

RONALD G STURGEON 's FCI
FCL-31457
01/11/2023 08:41 PM
IO: (b)(6) Kansas City III (IO) Field Office

LICENSEE INFORMATION

Applicant Name
RONALD G STURGEON
(Sole Proprietor)

RDS Key
5-48-05988

License/Permit Number
5-48-141-01-3G-05988

License Type
01 - Dealer License

Business Type
Sole Proprietorship

Premises Ownership Type
Owned
Premises Address
131 W MAIN, Unit N/A, OSBORNE,
Kansas 67473-0000

Premises Location Type Required
Store Front

Address
131 W MAIN
Unit N/A
OSBORNE, Kansas 67473-0000
OSBORNE
United States

Address
131 W MAIN
Unit N/A
OSBORNE, Kansas 67473-0000
OSBORNE
United States

Phone Type	Phone Number	Remarks
Business	+1 785-346-4610	
Fax	+1 785-345-4154	

RECOMMENDATIONS

Final Decision Date
Revocation 04/25/2022

Details
FCI-31451
Lead IOI:
Inspection Date: 12/6/21

Summary: A compliance inspection was conducted for the above referenced licensee.

Recommendation: Violations – REVOCATION

Notice of Revocation received 3/24/2022

No Hearing requested

Final Notice of Revocation received 4/25/2022

Out of Business Records and Inventory Management

Licensee Records

Submitted to an ATF Employee

ATF Employee Name

Licensee Inventory

Inventory transferred to another licensee/permittee

Date of Inventory Transfer
04/25/2022

Transferee RDS Key

(b)(4)
Licensee / Permittee

Business Premise Address

(b)(4)

(b)(4)

Business Name

(b)(4)

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

Details

Concur with Field Division recommendation to proceed with revocation.

Special Agent in Charge Frederic Winston's Recommendation

I concur with revocation proceedings.

Division Counsel [redacted] Review

Details

ACC (Central) and KC DC reviewed and agree that pursuing a revocation action is legally appropriate on this matter.

Director of Industry Operations William Miller's Recommendation

Revocation

Details

Per the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety, the inspection meets revocation standards based upon the following:

Failure of the licensee to initiate a new NICS check after 30-day lapse of initial check (one instance), Failure of the licensee to wait 3 business days (with no NICS/POC response) to transfer a firearm (one instance), Failure of the licensee to complete a NICS/POC Background check (four instances) and False statement made by a licensee on any ATF record [redacted] instance instance).

Other violations include untimely acquisition/disposition entries and failure to accurately complete ATF F 4473s

Area Supervisor [redacted] Recommendation
Revocation

Details

Per the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety, the inspection meets revocation standards based upon the following:

Failure of the licensee to initiate a new NICS check after 30-day lapse of initial check

Violation #1 - 27 CFR 478.102(c) - 1 instance

2/24/21 [redacted] received a delayed NICS. On 4/27/21 [redacted] recertified to obtain the firearm. FFL Sturgeon certified on same day and transferred the firearm to [redacted] with no new NICS check. FFL Sturgeon told IO [redacted] he knew a new NICS check had to be completed after 30 days. FFL Sturgeon stated that the individual had gotten sick, and he just wasn't thinking. IO [redacted] verified the purchaser was not prohibited via NCIC check.

Failure of the licensee to wait 3 business days (with no NICS/POC response) to transfer a firearm

Violation #2 - 27 CFR 478.102(a)(2)(ii) - 1 instance

1/22/21 [redacted] received a delayed NICS, with a documented NICS transfer date of 1/28/21. On 1/26/21 [redacted] recertified the ATF 4473 to obtain the firearm. FFL Sturgeon certified on this same date and transferred the firearm. FFL Sturgeon recorded the disposition date for [redacted] firearm as 1/26/21. FFL Sturgeon told IO [redacted] that he thought for some reason he could transfer the gun. He said, "that's my problem, I don't do the paperwork right then and I try to go back." IO [redacted] verified the purchaser was not prohibited via NCIC check.

Failure of the licensee to complete a NICS/POC Background check

Violation #3 - 27 CFR 478.102(a) - 4 instances

11/10/21 [redacted] presented an Arkansas Concealed Carry Permit to purchase a firearm. FFL Sturgeon documented 11/10/21 a NICS check was initiated and checked "proceed" however no NICS transaction number was documented in item # 27b. FFL Sturgeon transferred the firearm to [redacted] on 11/10/21. IO [redacted] verified against the FBI NICS Audit log that there were no unaccounted for NICS NTNs. FFL Sturgeon stated didn't know why a NICS date and response was recorded on the form. He stated that he was unaware that he could only take Kansas Concealed Carry Permits. IO [redacted] verified the purchaser was not prohibited via NCIC check.

There were [redacted] instances where a firearm was open in the A&D book, but not in inventory. Firearm was found sold on a sales ticket but no name and no 4473 was located. There were no missing 4473 numbers during that time frame. FFL Sturgeon stated that he has no idea where the 4473 is and he might have gotten busy and thrown it away but there were no missing numbers. FFL Sturgeon said he has the sales ticket, so he knows he sold it and it is not missing but has no idea about the ATF 4473.

