

KELLER INVESTMENTS LLC's FCI

FCI-24626

07/26/2022 02:49 PM

IO: (b)(6) Houston VI (IO) Field Office

LICENSEE INFORMATION

Licensee Name	RDS Key	License/Permit Number	License Type
KELLER INVESTMENTS LLC	5-76-03582	5-76-201-01-1G-03582	01 - Dealer License

Business Type
Limited Liability Company (LLC)

Premises Address

Mailing Address

Premises Ownership Type
Owned

Same as Premises Address

Premises Location Type
Store Front

Address
22323 LOOP 494 STE F
Unit N/A
KINGWOOD, Texas 77339
HARRIS United States

Phone Type	Phone Number	Remarks
Business	+1 713-408-2129	

Email Address	Email Remarks
(b)(6)	

RECOMMENDATIONS

Final Decision

Revocation

Date

07/11/2022

Details

A Final Notice of Denial of Application, Revocation, Suspension and/or Fine of Firearms License was signed on 07/11/2022 by Director of Industry Operations Tanarra James, with an effective date of 07/01/2022. The notice was provided to the licensee who had also decided to voluntarily surrender the license as well.

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

Deputy Assistant Director - Industry Operations Megan Bennett's Recommendation

Revocation

Details

I concur with the recommendation of revocation. The licensee has repeat violations from previous inspections and falsified records.

Special Agent in Charge Frederick Milanowski's Recommendation

After review, I concur with the recommendation for revocation.

Division Counsel (b)(6) Review

Details

DC concurs with recommendation for revocation due to the multiple violations noted herein.

Director of Industry Operations Tanarra James's Recommendation

Revocation

Details

During this inspection, there were seventeen (17) violations cited. Three (3) violations warrant revocation for false statement made by licensee on any ATF record in instances, making false entry, omitting entry or failing to properly maintain required recordkeeping instances and false statement made by non-licensee on any ATF Record instances. In addition, there were a number of repeat violations. This is the licensee's 3rd inspection in 5 years. A recommendation of revocation is proposed.

Area Supervisor (b)(6) Recommendation

Revocation

Details

Concur with the recommendation of Revocation. The licensee has had several inspections that are Recall Inspections and has been repeatedly advised of the importance of keeping and maintaining accurate and timely records. The inspection disclosed that the licensee not only failed to maintain accurate and complete records but acknowledged that they knowingly entered information into the record without a source of reference and from memory. These actions resulted in the acquisition dates being incorrect, to include acquisition dates that occurred after the recorded date of disposition. It also resulted in the acquisition information regarding the source of the firearm to be incorrect. The licensee also did not know how to properly enter certain information into their electronic Acquisition and Disposition Records, which resulted in incorrect or misleading information being entered. These actions made reconciling the inventory of the licensee extremely difficult. The ability of the licensee to provide accurate information for a trace or other purposes, is highly questionable due to all of the inaccuracies found in the system.

The licensee also engaged in activities in which approximately 80 rifles or pistols were manufactured by the licensee. Based on information provided by the licensee, this became a regular course of business due to their inability to receive completed rifles and pistols on a consistent basis. The licensee stated they did this due to the Covid-19 pandemic as justification for manufacturing firearms without the proper license.

The licensee also engaged in facilitating false statements on an ATF Form 4473, commonly referred to as a "straw purchase." The licensee enlisted law enforcement officers and other first responders to complete an ATF Form 4473 for a Glock pistol that was obtained through a special program through Glock to provide law enforcement and other first responders the ability to buy a Glock firearm at a greatly reduced price. The licensee then submitted paperwork required by Glock to document the "sale" of the firearm to the qualified individual. The licensee would then show a disposition in the Acquisition & Disposition Record and then immediately record the acquisition from the individual who completed the false paperwork. The firearms in question were never actually transferred to the individuals as documented on the ATF Form 4473. The completion of the ATF Form 4473 was part of the scheme to provide Glock the necessary documentation and then they were able to resell the firearm for a greatly increased profit. The licensee would pay the individuals a fee for completing the ATF Form 4473 or provide them with some other incentive for doing so. The licensee said they did this because it was hard to get firearms, especially Glock firearms, during the pandemic and this was a way he could get inventory.

The recommendation of Revocation is warranted based on: the repeated history of violations by the licensee regarding the accuracy of the required records; the demonstrated inability of the licensee to properly maintain the required records; the uncertainty of the required records to be accurate should trace information be requested; the willingness to place false information in the records without regard to accuracy; willingly manufacturing firearms without having the proper ATF license; and willingly and knowingly having individuals complete a false ATF Form 4473 as part of a scheme to obtain firearms from Glock at a reduced price and then sell them for an increased profit. Due to these and the previous actions of the licensee, Revocation is the recommended action for the licensee.

Industry Operations Investigator: (b)(6) Recommendation
Revocation

Details

Revocation is recommended

Inspection Findings

Records and Forms

- 1. Failure to timely and/or correctly maintain records of receipt, manufacture, importation or other acquisition on [redacted] percent or more of the licensee's total acquisitions during the inspection period, with a minimum of [redacted] instances.
- 2. Failure to timely and/or correctly maintain records of sales or other dispositions of [redacted] percent or more of the licensee's total dispositions during the inspection period, with a minimum of [redacted] instances.
- 11. Failure to retain required GCA records for transferred firearms for period of time specified by regulation.
- 13. 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.

Firearms

- 1. Missing firearms after inventory reconciliation (e.g., no records of disposition, required or otherwise).

License Type

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

Failure to Report

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

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

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

Additional Findings

Keller Investments LLC is a Domestic Limited Liability Company established in the State of Texas in August 2007, and recognized by the Texas Secretary of State (SOS). Mr. Jenkins provided a copy of the Keller Investments LLC Operating Agreement. Mr. Jenkins and his wife, Cathy Jenkins, are the only Managing Members, and each own 50% of the company.

A query of the Texas Comptroller of Public Accounts taxable entity search revealed the licensee as "Active" in regards to the Franchise Tax Account Status. Please note, 2017 is the most recent Public Information Report available on both the Texas SOS and the Texas Comptroller websites.

Contact Information

Name (b)(6)	Date Contacted 07/12/2021
Organization ATF	
Job Title Investigator	

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

Contact Remarks

Instructed by Spartan Help Desk to add a contact:

Hello IOI (b)(6)

Can you try adding a contact, I understand you have an attachment and it should be either or, but doing that should complete the follow up work.

Many Thanks,
Spartan HelpDek

Attachment(s):

- Franchise Tax Account Status.pdf
- Public Information Report, 2017.pdf
- Certificate of Formation & Management Page.pdf

Property Ownership Verification

Premises Ownership Type	Premises Location Type	Has the property ownership been verified?
Owned	Store Front	Yes

Address

22323 LOOP 494 STE F
Unit N/A
KINGWOOD, Texas 77339
HARRIS United States

Additional Findings

A query of the Harris County Appraisal District website revealed the property is owned by Keller Investments LLC.

Attachment(s):

- HCAD Property Details.pdf

Trade Name/DBA Verification

Trade Name/DBA	Is the trade name/DBA registered?
KINGWOOD GUNS	Yes

Additional Findings

The licensee has registered the business name "Kingwood Guns" which will expire in February 2024.

