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15
16 **UNITED STATES DISTRICT COURT**
17
18 **SOUTHERN DISTRICT OF CALIFORNIA**

19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 v.

22 GIOVANNI VINCENZO TILOTTA (3),
23 aka “Gio Tilotta”

24 Defendant.

Case No.: 19-CR-4768-GPC

Date: January 27, 2022

Time: 2:30 p.m.

Honorable Gonzalo P. Curiel

**RESPONSE IN OPPOSITION TO
DEFENDANT’S MOTION FOR A
NEW TRIAL AND TO DECLARE
COUNTS 1 AND 4 MISDEMEANORS
(DOC. NO. 295)**

25 Defendant Giovanni Tilotta moves for a new trial based on an ancillary
26 government argument to which he never objected. Using selective quotations often
27 stripped of their context, Tilotta recasts this minor point as the key evidence of his
28 knowledge and seeks a retrial, even though most testimony on the point was literally
accurate and the argument’s thrust was consistent with the Ninth Circuit’s view of the
purpose of the law enforcement exemption to California’s handgun roster rules.

Tilotta also asks the Court to deem two of his counts of conviction—which were
charged as felonies over a year before trial—to be misdemeanors, based on a statutory

1 interpretation rejected by every appellate court to consider it. In fact, the Ninth Circuit
 2 has already foreclosed Tilotta's argument in a closely related context.

3 Because Tilotta received a fair trial and was properly convicted of the charged
 4 felonies, both motions should be denied.

5 I.

6 STATEMENT OF THE CASE

7 On November 21, 2019, a federal grand jury in the Southern District of California
 8 returned a 23-count indictment charging five defendants with firearms and drug
 9 trafficking offenses. ECF 1. Tilotta was arraigned on the indictment on November 25,
 10 2019, and pleaded not guilty. ECF 29. Tilotta and one co-defendant were charged in a
 11 superseding indictment on April 2, 2021, which formed the basis for his trial. ECF 152.
 12 All of Tilotta's co-defendants have since been convicted of various counts, and all but
 13 one have pled guilty to aiding and abetting dealing in firearms without a license.

14 On September 8, 2022, Tilotta was convicted after a jury trial of three counts:
 15 (1) conspiracy to make false statements in the acquisition of a firearm, in violation of
 16 18 U.S.C. §§ 371 and 924(a)(1)(A) (Count 1); (2) aiding and abetting co-defendant
 17 Marco Garmo in engaging in the business of dealing in firearms without a license, in
 18 violation of 18 U.S.C. §§ 922(a)(1)(A) and 2 (Count 2); and aiding and abetting Garmo
 19 and co-defendant Leo Hamel in making false statements in the acquisition of a firearm,
 20 in violation of 18 U.S.C. §§ 924(a)(1)(A) and 2 (Count 4). ECF 324. The jury did not
 21 reach a verdict on Count 7: conducting a firearms transaction in violation of state law,
 22 in violation of 18 U.S.C. § 922(b)(2). *Id.*

23 II.

24 STATEMENT OF FACTS

25 Tilotta was convicted after a six-day jury trial at which numerous witnesses
 26 testified about several aspects of California's roster of safe handguns certified for sale.
 27
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1 Counsel for the United States accurately summarized the roster restrictions, and
 2 the exemption for law enforcement purchase, when first introducing the concept in
 3 opening statement:

4 Off-roster handguns cannot be bought new by the average California
 5 resident, but off-roster handguns can be bought by members of law
 6 enforcement. The whole idea behind the exception is so that a member
 7 of law enforcement, who every day goes on the street, to protect and
 8 serve, can carry the handgun of their choice, the newest or the preferred
 handgun of their choice. They can buy the off-roster gun.

9 Tr. 200:8–14. Nothing in this characterization limited an officer’s purchase of an off-
 10 roster weapon to one used solely for the purpose of duty carry.

11 At least five witnesses testified about the roster restrictions generally, including
 12 the law enforcement exemption, without tying the exemption to duty carry. *See*
 13 Tr. 368:21–369:6 (Becker); Tr. 736:6–11 (Bajaj); 871:17–872:6, 874:1–5 (Diaz) &
 14 Gov’t Ex. 61 (Honey Badger website page concerning California roster restrictions);¹
 15 977:5–8 (Magana); 1181:6–8, 21–25 (Hamel) & Ex. 101 (Tilotta email explaining
 16 roster restrictions to Hamel); 1198:17–22, 1247:13–16 (Hamel, cont’d).

17 In fact, the United States admitted an email (Ex. 101) in which Tilotta himself
 18 explained California’s roster prohibition to co-defendant Leo Hamel without linking the
 19 law enforcement exemption to duty carry. In January 2016, Hamel asked Tilotta
 20 “Question, as an FFL, can I buy off roster handguns . . . if I only sell to Law enforcement
 21 individuals? . . . I am new at this.” Tilotta replied “On the guns, I am not sure what
 22 FFL you have or if you have a CFD. But generally, yes you can purchase and sell off
 23 roster guns as long as they buyer [sic] is State or Federal LE [i.e., law enforcement].”

24 Only two government witnesses testified about the ostensible purpose of the law
 25 enforcement exemption to the roster restrictions. When they did, they usually qualified
 26 their testimony by presenting the “duty carry” purpose of the exemption as the

27
 28 ¹ Trial exhibits cited in this response are attached hereto for the Court’s
 convenience. Trial transcript excerpts are available to be furnished upon request.

1 “primary” or “typical” purpose, or by presenting their view of the rule as their
 2 “understanding” and not claiming it to be an authoritative interpretation. For example,
 3 the government’s expert witness Thomas Chimileski testified that the “California roster
 4 of certified handguns is a list of firearms that the public can buy within the state of
 5 California.” Tr. 545: 19–21. He explained that firearms not listed on that roster “can
 6 still be sold in California under exemption, which typically is law enforcement for duty
 7 weapons.” Tr. 547:2–3.² And Chimileski agreed that “the impetus of the exception” is
 8 “so law enforcement can have the handgun of their choosing while they protect and
 9 serve.” Tr. 547:6–9.³

10 In a remark comprising two lines of the 173-page transcript of his entire
 11 testimony, case agent Matthew Beals testified that his “understanding” of the purpose
 12 of the law enforcement exemption to the roster restriction was “[s]o that they could be
 13 used for duty carry or official use.” Tr. 1576:3–5; 1505–1654, 1687–1710.

14 In closing argument, counsel for the United States made the fundamental point
 15 about the California roster restrictions several times, without reference to the purpose
 16 of the law enforcement exemption. For example, counsel argued that “[t]he whole point
 17 is Mr. Garmo is making a profit from flipping these off-roster guns that only police
 18 officers can get in California.” Tr. 1779:21–23. The United States used this observation
 19 to emphasize that Tilotta understood “why it’s so valuable for police to have this kind
 20

21 ² This testimony hews very closely to Chimileski’s expert notice, which was served
 22 on the defense on July 21, 2021. ECF 224-1 at 31 (off-roster handguns “may only be
 23 sold or transferred under specific exemption, typically to law enforcement as a duty
 24 weapon”). No objection was received to this anticipated testimony noticed over thirteen
 months before trial.

25 ³ Tilotta’s motion also faults Chimileski’s testimony concerning California’s 30-
 26 day limit on handgun purchases, mot. at 5, but this passage did not even address the
 27 roster restrictions. There, Chimileski testified that California handgun purchasers “are
 28 limited to one handgun every 30 days unless you fall within an exemption, such as a
 law enforcement officer for duty purpose.” Tr. 545:10–12.

1 of monopoly with off-roster firearms that they can turn around and sell for double the
2 sticker price,” to show that Tilotta was deliberately assisting with Garmo’s unlicensed
3 firearms dealing. Tr. 1780:1–3. Why the law enforcement exemption existed was
4 irrelevant to this argument; all that mattered for this point was *that* the exemption
5 existed.

6 By contrast, counsel addressed the *purpose* of the law enforcement exception
7 twice in an initial closing argument spanning roughly 42 pages of transcript. *See* Tr.
8 1768–1810. The total discussion of the exemption’s purpose comprised just over one
9 page of transcript, tr. 1784:5–10; 1796:12–1797:9, and the key reference for Tilotta’s
10 challenge was prefaced by an explicit indication that it was a minor point.

11 The first, indirect mention was unconnected to any argument about straw
12 purchases or Tilotta’s knowledge of straw purchases. This contention simply explained
13 that Tilotta had a motive to assist Garmo’s unlicensed firearms business—because
14 Garmo wasn’t competing with Tilotta’s business; he was almost entirely buying only
15 firearms that Tilotta couldn’t sell to the general public:

16 By definition, those are guns that Mr. Tilotta couldn’t have sold to
17 members of the general public. They are only guns that could be sold to
18 a police officer, either a police officer who is really getting them for duty
19 carry and might get a small handful; or a very special police officer, like
20 Marco Garmo, who is buying them at scale, in volume, again and again
and again. Mr. Garmo wasn’t competing with Honey Badger’s business;
he was putting it on steroids.

21 Tr. 1784:3–12. This argument, like the broader point above, landed with the same force
22 irrespective of whether Garmo could only lawfully buy off-roster guns for duty
23 purposes.

24 The second argument, and the real crux of Tilotta’s request for a new trial, was
25 made in the context of arguing that Tilotta’s role in the overall conspiracy was to process
26 firearms transfers without asking too many questions. It concerned a single transfer of
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four firearms: a Sig Sauer Legion P226 that Garmo straw-purchased for Leo Hamel,⁴ two Colt 1911s that Garmo straw-purchased for Jason Khoury, and an AK-47 style rifle. *See* Ex. 196.

In contrast to the broader point about the roster restrictions made earlier (“The whole point is . . .”), here counsel introduced the argument by expressly deemphasizing it and flagging that it was a minor point:

The other thing to think about *and I don’t want to make too much of this*, but this particular transaction, it wasn’t just for a Sig Legion. You saw the transfer records and you might remember, this is the same document, Exhibit 7, where Marco signs for Jason Khoury’s two Colt 1911s Let’s think about that for a second. All these off-roster guns, the testimony was, they were supposed to be for duty carry. And supposedly for duty carry, Mr. Garmo shows up one day at Honey Badger Firearms, goes home with four guns, three of which are off-roster handguns, two of which are matched Colt 1911s, in different calibers, all supposedly for his duty carry.

And is there any evidence in this trial that Mr. Tilotta said for that transaction or any other, “Hey, wait a minute, what is going on here? That doesn’t seem right”? Or that he called anybody at the ATF? No, there’s no evidence of that. What that shows you is, because his role in the conspiracy wasn’t to be an honest, good-faith FFL, who is kicking the tires on the transaction and saying, “This doesn’t seem right.” His role is to be part of a criminal conspiracy, to function as the FFL where everybody could get these guns with no questions asked. And that’s exactly what he did.

Tr. 1796:12–1797:9 (emphasis added). Tilotta objected neither to this argument nor any of the testimony challenged in his motion for a new trial.

⁴ Significant independent evidence was introduced both that the Sig Sauer included in this handgun transfer was a straw purchase and that Tilotta knew as much. *See infra* at 11–12.

1 **III.**

2 **ARGUMENT**

3 **A. Tangential Testimony on the Scope of the Law Enforcement Exemption**
 4 **Does Not Warrant a New Trial.**

5 **1. Legal standard.**

6 **a. Motion for a new trial**

7 Under Rule 33, the Court may grant a defendant’s motion for a new trial “if the
 8 interest of justice so requires.” Fed. R. Crim. P. 33(a). In the Ninth Circuit, “[i]f the
 9 court concludes that, despite the abstract sufficiency of the evidence to sustain the
 10 verdict, the evidence preponderates sufficiently heavily against the verdict that a serious
 11 miscarriage of justice may have occurred, it may set aside the verdict, grant a new trial,
 12 and submit the issues for determination by another jury.” *United States v. A. Lanoy*
 13 *Alston, D.M.D., P.C.*, 974 F.2d 1206, 1211–12 (9th Cir. 1992), *quoting United States v.*
 14 *Lincoln*, 630 F.2d 1313, 1319 (8th Cir. 1980). In an analogous context, motions for a
 15 new trial based on newly discovered evidence must show that “the evidence indicates
 16 that the defendant would probably be acquitted in a new trial.” *United States v. Berry*,
 17 624 F.3d 1031, 1042 (9th Cir. 2010) (citation and internal quotation marks omitted).

18 Separately, Rule 52 provides that “[a]ny error, defect, irregularity, or variance
 19 that does not affect substantial rights must be disregarded.” Fed. R. Crim. P. 52(a).
 20 Where the Court finds that a trial error was harmless, it may decline to order relief such
 21 as a new trial. *E.g., United States v. Gear*, 9 F.4th 1040, 1044 (9th Cir. 2021) (trial
 22 court’s failure to provide requested jury instruction was harmless where overwhelming
 23 evidence existed to meet the missing requirement).

24 **b. California’s roster of safe handguns**

25 California law provides that handguns sold to the general public must be listed
 26 on a roster of safe handguns certified for sale. *See generally* Cal. Penal Code § 32000.
 27 This roster prohibition has several exemption, notably including an exemption for
 28 sworn California peace officers. Cal. Penal Code § 32000(b)(4).

Specifically, California Penal Code Section 32000 provides for an exemption to the non-roster sales prohibition for “[t]he sale or purchase of a handgun, if the handgun is sold to, or purchased by . . . a sheriff’s official . . . for use in the discharge of their official duties.” *Id.* As worded, the first operative provision of this exemption explicitly applies to purchase of a handgun by a sheriff’s official for use in the discharge of their official duties. Nevertheless, the same subsection goes on to state that “[t]his section does not prohibit the sale to, or purchase by, sworn members of these agencies of a handgun.” *Id.*

Cases interpreting the California roster statutory scheme and related laws clearly link the law enforcement exemption to police officers’ role as protectors of the public. *See Pena v. Lindley*, 898 F.3d 969, 987 (9th Cir. 2018) (“because law enforcement officers receive extensive training and are expected to respond to emergencies even when off duty, such safety provisions might not be necessary for them”); *see also Silveira v. Lockyer*, 312 F.3d 1052, 1089 (9th Cir. 2002) *abrogated on other grounds by District of Columbia v. Heller*, 554 U.S. 570 (2008) (finding, in the context of California’s erstwhile assault weapons restrictions, that “[i]t is manifestly rational for at least most categories of peace officers to possess and use firearms more potent than those available to the rest of the populace in order to maintain public safety”).⁵

2. *Argument.*

Tilotta’s motion seeks to transform a minor point made in closing into the fulcrum on which turned his entire trial. Yet virtually all the evidence introduced about California’s roster restrictions at trial was literally accurate. And where counsel’s argument was less than strictly accurate, the imprecision could typically have been cured at trial by inserting an adverb like “primarily” into the same sentence. Tilotta

⁵ *See also Silveira*, 312 F.3d at 1089 (“We presume that off-duty officers may find themselves compelled to perform law enforcement functions in various circumstances, and that in addition it may be necessary that they have their weapons readily available.”).

1 never objected to this minor issue at trial; it did not affect his substantial rights or
2 undermine the integrity of his verdict; and it is not legitimate grounds for a new trial.

3 At the outset, the bulk of the testimony and argument that Tilotta's motion
4 challenges was not inaccurate, despite Tilotta's considerable efforts to fuse it all
5 together and characterize the entire presentation as misleading. For example, describing
6 an off-roster Sig Sauer P226, government counsel in opening statement hypothesized
7 that "[i]f Garmo had wanted this gun and bought it for duty carry and then took it to the
8 range and carried it and decided he didn't like it and didn't want it anymore, he could
9 sell it in a private party transfer to Mr. Hamel." Tr. 201:1–4. But nothing about this
10 remark presupposes that Garmo could *only* have purchased the handgun for duty carry,
11 and thus, it is not literally inconsistent with California's roster rules.

12 Similarly, when Mr. Chimileski testified that off-roster guns "can be sold in
13 California under exemption, which typically is law enforcement for duty weapons," tr.
14 547:2–3, he did not testify that law enforcement could *only* purchase such weapons for
15 duty carry. In fact, by using the word "typically," the government's firearms expert can
16 *only* be understood as allowing that off-roster handguns could also be sold outside of a
17 law enforcement, duty carry situation. Moreover, Chimileski's characterization of the
18 exemption as "typically" for law enforcement duty weapons is entirely consistent with
19 the legislative history and case law discussed above.

