

SPB ENTERPRISES LLC's FCI

FCI-30430

04/18/2022 04:11 PM

IOI: (b)(6), Indianapolis II (IO) Field Office

**LICENSEE INFORMATION**

Licensee Name	RDS Key	License Permit Number	License Type
SPB ENTERPRISES LLC	4-35-09678	4-35-063-01-4F-09678	01 - Dealer License

Business Type  
Limited Liability Company (LLC)

**Premises Address**

**Mailing Address**

Premises Ownership Type  
Owned

Same as Premises Address

Premises Location Type  
Single Family Dwelling

Address  
2410 ASH CT  
Unit N/A  
Avon, Indiana 46123  
Hendricks United States

Phone Type	Phone Number	Remarks
Business	+1 217-371-3047	

**RECOMMENDATIONS**

Final Decision

Revocation

Date

03/28/2022

Details

Inspection date: 12/9/2021

License Revoked

All records have been retrieved by IOI: (b)(6).

Request to remove inspection from MCP approved by DAD on 4/13/2022

Out of Business Records and Inventory Management

**Licensee Records**

**Licensee Inventory**

Submitted to an ATF Employee

No inventory on hand

ATF Employee Name:

IOI: (b)(6)

Deputy Assistant Director - Industry Operations Hans Hummel's Recommendation

Revocation

Details

Concur with recommendation to proceed with revocation.

Acting Special Agent in Charge Roland Hemdon's Recommendation

SAC agrees with revocation.

Division Counsel (b)(6)'s Review

Details

Reviewed

Director Industry Operations Roland Hemdon's Recommendation

Revocation

Details

Per DAD FO IO's acceptance of this case in the MCP as revocation, the DIO amends the recommendation to revocation. The Initial 8C has also been amended to reflect revocation and routed to DC/ACC for review. The amended 8C has been uploaded in Spartan.

Area Supervisor: (b)(6) Recommendation  
Revocation

Details

A compliance inspection of the licensee on 12/9/21 resulted in a violation of 27 CFR 478.102(a) for failure to conduct a NICS check in two (2) instances. The licensee reused a prior NICS check for a repeat customer that had an approved NICS check within the previous thirty (30) days. When questioned, the licensee stated that he thought NICS checks were valid for thirty (30) days. The purchaser's criminal history was queried, and the purchaser was not prohibited from receiving firearms. Other violations cited during this inspection have a very low rate of occurrence. A violation of 27 CFR 478.125(e) was cited for using an excel spreadsheet for the firearms acquisition and disposition bound book which failed to track any edits. Additionally, on (b)(6) occasions acquisition information was recorded incorrectly. A violation of 27 CFR 478.21(a) was cited for failing to obtain correct information in item 23 of the ATF Form 4473. A violation of 27 CFR 478.124(c)(3)(iv) was cited for failing to obtain any information in item 27a on the ATF Form 4473. None of the above violations were repetitive in nature. It should be noted that the licensee has had zero firearms traced and has conducted zero multiple sales of pistols and/or revolvers. The licensee has had three (3) prior contacts with ATF. An original application inspection, a compliance inspection in which no violations were cited and due to a change in the business premises an amended application for a license. In each instance a review of the regulations was conducted. The current inspection is the first time the licensee has been cited for any violations, and no transactions have a nexus to violent crime. This report supports a recommendation for revocation.

Industry Operations Investigator: (b)(6) Recommendation  
Revocation

Details

NCIC, NFORCE, and FLS deconfliction queries were conducted prior to the inspection. No prohibitive information was disclosed. Notification of the violation was sent to ATF Indianapolis III Group Supervisor (b)(6) and IOIS (b)(6) prior to initiation of the inspection. No response was received.

The inspection was conducted on 12/9/21 and covered from 1/1/21 until the date of inspection. Present for ATF was SIOI (b)(6) and present for the licensee was Mr. Steven Brundage, RP.

Violations of 27 CFR 478.21(a), 478.124(c)(3)(iv), 478.125(e), and 478.102(a) were cited. Concerning the violation of 27 CFR 478.102(a), both instances involved the same transferee. A NCIC query conducted by SIOI (b)(6) could determine no prohibitive information.

The licensee was provided an opportunity to respond to the violations.

