

Gerald Leslie Galpin's FCI
 FCI-33132
 01/05/2023 02:07 PM
 IOI (b)(6), Forth Worth II (IO) Field Office

GENERAL INFORMATION

IOI Hours Spent on Inspection
 77.0
 Due Date
 7/8/22 8:00 PM

LICENSEE INFORMATION

Applicant Name
 Gerald Leslie Galpin
 (Sole Proprietor)

RDS Key
 5-75-14049

License/Permit Number
 5-75-367-07-4F-14049

License Type
 07 - Manufacturer of Firearms License

Business Type
 Sole Proprietorship

Premises Ownership Type
 Leased/Rented
 Premises Address
 991 LOGGINS TRAIL, Unit N/A,
 POOLVILLE, Texas 76487

Premises Location Type Required
 Single Family Dwelling

Address
 991 LOGGINS TRAIL
 Unit N/A
 POOLVILLE, Texas 76487
 PARKER
 United States

Address
 991 LOGGINS TRAIL
 Unit N/A
 POOLVILLE, Texas 76487
 PARKER
 United States

Phone Type	Phone Number	Remarks
Business	+1 818-620-4272	

Email Address	Email Remarks
(b)(6)	

Online Presence Type	Online Presence URL	Remarks
Other	n/a	

RECOMMENDATIONS

Final Decision Date
 Revocation 12/19/2022

Details

A firearms recall inspection of Gerald Leslie Galpin (5-75-14049) was initiated on 05/24/2022. The inspection concluded on 06/09/2022, and resulted in violations that warrant Revocation due to the licensee's failure to conduct a NICS check and failure to complete an ATF Form 4473. Additionally, the licensee has numerous repeat violations. As a result of the inspection, three (3) SARs were sent to the Dallas CGIC for individuals potentially trafficking firearms.

The license has been revoked and all records were collected on 12/21/2022, which will be forwarded to the ATF OOBRC.

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

✔ Submitted to an ATF Employee

✔ Inventory transferred to self

ATF Employee Name
 (b)(6)

Deputy Assistant Director - Industry Operations Curtis Gilbert's Recommendation
Revocation

Details

Briefed to DAD(IO) on 7/18/22. Proceed with revocation.

Deputy Assistant Director - PGA Jeffrey Boshok's Recommendation

Concur with DIO recommendation of revocation.

Senior Attorney [REDACTED]'s Review

Details

Counsel has reviewed the file.

Director of Industry Operations Krissy Carlson's Recommendation

Revocation

Details

Revocation is recommended.

The licensee was cited for sixteen violations including 27 CFR 478.121(c) Making false entry; 27 CFR 478.102(a) Failure to complete a NICS background check; 27 CFR 478.124(a) Failure to execute an ATF Form 4473 and 27 CFR 478.99(a) Sale of a receiver to an out of state resident. The licensee was adding firearms to ATF Forms 4473 after the initial purchase occurred instead of completing a new ATF Form 4473 and new NICS check.

The licensee continues to have repeat violations, with administrative actions to include a warning conference and DIO held warning conference yet expresses a general lack of concern for compliance.

Area Supervisor [REDACTED]'s Recommendation
Revocation

Details

A firearms recall inspection of Gerald Leslie Galipin (5-75-14049) was initiated on 05/24/2022. The inspection concluded on 06/09/2022, and resulted in violations that warrant Revocation due to the licensee's failure to conduct a NICS check and failure to complete an ATF Form 4473. Additionally, the licensee has numerous repeat violations. As a result of the inspection, three (3) SARs were sent to the Dallas CGIC for individuals potentially trafficking firearms.

I concur with IOI [REDACTED]'s recommendation of Revocation.

Industry Operations Investigator [REDACTED]'s Recommendation
Revocation

Details

Onsite Recall Inspection conducted May 24-26, 2022, and June 9, 2022.

Amended ROV served and signed 7/6/22.

FLS should be updated to reflect the only business email to be used is [REDACTED]. All other emails should be removed.

Inspection Findings

Records and Forms

8. Failure to execute a Form 4473 (Exception: Select findings 6 and 7 above for transfers to law enforcement officers for personal use and FFL responsible persons; if the transferee is NOT prohibited).
10. Failure to retain required GCA records for transferred firearms for period of time specified by regulation.
12. Falsify records required under the GCA or making a false or fictitious written statement in the FFL's required records or in applying for a firearms license.

