

MARTIN J ROTH 's FCI
FCI-28538
02/04/2022 02:55 PM
IC: (b)(6), Louisville II (IO) Field Office

LICENSEE INFORMATION

Applicant Name
MARTIN J ROTH
(Sole Proprietor)

RDS Key
4-61-07306

License/Permit Number
4-61-111-01-3A-07306

License Type
01 - Dealer License

Business Type
Sole Proprietorship

Premises Address

Mailing Address

Premises Ownership Type
Owned

Same as Premises Address

Premises Location Type
Single Family Dwelling

Address
4800 CHENOWETH RUN RD
Unit N/A
LOUISVILLE, Kentucky 40299
JEFFERSON United States

Phone Type	Phone Number	Remarks
Business	+1 502-817-4927	

RECOMMENDATIONS

Final Decision
Revocation
Date
12/03/2021

Details

Revocation hearing held 10/13/2021. Final Notice issued 12/3/2021, with revocation effective date of 1/4/2022. Licensee had until 2/3/2022 to request de novo review. Licensee did not request de novo review. License is revoked and business discontinued effective 1/4/2022. Please update FLS to reflect the revocation of this license. The Louisville II Area Office will contact Mr. Roth regarding shipment of his required records.

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

✔ Submitted to the Federal Licensing Center

✔ Inventory transferred to self

Deputy Assistant Director Megan Bennett's Recommendation

Revocation

Details

I concur with the recommendation of revocation. The FFL willfully sold firearms at an out of state gun show, falsified ATF Forms 4473s, and failed to retain ATF Forms 4473 after transactions were denied.

Special Agent in Charge Shawn Morrow's Recommendation

SAC reviewed. Concur with DIO/Counsel recommendation for revocation. Approved. Routing to DAD/IO for approval.

Division Counsel (b)(6) Review

Details

Concur with recommendation for revocation. The FFL willfully sold handguns and long guns at out of state gun shows, falsified ATF 4473s on occasions, failed to properly maintain ATF Forms 4473 and failed to retain 4473s following denied transactions.

Director of Industry Operations Adam Rogers's Recommendation

Revocation

Details

An application inspection was conducted in November 2016, where the Federal firearms regulations were reviewed with Roth, and an acknowledgement of regulations was signed.

This is the licensee's first compliance inspection. It resulted in 12 violations.

Licensee falsified these ATF F 4473s when he signed the forms indicating the transaction record was completed at the licensed business premise or a qualifying

Gun Show in the same state in which his premise was located.

Licensee transferred [redacted] handguns at Out of State Gun Shows. Licensee sold the handguns to customers and walked the customer along with the firearm to an in-state licensee to complete the ATF F 4473 and background check. During the inspection, the licensee stated he was not aware he could not transfer firearms at Out of State Gun Shows. This was false information as the licensee was educated about Gun Show Guidelines during the Firearms Qualification Inspection on 11-16-16.

Additionally, Louisville II Area Supervisor [redacted] (b)(6) also stated she had two telephone conversations with the licensee prior to the inspection specifically addressing what was allowed at Out of State Gun Shows. The licensee complained to Supervisor [redacted] (b)(6) that several other gun dealers were selling firearms at Out of State Gun Shows. Further, Roth applied for a Federal firearms license in Indiana, 4-35-09511. Roth stated he had applied for a FFL in Indiana so he could transfer firearms at Gun Shows in Indiana. Roth withdrew the application on 3-8-21 due to zoning issues. This withdrawal occurred a few weeks before Roth began unlawfully transferring firearms at the Out of State Gun Shows in TN.

Inspection disclosed five A & D record errors. Errors were disclosed on approximately [redacted] of the [redacted] ATF F 4473s reviewed. This is a 22% error rate.

Given Mr. Roth's multiple contacts with ATF, one of which includes an application for a FFL to conduct business at gun shows in a state different than his residence, it does not appear he is willing or able to achieve or maintain compliance with the Federal firearms laws and regulations.

Violations cited could also significantly affect the ability to trace firearms and could negatively impact public safety. The [redacted] faces had comments indicating they were [redacted] (b)(3) (112 Public Law 55 125 Stat 552)

Lead IOI and AS recommend revocation. DIO concurs.

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

Details

Martin Roth, d/b/a Roth, entered into business in 2016. This is the first compliance inspection for the licensee. An onsite qualification inspection was conducted in November 2016 at which time a thorough review of the Federal firearms laws and regulations was conducted. Mr. Roth signed an Acknowledgement of Federal Firearms Regulations attesting that said regulations were reviewed at the time of the qualification inspection.