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?
SPB ENTERPRISES LLC	Limited Liability Company (LLC)	Yes

Additional Findings

12.8.21 - SIOI (b)(6) verified through the Indiana Secretary of State Business Services Division website that the LLC is active

Attachment(s)

LLC Information.pdf

**Property Ownership Verification**

Premises Ownership Type	Premises Location Type	Has the property ownership been verified?
Owned	Single Family Dwelling	Yes

Address

2410 ASH CT  
Unit N/A  
Avon, Indiana 46123  
Hendricks United States

Additional Findings

12.8.21 - SIOI (b)(6) verified through the Hendricks County GIS website that the premises is owned by the two (2) RPs.

Attachment(s)

Property Card.pdf

**Zoning Information Verification**

Is the proposed business activity in compliance with zoning?

Yes

Additional Findings

During the licensee's amended FFL qualification inspection SIOI (b)(6) contacted the Town of Avon and was informed by (b)(6), Building and Planning Director, that the intended

activity would fall under: (b)(6)

Contact Information

Name: (b)(6)

Date Contacted: 11/03/2020

Organization: Town of Avon Building and Planning Department

Job Title: Director

Email Address: (b)(6)

Email Remarks:

Attachments:

APPOINTMENT DETAILS

Interview Date: 12/09/2021

Address: 2410 ASH CT, Unit N/A, Avon, Indiana 46123

Responsible Attendee(s)

Non-Responsible Person(s)

STEPHEN R BRUNDAGE  
PAMELA S BRUNDAGE

No Items

RESPONSIBLE PERSON(S)

STEPHEN R BRUNDAGE

Name	Gender	Race	Ethnicity
STEPHEN R BRUNDAGE	Male	White	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)	(b)(6)	OWNER	

Physical Identifiers

Height	Weight	Hair Color	Eyes Color
(b)(6)			

Place of Birth

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

Home Address

(b)(6)

Additional Names

Citizenship

United States

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

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

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

Criminal History Check

Date Criminal History Check Conducted  
12/08/2021

Criminal History Check Comments  
NCIC, NFORCE, and FLS queries produced no prohibitive information.

**PAMELA S BRUNDAGE**

Name	Gender	Race	Ethnicity
PAMELA S BRUNDAGE	Female	White	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)		CO OWNER	

**Physical Identifiers**

Height	Weight	Hair Color	Eye Color

**Place of Birth**

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

**Home Address**

(b)(6)

**Additional Names**

**Citizenship**

United States

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

Email Address	Email Remarks
(b)(6)	

**Criminal History Check**

Date Criminal History Check Conducted  
12/08/2021

Criminal History Check Comments  
NCIC, NFORCE, and FLS queries produced no prohibitive information.

**INTERVIEW QUESTIONNAIRE**

What is the proposed business activity?

The licensee is retired and now has a part-time job at (b)(6). The licensee recently moved to Indiana in the latter part of 2020. Firearm transfers are a source of secondary income. Since becoming licensed in Indiana the licensee has only conducted transfers (handguns, longguns, and receivers).

NFA sales, gunsmithing, gunshow, and ammunition sales are not conducted. The licensee has no government contracts.

There are no additional employees associated with the business.

Do they need an additional license or permit?

No

Who are their primary suppliers?

The licensee does not have a primary supplier at this time, as the customers usually purchase firearms online from a variety of sources and then are transferred by the licensee.

**Business Activities**

Retail

Selected Operational Security Measures

Controlled Access to ATF Recordkeeping

Controlled Access to Keys

**PREMISES INFORMATION**

Business Name/Address (b)(6)

Primary Activity Selected Physical Security Measures

Lodging

GPS Coordinates

(b)(6)

Latitude

**INTERVIEW NOTES**

**LICENSEE HISTORY:**

-1/8/21: Firearms change of address inspection. Due to the ongoing Covid-19 climate the inspection was conducted via telephone. A regulation review was conducted. Approval of the new license was recommended and subsequently issued.

-The licensee previously held license 3-37-04437 located in Springfield, IL. The following inspections were conducted under that license:

-1/14/20 (FCI-10106) Compliance Inspection : No violations were found as a result of the inspection. A regulation review was conducted. No further action was recommended.

-3/19/15 (772060-2015-0375-B1B) Qualification Inspection: A regulation review was conducted. Approval of the license was recommended and it was subsequently issued.

**CONDUCT OF BUSINESS:**

- Traces: Zero (0) under the current license; 4-35-09678 or 3-37-04337
- Multiple Sales: Zero (0) reported and zero (0) unreported
- NTNs: Three (3) within the last sixty days, zero (0) denials
- YHGSA poster at premises and pamphlets are available
- No thefts/losses reported

The licensee was keeping his A/D record on Microsoft Excel as of April 2020. The licensee files ATF Forms 4473 by a unique serial number. There have been no ATF Forms 4473 in which a firearm wasn't transferred.