Transfer of Firearm

3. Transfer of any firearm (including lower receiver) other than Rifle / Shotgun to a resident of another State.

License Type

2. Conducting business at locations not authorized as an extension of the licensed business premises.

NICS

4. Failure to conduct a NICS check or obtain an alternate permit.

FFL History

2. The current inspection reveals repeated similar violation(s) for which the FFL has previously been the subject of a Warning Letter or Warning Conference within the previous 5 years and there has been NO significant improvement.

Miscellaneous

6. Actively engage in a straw purchase transaction (i.e., the licensee knows or has reasonable cause to believe that the transferee of record is not the actual buyer).

ELIGIBILITY VERIFICATION

Business Information Verification

Property Ownership Verification

Premises Ownership Type	Premises Location Type	Has the property ownership been verified?
Leased/Rented	Single Family Dwelling	Yes

Address
991 LOGGINS TRAIL
Unit N/A
POOLVILLE, Texas 76487
PARKER
United States

Additional Findings
[(b)(6)] owns the property.

Attachment(s):
property.pdf

Trade Name/DBA Verification

Trade Name/DBA	Is the trade name/DBA registered?
GARRY'S GUNS AND TRAINING	Yes

Additional Findings
DBA is registered and a copy is attached.

Attachment(s):
dba.pdf

Rental/Lease Verification

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

Additional Findings
Letter from [(b)(6)] is on file and attached.

Attachment(s):
Property Letter.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?
Yes

Additional Findings
Poolville is a community with no city organization. There are no zoning issues in Parker County

Contact Information

Name	Date Contacted
[(b)(6)]	05/16/2022

Organization
Parker County SO

Job Title
SHeriff

Phone Type	Phone Number	Remarks
Business	+1 817-594-8845	

Attachment(s):

APPOINTMENT DETAILS

Interview Date
05/31/2022
Address
991 LOGGINS TRAIL, Unit N/A, POOLVILLE, Texas 76487

Responsible Attendee(s)

Non-Responsible Person(s)

RESPONSIBLE PERSON(S)

Gerald Leslie Galpin

Name	Gender	Race	Ethnicity
Mr. Gerald Leslie Galpin	Male	White	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)		OWNER	

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
	United States	No data available	
Driver's License	United States	Texas	(b)(6)

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

Email Address	Email Remarks
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted
04/20/2021

Criminal History Check Comments
 BG cleared per FLS on 04/21/2021
 IOI (b)(6) ran a JWIN query on 5/16/22 with no hits.
 IOI (b)(6) ran a NForce query with no open cases and contacted CGIC to ensure there were no ongoing issues/cases with Galpin. (b)(6) stated nothing was active with Galpin at this time.

Number Type	Agency Label	State
(b)(6)		

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?
The licensee mainly sells firearms at gun shows and manufactures AR style pistols and rifles.

Do they need an additional license or permit?
No

Who are their primary suppliers?
(b)(4)

Business Activities

Retail
Gun Show Participant

Selected Operational Security Measures

Controlled Access to ATF Recordkeeping
Controlled Access to Keys

SECURITY WALKTHROUGH

Inspection Area Description

(b)(6)

Primary Activity

Retail

Selected Physical Security Measures

(b)(6)

GPS Coordinates

Latitude
32.91358

Longitude
-97.80839

INTERVIEW NOTES

Mr. Galpin did not want IOI (b)(6) to conduct the inspection. He said ATF has always called before coming out. He wanted two days to organize his records and inventory. IOI (b)(6) stated his hours were Monday- Friday, 10am-4pm and she needed to go ahead and conduct the inspection.

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

345

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation

0

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

05/31/2022

Onsite End Date

06/09/2022

Number of Reported Lost/Stolen Firearms During Inspection Period

0

Total Number of Traces During Inspection Review Period

Total Number of Those Traces That Were Unresolved

0

Inspection Period Start Date

05/24/2022

Inspection Period End Date

06/09/2022

Number Of Traces Resolved By IOI

0

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

AFMER Verified

Yes

Compliance History

This was a Recall Inspection conducted on May 24-26, 2022, and June 9, 2022.

The licensee utilizes manual A&D books and manual ATF Forms 4473. The licensee has nine manual A&D books; all were reviewed.

IOI (b)(6) compared ATF Forms 4473 to the A&D books and compared A&D entries to the ATF Forms 4473; discrepancies were found. An ATF Form 4473 for (b)(6) indicated a 'long gun' had been sold to him, but the A&D record indicated a receiver had been sold to a resident of Florida. The licensee was cited. When comparing A&D entries, (b)(6) 12 55 125 Stat 552; (b)(6) 9/24/20. The receiver never came back into the A&D books before it was sold again as a rifle on 4/30/22. Gary Galpin had no explanation as to how he sold the same firearm twice, once as a receiver and then again as a rifle. The licensee was cited.

