

SNOWY RANGE VENTURES, LLC's FCI
FCI-30040
03/31/2022 01:06 PM
IO (b)(6) Cheyenne (IO) Satellite Office

LICENSEE INFORMATION

Licensee Name	RDS Key	License/Permit Number	License Type
SNOWY RANGE VENTURES, LLC	5-83-02386	5-83-021-01-3K-02386	01 - Dealer License

Business Type
Limited Liability Company (LLC)

Premises Address

Mailing Address

Premises Ownership Type
Leased/Rented

Same as Premises Address

Premises Location Type
Office

Address
2232 DELL RANGE BLD SUITE 242
Unit N/A
CHEYENNE, Wyoming 82009
LARAMIE United States

Phone Type	Phone Number	Remarks
Business	+1 307-274-8722	

Email Address	Email Remarks
info@capitalcityarms.com	

RECOMMENDATIONS

Final Decision
Revocation
Date
03/11/2022

Details

FFL was revoked on March 11, 2022.

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

✔ Submitted to an ATF Employee

✔ Inventory transferred to self

ATF Employee Name
Investigator (b)(6)

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

Details

Concur with recommendation of DIO

Special Agent in Charge David Booth's Recommendation

I concur with the DIO on recommendation for revocation.

Division Counsel (b)(6) Review

Details

none

Director of Industry Operations Paul Brown's Recommendation
Revocation

Details

Revocation is recommended.

This Federal firearms license was issued in 2020. This inspection is the first inspection for this licensee. The inspection revealed (b)(4) acquisitions and (b)(4) dispositions for the inspection period.

For the current inspection, the licensee failed to conduct one required background checks prior to transferring a firearm. As reported by the lead

IOI, "The licensee stated that it was an oversight on their part. In addition the Fastbound software usually requires responses to those sections in order to generate a pdf of the completed form." The individual was not prohibited reference this transfer.

For this inspection, the licensee had [redacted] ATF Form 4473s to review. The licensee failed to verify or record Identification information on [redacted] ATF F 4473 in [redacted] instance, failed to complete ATF Forms 4473 as prescribed in violation of 27 CFR 478.21(a) in [redacted] instances on [redacted] ATF Form 4473 and failed to sign and/or date an ATF F 4473 in two instances on [redacted] ATF Form 4473. For all the ATF Form 4473 errors, as reported by the lead IOI, "The licensee stated that it was an oversight on their part. In addition the Fastbound software usually requires responses to those sections in order to generate a pdf of the completed form."

Revocation is recommended based on the failure to conduct the required background check. Further, there is no indication of any extenuating circumstances or reasons why the background checks were not completed other than what the RP stated about it being an oversight.

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

Details

The licensee was cited for failing to complete a NICS background check on one occasion. Per ATF O 5370.1D and the Administration's Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety revocation is recommended.

Industry Operations Investigator [redacted] (b)(6) Recommendation
Warning Conference

Details

IOI [redacted] (b)(6) recommends a warning conference due to the short period the licensee has maintained the license and the unfamiliarity with the electronic ATF Form 4473 system. In addition, Investigator [redacted] (b)(6) recommends a warning conference due to the fact that the initial qualification inspection was conducted via telephone during the COVID-19 pandemic. Investigator [redacted] (b)(6) also recommends a warning conference as the licensee showed true concern regarding the oversight and stated that they will ensure that all future ATF Forms 4473 will be completed accurately.