Present for ATF: SIOI (b)(6) Present for the licensee: RP Stephen Burdage. RP Pamela Burdage was at the premises but did not participate in the inspection.

**ONSITE SUMMARY**

Total Number of ATF Form 4473s for Inspection Review Period

Total Number of ATF Form 4473 Reviewed

Total Number of Open Dispositions in A & D Record

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

Total Number of Dispositions in the Last 12 Months

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**

The inspection period was from 1/1/21 to current date.

Concerning the violation of 27 CFR 478.102(a), both instances involved the same transferee, (b)(6). SIOI (b)(6) queried this individual in NCIC on 12/13/21 and found no prohibitive information. It should also be noted that this transferee underwent a NICS check on 12/5/21 and received a proceed

Attachment(s)

Report of Violations.pdf

Licensee Response to Violations Report.pdf

**REPORT OF VIOLATIONS**

Regulation	Corrective Actions	Instance Details
27 CFR 478.102(a): Failure to complete a NICS/POC background check  ATF Forms 4473: 2 Number of Instances: 2	Execute a required NICS/POC background check for all future over-the-counter firearm transactions.	NICS Violation, (b)(6) 10/9/2021 NICS Violation, (b)(6) 11/13/2021
27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms  Number of Instances: 1	Cease use of Microsoft Excel as the primary source for the A/D record. Current Excel file does not allow for changes or amendments to be noted. Accurately, completely & timely record all required future firearm acquisition information. Amend/Update A&D Record to accurately record all required firearm acquisition information. Resume proper maintenance of required acquisition and disposition record.	(b)(3) (112 Public Law 55 125 Stat 552)
27 CFR 478.21(a): Failure to complete forms as prescribed  ATF Forms 4473: 1 Number of Instances: 1	Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions. Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473  ATF Forms 4473: 1 Number of Instances: 1	Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

**LICENSEE RESPONSE REPORT**

Regulation	Corrective Actions	Licensee Response	Status Details
27 CFR 478.102(a): Failure to complete a NICS/POC background check  ATF Forms 4473: 2 Number of Instances: 2	Execute a required NICS/POC background check for all future over-the-counter firearm transactions.	Mr. Brundage stated that he was under the impression that the "(NICS) checks were good for thirty (30) days" and therefore they could be reused for repeat customers. SIOI (b)(6) explained that each transaction requires a new NICS check and that they can never be "reused" once the transferee leaves the premises with the firearm(s).	Status: Licensee Notified Verified Method: In Person Date Licensee Notified: 12/09/2021
27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms  Number of Instances: 1	Cease use of Microsoft Excel as the primary source for the A/D record. Current Excel file does not allow for changes or amendments to be noted. Accurately, completely & timely record all required future firearm acquisition information. Amend/Update A&D Record to accurately record all required firearm acquisition information. Resume proper maintenance of required acquisition and disposition record.	Mr. Brundage indicated that he was unaware that Microsoft Excel did not meet the requirements of ATF Ruling 2016-1. He stated he did not know that the software must make a record of any changes or additions. Mr. Brundage further stated that he began maintaining his A/D record in this format in April 2020 when he was still licensed in Illinois due to changes in state law requiring electronic records, and chose to use Excel.  As for not recording an address of non-licensee sources of acquisition Mr. Brundage stated that he thought the record required their Driver's License number.  Mr. Brundage was under the impression that the (b)(4) firearm came from (b)(4) instead of (b)(4) (b)(4) and thus the incorrect acquisition information.	Status: Licensee Notified Verified Method: In Person Date Licensee Notified: 12/09/2021
27 CFR 478.21(a): Failure to		The licensee had no response other than	Status:

<p>complete forms as prescribed</p> <p>ATF Forms 4473: <input type="checkbox"/> <input type="checkbox"/></p> <p>Number of Instances: <input type="checkbox"/></p>	<p>Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.</p> <p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p>	<p>it was an oversight on his part.</p>	<p>Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/09/2021</p>
<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473: <input type="checkbox"/> <input type="checkbox"/></p> <p>Number of Instances: <input type="checkbox"/></p>	<p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>The licensee had no response other than it was an oversight on his part.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/09/2021</p>

**CLOSING CONFERENCE**

Review Regulations conducted offline

( 12/9/2021 )  
12/09/2021

Closing Conference Additional Notes

Due to the ongoing Covid-19 climate SIOI (b)(6) did not allow the licensee to handle his laptop. All violations were reviewed during the inspection on 12/9/21 and the Report of Violations was emailed to Mr. Brundage on 12/10/21. It was received back signed on 12/13/21.