Attachment(s):

- Registered Assumed Names.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?

Yes

Additional Findings

The premises is located in a commercially zoned area of Kingwood, Texas in Harris County. There are no zoning restrictions that would prohibit this business from operating.

Contact Information

Name (b)(6)	Date Contacted 07/12/2021
Organization ATF	
Job Title Investigator	

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

Contact Remarks

Instructed by Spartan Help Desk to add a contact:

Hello IO: (b)(6)

Can you try adding a contact, I understand you have an attachment and it should be either or, but doing that should complete the follow up work.

Many Thanks,
Spartan HelpDesk

Attachment(s):

Harris County Zoning Letter 2021.pdf

APPOINTMENT DETAILS

Interview Date

01/04/2021

Address

22323 LOOP 494 STE F, Unit N/A, KINGWOOD, Texas 77339

Responsible Attendee(s)

WILLIAM LANCE JENKINS

CATHY KELLER JENKINS

Non-Responsible Person(s)

(Deactivated)

RESPONSIBLE PERSON(S)

WILLIAM LANCE JENKINS

Name	Gender	Race	Ethnicity
WILLIAM LANCE JENKINS	(b)(6)	(b)(6)	(b)(6)
Date of Birth	SSN	Job Title	
(b)(6)	(b)(6)	MANAGING MEMBER	

Physical Identifiers

Height	Weight	Hair Color	Eye Color
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Place of Birth

Country	State	City
(b)(6)	(b)(6)	(b)(6)

Home Address

(b)(6)

Additional Names

Citizenship

United States

ID Type	Country	State	ID Number
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

12/31/2020

Criminal History Check Comments

A background check was conducted via Omnixx Force. No disabling factors were revealed.

Name: CATHY KELLER JENKINS
 Gender: (b)(6)
 Race: (b)(6)
 Ethnicity: (b)(6)

Date of Birth: (b)(6)
 SSN: (b)(6)
 Job Title: MEMBER

Physical Identifiers

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Place of Birth

Country: (b)(6) State: (b)(6) City: _____

Home Address

(b)(6)

Additional Names

Citizenship

United States

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

Email Address	Email Remarks
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted: 12/31/2020

Criminal History Check Comments: A background check was conducted via Omnixx Force. No disabling factors were revealed.

NON-RESPONSIBLE PERSON(S)

Name	Date of Birth	Job Title
		Sales

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?

This license was originally issued in June 2012. This was the licensee's fifth compliance inspection. Keller Investments LLC d.b.a. Kingwood Guns is a licensed firearms dealer that conducts retail sales of new and used handguns and long guns to the general public. Used firearms are acquired from individuals as trade-ins, and from other licensees when completing the transfer of a firearm sold online for a customer. Firearms are sold through the licensee's website at kingwoodguns.com, and occasionally on Gunbroker. Mr. Jenkins stated less than 5% of sales are online. (b)(6) conducts gunsmith activities such as cleaning, parts replacement, and general repairs under this license. The licensee holds a (b)(6). The licensee does not conduct business at gun shows. Clothing, ammunition, and firearms accessories are also sold from the premises. The licensee does not hold any variances or any other ATF licenses.

It was discovered the licensee was engaging in unlicensed firearms manufacturing by assembling receivers into rifles and pistols. IOI (b)(6) observed firearms that were completed rifles in the inventory, but were on the inventory list as receivers. When asked about this, (b)(6) stated they were thinking about getting a Manufacturer's license (Type 07 FFL), and stated they are also considering manufacturing NFA items. IOI (b)(6) instructed (b)(6) to disassemble the manufactured firearms. The licensee was cited under 27 CFR 478.41(b), for failure to be licensed as a dealer, manufacturer or importer of firearms for the manufacturing of over 80 firearms when not licensed to manufacture. Mr. Jenkins stated inventory has been difficult to acquire since the Covid-19 pandemic began. Mr. Jenkins stated he was able to find receivers more readily than rifles, so they assembled the rifles in order to maintain inventory.

Do they need an additional license or permit?
 Yes

Who are their primary suppliers?
 Primary suppliers of firearms include (b)(4)

Other State or Local Permits

Type	Number	Expiration
State Sales Tax	(b)(3)(26 USC § 6103)	

Business Activities

Selected Operational Security Measures

Internet Sales/Transfers
Retail
Gunsmith

Internet Sales/Transfers Website

www.kingwoodguns.com

gunbroker.com

SUPPLEMENTAL QUESTIONNAIRE

General Business Operations

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

Lance Jenkins and (b)(6) have access to the security codes.

Who has keys to the premises?

Lance Jenkins and (b)(6) have keys to the premises.

Who has keys to locked inventory?

Lance Jenkins and (b)(6) have access to locked inventory. The locked inventory can be accessed by any employee during store hours.

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

IO (b)(6) observe (b)(6) was responsible for operating the business on a day-to-day basis as far as interacting with customers. (b)(6) assisted with the inspection by helping with the inventory, providing requested forms and other information, and was responsible for answering the large majority of questions. Lance Jenkins, Managing Member, regularly did not arrive to the store until late afternoon, and then went into a back office. Mr. Jenkins did not make himself available or offer assistance, but deferred to (b)(6)

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

Are any employees known to be prohibited?

No employees are known to be prohibited.

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

No

PREMISES INFORMATION

Inspection Area Description

The business premises are a commercial storefront located in Kingwood, Texas (Harris County). There is a main showroom area, and several back rooms to include a workroom with gunsmith table, two offices, walk-in gun vault and closets.

The majority of firearms are displayed on wall racks on the sales floor. Handguns are stored both on the wall and in glass show cases. Gunsmith firearms are stored in a back office. All firearms are moved into the walk-in gun vault for overnight storage. The door is kept locked. Customers must be buzzed into the store. No other business are operated from the premises. There is no off-site storage of firearms.

Primary Activity

Retail

Selected Physical Security Measures

Security Cameras

Safe(s)/Vault(s)

Alarm Monitoring (with Cellular Back-Up)

Motion Sensors

GPS Coordinates

Latitude

30.03621

Longitude

-95.25426

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

458

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

(b)(4)

Total Number of Dispositions in the Last 12 Months

(b)(4)

Onsite Start Date

Onsite End Date

Number of Reported Lost/Stolen Firearms During Inspection Period

Total Number of Traces During Inspection Review Period

Total Number of Those Traces That Were Unresolved

Inspection Period Start Date

Inspection Period End Date

Number Of Traces Resolved By IOI

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

SOT Verified

NFA Documents Verified

Yes

Additional Comments

Industry Operations Investigators (IOI) (b)(6) and (b)(6), of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), met with (b)(6) (b)(6), Sales Clerk, on January 4, 2021, to conduct a Firearms Recall Inspection of a Type 01 Federal Firearms Licensee, Dealer of Firearms Other Than Destructive Devices. The licensee does not hold any variances or any other ATF licenses. The period of the inspection was from January 4, 2020, to January 4, 2021. (b)(6) Area Supervisor, gave permission for notice of inspection to be provided to due the licensee's limited hours of operation during the Covid-19 pandemic.

This license was originally issued in June 2012. This was the licensee's fifth compliance inspection. This is the third inspection in the last five years.

