

MD FIREARMS LLC's FCI  
FCI-22610  
12/17/2022 06:57 AM  
IOI: (b)(6), Houston VI (IO) Field Office

**GENERAL INFORMATION**

IOI Hours Spent on Inspection  
119.0  
Due Date  
12/31/21 1:00 AM

**LICENSEE INFORMATION**

Licensee Name	RDS Key	License/Permit Number	License Type
MD FIREARMS LLC	5-76-04236	5-76-201-01-3A-04236	01 - Dealer License

Business Type  
Limited Liability Company (LLC)

Premises Ownership Type	Premises Address
Leased/Rented	507 NEBRASKA ST, Unit N/A, SOUTH HOUSTON, Texas 77587

Premises Location Type Required  
Store Front

Address  
507 NEBRASKA ST  
Unit N/A  
SOUTH HOUSTON, Texas 77587  
HARRIS  
United States

Address  
507 NEBRASKA ST  
Unit N/A  
SOUTH HOUSTON, Texas 77587  
HARRIS  
United States

Phone Type	Phone Number	Remarks
Business	+1 713-944-3520	
Fax	+1 713-944-1081	

**RECOMMENDATIONS**

Final Decision Date  
Revocation 10/15/2022

Details

On 06/20/2022, ATF issued a Notice to Revoke the license of MD Firearms pursuant to 27 CFR 478.73(a). Subsequent to the notice, MD Firearms initially requested a hearing on that Notice. However, MD Firearms sent a document entitled Voluntary Surrender of Federal Firearms License to ATF indicating that it was surrendering its license. Licensee indicated that it would terminate its firearms business no later than 10/15/2022. Although licensee timely requested a hearing to review the Notice to Revoke, Licensee's voluntary surrender prior to the scheduled hearing date is deemed as a withdrawal of Licensee's request for a hearing. As such the federal firearms license held by MD Firearms LLC was revoked with an effective date of 10/15/2022.

On 10/26/2022, notification was provided the FFLC of the Final Notice of Denial of Application, Revocation, Suspension and/or Fine of Firearms License for MD Firearms LLC, FFL# 5-76-04236.

On 10/31/2022, IOI: (b)(6) advised that the inspection for MD Firearms LLC was removed from the Monitored Case Program.

The licensee stipulated they will remit the required records and license to ATF within 30 days. As such it is indicated the records were transferred to the FLC.

**Out of Business Records and Inventory Management**

**Licensee Records**

**Licensee Inventory**

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

Details

Briefing held with DAD(IO) on June 9, 2022. Proceed with Revocation.

Special Agent in Charge Frederick Milanowski's Recommendation

I support the recommendation for revocation of this license.

Division Counsel (b)(6) Review

Details

reviewed

Director of Industry Operations Tanarra James's Recommendation  
Revocation

Details

During this inspection, there were two violations cited. One violation warrants a recommendation of revocation for the unlawful sale or delivery of a firearm to a prohibited person, in (b)(6) instance [27 CFR 478.99(c)]. The RP stated the transfer occurred due to miscommunication between himself and the employee that transferred the firearm. The NICS check was initiated on 9/4/2021, and a delay status was received. On 9/8/2021, NICS provided a denied status, but the status was not retrieved by the RP until 9/9/2021. The RP failed to mark the ATF Form 4473 immediately after receiving the status due to helping customers at the counter. The firearm was transferred to the customer on 9/10/2021, which was the Brady transfer date. As soon as the RP realized the firearm had been transferred, which was 9/16/2021, he emailed Houston CGIC and NICS Houston to report what happened and ask what he should do about the situation. He was advised to inform NICS of the transfer and to see if the customer would return the firearm. The customer did return the firearm on 9/17/2021, seven (7) after it had been transferred to him. The RP disassembled and inspected the firearm. The firearm was unfired and in factory condition. The firearm was reassembled and remained in the RP's office until transferred to a different customer in January 2022. The employee that transferred the firearm was fired 11/15/2021. The RP disclosed this situation to the IOI at the beginning of the compliance inspection.

There were no missing guns, no unrecorded or untimely recorded acquisitions or dispositions, no unsuccessful traces, and no unreported multiple sales. During this inspection period, there were (b)(4) firearms acquired and (b)(4) disposed as well as (b)(6) ATF Forms on file. Out of (b)(6) ATF Forms 4473 reviewed, two violations were cited. The two violations were 27 CFR 478.99(c) in (b)(6) instance and 27 CFR 478.124(c)(3)(iii) in (b)(6) instance. A query of ATF Analytics revealed (b)(6) traces during the inspection period. (b)(3) (112 Public Law 55 125 Stat 552) which is the number recorded in Spartan for the number of traces during the inspection review period.