In review, Snowy Range Ventures, LLC, d.b.a., Capital City Arms, has maintained their license since 09/01/2020. The initial qualification inspection was conducted on August 19, 2020 via telephone due to the COVID-19 pandemic. On September 9, 2021, Investigator [redacted] (b)(6) conducted a compliance inspection at 2232 Dell Range Boulevard, Suite 242, Cheyenne, WY 82009. During the inspection, Investigator [redacted] (b)(6) found [redacted] ATF-Form 4473 that was not completed properly nor was a NICS background check completed on the individual who purchased the firearm. Mr. Andrew Wagnon, Responsible Person on the license, was present during the review of the ATF-Forms 4473. Mr. Wagnon stated that he did not realize that one was incomplete. Mr. Wagnon also stated that the computerized system that they use, FastBound, would not have allowed the printing of the ATF Form 4473 without it being completed and he did not understand why this one printed without all of the required information. Mr. Wagnon stated that the background check was also supposed to happen automatically by the FastBound software. Mr. Wagnon stated it was an oversight on their part. Investigator [redacted] (b)(6) issued a Report of Violations for failure to properly complete the ATF Form 4473 and conduct a NICS background check. Due to conflicts with work and personal responsible person's schedules, Investigator [redacted] (b)(6) conducted the closing conference with Mr. Wagnon on October 19, 2021. Investigator [redacted] (b)(6) reviewed the Report of Violations and the Acknowledgement of Federal Firearms Regulations during the closing conference on October 19, 2021. Mr. Wagnon stated that they will ensure the proper completion of the required ATF Form 4473s for all future transactions and will review the forms after they are printed by FastBound software and ensure completeness.

Based on the information obtained during the inspection, Investigator [redacted] (b)(6) recommends a Warning Conference.

Inspection Findings

NICS

- 4. Failure to conduct a NICS check or obtain an alternate permit.

ELIGIBILITY VERIFICATION

Business Information Verification

Licensee Name	Business Type	Is the business valid?
SNOWY RANGE VENTURES, LLC	Limited Liability Company (LLC)	Yes

Additional Findings

Snowy Range Ventures, LLC is currently registered with the State of Wyoming Secretary of State and is in good standing.

Attachment(s):

State of Wyoming Good Standing Certificate - Snowy Range Ventures LLC.pdf

Property Ownership Verification

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

Address

2232 DELL RANGE BLD SUITE 242
Unit N/A
CHEYENNE, Wyoming 82009
LARAMIE United States

Additional Findings

Snowy Range Ventures, LLC leases the licensed business premises from [redacted] (b)(6) landlord.

Contact Information

Name [redacted] (b)(6) Date Contacted 07/07/2020

Organization

Leasor of Property

Job Title
Landlord

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

Attachment(s):

Trade Name/DBA Verification

Trade Name/DBA	Is the trade name/DBA registered?
CAPITAL CITY ARMS	No

Additional Findings
The State of Wyoming Secretary of State does not require business trade name registration.

Contact Information

Name	Date Contacted
(b)(6)	08/31/2021

Organization
State of Wyoming

Job Title
Secretary of State

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

Attachment(s):

Rental/Lease Verification

Is the proposed business activity permitted by the property owner?
Yes

Additional Findings
(b)(6) landlord, is aware and approves the business activity at the address listed on the license.

Contact Information

Name	Date Contacted
(b)(6)	07/07/2020

Organization
Leasor of Property

Job Title
Landlord

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

Attachment(s):
Property Owner Authorization Letter - Snowy Range Ventures LLC.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?
Yes

Additional Findings
The City of Cheyenne, Planning and Development Department has approved the business activity therefore Snowy Range Ventures, LLC is in compliance with the local zoning requirements.

Attachment(s):
Zoning Approval Letter - Snowy Range Ventures LLC dba Capital City Arms.pdf

APPOINTMENT DETAILS

Interview Date
09/09/2021
Address
2232 DELL RANGE BLD SUITE 242, Unit N/A, CHEYENNE, Wyoming 82009

Responsible Attendee(s)	Non-Responsible Person(s)
CORY WESLEY SCHROEDER ANDREW DAVID WAGNON	No Items

RESPONSIBLE PERSON(S)

CORY WESLEY SCHROEDER

Name: CORY WESLEY SCHROEDER Gender: Male Race: White Ethnicity: Not Hispanic or Not Latino

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

Physical Identifiers

Height: (b)(6) Weight: (b)(6) Hair Color: (b)(6) Eye Color: (b)(6)

Place of Birth

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

Home Address

(b)(6)

Additional Names

Citizenship

United States

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

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

Email Address	Email Remarks
(b)(6)	
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted: 09/09/2021

Criminal History Check Comments: NCIC check was conducted with no prohibiting factors/results.