Gary Galpin stated he did not do any inventory checks before and after gun shows. IOI (b)(6) suggested these be done to ensure nothing is stolen at a gun show.

The licensee was missing firearm at the end of the inspection; Gary Galpin filed a theft/loss report with ATF and Parker County Sheriff's Office. During the closing conference on 6/9/2022, Gary Galpin presented IOI (b)(6) documents to show he had recorded an incorrect serial number for the missing receiver (it was off by one digit). He also presented an ATF Form 4473 for the sale of that firearm on August 21, 2021. There was a sticky-note on the form, 'could not find'. Gary Galpin stated he could not find the firearm in his A&D books, so he set it aside and never did any research to see what the issue was. IOI (b)(6) advised Gary Galpin to amend his theft/loss report with the Tracing Center to let them know the firearm was found. The licensee was cited.

The licensee was associated with traces (b)(3) (112 Public Law 55 125 Stat 552)

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

IOI (b)(6) verified the licensee filed his AFMER reports for 2021 and 2020. The licensee has a manufacturing marking variance for (b)(4) to manufacture and mark receivers

for the licensee. IOI (b)(6) attached marking variance as an attachment. The licensee was manufacturing pistols and rifles at gun shows. The licensee was allowing another FFL, BRN Enterprises, LLC dba The Armory (FFL 5-75-11449) to handle some of the licensee's manufacturing processes. The licensee did not have a variance on file for The Armory to do any manufacturing. IOI (b)(6) discover The Armory holds a Type 01 license, not a Type 07 license so they can't do any manufacturing. IOI (b)(6) provided Fort Worth Area Supervisor (b)(6) with the information for FFL, The Armory, since they are located in Fort Worth Area of Responsibility. The licensee does not deal in NFA and is not an Importer.

There were 26 denials for the past year. IOI (b)(6) tried to research each of them to ensure a straw purchase did not occur, but the licensee was missing denied forms and failed to record firearm information on some of the forms. No straw purchases were identified with the information available to IOI (b)(6).

The licensee does not sell used firearms. IOI (b)(6) compared the NICS audit log and found the licensee was missing denied forms and found a date discrepancy on forms. The date of NICS contact on ATF Form 4473 did not match the date on the NICS audit log. The dates on the form were prior to the date on the NICS audit log, so the licensee was cited for the date being incorrect on the forms.

No prohibited persons were identified. IOI (b)(6) ran a JWIN query on (b)(6), the purchaser who did not complete a second ATF Form 4473 or have NICS check conducted; there were no hits.

IOI (b)(6) completed three Significant Information Reports. One was for purchaser (b)(3) (112 Public Law 55 125 Stat 552), (b)(6)

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

The period of inspection was May 24, 2021, through June 9, 2022. IOI (b)(6) assisted IOI (b)(6) with the inspection.

The licensee does not hold any other licenses and this is the only license Gary Galpin has held. The license was issued after Gary Galpin was issued a Cease and Desist by ATF for selling without a license.

The licensee had an application inspection in April of 2018, a compliance inspection in October of 2018, and a Recall inspection April of 2021.

FCI-921 on October 4, 2018, resulted in violations and a Warning Conference being held on 11/15/2018. The licensee was cited for the following violations: 27 CFR 478.92(a)(1)(ii)(D), 478.21(a), 478.123(a), 478.123(b), 478.124(c)(1), 478.124(c)(3)(i), 478.124(c)(3)(iv), 478.124(c)(5) and 478.131(a)(2).

FCI-24091 on January 19, 2021, resulted in violations and a DIO Held Warning Conference being held on February 24, 2021. The licensee was cited for the following violations: 27 CFR 478.99(a), 478.21(a), 478.124(c)(1), 478.124(c)(3)(i) and 478.124(c)(3)(iv).

Of the violations cited in the inspection were repeat violations.

Additional Comments

IOI (b)(6) ran a JWIN query on (b)(6). There were no hits.