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

False statement made by a licensee on any ATF record. (Straw purchase)

Violation #4 - 27 CFR 478.128(c) - 1 instance

[redacted] attempted to purchase a firearm, received a delay and a subsequent denial. FFL Sturgeon failed to document the denial date on the ATF 4473. FFL Sturgeon also failed to document the firearm information in Section A of the ATF 4473, but he did annotate on the top of the [redacted] indicating the firearm location in the A&D record books.

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

[redacted] When asked about this scenario, FFL Sturgeon asked how was he supposed to know they were related. IO [redacted] told FFL Sturgeon that he should note that they were living at the same address, and she was purchasing the same firearm he attempted to purchase just 2 days earlier and was delayed and subsequently denied. FFL Sturgeon stated that he "doesn't pay attention to that stuff" IO [redacted] told FFL Sturgeon that he needed to have a system in place to check for straw purchases. FFL Sturgeon did not seem to agree and said that he needs to "sell this place". FFL Sturgeon stated that he "doesn't even remember what happened yesterday, he wouldn't know about the sale from a couple days ago."

Other significant repeat violations:

Violation #5 - 27 CFR 478.125(e) - REPEAT VIOLATION

Failure of the licensee to maintain an accurate/complete/timely acquisition and disposition record of firearms. [redacted] instances). After reconciliation, FFL Sturgeon reported the loss of [redacted] firearms. IO [redacted] confirmed no trace activity on these firearms since ATF F 3310.11 submitted.

Violation #7 - 27 CFR 478.124(c)(1) - REPEAT VIOLATION

Failure of the licensee to obtain a completed ATF F 4473 [redacted] instances)

Violation #11 - 27 CFR 478.124(c)(5) - REPEAT VIOLATION

Failure of the transferor to sign and/or date an ATF F 4473. [redacted] instances)

Previous compliance history:

Type 01 FFL issued 6/26/2002
Amended Application Phone inspection conducted 3/24/2004
NSpect Assignment #779025-2004-0596-B1B
Compliance inspection conducted 01/24/2017
NSpect Assignment #779025-2017-0057-B1B – Warning Letter

Violations cited:

1. 27 CFR 478.125(e) – Failure of the licensee to maintain an accurate/complete/timely acquisition and disposition record of firearms. [] instances)
2. 27 CFR 478.124(c)(1) – Failure of the licensee to obtain a completed ATF F 4473. [] instances)
3. 27 CFR 478.124(c)(3)(i) – Failure of the licensee to verify and/or document identification information on the ATF F 4473. [] instances)
4. 27 CFR 478.124 (c)(5) – Failure of the transferor to sign and/or date the ATF F 4473. [] instances)
5. 27 CFR 478.126a – Failure of the licensee to submit the ATF F3310.4 Report of Multiple Sale or Other Disposition of Pistols and Revolvers. [] instances)

Industry Operations Investigator (b)(6) Recommendation

Revocation

Details

Recommend revocation of license. Licensee has had repeat violations with increased frequency since the last inspection. Also, licensee was cited for failure to conduct background checks.

Inspection Findings

Records and Forms

2. Failure to timely and/or correctly maintain records of sales or other dispositions of [] percent or more of the licensee's total dispositions during the inspection period, with a minimum of 10 instances.
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 [] percent or more of the Forms 4473 examined.
9. Failure to execute a Form 4473 (Exception: Select findings 6, 7, and 8 above for consignment sales, transfers to law enforcement officers for personal use, and FFL responsible persons; if the transferee is NOT prohibited).

Transfer of Firearm

2. Transfer of a firearm prior to receiving a final NICS response (or applicable State POC background check) and 3 business days have not elapsed since the FFL contacted the system.

Firearms

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

NICS

4. Failure to conduct a NICS check or obtain an alternate permit.
5. Failure to initiate a new NICS check when a transaction is not completed within the 30-day period from the date NICS was initially contacted.

Miscellaneous

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

ELIGIBILITY VERIFICATION

Business Information Verification

Property Ownership Verification

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

Address
131 W MAIN
Unit N/A
OSBORNE, Kansas 67473-0000
OSBORNE
United States

Additional Findings

The business premises is suitable for the activities conducted. The business operates from a storefront location. It is located inside the city limits of Osborne, KS in Osborne County. According to the Osborne County Appraiser's Office, the business premises is owned by Ronald Sturgeon. Off-site storage is not utilized.

Attachment(s):
property.pdf

Trade Name/DBA Verification

Trade Name/DBA
STURGEONS GUN & ARCHERY
SHOP

Is the trade name/DBA registered?
Yes

Additional Findings
Kansas does not require the registration of business names.

Attachment(s):
Kansas Sec of State - Trade Names Registration Not Required.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?
Yes

Additional Findings
There are no zoning regulations prohibiting the licensee’s business activities per KSA 12-16,124 which states, “No city or county shall adopt any ordinance, resolution or regulation, and no agent of any city or county shall take any administrative action, governing the purchase, transfer, ownership, storage or transporting of firearms or ammunition, or any component or combination thereof.”