The inspection disclosed 12 violations of the Gun Control Act as follows:

1. 27 CFR 478.100(a)(1)– unlawful conduct of business away from licensed premises
2. 27 CFR 478.128(c) – false statement made by a licensee on any ATF record
3. 27 CFR 478.129(b) – failure to retain ATF Forms 4473
4. 27 CFR 478.126a – failure to report multiple sales or other dispositions of pistols and revolvers
5. 27 CFR 478.125(e) – failure to maintain an accurate acquisition and disposition record
6. 27 CFR 478.124(c)(1) – failure to obtain a completed ATF Form 4473
7. 27 CFR 478.21(a) – failure to complete forms as prescribed
8. 27 CFR 478.124(c)(3)(iv) – failure to record NICS contact information on ATF Form 4473
9. 27 CFR 478.131(a)(2) – failure to accurately record NICS alternative permit info on ATF Form 4473
10. 27 CFR 478.124(c)(4) – failure to record firearm information on ATF Form 4473 [redacted] instance on [redacted] form
11. 27 CFR 478.124(c)(3)(i) – failure to verify or record identification document on ATF Form 4473
12. 27 CFR 478.124(c)(5) – failure by transferor to sign and/or date ATF Form 4473

[redacted] of the [redacted] ATF Forms 4473 reviewed contained [redacted] discrepancies. Form 4473 discrepancies included the following:
- 2020 edition

- blank and “yes” answers for certification questions - items 21.b through 21.l.1 [redacted] instances
- blank or “no” answers - item 21a (are you the actual buyer of the firearm...) [redacted] instances
- missing transferee signatures - item 22 - [redacted] instances
- missing or incorrect certification dates – item 23 – [redacted] instances
- missing identification information – item 26a [redacted] instances
- missing or incorrect NICS information – items 27a, 27c and 27d [redacted] instances
- missing recertification signatures and dates– items 30 and 31 [redacted] instance
- missing transferor signatures item 35 [redacted] instances
- missing and incorrect transfer dates – item 36 [redacted] instances

2016 edition

- blank or “yes” answers for certification questions - items 12b, 12c and 12.d.1 [redacted] instances
- blank or “no” answers - item 11a (are you the actual buyer of the firearm...) [redacted] instances
- missing transferee signatures - item 14 [redacted] instance
- missing or incorrect NICS information – items 19a, 19c and 19d [redacted] instances
- missing recertification signatures and dates – items 22 and 23 [redacted] instances
- missing firearm information – item 26 [redacted] instance
- missing and incorrect transfer dates – item 37 [redacted] instances

Comparison of the NICS audit log to Forms 4473 disclosed a failure to maintain [redacted] forms for transactions receiving a proceed NICS response and [redacted] forms for transactions receiving a denied NICS response. Licensee maintained [redacted] forms for transactions receiving a denied NICS response, but on [redacted] forms contained firearm information as required. Discrepancies negatively impacted the Lead IOI's ability to search for suspicious purchaser activity. VCAB and eTrace queries disclosed that the licensee was associated with [redacted] firearm trace requests in 2020 and 2021. Comments contained within the trace reports indicated that the traces were associated with [redacted] (b)(3) (112 Public Law 55 125 Stat 552)

The inspection also disclosed that licensee transferred a total of [redacted] firearms at Tennessee gun shows. This included [redacted] long guns for which licensee completed Forms 4473 and background checks at the gun shows, essentially falsifying the forms when he signed them attesting that the forms were completed at the licensed business premises or a qualifying gun show in the same state in which the licensed premises was located. For the [redacted] handguns transferred at these gun shows, licensee collected money from the customers then walked the customers and firearms to another licensee to complete the ATF F 4473 and background check. During the inspection, the licensee stated that he was not aware he could not transfer firearms at out of state gun shows. However, licensee was educated on gun show guidelines during the 2016 qualification inspection. Area Supervisor [redacted] (b)(6) also spoke to licensee via telephone on two separate occasions during calendar year 2020 specifically addressing what activity could be conducted at out of state gun shows.

Concur with recommendation to revoke the Federal firearms license. Licensee was cited with willful violations of the Gun Control Act. Licensee does not appear willing or able to achieve or maintain compliance with the Federal firearms laws and regulations. Violations cited could also significantly affect the ability to trace firearms and could negatively impact public safety.