Attachment(s)

**Attendee(s)**

STEPHEN R BRUNDAGE

**EXHIBITS**

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 4-35-09678 Inspection Results
Correspondence	Spartan Notification RE: 4-35-09678 Monitored Case
Correspondence	Spartan Notification RE: 4-35-09678 Monitored Case
Correspondence	Spartan Notification RE: 4-35-09678 Monitored Case
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LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
BusinessVerification	LLC Information.pdf
PropertyOwnershipVerification	Property Card.pdf

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

In the matter of License Number 4-35-063-01-4F-09678, as a/an

Dealer in firearms (including gunsmiths) \_\_\_\_\_ issued to:

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

SPB ENTERPRISES, LLC  
2410 ASH COURT  
AVON IN 46123

### 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 230 WEST STREET, SUITE 400, COLUMBUS OH 43215, 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
02/28/2022	Judyth A. LeDoux, Director, Industry Operations	JUDYTH LEDOUX <small>Digitally signed by JUDYTH LEDOUX Date: 2022.02.28 11:44:34 -0500</small>

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: 7017262000078840660

Or

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

Date Notice Served	Title of Person Serving Notice	Signature of Person Serving Notice
02/28/2022	Executive Assistant	(b)(6)

Print Name and Title of Person Served	Signature of Person Served (if applicable)
SPB ENTERPRISES, LLC	

Address Where Notice Served  
2410 Ash Court, Avon IN 46123

**SPB Enterprises LLC**  
**4-35-063-01-4F-09678**

Pursuant to 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 SPB Enterprises LLC (“Licensee”). Specifically, the Director of Industry Operations, (“DIO”), United States Department of Justice, ATF, Columbus Field Division, has reason to believe that Licensee, an (01) Dealer in firearms, willfully violated the provisions of the Gun Control Act of 1968 as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478 (collectively, “GCA”) as described herein.

### **Compliance History**

ATF first issued a Federal firearms license to Licensee on March 19, 2015 in Springfield, IL. The laws and regulations issued under the GCA were reviewed as part of the qualification inspection. Subsequently, ATF conducted a compliance inspection on January 14, 2020 and no violations were found. On January 8, 2021 a licensed premises change of address inspection was conducted via telephonic interview due to the ongoing COVID-19 pandemic. A regulation review was conducted and the new license issued.

### **Current Inspection**

On December 9, 2021, ATF began and completed its compliance inspection of Licensee’s premises that revealed the following violation:

### **Background Check Violation**

1. On two (2) occasions, Licensee willfully transferred a firearm to an unlicensed person without first contacting the National Instant Criminal Background Check System (“NICS”) and failed to complete a background-check before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a). See Appendix ¶ 1.

**APPENDIX**

**¶ 1 - 27 C.F.R. § 478.102(a) – Transfer without a NICS check**

<b>Transferee</b>	<b>Date</b>	<b>Discrepancy</b>
<b>(b)(6)</b>	10/09/2021	Reused 09/10/2021 NICS check for subsequent transfer to <b>(b)(6)</b> .
	11/13/2021	Reused 10/18/2021 NICS check for subsequent transfer to <b>(b)(6)</b>

## EXPLANATION OF THE HEARING PROCESS



The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has decided to deny your original or renewal application for a Federal firearms license, or to revoke, suspend and/or impose a civil fine on your existing license.

As stated on the enclosed Notice of Denial, Revocation, Suspension and/or Fine, you have the right to request a hearing. This brochure provides general guidance to assist you in making a decision on requesting a hearing, and to appropriately prepare for a hearing should you request one.

### **Background**

27 C.F.R. §§ 478.71 – 478.73

The Gun Control Act of 1968 (GCA) and its implementing regulations specify certain licensing requirements for those intending to engage in the business of importing, manufacturing, or dealing in firearms, or importing or manufacturing ammunition.

The GCA authorizes ATF to deny a license application when an inspection reveals the applicant is not qualified to receive or continue to hold the license. ATF may revoke a license when a licensee willfully violates the GCA or its implementing regulations.

For purposes of the regulatory provisions of the GCA, a “willful” violation occurs when the licensee knew of his or her legal obligations and either purposefully disregarded or was plainly indifferent to those requirements. ATF is not required to prove a licensee *intended* to violate the law.