Date and Type of Inspection: 3/28/19

Assignment #: Recall Compliance Inspection, FCI-302

Inspection Results: Violations, Warning Conference and Recall Inspection

Cited Violations: 27 CFR 478.125(e), 27 CFR 478.126a,

27 CFR 478.21(a), 27 CFR 478.124(c)(1), 27 CFR 478.124(c)(3)(i), 27 CFR 478.124(c)(3)(iv), 27 CFR 478.102(a), 27 CFR 478.131(a)(2), 27 CFR 478.124(c)(4), and 27 CFR 478.124(c)(5)

Date and Type of Inspection: 1/3/18

Assignment #: Southwest Border DE Compliance Inspection, 782050-2018-0061

Inspection Results: Violations, Warning Conference with Warning Letter and Recall

Cited Violations: 27 CFR 478.39a, 27 CFR 478.50, 27 CFR 478.21(a), 27 CFR 478.124(c)(1), 27 CFR 478.124(c)(3)(i), 27 CFR 478.124(c)(3)(iii), 27 CFR 478.124(c)(3)(iv), 27 CFR 478.124(c)(4), 27 CFR 478.124(c)(5), 27 CFR 478.124(a), 27 CFR 478.124(b), 27 CFR 478.99(c), 27 CFR 478.102(a), 27 CFR 478.102(a)(2)(ii), 27 CFR 478.102(c), 27 CFR 478.126a, 27 CFR 478.129(b), 27 CFR 478.129(e), 27 CFR 478.131(a)(2), and 27 CFR 478.125(e)

A full physical gun to book inventory was conducted which revealed numerous errors involving firearm identification markings, firearms not logged out, firearms not logged in, and firearms that had been manufactured when not licensed to do so. There were 458 firearms in inventory, and (b)(6) open entries in the A&D Records. There were (b)(6) firearms not logged in. Approximately (b)(6) firearms were not logged out, (b)(6) of which were reported missing as a result of this inspection, ATF Incident Number (b)(6). It should be noted, the last two compliance inspections resulted in missing inventory. The ATF Forms 3310.11, Federal Firearms Licensee Firearms Inventory Theft/Loss Reports are included in the attachments. There was no discovery of obliterated serial numbers or illegal firearms during the inspection.

The "ELOG" A&D Record is kept on a computerized software program called Connected Data Solutions (CDS). The A&D Record is in the proper format with the required headings.

(b)(6) provided three inventory print outs from CDS, a handgun list, a long gun list, and a NFA list. The gunsmith firearms were recorded in a manual A&D Book. The firearms were not tagged with any identifying number to correspond to the inventory lists. Firearms were entered into the record by scanning without comparing the physical firearm to the information. This made firearms difficult to locate due to serial numbers and other information being incorrect, and firearms being on the wrong list such as a handgun on the long gun list.

This inspection revealed the licensee did not know how to properly use the CDS software (ELOG), which resulted in discrepancies caused by user error. The licensee has utilized CDS since March 2019 and was unaware of the problems until this inspection. While working to reconcile the inventory, IOIs discovered many firearms on the inventory lists that were already logged out in ELOG. (b)(6) stated he logged some of the firearms out before ELOG was provided and explained a "partial log out" issue with the software. According to (b)(6) the system automatically pre-fills the date, and customer name and address for firearms sold online or put in layaway. (b)(6) stated a firearm is not truly logged out unless there is also a NICS number, firearm permit number, or another FFL number with the disposition information. IOI (b)(6) spoke to (b)(6) CDS Director of Networking, in April. (b)(6) stated the licensee must not have selected the correct filter buttons when the inventory lists were printed. IOI (b)(6) requested the licensee to send the inventory lists and ELOG to (b)(6) to analyze. (b)(6) confirmed the records provided for inspection were not generated properly in the system. (b)(6) provided IOI (b)(6) with the inventory lists and full A&D Record as they were on January 4, 2021. IOI (b)(6) reviewed CDS with (b)(6). The software was found to be in compliance with ATF Ruling 2016-1. (b)(6) stated CDS has migrated to Amazon's AWS Ohio Datacenter, and there is one separate secure offsite backup server in Colorado Springs.

Once the physical inventory was completed, there were about (b)(6) firearms remaining on the inventory lists unaccounted for. IOI (b)(6) and (b)(6) reviewed ATF Forms 4473 (b)(6) worked to reconcile the inventory. Regularly, the ATF Forms 4473 provided to reconcile inventory led to additional discrepancies. Several were hard to reconcile because serial numbers were recorded wrong either on the form or in the A&D Record, or both. Numerous contacts had to be made with customers and other FFLs to ensure firearms were transferred and not missing, and to verify which firearm was shipped to the licensee. This occurred at the previous inspection as well, and is noted in the Report of Firearms Compliance Inspection, FCI-302.

For example, (b)(3) (112 Public Law 55 125 Stat 552) IOI (b)(6) confirmed with Aero Precision the correct serial number is (b)(6) and this firearm was disposed by them to Primary Arms. Primary Arms confirmed (b)(6) was disposed to Kingwood Guns as a receiver on May 29, 2020. The licensee provided a form for (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) However, the form was for (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) (b)(6) contacted (b)(6) who stated she only purchased one Aero Precision from Kingwood Guns which was a fully assembled rifle. (b)(6) provided a picture of the firearm, s/n (b)(6). This is just one example of many where the form provided to reconcile a firearm uncovered many additional errors, including the licensee manufacturing a firearm without a manufacturer's license. See Onsite Work Summary Attachment (b)(6)

Changes were made to the A&D Record as forms were found to reconcile inventory. Many of the changes were incorrectly made. For example, (b)(3) (112 Public Law 55 125 Stat 552) was on the inventory list to be reconciled. The licensee later incorrectly logged this line out to (b)(6) However, an ATF Form 4473 was provided for (b)(6) IOI (b)(6) contacted (b)(6) who provided a picture of the firearm. See Onsite Work Summary Attachment (b)(6)

The licensee previously kept manual A&D Books to include 11 sales books. The licensee failed to log out (b)(6) of firearms from the manual books when they were transferred to ELOG. There were open entries in the manual books all the way back to book one. IOI (b)(6) documented the open entries and instructed Lance Jenkins and (b)(6) to record the ELOG line number on the disposition side of each open entry in the manual books to account for where each firearm was moved. (b)(6) discovered firearms that were not moved forward to ELOG. Some were moved to another electronic log called EGOSS, and some were not moved forward at all and are unaccounted for. Mr. Jenkins later stated EGOSS was an electronic system he used prior to ELOG. The licensee kept manual books and EGOSS at the same time but failed to keep either one current. There were also open firearms in EGOSS that were moved forward to ELOG without logging them out of EGOSS. The licensee started using ELOG in March 2019. (b)(6) provided a copy of ELOG and EGOSS to IOI (b)(6)

IOI (b)(6) followed a sample of firearms from the manual books to ELOG. The trace revealed discrepancies with firearm identification and acquisition information for most every

firearm checked in the sample. IOIs (b)(6) then traced every firearm logged out of the manual books to ELOG and/or EGOSS, and traced all firearms logged out of EGOSS to ELOG. The trace resulted in (b)(6) of false entries for various reasons such as multiple entries for a single firearm with conflicting information, firearms logged out to the wrong customers, firearms logged out to Lance Jenkins/Kingwood Guns for firearms that were manufactured, and firearms logged in with an acquisition date after the disposition date among other errors. Additionally, there were (b)(6) instances of firearms being crossed out of the manual books with no disposition and no explanation. IOI (b)(6) researched each one as much as possible to ensure these were not missing firearms. For example, in (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) confirmed the numbers with Springfield. The licensee was instructed to always notate why a firearm is marked out. See Onsite Work Summary Attachment, Manual Books Crossed Out.