20 As discussed in the caselaw, the exemption to California's roster rules for law
21 enforcement may allow police officers to buy off-roster weapons for their personal use,
22 but the exemption's overall purpose is clearly tied to their sworn duty to protect the
23 public. Put simply, the exemption isn't rooted in an understanding that police officers
24 are unusually likely to be firearms enthusiasts who should be allowed to collect off-
25 roster handguns for personal reasons, but on the commonsense view that those trained
26 to protect the public with firearms should have access to a broad array of handguns as
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1 a matter of public safety. Chimileski’s careful testimony is entirely consistent with this
2 commonsense understanding.⁶

3 Although much of the testimony was not legally inaccurate, Tilotta’s challenge
4 is sharper with respect to the government’s closing argument. There, counsel argued
5 that: “All these off-roster guns, the testimony was, they were supposed to be for duty
6 carry.” Tr. 1796:18–19. In that case, it would plainly have been much more consistent
7 with California Penal Code Section 32000 if government counsel had added an adverb
8 to the argument, instead contending that “they were *primarily* for duty carry.”

9 The United States concedes that an argument that individual police purchases of
10 off-roster handguns are *only* lawful for duty carry is inconsistent with the last clause of
11 the state statute as written. But in fairness, the poorly worded argument that government
12 counsel *did* make was not presented as (or intended to be) conclusive proof of Tilotta’s
13 knowledge that the referenced transaction was obviously a straw purchase. It was
14 expressly framed as a request that the jury consider whether, aware of the facts of the
15 transfer, Tilotta was acting as a “good faith FFL” who could have “kicked the tires” on
16 the transfer and raised questions about whether a law enforcement officer buying three
17 off-roster handguns (including a matched set of Colts) could be a concern, or rather a
18 member of a criminal conspiracy whose role was to look the other way. Tr. 1797:4–9.
19 This was consistent with Chimileski’s testimony. Tr. 701:14–20 (he tells FFL
20 applicants not to complete a sale if they suspect anything awry); *see also* Tr. 711:11.⁷

21
22 ⁶ In fact, at trial, defense counsel expressly commented on the care with which
23 Chimileski testified. Tr. 699:4–6 (“[W]hat I am seeing is you wanted to be very precise
and careful in your testimony, correct?”).

24 ⁷ It is also mitigating, of course, that the greatest departure from the letter of
25 California’s roster exemption was in closing argument, which the jury was repeatedly
26 instructed was not evidence. *See* Tr. 185:18–21, 1755:2–11 (statements and arguments
27 of the attorneys are not evidence; “If the facts as you remember them differ from the
28 way the lawyers state them, your memory of them controls.”); *see also* tr. 190:25–191:2,
224:23–225:1 (opening statements are not evidence). Even if counsel’s argument that
“all these off-roster guns . . . were supposed to be for duty carry” was arguably

As such, Tilotta is not entitled to a new trial based solely on government counsel's poor choice of adverbs, particularly when the significance of the overall argument is so muted. In his motion, Tilotta simply asserts that the government's mischaracterization in closing argument was "a significant error affecting [his] substantial rights [which] infected the trial." Mot. at 11. But he never addresses the great bulk of the testimony and other evidence introduced against him at trial. Indeed, the Court knows from observing the entire trial that cutting out the thread of the challenged argument entirely would not unravel the government's case against Tilotta. This is evident from the argument's context, its structure, and its thematic relevance.

First, some context. The challenged argument in closing focused on three handguns in a single transfer: a Sig Sauer Legion P226 that Garmo straw-purchased for Hamel, and the matched Colt 1911s that Garmo straw-purchased for Khoury in the same transaction. There was ample evidence that Tilotta knew Garmo was engaged in straw purchases and making false statements, both for the Sig Legion itself and for other firearms transfers or attempted transfers:

- As to the Sig, the evidence showed that it was a highly desirable new, off-roster handgun, tr. 1009:16–20, that (1) Honey Badger Firearms had very recently transferred to Hamel (or his FFL; the records are inconsistent) on June 18, 2016 or maybe May 18, 2016 (*the records are inconsistent*), and then (2) even more recently received back from Hamel's FFL on June 24 or June 25, 2016 (*the records are inconsistent*); before supposedly being transferred to Garmo in the straw purchase for Hamel on July 7, 2016 (*or June 30, 2016: the first date struck out on the form*). Exs. 183, 196, 209, 211.
- Just two or three days *after* Hamel transferred the Sig back to Tilotta, but *before* Garmo "acquired" it in a straw purchase for Hamel, Hamel sent the crucial

inconsistent with Chimileski's testimony that off-roster guns could be purchased under exemption "which *typically* is law enforcement for duty weapons," the jury was already instructed that, in such an eventuality, their memory of the testimony should control. Indeed, had Tilotta objected to this argument at trial, the Court would doubtless have repeated the same instruction—that counsel's arguments are not evidence—and not declared a mistrial and ordered a do-over.

coverup email to Garmo on June 27, 2016, writing: “Gio asks that we do ordered guns [t]his way. You email him first that you want a Sig Legion and a Walther P99cAS. He will then reply ok. You then go in to order. You can do right away.” Ex. 91. Later the same day, Garmo replied “I’m on it brother Leo.” Ex. 121. The timing of this email clearly establishes that Hamel had just had the conversation with Tilotta about laying the fake paper trail, hot on the heels of returning to Tilotta’s FFL the firearm that Garmo would straw-purchase as per the coverup email, a point that was emphasized in closing. Tr. 1794:20–1795:9.

- Just six months before this transfer, Tilotta had been specifically warned by the California Department of Justice to be on the lookout for straw purchases because of a possible straw purchase conducted at Honey Badger. Ex. 56.
- When Garmo texted Tilotta on March 22, 2017 to follow up on the two Walthers Garmo was trying to order for co-defendant Fred Magana, who himself was straw-purchasing them for Hamel, Tilotta warned Garmo that “ATF is here doing an audit. They will be here a few days.” Ex. 223.
- After Magana’s firearms came in, Tilotta emailed Garmo—not Magana. Ex. 150.
- Magana was asked to leave Tilotta’s office during a firearms transfer that occurred after hours, while Tilotta and Hamel remained inside. Tr. 1012:5–23. The Walthers that Magana straw-purchased for Hamel were the only firearms Magana acquired at Honey Badger that were processed after hours. Ex. 65; Tr. 1573:7–15.
- On about July 15, 2018, the day after Hamel asked Tilotta to obtain a Walther PPQ SC, Garmo ordered the exact same firearm from Tilotta. Ex. 165, 184. Hamel’s request came just five days after he was charged with felony DUIs. Tr. 1400:17–19.
- And of course, the trial was replete with detailed, explicit evidence that Tilotta would also falsify firearms transfer records by backdating them. *E.g.*, Ex. 113 (“Gio is cool he starts the 10 days without completed paper and back dates.”). In fact, Tilotta effectively admitted as much at trial, and simply presented a strained reading of the ATF guidance to argue that he thought the practice was somehow lawful. Tr. 218:12–21. While the United States did not (and does not) argue that Tilotta’s practice of regularly backdating the paperwork could solely support the convictions for aiding and abetting a false statement or conspiring to make false statements in the acquisition of a firearm, it was crucially important supporting evidence on both points.

1 All of this evidence, coupled with the rest of the government’s trial presentation,
 2 convinced the jury beyond a reasonable doubt that Tilotta participated in a conspiracy
 3 to make false statements in acquiring firearms. Had the purpose of the law enforcement
 4 exemption to California’s roster restrictions never been mentioned at Tilotta’s trial,
 5 none of this evidence would have been affected.

6 Furthermore, none of the evidence above turns on Hamel’s credibility, which
 7 Tilotta attacks at great length in his motion. While defense counsel vigorously and
 8 extensively cross-examined Hamel at trial, the jury nevertheless voted unanimously to
 9 convict after hearing the entirety of the evidence—including the extensive
 10 corroboration of Hamel’s testimony through emails, text messages, and other hard
 11 evidence. Although Tilotta’s motion is not framed as testing the sufficiency of the
 12 evidence, “[a]bsent facial incredibility, it is not [the court’s] role to question the jury’s
 13 assessment of witness credibility.” *United States v. Bingham*, 653 F.3d 983, 995 (9th
 14 Cir. 2011), *quoting United States v. Tam*, 240 F.3d 797, 806 (9th Cir. 2001). As the
 15 Court instructed the jury, weighing witnesses’ credibility was their function as the fact-
 16 finder, and even though Tilotta may quarrel with their conclusion after an unfavorable
 17 result, rehashing the same points defense counsel made on cross-examination is
 18 certainly no basis to upset their conclusions.

19 *Second, the structure.* The government’s closing argument was divided into
 20 chapters, addressing the counts that went to the jury. The first challenged point, at
 21 tr. 1784, was not even part of the argument about Count 1—the conspiracy to make
 22 false statements in the acquisition of a firearm. It concerned the motive for Tilotta’s
 23 participation in *Count 2*: aiding and abetting Garmo’s unlicensed dealing. This further
 24 mutes its importance for Tilotta’s central point: that the government was somehow able
 25 to convict Tilotta of participating in straw purchases only by mischaracterizing
 26 California law. *Compare* Mot. at 10.

27 The second challenged statement was also not in the closing argument’s chapter
 28 on Count 1, but rather in the section devoted to Count 4: specific false statements in the

1 acquisition of the Sig Sauer P226. *See* Tr. 1794:12 (“Let’s turn and talk about
 2 Count 4.”). After arguing at length the evidence for Tilotta’s participation in the
 3 conspiracy (Count 1), and accurately summarizing the roster provisions that made that
 4 conspiracy tick,⁸ counsel for the United States turned to Count 4 and made the
 5 challenged argument as a minor point buried in the middle section of the middle chapter
 6 of the opening closing, focused on a single substantive count. Tr. 1796:10 *et seq.*

7 *Third, the thematic relevance.* Tilotta’s motion argues that the
 8 mischaracterization of the purpose of the California roster highlights the defense theme
 9 that firearms regulations are complicated. Mot. at 11. But at trial, Tilotta never argued
 10 that he misunderstood the prohibition on straw purchases. And the government’s case
 11 did not contend that the entire bloc of state and federal firearms regulations are simple
 12 and easily digestible. The United States argued that the prohibition against *intentionally*
 13 *lying* on the forms is simple. Tr. 1843:20–1844:6 (“these regulations may have some
 14 complexities, but you know what is not complicated? Lies. Lies are not complicated”).
 15 To boot, even where Tilotta did explicitly argue that he had a good faith
 16 misunderstanding of the law—on backdating the transfer records—the United States
 17 punctured that fallacy by pointing out that Tilotta and his FFL didn’t backdate
 18 paperwork for all of their customers, but rather for the select few of powerful insiders
 19 like Garmo and his confederates. Tr. 1846:21–1847:4.

20 In sum, most of the evidence admitted at trial on the challenged point was not
 21 inaccurate. And since even entirely removing the minor contention about the purpose
 22 of law enforcement’s off-roster exemption would have had very little effect on the trial,
 23 any error was clearly harmless. The Court should not order a new trial.

26 ⁸ Tr. 1788:12–17 (“Here is the important part. . . . If you are not a police officer
 27 . . . you can’t get an off-roster gun from an FFL, but an FFL can sell it to a police officer,
 28 and then a police officer can transfer it to a private party.”).

B. Tilotta Was Properly Convicted of the Felonies Charged in His Indictment.

1. Legal standard.

Section 924(a)(1) provides that: “Except as otherwise provided in this subsection . . . whoever (A) knowingly makes any false statement or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter . . . shall be fined under this title, imprisoned not more than five years, or both.”

Section 924(a)(3) provides that “Any licensed dealer . . . who knowingly (A) makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter . . . shall be fined under this title, imprisoned not more than one year, or both.”

Although Tilotta describes the amendments that added Section 924(a)(3) as shielding firearms dealers from felony prosecution for all recordkeeping violations, the legislative history reported in the case law is more circumspect. According to the Eighth Circuit, “[t]he legislative history of the Firearms Owners Protection Act of 1986, which added the misdemeanor provisions of Section 924(a)(3), suggests these amendments were intended to ensure that law-abiding citizens would not be subject to severe criminal penalties for unintentional missteps.” *United States v. Al-Muqsit*, 191 F.3d 928, 935 (8th Cir. 1999), *opinion vacated in part on reh’g en banc sub nom. United States v. Logan*, 210 F.3d 820 (8th Cir. 2000) (quotation omitted); *see also United States v. Rietzke*, 279 F.3d 541, 546 (7th Cir. 2002), *quoting* 131 Cong. Rec. 18, 187 (19850, statement of Sen. Hatch).

It is true that, in *United States v. Wegg*, a district court in the Eastern District of Virginia ruled that licensed dealers could only be prosecuted under Section 924(a)(3), and not under 924(a)(1). 919 F. Supp. 898 (E.D. Va. 1996). But although a handful of district courts have followed *Wegg*, at least four federal courts of appeal to consider the issue have declined to do so, ruling that firearms dealers may be prosecuted for felonies under Section 924(a)(1). In fact, the Ninth Circuit has already ruled that Section

924(a)(3) is not the sole penalty clause for recordkeeping violations by licensees, at least in the context of willful violations. This analysis is persuasive and disposes of Tilotta's challenge.

2. *Argument.*

a. Tilotta's argument is untimely.

Tilotta's argument is essentially a challenge to the superseding indictment, contending that although he was actually charged with violations of Section 924(a)(1)(A), he *should have been* charged with violations of Section 924(a)(3). But besides jurisdictional challenges, defects in the indictment must be raised pretrial. Fed. R. Crim. P. 12(b)(3)(B) & (b)(2). Here, the superseding indictment was returned April 2, 2021 and clearly listed the charges he now challenges as improper, but Tilotta first raises the issue in the instant post-trial motion. His challenge is untimely, and "[i]ndictments which are tardily challenged are liberally construed in favor of validity." *United States v. Rodriguez-Ramirez*, 777 F.2d 454, 459 (9th Cir. 1985).⁹

b. Tilotta's argument is inconsistent with the plain text.

In his motion, Tilotta argues that the plain text of Section 924 compels the conclusion that it immunizes firearms dealers from felony prosecution and provides that they may *only* be subject to misdemeanor liability for recordkeeping violations of any stripe. But the truth is just the opposite: the statute does not explicitly say that *only* misdemeanors apply to dealers who make knowing false statements in their records. Instead, as every appellate court to consider the issue has found, the statute's plain

⁹ In fact, not only did Tilotta omit to argue pretrial that two of his counts were really misdemeanors; at trial, he leaned into the severe collateral consequences of a federal felony conviction in an implicit plea for juror sympathy. Tr. 1014:21–1017:10 (after defense counsel outlined the collateral consequences of a felony conviction, Magana agreed with counsel that the "consequences of having a felony on your record" "would happen to anybody who is convicted of a felony in federal court").

1 language sets up alternative modes of liability that may be selected for prosecution—
 2 upon adequate notice to the defendant, as was provided here.

3 *c. The Ninth Circuit has already held that 924(a)(3) is not the sole*
 4 *penalty provision for licensee recordkeeping crimes.*

5 The Ninth Circuit has already rejected Tilotta’s interpretation of 924(a), albeit in
 6 the context of a closely analogous felony with a “willfulness” standard. In *United States*
 7 *v. Jarvouhey*, a licensed firearms dealer was convicted of failing to keep records under
 8 Section 922(b)(5) and sentenced for a felony under Section 924(a)(1)(D) for a willful
 9 violation of that provision. 117 F.3d 440, 441 (9th Cir. 1997). Citing *Wegg*, and another
 10 case from the Eastern District of Virginia, the dealer argued that he could only be
 11 subject to the misdemeanor provisions of Section 924(a)(3), because they were the
 12 statute’s exclusive penalty for licensed dealers given the “except as otherwise provided”
 13 language in Section 924(a)(1). *Id.* at 441–42.

14 The Ninth Circuit disagreed, finding that defendant could be subject to the
 15 statute’s felony provisions. *Id.* at 442. While the court’s reasoning rested heavily on
 16 the finding that the dealer acted willfully, and that his conviction was for failing to keep
 17 records rather than recording false information, the Ninth Circuit rejected Jarvouhey’s
 18 textual argument—and also the reasoning of *Wegg*’s sister case,¹⁰ and Jarvouhey’s
 19 secondary argument based on the rule of lenity. *Id.*

20 *Jarvouhey* may not directly control the outcome in Tilotta’s case, because he was
 21 not charged with a willful violation, but its dispositive significance is no less clear. If
 22 Tilotta’s interpretation of Section 924(a) is correct, licensed dealers may never be
 23 charged with Section 924(a)(1) felonies. But that interpretation is inconsistent with
 24 *Jarvouhey*’s holding applying Section 924(a)(1)(D) to a licensed dealer. In fact, reading
 25 924(a)(1) and 924(a)(3) together, the Ninth Circuit found that the plain language of the
 26 statute does *not* mean that the “more specific” provisions of 924(a)(3) control for

27 ¹⁰ See generally *United States v. Percival*, 727 F. Supp. 1015 (E.D. Va. 1990).
 28

licensees. This court should (and must) follow that reasoning to find that 924(a)(3) is not the exclusive remedy for dealers.¹¹

d. Every appellate court to consider Tilotta's argument has rejected it.