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

On 6-10-21, IOI (b)(6) initially attempted to conduct this inspection, however Martin Roth was unavailable. An appointment was scheduled for 6-17-21. On-site Compliance Inspection began on 6-17-21 and concluded 6-25-21 which disclosed 12 violations of the Gun Control Act. Inspection disclosed five A & D record errors. Errors were disclosed on approximately [redacted] of the [redacted] ATF F 4473s reviewed. This is a 22% error rate. There were approximately [redacted] errors on the [redacted] forms. Licensee failed to report [redacted] Multiple Handgun Sales. Current inspection disclosed licensee has been selling/transferring firearms at Out of State Gun Shows. Licensee has sold/transferred [redacted] total firearms at Out of State Gun Shows in Tennessee. Licensee sold/transferred [redacted] long guns at Out of State Gun Shows. Licensee completed [redacted] ATF F 4473s along with the background checks for individuals purchasing these long guns at the Out of State Gun Shows. Licensee falsified these [redacted] ATF F 4473s when he signed the forms indicating the transaction record was completed at the licensed business premise or a qualifying Gun Show in the same state in which his premise was located. Licensee also sold/transferred [redacted] handguns at Out of State Gun Shows. Licensee sold the handguns to customers and walked the customer along with the firearm to another FFL to complete the ATF F 4473/background check. During the inspection, the licensee stated he was not aware he could not transfer firearms at Out of State Gun Shows. This was false information as the licensee was educated about Gun Show Guidelines during the Firearms Qualification Inspection on 11-16-16. Louisville II Supervisor (b)(6) also stated she had two telephone conversations with the licensee prior to the inspection specifically addressing what was allowed at Out of State Gun Shows. The licensee further complained to Supervisor (b)(6) that several other gun dealers were selling firearms at Out of State Gun Shows. Current inspection disclosed licensee willfully violated the Out of State Gun Show regulations and intentionally falsified the ATF F 4473s he completed at the Out of State Gun Shows. The NICS log was compared to ATF F 4473s. This disclosed the licensee failed to maintain four ATF F 4473s with a proceed status and [redacted] ATF F 4473s with a denied status. IOI (b)(6) reviewed the ATF F 4473s and A & D record for suspicious purchasers. IOI (b)(6) attempted to compare the denied ATF F 4473s to approved ATF F 4473s for a straw purchaser search. As previously stated, the licensee failed to maintain [redacted] denied ATF F 4473s. Licensee did maintain [redacted] denied ATF F 4473s, however firearm information was only recorded on [redacted] of the denied forms. The licensee's poor record keeping severely impacted the straw purchaser search. No referrals made. VCAB Query/ETrace indicated the licensee was associated with [redacted] firearm trace requests in 2020 and 2021. The [redacted] traces had comments indicating they were associated with [redacted] (b)(3) (112 Public Law 55 125 Stat 552) Information was forwarded to IOI Field Offices in Tennessee and Georgia regarding the four FFLs the licensee was using to transfer handguns at the Tennessee Gun Shows.

IOI (b)(6) recommends revocation due to the willfulness of the violations and the licensee's poor record keeping which appears to impact public safety. Licensee does not appear to be willing or able to achieve compliance.

Inspection Findings

Records and Forms

- 3. Failure by the licensee to obtain complete and accurate information for any item(s) on Forms 4473, questions 11 & 12, or the buyer fails to sign and date the Form 4473 (to include failing to have the buyer recertify their answers if the transfer takes place on a different date than the original signature) in Section A of [redacted] percent or more of the Forms 4473 examined.
- 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.

License Type

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

ELIGIBILITY VERIFICATION		
Business Information Verification		
Property Ownership Verification		
Premises Ownership Type Owned	Premises Location Type Single Family Dwelling	Has the property ownership been verified? Yes
Address 4800 CHENOWETH RUN RD Unit N/A LOUISVILLE, Kentucky 40299 JEFFERSON United States		
Additional Findings Martin Roth owns property.		
Attachment(s): Property Record.pdf		
Trade Name/DBA Verification		
Trade Name/DBA ROTH	Is the trade name/DBA registered? Yes	

Additional Findings
[redacted] (b)(6)

Attachment(s):
[redacted] (b)(6)

Zoning Information Verification	
Is the proposed business activity in compliance with zoning? Yes	
Additional Findings Louisville Metro Planning and Zoning stated activity being conducted was approved [redacted] (b)(6)	

Contact Information

Name [redacted] (b)(6)	Date Contacted 06/10/2021
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Organization
Louisville Metro Planning and Zoning

Job Title
Zoning Officer

Phone Type	Phone Number	Remarks
Business	(b)(6)	daytime

Contact Remarks

Louisville Metro Planning and Zoning stated activity being conducted was approved. Martin Roth has (b)(6)

Attachment(s):

APPOINTMENT DETAILS

Interview Date

06/17/2021

Address

4800 CHENOWETH RUN RD, Unit N/A, LOUISVILLE, Kentucky 40299

Responsible Attendee(s)

Non-Responsible Person(s)

MARTIN J ROTH

No Items

RESPONSIBLE PERSON(S)

MARTIN J ROTH

Name	Gender	Race	Ethnicity
MARTIN J ROTH	Male	White	Not Hispanic or Not Latino

Date of Birth	SSN	Job Title
(b)(6)	(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	Kentucky	(b)(6)

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

Email Address	Email Remarks
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted

06/08/2021

Criminal History Check Comments

NCIC Clear

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?

Martin Roth primarily conducts retail sales at the premise and gun show sales. Mr. Roth estimated (b)(4) retail sales and (b)(4) gun show sales. The current inspection disclosed Martin Roth has been selling/transferring firearms at in-state gun shows and out-of-state gun shows. Martin Roth estimated he deals in (b)(4) new firearms and (b)(4) used firearms. Mr. Roth estimated he deals in (b)(4) handguns and (b)(4) long guns. Martin Roth was maintaining 154 firearms in inventory during the current inspection. Mr. Roth acquired (b)(4) firearms during the past year. Martin Roth stated he owns 100% of the business. Mr. Roth stated (b)(6) will occasionally help him at the gun shows. Martin Roth stated he currently works full-time (b)(6)

Do they need an additional license or permit?
No

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

Business Activities

Retail
Gun Show Participant

Selected Operational Security Measures

Controlled Access to ATF Recordkeeping
Controlled Access to Keys
Suspicious persons/activities reporting protocols