The FFL was received in December 2014, and had its first compliance inspection in October 2016. During this inspection, there were five violations cited; however, one violation warranted an A/S warning conference for failure to conduct a NICS check in (b)(6) instance. A background check was conducted on the customer with negative results. An alternate recommendation of warning letter was given in lieu of an A/S warning conference.

It is noted the FFL was able to retrieve the firearm from the prohibited customer; however, this is the second inspection in which the FFL was selected as (b)(3) (112 Public Law 55 125 Stat 552)

Area Supervisor (b)(6) Recommendation  
Revocation

Details

Concur with the recommendation of Revocation. The licensee's previous inspection resulted in a recommendation of Violations - Warning Letter Only, which was an alternate in lieu of a Warning Conference. The violation warranting a Warning Conference was for a violation of 27 CFR 478.102(a) (Failure to conduct a NICS check). The current inspection resulted in a violation of 27 CFR 478.99(c): Unlawful sale or delivery of a firearm to a prohibited person, in which the licensee transferred a firearm to an individual to receive a Denied NICS response. The licensee reported the incident to ATF after it was discovered during one of their internal reviews the week after the transfer. The licensee contacted the individual and the firearm was returned to the licensee. The employee who transferred the firearm was also terminated by the licensee as a result. The licensee also reported the recovery to the Houston CGIC. The licensee also notified IOI (b)(6) at the beginning of the inspection. While the licensee notified ATF of the violation and recovered the firearm, the fact that the previous inspection resulted in a violation of 27 CFR 478.102(a) (Failure to conduct a NICS check) and in the current inspection the licensee is cited for 27 CFR 478.99(c): Unlawful sale or delivery of a firearm to a prohibited person warrants the recommendation of Revocation.

Industry Operations Investigator (b)(6) Recommendation  
Revocation

Details

The licensee was cited for 27 CFR 478.99(c): Unlawful sale or delivery of a firearm to a prohibited person. This violation results in Revocation.

On 9/4/2021 (b)(6) purchased an AR15 Style rifle. The initial NICS response was a delay.

Responsible Person/Owner Jason Mozola retrieved and printed the Denied NICS response on 9/9/21 but failed but failed to enter the NICS response on the ATF Form 4473. Mr. Mozola stated he set the printout on his desk and began helping a customer.

On 9/10/21 (b)(6) returned to pick up the firearm and employee (b)(6) was unable to retrieve the NICS response and failed to conduct an NTN history search or call Mr. Mozola to verify the status. (b)(6) assumed there was no response and transferred the firearm to (b)(6).

On 9/13/21 Mr. Mozola's assistant discovered the denial printout while conducted a disposition audit. Mr. Mozola stated he immediately contacted Houston CGIC and NICS Houston via email.

On 9/16/21 Mr. Mozola contacted (b)(6) to tell him the transfer was a mistake and he was denied. Mr. Mozola also offered a full refund for the return.

On 9/17/21 (b)(6) returned the firearm and Mr. Mozola did a full disassembly and inspection to see if the firearm had been fired. Mr. Mozola stated the rifle had not been fired and all components were still in the box. Store Employee (b)(6) was let go from employment.

Mr. Mozola self reported this incident to IOI (b)(6) at the beginning of the inspection. Mr. Mozola also provided copies of the email correspondence with Houston CGIC.

The licensee's previous inspection (782050-2017-0034) resulted in a recommendation of Viols WL ONLY and No Recall Inspection. The onsite end date for this inspection is November 11, 2016. The recommendation was an alternate in lieu of a warning conference. The violation that warranted a warning conference was 27 CFR 478.102(a) (Failure to conduct a NICS check).

### Inspection Findings

### Transfer of Firearm

- 4. Transfer of a firearm to a prohibited person while knowing or having reasonable cause to believe that the transferee is a prohibited person.

### ELIGIBILITY VERIFICATION

#### Business Information Verification

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

Additional Findings

MD Firearms LLC is listed as a limited liability company with the Texas Secretary of State. The LLC was formed in September 2013 and Jason Mozola is the sole Director and Managing Member (100% ownership) and only Responsible Person on the license. The most recent Public Information Report confirms the business ownership.

Attachment(s):

PIR.pdf

SOSDirect.pdf

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY.pdf

**Property Ownership Verification**

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

Address

507 NEBRASKA ST  
Unit N/A  
SOUTH HOUSTON, Texas 77587  
HARRIS  
United States

Additional Findings

The property is owned by (b)(4). Property ownership was verified by the Harris County Appraisal District.