In fact, *United States v. Wegg*, an out-of-circuit district court opinion and the basis for Tilotta's argument, has been roundly criticized by multiple federal courts of appeal. Specifically, in addition to *Jarvouhey*, Tilotta's argument has been squarely considered and rejected by the Sixth and Eighth Circuits, and by the Seventh Circuit in the closely related context of willful violations of Section 924(a)(1)(D). By contrast, no federal court of appeals has adopted *Wegg's* reasoning.

In *United States v. Rietzke*, the Seventh Circuit affirmed a felony conviction for violation of a related statute, Section 922(b)(5),¹² over an appeal based on *Wegg*. 279 F.3d 541. The *Rietzke* court ruled that "*Wegg* carries no binding authority, nor do we even find it remotely persuasive," *id.* at 544, and went on to find that:

[n]othing in Section 924(a)(3) suggests that it is the sole provision under which a licensed firearms dealer can be charged. As such, the plain language of the statute suggests only that Congress intended to "*allow for the option of misdemeanor prosecution for licensed dealers who make false statements on ATF forms, while leaving intact the felony prosecution structure for those . . . whose flagrant and repeated actions in accepting false ATF forms from straw purchases . . . warrants felony punishment.*"

Id. at 546, quoting *Al-Muqsit*, 191 F.3d at 935 (9th Cir. 1999); *see also United States v. Choice*, 201 F.3d 837, 840 (6th Cir. 2000). While part of *Rietzke's* rationale turned on

¹¹ Indeed, a district court elsewhere in the Ninth Circuit has reached the same conclusion. In *United States v. Mascak*, the court rejected defendant's *Wegg* argument, finding that "the plain language and structure of Section 924 do not support [defendants'] contention that Section 924(a)(1)(A) . . . excepts firearms licensees from its reach." 242 F. Supp. 2d 993, 998 (D. Or. 2003).

¹² This section provides that it is unlawful for "any . . . licensed dealer . . . to sell or deliver any firearm . . . to any person unless the licensee notes in his records . . . the name, age, and place of residence of such person." The provisions of Section 924 supply the penalties for such a violation.

1 the fact that the dealer in that case had admitted willful violations, its reasoning has also
2 been adopted in cases charging knowing violations under Section 924(a)(1).

3 For example, in *United States v. Carney*, two licensed firearms dealers argued
4 that they could only be prosecuted for 924(a)(3) misdemeanors for knowing violations
5 of 924(a)(1)(A), citing *Wegg*. 387 F.3d 436, 444 (6th Cir. 2004). The Sixth Circuit
6 held that the “interplay [of the two subsections] does *not* pose an instance whereby
7 general statutory language is entirely superseded by specific statutory terms which
8 address a precise matter.” *Id.* (emphasis in original). Instead, the *Carney* court found
9 that “defendants’ conduct alleged in the 924(a)(1)(A) counts of conviction could have
10 sustained convictions under *either*, or *both*, referenced sections.” *Id.* (emphasis in
11 original); *see also United States v. Batchelder*, 442 U.S. 114, 123–24 (1979) (where “an
12 act violates more than one criminal statute, the Government may prosecute under
13 either so long as it does not discriminate against any class of defendants”). The court
14 concluded that “the *Wegg* decision was poorly reasoned and is inconsistent with all
15 published circuit court authority on the matter; thus this court will assign it zero
16 persuasive weight.” *Id.* at 446 n.7.

17 Similarly, in *United States v. Al-Muqsit*, the Eighth Circuit rejected a licensed
18 dealer’s challenge to his Section 924(a)(1)(A) conviction, finding that “[t]here is simply
19 nothing in the language or legislative history of the statute or legislative history to
20 indicate Congress intended to do anything more than allow for the option of
21 misdemeanor prosecution for licensed dealers who make false statements on ATF
22 forms.” 191 F.3d at 935.

23 *e. Tilotta is properly subject to accomplice and conspiracy liability.*

24 Quite apart from a licensed dealer’s *primary* liability for Section 924(a)(1)
25 violations, however, licensees like Tilotta are properly subject to accomplice or
26 conspiracy liability where they participate in felony false statements by non-licensees.
27 To start with, it is undisputed that non-licensees (like Garmo or Magana) are liable for
28 five-year maximum felonies under Section 924(a)(1)(A) for making false statements in

1 required dealer records. Tilotta may therefore be liable for aiding and abetting (or
 2 causing) those false statements, under 18 U.S.C. § 2. He may also properly be
 3 responsible as a member of a conspiracy for agreeing with non-licensees to make such
 4 false statements. 18 U.S.C. § 371.

5 Tilotta's argument to the contrary rests on the view that Congress deliberately
 6 intended to shield licensed dealers from felony liability for knowing false statements in
 7 their records. Mot. at 14. As a result, he argues that imposing felony conspiracy liability
 8 would somehow amount to an end run around Congress's intent in amending Section
 9 924. *Id.* But as explained above, there is scant evidence that Congress intended to
 10 immunize licensees from felony liability, and all appeals courts to reach the issue have
 11 concluded just the opposite: that Section 924(a)(3) sets out an alternative misdemeanor
 12 and not an exclusive punishment. Tilotta's felony convictions as a conspirator and an
 13 accomplice to knowing false statements were therefore entirely proper.

14 V.

15 CONCLUSION

16 For the reasons stated above, the United States respectfully requests that this
 17 Court deny Defendant's motions for a new trial and to deem Counts 1 and 4
 18 misdemeanors.

19 DATED: January 20, 2023

20
 21 CINDY M. CIPRIANI
 22 Attorney for the United States
 23 Acting Under Authority
 24 Conferred by 28 U.S.C. § 515

25 /s/ Nicholas W. Pilchak
 26 NICHOLAS W. PILCHAK
 27 Assistant United States Attorney

28 /s/ Andrew R. Haden
 ANDREW R. HADEN
 Assistant United States Attorney

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GIOVANNI VINCENZO TILOTTA (3),
aka “Gio Tilotta”

Defendant.

Case No.: 19-CR-4768-GPC

Date: January 27, 2022

Time: 2:30 p.m.

Honorable Gonzalo P. Curiel

**EXHIBITS TO UNITED STATES’
RESPONSE IN OPPOSITION TO
DEFENDANT’S MOTION FOR A
NEW TRIAL AND TO DECLARE
COUNTS 1 AND 4 MISDEMEANORS
(DOC. NO. 295)**

Exhibit	DESCRIPTION
56	Dec. 2, 2015 Firearms Dealer Notification of Inspection Findings (BF-REPORTS-004173)
61	Honey Badger Website “Purchasing firearms” in California page (BF-WEB-HBF-000021)
65	Apr. 24 + May 16, 2017 Transfer Documents Including Form 4473 for Magana’s acquisition of a Walther PPQ (s/n FCH4067) and a Walther PPS (s/N AR5980) from Honey Badger Firearms (BF-REPORTS-003200)
91	June 27, 2016 Email from Hamel to Garmo: “Gio asks that we do ordered guns this way.” (BF-RPTS-841-000258)
101	Jan. 4, 2016 Email from Hamel to Honey Badger Firearms “Re: Hello Gio” (BF-RPTS-841-000658)
113	Feb. 4, 2016 Email from Hamel to Garmo “Re: When would be a convenient time for us to go to Gios?” (BF-RPTS-841-000194)
121	June 27, 2016 Email from Hamel to Garmo “Re: Gio asks that we do ordered guns” (BF-RPTS-841-000263)
150	Apr. 22, 2017 Email from Hamel to Garmo “Re: Walther” (BF-RPTS-841-000353)
165	July 14, 2018 Email from Hamel to Tilotta “PPQ sc can u see if you can get?” (BF-RPTS-841-000767)

183	Leo Hamel Fine Jewelers Firearms Acquisition and Disposition Record (BF-REPORTS-002130-2148)
184	July 15, 2018 Email from Hamel to Garmo re PPQ talk with MMG (BF-RPTS-841-000566)
196	July 7 + 20, 2016 Transfer Documents Including Form 4473 for for Garmo's acquisition of Colt 1911 (s/n 2931866), Colt 1911 (s/n NN03641) and Sig Sauer P226 Legion (s/n 47A141276) from Honey Badger Firearms (BF-REPORTS-002286)
209	Honey Badger Bound Book (A&D Log) ATF Item 707 [Garmo] (BF-REPORTS-002152)
211	Honey Badger Firearms Acquisition & Disposition Record ATF Item 709 [Garmo] (BF-REPORTS-002158)
223	March 22, 2017 Text exchange between Garmo and Tilotta re order for two Walthers (BF-RPTS-ATF805-098)



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State of California
Department of Justice
Bureau of Firearms

P.O. Box 160487 • Sacramento, CA • 95816-0487
Telephone: (916) 227-7527 • Fax (916) 227-7480



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FIREARMS DEALER NOTIFICATION OF INSPECTION FINDINGS

Business Name: Honey Badger Firearms	City: 220805	County Code: 37	Field Representative: Sherry Carter	Date: 12/2/15
License(s): Giovanni Tilotta	CFD No: San Diego	Inspection No: 2	Contact Person(s): Giovanni Tilotta	Follow up Recommended: 12/9/15 - Security 12/2/18 - Regular

☐ NO VIOLATIONS WERE REVEALED AT INSPECTION - NO FURTHER ACTION IS NECESSARY BY THE FIREARMS DEALERSHIP



YOU ARE HEREBY NOTIFIED OF THE FOLLOWING VIOLATION(S) AND ACTION NECESSARY TO COMPLY WITH STATE LAW(S)

THIS IS A WARNING. Violation(s) of California Penal Code sections are summarized below. This notification is issued to you in an effort to secure your cooperation in future compliance and to ensure public safety. The Department of Justice Bureau of Firearms believes that a firearms dealer will comply with these laws when notified of the importance of strict compliance.

FUTURE FAILURE OF COMPLIANCE MAY RESULT IN ADMINISTRATIVE AND/OR CRIMINAL ACTION.

VIOLATION Penal Code Section	SUMMARY OF VIOLATION	CORRECTIVE ACTION TO BE TAKEN	DATE TO BE COMPLETED
26890(a)	Security not compliant: Firearms maintained in metal supply locker w/ padlock	Meet Security	12/9/15
			1 1
27500(a)	Possible straw purchase:	cease & desist	immediate
	Denial: 3/4/15 John Ackerman, Jr. CZ 75 #3647493		1 1
	Approved: 4/3/15 John Ackerman, Sr.		1 1
	4795 Kimberly Ann Rd, Aguanga 92536		1 1
			1 1
32400-32450	3 large capacity mags sold to 1 Federal LED	cease & desist	immediate
		Fed. LED not entitled to large cap mags	1 1

COMMENTS: PC 31610(c) requires a separate room/partitioned area to administer FSC test

ALL VIOLATIONS NOTED ABOVE WERE DISCUSSED. I HAVE RECEIVED A COPY OF THIS REPORT AND WILL TAKE STEPS TO COMPLY WITH THE ABOVE PENAL CODE SECTIONS WITHIN 30 DAYS UNLESS OTHERWISE INDICATED.

LICENSEE/MGR/EMPLOYEE:

(SIGNATURE)

02/02/2015

(DATE)

INSPECTED BY:

(DEPARTMENT OF JUSTICE FIELD REPRESENTATIVE)

12/2/15

(DATE)



State of California
Department of Justice
Bureau of Firearms

P.O. Box 160487, Sacramento, CA 95816-0487
Telephone: (916) 227-7527 Fax: (916) 227-7480

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FIREARMS DEALER NOTIFICATION OF INSPECTION FINDINGS

Business Name: <u>Honey Badger Firearms</u>	City: <u>San Diego</u>	Count Code: <u>37</u>	Field Representative: <u>Renee Lewis Sherry Carter</u>	Date: <u>12/2/15</u>
Licensee(s): <u>Giovanni Tilotta</u>	CFD#: <u>22080</u>	Inspection No: <u>2</u>	Contact Person(s): <u>Giovanni Tilotta</u>	Follow-up Recommended: <u>12/9/15 - SEC 12/2/16 - RES</u>

☐ NO VIOLATIONS WERE REVEALED AT INSPECTION - NO FURTHER ACTION IS NECESSARY BY THE FIREARMS DEALERSHIP

☒ YOU ARE HEREBY NOTIFIED OF THE FOLLOWING VIOLATION(S) AND ACTION NECESSARY TO COMPLY WITH STATE LAW(S).

THIS IS A WARNING. Violation(s) of California Penal Code sections have been revealed. This notification is issued to you in an effort to secure your cooperation in future compliance and to ensure public safety. The Department of Justice Bureau of Firearms believes that a firearms dealer will comply with these laws when notified of the importance of strict compliance. **FUTURE FAILURE OF COMPLIANCE MAY RESULT IN ADMINISTRATIVE AND/OR CRIMINAL ACTION.**

VIOLATION Penal Code Section	SUMMARY OF VIOLATION	CORRECTIVE ACTION TO BE TAKEN	DATE TO BE COMPLETED
26835 (d)	Minor Warning (negligent storage) sign not posted.	post	1/2/16
1645 (a)	3 (out of 11 checked) FSC test incomplete	complete	1/2/16
26845	Proof of residency is missing/invalid: 7448-01889; 7442-00178; 7437-01454; 7304-02963; 7378-03039; 7354-00763; 7304-01701; 7296-02254; 7289-01046; 7287-03534	complete/obtain	3/2/16

COMMENTS: RECEIVED

ALL VIOLATIONS NOTED ABOVE WERE DISCUSSED. I HAVE RECEIVED A COPY OF THIS REPORT AND WILL TAKE STEPS TO COMPLY WITH THE ABOVE PENAL CODE SECTIONS WITHIN 30 DAYS UNLESS OTHERWISE INDICATED.

LICENSEE/MGR/EMPLOYEE:

(Signature)

02 Dec 2015

(Date)

INSPECTED BY:

(Department of Justice Field Representative)

12/2/15

(Date)

State of California
Department of Justice
Bureau of FirearmsP.O. Box 160487 • Sacramento, CA • 95816-0487
Telephone: (916) 227-7527 • Fax (916) 227-7480

FIREARMS DEALER NOTIFICATION OF INSPECTION FINDINGS

Business Name: Honey Badger Firearms	City: San Diego	County Code: 37	Field Representative: Sherry Carter	Date: 12/2/15
License(s): Giovanni Tilotta	CFD No: 22080	Inspection No: 2	Contact Person(s): Giovanni Tilotta	Follow up Recommended: 12/15/15 - Sec 12/2/18 - Reg

☐ NO VIOLATIONS WERE REVEALED AT INSPECTION - NO FURTHER ACTION IS NECESSARY BY THE FIREARMS DEALERSHIP

- ☒ YOU ARE HEREBY NOTIFIED OF THE FOLLOWING VIOLATION(S) AND ACTION NECESSARY TO COMPLY WITH STATE LAW(S)
THIS IS A WARNING. Violation(s) of California Penal Code sections are summarized below. This notification is issued to you in an effort to secure your cooperation in future compliance and to ensure public safety. The Department of Justice Bureau of Firearms believes that a firearms dealer will comply with these laws when notified of the importance of strict compliance.
FUTURE FAILURE OF COMPLIANCE MAY RESULT IN ADMINISTRATIVE AND/OR CRIMINAL ACTION.

VIOLATION Penal Code Section	SUMMARY OF VIOLATION	CORRECTIVE ACTION TO BE TAKEN	DATE TO BE COMPLETED
23635	FSD "DEM" locks do not indicate make+model	Write lock make & model in comment field	from now on
			1 1
26840(b)	Photocopy of FSC card not maintained:	obtain	1/2/16
	7384-02096; 7369-00740; 7354-00763;		1 1
	7305-02548; 7304-01213; 7301-03852;		1 1
			1 1
26850	Safet handling Affidavit missing/incomplete:	obtain/complete	3/2/16
	7305-01002; 7304-01213; 7304-01701; 7301-03852		1 1
			1 1

COMMENTS:

ALL VIOLATIONS NOTED ABOVE WERE DISCUSSED. I HAVE RECEIVED A COPY OF THIS REPORT AND WILL TAKE STEPS TO COMPLY WITH THE ABOVE PENAL CODE SECTIONS WITHIN 30 DAYS UNLESS OTHERWISE INDICATED.

