin a manufacturing book and a sales book much as he already had, but the manufacturing book should contain a rifle being manufactured and then sold to a buyer rather than a transfer over to the sales book. If he puts together a firearm that he

originally finished as a receiver, then he needs to show the conversion within the A&D as provided in examples. The same would be true with another FFL's manufactured receiver that then becomes an Attica Systems firearm. Childress stated that he understood and would be open to the change as it made more sense. In a conversation on 10/27/2021, Childress stated that this conversion in the books was completed and that he has once again switched back to an electronic A&D Book under Gun Store Master. Childress had originally utilized this system and ended up getting away from it. He stated that now that he has been through an inspection, he feels more confident in what to look for and believes the system will now be the most effective way for him to maintain records.

With regards to the licensee's standard operating procedures, Childress and his wife Raeann are the only persons who logs in/out firearms. Employees used to do this until they departed the LLC. There were no theft or loss reports filed during the inspection period or as a result of the inspection. In addition, there were no trafficking issues found while reviewing the A&D Book.

ATF FORMS 4473-NICS & OTHER DISPOSITIONS-

There were [redacted] ATF Form 4473's on file for the inspection period that were maintained by transaction serial number. Of the [redacted] forms examined, there were multiple errors.



(b)(6)
(violations)

As a result of dates being mixed up in the A&D book on [redacted] guns for [redacted] (b)(3) (112 Public Law 55 125 Stat 552) [redacted], (b)(6) attempted to find the 4473 for the transaction that showed a transfer to Childress. The 4473 was unable to be accounted for within the FFL's stack of forms. (b)(6) asked where the 4473 could be to which Childress responded that he knew he did one and was not sure. He conjectured that if it wasn't there, it could have been thrown away by accident. Attica was cited for not maintaining transferred 4473s in this instance (violation). (b)(6) asked to see the guns in question and Childress was able to provide a serial number photo of [redacted] (b)(3) (112 Public Law 55 125 Stat 552) [redacted] was originally obtained as a used police firearm under the FFL. As a result of the handgun being in less than stellar condition, Childress logged the gun out to practice stippling (roughing the polymer surface of the handgun frame intentionally). Once done with this, the gun was destroyed.

As it pertains to the completion of 4473s and NICS, Childress is now the only person that processes and checks over these items. The licensee made no transfers to law enforcement officers for official duty. All copies of FFLS for transfers to other FFLs were on file. There were 5 transferred NTN's on the ATF FFL Audit Log and [redacted] accounted for on ATF F 4473s. When asked about the transaction [redacted] (b)(3) (112 Public Law 55 125 Stat 552) [redacted] Childress did not know of any transactions he would have conducted on this day. There were 3 denials in the inspection period. There were no further discrepancies. The licensee accepts the Kansas Concealed Carry permit in lieu of a NICS check. Approximately 5% of forms used the state permit in lieu of NICS. All transactions requiring NICS checks are done through E-Check.

A sampling of KS CCLs were checked in NCIC without prohibiting information being found.

MULTIPLE SALES-

Attica reported 0 multiple sales during the inspection period. [redacted] unreported multiple sales identified (violation). The FFL did utilize an electronic system for his sales at one point. He stated that he thought the system would capture the MS as required and send the information. (b)(6) queried ETrace on 10/29/21 and noted that the MS had been completed under [redacted] (b)(3) (112 Public Law 55 125 Stat 552) [redacted].

SUSPICIOUS/PROHIBITED PURCHASERS-

There were no suspicious purchasers identified/run in NCIC as a result of the inspection.

TRACE ACTIVITY-

Attica has not had any traces within the last 12 months.

NFA/IMPORTER/COLLECTOR/MANUFACTURER-

While the licensee is a [redacted] (b)(3) (112 Public Law 55 125 Stat 552) [redacted] manufacturer, he has never utilized it to produce NFA firearms. He stated that in the future he does plan to manufacture silencers and believed he could begin doing this in the near future.

As far as manufacturing, the licensee is a type 07 FFL. He has filed his AFMER for 2020 with 22 guns manufactured and entered into commerce. The licensee did not do this electronically with the ATF and stated he sent a printed copy to the ATF. Childress ser [redacted] (b)(6) [redacted] copy of his form (attached).