Attachment(s):

HCAD.pdf

**Trade Name/DBA Verification**

Trade Name/DBA	Is the trade name/DBA registered?
MD FIREARMS	Yes

Additional Findings

The licensee has an assume name certificates on file with the Texas Secretary of State to do business as MD Firearms and www.mdfirearmz.com. The licensee stated the website trade name was done because www.mdfirearms.com was in use. The licensee also stated the MD Firearmz is only used on the web address and his trade name is MD Firearms.

Attachment(s):

Current DBA Certificates\_0001.pdf

**Rental/Lease Verification**

Is the proposed business activity permitted by the property owner?

Yes

Additional Findings

The licensee provided the original lease agreement with Marksman Indoor Range Inc (Properties Previous Owners). The lease agreement was originally set to be honored by the new owners until lease expiration but the licensee provided an amendment stating the lease will expire 60 days after 2/2/22.

Attachment(s):

60 day agreement\_1.pdf

Current Lease Agreement\_0001.pdf

**Zoning Information Verification**

Is the proposed business activity in compliance with zoning?

Yes

Additional Findings

The premises are located in the city of South Houston. An approved Certificate of Occupancy MD Firearms at this address.

**Contact Information**

Name	Date Contacted
(b)(6)	03/23/2020

Organization  
City of South Houston

Job Title  
Clerk, Certificate of Occupancy Enforcement

Phone Type	Phone Number	Remarks
Business	+1 713-947-7700	

Attachment(s):

Occupancy Permit from South Houston\_0001.pdf

**APPOINTMENT DETAILS**

Interview Date  
11/08/2021

**Responsible Attendee(s)**

**Non-Responsible Person(s)**

JASON LYNN MOZOLA

No Items

JAMES DAVID FOX Jr.

**RESPONSIBLE PERSON(S)**

**JASON LYNN MOZOLA**

Name	Gender	Race	Ethnicity
JASON LYNN MOZOLA	Male		
Date of Birth	SSN	Job Title	
(b)(6)		MANAGING MEMBER	

**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)  
United States

**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)	

**Criminal History Check**

Date Criminal History Check Conducted  
03/20/2020

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

**JAMES DAVID FOX Jr.**

Name	Gender	Race	Ethnicity
JAMES DAVID FOX Jr.	Male		
Date of Birth	SSN	Job Title	
(b)(6)		SALES	

**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)

United States

Additional Names

Citizenship

United States

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

Email Address	Email Remarks
md.firearms@yahoo.com	

Criminal History Check

Date Criminal History Check Conducted  
03/20/2020

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

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?  
The licensee is a dealer of firearms including both handguns and long guns. The licensee does not do business at gun shows or sell NFA firearms. The licensee's website www.mdfirearmz.com is used to advertise, search inventory, and conduct online sales. The license was originally issued December 20, 2013. There have been no changes in ownership and hidden ownership is not suspected. The licensee does not hold any other ATF licenses.

Do they need an additional license or permit?  
No

Who are their primary suppliers?  
The licensee's primary supplier is (b)(4)

Other State or Local Permits

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

Business Activities

Retail

Selected Operational Security Measures

- Controlled Access to ATF Recordkeeping
- Controlled Access to Keys
- Suspicious persons/activities reporting protocols
- Formal Employee Training

SECURITY WALKTHROUGH

Inspection Area Description  
The licensee's business premises are a commercial building located in an urban area of South Houston, TX. The inspection took place in the firearms training classroom, sales floor, and office area. The business is located inside Marksman Range. The range is a separate entity operated by the owners of the premises. The range does not hold an FFL.

Primary Activity  
Retail

Selected Physical Security Measures

- Bars on Windows
- Floodlights
- Lockable Display Rack(s)/Case(s)
- Safe(s)/Vault(s)
- Security Cameras

GPS Coordinates

Latitude  
29.66823

Longitude  
-95.24366

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  
352

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation  
0

Total Number of Firearms Missing After Reconciliation  
0

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

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

Onsite Start Date

Onsite End Date

Number of Reported Lost/Stolen Firearms During Inspection Period  
0

Total Number of Traces During Inspection Review Period  
0

Total Number of Those Traces That Were Unresolved  
0

Inspection Period Start Date  
11/08/2020

Inspection Period End Date  
11/08/2021

Number Of Traces Resolved By IOI  
0

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

Compliance History

The licensee's previous inspection (782050-2017-0034) resulted in a recommendation of Viols WL ONLY and No Recall Inspection. The onsite end date for this inspection is November 11, 2016. The recommendation was an alternate in lieu of a warning conference. The violation that warranted a warning conference was 27 CFR 478.102(a) (Failure to conduct a NICS check).