Attachment(s)

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 478.124(a): Failure to execute 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.	(b)(3) (112 Public Law 55 125 Stat 552)
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.	NICS Violation, (b)(6), 8/21/2021
3 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) by close of the same business day, for all applicable future multiple sales.	(b)(3) (112 Public Law 55 125 Stat 552), (b)(6)
4 27 CFR 478.99(a): Unlawful sale or delivery of a firearm other than a rifle or shotgun to an out of state resident	Cease and desist all firearm transfers (including lower receivers) other than a rifle or shotgun, to residents of another state.	(b)(3) (112 Public Law 55 125 Stat 552), (b)(6)

ATF Forms 4473: [] Number of Instances: []		
5 27 CFR 478.129(b): Failure to retain ATF F 4473 ATF Forms 4473: [] Number of Instances: []	Identify and separately retain all denied (completed and future) ATF Forms 4473, for a period not less than 5 years. Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order where NICS was contacted, but no firearm transfer took place, for a period not less than 5 years.	<div style="border: 1px dashed black; padding: 10px; text-align: center;"> (b)(3) (112 Public Law 55 125 Stat 552),(b)(6) </div>
6 27 CFR 478.100(a)(1): Unlawful conduct of business away from licensed premises Number of Instances: 1	Cease and desist engaging in activities not authorized by current license type.	Licensee manufactured firearms at gun shows on a regular basis. The following were manufactured at gun shows: G1494, G1481, G1546, G1491, G1499, G1497, G1532, G1480, G1489, G1419, G1353, G1449, G1372.
7 27 CFR 478.123(b): Failure to maintain an accurate/complete/timely licensee disposition record Number of Instances: []	Amend/Update A&D Record to accurately record all required firearm disposition information.	<div style="border: 1px dashed black; padding: 10px; text-align: center;"> (b)(3) (112 Public Law 55 125 Stat 552) </div>
8 27 CFR 478.125a: Failure to properly sell/dispose of personal collection firearm(s) Number of Instances: []	Correctly account for all personal firearms in the future.	<div style="border: 1px dashed black; padding: 10px; text-align: center;"> (b)(3) (112 Public Law 55 125 Stat 552) </div>
9 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.	<div style="border: 1px dashed black; padding: 10px; text-align: center;"> (b)(3) (112 Public Law 55 125 Stat 552) </div>
27 CFR 478.124(c)(4): Failure to	Ensure that all required firearm identification	<div style="border: 1px dashed black; padding: 10px; text-align: center;"> (b)(3) (112 Public Law 55 125 Stat 552),(b)(6) </div>

10	record firearm information on an ATF F 4473 ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	information is obtained and accurately recorded on all future ATF Forms 4473, Section D.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
11	27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473 ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
12	27 CFR 478.21(a): Failure to complete forms as prescribed ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
13	27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473 ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	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)
14	27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473 ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	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)
15	27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473 ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	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 Public Law 55 125 Stat 552),(b)(6)
16	27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Cease and desist from engaging in deceptive practices.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
1 27 CFR 478.124(a): Failure to execute an ATF F 4473 ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.	Gary Galpin stated he did not know if a customer returns to a gun show table the same day, the original form could not longer be used and added to.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/09/2022
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.	Gary Galpin stated he did not know if a customer returns to a gun show table the same day, the original form could not longer be used and added to.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/09/2022

<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473: [] Number of Instances: []</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>Gary Galpin stated he did not know there was a new multiple sale form and stated he did not know the reports had to be filed the same day as the multiple sale.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/09/2022</p>
<p>27 CFR 478.99(a): Unlawful sale or delivery of a firearm other than a rifle or shotgun to an out of state resident</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Cease and desist all firearm transfers (including lower receivers) other than a rifle or shotgun, to residents of another state.</p>	<p>Gary Galpin stated he did not know he sold a receiver to an out of state resident.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/09/2022</p>
<p>27 CFR 478.129(b): Failure to retain ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Identify and separately retain all denied (completed and future) ATF Forms 4473, for a period not less than 5 years. Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order where NICS was contacted, but no firearm transfer took place, for a period not less than 5 years.</p>	<p>Gary Galpin stated if the initial response was delayed then he was not going back and pulling the 4473 to mark it denied and filing it separately. Gary Galpin stated he knew it had to be filed separately, but did not retrieve delayed/denies. Gary Galpin stated he does not know where the forms are now.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/09/2022</p>
<p>27 CFR 478.100(a)(1): Unlawful conduct of business away from licensed premises</p> <p>Number of Instances: []</p>	<p>Cease and desist engaging in activities not authorized by current license type.</p>	<p>Gary Galpin stated he did not know he could not manufacture at gun shows. Gary Galpin stated he thought IOI [] told him he could during the previous inspection.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/09/2022</p>
<p>27 CFR 478.123(b): Failure to maintain an accurate/complete/timely licensee disposition record</p> <p>Number of Instances: []</p>	<p>Amend/Update A&D Record to accurately record all required firearm disposition information.</p>	<p>Gary Galpin stated he did not know he had a time-frame to record the manufacture of the []. Gary Galpin stated he does not know why the [] is recorded as sold twice in [] different types and had no explanation. Gary Galpin stated he did record an incorrect serial number and then when he sold the firearm and could not find it in his A&D books, he just set it aside and did nothing.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/09/2022</p>
<p>27 CFR 478.125a: Failure to properly sell/dispose of personal collection firearm(s)</p> <p>Number of Instances: []</p>	<p>Correctly account for all personal firearms in the future.</p>	<p>Gary Galpin stated he has never logged a firearm in that he purchased personally and stated he did not know he had to record the acquisition and account for them.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/09/2022</p>
<p>27 CFR 478.123(a): Failure to maintain an accurate/complete/timely manufacture or acquisition record</p>	<p>Accurately, completely & timely record all required future firearm acquisition information. Amend/Update A&D Record to accurately record all required</p>	<p>Gary Galpin stated he has never logged a firearm in that he purchased personally and stated he did not know he had to record the acquisition and</p>	<p>Status Licensee Notified</p> <p>Verified Method</p>