OTHER-

The licensee did have their FFL and Youth Handgun Safety Act Poster posted as required. Attica does not sell exploding targets.

During the close, Childress mentioned to (b)(6) that he was about to submit an amended application for the license to move it back to his house at (b)(6). This amended application reached (b)(6) via AS (b)(6) on 11/12/21. That same day, (b)(6) contacted Childress once more to verify there were no further changes to the license and ensure there was no change in control associated with this move. Childress acknowledged this and expressed that he was sick of the area that the building was located at because of the homelessness in the area and being a rougher side of town. These were sentiments also expressed during the inspection as far back as early October. Ultimately, Childress stated that he intends to move the license once more from his residence (no current timeframe was given) to another location North of Wichita that he is trying to purchase. This property was said to be approximately 40 acres and Childress stated he intended to continue gun manufacturing and wanted to set up a firing range. (b)(6) noted that the licensee failed to sign the amended application and had not filled out question 4. The requested corrections to the amended application were not sent back to (b)(6) until 11/17/21 after two additional requests to do so. Childress does own the residence according to the Sedgwick County Assessor (see attachments).

Attachment(s)

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Licensee Response to Violations Report.pdf

Licensee Response to Violations Report.pdf

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
1 27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers ATF Forms 4473: [] Number of Instances: []	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.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
2 27 CFR 478.102(a): Failure to complete a NICS/POC background check ATF Forms 4473: 1 Number of Instances: 1	Execute a required NICS/POC background check for all future over-the-counter firearm transactions. 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.	NICS Violation, (b)(6) 4/17/2021
3 27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check ATF Forms 4473: 1 Number of Instances: 1	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.	NICS Violation, (b)(6)
4 27 CFR 478.129(b): Failure to retain ATF F 4473 ATF Forms 4473: [] Number of Instances: []	Retain ATF Forms 4473 for a period of not less than 20 years after the date of sale or disposition.	(b)(3) (112 Public Law 55 125 Stat 552)
5 27 CFR 478.123(d): Failure to maintain an accurate/complete/timely nonlicensee disposition record Number of Instances: []	Accurately, completely & timely record all required future firearm disposition information.	(b)(3) (112 Public Law 55 125 Stat 552)
6 27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473 ATF Forms 4473: [] Number of Instances: []	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. Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
27 CFR 478.21(a): Failure to complete forms as prescribed	Complete all forms as prescribed. Ensure that all ATF Form 4473 items, as required by form headings and instructions, are	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

7 ATF Forms 4473: [] Number of Instances: []	accurately completed on all future transactions.	
8 27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on 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 transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
9 27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473 ATF Forms 4473: [] Number of Instances: []	Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
1 27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers ATF Forms 4473: [] Number of Instances: []	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.	The licensee assumed that his software captured multiple sales and sent the information to the correct point of contact.	Status Correction Verified Verified Method In Person Date Correction Verified 10/05/2021
27 CFR 478.102(a): Failure to		The licensee did not know that he could	Status

2	<p>complete a NICS/POC background check</p> <p>ATF Forms 4473: 1 Number of Instances: 1</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>not accept an out of state conceal carry permit. The licensee stated he would have accepted this 37 times as he simply did not know this was wrong.</p>	<p>Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/05/2021</p>
3	<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>The licensee stated he was aware of the 30 day expiration requirement for the NTN, however, he simply forgot about the requirement when he transferred the firearm.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/05/2021</p>
4	<p>27 CFR 478.129(b): Failure to retain ATF F 4473</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Retain ATF Forms 4473 for a period of not less than 20 years after the date of sale or disposition.</p>	<p>The licensee could not find this form and believed that he had thrown it away by accident.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/05/2021</p>
5	<p>27 CFR 478.123(d): Failure to maintain an accurate/complete/timely nonlicensee disposition record</p> <p>Number of Instances: 1</p>	<p>Accurately, completely & timely record all required future firearm disposition information.</p>	<p>The licensee stated that he must have input these dispositions incorrectly.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/05/2021</p>
6	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473: 1 Number of Instances: 1</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>The licensee stated that he missed this and needed more attention to detail.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/05/2021</p>
7	<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473: 1 Number of Instances: 1</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>The licensee stated that he missed this.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/05/2021</p>
8	<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473: 1 Number of Instances: 1</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>Licensee stated that he had missed this and maybe had too much going on. Specifically, he pointed out one where he had been conducting a credit application which is why he must have missed the information.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/05/2021</p>