Additional Comments

Onsite Start Date 11/8/2021 Onsite End Date 12/16/2021

The period of inspection was November 8, 2020 to November 8, 2021. The inspection was part of Operation Southbound. The licensee's previous inspection (782050-2017-0034) resulted in a recommendation of Viols WL ONLY and No Recall Inspection. The onsite end date for this inspection is November 11, 2016. The recommendation was an alternate in lieu of a warning conference. The violation that warranted a warning conference was 27 CFR 478.102(a) (Failure to conduct a NICS check).

The licensee has a valid sales tax permit and active franchise tax account.

The licensee utilizes a computerized A&D record. The record is compliant with ATF Ruling 2016-1, in the correct format and all entries were entered timely and correctly. The record is saved daily to the licensee's computer/server located on-site.

The ATF Forms 4473 are maintained in chronological order.

A NICS Audit log with 224 transactions (60 denied, 8 open, 1 delayed, 155 proceed) was compared to the ATF Forms 4473 on file no discrepancies were found during the inspection. Twenty-five ATF Forms 4473 were compared to the A&D record and no discrepancies were found.

A VCAB query revealed multiple sales involving firearms. It also disclosed trace requests and zero were unresolved.

No Thefts or losses were discovered during the inspection.

No illegal firearms, firearms with obliterated serial numbers, or unreported multiple sales were discovered during the inspection.

The licensee conducted transfers to other FFLs and zero transfers to law enforcement agencies. All transfers were conducted properly.

The licensee does not have any active variances and does not utilize off-site storage.

Omnixx, NFORCE and etrace queries were run on the responsible persons listed on the license. No prohibiting information was found as a result of those queries.

FLS was reviewed with the licensee during the inspection and no updates or corrections were needed.

The inspection was part of Operation Southbound. During the compliance inspection ATF Forms 4473 totaling firearms were discovered. of the ATF Forms 4473 were multiple sale transactions totaling firearms. did not have any traces to the licensee.

Attachment(s)

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Licensee Response to Violations Report.pdf

Licensee Response to Violations Report.pdf

Licensee Response to Violations Report.pdf

**REPORT OF VIOLATIONS**

Regulation	Corrective Actions	Instance Details
27 CFR 478.99(c): Unlawful sale or delivery of a firearm to a prohibited person  Number of Instances: [ ]	Cease and desist all firearm transfers to a known prohibited person and/or any person having reasonable cause to believe is prohibited.	The initial NICS query (NTN# [ (b)(6) ]) was submitted on 9/4/2021 with the initial response of "Delayed". A "Denied" response was submitted by NICS on 9/8/2021. The NICS status was retrieved on 9/9/2021 by userid [ (b)(6) ]. Mr. Mozola stated he was the person who retrieved the NICS response and store policy was to print the response and immediately update the ATF Form 4473 but in this instance he placed the response on his desk to help a customer. On 9/10/2021 the purchaser returned to the store on his Brady transfer date after Mr. Mozola had left for the day. His employee [ (b)(6) ] was unable to retrieve the NICS response because the status was already retrieve by Mr. Mozola. [ (b)(6) ] failed to run the NICS history query or call Mr. Mozola to verify the NICS status. The firearm was transferred to [ (b)(6) ] on 9/10/2021 after the denied status was entered by NICS and retrieved by the licensee. On 9/16/2021 Mr. Mozola contacted Houston CGIC to report the transfer and contacted the purchaser to retrieve the firearm. The firearm was returned by the purchaser on 9/17/2021. [ (b)(6) ] was fired on 11/15/2021. A NICS denied query was conducted to verify the denial and prohibiting factors for the purchaser. Mr. Mozola notified IOI [ (b)(6) ] of the violation at the beginning of the compliance inspection.
27 CFR 478.124(c)(3)(iii): Failure to verify or record non alien immigrant exception on an ATF F 4473  ATF Forms 4473: [ ] Number of Instances: [ ]	Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.  Ensure that all required transferee/buyer nonimmigrant alien exception documentation is obtained, validated, accurately recorded on, and retained with all future ATF Forms 4473, Section B.	[ (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) ]

**LICENSEE RESPONSE REPORT**

Regulation	Corrective Actions	Licensee Response	Status Details
27 CFR 478.99(c): Unlawful sale or delivery of a firearm to a prohibited person  Number of Instances: [ ]	Cease and desist all firearm transfers to a known prohibited person and/or any person having reasonable cause to believe is prohibited.	The licensee stated the violation occurred because established store policy was not followed regarding notifying purchasers of the NICS response after a delay. The employee who transferred the firearm was fired and remaining employees will make sure delayed responses are properly communicated and recorded.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 12/16/2021
27 CFR 478.124(c)(3)(iii): Failure to verify or record non alien immigrant exception on an ATF F 4473  ATF Forms 4473: [ ] Number of Instances: [ ]	Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.  Ensure that all required transferee/buyer nonimmigrant alien exception documentation is obtained, validated, accurately recorded on, and retained with all future ATF Forms 4473, Section B.	The licensee stated the violation occurred due to oversight and the employee failed to make copies of the exception per store policy. The licensee stated all employees will receive additional training regarding non immigrant visa holders.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 12/16/2021