Attachment(s):
KSA 12-16, 124 - Firearms and Ammo; Regulation by City or County, Limitations (2015).pdf

APPOINTMENT DETAILS

Interview Date
12/06/2021

Address
131 W MAIN, Unit N/A, OSBORNE, Kansas 67473-0000

Responsible Attendee(s)	Non-Responsible Person(s)
RONALD G STURGEON	No Items

RESPONSIBLE PERSON(S)

RONALD G STURGEON

Name RONALD G STURGEON	Gender Male	Race	Ethnicity
Date of Birth (b)(6)	SSN (b)(6)	Job Title OWNER	

Physical Identifiers

Height	Weight	Hair Color	Eye Color
--------	--------	------------	-----------

Place of Birth

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

Home Address

(b)(6)

United States

Additional Names

Citizenship

United States

ID Type	Country	State	ID Number
Driver's License	United States	Kansas	(b)(6)
Phone Type	Phone Number		Remarks
Mobile	(b)(6)		

Email Address	Email Remarks
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted
11/04/2021

Criminal History Check Comments
No NCIC hit

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?

Ronald Sturgeon is a sole proprietor. He has held the FFL since 2002. He has a trade name of Sturgeon Gun & Archery Shop. He stated that the firearms business has provided him steady income and it is his main employment. Sturgeon stated that he used to run an archery shop from the same premise but that he no longer does the archery and only does firearms and accessories. Harter sells both new and used long guns and handguns, ammunition, and firearms accessories such as holsters, magazines, and shooting supplies. The licensee acts as an in-state transfer dealer for Kansas residents, does special orders for customers and also takes used guns in on trade. The licensee does not conduct business at gun shows. Sturgeon also stated the business does not conduct internet sales and does not conduct gunsmith activities. Sturgeon stated that he had a website at one point but it has never been updated and he didn't even know what the website was. The business uses the radio and newspaper to advertise.

Sturgeon stated that he usually carries around 100 firearms in inventory. He estimated 10% of his firearms business to be new firearms and (b)(4) used. He also thought that (b)(4) were handgun sales and (b)(4) were long guns. Sturgeon stated that (b)(4) are his main suppliers of new firearms. The company does not deal in NFA firearms.

Sturgeon is in charge of all business records and day to day operations. There are no employees at this time.

The license applied for is appropriate for the business. The licensee is in compliance with all state/local laws. There is no offsite storage of records or firearms.

Do they need an additional license or permit?

No

Who are their primary suppliers?

Primary suppliers are (b)(4)

Business Activities

Selected Operational Security Measures

No items

Retail

SUPPLEMENTAL QUESTIONNAIRE

General Business Operations

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

Ronald Sturgeon and his son.

Who has keys to the premises?

Ronald Sturgeon, his wife, and his son

Who has keys to locked inventory?

No locked inventory

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

Ronald Sturgeon

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

No

Are any employees known to be prohibited?

no

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

no

SECURITY WALKTHROUGH

Inspection Area Description

The licensed business premises is a storefront business. It is located in downtown Osborne, KS inside the city limits. All transfers take place at the front counter of the shop. Inventory is kept in the front room and in a back storage area. Records are also kept in the shop. The premise is secured with alarm system and security cameras. Investigators (b)(6) met with Sturgeon on 12/6/21, at his shop, to start the inspection. Investigator (b)(6) met with Sturgeon on 12/7/21 to finish the inspection. All records and inventory were reviewed here. There were no animals on the premise. There were no loaded firearms. There were no hidden rooms. The inspection was not recorded.

Primary Activity

Retail

Selected Physical Security Measures

Alarm Monitoring (with Cellular Back-Up)

Security Cameras

GPS Coordinates

Latitude

39.43799

Longitude

-98.69612

ONSITE SUMMARY

Total Number of ATF Form 4473s for Inspection Review Period

Total Number of ATF F 4473 Reviewed

(b)(6)

Total Number of Open Dispositions in A & D Record

(b)(6)

Total Number of Firearms in Inventory

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation

Total Number of Acquisitions in the Last 12 Months

(b)(4)

Total Number of Dispositions in the Last 12 Months

(b)(4)

Onsite Start Date

Onsite End Date

Number of Reported Lost/Stolen Firearms During Inspection Period

Total Number of Traces During Inspection Review Period

Total Number of Those Traces That Were Unresolved

Inspection Period Start Date

Inspection Period End Date

Number Of Traces Resolved By IOI

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

Additional Comments

Prior to the inspection, a check in E-Trace returned no significant findings. An N-FORCE check also returned no hits. There are no variances held and none were requested.

