

MARK THERON HUNTER 's FCI  
FCL-31279  
07/22/2022 09:14 AM  
IOI: (b)(6), Columbia (IO) Field Office

**LICENSEE INFORMATION**

Applicant Name  
MARK THERON HUNTER  
(Sole Proprietor)

RDS Key  
1-57-06299

License/Permit Number  
1-57-023-01-2H-06299

License Type  
01 - Dealer License

Business Type  
Sole Proprietorship

**Premises Address**

**Mailing Address**

Premises Ownership Type  
Owned

Address  
(b)(6)

Premises Location Type  
Store Front

Address  
190 SALUDA ST  
Unit N/A  
CHESTER, South Carolina 29706  
CHESTER United States

Phone Type	Phone Number	Remarks
Business	+1 803-899-9529	

Email Address	Email Remarks
(b)(6)	

**RECOMMENDATIONS**

Final Decision

Revocation

Date

02/28/2022

Details

License was effectively revoked on February 28, 2022 and the records were submitted to the NTC OOBRC in March 2022.

**Out of Business Records and Inventory Management**

**Licensee Records**

**Licensee Inventory**

✔ Submitted to an ATF Employee

✔ Inventory transferred to self

ATF Employee Name  
IOI: (b)(6)

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

Details

Concur with recommendation to proceed with revocation.

Special Agent in Charge Vincent Pallozzi's Recommendation

SAC concurs with Recommendation of Revocation.

Division Counsel (b)(6)'s Review

Details

Reviewed

Director of Industry Operations Stephen Albro's Recommendation  
Revocation

Details

Concur with the recommendation to revoke due to failing to respond to traces.

Details

Due to the licensee's inspection history and documented history of failing to respond to a trace request within the prescribed timeframe, I concur with IOI (b)(6)'s recommendation of Revocation.

Industry Operations Investigator Stephanie Wessinger's Recommendation  
Revocation

Details

A recommendation of Revocation is recommended based on guidance received from DAD Bennett, DIO Albro and AS (b)(6) due to the licensee's failure to respond to a trace request within 24 hours.

\*\*A previous compliance inspection in 2020 (FCI-21716) resulted in a WL for the following violation:

-27 CFR 478.125(e) 1 instance

\*\*A previous compliance inspection in 2018 (763075-2018-0247 B1B) resulted in a WL for the following violations:

-27 CFR 478.41 (a) 1 instance

-27 CFR 478.124(c)(1) 1 instances

-27 CFR 478.124(c)(4) 1 instances

-27 CFR 478.124(c)(5) 1 instance

-27 CFR 478.125(e) 1 instances

Inspection Findings

Failure to Report

6. Failure to respond to a firearm trace request within 24 hours.

ELIGIBILITY VERIFICATION

Business Information Verification

Property Ownership Verification

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

Address  
190 SALUDA ST  
Unit N/A  
CHESTER, South Carolina 29706  
CHESTER United States

Additional Findings  
An online query with the Chester county assessor's office disclosed that the property is owned by (b)(6)

Attachment(s):  
(b)(6)-property ownership.pdf

Trade Name/DBA Verification

Trade Name/DBA	Is the trade name/DBA registered?
SPORTSMAN GUN & PAWN	No

Additional Findings  
The S.C. Secretary of State's office does not require the registration of trade names.

Attachment(s):  
Trade Name-SOS.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?  
Yes

Additional Findings  
Zoning information was obtained from IOI (b)(6)'s previous narrative report completed for a change of address to the current location in July 2018. The narrative for the change of address qualification inspection noted (b)(6) with the City of Chester Planning and Zoning Department advised that the property is zoned Limited Industrial and allows for the sale of firearms from the location provided that State regulations are followed." A City of Chester Business License was included with Mr. Hunter's initial change of address application packet.

Attachment(s):  
Mark Hunter-business license.pdf  
Mark Hunter-zoning email.pdf

**APPOINTMENT DETAILS**

Interview Date  
12/09/2021  
Address  
190 SALUDA ST, Unit N/A, CHESTER, South Carolina 29706

**Responsible Attendee(s)**

MARK THERON HUNTER

**Non-Responsible Person(s)**

No Items

**RESPONSIBLE PERSON(S)**

**MARK THERON HUNTER**

Name	Gender	Race	Ethnicity
MARK THERON HUNTER	Male	White	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)		OWNER	

**Physical Identifiers**

Height	Weight	Hair Color	Eye Color
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**Place of Birth**

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

**Home Address**

(b)(6)

**Additional Names**

**Citizenship**

United States

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

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

Email Address	Email Remarks
(b)(6)	

**Criminal History Check**

Date Criminal History Check Conducted  
12/09/2021

Criminal History Check Comments  
A JWIN CHC query was conducted for Mark Hunter on 12/9/21; no prohibiting factors were identified

Number Type	Agency Label	State
(b)(6)		

**INTERVIEW QUESTIONNAIRE**

What is the proposed business activity?  
Firearms sales & transfers

Do they need an additional license or permit?  
Yes

Who are their primary suppliers?