ANDREW DAVID WAGNON

Name: (b)(6) Gender: Male Race: White Ethnicity: Not Hispanic or Not Latino

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

Physical Identifiers

Height: (b)(6) Weight: (b)(6) Hair Color: (b)(6) Eye Color: (b)(6)

Place of Birth

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

Home Address

(b)(6)

Additional Names

Citizenship

United States

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

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

Email Address	Email Remarks
(b)(6)	
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted
09/09/2021

Criminal History Check Comments
NCIC check was conducted with no prohibiting factors/results.

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?
Snowy Range Ventures, LLC, d.b.a., Capital City Arms, main business activity is selling new and used handguns and long guns to local business clients, family and friends. The licensee maintains (b)(3)(26 USC § 6103), (b)(6) the licensee does conduct online sales; however, does not maintain a website. The licensee does sell ammunition and may accept consignments. The licensee does not provide gunsmithing services and does not attend gun shows. The licensee does not utilize off-site storage.

The primary suppliers are (b)(4)

The licensee also provides digital fingerprints for employment background checks to local business clients at the licensed premises. The licensee does not maintain any other ATF licenses.

Mr. Corey Schroeder and Mr. Andrew Wagon are the only Responsible Persons listed on the license and no unreported changes have occurred.

For this period of inspection the Violent Crime Analysis Branch (VCAB), Firearm Trace History showed the licensee was not associated with any multiple sales transactions involving any firearms. Investigator (b)(6) verified there were no unreported multiple sales during the inspection period. The licensee was also not associated with any Denied transactions. Investigator (b)(6) queried NICS transaction numbers; however, there were no results during the inquiry period. Investigator (b)(6) conducted a background check in NCIC on the individual whose NICS background check was not completed prior to the transfer of a firearm and the only hits in NICS is not the individual (different middle name and social security number); therefore, the individual who purchased the firearm was not prohibited at the time of the sale.

There were no theft/losses reported by the licensee during the inspection period nor as a result of the inspection.

There were eight firearms in inventory and there were (b)(6) entries in the electronic A & D Record Book. The computerized A & D Record is in the proper format. The licensee uses FastBound Firearms Compliance Software for maintaining both the computerized A & D Record Book and the computerized ATF Form 4473s. Investigator (b)(6) confirmed that all of the computerized ATF Form 4473s are being printed and filed numerically. All of the firearms in inventory were new; therefore, IOI (b)(6) did not conduct a secondary market analysis. Investigator (b)(6) also verified the (b)(3)(26 USC § 6103) if no discrepancies were found. The licensee did transfer some firearms to other licensees during the inspection period and there were no "for duty use" Law Enforcement transfers.

Snowy Range Ventures, LLC., d.b.a., Capital City Arms does not maintain any variances on file with ATF. Investigator (b)(6) did not find any reason which would require a variance during the inspection period.

The licensee maintains a Type 1 – Dealer in Firearms Federal Firearms License and has held the license since September 1, 2020. This is a firearms compliance inspection resulting from a telephone qualification inspection performed on 8/18/2020 during the COVID-19 pandemic.

Do they need an additional license or permit?
No

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

Business Activities

- (b)(3)(26 USC § 6103)
- Internet Sales/Transfers
- Retail

Selected Operational Security Measures

- Controlled Access to ATF Recordkeeping
- Controlled Access to Keys

Internet Sales/Transfers Website

Licensee does not maintain a website.

PREMISES INFORMATION

Inspection Area Description
The inspection took place in the office area of the business. The business premises are located on the second floor of the commercial building located in a commercial area in the northern part of the City of Cheyenne. Snowy Range Ventures, d.b.a., Capital City Arms, leases the office space from (b)(6) landlord.