More than 200 firearms were traced through the licensee's required records from acquisition through disposition by comparing the A&D Record to the ATF Forms 4473. The trace revealed discrepancies with firearm information, disposition dates, incorrect customer names and more. (b)(3) (112 Public Law 55 125 Stat 552) Firearms were found to have been acquired once but were disposed to two people.

On (b)(6) occasions, the licensee withheld requested information resulting in much time and effort spent to resolve errors. For example, (b)(3) (112 Public Law 55 125 Stat 552) determined this firearm was ordered from (b)(3) (112 Public Law 55 125 Stat 552), (b)(6). IOI (b)(6) spoke to (b)(6) who confirmed receipt of this serial number. On May 13, 2021, IOI (b)(6) requested Mr. Jenkins contact (b)(6) to determine what firearm he actually acquired. On May 27, 2021, Mr. Jenkins replied he did not have the customer's phone number and would mail a letter. IOI (b)(6) found a phone number for (b)(6) and spoke to him on May 27, 2021. (b)(6) stated he was previously contacted by Mr. Jenkins, and he emailed pictures (b)(6) as requested. (b)(6) forwarded the email he sent to Kingwood Guns on May 13, 2021. (b)(3) (112 Public Law 55 125 Stat 552) IOI (b)(6) asked Mr. Jenkins why he did not provide the firearm picture. Mr. Jenkins stated it was an oversight. There are other instances where answers had to be researched when the licensee could have provided them.

Not all errors are documented due to the quantity and complexity as demonstrated in the examples above. The ability to accurately trace any firearm is questionable as it is unknown which entry, if any, is correct. The time involved to research each entry became too great, therefore it is not possible to determine the true number of errors or the correct information.

IOIs discovered Kingwood Guns facilitated straw purchases of (b)(6) firearms by (b)(6) purchasers. The A&D Record shows firearms being disposed to an individual, and then being entered back into the inventory coming from that individual on the same day or shortly thereafter. IOIs discovered all the firearms involved are part of special discount programs (Glock Blue Label and Sig Armed Professional Program) applicable only to approved purchasers to include law enforcement, military, and first responders. Kingwood Guns is required to provide verification forms and identification or credentials of the approved purchaser to the distributor when a firearm is sold. Kingwood Guns utilized an approved purchaser for the initial ATF Form 4473, but the purchaser did not pay for or take possession of the firearm. Kingwood Guns paid the approved purchaser approximately \$20 for completing the form. The firearms were then sold to an individual who would not have qualified for the initial purchase. Mr. Jenkins stated Glock pistols have been difficult to acquire since the Covid-19 pandemic began. Mr. Jenkins stated he needed inventory, and this was a way to get Glock pistols in the store to sell. IOI (b)(6) submitted a Suspicious Activity Report (SAR-685), see NFORCE Case# 782095-21-0042. No other Suspicious/Prohibited Purchaser referrals were generated as a result of this inspection. Background checks were conducted on approximately 10 purchasers with firearm permits. No disabling factors were revealed.

The licensee had approximately (b)(6) ATF Forms 4473, to include (b)(6) denials, for the inspection period. IOIs (b)(6) reviewed all (b)(6) ATF Forms 4473, which revealed discrepancies. The total number of firearms acquired and disposed during the last 12 months were reported by Mr. Jenkins. Given the nature of the violations related to the A&D Record, there can be no way to validate the numbers. Transfers to other licensees were documented properly. No sales to law enforcement officers were conducted by the licensee. IOI (b)(6) obtained a FFL Audit Report, which reflected approximately 491 responses for this FFL. Approximately 480 NICS transaction responses were verified. Discrepancies were discovered involving the date and NICS responses. The Violent Crime Analysis Branch (VCAB) trace history report listed (b)(6) multiple sales involving (b)(6) firearms for the last 12 months. The licensee failed to submit (b)(6) ATF Forms 3310.10, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, involving (b)(6) handguns. The licensee failed to submit (b)(6) ATF Forms 3310.12, Report of Multiple Sale or Other Disposition of Certain Rifles, involving (b)(6) long guns. The forms have been completed and submitted to the ATF National Tracing Center. IOI (b)(6) received a firearms trace history report of the licensee from Violent Crime Analysis Branch, and there were (b)(6) firearms successfully traced to this license for the inspection period. However, given the findings of the inspection, it is questionable if the ATF Forms 4473 provided for the traces were accurate.

(b)(3)(26 USC § 6103), (b)(6)

- Attachment(s)
- Report of Violations.pdf
- Licensee Response to Violations Report.pdf
- Firearm Theft Loss List.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 (b)(6) Number of Instances: (b)(6)	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.	(b)(3) (112 Public Law 55 125 Stat 552), (b)(6)
2	18 U.S.C. 923(g)(5)(A): Failure to report multiple sales or other dispositions of certain rifles ATF Forms 4473 (b)(6) Number of Instances: (b)(6)	Complete and submit ATF Form 3310.12 (Report of Multiple Sale or Other Disposition of Certain Rifles) for all non-reported multiple sales identified as a result of this inspection.	(b)(3) (112 Public Law 55 125 Stat 552), (b)(6)
3	27 CFR 478.129(c): Failure to retain Multiple Sale or Theft/Loss reports ATF Forms 4473 (b)(6) Number of Instances: (b)(6)	Ensure that required records are retained at the licensed premises for prescribed 5-year retention period.	(b)(3) (112 Public Law 55 125 Stat 552), (b)(6)

27 CFR 478.128(c): False statement made by a licensee on any ATF record

Cease and desist from engaging in deceptive practices.

Number of Instances:

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

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

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

(b)(6)

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

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

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

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

(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)

27 CFR 478.129(b): Failure to retain ATF F 4473

ATF Forms 4473
Number of Instance

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),(b)(6)

		(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
<p>27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping</p> <p>6</p> <p>Number of Instances: <input type="text"/></p>	<p>Cease and desist from engaging in deceptive practices.</p>	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
<p>27 CFR 478.128(b): False statement made by a non-licensee on any ATF Record</p> <p>Number of Instances: <input type="text"/></p>	<p>Cease and desist from engaging in deceptive practices.</p>	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

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

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

		<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.41(b): Failure to be licensed as a dealer, manufacturer or importer of firearms</p> <p>8</p> <p>Number of Instances: 1</p>	<p>Cease and desist engaging in activities not authorized by current license type.</p>	<p>Keller Investments LLC dba Kingwood Guns holds only a Type 01 Dealer license. The licensee has manufactured over 70 firearms by assembling receivers into rifles and pistols. Kingwood Guns is not licensed as a manufacturer.</p>
<p>27 CFR 478.124(b): Failure to retain ATF Forms 4473 in alphabetical, numerical or chronological order</p> <p>9</p> <p>ATF Forms 4473: 1</p> <p>Number of Instances: 1</p>	<p>Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order.</p>	<p>Record Management</p>
<p>27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm acquisition information.</p> <p>Accurately, completely & timely record all required future firearm disposition information.</p> <p>Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

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

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

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

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

ATF Forms 4473
Number of Instances:

Ensure that all required firearm identification information 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)

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

27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473

Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.