PREMISES INFORMATION

Inspection Area Description
(b)(6)

Primary Activity
Retail

Selected Physical Security Measures

Security Cameras
Alarm Monitoring/Other Signage

GPS Coordinates

Latitude
38.17520

Longitude
-85.55300

ONSITE SUMMARY

Total # of ATF F 4473 Reviewed
(b)(6)

Total # of Open Dispositions in A & D Record
(b)(6)

Total # of Firearms in Inventory
154

Total # of Firearms Missing after Reconciliation
0

Total # of Acquisitions in the Last 12 Months
(b)(4)

Total # of Dispositions in the Last 12 Months
(b)(4)

Additional Comments

On 6-10-21, IOI (b)(6) initially attempted to conduct this inspection, however Martin Roth was unavailable. An appointment was scheduled for 6-17-21. Inspection began on 6-17-21. A full inventory was conducted and compared to the A & D record. There were 154 firearms in inventory. There were (b)(6) open entries in the A & D record. Inspection disclosed five A & D record errors. These five errors were cited. A full review of the ATF F 4473s was conducted for the past year. (b)(6) ATF F 4473s were reviewed. Errors were disclosed on approximately (b)(6) ATF F 4473s. This is a 22% error rate. There were approximately (b)(6) errors on the (b)(6) forms. Current inspection disclosed licensee has been selling/transferring firearms at Out of State Gun Shows. Licensee has sold/transferred (b)(6) total firearms at Out of State Gun Shows. Licensee sold/transferred (b)(6) long guns at Out of State Gun Shows. Licensee completed (b)(6) ATF F 4473s along with the background checks for these long guns at the Out of State Gun Shows. Licensee falsified these (b)(6) ATF F 4473s when he signed the forms indicating the transaction record was completed at the licensed business premise or a qualifying Gun Show in the same state in which his premise was located. Licensee also sold/transferred (b)(6) handguns at Out of State Gun Shows. Licensee sold the handguns to customers and walked the customer along with the firearm to another FFL to complete the ATF F 4473/background check. These violations were cited. (b)(6) ATF F 4473s were compared to the A & D record. This disclosed (b)(6) error where the licensee completed an ATF F 4473 for a private party transfer and failed to record the acquisition and disposition in the A & D record. 25 firearms on commercial invoices were compared to the A & D record. No discrepancies disclosed. The NICS log was compared to ATF F 4473s. This disclosed the licensee failed to maintain (b)(6) ATF F 4473s with a proceed status and (b)(6) ATF F 4473s with a denied status. This was cited. A secondary market was conducted. No firearms selected for the secondary market search were reported stolen or traced. IOI (b)(6) reviewed the ATF F 4473s and A & D record for suspicious purchasers. IOI (b)(6) attempted to compare the denied ATF F 4473s to approved ATF F 4473s for a straw purchaser search. As previously stated, the licensee failed to maintain (b)(6) denied ATF F 4473s. Licensee did maintain (b)(6) denied ATF F 4473s, however firearm information was only recorded of (b)(6) of the denied forms. The licensee's poor record keeping severely impacted the straw purchaser search. No referrals made. VCAB Query/ETTrace indicated the licensee was associated with (b)(6) firearm trace requests in 2020 and 2021. The eight traces had comments indicating they were associated with (b)(3) (112 Public Law 55 125 Stat 552)

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

Attachment(s)