INSPECTION HISTORY

January 2017–Compliance Inspection

UI# 779025-2016-0057-B1B

Inspection Results: Violations, WL and Recall

Cited Violations: 27 CFR 478.125(e)- Failure to record acquisitions and disposition of firearms

27 CFR 478.124(c)(1)- Failure of transferee to certify the 4473

27 CFR 478.124(c)(3)(i)- Failure to record the identification document of the transferee on the ATF 4473

27 CFR 478.124(c)(5)- Failure of transferor to certify the 4473

27 CFR 478.126a- Failure to report the multiple sale of handguns

ACQUISITION & DISPOSITION (A&D) RECORD – INVENTORY

The licensee maintains a handwritten A&D book that meets the formatting requirements of 27 CFR 478.125. The licensee acquired and disposed of approximately (b)(4) firearms in the last year.

When examining the inventory against the A&D book, there were (b)(4) open entries in the A&D book and 87 firearms in inventory. There were (b)(4) firearms in inventory that were not recorded in the A&D book. Licensee stated that several of these firearms he had taken back in and forgot to log them back in the A&D book. He stated that one was a parts gun that didn't function, and he didn't realize it had to be in the A&D book. There were (b)(4) firearms open in the A&D book but not in inventory. Some firearms the licensee had taken home for his personal collection but had not logged out of the A&D book. Sturgeon stated that he stopped logging firearms out that he took home for his personal collection in 2019. Other firearms were old on an ATF F 4473 or transferred to another FFL but not logged out of the A&D book. There were (b)(4) firearms that could not be reconciled and were reported on a theft/loss form. All (b)(4) firearms were run in NCIC with no hits. THIS IS A REPEAT VIOLATION FROM THE 2015 INSPECTION.

A sample of ATF F 4473s were compared to the A&D book for accuracy. Several discrepancies were found. The date the firearm was logged out in the A&D book did not match the transfer date on the ATF F 4473. Sturgeon stated that he must have recorded the date that he actually logged the gun out and not the date the transfer was made as he often does not log the guns out of the A&D book on the same day. Sturgeon stated that he was not good with paperwork and intends to do things later and then forgets.

All other entries appeared to be accurately and timely entered in the A&D book.

There were no reports of thefts or losses for the past year. Sturgeon is responsible for logging firearms in and out of the A&D book. There is no double check system.

There were no trafficking issues found while reviewing the A&D book. Also, there were no firearms with obliterated serial numbers or illegal firearms found.

ATF FORMS 4473 –NICS & OTHER DISPOSITIONS

There were (b)(4) ATF F 4473s on file for the last year. All (b)(4) forms were reviewed. ATF F 4473s are kept in numerical order by transaction serial number. However, non- transferred forms were mixed with the transferred ATF F 4473s. Investigator (b)(6) told Sturgeon he needed to keep a separate file of non-transferred ATF F 4473s.

There were multiple errors found while reviewing ATF F 4473s. The licensee failed to follow instructions on the ATF F 4473. The licensee failed to record total number of firearms transferred, the transferee failed to record Hispanic or not, transferee answered "no" not the actual buyer of the firearm, licensee failed to record or incompletely recorded their FFL information on the 4473 and failed to print their name on the 447. Licensee also failed to follow instructions on the form by not listing firearm information for denial/non transferred. Licensee failed to have the transferee certify the ATF F 4473. The transferee left address information blank on the 4473, middle name blank, left answers blank to prohibiting questions, failed to certify or incorrectly certify the 4473, and failed to recertify the 4473. THIS IS A REPEAT VIOLATION FROM THE 2017 INSPECTION. NCIC checks were run on individuals that left prohibiting questions blank. None of the individuals were prohibited.

Licensee failed to record or incorrectly recorded NICS information on the 4473- date, response, NTN, follow up response.

Also, the licensee failed to record firearm information on the 4473.

The licensee also failed to have the transferor sign and date or correctly date the 4473. THIS IS A REPEAT VIOLATION FROM THE 2017 INSPECTION.

The licensee failed to conduct a NICS check. On 11/10/2021 (b)(6) came in to purchase a firearm. He is an Arkansas resident. Sturgeon recorded a NICS call in date and a proceed but that is it on the form. He then recorded an Arkansas Conceal carry permit and transferred the firearm to (b)(6) that same day on 11/10/21. Investigator (b)(6) checked the ATF Audit log. There were no unaccounted for NICS checks done that day. Therefore, there was not a NICS check conducted. When Investigator (b)(6) asked Sturgeon about this transaction he stated that he was unaware that he could only take Kansas Conceal carry permit in lieu of NICS. He stated that he didn't know why a NICS date and response was recorded on the form. A NCIC check was run on this individual. Nothing prohibiting was found.

Also, the licensee failed to conduct a new NICS check after 30 days. On 2/24/21 (b)(6) attempted to purchase a firearm but was delayed. On 4/27/21, he came back in to pick up the firearm and recertified the form on 4/27/21. Sturgeon certified that the firearm was transferred on 4/27/21 on the 4473. However, a new NICS check was never conducted after the 30 days elapsed. When Investigator (b)(6) asked Sturgeon about the transaction, Sturgeon stated that he didn't know a new NICS check had to be completed after 30 days. An NCIC check was run on this individual. Nothing prohibiting was found.