**REFERRAL(S)**

ID	Status	Agency	Outcome
R-10	Referral Approved	DDTC	Referral sent
R-100	Unfounded (Closed)		
R-1000	Referral Denied	ATF Detroit CGIC	
R-1001	Referral Denied	ATF&E	
R-1004	Referral Denied	Mobile Police Department	
R-1007	Referral Denied	Houston CGIC	
R-1013	Referral Approved	Michigan State Police, Firearms Records Unit	Referral sent
R-1014	Referral Denied	ATF	
R-1015	Referral Approved	Berlin Township	Referral sent

R-1017	Referral Approved	ATF	Referral sent
R-1018	Referral Approved	Bureau of ATF - St. Paul III CGIC	Referral sent
R-1019	Referral Approved	ATF	Referral sent
R-102	Referral Approved	ATF	Referral sent
R-1020	Referral Approved	NYS Department of Labor	Referral sent
R-1024	Referral Approved	ATF	Referral sent
R-1025	Referral Approved	ATF	Referral sent
R-1026	Referral Approved	ATF	Referral sent
R-1027	Referral Approved	ATF	Referral sent
R-1028	Referral Approved	ATF	Referral sent
R-1029	Referral Approved	ATF	Referral sent
R-103	Referral Approved	CGIC	Referral sent
R-1030	Referral Approved	ATF	
R-1031	Referral Approved	ATF	Referral sent
R-1032	Referral Approved	ATF	Referral sent
R-1033	Referral Approved	ATF	Referral sent
R-1034	Referral Approved	ATF	Referral sent
R-1035	Referral Denied	Frederick County Maryland	
R-1037	Referral Denied	ATF	
R-1038	Referral Approved	Frederick County Maryland	Referral sent
R-1039	Referral Approved	Bureau of Alcohol Tobacco Firearms and Explosives	Referral sent
R-104	Referral Approved	California Department of Justice, Bureau of Firearms	Referral sent
R-1040	Referral Approved	Bureau of Alcohol Tobacco Firearms and Explosives	Referral sent
R-1042	Referral Approved	Harris County Sheriff's Office	Referral sent
R-1043	Referral Approved	U.S. Department of Justice, Bureau of ATF	Referral sent
R-1045	Referral Approved	California Bureau of Firearms	Referral sent
R-1046	Referral Approved	Indianapolis Department of Business and Neighborhood Services	Referral sent
R-1047	Referral Approved	Prince George's County Permitting Enforcement	Referral sent
R-1049	Unfounded (Closed)		
R-1050	Unfounded (Closed)		
R-1053	Referral Approved	Dawson County, Nebraska	Referral sent
R-1056	Referral Approved	Miami Dade Police Department	Referral sent
R-1057	Referral Approved	ATF	Referral sent
R-1063	Referral Approved	ATF, St. Paul III Intell/St. Paul Division	Referral sent
R-1064	Referral Approved	ATF, St. Paul Division Group I	Referral sent
R-1067	Referral Denied	ATF	
R-1068	Referral Approved	Michigan State Police Records Unit	Referral sent
R-1069	Referral Approved	Bureau of ATF	Referral sent
R-107	Referral Approved	ATF	Referral sent
R-1070	Referral Denied	Seneca County Office Building	
R-1072	Referral Denied	ATF -- Created in Error	
R-1073	Referral Denied	ATF-Atlanta CGIC	
R-1074	Referral Approved	Federal Motor Carrier Safety Administration (DOT)	Referral sent
R-1075	Referral Approved	Lowndes County Probate Court	Referral sent
R-108	Referral Approved	Colorado Bureau of Investigation	Referral sent
R-1082	Referral Approved	Bureau of Alcohol Tobacco Firearms and Explosives	Referral sent
R-1086	Referral Approved	Prince George's County Permitting Enforcement	Referral sent