9	Number of Instances: <input type="checkbox"/>	firearm acquisition information.	account for them.	In Person Date Licensee Notified 06/09/2022
10	27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473 ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Ensure that all required firearm identification information is obtained and accurately recorded on all future ATF Forms 4473, Section D.	Gary Galpin stated he was not recording the firearm information first, so that is why the denied form had no firearm information.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/09/2022
11	27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473 ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.	Gary Galpin stated he just missed these.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/09/2022
12	27 CFR 478.21(a): Failure to complete forms as prescribed ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.	Gary Galpin stated he did not record firearm information first, so when someone did not get a firearm he left it blank or changed it to none.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/09/2022
13	27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473 ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.	Gary Galpin stated he forgot to record the DL and did not know a passport and constable ID was not acceptable ID combined.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/09/2022
14	27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473 ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.	Gary Galpin laughed at the DL as an NTN and had not explanation for the discrepancies in NICS contact dates.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/09/2022
15	27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473 ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	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.	Gary Galpin stated he did not know he needed to sign denied forms.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/09/2022

<p>27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping</p> <p>16 ATF Forms 4473: Number of Instances: []</p>	<p>Cease and desist from engaging in deceptive practices.</p>	<p>Gerald Galpin stated he did allow the husband to complete the form because it was a husband and wife and there is nothing wrong with that.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 07/06/2022</p>
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RECORD(S) OF CONVERSATION

<p>Name</p>	<p>When Contacted 06/23/2022</p>	<p>Method of Contact Phone</p>
<p>Phone [(b)(6)]</p>	<p>Location Contacted</p>	
<p>Investigative Participant(s)</p>	<p>Narrative On 6/23/2022, IOI [(b)(6)] called [(b)(6)], the phone number listed at the top of an ATF Form 4473 for [(b)(6)] in referene to a forward trace. The number did not allow a message to be left. IOI [(b)(6)] texted the number asking if the number was for [(b)(6)]. IOI [(b)(6)] received a reply that the number was for [(b)(6)]. IOI [(b)(6)] asked [(b)(6)] to have [(b)(6)] call IOI [(b)(6)]. [(b)(6)] called IOI [(b)(6)] from the above phone number [(b)(6)]. [(b)(6)] wanted to know what the call was in reference. IOI [(b)(6)] stated it was about a gun purchase at a gun show in Fort Worth, Texas at the end of 2021. IOI [(b)(6)] stated his phone number was at the top of an ATF Form 4473 for [(b)(6)]. [(b)(6)] stated that he and [(b)(6)] had gone to the gun show in Fort Worth together. [(b)(6)] stated he was going to buy a gun, but decided he did not want to spend the money and that [(b)(6)] did buy one. [(b)(6)] stated he was going to buy a gun first, so that was why his phone number was on [(b)(6)]'s form probably. IOI [(b)(6)] asked [(b)(6)] what [(b)(6)] purchased. [(b)(6)] stated [(b)(6)] purchased an AR receiver and then the seller added a "bunch of stuff" to the receiver in the colors that [(b)(6)] wanted and [(b)(6)] left with a rifle.</p>	