Primary Activity

GPS Coordinates

Latitude
41.16056

Longitude
-104.78591

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
8

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation
0

Total Number of Acquisitions in the Last 12 Months
(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](#)

(b)(3)(26 USC § 6103)

(b)(3)(26 USC § 6103)

Attachment(s)

Report of Violations.pdf

Report of Violations.pdf

Report of Violations.pdf

Licensee Response to Violations Report.pdf

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
1 27 CFR 478.102(a): Failure to complete a NICS/POC background check ATF Forms 4473: 1 Number of Instances: 1	Execute a required NICS/POC background check for all future over-the-counter firearm transactions. Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.	NICS Violation (b)(6)
2 27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473 ATF Forms 4473: (b)(4) Number of Instances: (b)(4)	Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.	(b)(3) (112 Public Law 55 125 Stat 552)

<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Complete all forms as prescribed. Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions. Ensure that the required transferor/seller printed name and title is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D. Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
<p>27 CFR 478.102(a): Failure to complete a NICS/POC background check</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions. Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.</p>	<p>The licensee stated that it was an oversight on their part. In addition the Fastbound software usually requires responses to those sections in order to generate a pdf of the completed form.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/19/2021</p>
<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>The licensee stated that it was an oversight on their part. In addition the Fastbound software usually requires responses to those sections in order to generate a pdf of the completed form.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/19/2021</p>
<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Complete all forms as prescribed. Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions. Ensure that the required transferor/seller printed name and title is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D. Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>The licensee stated that it was an oversight on their part. In addition the Fastbound software usually requires responses to those sections in order to generate a pdf of the completed form.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/19/2021</p>
<p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>The licensee stated that it was an oversight on their part. In addition the Fastbound software usually requires responses to those sections in order to generate a pdf of the completed form.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/19/2021</p>

RECORD(S) OF CONVERSATION

Name	When Contacted 01/28/2022	Method of Contact Phone
Phone	Location Contacted	

Investigative Participant(s)
No items

Narrative

On Friday, January 28, 2022, Investigator (b)(6) received a text from Mr. Andrew Wagon requesting a phone call. Investigator (b)(6) called Mr. Wagon a few minutes later, on January 28, 2022. Mr. Wagon stated that they had received a letter from ATF stating that their license was going to be revoked. Investigator (b)(6) stated that this is the first time it has happened since the new changes and therefore did not know how it would all work out. Mr. Wagon stated that they will be obtaining a lawyer and requesting a hearing as mentioned in the letter. Investigator (b)(6) has not been contacted by Mr. Wagon or Mr. Cory Schroeder, the other Responsible Person on the license, since January 28, 2022.

CLOSING CONFERENCE

(10/20/2021)
10/20/2021

Closing Conference Additional Notes

On October 20, 2021, Investigator (b)(6) conducted a closing conference with Mr. Andrew Wagon, Responsible Person on the application. Investigator (b)(6) reviewed the Report of Violations with Mr. Wagon. Investigator (b)(6) also reviewed the Acknowledgement of Federal Firearms Regulations with Mr. Wagon, signifying his understanding of its contents. Finally, Investigator (b)(6) provided Mr. Wagon with the ATF Federal Firearms Licensee Quick Reference Guide, and the Important Notice regarding the selling of firearms after revocation, expiration or surrender of an FFL.

Attachment(s)

Attendee(s)

ANDREW DAVID WAGON

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-83-02386 Inspection Results
Correspondence	Spartan Notification RE: 5-83-02386 Monitored Case
Correspondence	Spartan Notification RE: 5-83-02386 Monitored Case
Correspondence	Spartan Notification RE: 5-83-02386 Monitored Case
Correspondence	Spartan Notification RE: 5-83-02386 Monitored Case
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Correspondence	Spartan Notification RE: 5-83-02386 Monitored Case
Correspondence	Spartan Notification RE: 5-83-02386 Monitored Case
Correspondence	Spartan Notification RE: 5-83-02386 Monitored Case
RentalLeaseVerification	Property Owner Authorization Letter - Snowy Range Ventures LLC.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	Information Concerning Your Federal License/Permit