Report of Violations.pdf
Licensee Response to Violations Report.pdf

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473 Number of Instances: []</p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.</p> <p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.100(a)(1): Unlawful conduct of business away from licensed premises</p> <p>Number of Instances: []</p>	<p>Licensee was instructed that he is not allowed to transfer firearms at Out of State Gun Shows. Cease and desist engaging in activities not authorized by current license type.</p>	<p>Licensee unlawfully transferred approximately [] firearms at Out of State Gun Shows in violation of 27 CFR 478.100(a)(1).</p> <p>Current inspection disclosed Martin J. Roth dba Roth (Type 01 FFL # 4-61-07306) located at 4800 Chenoweth Run Road, Louisville, Ky. 40299, unlawfully transferred [] total firearms in the past year at Out of State Gun Shows located in Tennessee. Martin Roth sold/transferred [] long guns to individuals at Out of State Gun Shows. Mr. Roth stated he completed [] ATF F 4473s along with the background checks for individuals purchasing these long guns at the Out of State Gun Shows. The gun show information was recorded on these [] forms. Martin Roth also sold/transferred [] handguns at Out of State Gun Shows. Mr. Roth stated that in [] instances he sold the handguns to customers and walked the customer along with the firearm to another FFL to complete the ATF F 4473/background check. Martin Roth stated that he sold/transferred [] handguns directly to an FFL at the Gun Show. The following is a break-down of the firearms sold at the Out of State Gun Shows. Martin Roth sold/transferred [] long guns and 20 handguns at the Kingsport Gun Show located in Kingsport, TN on 3-20-21 and 3-21-21. Mr. Roth sold/transferred [] long guns and [] handguns at the Knoxville Gun Show located in Knoxville, TN on 4-24-21 and 4-25-21. Martin Roth sold/transferred [] long gun and [] handguns at the Chattanooga Gun Show located in Chattanooga, TN on 5-29-21 and 5-30-21.</p>
<p>27 CFR 478.128(c): False statement made by a licensee on any ATF record</p> <p>Number of Instances: []</p>	<p>Cease and desist from engaging in deceptive practices.</p>	<p>Licensee made false entries in a required record in approximately [] total instances in violation of 27 CFR 478.128(c).</p> <p>Current inspection disclosed Martin J. Roth dba Roth (Type 01 FFL # 4-61-07306) located at 4800 Chenoweth Run Road, Louisville, Ky. 40299, unlawfully transferred [] total firearms in the past year at Out of State Gun Shows located in Tennessee. Martin Roth sold/transferred [] long guns to individuals at Out of State Gun Shows. Mr. Roth stated he completed [] ATF F 4473s along with the background checks for individuals purchasing these long guns at the Out of State Gun Shows. The gun show information was recorded on these [] forms. Martin Roth falsified these [] ATF F 4473s when he signed the forms indicating the transaction record was completed at the licensed business premise or a qualifying Gun Show in the same state in which his premise was located. Martin Roth also sold/transferred [] handguns at Out of State Gun Shows. Mr. Roth stated that in [] instances he sold the handguns to customers and walked the customer along with the firearm to another FFL to complete the ATF F 4473/background check. Martin Roth stated that he sold/transferred [] handguns directly to an FFL at the Gun Show. The following is a break-down of the firearms sold at the Out of State Gun Shows. Martin Roth sold/transferred [] long guns and [] handguns at the Kingsport Gun Show located in Kingsport, TN on []. Mr. Roth sold/transferred [] long guns and [] handguns at the Knoxville Gun Show located in Knoxville, TN on []. Martin Roth sold/transferred [] long gun and [] handguns at the Chattanooga Gun Show located in Chattanooga, TN on [].</p>
<p>27 CFR 478.129(b): Failure to retain ATF F 4473</p> <p>ATF Forms 4473 Number of Instances: []</p>	<p>Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order where NICS was contacted, but no firearm transfer took place, for a period not less than 5 years.</p> <p>Retain ATF Forms 4473 for a period of not less than 20 years after the date of sale or disposition.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552)</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: []</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>Amend/Update A&D Record to accurately record all required firearm acquisition information.</p> <p>Amend/Update A&D Record to accurately record all required firearm disposition information.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552)</p>
<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p>	<p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

ATF Forms 4473
Number of Instances:

Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.

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

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

(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.
Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.

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

(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)

		(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
9	27 CFR 478.131(a)(2): Failure to record on an ATF Form 4473 (or affix a copy of) NICS alternative permit info ATF Forms 4473: [redacted] Number of Instances: [redacted]	Ensure that a qualifying NICS alternative permit is properly obtained, validated, verified, and documented for all applicable future over-the-counter firearm transactions. (b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
10	27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473 ATF Forms 4473: [redacted] Number of Instances: [redacted]	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)
11	27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473 ATF Forms 4473: [redacted] Number of Instances: [redacted]	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)
12	27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473 ATF Forms 4473: [redacted] Number of Instances: [redacted]	Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D. (b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
1 27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers ATF Forms 4473: [redacted] Number of Instances: [redacted]	Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection. Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.	Licensee stated he thought a multiple handgun sales form was not required if the customer had a KYCCDWL. It should be noted that Multiple Handgun Sales Form requirements were reviewed during the licensee's Qualification Inspection according to the Acknowledgement of Regulations, which the licensee signed.	Status Licensee Notified Verified Method In Person Date Licensee Notified 06/25/2021
27 CFR 478.100(a)(1): Unlawful conduct of business away from licensed premises	Licensee was instructed that he is not allowed to transfer firearms at Out of State Gun Shows. Cease and desist engaging in activities not authorized by current license type.	IOI (b)(6) began the Compliance Inspection on 6-17-21. On 6-17-21, IOI (b)(6) asked Mr. Roth about his activity at Out of State Gun Shows	Status Licensee Notified Verified Method