<p>Name</p>	<p>When Contacted 06/23/2022</p>	<p>Method of Contact Phone</p>
<p>Phone [(b)(6)]</p>	<p>Location Contacted</p>	
<p>Investigative Participant(s)</p>	<p>Narrative IOI [(b)(6)] telephoned [(b)(6)] on 6/23/2022 in relation to a forward trace for firearms purchased on 8/21/21 at the Premier Rodeo Gun Show in Mesquite, Texas. IOI [(b)(6)] asked [(b)(6)] if he remembered purchasing any firearms at the Premier Rodeo Gun Show in Mesquite, Texas. [(b)(6)] stated he did purchase firearms at the gun show. [(b)(6)] stated he and [(b)(6)] purchased a total of [] firearms at the gun show. [(b)(6)] stated [(b)(6)] purchased [] first. [(b)(6)] stated [(b)(6)]'s ID did not match, so the seller told him to fill the paperwork out since [(b)(6)]'s ID was correct. [(b)(6)] stated they left the table and walked around comparing prices for AR's because [(b)(6)] wanted an AR. [(b)(6)] stated they went back to the same man they bought [] from and [(b)(6)] bought []. [(b)(6)] stated they took the [] firearms to their car and then came back into the gun show because [(b)(6)] decided he wanted [] as well. [(b)(6)] stated they went back to the same man they had purchased the previous [] firearms from and [(b)(6)] bought []. IOI [(b)(6)] asked what type of firearm [(b)(6)] meant when he said [] - did he mean rifle, pistol or receiver? [(b)(6)] stated he and [(b)(6)] both bought []. [(b)(6)] stated he and [(b)(6)] bought [] guns from Galpin and an [] from a different table that day. [(b)(6)] stated all [] purchases were at different times during the day, not at the same time. The ATF Form 4473 for [(b)(6)] lists [(b)(6)] and [] receivers, not rifles, as being transferred to [(b)(6)].</p>	

CLOSING CONFERENCE

<p>(6/9/2022) 06/09/2022</p>
<p>Attachment(s)</p>
<p>Attendee(s) Gerald Leslie Galpin</p>

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-75-14049 Inspection Results
Correspondence	Spartan Notification RE: 5-75-14049 Monitored Case
Correspondence	Spartan Notification RE: 5-75-14049 Monitored Case

Correspondence	Spartan Notification RE: 5-75-14049 Monitored Case
Correspondence	Spartan Notification RE: 5-75-14049 Monitored Case
Correspondence	Spartan Notification RE: 5-75-14049 Monitored Case
UpdateLicensingCenter	Galpin HEARING NOTICE Aug 2022.pdf
Correspondence	Spartan Notification RE: 5-75-14049 Monitored Case
Correspondence	Spartan Notification RE: 5-75-14049 Monitored Case
UpdateLicensingCenter	5-75-14049 Gerald Galpin - Exhibit 8c.docx
ReturnedSignedROV	signedamendedrov.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
ReturnedSignedROV	signedamendedrov.pdf
ViolationsPDF	Report of Violations.pdf
ViolationsPDF	Report of Violations.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ReturnedSignedROV	Report of Violations.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ClosingConferenceSummary	Acknowledgment of Regulations.pdf
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
RentalLeaseVerification	Property Letter.pdf
PropertyOwnershipVerification	property.pdf
TradeNameVerification	dba.pdf

SAR-2292

Category	Attachment Name
Correspondence	Industry Operations Report of Suspicious Activity(SAR-2292)

SAR-2295

Category	Attachment Name
Correspondence	Industry Operations Report of Suspicious Activity(SAR-2295)

SAR-2296

Category	Attachment Name
Correspondence	Industry Operations Report of Suspicious Activity(SAR-2296)

SAR-2382

Category	Attachment Name
Correspondence	Industry Operations Report of Suspicious Activity(SAR-2382)

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

In the matter of License Number 5-75-357-07-4F-14049, 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)

Gerald Leslie Galpin
Garry's Guns and Training
991 Loggins Trail, Poolville, Texas 76487

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 2501 South State Business Highway 121, Suite 300A, Convergence Building, Lewisville, Texas 75067, 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
08/15/2022	Krissy Y. Carlson, Director, Industry Operations	Krissy Y. Carlson <small>Digitally signed by Krissy Y Carlson Date: 2022.08.15 14:08:19 -0500</small>

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: 70192970000171364506 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
08/16/2022	INVESTIGATIVE ANALYST	(b)(6)

Print Name and Title of Person Served

GERALD GALPIN

Address Where Notice Served

991 Loggins Trail, Poolville, Texas 76487

**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 5-75-357-07-4F-14049 as a/an
Manufacturer of firearms of firearms other than destructive devices, issued to:

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

Gerald Leslie Galpin
DBA: Garry's Guns and Training
991 Loggins Trail
Poolville, Texas 76487