Correspondence

ViolationsPDF

ClosingConferenceSummary

ViolationsPDF

ViolationsPDF

ZoningVerification

BusinessVerification

Report of Violations.pdf

Acknowledgment of Regulations.pdf

Report of Violations.pdf

Report of Violations.pdf

Zoning Approval Letter - Snowy Range Ventures LLC dba Capital City Arms.pdf

State of Wyoming Good Standing Certificate - Snowy Range Ventures LLC.pdf

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

In the matter of License Number 5-83-021-01-3K-02386, 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*)

Snowy Range Ventures, LLC
(Capital City Arms)
2232 Dell Range Boulevard
Suite 242
Cheyenne, Wyoming 82009

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 950 17th Street, Suite 1800, Denver, Colorado 80202, 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
01/24/2022	Paul W. Brown 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: 70122210000109689659 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
01/24/2022	Director, Industry Operations	(b)(6)
Print Name and Title of Person Served		Signature of Person Served (if applicable)

Address Where Notice Served
2232 Dell Range Boulevard, Suite 242, Cheyenne, Wyoming 82009

SNOWY RANGE VENTURES, LLC
5-83-021-01-3K-02386

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 Snowy Range Ventures, LLC (“Licensee”), as a Dealer in Firearms Other Than Destructive Devices. Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Denver Field Division, has reason to believe that the 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 originally issued a Federal firearms license to Licensee in September 2020. The laws and regulations issued under the GCA were reviewed as part of the application inspection.

Current Inspection

On September 9, 2021, ATF Industry Operations Investigator (b)(6) conducted a compliance inspection at Licensee’s premises that revealed the following:

1. On one occasion, Licensee willfully transferred a firearm to an unlicensed person without first contacting the NICS and obtaining a unique identification number before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a). See Attachment.
2. On one occasion, Licensee willfully failed to record the ID document information in Item 18a on an ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(1). See Attachment.
3. On one occasion, Licensee willfully failed to sign and date the ATF Form 4473 since items 35 and 37 on the Form are blank, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(5). See Attachment.
4. On one occasion, Licensee willfully failed to follow instructions on the ATF Form 4473, as items 34 and 36 on the Form are blank, in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.21(a). See Attachment.

Attachment

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

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

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



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Denver Field Division

950 17th Street/Suite 1800
Denver, CO 80202
www.atf.gov

March 2, 2022

788000 (b)(6)
5300

Mr. Corey Schroeder
Mr. Andrew Wagon
Snowy Range Ventures, LLC
2232 Dell Range Blvd., Suite 242
Cheyenne, Wyoming 82009

In re: Federal firearms license 5-83-021-01-3K-02386

Dear Messrs. Schroeder and Wagon:

Reference is made to the letter dated February 9, 2022, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) on behalf of Snowy Range Ventures, LLC d/b/a Capital City Arms (“Snowy Range”). In that letter, Snowy Range requested a hearing in response to the Notice to Revoke or Suspend License and/or Impose a Civil Fine, ATF Form 4500 (5300.4) (“Notice to Revoke”) ATF issued to it. For the reasons set forth below, the request for a hearing is denied.

On January 24, 2022, ATF issued the subject Notice to Revoke alleging that Snowy Range 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”). ATF served said Notice on Snowy Range via certified mail. Snowy Range received the Notice to Revoke on January 27, 2022.

Pursuant to the GCA, a Federal firearms licensee has “15 days from the date of receipt of the notice in which to request a hearing . . . If the licensee does not file a timely request for a hearing, the Director shall issue a final notice of suspension or revocation and/or imposition of a civil fine on ATF Form 5300.13, as provided in § 478.74.” 27 C.F.R. § 478.73(b). Significantly, the 15 day time limit for filing a hearing request is set forth in the ATF Form 4500 (5300.4) and the Explanation of the Hearing Process brochure Snowy Range received on January 27, 2022.