The licensee also failed to wait 3 days after getting a delay to transfer a firearm. On 1/22/2021 (b)(6) attempted to purchase a firearm but was delayed. Licensee marked delayed on the 4473 and noted that 1/28/2021 is when the firearm could be transferred. Licensee did not record any follow up response. The 4473 was recertified by (b)(6) on 1/26/2021. However, the licensee recorded the transfer date on the 4473 as 1/22/2021. The A&D book (b)(3) (12 Public Law 55 125 Stat 552) When Investigator (b)(6) asked Sturgeon about this transaction, he stated that he thought for some reason he could transfer the gun. Sturgeon said that it wasn't transferred until 1/26/21 but thought for some reason he could transfer it that day. He said, "that's my problem, I don't do the paperwork right then and I try to go back." An NCIC check was run on this individual. Nothing prohibiting was found. Sturgeon is responsible for completing ATF F 4473s and NICS checks. There is no double check system. Investigator (b)(6) informed Sturgeon that he could not use white out on the ATF F 4473s or A&D book and if a mistake was made, he would need to cross through and initial and date. Investigator (b)(6) asked informed Sturgeon that he needed to complete

the gun information section of the 4473 first, before the customer completes their part. Therefore, this section should be completed even on denials/ non transfers. All NICS checks are called in. The licensee does not use Echeck. The licensee does accept the Kansas Conceal Carry Permit in lieu of NICS. This occurred on approximately 5% of forms.

There were no transfers to law enforcement officers for official duty. FFL copies were on file for all transfers to other FFLs. There were 24 transferred NTN's on the ATF FFL Audit Log for the inspection period, with no discrepancies. There were 3 denied NTN's, with no discrepancies.

MULTIPLE SALES

Per VCAB, there were five multiple sales reported for the inspection period. There were no unreported multiple sales.

SUSPICIOUS / PROHIBITED PURCHASERS

There were no traffickers identified within the inspection period. However, there was a straw purchase identified: (b)(3) (112 Public Law 55 125 Stat 552),(b)(6) However, he was delayed and subsequently denied. (b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

When Investigator (b)(6) asked Sturgeon about that transaction Sturgeon asked how he was supposed to know they were related. Investigator (b)(6) told Sturgeon that he should note that they were living at the same address, and she was purchasing the same firearm he attempted to purchase just 2 days earlier and was delayed/denied. Sturgeon asked how he would ever know that information. He stated that he "doesn't pay attention to that stuff." Investigator (b)(6) told Sturgeon that he had to have some system in place, a spread sheet or a place he keeps all delayed/denials to check for straw purchases. Sturgeon did not seem to agree with this and said that he needs to sell this place. The straw purchase was not referred to ATF CE as Investigator (b)(6) queried ANR and (b)(6) is not actually prohibited.

Further, no other computerized criminal history checks were conducted than previously mentioned.

TRACE ACTIVITY

Per VCAB, there was trace requests for the inspection period. All traces were successfully completed by the dealer.

MANUFACTURING

Not applicable

NFA

Sturgeon does not deal in NFA firearms.

OTHER

There were no referrals made. Licensee had the Youth Handgun Safety Act pamphlets and had the YHSA poster displayed. The business also had their FFL posted. Licensee does not sell exploding targets. Licensee had trigger locks for sale.

When Investigators first showed up at the licensed premise Sturgeon stated that was surprised because no one told him ATF was coming and said that he has (b)(6) issues recently and is behind in his records and there are some guns not logged in and some not logged out.

He mentioned several times throughout the inspection that he has had mental issues and behind in records and wish we would have called first and he would have gotten everything up to date.

Licensee made other statements throughout the inspection such as:

"Paperwork drives me nuts. I got to sell this place."

"I try real hard to do it right, but still make stupid mistakes."

Attachment(s)

Report of Violations.pdf

Report of Violations.pdf

Licensee Response to Violations Report.pdf

Firearm Theft Loss List.pdf

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
1 27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check ATF Forms 4473: 1 Number of Instances: 1	Execute and accurately record (on an ATF Form 4473) a new NICS/POC background check, after any 30-day expiration of a previously conducted NICS/POC check, on all future over-the-counter firearm transactions.	NICS Violation (b)(6)
2 27 CFR 478.102(a)(2)(ii): Failure to wait 3 business days (with no NICS/POC response) to transfer a firearm ATF Forms 4473: 1 Number of Instances: 1	Ensure that the minimum time period of three business days (meaning days on which State offices are open).	NICS Violation (b)(6)
3 27 CFR 478.102(a): Failure to complete a NICS/POC background check ATF Forms 4473: 2 Number of Instances: 4	Execute a required NICS/POC background check for all future over-the-counter firearm transactions.	NICS Violation (b)(6) NICS Violation NICS Violation NICS Violation
4 27 CFR 478.128(c): False statement made by a licensee on any ATF record Number of Instances: (b)(6)	Cease and desist from engaging in deceptive practices.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms

Number of Instances:

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.

Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report.