Under limited circumstances, ATF may revoke or suspend a license and/or impose a civil fine against a licensee who knowingly violates certain provisions of the GCA.

### **Hearing Request and Representation**

27 C.F.R. §§ 478.74 and 478.76

You have the right to request a hearing. If you wish to do so, you must file a request, in writing, with the Director, Industry Operations (DIO) within 15 days after the receipt of the enclosed Notice.

An applicant or licensee may be represented at the hearing by an attorney, certified public accountant or other person recognized to practice before ATF as provided in 31 C.F.R. Part 8.

### **Pre-Hearing Resolution**

27 C.F.R. §§ 478.72 and 478.74

You may submit an offer to settle or other proposed resolution prior to the hearing. If you wish to present your offer in person, you must request to do so within the same 15 days as allotted for a hearing. A request for a pre-hearing resolution should be made in writing to the DIO. ATF is not obligated to grant requests for in-person meetings or proposals for resolution.

You may also submit offers of potential resolution to the DIO after the hearing, but before a final decision is rendered; however, the DIO will not entertain settlement offers at the hearing.

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

In the matter of:

The application for license as a/an \_\_\_\_\_, filed by:

or

License Number 4-35-063-01-4F-09678 as a/an

DEALER in Firearms (including gunsmiths), issued to:

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

SPB Enterprises LLC  
2410 Ash Court  
Avon IN 46123

Notice is Hereby Given That:

A request for hearing pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5) was not timely filed. Based on the findings set forth in the attached document, your

license described above is revoked pursuant to 18 U.S.C., 923(e), 922(t)(5) or 924(p), effective:

15 calendar days after receipt of this notice, or  \_\_\_\_\_.

license is suspended for \_\_\_\_\_ calendar days, effective \_\_\_\_\_, pursuant to 18 U.S.C. § 922(t)(5) or 924(p)

licensee is fined \$ \_\_\_\_\_, payment due: \_\_\_\_\_, pursuant to 18 U.S.C. § 922(t)(5) or 924(p)

After due consideration following a hearing held pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5), and on the basis of findings set out in the attached copy of the findings and conclusions, the Director or his/her designee concludes that your

application for license described above is denied, pursuant to 18 U.S.C., 923(d).

application for renewal of license described above is denied pursuant to 18 U.S.C. 923(d), effective:

15 calendar days after receipt of this notice, or  \_\_\_\_\_

license described above is revoked pursuant to 18 U.S.C., 923(e), 922(t)(5) or 924(p), effective:

15 calendar days after receipt of this notice, or  \_\_\_\_\_

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 03/28/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official Judyth A. LeDoux, Director, Industry Operations	Signature <b>(b)(6)</b>
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I certify that, on the date below, I served the above notice on the person identified below by:

Certified mail to the address shown below.  
Tracking Number: 70172620000078840677

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

Date Notice Served 03/28/2022	Title of Person Serving Notice Executive Assistant	Signature of Person Serving Notice <b>(b)(6)</b>
Print Name and Title of Person Served SPB Enterprises		Signature of person served
Address Where Notice Served 2410 Ash Court, Avon IN 46123		
Note: Previous Edition is Obsolete		



**U.S. Department of Justice**

**Bureau of Alcohol, Tobacco,  
Firearms and Explosives**

*Washington DC*

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

**IMPORTANT NOTICE**

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

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

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

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

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

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

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

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

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

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

SPB Enterprises, LLC  
2410 Ash Court  
Avon, IN 46123  
FFL # 4-35-063-01-4F-09678

SPB Enterprises, LLC, (Licensee), holds the Federal firearms license listed above, as a Dealer in firearms, other than destructive devices, issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) pursuant to the Gun Control Act of 1968 (GCA), as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478.

On February 28, 2022, ATF issued a Notice of Revocation of License, ATF Form 4500, to the Licensee. Said Notice was served upon the Licensee via certified mail, return receipt requested, on March 7, 2022. The Notice alleged that the Licensee willfully violated the provisions of the GCA and the regulations issued thereunder. The Notice further specified that if the Licensee wished to challenge the revocation, Licensee 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).

Although the Notice of Revocation was served upon the Licensee on March 7, 2022, no request for hearing was filed with ATF within 15 days of the date on which the Notice was served, which would have been March 22, 2022.

For the reasons set forth in the Notice of Revocation issued on February 28, 2022, the Federal firearms license held by SPB Enterprises, LLC is hereby REVOKED.

Dated this 28th day of March, 2022.

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**Director, Industry Operations  
Columbus Field Division  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
United States Department of Justice**