Following its receipt of the Notice to Revoke on January 27, 2022, Snowy Range had until February 11, 2022, (15 days from receipt of the ATF Form 4500 (5300.4)), to timely file its request for hearing. Significantly, the envelope containing Snowy Range’s hearing request was

Mr. Corey Schroeder
Mr. Andrew Wagnon

post marked February 15, 2022, and received by ATF on February 18, 2022. The filing of Snowy Range's hearing request with ATF is beyond the 15 days to request a hearing provided by law.

Prior to receipt of the untimely hearing request, ATF issued a Final Notice of Denial of Application, Revocation Suspension and/or Fine of Firearms License (ATF Form 5300.13) ("Final Notice") to Snowy Range on February 16, 2022. Snowy Range received the Final Notice on February 18, 2022. The Final Notice specifies that Snowy Range's Federal firearms license is revoked effective March 11, 2022.

If you have any questions, please feel free to contact the Denver VI Area Office at 303-575-7800 regarding the final revocation action against the Federal firearms license held by Snowy Range Ventures, LLC d/b/a Capital City Arms and your obligations under the GCA.

Sincerely,

(b)(6)

Paul W. Brown
Director, Industry Operations
ATF Denver Field Division

**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 5-83-021-01-3K-02386 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*)

Snowy Range Ventures, LLC
(Capital City Arms)
2232 Dell Range Boulevard
Suite 242
Cheyenne, Wyoming 82009

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 March 11, 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 _____,

prior to the effective date of the action set forth above. You may not continue licensed operations unless and until a stay is granted by the DIO.

Records prescribed under 27 CFR Part 478 for the license described above shall either be delivered to ATF within 30 days of the date the business is required to be discontinued or shall be documented to reflect delivery to a successor. See 18 U.S.C. 923(g)(4) and 27 CFR § 478.127.

After the effective date of a license denial of renewal, revocation, or suspension, you may not lawfully engage in the business of dealing in firearms. Any disposition of your firearms business inventory must comply with all applicable laws and regulations. Your local ATF office is able to assist you in understanding and implementing the options available to lawfully dispose of your firearms business inventory.

Date 02/16/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official Paul W. Brown 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: 70171070000089871107
Or
 Delivering a copy of the notice to
 the address shown below.

Date Notice Served 02/16/2022	Title of Person Serving Notice Director, Industry Operations	(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 2232 Dell Range Boulevard, Suite 242, Cheyenne, Wyoming 82009
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Note: Previous Edition is Obsolete

Snowy Range Ventures, LLC (“Licensee”), dba Capital City Arms, holds Federal Firearms License 5-83-021-01-3K-02386, as a dealer of firearms other than destructive devices 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”).

On January 24, 2022, ATF issued a Notice to Revoke or Suspend License and/or Impose a Civil Fine, ATF Form 4500 (5300.4) (“Notice to Revoke”) advising Licensee that ATF intended to revoke its License. The Notice to Revoke was served upon Licensee via certified mail on January 27, 2022.

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 within 15 days from the date of receipt of the Notice. See 18 U.S.C. § 923(f)(2); 27 C.F.R. § 478.73(b).

Although the Notice to Revoke was served upon Licensee on January 27, 2022, no request for a hearing was filed with ATF within 15 days of the date on which the Notice was served.

For the reasons set forth in the Notice to Revoke or Suspend License and/or Impose a Civil Fine issued on January 24, 2022, the Federal Firearms License held by Snowy Range Ventures, LLC, dba Capital City Arms, is hereby revoked.

Dated this 16th day of February, 2022

(b)(6)

Paul W. Brown
Director, Industry Operations
Denver Field Division
Bureau of Alcohol, Tobacco, Firearms and Explosives



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 a Federal Firearms License

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

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

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

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

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

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

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

Digitally signed by
MEGAN BENNETT
Date: 2021.06.02
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(b)(6)

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