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

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

		<p align="center">(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.124(a): Failure to execute an ATF F 4473</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Record Management Record Management Record Management</p>
<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p align="center">(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Complete all forms as prescribed. Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p align="center">(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

8

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

9

27 CFR 478.124(c)(3)(iv):
Failure to record NICS contact
information 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.

(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:
Number of Instances:

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

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

11

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

ATF Forms 4473:
Number of Instances:

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)

THEFT/LOSS REPORT

Acquisition Date Category Type Manufacturer Importer Model Caliber/Gauge Serial Number

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

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
<p>27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Execute and accurately record (on an ATF Form 4473) a new NICS/POC background check, after any 30-day expiration of a previously conducted NICS/POC check, on all future over-the-counter firearm transactions.</p>	<p>Licensee stated that he knew a new NICS check had to be completed after 30 days. He stated that he individual had gotten sick and he just wasn't thinking. He then stated that he may not have known the 30 day rule when it happened but knows it now.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 01/25/2022</p>
<p>27 CFR 478.102(a)(2)(ii): Failure to wait 3 business days (with no NICS/POC response) to transfer a firearm</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Ensure that the minimum time period of three business days (meaning days on which State offices are open).</p>	<p>Licensee stated that he thought for some reason he could transfer the gun. Sturgeon said that it wasn't transferred until 1/26/21 but thought for some reason he could transfer it that day. He said, "that's my problem, I don't do the paperwork right then and I try to go back."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 01/25/2022</p>
<p>27 CFR 478.102(a): Failure to complete a NICS/POC background check</p> <p>ATF Forms 4473: 2 Number of Instances: 4</p>	<p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p>	<p>Licensee stated that he didn't know that he couldn't take another state's conceal carry permit in lieu of NICS. He stated that he didn't know why a NICS date and response was recorded on the form.</p> <p>Licensee stated that he didn't know what happened with the transactions with no 4473s. He said he has the sales ticket so he knows he sold it and it is not missing but has no idea about the 4473. He doesn't know if he got busy an unorganized and threw it away or what.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 01/25/2022</p>
<p>27 CFR 478.128(c): False statement made by a licensee on any ATF record</p> <p>Number of Instances: 1</p>	<p>Cease and desist from engaging in deceptive practices.</p>	<p>When Investigator (b)(6) asked Sturgeon about that transaction Sturgeon asked how he was supposed to know they were related. Investigator (b)(6) told Sturgeon that he should note that they were living at the same address and she was purchasing the same firearm he attempted to purchase just 2 days earlier and was delayed/denied. Sturgeon asked how he would ever know that information. He stated that he "doesn't pay attention to that stuff." Investigator (b)(6) told Sturgeon that he had to have some</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 01/25/2022</p>

		system in place, a spread sheet or a place he keeps all delayed/denials to check for straw purchases. Sturgeon did not seem to agree with this and said that he needs to sell this place. Licensee stated that he doesn't even remember what happened yesterday, he wouldn't know about the sale from a couple days ago.		
5	<p>27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms</p> <p>Number of Instances: [REDACTED]</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>Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report.</p>	<p>Licensee stated that he stopped logging guns out to his personal collection back in 2019 and just started taking them home. Investigator [REDACTED] asked if he just not get around to logging them out? Sturgeon stated that he didn't know if he needed to do a 4473 or just log it out to my name. However, he had done this correctly on numerous instances prior to 2019. Investigator [REDACTED] told him since he was a sole proprietor all he has to do is log it out to his name. Sturgeon said he has a personal book where he would log it out to himself and put it in the personal book before he took it home. But he stopped doing that in 2019. Licensee was surprised at all the open entries and stated that "Paperwork drives me nuts. I got to sell this place." "I try real hard to do it right, but still make stupid mistakes."</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 01/25/2022</p>
6	<p>27 CFR 478.124(a): Failure to execute an ATF F 4473</p> <p>ATF Forms 4473 [REDACTED]</p> <p>Number of Instances: [REDACTED]</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Licensee stated that he didn't know what happened with the transactions with no 4473s. He said he has the sales ticket so he knows he sold it and it is not missing but has no idea about the 4473. He doesn't know if he got busy an unorganized and threw it away or what.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 01/25/2022</p>
7	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473 [REDACTED]</p> <p>Number of Instances: [REDACTED]</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Licensee stated that he gets busy or distracted and means to go back but then forgets to.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 01/25/2022</p>
8	<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473 [REDACTED]</p> <p>Number of Instances: [REDACTED]</p>	<p>Complete all forms as prescribed.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Licensee just sighed and said paperwork was not his thing.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 01/25/2022</p>
9	<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473 [REDACTED]</p> <p>Number of Instances: [REDACTED]</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Licensee stated He did not know why he didn't record the information. He said when he gets a delay he forgets to go back and put in the information.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 01/25/2022</p>
	<p>27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>Licensee was surprised he didn't record the serial number of the firearm.</p>	<p>Status Licensee Notified</p> <p>Verified Method</p>

10	ATF Forms 4473 Number of Instances			In Person Date Licensee Notified 01/25/2022
11	27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473 ATF Forms 4473 Number of Instances	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.	Licensee said when it gets delayed he forgets to write in the transfer date and then tries to go back and gets confuse.	Status Licensee Notified Verified Method In Person Date Licensee Notified 01/25/2022