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 _____
 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 2501 S. State Hwy 121 Business, Suite 300A, Lewisville, Texas 75067

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

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

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

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official	Signature
10/31/2022	Krissy Carlson, Director, Industry Operations, Dallas Field Division	(b)(6)

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: 7009-1410-0002-1004-1794

Or

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

Date Notice Served	Title of Person Serving Notice	(b)(6)
11/1/2022	INVESTIGATIVE ANALYST	
Print Name and Title of Person Served		
GERALD LESLIE GALPIN		

Address Where Notice Served
991 LOGGINS TRAIL POOLVILLE, TX 76487

Note: Previous Edition is Obsolete

Background

Gerald Leslie Galpin (“Licensee”) holds Federal firearms license 5-75-357-07-4F-14049 as 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, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478 (collectively “GCA”) as described herein.

On August 16, 2022, 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. On August 26, 2022, Licensee timely requested a hearing on that Notice.

The hearing occurred on September 22, 2022, at ATF’s Dallas Field Division Office. ATF Director, Industry Operations (“DIO”), Dallas Field Division, Krissy Carlson conducted the hearing. ATF was represented by Staff Attorney (b)(6). ATF Industry Operations Investigator (b)(6) appeared as a witness on behalf of the Government. ATF Area Supervisor (b)(6) was present for observational purposes only. Licensee attended the hearing and represented himself. Court reporter (b)(6) attended the hearing and transcribed the proceedings. Both the Government and Licensee offered testimony and exhibits at the hearing. 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. ATF first issued a Federal firearms license to Licensee in 2018. Subsequently, ATF conducted compliance inspections of Licensee in 2018 and 2021 and issued a Report of Violations to Licensee following each of the compliance inspections. The laws and regulations issued under the GCA were reviewed with Licensee as a part of a 2018 qualification inspection and during both compliance inspections as evidenced by his signature on Acknowledgement of Federal Firearms Regulations forms dated October 17, 2018, and January 19, 2021.
2. As a result of the 2018 compliance inspection, Licensee attended a warning conference with then-ATF Area Supervisor (b)(6) occurred on November 14, 2018. At the warning conference, the violations cited from the related inspection and proposed corrective action were reviewed with Licensee. Following the warning conference, ATF sent a letter to Licensee stating, “future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license.”
3. As a result of the 2021 inspection, Licensee attended a warning conference with DIO Carlson on February 24, 2021. At the warning conference, the violations cited from the related inspection and proposed corrective action were reviewed with Licensee. Following the warning conference, ATF sent a letter to Licensee again advising that

“future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license.”

4. On May 31, 2022, ATF initiated a compliance inspection of Licensee. The violations uncovered during that inspection formed the basis of the Notice to Revoke in this case. Specifically, the Notice to Revoke alleged Licensee willfully:
 - Transferred a firearm other than a rifle or a shotgun to a person not licensed by the GCA and whom Licensee knew or had reasonable cause to believe did not reside in the state in which Licensee’s place of business or activity is located in violation of 18 U.S.C. § 922(b)(3) and 27 C.F.R. § 478.99(a).
 -
 - 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 on three (3) occasions, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102.
 - Failed to timely and 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 on [REDACTED] occasions in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a.
 - Failed to timely and accurately record the manufacture or acquisition of a firearm on [REDACTED] (b)(3) (112 Public Law 55 126 Stat 652) occasions in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.123(a).
 - Failed to timely and accurately record the disposition of a firearm on [REDACTED] occasions in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.123(b).
 - Failed to maintain records of firearms moved from business inventory into his personal collection in violation of 18 U.S.C. § 478.125a.
 - Transferred a firearm to an unlicensed person without recording the transaction on a Firearm Transaction Record, ATF Form 4473, on [REDACTED] occasions in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(a).
 - Failed to obtain a complete and accurate Firearms Transaction Record, ATF Form 4473, from a transferee prior to making an over-the-counter transfer of a firearm to a non-licensee, on [REDACTED] occasions in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(1).
 - Transferred a firearm to a non-licensee without verifying the identity of the transferee by examining the identification document presented and noting the type on a Firearms Transaction Record, ATF Form 4473, on [REDACTED] occasion in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(i).