R-1087	Referral Approved	ATF	Referral sent
R-1088	Referral Approved	ATF	Referral sent
R-1089	Referral Denied	Lake County Sheriff's Office	
R-1091	Referral Approved	Coffee County Sheriff's Office	Referral sent
R-1092	Referral Approved	ATF	Referral sent
R-1093	Referral Denied	ATF - Ft. Pierce CE	
R-1094	Referral Denied	Bureau of Alcohol, Tobacco, Firearms and Explosives	
R-1095	Referral Approved	Bureau of Alcohol, Tobacco, Firearms & Explosives	Referral sent
R-1097	Referral Approved	Lake County Sheriff's Office	Referral sent
R-1098	Referral Approved	BATFE	Referral sent
R-1099	Referral Approved	Michigan State Police Firearms Records Unit	Referral sent
R-11	Referral Approved	Alcohol and Tobacco Tax and Trade Bureau	Referral sent
R-1103	Unfounded (Closed)		
R-1105	Referral Approved	Michigan State Police	Referral sent
R-1109	Referral Approved	The Commonwealth of Massachusetts Office of Attorney General	Referral sent
R-111	Referral Approved	Bureau of ATF - KCFD	Referral sent
R-1110	Referral Approved	The Commonwealth of Massachusetts Office of Attorney General	Referral sent
R-1111	Referral Approved	The Commonwealth of Massachusetts Office of Attorney General	Referral sent
R-1116	Referral Approved	ATF	Referral sent
R-1117	Referral Approved	Customs and Border Protection	Referral sent
R-1119	Referral Denied	Customs and Border Protection	
R-1120	Unfounded (Closed)		
R-1122	Referral Denied	Customs and Border Protection	
R-1124	Referral Approved	Riley County Police Department	Referral sent
R-1127	Referral Denied	Customs and Border Protection	
R-1129	Referral Approved	Minnesota State Fire Marshal Division	Referral sent
R-113	Referral Approved	ATF	Referral sent
R-1134	Referral Approved	Michigan State Police - Firearms Records Unit	Referral sent
R-114	Referral Approved	ATF	Referral sent
R-1145	Referral Approved	Bureau of Alcohol, Tobacco, Firearms, and Explosives	Referral sent
R-1146	Referral Approved	ATF	Referral sent
R-1150	Referral Approved	Oklahoma Tax Commission	Referral sent
R-1151	Unfounded (Closed)		
R-1153	Referral Approved	ATF-NY Group 7 (CGIC)	Referral sent
R-1156	Referral Approved	Bureau of Alcohol, Tobacco, Firearms, and Explosives	Referral sent
R-1157	Referral Approved	ATF	Referral sent
R-1159	Referral Approved	Bernalillo County Zoning	Referral sent
R-1161	Referral Approved	Bureau Of Alcohol, Tobacco, Firearms and Explosives	Referral sent
R-1165	Referral Approved	ATF- Richmond II, Field Office	Referral sent
R-1168	Referral Approved	ATF	Referral sent
R-1170	Unfounded (Closed)		
R-1178	Referral Denied	ATF	
R-118	Referral Approved	Bureau of Alcohol, Tobacco, Firearms and Explosives	Referral sent

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**CLOSING CONFERENCE**

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( 12/16/2021 )  
12/16/2021

Closing Conference Additional Notes

The Revocation of Licenses Document and the Important Notice: Selling Firearms After Revocation, Expiration, or Surrender of a Federal Firearms License were reviewed with the

Attachment(s)

**Attendee(s)**

JASON LYNN MOZOLA

**EXHIBITS**

**Inspection**

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-76-04236 Inspection Results
FinalDecision	Disposition Memo - MD Firearms LLC (5-76-04236).pdf
FinalDecision	Final Notice - MD Firearms LLC issued 10-17-2022.pdf
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
UpdateLicensingCenter	Disposition Memo - MD Firearms LLC (5-76-04236).pdf
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
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Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Spartan Notification RE: 5-76-04236 National Licensing Center
UpdateLicensingCenter	COA Application.pdf
UpdateLicensingCenter	HCAD.pdf
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Spartan Notification RE: 5-76-04236 Monitored Case
Correspondence	Information Concerning Your Federal License/Permit
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
BusinessVerification	PIR.pdf
Correspondence	Information Concerning Your Federal License/Permit
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ReturnedSignedROV	Updated ROV.pdf
ViolationsPDF	Report of Violations.pdf
Correspondence	Information Concerning Your Federal License/Permit
ReturnedSignedROV	Updated ROV.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
ViolationsPDF	Report of Violations.pdf
ViolationsPDF	Report of Violations.pdf
RentalLeaseVerification	60 day agreement_1.pdf
ZoningVerification	Occupancy Permit from South Houston_0001.pdf
RentalLeaseVerification	Current Lease Agreement_0001.pdf
TradeNameVerification	Current DBA Certificates_0001.pdf
PropertyOwnershipVerification	HCAD.pdf
BusinessVerification	SOSDirect.pdf
BusinessVerification	BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY.pdf
Correspondence	Information Concerning Your Federal License/Permit
ClosingConferenceSummary	Acknowledgment of Regulations.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf

Correspondence  
Correspondence  
ViolationsPDF

Information Concerning Your Federal License/Permit  
Report of Violations.pdf

**License**

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Category	Attachment Name
Correspondence	Spartan Notification RE: 5-76-04236 Special Attention Flag (SAF)