prior to reviewing any records. Mr. Roth stated he sets up at Out of State Gun Shows and transfers the firearms to an In-State FFL at the Gun Show who then completes the ATF F 4473/background check. Mr. Roth neglected to mention he was completing ATF F 4473/background checks for customers purchasing long guns at these shows. IOI [REDACTED] began reviewing the ATF F 4473s and discovered TN Gun Show information was recorded on some of the forms. IOI [REDACTED] once again questioned Mr. Roth about his activity at Out of State Gun Shows. Martin Roth admitted he completed ATF F 4473s along with the background checks for long guns at the Out of State Gun Shows. Mr. Roth stated he sold handguns to customers and walked the customer along with the firearm to another FFL to complete the ATF F 4473/background check. Mr. Roth stated he thought he could transfer hand guns in this manner at Out of State Gun Shows. Martin Roth stated he thought he could transfer long guns to customers at Out of State Gun Shows by completing the ATF F 4473/background check. Regarding the long gun transfers, IOI [REDACTED] told Mr. Roth this was not allowed and was considered a falsification of the ATF F 4473 due to him signing the form indicating the transaction record was completed at the licensed business premise or a qualifying Gun Show in the same state in which his premise was located. IOI [REDACTED] showed Mr. Roth this statement located directly above where he signed the form. Martin Roth stated he hadn't read that statement since first obtaining his FFL. IOI [REDACTED] also informed Mr. Roth that he was not allowed to sell handguns to a customer and walk the customer along with the firearm to another FFL to complete the ATF F 4473/background check. Mr. Roth stated he shouldn't have recorded the gun show information on the ATF F 4473s after IOI [REDACTED] explained the regulations. This gives an indication that Mr. Roth was not concerned about adhering to the regulations, he just didn't want to get caught. A review of the compliance history for Martin J. Roth dba Roth (Type 01 FFL # 4-61-07306) disclosed a Qualification Inspection (#775045-2017-0067) was conducted on or about 11-16-16 by IOI [REDACTED].

IOI [REDACTED] Martin Roth signed the Acknowledgement of Regulations which indicated Gun Show Guidelines were reviewed. On 6-25-21, IOI [REDACTED] spoke with IOI [REDACTED] regarding her review of Gun Show Guidelines with Mr. Roth during the Qualification Inspection. IOI [REDACTED] stated she didn't specifically remember the conversation with Mr. Roth but always tells the gun dealers that they can only transfer firearms at their listed business premise or an In-State Gun Show. During the closing conference on 6-25-21, Martin Roth stated he was sure IOI [REDACTED] reviewed the Gun Show Guidelines, but he forgot the information. Mr. Roth stated he only started selling at In State Gun Shows about two years ago and Out of State Gun Shows in March 2021. Martin Roth stated that instead of calling ATF, he went by what other gun dealers and gun show promoters told him he could do. During the current inspection, IOI [REDACTED] updated Louisville II Supervisor [REDACTED] [REDACTED] regarding the Out of State Gun Show activity and Martin Roth's statements. Supervisor [REDACTED] informed IOI [REDACTED] that Martin Roth had applied for a FFL in Indiana so he

could transfer firearms at Gun Shows in Indiana. Supervisor (b)(6) stated Martin Roth was aware of gun show guidelines. Spartan indicated Martin Jerome Roth dba Roth applied for Type 01 FFL # 4-35-09511 in Georgetown, Indiana. The Qualification Inspection (FAI-21927) was conducted by IOI (b)(6). Spartan indicated Mr. Roth elected to withdraw the application on 3-8-21 due to zoning issues. This withdrawal occurred a few weeks before Martin Roth began unlawfully transferring firearms at the Out of State Gun Shows in TN. IOI (b)(6) asked Mr. Roth about his application for a FFL in Indiana. Martin Roth admitted he applied for a FFL in Indiana so he could do Gun Shows in Indiana. Mr. Roth stated it was not because he thought he was not currently allowed to transfer firearms at Out of State Gun Shows but to get out of paying the transfer fees to other gun dealers. Mr. Roth stated his application was withdrawn because he couldn't get the property owner's consent. A review of the required records disclosed Martin Roth used three Tennessee Gun Dealers and one Georgia Gun Dealer to transfer handguns at the Tennessee Gun Shows. IOI (b)(6) questioned Mr. Roth why he used a Georgia Gun Dealer to transfer handguns at the Tennessee Gun Shows. Mr. Roth stated it was because the individuals he sold the handguns to were from Georgia. IOI (b)(6) once again informed Martin Roth that he is not allowed to sell/transfer firearms at Out of State Gun Shows.

After the closing conference concluded on 6-25-21, IOI (b)(6) contacted Supervisor (b)(6) and updated her on the inspection and Mr. Roth's statements regarding his awareness of Out of State Gun Show Requirements. Supervisor (b)(6) stated the following: "On at least two separate occasions, AS (b)(6) spoke via telephone to Federal firearms licensee Martin Roth. On both occasions, Mr. Roth identified himself as a firearms licensee and stated that he wanted to file a complaint regarding individuals dealing in firearms without a license at gun shows. He stated that he personally knew these individuals were not licensed and had personally witnessed these same individuals at multiple gun shows selling firearms. He then asked what activity was allowable at a gun show. AS (b)(6) proceeded to inform Mr. Roth that unlicensed individuals could transfer personal collection firearms at a gun show within the transferee's state of residence to any non-prohibited, unlicensed resident of the same state or to any Federal firearms licensee. AS (b)(6) also informed him that Federal firearms licensees were authorized to operate at gun shows within their state of licensure in the same manner as at their licensed business premises. Mr. Roth then asked what licensees could do at out of state gun shows. AS (b)(6) informed him that Federal firearms licensees could acquire firearms from non-licensees and display firearms inventory but could not sell or transfer firearms at the out of state gun show. Mr. Roth asked for further clarification, stating that he thought a licensee could transfer long guns at out of state gun shows. AS (b)(6) stated that was incorrect and explained again that Federal firearms licensees could not conduct any transfers at out of state gun shows. She stated licensees could transfer long guns to out of state residents from their physical business premises, or at an authorized gun show