<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"/></p> <p>9 Number of Instances: <input type="checkbox"/></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>The licensee stated that he thought these were optional and that he had not been careful in the beginning.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/05/2021</p>
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CLOSING CONFERENCE

Review Regulations conducted offline

(11/5/2021)

11/05/2021

Attachment(s)

Attendee(s)

AARON MICHAEL CHILDRESS

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-48-05213 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05213 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05213 Monitored Case
UpdateLicensingCenter	Notice of Discontinuance of Business Attica (signed).pdf
Correspondence	Spartan Notification RE: 5-48-05213 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05213 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05213 Monitored Case
UpdateLicensingCenter	8c FINAL Attica Systems LLC_.pdf
Correspondence	Spartan Notification RE: 5-48-05213 Monitored Case
UpdateLicensingCenter	ATTICA SYSTEMS LLC 8C.docx
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ReturnedSignedROV	FCI-30686 Amended ROVs.pdf
RentalLeaseVerification	FCI-30686 Lease Agreement.pdf
RentalLeaseVerification	FCI-30686 Property Owner Consent to manufacture firearms 10-18-21.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
ViolationsPDF	Report of Violations.pdf
OnSiteSummaryInformation	Remington RR81541K in possession.JPG
OnSiteSummaryInformation	FCI-30686 VCAB.pdf
OnSiteSummaryInformation	FCI-30686 Audit Log Full.xlsx
ZoningVerification	KSA 12-16, 124 - Firearms and Ammo; Regulation by City or County, Limitations (2015).pdf
PropertyOwnershipVerification	FCI-30686 Cty Assessor.pdf
BusinessVerification	FCI-30686 KS SoS Active and Good Standing.pdf

License

Category	Attachment Name
Correspondence	Licensing Center Update: 5-48-05213

DiscontinuanceSummary	Discontinuance Summary.pdf
InitialRequestAttached	Attica Email Surrendering FFL.pdf
InitialRequestAttached	Notice of Discontinuance of Business Attica (signed).pdf
OriginalLicenseRecord	Attica Systems LLC Copy of Original FFL.pdf

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

In the matter of License Number 5-48-173-07-3K-05213, as a/an A Manufacturer of Firearms Other Than Destructive Devices

issued to:

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

Attica Systems LLC
1516 North Stout Street
Wichita, Kansas 67235

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 1251 NW Briarcliff Parkway, Suite 600 Kansas City MO 64116, 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	Signature
02/07/2022	William J. Miller Director, Industry Operations ATF Kansas City Field Division	(b)(6)

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: 7017 2620 0000 8869 7391 Or
- Delivering a copy of the notice to the address shown below.

Date Notice Served	Title of Person Serving Notice	Signature of Person Serving Notice
<u>2/7/22</u>	<u>Investigative Analyst</u>	(b)(6)
Print Name and Title of Person Served Attica Systems, LLC		Signature of Person Served

Address Where Notice Served
1516 North Stout Street, Wichita, Kansas

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given that that the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) intends to revoke the Federal firearms license held by Attica Systems, LLC (“Licensee”), a Manufacturer in Firearms Other Than Destructive Devices.

Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Kansas City Field Division, has reason to believe that 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 first issued a Federal firearms license to Licensee in 2020. At that time, ATF reviewed and explained the federal firearms laws and GCA regulations and requirements with Licensee and provided resource and reference information.

Current Inspection

On October 5, 2021, ATF began a compliance inspection of Licensee’s premises that revealed the following:

Background Check Violations:

1. On two occasions, Licensee willfully transferred a firearm to an unlicensed person without first contacting the National Instant Criminal Background Check System (“NICS”) and obtaining a unique identification number and/or waiting three days before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102. See Appendix ¶ 1.

Failure to Report Multiple Sales:

2. On occasion, 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 ¶ 2.

Failure to Retain Records:

3. On occasion, Licensee willfully failed to retain each Firearms Transaction Record, ATF Form 4473 for a period of not less than 20 years after the date of sale or disposition, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.129(b). See Appendix ¶ 3.