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

In the matter of License Number 5-76-201-01-3A-04236, 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*)

MD Firearms LLC  
P.O. Box 821301  
Houston, Texas 77282

### 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 5825 North Sam Houston Parkway West, Suite 300, Houston, Texas 77086, 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
06/30/2022	Tanarra James, Director, Industry Operations	(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: 7014120000001424840
- 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
	Executive Assistant	(b)(6)
Print Name and Title of Person Served		Signature of Person Served ( <i>if applicable</i> )

Address Where Notice Served  
P.O. Box 821301, Houston, Texas 77282

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given that that the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) intends to revoke the Federal firearms license held by MD Firearms, LLC (“Licensee”), 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 Licensee willfully violated the provisions of the Gun Control Act of 1968, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478 (collectively, “GCA”) as described herein.

### **Compliance History**

ATF first issued a Federal firearms license to Licensee in December 2013. The laws and regulations issued under the GCA were reviewed as part of the application inspection. Subsequently, ATF conducted compliance inspections of Licensee in October 2016. As a result of the 2016 inspection, Licensee received a warning letter from ATF in which violations and proposed corrective actions were reviewed. In the warning letter, ATF stated “any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license.”

### **Current Inspection**

On November 8, 2021, ATF began a compliance inspection of Licensee’s premises that revealed the following:

1. On September 10, 2021, Licensee willfully sold or disposed of (b)(3) (112 Public Law 55 125 Stat 552) (b)(3) (112 Public Law 55 125 Stat 552) to a person, (b)(6) (b)(6) who Licensee knew or had reasonable cause to believe was subject to Federal firearms disabilities, in violation of 18 U.S.C. § 922(d) and 27 C.F.R. § 478.99(c).
2. On September 10, 2021, Licensee knowingly and willfully transferred an (b)(3) (112 Public Law 55 125 Stat 552) (b)(3) (112 Public Law 55 125 Stat 552) to a person, (b)(6) (b)(6), not licensed under the GCA after failing to comply with the procedures applicable to conducting a national instant criminal background check in violation of 18 U.S.C. § 922(t)(5) and 27 C.F.R. § 478.102(a) At the time of the proposed transfer the system was operational and such background check would have demonstrated that receipt of the firearm by the transferee would violate either 18 U.S.C. § 922(g) or 18 U.S.C. § 922(n). Licensee may be revoked, suspended up to 6 months and/or fined up to \$9,491 in accordance with 18 U.S.C. § 922(t)(5) and 27 C.F.R. § 478.73.
3. On September 10, 2021, Licensee willfully made a false statement or representation with respect to information required by the GCA, in violation of 18 U.S.C. §924(a)(1)(A) and 27 C.F.R. § 478.128(c). Specifically, pertaining to the transfer of (b)(3) (112 Public Law 55 125 Stat 552) (b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

[REDACTED], Licensee selected "No response was provided within 3 business days" on item 27d. of the ATF Form 4473 when a denied response was provided by NICS within 3 business days.

4. On May 19, 2021, Licensee willfully transferred a [REDACTED] (b)(3) (112 Public Law 55 125 Stat 552) [REDACTED] (b)(3) (112 Public Law 55 125 Stat 552), to a nonimmigrant alien non-licensee, [REDACTED] (b)(6) [REDACTED] (b)(6), without noting the type of documentation on and/or attaching a copy of the documentation to the Firearms Transaction Record, ATF Form 4473, that establishes an exception to the prohibition in 922(g)(5)(B), in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iii).

## Voluntary Surrender of Federal Firearms License

I, Jason Lynn Mozola, am the Managing Member and Responsible Person for MD Firearms, LLC (“MD Firearms” or the “Licensee”), 6142 South Loop East Freeway, Houston, Texas 77087. MD Firearms holds Federal firearms license (“FFL”) number 5-76-201-01-3A-04236, 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.

On June 30, 2022, ATF issued a Notice to Revoke or Suspend License and/or Impose a Civil Fine (“Notice to Revoke” or “NOR”) to MD Firearms. By letter dated July 27, 2022, Licensee timely requested a hearing on the Notice to Revoke. Pursuant to that request, ATF scheduled a hearing to occur October 26, 2022.

MD Firearms does hereby voluntarily surrender its FFL effective October 15, 2022, in lieu of revocation, and in lieu of any proceedings that would occur to establish a willful cause for same. To this end, Licensee does not contest that the violations alleged in the Notice to Revoke occurred as it, by and through its agents and employees, knew of its legal obligations under the GCA and the regulations issued thereunder.