- Transferred a firearm to a non-licensee without recording the date Licensee contacted the National Instant Criminal Background Check System ("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, on [REDACTED] occasions in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv).
 - Failed to completely and/or accurately identify the firearm to be transferred on the Firearms Transaction Record, ATF Form 4473, on [REDACTED] occasions in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(4).
 - Failed to sign and/or date the Firearms Transaction Record, ATF Form 4473, certifying that Licensee does not know or have reason to believe the transferee is disqualified by law from receiving the firearm described on the Form, on [REDACTED] occasions in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(5).
 - 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 on [REDACTED] occasions in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.21(a).
 - Made false entry in, failed to make appropriate entry in, or failed to properly maintain records required under the Gun Control Act in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.121(c).
5. During the hearing, Licensee admitted that the aforementioned violations occurred but argued that such violations were not committed willfully.
6. After review of the record in this matter, I find that the facts as set forth in the Notice to Revoke occurred. Evidence entered into the record at the administrative hearing revealed that ATF previously cited Licensee with violating a number of the same regulations during both the 2018 and 2021 compliance inspections. In this regard, ATF previously cited Licensee with the following;
- 27 C.F.R. § 478.21(a) – 2018 and 2021 inspections
 - 27 C.F.R. § 478.123(a) – 2018 and 2021 inspections
 - 27 C.F.R. § 478.123(b) – 2018 and 2021 inspections
 - 27 C.F.R. § 478.124(c)(1) – 2018 and 2021 inspections
 - 27 C.F.R. § 478.124(c)(3)(i) – 2018 and 2021 inspections
 - 27 C.F.R. § 478.124(c)(3)(iv) – 2018 and 2021 inspections
 - 27 C.F.R. § 478.124(c)(5) – 2018 inspection

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. *Fairmont Cash Mgmt., LLC v. James*, 858 F.3d 356 (5th Cir. 2017); *See also CEW Properties v. DOJ*, 979 F.3d 1271 (10th Cir. 2020); *Taylor v. Hughes*, 548 F. App'x 822 (3rd Cir. 2015); *Borchardt Rifle Corp. v. Cook*, 684 F.3d 1037, 1043 (10th Cir. 2012); *Shawano Gun & Loan v. Hughes*, 650 F.3d 1070 (7th Cir. 2011); *General Store, Inc. v. Van Loan*, 560 F.3d 920 (9th Cir. 2009); *American Arms, Int 'Iv. 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).
3. Having established that Licensee violated the GCA and the regulations issued thereunder, it must be determined whether such violations were willfully committed. For the reasons stated below, I conclude that Licensee's conduct constitutes willful violations.
4. The evidence and testimony presented at the hearing reveals that Licensee understood the requirements concerning transfers of firearms to out-of-state residents, conducting background checks prior to transferring a firearm to an unlicensed person, reporting multiple handgun sales, proper completion of firearm acquisition and disposition records, and properly executing ATF Forms 4473. In this regard, ATF cited Licensee with similar violations as a result of the 2018 and 2021 compliance inspections, discussed those violations with Licensee following those inspections, and reviewed the applicable laws and regulations with Licensee during the application inspection and the two compliance inspections. In addition, Licensee attended two warning conferences with ATF which addressed the violations uncovered during the compliance inspections and proposed corrective actions. Significantly, ATF advised Licensee on numerous occasions both in person and in writing that future violations, repeat or otherwise, could result in revocation. During the hearing, Licensee admitted he received prior Reports of Violations from ATF, attended multiple warning conferences, been educated by ATF, provided corrective actions during the warning conferences intended to address the violations, and acknowledged the repeat nature of several of the current violations.
5. Despite the fact that Licensee understood his responsibilities under the GCA, the evidence reveals that he was plainly indifferent to, or purposefully disregarded the firearms laws and regulations. However, while I find that Licensee unlawfully transferred a firearm other than a rifle or shotgun to (b)(6), an unlicensed resident of Florida (Notice to Revoke, ¶ 1); transferred a firearm to (b)(6), an

unlicensed person, without asking her to provide sufficient identification documents (Notice to Revoke, ¶ 9); and failed to properly execute the Form 4473 for (b)(6) (b)(6) (Notice to Revoke, ¶ 14), I conclude that these violations do not rise to the level of willfulness required for revocation. By contrast, I conclude that Licensee willfully committed each of the remaining violations set forth in the Notice to Revoke.

6. As such, I conclude that Licensee willfully violated the provisions of the GCA and the regulations issued thereunder. Accordingly, as provided by 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, the Federal firearms license held by Gerald Leslie Galpin is hereby REVOKED.

Dated this 31 day of October, 2022.

(b)(6)

Krissy Y. Carlson
Director, Industry Operations
Dallas Field Division
Bureau of Alcohol, Tobacco, Firearms and Explosives
United States Department of Justice