LICENSEE/MGR/EMPLOYEE: _____

(SIGNATURE)

02 Dec 12 2015

(DATE)

INSPECTED BY: _____

(DEPARTMENT OF JUSTICE FIELD REPRESENTATIVE)

(DATE)



FIREARMS ▾ DUTY GEAR ▾ ACCESSORIES ▾ OPTICS ▾ PAINTBALL

GUNSMITHING SERVICES

LOGIN

CART / \$0.00 

California

If your firearms is being shipped to a FFL in California we will need their CFD number, if the dealer cannot provide one we will ask you to supply us with a new FFL.

Sales in California will have taxes added to the products, this can be seen in the cart and at checkout. California FFL Dealers will also charge a Dealers Record of Sale (DROS) Fee mandated by California, this is not included in the sale.

California has a [Roster of Handguns Certified for Sale](#). Unfortunately California residents may only purchase handguns on this list, unless you have exemptions provided to certain law enforcement officers. If you do not possess the required exemptions and you purchase a firearm that doesn't meet California's regulations, your order will be cancelled and you may be charged a 25% cancellation fee. We urge any California resident purchasing a handgun to checkout our [California Handguns](#) section, and to contact us if you are unsure before a purchase.

Problems with receiving FFL

We may have issues with your receiving FFL or they may not wish to receive a firearm on your behalf. When this happens we will inform you and give you ten days to find a new FFL that will receive your firearm.

Purchasers Responsibility

It is your responsibility to know if the items you purchase are legal in your state, city, and local municipality. If a item is returned to us by your receiving FFL, we reserve the right to charge a \$30.00 dollar restocking fee, and to recover our actual shipping cost, meaning the cost we paid for

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BF-WEB-HBF-000021

Department of Justice

Alcohol, Tobacco, Firearms and Explosives

Firearms Transaction Record

WARNING: You may not receive a firearm if prohibited by Federal or State law. The information you provide will be used to determine whether you are prohibited from receiving a firearm. Certain violations of the Gun Control Act, 18 U.S.C. 921 et. seq., are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine.

Transferor's/Seller's
Transaction Serial
Number (If any)

Read the Notices, Instructions, and Definitions on this form. Prepare in original only at the licensed premises ("licensed premises" includes business temporarily conducted from a qualifying gun show or event in the same State in which the licensed premises is located) unless the transaction qualifies under 18 U.S.C. 922(c). All entries must be handwritten in ink. "PLEASE PRINT."

2907

Section A - Must Be Completed Personally By Transferee/Buyer

1. Transferee's/Buyer's Full Name (If legal name contains an initial only, record "IO" after the initial. If no middle initial or name, record "NMN".)

Last Name (Including suffix (e.g., Jr, Sr, II, III))

First Name

Middle Name

MAGANA

FRED

NMN

2. Current State of Residence and Address (U.S. Postal abbreviations are acceptable. Cannot be a post office box.)

Number and Street Address

City

County

State

ZIP Code

CHULA VISTA

SAN DIEGO

CA

91913

3. Place of Birth

U.S. City and State

-OR-

Foreign Country

4. Height

5. Weight

6. Sex

7. Birth Date

LOS ANGELES
CALIFORNIA

Ft. 5

(Lbs.)

☒ Male

Month

Day

Year

In. 9

200

☐ Female

1977

8. Social Security Number (Optional, but will help prevent misidentification)

9. Unique Personal Identification Number (UPIN) if applicable (See Instructions for Question 9.)

10.a. Ethnicity

☐ Hispanic or Latino☒ Not Hispanic or Latino

10.b. Race (In addition to ethnicity, select one or more race in 10.b. Both 10.a. and 10.b. must be answered.)

☐ American Indian or Alaska Native☐ Black or African American☒ White☐ Asian☐ Native Hawaiian or Other Pacific Islander

11. Answer the following questions by checking or marking "yes" or "no" in the boxes to the right of the questions.

a. Are you the actual transferee/buyer of the firearm(s) listed on this form? **Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you. Exception: If you are picking up a repaired firearm(s) for another person, you are not required to answer 11.a. and may proceed to question 11.b. (See Instructions for Question 11.a.)**

Yes

No

☒☐

b. Are you under indictment or information in any court for a felony, or any other crime for which the judge could imprison you for more than one year? (See Instructions for Question 11.b.)

☐☒

c. Have you ever been convicted in any court of a felony, or any other crime for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation? (See Instructions for Question 11.c.)

☐☒

d. Are you a fugitive from justice? (See Instructions for Question 11.d.)

☐☒

e. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? **Warning: The use or possession of marijuana remains unlawful under Federal law regardless of whether it has been legalized or decriminalized for medicinal or recreational purposes in the state where you reside.**

☐☒

f. Have you ever been adjudicated as a mental defective OR have you ever been committed to a mental institution? (See Instructions for Question 11.f.)

☐☒

g. Have you been discharged from the Armed Forces under dishonorable conditions?

☐☒

h. Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner? (See Instructions for Question 11.h.)

☐☒

i. Have you ever been convicted in any court of a misdemeanor crime of domestic violence? (See Instructions for Question 11.i.)

☐☒

12.a. Country of Citizenship: (Check/List more than one, if applicable. Nationals of the United States may check U.S.A.)

☒ United States of America (U.S.A.)☐ Other Country/Countries (Specify):

Yes

No

12.b. Have you ever renounced your United States citizenship?

☐☒

12.c. Are you an alien illegally or unlawfully in the United States?

☐☒

12.d.1. Are you an alien who has been admitted to the United States under a nonimmigrant visa? (See Instructions for Question 12.d.)

☐☒

12.d.2. If "yes", do you fall within any of the exceptions stated in the instructions?

☒ N/A☐☐

13. If you are an alien, record your U.S.-Issued Alien or Admission number (AR#, USCIS#, or I94#):

Previous Editions Are Obsolete

Transferee/Buyer Continue to Next Page
STAPLE IF PAGES BECOME SEPARATED

ATF Form 4473 (5300.9)
Revised October 2016

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BF-REPORTS-003200

I certify that my answers in Section A are true, correct, and complete. I have read and understand the Notices, Instructions, and Definitions on ATF Form 4473. I understand that answering "yes" to question 11.a. if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I understand that a person who answers "yes" to any of the questions 11.b. through 11.i and/or 12.b. through 12.e. is prohibited from purchasing or receiving a firearm. I understand that a person who answers "yes" to question 12.d.1. is prohibited from receiving or possessing a firearm, unless the person answers "yes" to question 12.d.2. and provides the documentation required in 18.c. I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of Federal law. (See Instructions for Question 14.)

14. Transferee's/Buyer's Signature

15. Certification Date

04/24/17

Section B - Must Be Completed By Transferor/Seller

16. Type of firearm(s) to be transferred (check or mark all that apply):

- ☒ Handgun ☐ Long Gun (rifles or shotguns) ☐ Other Firearm (frame, receiver; etc. See Instructions for Question 16.)

17. If transfer is at a qualifying gun show or event:

Name of Function: _____

City, State: _____

18.a. Identification (e.g., Virginia Driver's license (VA DL) or other valid government-issued photo identification.) (See Instructions for Question 18.a.)

Issuing Authority and Type of Identification

CA DRIVERS LICENSE

Number on Identification

Expiration Date of Identification (if any)

Month _____ Year 2020

18.b. Supplemental Government Issued Documentation (if identification document does not show current residence address) (See Instructions for Question 18.b.)

18.c. Exception to the Nonimmigrant Alien Prohibition: If the transferee/buyer answered "YES" to 12.d.2. the transferor/seller must record the type of documentation showing the exception to the prohibition and attach a copy to this ATF Form 4473. (See Instructions for Question 18.c.)

Questions 19, 20, or 21 Must Be Completed Prior To The Transfer Of The Firearm(s) (See Instructions for Questions 19, 20 and 21.)

19.a. Date the transferee's/buyer's identifying information in Section A was transmitted to NICS or the appropriate State agency:

Month 4 Day 24 Year 2017

19.b. The NICS or State transaction number (if provided) was:

08150-02078, 02084

19.c. The response initially (first) provided by NICS or the appropriate State agency was:

- ☒ Proceed ☐ Delayed
☐ Denied ☐ Cancelled
 (The firearm(s) may be transferred on _____ if State law permits (optional))

19.d. The following response(s) was/were later received from NICS or the appropriate State agency:

- ☐ Proceed _____ (date) ☐ Overturned
☐ Denied _____ (date)
☐ Cancelled _____ (date)
☐ No response was provided within 3 business days.

19.e. (Complete if applicable.) After the firearm was transferred, the following response was received from NICS or the appropriate State agency on:

_____ (date). ☐ Proceed ☐ Denied ☐ Cancelled

19.f. The name and Brady identification number of the NICS examiner: (Optional)

(name)

(number)

19.g. Name of FFL Employee Completing NICS check. (Optional)

20. ☐ No NICS check was required because a background check was completed during the NFA approval process on the individual who will receive the NFA firearm(s), as reflected on the approved NFA application. (See Instructions for Question 20.)21. ☐ No NICS check was required because the transferee/buyer has a valid permit from the State where the transfer is to take place, which qualifies as an exemption to NICS. (See Instructions for Question 21.)

Issuing State and Permit Type

Date of Issuance (if any)

Expiration Date (if any)

Permit Number (if any)

Section C - Must Be Completed Personally By Transferee/Buyer

If the transfer of the firearm(s) takes place on a different day from the date that the transferee/buyer signed Section A, the transferee/buyer must complete Section C immediately prior to the transfer of the firearm(s). (See Instructions for Question 22 and 23.)

I certify that my answers to the questions in Section A of this form are still true, correct, and complete.

22. Transferee's/Buyer's Signature

23. Recertification Date

05/16/17

Transferor/Seller Continue to Next Page
 STAPLE IF PAGES BECOME SEPARATED

Section D - Must Be Completed By Transferor /Seller Even If The Firearm(s) is Not Transferred

24. Manufacturer and Importer (If any) (If the manufacturer and importer are different, the FFL must include both.)	25. Model (If Designated)	26. Serial Number	27. Type (See Instructions for Question 27.)	28. Caliber or Gauge
1. WALTHER	PPS M2	AR5980	PISTOL	9MM
2. WALTHER	PPQ M2	FCH4067	PISTOL	9MM
3.				
4.				

REMINDER - By the Close of Business Complete ATF Form 3310.4 For Multiple Purchases of Handguns Within 5 Consecutive Business Days

29. Total Number of Firearms Transferred (Please <i>handwrite</i> by printing e.g., zero, one, two, three, etc. Do not use numerals.)	30. Check if any part of this transaction is a pawn redemption. <input type="checkbox"/> Line Number(s) From Question 24 Above:
TWO	
31. For Use by Licensee (See Instructions for Question 31.)	32. Check if this transaction is to facilitate a private party transfer. <input type="checkbox"/> (See Instructions for Question 32.)

33. Trade/corporate name and address of transferor/seller and Federal Firearm License Number (Must contain at least first three and last five digits of FFL Number X-XX-XXXXX.) (Hund stamp may be used)

HONEY BADGER FIREARMS

4304 TWAIN AVE SUITE B, SAN DIEGO, CALIFORNIA 92120

9-33-073-07-8J-04572

The Person Transferring The Firearm(s) Must Complete Questions 34-37.

For Denied/Cancelled Transactions, the Person Who Completed Section B Must Complete Questions 34-36.

I certify that: (1) I have read and understand the Notices, Instructions, and Definitions on this ATF Form 4473; (2) the information recorded in Sections B and D is true, correct, and complete; and (3) this entire transaction record has been completed at my licensed business premises ("licensed premises" includes business temporarily conducted from a qualifying gun show or event in the same State in which the licensed premises is located) unless this transaction has met the requirements of 18 U.S.C. 922(c). Unless this transaction has been denied or cancelled, I further certify on the basis of — (1) the transferee's/buyer's responses in Section A (and Section C, if applicable); (2) my verification of the identification recorded in question 18 (and my re-verification at the time of transfer, if Section C was completed); and (3) State or local law applicable to the firearms business — it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

34. Transferor's/Seller's Name (Please print)	35. Transferor's/Seller's Signature	36. Transferor's/Seller's Title	37. Date Transferred
JESUS DIAZ JR		SALES REP	5-16-17

NOTICES, INSTRUCTIONS, AND DEFINITIONS

Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. 923 may determine if he/she may lawfully sell or deliver a firearm to the person identified in Section A, and to alert the transferee/buyer of certain restrictions on the receipt and possession of firearms. The transferor/seller of a firearm must determine the lawfulness of the transaction and maintain proper records of the transaction. Consequently, the transferor/seller must be familiar with the provisions of 18 U.S.C. 921-931 and the regulations in 27 CFR Parts 478 and 479. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a resident of another State, the transferor/seller is presumed to know the applicable State laws and published ordinances in both the transferor's/seller's State and the transferee's/buyer's State. (See ATF Publication 5300.5, *State Laws and Published Ordinances*.)

Generally, ATF Form 4473 must be completed at the licensed business premises when a firearm is transferred over-the-counter. Federal law, 18 U.S.C. 922(c), allows a licensed importer, manufacturer, or dealer to sell a firearm to a non-licensee who does not appear in person at the licensee's business premises only if the transferee/buyer meets certain requirements. These requirements are set forth in section 922(c), 27 CFR 478.96(b), and ATF Procedure 2013-2.

After the transferor/seller has completed the firearms transaction, he/she must make the completed, original ATF Form 4473 (which includes the Notices, General Instructions, and Definitions), and any supporting documents, part of his/her permanent records. Such Forms 4473 must be retained for at least 20 years and after that period may be submitted to ATF. Filing may be chronological (by date of disposition), alphabetical (by name of purchaser), or numerical (by transaction serial number), as long as all of the transferor's/seller's completed Forms 4473 are filed in the same manner.

FORMS 4473 FOR DENIED/CANCELLED TRANSFERS MUST BE RETAINED: If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer is not completed after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his/her records for at least 5 years. Forms 4473 with respect to which a sale, delivery, or transfer did not take place shall be separately retained in alphabetical (by name of transferee) or chronological (by date of transferee's certification) order.

If the transferor/seller or the transferee/buyer discovers that an ATF Form 4473 is incomplete or improperly completed after the firearm has been transferred, and the transferor/seller or the transferee/buyer wishes to correct the omission(s) or error(s), photocopy the inaccurate form and make any necessary additions or revisions to the photocopy. The transferor/seller should only make changes to Sections B and D. The transferee/buyer should only make changes to Section A and C. Whoever made the changes should initial and date the changes. The corrected photocopy should be attached to the original Form 4473 and retained as part of the transferor's/seller's permanent records.

Exportation of Firearms: The State or Commerce Departments may require a firearms exporter to obtain a license prior to export. **Warning:** Any person who exports a firearm without proper authorization may be fined not more than \$1,000,000 and/or imprisoned for not more than 20 years. See 22 U.S.C. 2778(c).

Section A

The transferee/buyer must personally complete Section A of this form and certify (sign) that the answers are true, correct, and complete. However, if the transferee/buyer is unable to read and/or write, the answers (other than the signature) may be completed by another person, excluding the transferor/seller. Two persons (other than the transferor/seller) must then sign as witnesses to the transferee's/buyer's answers and signature/certification in question 14.

ATF Form 4473 (5300.9)
Revised October 2016

When the transferee/buyer of a firearm is a corporation, company, association, partnership, or other such business entity, an officer authorized to act on behalf of the business must complete Section A of the form with his/her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity; and (B) the name and address of that business entity.

Question 1. If the transferee's/buyer's name in question 1 is illegible, the transferor/seller must print the transferee's/buyer's name above the name written by the transferee/buyer.

Question 2. Current Residence Address: A rural route (RR) may be accepted provided the transferee/buyer lives in a State or locality where it is considered a legal residence address. County and Parish are one and the same.

If the transferee/buyer is a member of the Armed Forces on active duty, his/her State of residence is the State in which his/her permanent duty station is located. If the service member is acquiring a firearm in a State where his/her permanent duty station is located, but resides in a different State, the transferee/buyer must list both his/her permanent duty station address and his/her residence address in response to question 2. If the transferee/buyer has two States of residence, the transferee/buyer should list his/her current residence address in response to question 2 (e.g., if the transferee/buyer is purchasing a firearm while staying at his/her weekend home in State X, he/she should list the address in State X in response to question 2).

Question 9. Unique Personal Identification Number (UPIN): For transferees/buyers approved to have information maintained about them in the FBI NICS Voluntary Appeal File, NICS will provide them with a UPIN, which the transferee/buyer should record in question 9. The licensee should provide the UPIN when conducting background checks through the NICS or the State POC.

Question 10.a. and 10.b. Federal regulations (27 CFR 478.124(c)(1)) require licensees to obtain the race of the transferee/buyer. This information helps the FBI and/or State POC make or rule out potential matches during the background check process and can assist with criminal investigations. Pursuant to Office of Management and Budget (OMB), effective January 1, 2003, all Federal agencies requiring collection of race and ethnicity information on administrative forms and records, were required to collect this information in a standard format. (See 62 FR 58782) The standard OMB format consists of two categories for data on ethnicity: "Hispanic or Latino," and "Not Hispanic or Latino" and five categories for data on race: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, and White.