		within the FFL's state of licensure, provided the laws of both states allowed for the transfer. Mr. Roth then stated that he was aware of Federal firearms licensees who regularly conduct firearms transfers at out of state gun shows. Mr. Roth refused to provide information regarding the licensees in question and would not provide information regarding the non-licensees referred to earlier in the call. AL (b)(6) referred Mr. Roth to the anonymous tip section of the ATF website and encouraged Mr. Roth to report the unlawful activity he witnessed for both the non-licensees and the licensees." Supervisor (b)(6) provided this response in an email which is included as an attachment in Spartan. Based on the above information, it appears Martin Roth willfully violated the Out of State Gun Show regulations and falsified the ATF F 4473s he completed at the Out of State Gun Shows.	
3	27 CFR 478.128(c): False statement made by a licensee on any ATF record Number of Instances: <input type="text"/>	Cease and desist from engaging in deceptive practices.	Martin Roth stated he hadn't read that statement above where he signed the ATF F 4473s since first obtaining his FFL in 2016. Status Licensee Notified Verified Method In Person Date Licensee Notified 06/25/2021
4	27 CFR 478.129(b): Failure to retain ATF F 4473 ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/>	Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order where NICS was contacted, but no firearm transfer took place, for a period not less than 5 years. Retain ATF Forms 4473 for a period of not less than 20 years after the date of sale or disposition.	Licensee stated he thought the four ATF F 4473s with a proceed were delayed transactions and ultimately cancelled. Licensee stated he wasn't aware he was required to keep denied/cancelled transactions. It should be noted that Record Retention requirements were reviewed during the licensee's Qualification Inspection according to the Acknowledgement of Regulations, which the licensee signed. Status Licensee Notified Verified Method In Person Date Licensee Notified 06/25/2021
5	27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms Number of Instances: <input type="text"/>	Accurately, completely & timely record all required future firearm acquisition information. Accurately, completely & timely record all required future firearm disposition information. Amend/Update A&D Record to accurately record all required firearm acquisition information. Amend/Update A&D Record to accurately record all required firearm disposition information.	Licensee stated he got busy and didn't pay close enough attention to his A & D record. Status Licensee Notified Verified Method In Person Date Licensee Notified 06/25/2021
6	27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473 ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/>	Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions. Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified. Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.	Licensee stated he got busy and wasn't reviewing the ATF F 4473s close enough. Status Licensee Notified Verified Method In Person Date Licensee Notified 06/25/2021
7	27 CFR 478.21(a): Failure to complete forms as prescribed ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/>	Complete all forms as prescribed. Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.	Licensee stated he got busy and wasn't reviewing the ATF F 4473s close enough. Status Licensee Notified Verified Method In Person Date Licensee Notified 06/25/2021

<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473 Number of Instances: 8</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>Licensee stated he got busy and wasn't reviewing the ATF F 4473s close enough.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/25/2021</p>
<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 Number of Instances: 9</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>Licensee stated he got busy and wasn't reviewing the ATF F 4473s close enough.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/25/2021</p>
<p>27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473</p> <p>ATF Forms 4473 Number of Instances: 10</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>Licensee stated he got busy and wasn't reviewing the ATF F 4473s close enough.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/25/2021</p>
<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473 Number of Instances: 11</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>Licensee stated he got busy and wasn't reviewing the ATF F 4473s close enough.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/25/2021</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 Number of Instances: 12</p>	<p>Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>Licensee stated he got busy and wasn't reviewing the ATF F 4473s close enough.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/25/2021</p>

CLOSING CONFERENCE

Review Regulations conducted offline

(6/22/2021)

06/22/2021

Attachment(s)

Attendee(s)

MARTIN J ROTH

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 4-61-07306 Inspection Results
Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
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Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
UpdateLicensingCenter	Final 2021-07-19 MCP signed Martin J. Roth dba Roth.pdf
Correspondence	
Correspondence	DIO Adam Rogers Returned Inspection FCI-28538
Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
Correspondence	Spartan Notification RE: 4-61-07306 Monitored Case
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ViolationsPDF	Report of Violations.pdf
TradeNameVerification	(b)(6)
OnSiteSummaryInformation	NICS Log 6-10-21.pdf
OnSiteSummaryInformation	VCAB Query.pdf
PropertyOwnershipVerification	Property Record.pdf
ApplicationPDF	46107306 - Roth FLS.pdf

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

In the matter of License Number 4-61-111-01-3A-07306, as a/an dealer in firearms other than destructive devices

issued to:

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

Martin J. Roth
4800 Chenoweth Run Road
Louisville, Kentucky 40299

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 600 Dr. Martin Luther King Jr. Pl., Suite 500, Louisville, Kentucky 40202, in duplicate, for a hearing to review the revocation, suspension and/or fine of your license. The request must be received at the above address within 15 days of your receipt of this notice. Where a timely request for a hearing is made, the license shall remain in effect pending the outcome of the hearing; and if the license is due to expire, the license will remain in effect provided a timely application for renewal is also filed. The hearing will be held as provided in 27 CFR Part 478.