ATF Form 4473 Violations:

4. On occasions, Licensee willfully failed to obtain a complete and/or accurate Firearms Transaction Record, ATF Form 4473, from the transferee prior to making an over-the-counter transfer of a firearm to a non-licensee, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(1). See Appendix ¶ 4.
5. On occasions, Licensee willfully transferred a firearm to a non-licensee without verifying the identity of the transferee by examining an identification document presented and noting the type on a Firearms Transaction Record, ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(i). See Appendix ¶ 5.
6. On occasions, Licensee willfully transferred a firearm to a non-licensee without recording the date Licensee contacted NICS, any response provided by the system and/or any identification number provided by the system information on the Firearms Transaction Record, ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv). See Appendix ¶ 6.

APPENDIX

NOTICE Paragraph 1 [27 C.F.R § 102 Background Check Violations]:

Transferee's Name	Date	Discrepancy
1. (b)(6)	4/17/2021	Failure to complete background check
2. (b)(6)	4/25/2021	Failure to initiate new NICS check after 30-day lapse

NOTICE Paragraph 2 [27 C.F.R §126a Multiple Sales Violation]:

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

NOTICE Paragraph 3 [27 C.F.R. § 478.129(b) Fail to Retain Form 4473 Violation]:

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

NOTICE Paragraph 4 [27 C.F.R §124(c)(1) Incomplete ATF Form 4473 Violations]:

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

NOTICE Paragraph 5 [27 C.F.R §124(c)(3)(i) Incomplete ATF Form 4473 Violations]:

Transferee's Name	Date	Discrepancy
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)		
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NOTICE Paragraph 6 [27 C.F.R. § 478.124(c)(3)(iv) Failure to Record NICS Contact Information on ATF Form 4473 Violations]:

Transferee's Name	Date	Discrepancy
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)		
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(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 5-48-173-07-3K-05213 as a/an a manufacturer in firearms other than destructive devices
_____, issued to:

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

Attica Systems, LLC
1516 North Stout Street
Wichita, Kansas 67235

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 2/24/2022,
- 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).
- 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 1251 NW Briarcliff Parkway Suite 600 Kansas City MO 64116, 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 03/02/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official William J. Miller Director, Industry Operations ATF Kansas City Field Division	Signature (b)(6)
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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: 7020 1290 0001 6240 9339

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

Date Notice Served 03/02/2022	Title of Person Serving Notice Investigative Assistant	Signature of Person Serving Notice
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Print Name and Title of Person Served Attica Systems, LLC	Signature of Person Served
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Address Where Notice Served
1516 North Stout Street Wichita, Kansas 67235

Note: Previous Edition is Obsolete

Page 2 – ATF Form 5300.13, Final Notice of Denial of Application, Revocation,
Suspension and/or Fine of Firearms License

Attica Systems, LLC, 1516 North Stout Street, Wichita, KS 67235 (“Licensee”) holds Federal firearms license #5-48-173-07-3K-05213, a manufacturer in 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 February 7, 2022, ATF issued a Notice of Revocation of License, ATF Form 4500, to Licensee. This Notice was sent to Licensee’s known licensed business premises. Receipt of the Notice was certified and confirmed via USPS certified mail on February 10, 2022.

Said Notice alleged that Licensee willfully violated the provisions of the GCA and the regulations issued thereunder. The Notice further specified that if Licensee wished to challenge the revocation, it may file a request with ATF for a hearing “within 15 days after receipt of this notice.” See 18 U.S.C. § 923(f)(2); 27 C.F.R. § 478.73(b). No request for hearing was filed with ATF in accordance with the provisions of the GCA. Moreover, ATF received a Notice of Discontinuance of Business for Attica Systems, LLC, dated February 24, 2022, indicating voluntary surrender of the license.

For the reasons set forth in the Notice of Revocation issued on February 7, 2022, the Federal firearms license held by Attica Systems, LLC is hereby REVOKED.

It is our understanding that your firearms business records for your discontinued business were sent to the Out-of-Business Records Center pursuant to the requirements under 18 U.S.C. § 923(g)(4) and 27 C.F.R. § 478.127. If that is incorrect, please ensure this is done immediately.

Dated this 2nd day of March, 2022.

(b)(6)

William J. Miller

Director, Industry Operations

Kansas City Field Division

Bureau of Alcohol, Tobacco, Firearms and Explosives

United States Department of Justice