Ethnicity refers to a person's heritage. Persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race, are considered Hispanic or Latino.

Race - one or more of the following responses must be selected: (1) American Indian or Alaska Native - A person having origins in any of the original peoples of North and South America (including Central America), and who maintains a tribal affiliation or community attachment; (2) Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam; (3) Black or African American - A person having origins in any of the Black racial groups of Africa; (4) Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands; and (5) White - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. Any other race or ethnicity that does not fall within those indicated, please select the closest representation.

Question 11.a. Actual Transferee/Buyer: For purposes of this form, a person is the actual transferee/buyer if he/she is purchasing the firearm for him/herself or otherwise acquiring the firearm for him/herself (e.g., redeeming the firearm from pawn, retrieving it from consignment, firearm raffle winner). A person is also the actual transferee/buyer if he/she is legitimately purchasing the firearm as a bona fide gift for a third party. A gift is not bona fide if another person offered or gave the person completing this form money, service(s), or item(s) of value to acquire the firearm for him/her, or if the other person is prohibited by law from receiving or possessing the firearm.

ACTUAL TRANSFEREE/BUYER EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith (who may or may not be prohibited). Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is **NOT THE** Page 4 of 6

ACTUAL TRANSFEREE/BUYER of the firearm and must answer "NO" to question 11.a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown buys the firearm with his own money to give to Mr. Black as a gift (with no service or tangible thing of value provided by Mr. Black), Mr. Brown is the actual transferee/buyer of the firearm and should answer "YES" to question 11.a. However, the transferor/seller may not transfer a firearm to any person he/she knows or has reasonable cause to believe is prohibited under 18 U.S.C. 922(g), (n) or (x). **EXCEPTION:** If a person is picking up a repaired firearm(s) for another person, he/she is not required to answer 11.a. and may proceed to question 11.b.

Question 11.b. - 12. Generally, 18 U.S.C. 922(g) prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a felony in any Federal, State or local court, or any other crime, punishable by imprisonment for a term exceeding one year (*this does not include State misdemeanors punishable by imprisonment of two years or less*); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated as a mental defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; is subject to certain restraining orders; convicted of a misdemeanor crime of domestic violence under Federal, State or Tribal law; has renounced his/her U.S. citizenship; is an alien illegally in the United States or an alien admitted to the United States under a nonimmigrant visa. Furthermore, section 922(n) prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony in any Federal, State or local court, or any other crime, punishable by imprisonment for a term exceeding one year. An information is a formal accusation of a crime verified by a prosecutor.

A member of the Armed Forces must answer "yes" to 11.b. or 11.c. if charged with an offense that was either referred to a General Court Martial, or at which the member was convicted. Discharged "under dishonorable conditions" means separation from the Armed Forces resulting from a dishonorable discharge or dismissal adjudged by a General Court-Martial. That term does not include any other discharge or separation from the Armed Forces.

EXCEPTION: A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law of the jurisdiction where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had their civil rights (*the right to vote, sit on a jury, and hold public office*) taken away and later restored, AND (2) the person is not prohibited by the law of the jurisdiction where the conviction occurred from receiving or possessing firearms. Persons subject to this exception, or who receive relief from disabilities under 18 U.S.C. 925(c), should answer "no" to the applicable question.

Question 11.d. Fugitive from Justice: Any person who has fled from any State to avoid prosecution for a felony or a misdemeanor; or any person who leaves the State to avoid giving testimony in any criminal proceeding. The term also includes any person who knows that misdemeanor or felony charges are pending against such person and who leaves the State of prosecution.

Question 11.f. Adjudicated as a Mental Defective: A determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease: (1) is a danger to himself or to others; or (2) lacks the mental capacity to contract or manage his own affairs. This term shall include: (1) a finding of insanity by a court in a criminal case; and (2) those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility.

Committed to a Mental Institution: A formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution.

EXCEPTION: Under the NICS Improvement Amendments Act of 2007, a person who has been adjudicated as a mental defective or committed to a mental institution in a State proceeding is not prohibited by the adjudication or commitment if

the person has been granted relief by the adjudicating/committing State pursuant to a qualifying mental health relief from disabilities program. Also, a person who has been adjudicated as a mental defective or committed to a mental institution by a department or agency of Federal Government is not prohibited by the adjudication or commitment if either: (a) the person's adjudication or commitment was set-aside or expunged by the adjudicating/committing agency; (b) the person has been fully released or discharged from all mandatory treatment, supervision, or monitoring by the agency; (c) the person was found by the agency to no longer suffer from the mental health condition that served as the basis of the initial adjudication/commitment; or (d) the adjudication or commitment, respectively, is based solely on a medical finding of disability, without an opportunity for a hearing by a court, board, commission, or other lawful authority, and the person has not been adjudicated as a mental defective consistent with section 922(g)(4) of title 18, United States Code; (e) the person was granted relief from the adjudicating/committing agency pursuant to a qualified mental health relief from disabilities program. **Persons who fall within one of the above exceptions should answer "no" to question 11.f.** This exception to an adjudication or commitment by a Federal department or agency does not apply to any person who was adjudicated to be not guilty by reason of insanity, or based on lack of mental responsibility, or found incompetent to stand trial, in any criminal case or under the Uniform Code of Military Justice.

Question 11.h. Qualifying Restraining Orders: Under 18 U.S.C. 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate in; (B) restrains such person from harassing, stalking, or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. An "intimate partner" of a person is: the spouse or former spouse of the person, the parent of a child of the person, or an individual who cohabitates or has cohabitated with the person.

Question 11.i. Misdemeanor Crime of Domestic Violence: A Federal, State, local, or tribal offense that is a misdemeanor under Federal, State, or tribal law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., *assault and battery*), if the offense is committed by one of the defined parties. (See *Exception to 11.h. - 12.*) A person who has been convicted of a misdemeanor crime of domestic violence also is not prohibited unless: (1) the person was represented by a lawyer or gave up the right to a lawyer, or (2) if the person was entitled to a jury, was tried by a jury, or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 11.i.

Question 12.d. Immigration Status: An alien admitted to the United States under a nonimmigrant visa includes, among others, persons visiting the United States temporarily for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain temporary foreign workers. These aliens must answer "yes" to this question and provide the additional documentation required under question 18.c. Permanent resident aliens and aliens legally admitted to the United States pursuant to either the Visa Waiver Program or to regulations otherwise exempting them from visa requirements may answer "no" to this question and are not required to submit the additional documentation under question 18.c.

Question 13. U.S.-issued Alien Number or Admission Number: U.S.-issued alien and admission numbers may be found on the following U.S. Department of Homeland Security documents: Legal Resident Card or Employment Authorization Card (AR# or USCIS#); Arrival/Departure Record, Form 194, or Form 797A (194#). Additional information can be obtained from www.cbp.gov. If you are a U.S. citizen or U.S. national then this question should be left blank.

Question 14. Under 18 U.S.C. 922(a)(1), it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he/she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal

objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his/her personal collection of firearms.

Section B

Question 16. Type of Firearm(s): "Other" refers to frames, receivers and other firearms that are neither handguns nor long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell, or National Firearms Act (NFA) firearms, including silencers.

If a frame or receiver can only be made into a long gun (*rifle or shotgun*), it is still a frame or receiver not a handgun or long gun. However, frames and receivers are still "firearms" by definition, and subject to the same GCA limitations as any other firearms. See Section 921(a)(3)(B). Section 922(b)(1) makes it unlawful for a licensee to sell any firearm other than a shotgun or rifle to any person under the age of 21. Since a frame or receiver for a firearm, to include one that can only be made into a long gun, is a "firearm other than a shotgun or rifle," it cannot be transferred to anyone under the age of 21, nor can these firearms be transferred to anyone who is not a resident of the State where the transfer is to take place. Also, note that multiple sales forms are not required for frames or receivers of any firearms, or pistol grip shotguns, since they are not "pistols or revolvers" under Section 923(g)(3)(A).

Question 17. Qualifying Gun Show or Event: As defined in 27 CFR 478.100, a gun show or event is a function sponsored by any national, State, or local organization, devoted to the collection, competitive use, or other sporting use of firearms, or an organization or association that sponsors functions devoted to the collection, competitive use, or other sporting use of firearms in the community.

Question 18.a. Identification: Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the transferee/buyer. The transferee/buyer must provide a valid government-issued photo identification document to the transferor/seller that contains the transferee's/buyer's name, residence address, and date of birth. A driver's license or an identification card issued by a State in place of a license is acceptable. Social Security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. A combination of government-issued documents may be provided. See instructions for question 18.b. Supplemental Documentation.

If the transferee/buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his/her permanent duty station is located, but he/she has a driver's license from another State, the transferor/seller should list the transferee's/buyer's military identification card and official orders showing where his/her permanent duty station is located in response to question 18.a. Licensees may accept electronic PCS orders to establish residency.

Question 18.b. Supplemental Documentation: Licensees may accept a combination of valid government-issued documents to satisfy the identification document requirements of the law. The required valid government-issued photo identification document bearing the name, photograph, and date of birth of transferee/buyer may be supplemented by another valid, government-issued document showing the transferee's/buyer's residence address. This supplemental documentation should be recorded in question 18.b., with the issuing authority and type of identification presented. For example, if the transferee/buyer has two States of residence and is trying to buy a handgun in State X, he may provide a driver's license (*showing his name, date of birth, and photograph*) issued by State Y and another government-issued document (*such as a tax document*) from State X showing his residence address. A valid electronic document from a government website may be used as supplemental documentation provided it contains the transferee's/buyer's name and current residence address.

Question 18.c. Exceptions to the Nonimmigrant Alien Prohibition and Acceptable Documentation: An alien admitted to the United States under a nonimmigrant visa is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued by the Federal Government, a State or local government, or an Indian tribe federally recognized by the Bureau of Indian Affairs, which is valid and unexpired; (2) was admitted to the United States for lawful hunting or sporting purposes; (3) has received a waiver from the prohibition from the Attorney General of the United States; (4) is an official representative of a foreign government who is accredited to the United States Government or the Government's mission to an international organization having its

headquarters in the United States; (5) is an official representative of a foreign government who is en route to or from another country to which that alien is accredited; (6) is an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or (7) is a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

Question 19. NICS BACKGROUND CHECKS: 18 U.S.C. 922(i) requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer, or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include State agencies designated as points-of-contact ("or POCs") to conduct NICS checks for the Federal Government.

The licensee should NOT contact NICS and must stop the transaction if there is reasonable cause to believe that the transferee/buyer is prohibited from receiving or possessing a firearm, including if: the transferee/buyer answers "no" to question 11.a.; the transferee/buyer answers "yes" to any question in 11.b. - 11.i. or 12.b. - 12.c.; the transferee/buyer has answered "yes" to question 12.d.1., and answered "no" to question 12.d.2.; or the transferee/buyer cannot provide the documentation required by questions 18.a, b, or c. **WARNING:** Any person who transfers a firearm to any person he/she knows or has reasonable cause to believe is prohibited from receiving or possessing a firearm violates the law, even if the transferor/seller has complied with the Federal background check requirements.

At the time that NICS is contacted, the licensee must record in question 19.a. - 19.c.: the date of contact, the NICS (or State) transaction number, and the initial (first) response provided by NICS or the State. The licensee may record the date the firearms may be transferred to the transferee/buyer (also known as the Missing Disposition Information (MDI) date) in 19.c. that NICS provides for delayed transactions (States may not provide this date). If the licensee receives any subsequent response(s) before transferring the firearm, the licensee must record in question 19.d. any response later provided by NICS or the State, or that no response was provided within 3 business days. If the transaction was denied and later overturned in addition to checking the "Proceed" and entering the date, the licensee must also check the "Overturned" box and, if provided, attach the overturn certificate issued by NICS or the State POC to the ATF Form 4473. If the licensee receives a response from NICS or the State after the firearm has been transferred, he/she must record this information in question 19.e. **Note:** States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," "cancelled," or "denied." In such cases, the licensee should check the box that corresponds to the State's response. Some States may not provide a transaction number for denials. However, if a firearm is transferred within the three business day period, a transaction number is required.

NICS Responses: If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "cancelled" or "denied" response, the transferor/seller is prohibited from transferring the firearm to the transferee/buyer. If NICS provides a "delayed" response, the transferor/seller is prohibited from transferring the firearm unless 3 business days have elapsed and, before the transfer, NICS or the State has not advised the transferor/seller that the transferee's/buyer's receipt or possession of the firearm would be in violation of law. (See 27 CFR 478.102(a) for an example of how to calculate 3 business days.) If NICS provides a "delayed" response, NICS also will provide a Missing Disposition Information (MDI) date that calculates the 3 business days and reflects when the firearm(s) can be transferred under Federal law. States may not provide an MDI date. *State law may impose a waiting period on transferring firearms.*

Questions 20 and 21. NICS EXCEPTIONS: A NICS check is not required if the transfer qualifies for any of the exceptions in 27 CFR 478.102(d). Generally these include: (a) transfers of National Firearms Act firearms to an individual who has undergone a background check during the NFA approval process; (b) transfers where the transferee/buyer has presented the licensee with a permit or license that allows the transferee/buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. If the transfer qualifies for one of these exceptions, the licensee must obtain the documentation required by 27 CFR 478.131. A firearm must not be transferred to any transferee/buyer who fails to provide such documentation.

A NICS check must be conducted if an NFA firearm has been approved for transfer to a trust, or to a legal entity such as a corporation, and no background check was conducted as part of the NFA approval process on the individual who will receive the firearm. Individuals who have undergone a background check during the NFA application process are listed on the approved NFA transfer form.

Section C

Questions 22 and 23. Transfer on a Different Day and Recertification: If the transfer takes place on a different day from the date that the transferee/buyer signed Section A, the licensee must again check the photo identification of the transferee/buyer at the time of transfer.

Section D

Question 24-28. Firearm(s) Description: These blocks must be completed with the firearm(s) information. Firearms manufactured after 1968 by Federal firearms licensees should all be marked with a serial number. Should you acquire a firearm that is legally not marked with a serial number (i.e. pre-1968); you may answer question 26 with "NSN" (No Serial Number), "N/A" or "None."

If more than four firearms are involved in a transaction, the information required by Section D, questions 24-28, must be provided for the additional firearms on a separate sheet of paper, which must be attached to this ATF Form 4473.

Types of firearms include, but are not limited to: pistol, revolver, rifle, shotgun, receiver, frame and other firearms that are neither handguns nor long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell (pistol grip firearm) or NFA firearms (machinegun, silencer, short-barreled shotgun, short-barreled rifle, destructive device or "any other weapon").

Additional firearms purchases by the same transferee/buyer may not be added to the form after the transferor/seller has signed and dated it. A transferee/buyer who wishes to acquire additional firearms after the transferor/seller has signed and dated the form must complete a new ATF Form 4473 and undergo a new NICS check.

Question 31. This item is for the licensee's use in recording any information he/she finds necessary to conduct business.

Question 32. Check this box, or write "Private Party Transfer" in question 31, if the licensee is facilitating the sale or transfer of a firearm between private unlicensed individuals in accordance with ATF Procedure 2013-1. This will assist the licensee by documenting which transaction records correspond with private party transfers, and why there may be no corresponding A&D entries when the transfer did not proceed because it was denied, delayed, or cancelled.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. 923(g). Disclosure of this information by the transferee/buyer is mandatory for the transfer of a firearm. Disclosure of the individual's Social Security number is voluntary. The number may be used to verify the transferee's/buyer's identity.

For information about the routine uses of this form see System of Records Notice Justice/ATF-008, Regulatory Enforcement Records System (68 FR 163558, January 24, 2003).

Paperwork Reduction Act Notice

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive and possess firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. 922 and 923.

The estimated average burden associated with this collection is 30 minutes per respondent or recordkeeper, depending on individual circumstances. Comments about the accuracy of this burden estimate and suggestions for reducing it should be directed to Reports Management Officer, IT Coordination Staff, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Confidentiality is not assured.

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0003 (05/31/2015)

Report of Multiple Sale or Other Disposition of Pistols and Revolvers

(Please complete all information)

1. Date of Report 05-16-2017
2a. Federal Firearms Licensee (FFL) Number 9-33-073-07-8J-04572

2b. Business or Trade Name and Address (If you have complete information available on a rubber stamp, please place information here.)
HONEY BADGER FIREARMS, 4304 TWAIN AVE SUITE B, SAN DIEGO, CALIFORNIA, 92120

2c. Are any of the firearm(s) connected to another multiple sale? (If yes, specify date) See instruction 2. ☐ Yes ☒ No Date

2d. If you sold these firearms at a gun show or other qualifying event, identify the event and provide a complete address of the event.