Unknown

**Business Activities**

Selected Operational Security Measures

No items

Retail

**PREMISES INFORMATION**

Inspection Area Description

A firearms compliance inspection was not conducted. On 12/8/21 IOI (b)(6) was contacted by AS (b)(6), advising that ATF would not be conducting a compliance inspection for the licensee but that a ROV would be issued instead for the licensee's failure to timely respond to a trace request. Per DIO Albro and DAD Bennett, ATF will be seeking revocation of the licensee for failing to respond to multiple trace requests.

Primary Activity

Selected Physical Security Measures

Retail

No items

**GPS Coordinates**

Latitude

34.71450

Longitude

-081.20180

**ONSITE SUMMARY**

Total Number of ATF Form 4473s for Inspection Review Period

Total Number of ATF F 4473 Reviewed

0

Total Number of Open Dispositions in A & D Record

0

Total Number of Firearms in Inventory

0

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

0

Total Number of Dispositions in the Last 12 Months

0

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](#)

Additional Comments

An onsite firearms compliance inspection was not conducted. On 12/8/21 IOI (b)(6) was contacted by AS (b)(6), advising that ATF would not be conducting a compliance inspection for the licensee but that a ROV would be issued due to the licensee's failure to respond to trace requests. Per DIO Albro and DAD Bennett, ATF will be seeking revocation of the licensee for failing to respond to multiple trace requests including the following:

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

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

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
27 CFR 478.25a: Failure to respond to firearm trace requests (within 24 hours)  Number of Instances: [ ]	Provide response to all future ATF trace requests within required 24 hours.	In [ ] instance, the licensee failed to respond to a trace request ([ ]) within 24 hours. NTC attempted to contact the licensee via telephone and email multiple times between 3/10/21-6/2/21 with no response. The Charlotte, SC Field Division was contacted on 12/2/21 to assist with the trace request. IOI [ (b)(6) ] was able to reach the licensee via telephone on 12/2/21 and requested that the licensee provide the information related to the trace request. The licensee requested information was provided by the licensee on 12/3/21.

## LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
27 CFR 478.25a: Failure to respond to firearm trace requests (within 24 hours)  Number of Instances: [ ]	Provide response to all future ATF trace requests within required 24 hours.	As instructed by AS [ (b)(6) ], an ROV was issued in lieu of conducting compliance inspection as a result of the licensee's failure to respond to a trace request in a timely manner. The ROV was created in Spartan but IOI [ (b)(6) ] did not meet with the licensee to review the ROV, as a compliance inspection was not conducted.	Status Correction Verified  Verified Method Phone  Date Correction Verified 12/03/2021

## CLOSING CONFERENCE

Review Regulations conducted offline

( 8/27/2018 )

08/27/2018

Closing Conference Additional Notes

As instructed by AS [ (b)(6) ], an ROV was issued in lieu of conducting compliance inspection as a result of the licensee's failure to respond to a trace request in a timely manner. The ROV was created in Spartan but IOI [ (b)(6) ] did not meet with the licensee to review the ROV or the Acknowledgement of Federal Firearms Regulations, as a compliance inspection was not conducted. The Acknowledgement of Federal Firearms Regulations reviewed with Mr. Hunter at the time of his previous inspection in 2018 was uploaded into Spartan to satisfy the requirement of an uploaded document for this section.

Attachment(s)

Attendee(s)

MARK THERON HUNTER

## EXHIBITS

Category	Attachment Name
Correspondence	Spartan Notification RE: 1-57-06299 Inspection Results
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
UpdateLicensingCenter	Mark Theron Hunter NOR.Signed.Final.pdf
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
Correspondence	Spartan Notification RE: 1-57-06299 Monitored Case
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ViolationsPDF	Report of Violations.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ZoningVerification	Mark Hunter-business license.pdf
ZoningVerification	Mark Hunter-zoning email.pdf
TradeNameVerification	Trade Name-SOS.pdf
PropertyOwnershipVerification	MarkHunter-property ownership.pdf
ApplicationPDF	15706299 - Sportsman Gun & Pawn.pdf

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

In the matter of License Number Mark Theron Hunter, DBA Sportsman Gun & Pawn, as a/an  
Dealer of Firearms Other than Destructive Devices issued to:  
Name and Address of Licensee (Show number, street, city, State and ZIP Code)

Mark Theron Hunter  
109 Saluda Street  
Chester, South Carolina 29706

### 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 3600 Arco Corporate Dr. 5th Floor - Attention DIO Albro, Charlotte, NC 28273, in duplicate, for a hearing to review the revocation, suspension and/or fine of your license. The request must be received at the above address within 15 days of your receipt of this notice. Where a timely request for a hearing is made, the license shall remain in effect pending the outcome of the hearing; and if the license is due to expire, the license will remain in effect provided a timely application for renewal is also filed. The hearing will be held as provided in 27 CFR Part 478.