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

- Please see included brochure

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official	Signature
07/28/2021	Adam P. Rogers, Director, Industry Operations, Louisville Field Division	(b)(6)

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

- Certified mail to the address shown below.
Tracking Number: 7016 1370 0000 4514 0955 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
Print Name and Title of Person Served		Signature of Person Served

Address Where Notice Served

ATF Form 4500, Notice of Revocation of License

Martin J. Roth
4800 Chenoweth Run Road
Louisville, Kentucky 40299
4-61-111-01-3A-07306

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”), Louisville Field Division, has reason to believe that Martin J. Roth (“Licensee”), 4800 Chenoweth Run Road, Louisville, Kentucky 40299, 4-61-111-01-3A-07306, a Dealer of Firearms, 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:

ATF issued a Federal firearms license to the Licensee following a qualification inspection conducted in 2016.

Current Inspection:

On June 17, 2021, ATF Industry Operations Investigator commenced a compliance inspection of the Licensee’s premises. The inspection revealed the following:

Violations

Conduct of Business Away from Licensed Premises

1. The Licensee, by and through its agents and employees, willfully sold or delivered firearms at out-of-state gun shows in violation of 18 U.S.C. § 923(j) and 27 C.F.R. § 478.100(a)(1). See Appendix § 1 (Pistols/revolvers) and Appendix § 2 (long guns).

Falsified Statement in Records

2. On occasions, the Licensee willfully made a false statement or representation with respect to information required by the GCA, in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.128(c). See Appendix § 2.

Transfer in Violation of Law

3. On occasions, Licensee willfully sold or delivered a firearm other than a rifle or a shotgun to any person not licensed by the GCA and who the Licensee knows or has reasonable cause to believe does not reside in the state in which Licensee’s place of business or activity is located, in violation of 18 U.S.C. § 922(b)(3) and 27 C.F.R. § 478.99(a). See Appendix § 1 (Pistols/revolvers).

ATF Form 4473 Violations

4. On occasions, Licensee willfully failed to obtain a complete and/or accurate Firearms Transaction Record, ATF Form 4473, from the transferee prior to making an over-the-

ATF Form 4500, Notice of Revocation of License

counter transfer of a firearm to a non-licensee, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(1). See Appendix § 3.

Failure to Retain Records

5. On occasions, Licensee willfully failed to retain each Firearms Transaction Record, ATF Form 4473, for a period of not less than five (5) years after the date of the National Instant Criminal Background Check System (“NICS”) inquiry where the Licensee initiated a NICS check for a proposed firearms transaction but the sale, delivery, or transfer of the firearm was not made, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.129(b). See Appendix § 4.

Appendix § 1:

Pistols/Revolvers:

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

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

Appendix § 2

ATF Form 4473s/Long gun transfers

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

Appendix § 3

ATF F 4473 Error/Omission:

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

Appendix § 4

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

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

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

In the matter of:

- The application for license as a/an _____, filed by:
or
 License Number 4-61-111-01-3A-07306 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*)

Martin J. Roth
4800 Chenoweth Run Road
Louisville, Kentucky 40299

Notice Is Hereby Given That:

- A request for hearing pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5) was not timely filed. Based on the findings set forth in the attached document, your
- license described above is revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p), effective:
 - 15 calendar days after receipt of this notice, or _____,
 - license is suspended for _____ calendar days, effective _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
 - licensee is fined \$ _____, payment due: _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
- After due consideration following a hearing held pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5), and on the basis of findings set out in the attached copy of the findings and conclusions, the Director or his/her designee concludes that your
- application for license described above is denied, pursuant to 18 U.S.C. 923(d).
 - application for renewal of license described above is denied pursuant to 18 U.S.C. 923(d), effective:
 - 15 calendar days after receipt of this notice, or _____,
 - license described above is revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p), effective:
 - 15 calendar days after receipt of this notice, or January 4, 2022,
 - license is suspended for _____ calendar days, effective _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
 - licensee is fined \$ _____, payment due: _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).

If, after the hearing and receipt of these findings, you are dissatisfied with this action you may, within 60 days after receipt of this notice, file a petition pursuant 18 U.S.C. § 923(f)(3), for judicial review with the U.S. District Court for the district in which you reside or have your principal place of business. If you intend to continue operations after the effective date of this action while you pursue filing for judicial review or otherwise, you must request a stay of the action from the Director of Industry Operations (DIO), Bureau of Alcohol, Tobacco, Firearms and Explosives, at 600 Dr. Martin Luther King Jr. Place, Suite 500, Louisville KY 40202, 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 12/03/2021	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official Adam P. Rogers, Director, Industry Operations, Louisville Field Division	Signature 
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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: 70203160000180463409
- 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
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Print Name and Title of Person Served	Signature of Person Served
---------------------------------------	----------------------------

Address Where Notice Served

Note: Previous Edition is Obsolete