3. Any Combination of Pistols and Revolvers Disposed of to the Same unlicensed Person at One Time or During Any Five Consecutive Business Days						
Type (Pistol or revolver)	Serial Number	Manufacturer	Model	Importer	Caliber	Transfer Date
PISTOL	AR5980	WALTHER	PPS M2		9MM	05/16/2017
PISTOL	FCH4067	WALTHER	PPQ M2		9MM	05/16/2017

4. Transferee's Name (Last, first, middle)

MAGANA, FRED

5. Residence Address (Number, street, city, county, state, zip code)

CHULA VISTA, SAN DIEGO, CALIFORNIA, 91913

6. Sex MALE	7a. Ethnicity <input type="checkbox"/> Hispanic or Latino <input checked="" type="checkbox"/> Not Hispanic or Latino	7b. Race (Check one or more boxes.) (See instruction 5.) <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> African American or Black <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian or Other Pacific Islander
8. Identification Number	9. Type of Identification (ID) DRIVERS LICENSE	10. ID State CA
	11. Date of Birth 1977	12. Place of Birth (City, state, country) LOS ANGELOS, CALIFORNIA

13. If the buyer of the firearms listed in item 4 is a person authorized to act on behalf of a corporation, company, association, partnership or other such business entity, you must complete the following, if applicable: (See instruction 6.)

Name and Address of Business Entity

14a. Identify the official designated by the State or local authorities where you, the FFL, will be forwarding Copy 2.

SDPD ATTN LK
Name of Agency

1401 Broadway MS 725 San Diego CA 92101
Street Address, City, and State

14b. Date Copy 2 was forwarded to Agency

15. Additional Information Relating to the Transfer of the Firearms (if applicable)

16. Name of Employee Filling Out This Form

JESUS DIAZ JR

Date

05-16-2017

When Fax is available, please Fax to 1-877-283-0288.

ATF E-Form 3310.4
Revised May 2012

BF-REPORTS-003206

Instructions

1. This form is to be used by licensees to report all transactions in which an unlicensed person acquired two or more pistols or revolvers or any combination of pistols or revolvers totaling two or more at one time or during five consecutive business days. This form is not required when the pistols or revolvers are returned to the same person from whom they are received.
2. If this transaction is an additional weapon(s) to a multiple sale previously submitted, check "Yes" and enter the date of the previous Multiple Sale form. *(For example a multiple sale for purchases made on a Monday and Friday must be submitted by the close of business Friday. If an additional purchase is made within the five days from the Friday purchase, this purchase is part of the previous multiple sale and must be reported as part of that multiple sale under 2c).*
3. A separate form is to be submitted for each unlicensed person.
4. Licensees must complete Items 1 through 12, 14, and 16 entirely. Items 13 and 15 must be completed, if applicable.
5. Refer to the Race and Ethnicity information provided on the ATF Form 4473 associated with this transaction when filling out the Race and Ethnicity information on this form.
6. Business Entities - Information identifying the business entity must be recorded in Item 13. The authorized person receiving the firearms must be identified in Items 4 through 12 of this form.
7. The report is to be submitted to:

- a. **Copy 1 - To ATF.** Fax, email or mail to the ATF The National Tracing Center no later than the close of business on the day that the multiple sale or other disposition occurs. Fax number is 1-877-283-0288. Email address is MultipleHandgunSalesForms@atf.gov.

Mailing address:

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
National Tracing Center
P.O. Box 0279
Kearneysville, WV 25430-0279

- b. **Copy 2 - To Chief Local Law Enforcement Official (CLEO).** The CLEO is a local or State official designated to receive this form. If you do not know your CLEO, contact your local ATF Office to find out. Provide Copy 2 to your CLEO.

Instructions to CLEOs receiving Copy 2 of this form: 18 U.S.C. 923(g)(3)(B) provides in part that you certify in writing every six months that no disclosures have been made and that the multiple sales forms on non-prohibited persons have been destroyed by the CLEO as required by law. The following statement can be used for this purpose: "I hereby certify on behalf of (your specific agency name) that for the period of six months (give specific dates) there have been no disclosures of Multiple Sales Forms contrary to the provisions of the Brady Handgun Violence Protection Act, and that all forms and any record of the contents thereof have been destroyed as provided by the law." This statement is to be dated and on your agency letterhead, signed by the proper official and forwarded by the CLEO to: U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, National Tracing Center, P.O. Box 0279, Kearneysville, WV 25430-0279.

- c. **Copy 3 - Regulation 478.126a** requires a firearms licensee to retain this copy and it should be attached to the Firearms Transaction Record, ATF Form 4473, covering the transfer of the firearms.
8. Additional forms may be obtained through the ATF Distribution Center, 1519 Cabin Branch Drive, Landover, MD 20785, (202) 648-6420, or online at www.atf.gov.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923 (g). The information is used to determine if the buyer (transferee) is involved in an unlawful activity. The information is stored and retrieved in accordance with Justice/ATF-008 Regulatory Enforcement Record System 68 FR 3558 dated January 24, 2003.

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection documents certain sales or other dispositions of handguns for law enforcement purposes. The information is used to determine if the buyer (transferee) is involved in a unlawful activity. The information requested is mandatory and required by statute (18 U.S.C. 923(g)).

The estimated average burden associated with this collection is 15 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, D.C. 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.



State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 08150-02084

STATUS: PENDING

TRANSACTION DATE/TIME: 04/24/2017 07:25:32 PM

EARLIEST DELIVERY DATE/TIME: 05/04/2017 07:25:32 PM

LATEST DELIVERY DATE/TIME: 05/24/2017 07:25:32 PM

PURCHASER INFORMATION

FIRST NAME FRED		MIDDLE NAME		LAST NAME MAGNA		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY CHULA VISTA		STATE CA	ZIP 91913	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE HISPANIC	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 5 FT 09 IN	WEIGHT 195
DATE OF BIRTH 1977		PLACE OF BIRTH CALIFORNIA				U.S. CITIZEN YES	
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE CARL WALTHER		MODEL PPQ		CALIBER(S) 9	
SERIAL NUMBER FCH4067	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 4.0 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE OEM	
COMMENT REGAL LOCK #R15SC3					

TRANSACTION INFORMATION

TRANSACTION TYPE EXEMPT HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION YES
WAITING PERIOD EXEMPTION TYPE NONE		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT

DEALER: HONEY BADGER FIREARMS

ADDRESS: 4304 TWAIN AVE STE B, SAN DIEGO CA, 92120

DROS ENTERED BY DIAZ, JESUS	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4867
By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.		COE# 17838

FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 20260)

Firearms purchasers/transferees may request a copy of his/her firearm ownership record(s) from the Department of Justice by completing and submitting an Automated Firearms System Request for Firearm Records form (BOF 053). Additionally, purchasers/transferees are entitled to report the acquisition, disposition, or ownership of firearms to the department pursuant to Penal Code section 28000. For more information on California firearms laws or to obtain firearms reporting forms, please visit the Attorney General's website at oag.ca.gov/firearms.

DATE PRINTED: 4/24/2017, 7:25:39 PM



State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 08150-02078

STATUS: PENDING

TRANSACTION DATE/TIME: 04/24/2017 07:22:18 PM

EARLIEST DELIVERY DATE/TIME: 05/04/2017 07:22:18 PM

LATEST DELIVERY DATE/TIME: 05/24/2017 07:22:18 PM

PURCHASER INFORMATION

FIRST NAME FRED		MIDDLE NAME		LAST NAME MAGNA		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY CHULA VISTA		STATE CA	ZIP 91913	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE HISPANIC	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 5 FT 09 IN	WEIGHT 195
DATE OF BIRTH 977		PLACE OF BIRTH CALIFORNIA				U.S. CITIZEN YES	
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE CARL WALTHER		MODEL PPS		CALIBER(S) 9	
SERIAL NUMBER AR5980	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 3.25 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE OEM	
COMMENT REGAL LOCK #R15SC3					

TRANSACTION INFORMATION

TRANSACTION TYPE EXEMPT HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION YES
WAITING PERIOD EXEMPTION TYPE NONE		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT

DEALER: HONEY BADGER FIREARMS

ADDRESS: 4304 TWAIN AVE STE B, SAN DIEGO CA, 92120

DROS ENTERED BY

DIAZ, JESUS

By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.

Salesperson's Signature

DEALERSHIP TELEPHONE

(619) 354-4867

COE#

17838

FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 28250)

Firearms purchasers/transferees may request a copy of his/her firearm ownership record(s) from the Department of Justice by completing and submitting an Automated Firearms System Request for Firearm Records form (BOF 053). Additionally, purchasers/transferees are entitled to report the acquisition, disposition, or ownership of firearms to the department pursuant to Penal Code section 28000. For more information on California firearms laws or to obtain firearms reporting forms, please visit the Attorney General's website at oag.ca.gov/firearms.

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State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 08150-02084

STATUS: APPROVED

TRANSACTION DATE/TIME: 04/24/2017 07:25:32 PM

EARLIEST DELIVERY DATE/TIME: 05/04/2017 07:25:32 PM

DELIVERY DATE/TIME: 05/16/2017 01:24:34 PM

LATEST DELIVERY DATE/TIME: 05/24/2017 07:25:32 PM

DELIVERED BY: JESUS DIAZ



PURCHASER INFORMATION

FIRST NAME FRED		MIDDLE NAME		LAST NAME MAGNA		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY CHULA VISTA		STATE CA	ZIP 91913	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE HISPANIC	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 5 FT 09 IN	WEIGHT 185
DATE OF BIRTH 1977		PLACE OF BIRTH CALIFORNIA				U.S. CITIZEN YES	
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE CARL WALTHER		MODEL PPQ		CALIBER(S) 9	
SERIAL NUMBER FCH4067	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 4.0 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE OEM	
COMMENT REGAL LOCK #R15SC3					

TRANSACTION INFORMATION

TRANSACTION TYPE EXEMPT HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION YES
WAITING PERIOD EXEMPTION TYPE NONE		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT 

DEALER: HONEY BADGER FIREARMS

ADDRESS: 4304 TWAIN AVE STE B, SAN DIEGO CA, 92120

DROS ENTERED BY

DIAZ, JESUS

Salesperson's Signature


DEALERSHIP TELEPHONE

(619) 354-4867

By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.

COE#

17838

FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 28250)

Firearms purchasers/transferees may request a copy of his/her firearm ownership record(s) from the Department of Justice by completing and submitting an Automated Firearms System Request for Firearm Records form (BOF 053). Additionally, purchasers/transferees are entitled to report the acquisition, disposition, or ownership of firearms to the department pursuant to Penal Code section 28000. For more information on California firearms laws or to obtain firearms reporting forms, please visit the Attorney General's website at oag.ca.gov/firearms.

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State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 08150-02078

STATUS: APPROVED

TRANSACTION DATE/TIME: 04/24/2017 07:22:18 PM

EARLIEST DELIVERY DATE/TIME: 05/04/2017 07:22:18 PM

LATEST DELIVERY DATE/TIME: 05/24/2017 07:22:18 PM

DELIVERY DATE/TIME: 05/16/2017 01:21:54 PM

DELIVERED BY: JESUS DIAZ

PURCHASER INFORMATION

FIRST NAME FRED		MIDDLE NAME		LAST NAME MAGNA		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY CHULA VISTA		STATE CA	ZIP 91913	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE HISPANIC	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 5 FT 09 IN	WEIGHT 195
DATE OF BIRTH 1977		PLACE OF BIRTH CALIFORNIA				U.S. CITIZEN YES	
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE CARL WALTHER		MODEL PPS		CALIBER(S) 9	
SERIAL NUMBER AR5080 444063 A1570	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 3.25 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE OEM	
COMMENT REGAL LOCK #R15SC3					

TRANSACTION INFORMATION

TRANSACTION TYPE EXEMPT HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION YES
WAITING PERIOD EXEMPTION TYPE NONE		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT
DEALER: ADDRESS: HONEY BADGER FIREARMS 4304 TWAIN AVE STE B, SAN DIEGO CA, 92120		
DROS ENTERED BY DIAZ, JESUS	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4867
By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.		COE# 17838
FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 28250)		
Firearms purchasers/transferees may request a copy of his/her firearm ownership record(s) from the Department of Justice by completing and submitting an Automated Firearms System Request for Firearm Records form (BOF 053). Additionally, purchasers/transferees are entitled to report the acquisition, disposition, or ownership of firearms to the department pursuant to Penal Code section 28000. For more information on California firearms laws or to obtain firearms reporting forms, please visit the Attorney General's website at oag.ca.gov/firearms.		

DATE PRINTED: 5/16/2017, 1:21:55 PM

CALIFORNIA DRIVER LICENSE



DL [REDACTED]

EXP [REDACTED] 2020

LN MAGANA
FN FRED

CHULA VISTA, CA 91913

DOB [REDACTED] 1977

RSTR NONE

CLASS C
END NONE

[REDACTED] 977

SEX M HAIR BRN EYES BRN

HGT 5'-09" WGT 200 lb

DD 05/08/201551908/GCFD/20

ISS
05/08/2015

[Signature]

SHERIFF
COUNTY OF SAN DIEGO

FRED MAGANA
LIEUTENANT



[Signature of William D. Gore]

William D. Gore, Sheriff



Gio asks that we do ordered guns

From: Leo Hamel <leohamel@aol.com>
To: Marco G <mmgarmo@gmail.com>
Date: Mon, 27 Jun 2016 20:07:53 -0700

This way. You email him first that you want a Sig Legion and a Walther P99cAS. He will then reply ok. You then go in to order. You can do right away.

Leo Hamel
www.leohamel.com



Re: Hello Gio,

From: Leo Hamel <leohamel@aol.com>
To: Honey Badger Firearms <hbfirearms@gmail.com>
Date: Mon, 04 Jan 2016 14:52:41 -0800

6512 today is good

Leo Hamel
www.leohamel.com

On Jan 4, 2016, at 2:06 PM, Honey Badger Firearms <HBFIREFARMS@gmail.com> wrote:

Hi Leo,

Sorry for my delay. End of the year got a little crazy.

On the mags, if you wanted to do it through your FFL you would need to apply for a "Large Cap Permit" from the DOJ. Once you get that permit you can import, export, offer for sale, etc. (technically you still can't use it for your personal use)

You have to give them an explanation letter which is super basic and attached what I give them every year when I re-new my permit.

On the guns, I am not sure what FFL you have or if you have a CFD. But generally, yes you can purchase and sell off roster guns as long as they buyer is State or Federal LE.

What is a good time to call you and I will give you a ring.

Thanks

Gio

On Fri, Jan 1, 2016 at 9:49 PM, Leo Hamel <leohamel@aol.com> wrote:

Sorry I have not been in touch sooner. Christmas, out of town family, etc! Let's have lunch soon.

Question, as an FFL, can I buy off roster handguns and hi cap magazines if I only sell to Law enforcement individuals? Can I buy hi cap mags from dealers in the state to resell to LE inside the state? I am new at this.

Happy new year!

Leo Hamel
www.leohamel.com

--
Giovanni Tilotta,
619-354-4867
www.honeybadgerfirearms.com



**GOVERNMENT'S
EXHIBIT**
19CR4768-GPC
101

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Re: When would be a convenient time for us to go to Gios? No rush, just check...

From: leohamel@aol.com
To: mmgarmo@gmail.com
Date: Thu, 04 Feb 2016 12:12:32 -0800

OK, I will wait to hear from you.

Leo Hamel

Leo Hamel Fine Jewelry and Estate Buyers
www.leohamel.com

In a message dated 2/4/2016 11:07:05 A.M. Pacific Standard Time, mmgarmo@gmail.com writes:

We do wait unless we get a letter it's a pain. Gio is cool he starts the 10 days without completed paper and back dates it.

Sent from my iPhone

> On Feb 4, 2016, at 7:34 AM, Leo Hamel <leohamel@aol.com> wrote:

>

> Sorry, I confused myself because he called me that the .45 was in. I confused the two. The .45 I am going to put straight on to my FFL. The 9mm needs to go to you, then to me. Really sorry for the confusion. Do you guys have to wait 10 days too, for personal purchase? Did you start 10 day on 9mm?

>

> Leo Hamel

> www.leohamel.com

>

>> On Feb 4, 2016, at 7:19 AM, Marco Garmo <mmgarmo@gmail.com> wrote:

>>

>> Are we transferring dig directly to you or me then you?

>>

>> Sent from my iPhone

>>

>>> On Feb 4, 2016, at 6:30 AM, Leo Hamel <leohamel@aol.com> wrote:

>>>

>>> I don't understand. Are You picking something up from him that you already started?