ATF Forms 4473:
Number of Instances:

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

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

(b)(6)

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

27 CFR 478.21(a): Failure to complete forms as prescribed

ATF Forms 4473:
Number of Instances:

Complete all forms as prescribed.

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

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

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

27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473

ATF Forms 4473
Number of Instances:

Ensure that all required transferee/buyer identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.

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

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, validated and accurately recorded on all future ATF Forms 4473, Section B.

(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)

27 CFR 478.131(a)(2): Failure to record on an ATF Form 4473 (or affix a copy of) NICS alternative permit info

Ensure that a qualifying NICS alternative permit is properly obtained, validated, verified, and documented for all applicable future over-the-counter firearm transactions.

ATF Forms 4473
Number of Instances:

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

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

Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.

ATF Forms 4473
Number of Instances:

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

THEFT/LOSS REPORT

Acquisition Date Type Manufacturer Importer Model Caliber/Gauge Serial Number

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

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473 Number of Instances: 1</p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.</p>	<p>Mr. Jenkins stated the multiple sales were not reported because they were too busy at the time due to increased sales as a result of Covid-19. Mr. Jenkins stated the forms are now reviewed by three people.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
<p>18 U.S.C. 923(g)(5)(A): Failure to report multiple sales or other dispositions of certain rifles</p> <p>ATF Forms 4473 Number of Instances: 2</p>	<p>Complete and submit ATF Form 3310.12 (Report of Multiple Sale or Other Disposition of Certain Rifles) for all non-reported multiple sales identified as a result of this inspection.</p>	<p>Mr. Jenkins stated the multiple sales were not reported because they were too busy at the time due to increased sales as a result of Covid-19. Mr. Jenkins stated the forms are now reviewed by three people.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
<p>27 CFR 478.129(c): Failure to retain Multiple Sale or Theft/Loss reports</p> <p>ATF Forms 4473 Number of Instances: 3</p>	<p>Ensure that required records are retained at the licensed premises for prescribed 5-year retention period.</p>	<p>Mr. Jenkins stated the form was misplaced because they were too busy at the time due to increased customer traffic as a result of Covid-19.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
<p>27 CFR 478.128(c): False statement made by a licensee on any ATF record</p> <p>Number of Instances: 4</p>	<p>Cease and desist from engaging in deceptive practices.</p>	<p>In regards to falsifying the ATF Forms 4473 related to straw purchases, Mr. Jenkins stated, "We were short of inventory (due to Covid-19). I only did it to get inventory. I thought we were following the rules. I don't think we engaged in deceptive practices".</p> <p>In regards to falsifying the A&D Record related to manufactured firearms, Mr. Jenkins stated he didn't know he couldn't put an upper and a lower together. He stated he logged the receivers out to himself in order to get the firearm in the proper category (rifle or pistol) in the computer software system. Mr. Jenkins previously stated they manufactured because it was hard to get inventory during the pandemic.</p> <p>In regards to firearms being logged in with the disposition date prior to the acquisition date, Mr. Jenkins stated he thought the A&D Record had to be in order (by date of acquisition), so if he missed logging a firearm in, he put the date as the date he made the discovery instead of the actual acquisition date so the book would be in order.</p> <p>In regards to having different information acquisition information recorded for the same firearm in different A&D Records (such as different acquisition names in a manual book and ELOG), Mr. Jenkins stated, "I saw the book was wrong and was kind of going off memory when I moved it".</p> <p>In regards to having incorrect information recorded for firearms, Mr. Jenkins stated, "I kind of knew they were there, but the next day came and the next day, and I just didn't do it. I have no excuse for that".</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>

		<p>In regards to firearms being mistakenly recorded as acquired on the disposition day, Mr. Jenkins stated, "I think they (employee) sold the gun and had the form in front of them and couldn't find the entry (in the A&D Record). So, they entered it (into the A&D Record) again. Now, if they can't find the entry at the time of the sale, they get one of us who will find the original entry".</p> <p>In regards to firearms being logged out to two different people, Mr. Jenkins stated one customer probably made an online purchase and the software "auto-logged" a firearm out. Then, another customer probably came in and purchased the same firearm off the wall, and it was never caught and corrected.</p>	
5	<p>27 CFR 478.129(b): Failure to retain ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	Retain ATF Forms 4473 for a period of not less than 20 years after the date of sale or disposition.	<p>Mr. Jenkins stated the filing system got overwhelmed. Now, one employee is checking and filing the forms every day.</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
6	<p>27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping</p> <p>Number of Instances: []</p>	Cease and desist from engaging in deceptive practices.	<p>Mr. Jenkins stated, "Depending on the date, there are multiple people entering and I might have thought someone entered it. If it's a transfer, people get hostile if it's not available the second it's at the door". Mr. Jenkins stated, entries are now made only by (b)(6) and (b)(6).</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
7	<p>27 CFR 478.128(b): False statement made by a non-licensee on any ATF Record</p> <p>Number of Instances: []</p>	Cease and desist from engaging in deceptive practices.	<p>Mr. Jenkins stated, "We thought we were following the proper rules and didn't know the first question was a problem. I was trying to keep inventory. It won't happen anymore. I've been banned by Glock for life". (b)(6) stated, "A straw purchase is getting a gun for someone who can't buy one themselves. I don't agree that's a straw purchase". (b)(6) stated a transfer did take place because the firearms were logged out and logged back into the book.</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
8	<p>27 CFR 478.41(b): Failure to be licensed as a dealer, manufacturer or importer of firearms</p> <p>Number of Instances: []</p>	Cease and desist engaging in activities not authorized by current license type.	<p>Mr. Jenkins stated they did not think that putting an upper and a lower together was manufacturing.</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
9	<p>27 CFR 478.124(b): Failure to retain ATF Forms 4473 in alphabetical, numerical or chronological order</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order.	<p>Mr. Jenkins stated the forms were not in chronological order because of the volume of forms and increase of sales due to Covid 19. Mr. Jenkins stated, "With the volume of forms coming in, we tried. We'd find a form for a trace, then toss it back in the box". Mr. Jenkins stated (b)(6) is now writing the dates in the top corner of the forms to help keep them in order.</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
	27 CFR 478.125(c): Failure to		<p>In regards to incorrect firearm</p> <p>Status</p>