CLOSING CONFERENCE

Review Regulations conducted offline

(1/25/2022)

01/25/2022

Attachment(s)

Attendee(s)

RONALD G STURGEON

EXHIBITS

Inspection

Category	Attachment Name
PostInspection	FW_ Spartan Notification RE_ 5-48-05988 Inspection Results.msg
Correspondence	Spartan Notification RE: 5-48-05988 Inspection Results
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
UpdateLicensingCenter	STURGEON 8C (FINAL).pdf
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
Correspondence	Spartan Notification RE: 5-48-05988 Monitored Case
UpdateLicensingCenter	STURGEON 8C.docx
OnSiteSummaryInformation	Sturgeon reconciliation 25 Jan 22.pdf
OnSiteSummaryInformation	Sturgeon personal collection reconciliation.pdf
OnSiteSummaryInformation	(b)(6).xlsx
OnSiteSummaryInformation	(b)(6) ANR.pdf
OnSiteSummaryInformation	vcab.docx
OnSiteSummaryInformation	audit log new.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ViolationCorrection	RE_ Theft loss form for 5-48-05988- email.pdf
ViolationCorrection	theft loss form.pdf
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	
ViolationsPDF	Report of Violations.pdf
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	
ViolationsPDF	Report of Violations.pdf
Correspondence	

Correspondence
FirearmTheftLossList
ZoningVerification
TradeNameVerification
PropertyOwnershipVerification

Action Required Concerning Your Federal Firearms Compliance Inspection
Firearm Theft Loss List.pdf
KSA 12-16, 124 - Firearms and Ammo; Regulation by City or County, Limitations (2015).pdf
Kansas Sec of State - Trade Names Registration Not Required.pdf
property.pdf

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

In the matter of License Number 5-48-141-01-3G-05988, as a/an A Dealer in Firearms Other Than Destructive Devices

issued to:

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

Ronald G. Sturgeon d/b/a Sturgeon's Gun and Archery Shop
131 W. Main
Osborne, Kansas 67473

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 1251 NW Briarcliff Parkway, Suite 600 Kansas City MO 64116, 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
03/21/2022	William J. Miller Director, Industry Operations ATF Kansas City 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: 7019 2970 0000 6261 8572 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
03/21/2022	Administrative Assistant	(b)(6)

Print Name and Title of Person Served	Signature of Person Served
Ronald G. Sturgeon d/b/a Sturgeon's Gun and Archery Shop	

Address Where Notice Served
131 W. Main, Osborne, Kansas 67473

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given that the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") intends to revoke the Federal firearms license held by Ronald G. Sturgeon d/b/a Sturgeon's Gun and Archery Shop ("Licensee"), a Dealer in Firearms other than Destructive Devices. Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Kansas City 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 2002. The laws and regulations issued under the GCA were reviewed as part of the application inspection and resource materials were provided to Licensee. ATF subsequently conducted a compliance inspection of Licensee in 2017. As a result of the 2017 inspection, Licensee received a warning letter from ATF in which violations and proposed corrective actions were reviewed. In the warning letter, ATF stated "[a]ny future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of the license."

Current Inspection

On December 6, 2021, ATF began a compliance inspection of Licensee's premises that revealed the following:

Acquisition and Disposition Record Violations:

1. On [] occasions, Licensee willfully failed to timely record the acquisition of firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.125(e). See Appendix ¶ 1.
2. On [] occasions, Licensee willfully failed to timely record the disposition of firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.125(e). See Appendix ¶ 2.

Background Check Violations:

3. On six occasions, Licensee willfully transferred a firearm to an unlicensed person without first contacting the National Instant Criminal Background Check System ("NICS") and waiting three days before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102. See Appendix ¶ 3.

Falsified Statement in Records:

4. On [] occasion, 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). See Appendix ¶ 4.

ATF Form 4473 Violations:

5. On occasions, Licensee willfully sold or otherwise disposed of a firearm to an unlicensed person without recording the transaction on a Firearms Transaction Record, ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(a). See Appendix ¶ 5.
6. 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-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 ¶ 6.
7. On occasions, Licensee willfully transferred a firearm to a non-licensee without recording the date Licensee contacted NICS, any response provided by the system and/or any identification number provided by the system on the Firearms Transaction Record, ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv). See Appendix ¶ 7.
8. On occasions, Licensee willfully failed to sign and/or date the Firearms Transaction Record, ATF Form 4473, certifying that Licensee does not know or have reason to believe the transferee is disqualified by law from receiving the firearm described on the Form, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(5). See Appendix ¶ 8.