>>>

>>> Leo Hamel

>>> www.leohamel.com

>>>

>>>> On Feb 3, 2016, at 7:34 PM, Marco Garmo <mmgarmo@gmail.com> wrote:

>>>>

>>>> I'm waiting for Gio to notify me of the 10 day wait

>>>>

>>>> Sent from my iPhone

>>>>

>>>>> On Feb 3, 2016, at 6:32 PM, Leo Hamel <leohamel@aol.com> wrote:

>>>>>

>>>>> Have lunch if you want or go any time of the day. And we can schedule in the future if you want.

>>>>>

>>>>> Leo Hamel

>>>>> www.leohamel.com

Re: Gio asks that we do ordered guns

From: Leo Hamel <leohamel@aol.com>
To: Marco G <mmgarmo@gmail.com>
Date: Mon, 27 Jun 2016 20:33:32 -0700

Great.

Leo Hamel
www.leohamel.com

On Jun 27, 2016, at 20:15, Marco G <mmgarmo@gmail.com> wrote:

Yes...I just sent email to Gio

On Jun 27, 2016 8:13 PM, "Leo Hamel" <leohamel@aol.com> wrote:
Is it going to DSA?

Leo Hamel
www.leohamel.com

On Jun 27, 2016, at 20:11, Marco G <mmgarmo@gmail.com> wrote:

Not sure?

On Jun 27, 2016 8:09 PM, "Leo Hamel" <leohamel@aol.com> wrote:

Great! We will have to go try them both right away. When do u think the other Walther will be here? You could do all at once.

Leo Hamel
www.leohamel.com ge

On Jun 27, 2016, at 20:08, Marco G <mmgarmo@gmail.com> wrote:

I'm on it brother Leo

On Jun 27, 2016 8:07 PM, "Leo Hamel" <leohamel@aol.com> wrote:

This way. You email him first that you want a Sig Legion and a Walther P99cAS. He will then reply ok. You then go in to order. You can do right away.

Leo Hamel
www.leohamel.com

Re: walther

From: LEO <leohamel@aol.com>
To: Marco Garmo <mmgarmo@gmail.com>
Date: Sat, 22 Apr 2017 21:18:31 -0700

Cool

Sent from my iPhone

On Apr 22, 2017, at 7:38 PM, Marco Garmo <mmgarmo@gmail.com> wrote:

|

Thanks Gio!

On Apr 22, 2017, at 7:23 PM, Honey Badger Firearms <sales@hbfirearms.com> wrote:

|

Freds Walthers are in. PPS M2 LE Model and PPQ M2

--

Giovanni Tilotta,
619-354-4867
www.honeybadgerfirearms.com



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PPQ sc can u see if you can get?

From: Leo <leohamel@aol.com>
To: Giovanni Tilotta <hbfirearms@gmail.com>
Date: Sat, 14 Jul 2018 22:54:30 -0700

Leo Hamel
www.leohamel.com



Firearms Acquisition And Disposition Record

AGE REQUIREMENTS

RIFLES - 18 Years Old

SHOTGUNS - 18 Years Old

HANDGUNS - 21 Years Old



**GOVERNMENT'S
EXHIBIT
19CR4768-GPC
183**

Ellett Brothers



Bureau of Firearms
P.O. Box 160487, Sacramento, CA 95816-0487
Telephone: (916) 227-7527 Fax: (916) 227-7480



FIREARMS DEALER NOTIFICATION OF INSPECTION FINDINGS

Business Name:	City:	Count Code:	Field Representative:	Date:
Leo Hamel Fine Jewelers	San Diego	37	Michael Brightence Lewis	7/15
Licensee(s):	CFD#	Inspection No:	Contact Person(s):	Follow-up Recommended:
Leo Hamel	70255	1	Leo Hamel	7/15

☒ NO VIOLATIONS WERE REVEALED AT INSPECTION - NO FURTHER ACTION IS NECESSARY BY THE FIREARMS DEALERSHIP

☐ YOU ARE HEREBY NOTIFIED OF THE FOLLOWING VIOLATION(S) AND ACTION NECESSARY TO COMPLY WITH STATE LAW(S).

THIS IS A WARNING. Violation(s) of California Penal Code sections have been revealed. This notification is issued to you in an effort to secure your cooperation in future compliance and to ensure public safety. The Department of Justice Bureau of Firearms believes that a firearms dealer will comply with these laws when notified of the importance of strict compliance. **FUTURE FAILURE OF COMPLIANCE MAY RESULT IN ADMINISTRATIVE AND/OR CRIMINAL ACTION.**

VIOLATION Penal Code Section	SUMMARY OF VIOLATION	CORRECTIVE ACTION TO BE TAKEN	DATE TO BE COMPLETED

COMMENTS:

ALL VIOLATIONS NOTED ABOVE WERE DISCUSSED. I HAVE RECEIVED A COPY OF THIS REPORT AND WILL TAKE STEPS TO COMPLY WITH THE ABOVE PENAL CODE SECTIONS WITHIN 30 DAYS UNLESS OTHERWISE INDICATED.

LICENSEE.MGR/EMPLOYEE:

(Signature)

(Date)

INSPECTED BY:

(Department of Justice Field Representative)

(Date)

e/Firestorm

Phil Monchett

BF-REPORTS-002142

Manufacturer and/or Importer	Model	Serial Number	Type	Caliber or Gauge	Date	Name & Address or Name & License Number	Date	Name	Address or License No. (If Licensee), or Form 4473 Serial No. if Forms 4473 filed numerically
United States	Single Action	25862	RE	.38	6-24-16	CARSON POINT COLLECTABLES 993 025 01 95 02256	6-25-16	HONEY Badger	9-33 04572 04572
USFA	Single Action	28110	RE	.38	6-25-16	HONEY Badger 9-33 04572 Sec 284 curm			
Sig Sauer	226	47A141276	PI	9mm	6-18-16	HONEY Badger 9-33 04572	6-25-16	Honey Badger	9-33 04572
USFA	Rodent	D616	REV	.45	6-28-16	[REDACTED] CA Sportsman Legacy Inc	7-19-2017	9-88-003-01760 02263 Kymtec	9-88-003 017602263 NORTHWEST Arms
USFA	Colt .45	28803	REV	.45	6-28-16	9-81-029-01-84-02247 [REDACTED]	8-27-16	Leo Manuel	9-33 05118
Hammerli	P240	P204908	PI	.32	6/29/16	[REDACTED] Jamul, CA 91935	6/29/16	Michael Tichy	6-06-001-01-65-06356
USFA	Single Action	24105	REV	.44 WCA	6/30/16	Michael Naughton 1-63-055-01-BA-D5989	7-16-2017	RAM Z EXCH ATTN: Rick Motter	435 15702 9C 35154
USFA	Single Action	47247	REV	.45	6/30/16	Michael Naughton 1-63-055-01-8A-D5989			0
MANLICKER	1903	15279	RI	6.5X54	7-26-16	ROCK ISLAND 3-36-03834	7-22-19	LOCK STOCK BARNCH	977 111 01 9E 04023
E+J Higham	MARTINI	3694	RI	.380	7-26-16	ROCK ISLAND			0
SPRINGFIELD	1903	1500983	RI	30-06	"	"	7-22-19	LOCK STOCK BARNCH	977 111 01 9E 04023
MAUSER	MAUSER BOLT	NSN	RI	6.5	"	"	7-22-19	LOCK STOCK BARNCH	977 111 01 9E 04023
BRNO	M21A	29396	RI	7X57	"	"	7-22-19	"	"
MANLICKER	1903/14	127	RI	6.5X54	"	"	7-22-19	LOCK STOCK + BARNCH	977 111 01 9E 04023
MAUSER	unmarked	1069	RI	307	"	"	7-22-2019	"	"
MAUSER	single shot SPOTTER	178656	RI	.22	"	"	7-22-19	LOCK STOCK BARNCH	977 111 01 9E 04023
MANLICKER	1903	8251	RI	6.5X54	"	"			0

Re: Little leos second Ball game and first Grand Slam Home Run.

From: Leohamel <leohamel@aol.com>
To: Marco G <mmgarmo@gmail.com>
Date: Sun, 15 Jul 2018 20:06:08 -0700

You can. I am going to try mine out once I get it. Compare to P 365.

Sent from my iPhone

On Jul 15, 2018, at 7:46 PM, Marco G <mmgarmo@gmail.com> wrote:

Should I cancel mine?

Sent from my iPad

On Jul 15, 2018, at 6:57 PM, Leo <leohamel@aol.com> wrote:

I ordered two but they will stay on my ffl. If you hear of someone else that wants one, they should buy both of mine and maybe get tired of one! Or they could just buy one and get tired of it later...

Leo Hamel
www.leohamel.com

On Jul 15, 2018, at 18:49, Marco G <mmgarmo@gmail.com> wrote:

Enjoy your trip Leo! Thanks again for Dinner last night, I can't say thank you enough. BTW I ordered the PPQ SC form Glo :)

Sent from my iPad

On Jul 15, 2018, at 6:42 PM, Leo <leohamel@aol.com> wrote:

Yep! Have a good week. I am going to Lubbock Texas on Wednesday and then Austin on Friday to check out the ARX machines.

Leo Hamel
www.leohamel.com

On Jul 15, 2018, at 18:24, Marco G <mmgarmo@gmail.com> wrote:

I love it Leo! Nothing better than kids doing well in sports! Great confidence builder and learning the team concept!

Sent from my iPad

On Jul 15, 2018, at 3:08 PM, Leo <leohamel@aol.com> wrote:

I really don't like sports but he is enjoying it.

Leo Hamel
www.leohamel.com

Begin forwarded message:

From: Leohamel <leohamel@aol.com>
Date: July 15, 2018 at 11:03:11 PDT
To: Aleohamel <leohamel@aol.com>
Subject: IMG_8422.mov

<IMG_8422.mov>

Sent from my iPhone

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Firearms Transaction Record Part I - Over-the-Counter

WARNING: You may not receive a firearm if prohibited by Federal or State law. The information you provide will be used to determine whether you are prohibited under law from receiving a firearm. Certain violations of the Gun Control Act, 18 U.S.C. §§ 921 *et. seq.*, are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine.

Transferor's Transaction
Serial Number (If any)

2055

Prepare in original only. All entries must be handwritten in ink. Read the Notices, Instructions, and Definitions on this form. "PLEASE PRINT."

Section A - Must Be Completed Personally By Transferee (Buyer)

1. Transferee's Full Name Last Name		First Name		Middle Name (If no middle name, state "NMN")	
GARMO		MORAD		MARCO	
2. Current Residence Address (U.S. Postal abbreviations are acceptable. Cannot be a post office box.)					
Number and Street Address		City	County	State	ZIP Code
		LA MESA	SAN DIEGO	CA	91942
3. Place of Birth U.S. City and State		-OR- Foreign Country	4. Height Ft. <u>6</u> In. <u>5</u>	5. Weight (Lbs.) <u>230</u>	6. Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
		CANADA			7. Birth Date Month <u> </u> Day <u> </u> Year <u>1967</u>
8. Social Security Number (Optional, but will help prevent misidentification)			9. Unique Personal Identification Number (UPIN) if applicable (See Instructions for Question 9)		
10.a. Ethnicity		10.b. Race (Check one or more boxes.)			
<input type="checkbox"/> Hispanic or Latino		<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Black or African American <input checked="" type="checkbox"/> White			
<input checked="" type="checkbox"/> Not Hispanic or Latino		<input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian or Other Pacific Islander			
11. Answer questions 11.a. (see exceptions) through 11.i. and 12. (if applicable) by checking or marking "yes" or "no" in the boxes to the right of the questions.					
a. Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you. (See Instructions for Question 11.a.) Exception: If you are picking up a repaired firearm(s) for another person, you are not required to answer 11.a. and may proceed to question 11.b.					Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
b. Are you under indictment or information in any court for a felony, or any other crime, for which the judge could imprison you for more than one year? (See Instructions for Question 11.b.)					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
c. Have you ever been convicted in any court of a felony, or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation? (See Instructions for Question 11.c.)					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
d. Are you a fugitive from justice?					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
e. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance?					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
f. Have you ever been adjudicated mentally defective (which includes a determination by a court, board, commission, or other lawful authority that you are a danger to yourself or to others or are incompetent to manage your own affairs) OR have you ever been committed to a mental institution? (See Instructions for Question 11.f.)					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
g. Have you been discharged from the Armed Forces under dishonorable conditions?					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
h. Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner? (See Instructions for Question 11.h.)					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
i. Have you ever been convicted in any court of a misdemeanor crime of domestic violence? (See Instructions for Question 11.i.)					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
j. Have you ever renounced your United States citizenship?					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
k. Are you an alien illegally in the United States?					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
l. Are you an alien admitted to the United States under a nonimmigrant visa? (See Instructions for Question 11.l.) If you answered "no" to this question, do NOT respond to question 12 and proceed to question 13.					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
12. If you are an alien admitted to the United States under a nonimmigrant visa, do you fall within any of the exceptions set forth in the instructions? (If "yes," the licensee must complete question 20c.) (See Instructions for Question 12.) If question 11.l. is answered with a "no" response, then do NOT respond to question 12 and proceed to question 13.					Yes <input type="checkbox"/> No <input type="checkbox"/>
13. What is your State of residence (if any)? (See Instructions for Question 13.)		14. What is your country of citizenship? (List/check more than one, if applicable. If you are a citizen of the United States, proceed to question 16.)		15. If you are not a citizen of the United States, what is your U.S.-issued alien number or admission number?	
CALIFORNIA		<input checked="" type="checkbox"/> United States of America <input type="checkbox"/> Other (Specify) _____			

Note: Previous Editions Are Obsolete
Page 1 of 6

Transferee (Buyer) Continue to Next Page
STAPLE IF PAGES BECOME SEPARATE

ATF Form 4473 (5300.9) Part I
Revised April 2012

**GOVERNMENT'S
EXHIBIT**
19CR4768-GPC
196

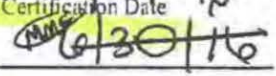
BF-REPORTS-002286

I certify that my answers to Section A are true, correct, and complete. I have read and understand the Notices, Instructions, and Definitions on ATF Form 4473. I understand that answering "yes" to question 11.a. if I am not the actual buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I understand that a person who answers "yes" to any of the questions 11.b. through 11.k. is prohibited from purchasing or receiving a firearm. I understand that a person who answers "yes" to question 11.l. is prohibited from purchasing or receiving a firearm, unless the person also answers "Yes" to question 12. I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of law (See Instructions for Question 16).

16. Transferee's/Buyer's Signature



17. Certification Date



Section B - Must Be Completed By Transferor (Seller)

18. Type of firearm(s) to be transferred (check or mark all that apply):

☒ Handgun ☐ Long Gun ☐ Other Firearm (Frame, Receiver, etc.)
(rifles or shotguns) See Instructions for Question 18.)

19. If sale at a gun show or other qualifying event:

Name of Event

City, State

20a. Identification (e.g., Virginia Driver's license (VA DL) or other valid government-issued photo identification.) (See Instructions for Question 20.a.)

Issuing Authority and Type of Identification

Number on Identification

Expiration Date of Identification (if any)

Month

Day

Year

CA DRIVERS LICENSE

2018

20b. Alternate Documentation (if driver's license or other identification document does not show current residence address) (See Instructions for Question 20.b.)

20c. Aliens Admitted to the United States Under a Nonimmigrant Visa Must Provide: Type of documentation showing an exception to the nonimmigrant visa prohibition. (See Instructions for Question 20.c.)

Questions 21, 22, or 23 Must Be Completed Prior To The Transfer Of The Firearm(s) (See Instructions for Questions 21, 22 and 23.)

21a. Date the transferee's identifying information in Section A was transmitted to NICS or the appropriate State agency: (Month/Day/Year)

Month

Day

Year

07

07

2016

21b. The NICS or State transaction number (if provided) was:

07859-02696

07859-02710

07859-02701

07859-02716

21c. The response initially provided by NICS or the appropriate State agency was:

☒

Proceed

☐

Delayed

☐

Denied

☐

Cancelled

(The firearm(s) may be transferred on
(Missing Disposition
information date provided by NICS) if State law
permits (optional))

21d. If initial NICS or State response was "Delayed," the following response was received from NICS or the appropriate State agency:

☐

Proceed

(date)

☐

Denied

(date)

☐

Cancelled

(date)

☐ No resolution was provided within 3 business days.

21e. (Complete if applicable) After the firearm was transferred, the following response was received from NICS or the appropriate State agency on: (date).

☐

Proceed

☐

Denied

☐

Cancelled

21f. The name and Brady identification number of the NICS examiner (Optional)

(name)

(number)

22. ☐ No NICS check was required because the transfer involved only National Firearms Act firearm(s). (See Instructions for Question 22.)23. ☐ No NICS check was required because the buyer has a valid permit from the State where the transfer is to take place, which qualifies as an exemption to NICS (See Instructions for Question 23.)