10	<p>maintain an accurate/complete/timely acquisition and disposition record of firearms</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm acquisition information.</p> <p>Accurately, completely & timely record all required future firearm disposition information.</p> <p>Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report.</p>	<p>information, Mr. Jenkins stated, "I got lazy and started getting information off the invoices. New guns were scanned in, and we didn't check to be sure it was correct". As for failing to log firearms out of the manual books when they were moved forward to the electronic record(s), Mr. Jenkins stated, "I thought I was done with those books".</p>	<p>Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
11	<p>27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Ensure that all required firearm identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>Mr. Jenkins stated they did not have a check system in place before, and they were just too busy. Mr. Jenkins stated forms are now reviewed by three people prior to filing. At the start of the meeting and prior to reviewing the ROV, Mr. Jenkins stated, "Like form errors, I realize they're important, but they're not life and death, right? I don't think it's a big deal. It feels like form errors are more important to you than bad people getting guns".</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
12	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Mr. Jenkins stated, "We were kind of rushing through. The form changing messed with customers and messed with us too". Mr. Jenkins stated forms are now reviewed by three people prior to filing.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
13	<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Complete all forms as prescribed.</p>	<p>Mr. Jenkins stated, "We were kind of rushing through. The form changing messed with customers and messed with us too". Mr. Jenkins stated forms are now reviewed by three people prior to filing.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
14	<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Ensure that all required transferee/buyer identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>Mr. Jenkins stated they were not getting customer phone numbers and could not easily contact a customer to return for form corrections. Mr. Jenkins stated they now write the customer's phone number on the forms.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
15	<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Ensure that all required NICS/POC background check information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>Mr. Jenkins stated the employees were calling customers who had been delayed by NICS to pick up their firearms and forgot to mark the form with the follow-up response. Mr. Jenkins stated they now tape the ATF Form 4473 to the firearm box when a customer gets delayed by NICS in an effort to remind the employee to answer to follow-up response question.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
16	<p>27 CFR 478.131(a)(2): Failure to record on an ATF Form 4473 (or affix a copy of) NICS alternative permit info</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Ensure that a qualifying NICS alternative permit is properly obtained, validated, verified, and documented for all applicable future over-the-counter firearm transactions.</p>	<p>Mr. Jenkins stated, "We got busy and overlooked it and we didn't have phone numbers so nobody could contact them. Now we get the phone numbers.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>

<p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>ATF Forms 4473</p> <p>17 Number of Instances</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Mr. Jenkins stated, "I'd think a lot of these would be (NICS) delays and we just forgot to date them. Now there's a triple check system. It should correct these problems".</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 08/25/2021</p>
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CLOSING CONFERENCE

Review Regulations conducted offline

(8/25/2021)

08/25/2021

Closing Conference Additional Notes

This license was originally issued in June 2012. This was the licensee's fifth compliance inspection. This is the third inspection in the last five years. This inspection resulted in 17 violations.

- 27 CFR 478.126a: 1 instances. Repeat 3/28/19 & 1/3/18.
- 18 U.S.C. 923(g)(5)(A): 1 instances
- 27 CFR 478.129(c): 1 instance
- 27 CFR 478.128(c): 1 instances
- 27 CFR 478.129(b): 1 instances. Repeat 1/3/18.
- 27 CFR 478.121(c): 1 instances
- 27 CFR 478.128(b): 1 instances
- 27 CFR 478.41(b): 1 instance
- 27 CFR 478.124(b): 1 instance. Repeat 1/3/18.
- 27 CFR 478.125(e): 1 instances. Repeat 3/28/19 & 1/3/18.
- 27 CFR 478.124(c)(4): 1 instances. Repeat 3/28/19 & 1/3/18.
- 27 CFR 478.124(c)(1): 1 instances. Repeat 3/28/19 & 1/3/18.
- 27 CFR 478.21(a): 1 instances. Repeat from 3/28/19 & 1/3/18.
- 27 CFR 478.124(c)(3)(i): 1 instances. Repeat 3/28/19 & 1/3/18.
- 27 CFR 478.124(c)(3)(iv): 1 instances. Repeat 3/28/19 & 1/3/18.
- 27 CFR 478.131(a)(2): 1 instances. Repeat 3/28/19 & 1/3/18.
- 27 CFR 478.124(c)(5): 1 instances. Repeat 3/28/19 & 1/3/18.

Inspection history in the past five years.

3/28/19, Recall Compliance Inspection, FCI-302
Violations, Warning Conference and Recall Inspection
This inspection resulted in 10 violations.

- 27 CFR 478.125(e): 1 instances. Repeat 1/3/18.
- 27 CFR 478.126a: 1 instances. Repeat 1/3/18.
- 27 CFR 478.21(a): 1 instances. Repeat 1/3/18.
- 27 CFR 478.124(c)(1): 1 instances. Repeat 1/3/18.
- 27 CFR 478.124(c)(3)(i): 1 instances. Repeat 1/3/18.
- 27 CFR 478.124(c)(3)(iv): 1 instances. Repeat 1/3/18.
- 27 CFR 478.102(a): 1 instance. Repeat 1/3/18.
- 27 CFR 478.131(a)(2): 1 instance. Repeat 1/3/18.
- 27 CFR 478.124(c)(4): 1 instances. Repeat 1/3/18.
- 27 CFR 478.124(c)(5): 1 instances. Repeat 1/3/18.

1/3/18, Southwest Border: DE: Compliance Inspection

UI# 782050-2018-0061-B1B

Violations, Warning Conference with Warning Letter and Recall

This was an alternate recommendation to a Revocation.

This inspection resulted in 20 violations.

- 27 CFR 478.39a: 1 instance
- 27 CFR 478.50
- 27 CFR 478.21(a): 1 forms. Repeat 5/30/13.
- 27 CFR 478.124(c)(1): 1 forms. Repeat 7/17/14 & 5/30/13.
- 27 CFR 478.124(c)(3)(i): 1 forms. Repeat 7/17/14 & 5/30/13.
- 27 CFR 478.124(c)(3)(iii): 1 form
- 27 CFR 478.124(c)(3)(iv): 1 forms. Repeat 5/30/13.
- 27 CFR 478.124(c)(4): 1 forms. Repeat 5/30/13.
- 27 CFR 478.124(c)(5): 1 forms. Repeat 5/30/13.
- 27 CFR 478.124(a): 1 form
- 27 CFR 478.124(b)
- 27 CFR 478.99(c): 1 forms
- 27 CFR 478.102(a): 1 forms
- 27 CFR 478.102(a)(2)(ii): 1 form
- 27 CFR 478.102(c): 1 form
- 27 CFR 478.126a: 1 instances
- 27 CFR 478.129(b): Repeat 7/17/14.
- 27 CFR 478.129(e)
- 27 CFR 478.131(a)(2): 1 forms. Repeat 5/30/13.
- 27 CFR 478.125(e): 1 instances

Attachment(s)

Attendee(s)