APPENDIX

Notice Violation 1, Appendix ¶ 1 [478.125(e) Acquisition Violations]:

Firearms Acquired without Recording the Acquisition (Reconciled)

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

Notice Violation 2, Appendix ¶ 2 [478.125(e) Disposition Violations]:

Firearms Transferred without Recording the Disposition (Reconciled)

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

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

Firearms Transferred without Recording the Disposition & Missing/Lost/Stolen

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

Notice Violation 3, Appendix ¶ 3 [478.102(a) NICS Violations]:

<u>Form 4473 #/Transferee</u>	<u>Date</u>	<u>Violation</u>
(b)(6)	4/27/2021	Failure to initiate new NICS after 30 days
(b)(6)	1/22/2021	Failure to wait 3 business days
(b)(6)	11/10/2021	Failure to conduct NICS check

Description of Firearms Transferred Without a NICS Check

- 4. Savage Axis II, XP 243 (b)(6) Rifle
- 5. Stevens 200, 243 (b)(6), Rifle
- 6. Remington, 7, (b)(6) Rifle

Notice Violation 4, Appendix ¶ 4 [478.128(c) False Statement in Records Violation]:

Form 4473 #/Transferee _____ Date _____ Violation _____

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

Notice Violation 5, Appendix ¶ 5 [478.124(a) No Form 4473 Completed Violations]:

Description of Firearms Transferred without an ATF Form 4473 Completed

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

Notice Violation 6, Appendix ¶ 6 [478.124(c)(1) Form 4473 Violations]:

Form 4473 #/Transferee _____ Date _____ Violation _____

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

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

Notice Violation 7, Appendix ¶ 7 [478.124(c)(3)(iv) Form 4473 Violations]:

Form 4473 #/Transferee Date Violation

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

Notice Violation 8, Appendix ¶ 7 [478.124(c)(5) Form 4473 Violations]:

Form 4473 #/Transferee Date Violation

(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 5-48-141-01-3G-05988 as a/an a dealer in firearms other than destructive devices

_____, issued to:

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

Ronald G. Sturgeon d/b/a Sturgeon's Gun and Archery Shop
131 W. Main
Osborne, Kansas 67473

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 upon notice receipt ,
 - 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 1251 NW Briarcliff Parkway Suite 600 Kansas City MO 64116, 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 04/20/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official William J. Miller Director, Industry Operations ATF Kansas City Field Division	Signature (b)(6)
--------------------	--	----------------------------

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

- Certified mail to the address shown below.
 Tracking Number: 7020 1290 0001 6240 9506 Or Delivering a copy of the notice to the address shown below.

Date Notice Served <u>4/20/22</u>	Title of Person Serving Notice Administrative Assistant	Signature (b)(6) Notice
--------------------------------------	--	-----------------------------------

Print Name and Title of Person Served
 Ronald G. Sturgeon d/b/a Sturgeon's Gun and Archery Shop

Address Where Notice Served
 131 W. Main, Osborne, Kansas 67473

Note: Previous Edition is Obsolete

Page 2 – ATF Form 5300.13, Final Notice of Denial of Application, Revocation,
Suspension and/or Fine of Firearms License

Ronald G. Sturgeon d/b/a Sturgeon's Gun and Archery Shop, 131 W. Main, Osborne, Kansas 67473 ("Licensee") holds Federal firearms license #5-48-141-01-3G-05988, a dealer in firearms other than destructive devices, which was 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, and the regulations issued thereunder, 27 C.F.R. Part 478.

On March 21, 2022, ATF issued a Notice of Revocation of License, ATF Form 4500, to Licensee. This Notice was sent to Licensee's known licensed business premises. Receipt of the Notice was certified and confirmed via USPS certified mail on March 24, 2022.

Said Notice alleged that Licensee willfully violated the provisions of the GCA and the regulations issued thereunder. The Notice further specified that if Licensee wished to challenge the revocation, he 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). No request for hearing was filed with ATF in accordance with the provisions of the GCA.

For the reasons set forth in the Notice of Revocation issued on March 21, 2022, the Federal firearms license held by Licensee, Ronald G. Sturgeon d/b/a Sturgeon's Gun and Archery Shop, is hereby REVOKED.

Accordingly, the firearms business records for Licensee's discontinued business must be sent to the Out-of-Business Records Center, 244 Needy Road, Martinsburg, West Virginia 25401, pursuant to the requirements under 18 U.S.C. § 923(g)(4) and 27 C.F.R. § 478.127. The records shall be delivered within thirty (30) days following the business discontinuance.

If there are any questions regarding this matter, please contact the ATF area office at (816) 410-6000.

Dated this 20th day of April, 2022.

(b)(6)

William J. Miller

Director, Industry Operations
Kansas City Field Division

Bureau of Alcohol, Tobacco, Firearms and Explosives
United States Department of Justice



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington DC

www.atf.gov

IMPORTANT NOTICE

Selling Firearms AFTER Revocation, Expiration, or Surrender of an FFL

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

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

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

- Arrange for another FFL to purchase the business inventory (and other assets) of the business; or
- Consign the inventory to another FFL to sell on consignment, or at auction.

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

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

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

**CURTIS
GILBERT** Digitally signed by
CURTIS GILBERT
Date: 2022.04.04
16:12:22 -04'00'

Curtis Gilbert
Deputy Assistant Director (Industry Operations)
Field Operations