Due to the violations set forth in the NOR, Licensee voluntarily agrees that it 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 October 15, 2022. Licensee understands that from the date of this document until October 15, 2022, it will be only able to sell the remaining inventory to another FFL or the purchaser of the Licensee’s assets who has submitted an Application for an FFL. Licensee is fully aware that effective upon the surrender date of October 15, 2022, MD Firearms will no longer be a federally licensed dealer of firearms. Licensee further understands that MD Firearms may no longer lawfully engage in the business of dealing in firearms after the

surrender of its FFL. Licensee also understands that it has chosen not to contest the revocation, and has agreed to voluntarily enter into this written agreement as part of the voluntary surrender of the MD Firearms FFL.

As managing member and responsible person for MD Firearms, I, Jason Lynn Mozola, agree that I shall deliver the original FFL issued to MD Firearms 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). I acknowledge that failure to turn in these records could be punishable by a fine of not more than \$250,000 and/or imprisonment for term of not more than five years. I further understand that conducting business as a firearms dealer after surrendering the license issued to MD Firearms 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.

As managing member and responsible person for MD Firearms, I, Jason Lynn Mozola, will further agree to refrain from applying for any FFL in the future, either directly or as a part of another legal entity, for no less than two (2) calendar years from the effective date of this surrender. I understand that any future application for a new FFL, if I choose to submit one, may be reviewed by ATF with this voluntary surrender by MD Firearms (as well as the NOR and compliance history that preceded it) as part of ATF's approval process.

WHEREFORE, Licensee hereby surrenders the FFL previously issued by ATF to MD Firearms effective October 15, 2022, and makes the above statements knowingly, voluntarily, and intelligently. MD Firearms, through Jason Lynn Mozola, as Responsible Person for Licensee, has consulted with its attorney and understands what it agrees to by voluntarily signing this written agreement. I, Jason Lynn Mozola, as Responsible Person for Licensee, hereby affirm that I am authorized to effectuate the surrender of the FFL previously issued to MD



Firearms 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. I, Jason Lynn Mozola, as Responsible Person for Licensee, 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)**

Jason Lynn Mozola  
Responsible Person  
for MD Firearms, LLC  
FFL# 5-76-201-01-3A-04236

10- 11 - 2022

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Date

**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 5-76-201-01-3A-04236 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)  
MD Firearms LLC  
6142 South Loop East Freeway  
Houston, Texas 77087

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  October 15, 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 10/17/2022	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: 7018 2290 0000 3367 3212

Or

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

Date Notice Served	Title of Person Serving Notice Executive Assistant	(b)(6)
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Print Name and Title of Person Served	Signature of Person Served
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Address Where Notice Served  
P.O. Box 821301, Houston, Texas 77282

Note: Previous Edition is Obsolete

MD Firearms, LLC, (“Licensee”), holds Federal Firearms License 5-76-201-01-3A-04236 issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) pursuant to the Gun Control Act of 1968, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478 (collectively, “GCA”) as described herein.

On June 30, 2022, ATF issued a Notice to Revoke or Suspend License and/or Impose a Civil Fine, ATF E-Form 4500 (5300.4) (“Notice to Revoke”) advising Licensee that ATF intended to revoke its Federal Firearms License and impose a civil fine in the amount of \$9,491 in accordance with 18 U.S.C. § 922(t)(5) and 27 C.F.R. § 478.73. The Notice to Revoke alleged that Licensee willfully violated the provisions of the GCA and the regulations issued thereunder. The Notice to Revoke further specified that if Licensee wished to challenge the revocation, it may file a request with ATF for a hearing “within 15 days after receipt of this notice.” See 18 U.S.C. § 923(f)(2); 27 C.F.R. § 478.73(b).

By letter dated July 27, 2022, Licensee timely requested a hearing to review the Notice to Revoke. As a result, ATF notified Licensee that the hearing would occur on October 26, 2022.

On October 13, 2022, Licensee sent a document entitled Voluntary Surrender of Federal Firearms License to ATF indicating that it was surrendering its license. Licensee indicated that it would terminate its firearms business operations no later than October 15, 2022. Although Licensee timely requested a hearing to review the Notice to Revoke, Licensee’s voluntary surrender prior to the scheduled hearing date is deemed as a withdrawal of Licensee’s request for a hearing.

For reasons set forth in the Notice to Revoke issued on June 30, 2022, the Federal firearms license held by MD Firearms, LLC is hereby REVOKED with an effective date of October 15, 2022. In light of the surrender, ATF will not impose a fine under 18 U.S.C. § 922(t)(5) and 27 C.F.R. § 478.73 in this matter.

Dated this 17th day of October 2022.

**(b)(6)**

Tanarra James

Director, Industry Operations

Houston Field Division

Bureau of Alcohol, Tobacco, Firearms and Explosives

United States Department of Justice