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-76-03582 Inspection Results
FinalDecision	Disposition Memo - Keller Investments LLC d.b.a. Kingwood Guns (5-76-03582).pdf
FinalDecision	Voluntary Surrender-Executed-Keller Investments LLC dba Kingwood Guns.pdf
FinalDecision	Final Notice - Keller Investments LLC dba Kingwood Guns 5-76-03582.pdf
Correspondence	Spartan Notification RE: 5-76-03582 Monitored Case
Correspondence	Spartan Notification RE: 5-76-03582 Monitored Case
Correspondence	Spartan Notification RE: 5-76-03582 Monitored Case
Correspondence	Spartan Notification RE: 5-76-03582 Monitored Case
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Correspondence	Spartan Notification RE: 5-76-03582 Monitored Case
Correspondence	Spartan Notification RE: 5-76-03582 Monitored Case
UpdateLicensingCenter	Updated 8C Houston FCI-24626 Keller Investments LLC dba Kingwood Guns.pdf
Correspondence	Spartan Notification RE: 5-76-03582 Monitored Case
Correspondence	
Correspondence	DIO Tanarra James Returned Inspection FCI-24626
ZoningVerification	Harris County Zoning Letter 2021.pdf
ViolationCorrection	Multiple Sales Reports, Corrective Action.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ViolationCorrection	Theft Loss Report, 2021.pdf
ViolationsPDF	Report of Violations.pdf
Correspondence	
Correspondence	Action Required Concerning Your Federal Firearms Compliance Inspection
Correspondence	
Correspondence	Action Required Concerning Your Federal Firearms Compliance Inspection
FirearmTheftLossList	Firearm Theft Loss List.pdf

License

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-76-03582 Special Attention Flag (SAF)

SAR-685

Category	Attachment Name
Correspondence	Industry Operations Report of Suspicious Activity(SAR-685)

Notice to Deny Application for License

- In the matter of application for license as a/an _____, filed by:
or
- In the matter of application for renewal of license number 5-76-201-01-1G-03582 (Pending Renewal) as a/an
Dealer in Firearms Other than Destructive Devices, filed by:

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

Keller Investments LLC,
d.b.a. Kingwood Guns
22323 Loop 494, Ste. F.
Kingwood, Texas 77339 (Harris County)

Notice Is Hereby Given That:

The application described above may be denied because the applicant does not qualify for licensing under the provisions of 18 U.S.C. § 923(d), as set forth in the pages attached and made a part of this form. Pursuant to 18 U.S.C. § 923(f)(2), you may file a request for a hearing to review the denial of your application. This request must be received, in duplicate, by the Director of Industry Operations (DIO), Bureau of Alcohol, Tobacco, Firearms and Explosives, located at 5825 North Sam Houston Parkway West, Suite 300, Houston, Texas 77086, within 15 days of your receipt of this notice.

Where a timely request for hearing is made, and the application described above is for renewal of a currently valid license, you may continue to operate under your present license pending the outcome of the hearing. The hearing will be held as provided in 27 CFR Part 478.

If a timely request for a hearing is not received, the application shall be disapproved, and a copy so marked will be returned to the applicant.

- Please see included brochure

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official	Signature
01/20/2022	Tanarra James, Director, Industry Operations	(b)(6)

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

- Certified mail to the address shown below.
Tracking Number: 7019 0700 0000 0885 8085
- Delivering a copy of the notice to the address shown below.

Or

Date Notice Served	Title of Person Serving Notice	(b)(6)
	Executive Assistant	
Print Name and Title of Person Served		

Address Where Notice Served
22323 Loop 494, Ste. F, Kingwood, TX 77339

Under the provisions of 18 U.S.C. § 923(d) and 27 CFR § 478.71, notice is hereby given that the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") intends to deny the renewal application for Federal firearms license submitted by Keller Investments, LLC d.b.a. Kingwood Guns ("Renewal Applicant"), a Dealer in Firearms Other Than Destructive Devices. Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Houston Field Division, has reason to believe that Renewal Applicant 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 CFR Part 478 (collectively, "GCA") as described herein.

Compliance History

Renewal Applicant currently holds Federal firearms license 5-76-201-01-1G-03582 as a dealer in firearms other than destructive devices. Said license expired on July 1, 2021. In April 2021, Renewal Applicant timely submitted a Federal Firearms License (FFL) RENEWAL Application, ATF Form 8 (5310.11) Part II to ATF and has been operating pursuant to a Letter of Authorization issued by ATF while its Renewal Application is pending. William Lance Jenkins signed the Application on behalf of Renewal Applicant and listed himself as managing member.

ATF first issued a Federal firearms license to Renewal Applicant in June 2012. The laws and regulations issued under the GCA were reviewed as part of the application inspection. Subsequently, ATF conducted compliance inspections of Renewal Applicant in 2013, 2014, 2018 and 2019. ATF issued Reports of Violations to Renewal Applicant following each of those inspections. Following the 2013, 2018 and 2019 inspections, William Lance Jenkins, Renewal Applicant's Managing Member, attended warning conferences with ATF in which the cited violations and proposed corrective action were discussed. Following each of the warning conferences, ATF sent Renewal Applicant a letter advising that "any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license." ATF also issued a warning letter to Renewal Applicant following the 2014 inspection.

Recent Inspection

On January 4, 2021, ATF Industry Operations Investigator [redacted] (b)(6) began a compliance inspection of Renewal Applicant's premises. The inspection revealed the following violations:

Acquisition and Disposition Record Violations

1. On [redacted] occasions, Renewal Applicant willfully failed to timely and/or accurately record the acquisition of firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 CFR § 478.125(e). See Appendix, ¶ 1.
2. On [redacted] occasions, Renewal Applicant willfully failed to timely and/or accurately record the disposition of firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 CFR § 478.125(e). See Appendix, ¶ 2.

Falsified Statement in Records

3. On occasions, Renewal Applicant willfully made a false statement or representation with respect to any information required by the GCA, in violation of 18 U.S.C. § 922(m) and 27 CFR § 478.128(c). See Appendix, ¶ 3.

Engaged in Activity Not Authorized by License

4. Renewal Applicant willfully engaged in an activity for which it was not licensed, in violation of 18 U.S.C. § 922(a)(1)(A) and 27 CFR § 478.41. Specifically, while Renewal Applicant is licensed as a dealer in firearms, it engaged in the business of manufacturing firearms by assembling lower receivers into complete firearms.

Appendix

Paragraph 1

27 CFR § 478.125(e) – Failure to timely and/or accurately record the acquisition of firearms, failure to record the acquisition of firearms, and duplicate entries of firearms.

Acquisition Recorded, but not Timely/Correct

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

Acquisition Not Timely Recorded

# Cont.	FIREARM	DISCREPANCY
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

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

Duplicate Entries

# Cont.	FIREARM	DISCREPANCY
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

Paragraph 2

27 CFR § 478.125(e) – Failure to timely and/or accurately record the disposition of firearms, failure to record the disposition of firearms (reconciled), and failure to record the disposition of firearms (firearm missing from inventory).

Failure to record the disposition of a firearm.

Firearms were moved forward to another record OR disposed to a customer and were not logged out.

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

Disposition Recorded, but not Timely/Correct

# Cont.	FIREARM	DISCREPANCY
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

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

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

Firearms for which the Renewal Applicant could not account for following inventory reconciliation.

# Cont.	FIREARM	DISCREPANCY
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

Paragraph 3

27 CFR 478.128(c): False statement made by a Renewal Applicant on any ATF record.

**ATF Forms 4473
Renewal Applicant falsely certified transfer of firearm to listed transferee.**

#	ATF Form 4473 Date & False Purchaser Name	Firearm
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

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

A&D Record

Firearms are logged out to a customer who did not take possession of the firearm.

# Cont.	A&D Reference	Firearm	False Purchaser Name
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

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

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

A&D Record
False statement regarding acquisition of firearms.