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

- Please see included brochure

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official	<b>(b)(6)</b>
02/02/2022	Stephen B. Albro, DIO	

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: 70190160000019551911 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
02/02/2022	IA	<b>(b)(6)</b>
Print Name and Title of Person Served		
Mark Theron Hunter		

Address Where Notice Served  
**(b)(6)**

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given of the revocation of the Federal firearms license specified above, in that the Director, Industry Operations, United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), Charlotte Field Division, has reason to believe that Mark Theron Hunter, doing business as, Sportman Gun & Pawn (hereinafter Mark Hunter), 190 Saluda Street, Chester, South Carolina 29706, willfully violated the provisions of the Gun Control Act of 1968, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478.

### Compliance History

In or about 2018, ATF issued the current Federal Firearms License to Mark Hunter (FFL# 1-57-06299) as a 01 Dealer in Firearms. Prior to the issuance the current license, Mark Hunter, operated Sportman Gun & Pawn under a 02 Federal Firearms License (FFL#1-57-01075) from 2004 until 2018. ATF conducted compliance inspections of the current license in 2018 that resulted in licensee being cited for five (5) violations. ATF issued a warning letter to licensee following the 2018 inspection.

### Basis for Revocation

Licensee willfully failed on at least [REDACTED] occasion to timely respond to a request for information contained in the records required to be kept by Title 18, United States Code, Chapter 44 or Title 27, Code of Federal Regulations, Part 478, in violation of 18 U.S.C. § 923(g)(7) and 27 C.F.R. § 478.25a.

Licensee failed to respond to a trace request ([REDACTED]) within 24 hours. The National Tracing Center attempted on multiple occasions to contact the licensee via telephone and email between March 10, 2021 and June 2, 2021.

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

In the matter of:

- The application for license as a/an \_\_\_\_\_, filed by:  
or  
 License Number 1-57-06299 as a/an  
Dealer of Firearms Other Than Destructive Devices, issued to:

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

Mark Theron Hunter  
Sportsman Gun & Pawn  
190 Saluda Street  
Chester, SC 29706

**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  February 28, 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 NA 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 02/22/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official Director of Industry Operations	<b>(b)(6)</b>
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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: \_\_\_\_\_
 Or
 Delivering a copy of the notice to  
 the address shown below.

Date Notice Served 2/28/2022	Title of Person Serving Notice Area Supervisor	Signature of Person Serving Notice <b>X</b> <b>(b)(6)</b>
Print Name and Title of Person Served Mark Theron Hunter		Signature

Address Where Notice Served  
190 Saluda Street, Chester, SC 29706

Note: Previous Edition is Obsolete

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Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given of the revocation of the Federal firearms license specified above, in that the Director, Industry Operations, United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), Charlotte Field Division, has reason to believe that Mark Theron Hunter, doing business as, Sportman Gun & Pawn (hereinafter Mark Hunter), 190 Saluda Street, Chester, South Carolina 29706, willfully violated the provisions of the Gun Control Act of 1968, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478.

#### Compliance History

In or about 2018, ATF issued the current Federal Firearms License to Mark Hunter (FFL# 1-57-06299) as a 01 Dealer in Firearms. Prior to the issuance the current license, Mark Hunter, operated Sportman Gun & Pawn under a 02 Federal Firearms License (FFL#1-57-01075) from 2004 until 2018. ATF conducted compliance inspections of the current license in 2018 that resulted in licensee being cited for five (5) violations. ATF issued a warning letter to licensee following the 2018 inspection.

#### Basis for Revocation

Licensee willfully failed on at least [REDACTED] occasion to timely respond to a request for information contained in the records required to be kept by Title 18, United States Code, Chapter 44 or Title 27, Code of Federal Regulations, Part 478, in violation of 18 U.S.C. § 923(g)(7) and 27 C.F.R. § 478.25a.

Licensee failed to respond to a trace request ([REDACTED] (b)(3) (112 Public Law 55 125 Stat 552, (b)(3))) within 24 hours. The National Tracing Center attempted on multiple occasions to contact the licensee via telephone and email between March 10, 2021 and June 2, 2021.



**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Washington DC*

[www.atf.gov](http://www.atf.gov)

**IMPORTANT NOTICE**

**Selling Firearms AFTER Revocation, Expiration, or Surrender of a Federal Firearms License**

Former Federal Firearms licensees (FFLs) who continue to sell firearms after the revocation, expiration, or surrender of their license are subject to the same rules as persons who have never been licensed, in determining whether they are "engaged in the business" of selling firearms without a license in violation of 18 U.S.C. § 922(a)(1)(A), and 27 CFR 478.11 and 478.41. Accordingly, former licensees who wish to dispose of any remaining business inventory must adhere to the statutory and regulatory restrictions that are applicable to all unlicensed persons selling firearms.

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

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

- Arrange for another FFL to purchase the business inventory; or
- Consign the inventory of firearms to another FFL to sell on consignment, or at auction.

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

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

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

Digitally signed by  
MEGAN BENNETT  
Date: 2021.06.02  
21:00:37 -04'00'

**(b)(6)**

Megan A. Bennett  
Deputy Assistant Director (Industry Operations)  
Field Operations