# Cont.	A&D Reference	Firearm	False Acquisition Information
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

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

A&D Record – Anomalies		
# Cont.	Firearm	Discrepancy

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

(b)(6)

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

A&D Record					
Acquisition Date Recorded After Disposition Date					
# Cont.	A&D Reference	Manufacturer/Importer	Serial Number	Date Acquired	Date Disposed

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

A&D Record - Firearms Logged Out & In for Manufacturing

# Cont	A&D Book #	Manufacture r	Serial Number	Type	Cal	Date Acquired	Date Disposed	Nature of Violation
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

Voluntary Surrender of Federal Firearms License

We, William Lance Jenkins and Cathy Keller Jenkins, are managing members and responsible person for Keller Investments, LLC (Keller Investments), d/b/a Kingwood Guns, 22323 Loop 494, Suite F, Kingwood, Texas 77339. Keller Investments holds Federal firearms license number 5-76-201-01-1G-03582, as a Dealer 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.

Keller Investment's Federal firearms license expired on June 30, 2021, however, it timely filed a Federal Firearms License (FFL) RENEWAL Application, ATF Form 8 (5310.11) Part II to ATF and has been operating pursuant to a Letter of Authorization issued by ATF while Keller Investment's Renewal Application is pending.

On January 20, 2022, ATF issued a Notice to Deny Application for License (Notice to Deny Application) to Keller Investments. By letter dated January 22, 2022, Keller Investments timely requested a hearing on the Notice to Deny Application. Pursuant to that request, ATF scheduled a hearing to occur April 19, 2022, and, at the request of Keller Investments, later rescheduled the hearing to occur on May 5, 2022.

We, William Lance Jenkins and Cathy Keller Jenkins, do hereby voluntarily surrender the Federal firearms license issued to Keller Investments, effective June 30, 2022, and withdraw Keller Investment's request for a hearing on the Notice to Deny Application. We do not contest that the violations alleged in the Notice to Deny Application willfully occurred as Keller Investments, by and through its agents and employees, knew of its legal obligations under the GCA and the regulations issued thereunder, and purposefully disregarded or was plainly indifferent to those requirements.

Due to those violations, we, William Lance Jenkins and Cathy Keller Jenkins, voluntarily agree that Keller Investments shall cease acquiring firearms inventory as of the date of this document and to cease transferring firearms to the members of the general public after May 31, 2022. We also agree that the 17 NFA items that have been sold will be cancelled or will have completed forms submitted to ATF by May 10, 2022, and we will transfer the remaining NFA inventory to another SOT FFL prior to June 29, 2022. We understand that from June 1, 2022, to June 29, 2022, Keller Investments will be only able to sell the remaining inventory to another Federal Firearm Licensee or a purchaser of the Licensee's assets who has submitted an Application for a Federal Firearms License. We are fully aware that effective upon the surrender date of June 30, 2022, Keller Investments will no longer be a federally licensed dealer of firearms. We further understand that Keller Investments may no longer lawfully engage in the business of dealing in firearms after the surrender of its Federal firearms license.

We, William Lance Jenkins and Cathy Keller Jenkins, agree that Keller Investments shall deliver its original Federal firearms license and the records it is required to keep under the GCA to ATF within 30 days of the surrender of its license. See 18 U.S.C. § 923(g)(4); 27 C.F.R. § 478.57(a). We acknowledge that failure to turn in such records is punishable by a fine of not more than \$250,000 and/or imprisonment for term of not more than five years. We further understand that conducting business as a firearms dealer after surrendering the license issued to Keller Investments would violate 18 U.S.C. § 922(a)(1)(A), which is also punishable by a fine of not more than \$250,000 and/or imprisonment for not more than five years.

We further agree that we, William Lance Jenkins and Cathy Keller Jenkins, will refrain from applying for any future Federal firearms licenses either directly or as a part of another legal entity.

We, William Lance Jenkins and Cathy Keller Jenkins, hereby surrender the Federal firearms license issued to Keller Investments effective June 30, 2022, and make the above statements knowingly, voluntarily, and intelligently. We affirm that we are authorized to effectuate the surrender of the license issued to Keller Investments and understand that any false statements or representations contained in this document may result in me being criminally prosecuted under 18 U.S.C. § 1001. We make the above statements without having been threatened or pressured to do so by any person and without having received any promises of favorable treatment.

(b)(6)	<u>Cathy Keller Jenkins</u>
Signature / Date	4/28/2022 Printed Name
(b)(6)	<u>William Lance Jenkins</u>
Signature / Date	4/28/2022 Printed Name

**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 5-76-201-01-1G-03582 (Pending Renewal) as a/an
Dealer in Firearms Other than Destructive Devices issued to:

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

Keller Investments LLC
d.b.a. Kingwood Guns
22323 Loop 494
Suite F
Kingwood, Texas 77339 (Harris County)

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 7/1/2022
 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 5825 North Sam Houston Parkway West, Suite 300, Houston, Texas 77086

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 07/11/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official Tanarra James, Director, Industry Operations	(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: 7014-1200-0000-0142-4871

Or

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

Date Notice Served	Title of Person Serving Notice Executive Assistant	(b)(6)
Print Name and Title of Person Served		Signature of Person Served

Address Where Notice Served
22323 Loop 494, Suite F, Kingwood, Texas 77339

Note: Previous Edition is Obsolete

Keller Investments, LLC, dba Kingwood Guns, (“Renewal Applicant”), holds Federal Firearms License 5-76-201-01-1G-03582 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.

Said license expired on July 1, 2021. In April 2021, Renewal Applicant timely submitted a Federal Firearms License (FFL) RENEWAL Application, ATF Form 8 (5310.11), Part II and has been operating pursuant to a Letter of Authorization issued by ATF while its renewal application is pending.

On January 20, 2022, ATF issued a Notice to Deny Application for License, ATF E-Form 5300.43(4498) (“Notice to Deny License”) advising Renewal Applicant that ATF intended to deny its renewal application. The Notice to Deny License alleged that Renewal Applicant willfully violated the provisions of the GCA and the regulations issued thereunder. The Notice to Deny License further specified that if Renewal Applicant wished to challenge the denial, 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).

By letter dated January 22, 2022, Renewal Applicant timely requested a hearing to review the Notice to Deny License. As a result, ATF notified Renewal Applicant that the hearing would occur on April 19, 2022. Renewal Applicant, through its attorney, later requested a continuance of the hearing, which ATF granted and set a new hearing date of May 5, 2022.

On April 28, 2022, Renewal Applicant sent a document entitled Voluntary Surrender of Federal Firearms License to ATF indicating that it was surrendering its license and also withdrawing its request for a hearing to review the Notice to Deny License. Renewal Applicant indicated that it would terminate its firearms business operations no later than June 30, 2022.

For reasons set forth in the Notice to Deny Application for License issued on January 20, 2022, the renewal application submitted by Keller Investments, LLC is hereby DENIED and the Federal firearms license held by Keller Investments, LLC is hereby REVOKED with an effective date of July 1, 2022.

Dated this 11th day of July, 2022

(b)(6)

Tanarra James
Director, Industry Operations
Houston Field Division
Bureau of Alcohol, Tobacco, Firearms and Explosives
United States Department of Justice