Issuing State and Permit Type

Date of Issuance (if any)

Expiration Date (if any)

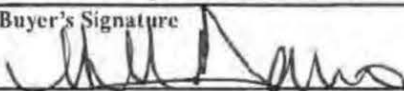
Permit Number (if any)

Section C - Must Be Completed Personally By Transferee (Buyer)

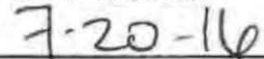
If the transfer of the firearm(s) takes place on a different day from the date that the transferee (buyer) signed Section A, the transferee must complete Section C immediately prior to the transfer of the firearm(s). (See Instructions for Question 24 and 25.)

I certify that my answers to the questions in Section A of this form are still true, correct and complete.

24. Transferee's/Buyer's Signature



25. Recertification Date



Transferor (Seller) Continue to Next Page

STAPLE IF PAGES BECOME SEPARATED

Section D - Must Be Completed By Transferor (Seller)

26. Manufacturer and/or Importer (If the manufacturer and importer are different, the FFL should include both.)	27. Model	28. Serial Number	29. Type (pistol, revolver, rifle, shotgun, receiver, frame, etc.) (See instructions for question 29)	30. Caliber or Gauge
COLT	1911	2931866	PISTOL	45ACP
SIG SAUER	P226 LEAGION	47A141276	PISTOL	9MM
COLT	1911	NN03641	PISTOL	9MM
CENTURY ARMS	RAS47	RAS47041242	RIFLE	7.62X39

30a. Total Number of Firearms (Please handwrite by printing e.g., one, two, three, etc. Do not use numerals.)**FOUR**30b. Is any part of this transaction a Pawn Redemption? ☐ Yes ☒ No

30c. For Use by FFL (See Instructions for Question 30c.)

Complete ATF Form 3310.4 For Multiple Purchases of Handguns Within 5 Consecutive Business Days

31. Trade/corporate name and address of transferor (seller) (Hand stamp may be used.)

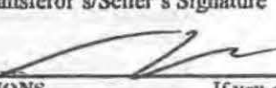
HONEY BADGER FIREARMS
4349 TWAIN AVE SUITE A
SAN DIEGO, CALIFORNIA 92120

32. Federal Firearms License Number (Must contain at least first three and last five digits of FFL Number X-XX-XXXXX.) (Hand stamp may be used.)

9-33-073-07-81-04572

The Person Transferring The Firearm(s) Must Complete Questions 33-36. For Denied/Cancelled Transactions,
 The Person Who Completed Section B Must Complete Questions 33-35.

I certify that my answers in Sections B and D are true, correct, and complete. I have read and understand the Notices, Instructions, and Definitions on ATF Form 4473. On the basis of: (1) the statements in Section A (and Section C if the transfer does not occur on the day Section A was completed); (2) my verification of the identification noted in question 20a (and my reverification at the time of transfer if the transfer does not occur on the day Section A was completed); and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

33. Transferor's/Seller's Name (Please print)	34. Transferor's/Seller's Signature	35. Transferor's/Seller's Title	36. Date Transferred
GIOVANNI TILOTTA		OWNER	20 July 2016

NOTICES, INSTRUCTIONS AND DEFINITIONS

Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he or she may lawfully sell or deliver a firearm to the person identified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form should only be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923. The seller of a firearm must determine the lawfulness of the transaction and maintain proper records of the transaction. Consequently, the seller must be familiar with the provisions of 18 U.S.C. §§ 921-931 and the regulations in 27 CFR Part 478. In determining the lawfulness of the sale or delivery of a long gun (rifle or shotgun) to a resident of another State, the seller is presumed to know the applicable State laws and published ordinances in both the seller's State and the buyer's State.

After the seller has completed the firearms transaction, he or she must make the completed, original ATF Form 4473 (which includes the Notices, General Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Such Forms 4473 must be retained for at least 20 years. Filing may be chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's completed Forms 4473 are filed in the same manner. **FORMS 4473 FOR DENIED/CANCELLED TRANSFERS MUST BE RETAINED:** If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer is not complete after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his or her records for at least 5 years. Forms 4473 with respect to which a sale, delivery, or transfer did not take place shall be separately retained in alphabetical (by name) or chronological (by date of transferee's certification) order.

If you or the buyer discover that an ATF Form 4473 is incomplete or improperly completed after the firearm has been transferred, and you or the buyer wish to make a record of your discovery, then photocopy the inaccurate form and make any necessary additions or revisions to the photocopy. You only should make changes to Sections B and D. The buyer should only make changes to Sections A and C. Whoever made the changes should initial and date the changes. The corrected photocopy should be attached to the original Form 4473 and retained as part of your permanent records.

Over-the-Counter Transaction: The sale or other disposition of a firearm by a seller to a buyer, at the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on such premises.

State Laws and Published Ordinances: The publication (ATF P 5300.5) of State firearms laws and local ordinances ATF distributes to licensees.

Exportation of Firearms: The State or Commerce Departments may require you to obtain a license prior to export.

Section A

Question 1. Transferee's Full Name: The buyer must personally complete Section A of this form and certify (sign) that the answers are true, correct, and complete. However, if the buyer is unable to read and/or write, the answers (other than the signature) may be completed by another person, excluding the seller. Two persons (other than the seller) must then sign as witnesses to the buyer's answers and signature.

When the buyer of a firearm is a corporation, company, association, partnership, or other such business entity, an officer authorized to act on behalf of the

business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity and (B) the name and address of that business entity. If the buyer's name in question 1 is illegible, the seller must print the buyer's name above the name written by the buyer.

Question 2. Current Residence Address: U.S. Postal abbreviations are acceptable. (e.g., St., Rd., Dr., P.A., NC, etc.). Address cannot be a post office box. County and Parish are one and the same.

If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her permanent duty station address and his or her residence address in response to question 2. If you are a U.S. citizen with two States of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2).

Question 9. Unique Personal Identification Number (UPIN): For purchasers approved to have information maintained about them in the FBI NICS Voluntary Appeal File, NICS will provide them with a Unique Personal Identification Number, which the buyer should record in question 9. The licensee may be asked to provide the UPIN to NICS or the State.

Question 11.a. Actual Transferee/Buyer: For purposes of this form, you are the actual transferee/buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (e.g., redeeming the firearm from pawn/retrieving it from consignment, firearm raffle winner). You are also the actual transferee/buyer if you are legitimately purchasing the firearm as a gift for a third party. **ACTUAL TRANSFEREE/BUYER EXAMPLES:** Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is **NOT** THE ACTUAL TRANSFEREE/BUYER of the firearm and must answer "NO" to question 11.a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual transferee/buyer of the firearm and should answer "YES" to question 11.a. However, you may not transfer a firearm to any person you know or have reasonable cause to believe is prohibited under 18 U.S.C. § 922(g), (n), or (x). **Please note: EXCEPTION:** If you are picking up a repaired firearm(s) for another person, you are not required to answer 11.a. and may proceed to question 11.b.

Question 11.b. - 11.l. Definition of Prohibited Person: Generally, 18 U.S.C. § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence, has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (this does not include State misdemeanors punishable by imprisonment of two years or less); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or an alien admitted to the United States under a nonimmigrant visa; or is subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony, or any other crime, punishable by imprisonment for a term exceeding one year.

Question 11.b. Under Indictment or Information or Convicted in any Court: An indictment, information, or conviction in any Federal, State, or local court. An information is a formal accusation of a crime verified by a prosecutor.

EXCEPTION to 11.c. and 11.l.: A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law of

the jurisdiction where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had their civil rights (the right to vote, sit on a jury, and hold public office) taken away and later restored AND (2) the person is not prohibited by the law of the jurisdiction where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer "no" to 11.c. or 11.l., as applicable.

Question 11.f. Adjudicated Mentally Defective: A determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease: (1) is a danger to himself or to others, or (2) lacks the mental capacity to contract or manage his own affairs. This term shall include: (1) a finding of insanity by a court in a criminal case, and (2) Those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility.

Committed to a Mental Institution: A formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution. Please also refer to Question 11.c. for the definition of a prohibited person.

EXCEPTION to 11.f. NICS Improvement Amendments Act of 2007: A person who has been adjudicated as a mental defective or committed to a mental institution is not prohibited if: (1) the person was adjudicated or committed by a department or agency of the Federal Government, such as the United States Department of Veteran's Affairs ("VA") (as opposed to a State court, State board, or other lawful State authority); and (2) either: (a) the person's adjudication or commitment for mental incompetency was set-aside or expunged by the adjudicating/committing agency; (b) the person has been fully released or discharged from all mandatory treatment, supervision, or monitoring by the agency; or (c) the person was found by the agency to no longer suffer from the mental health condition that served as the basis of the initial adjudication. **Persons who fit this exception should answer "no" to Item 11.f.** This exception does not apply to any person who was adjudicated to be not guilty by reason of insanity, or based on lack of mental responsibility, or found incompetent to stand trial, in any criminal case or under the Uniform Code of Military Justice.

Question 11.h. Definition of Restraining Order: Under 18 U.S.C. § 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate in; (B) restrains such person from harassing, stalking, or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. An "intimate partner" of a person is the spouse or former spouse of the person, the parent of a child of the person, or an individual who cohabitates or cohabitating with the person.

Question 11.l. Definition of Misdemeanor Crime of Domestic Violence: A Federal, State, local, or tribal offense that is a misdemeanor under Federal, State, or tribal law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties. (See Exception to 11.c. and 11.i.) A person who has been convicted of a misdemeanor crime of domestic violence also is not prohibited unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; or (2) if the person was entitled to a jury, was tried by a jury, or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 11.i.

Question 11.I. An alien admitted to the United States under a nonimmigrant visa includes, among others, persons visiting the United States temporarily for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain temporary foreign workers. The definition does **NOT** include permanent resident aliens nor does it apply to nonimmigrant aliens admitted to the United States pursuant to either the Visa Waiver Program or to regulations otherwise exempting them from visa requirements.

An alien admitted to the United States under a nonimmigrant visa who responds "yes" to question 11.I must provide a response to question 12 indicating whether he/she qualifies under an exception.

Question 12. Exceptions to the Nonimmigrant Alien Response: An alien admitted to the United States under a nonimmigrant visa is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued by the Federal Government, a State, or local government, or an Indian tribe federally recognized by the Bureau of Indian Affairs, which is valid and unexpired; (2) was admitted to the United States for lawful hunting or sporting purposes; (3) has received a waiver from the prohibition from the Attorney General of the United States; (4) is an official representative of a foreign government who is accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; (5) is en route to or from another country to which that alien is accredited; (6) is an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or (7) is a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

Persons subject to one of these exceptions should answer "yes" to questions 11.I and 12 and provide documentation such as a copy of the hunting license or letter granting the waiver, which must be recorded in 20.c. If the transferee (buyer) answered "yes" to this question, the licensee must complete 20.c.

The seller should verify supporting documentation provided by the purchaser and must attach a copy of the provided documentation to this ATF Form 4473, Firearms Transaction Record.

Question 13. State of Residence: The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence also is the State in which his or her permanent duty station is located.

If you are a U.S. citizen with two States of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2.)

Question 16. Certification Definition of Engaged in the Business: Under 18 U.S.C. § 922 (a)(1), it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.

Section B

Question 18. Type of Firearm(s): Check all boxes that apply. "Other" refers to frames, receivers and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell, or National Firearms Act (NFA) firearms.

If a frame or receiver can only be made into a long gun (rifle or shotgun), it is still a frame or receiver not a handgun or long gun. However, they still are "firearms" by definition, and subject to the same

GCA limitations as any other firearms. See Section 921(a)(3)(b). 18 U.S.C. Section 922(b)(1) makes it unlawful for a licensee to sell any firearm other than a shotgun or rifle to any person under the age of 21. Since a frame or receiver for a firearm, to include one that can only be made into a long gun, is a "firearm other than a shotgun or rifle," it cannot be transferred to anyone under the age of 21. Also, note that multiple sales forms are not required for frames or receivers of any firearms, or pistol grip shotguns, since they are not "pistols or revolvers" under Section 923(g)(3)(a).

Question 19. Gun Shows: If sale at gun show or other qualifying event sponsored by any national, State, or local organization, as authorized by 27 CFR § 478.100, the seller must record the name of event and the location (city and State) of the sale in question 19.

Question 20a. Identification: List issuing authority (e.g., State, County or Municipality) and type of identification presented (e.g., Virginia driver's license (VA DL), or other valid government-issued identification).

Know Your Customer: Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. The buyer must provide a valid government-issued photo identification to the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (if any) of the identification in question 20.a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social Security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. A combination of government-issued documents may be provided. For example, if a U.S. citizen has two States of residence and is trying to buy a handgun in State X, he may provide a driver's license (showing his name, date of birth, and photograph) issued by State Y and another government-issued document (such as a tax document) from State X showing his residence address. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 20.a.

Question 20.b. Alternate Documentation: Licensees may accept a combination of valid government-issued documents to satisfy the identification document requirements of the law. The required valid government-issued photo identification document bearing the name, photograph, and date of birth of transferee may be supplemented by another valid, government-issued document showing the transferee's residence address. This alternate documentation should be recorded in question 20.b., with issuing authority and type of identification presented. A combination of government-issued documents may be provided. For example, if a U.S. citizen has two States of residence and is trying to buy a handgun in State X, he may provide a driver's license (showing his name, date of birth, and photograph) issued by State Y and another government-issued document (such as a tax document) from State X showing his residence address.

Question 20c. Documentation for Aliens Admitted to the United States Under a Nonimmigrant Visa: See instructions for Question 11.I. Types of acceptable documents would include a valid hunting license lawfully issued in the United States or a letter from the U.S. Attorney General granting a waiver.

Question(s) 21, 22, 23. NICS BACKGROUND CHECKS: 18 U.S.C. § 922(i) requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer, or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies designated to conduct NICS checks for the Federal Government. **WARNING:** Any seller who transfers a firearm to any person they know or have reasonable cause to believe is prohibited from receiving or possessing a firearm violates the law, even if the seller has complied with the background check requirements of the Brady law.

After the buyer has completed Section A of the form and the licensee has completed questions 18-20, and before transferring the firearm, the licensee must contact NICS (read below for NICS check exceptions.) However, the licensee should NOT contact NICS and should stop the transaction if: the

buyer answers "no" to question 11.a.; the buyer answers "yes" to any question in 11.b.-11.l., unless the buyer only has answered "yes" to question 11.l. and also answers "yes" to question 12; or the buyer is unable to provide the documentation required by question 20.a, b, or c.

At the time that NICS is contacted, the licensee must record in question 21.a c: the date of contact, the NICS (or State) transaction number, and the initial response provided by NICS or the State. The licensee may record the Missing Disposition Information (MDI) date in 21.c. that NICS provides for delayed transactions (*States do not provide this number*). If the licensee receives a "delayed" response, before transferring the firearm, the licensee must record in question 21.d. any response later provided by NICS or the State or that no resolution was provided within 3 business days. If the licensee receives a response from NICS or the State after the firearm has been transferred, he or she must record this information in question 21.e. Note: States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," "cancelled," or "denied." In such cases, the licensee should check the box that corresponds to the State's response. Some States may not provide a transaction number for denials. However, if a firearm is transferred within the three business day period, a transaction number is required.

NICS Responses: If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "cancelled" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, before the transfer, NICS or the State has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. (See 27 CFR § 478.102(a) for an example of how to calculate 3 business days.) If NICS provides a "delayed" response, NICS also will provide a Missing Disposition Information (MDI) date that calculates the 3 business days and reflects when the firearm(s) can be transferred under Federal law. States may not provide an MDI date. *Please note State law may impose a waiting period on transferring firearms.*

EXCEPTIONS TO NICS CHECK: A NICS check is not required if the transfer qualifies for any of the exceptions in 27 CFR § 478.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See 27 CFR § 478.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the documentation required by 27 CFR § 478.131. A firearm must not be transferred to any buyer who fails to provide such documentation.

Section C

Question 24 and 25. Transfer on a Different Day and Recertification: If the transfer takes place on a different day from the date that the buyer signed Section A, the licensee must again check the photo identification of the buyer at the time of transfer, and the buyer must complete the recertification in Section C at the time of transfer.

Section D

Immediately prior to transferring the firearm, the seller must complete all of the questions in Section D. In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolver on ATF Form 3310.4 (see 27 CFR § 478.126a).

Question(s) 26, 27, 28, 29 and 30, Firearm(s) Description: These blocks should be completed with the firearm(s) information. Firearms manufactured after 1968 should all be marked with a serial number. Should you acquire a firearm that is not marked with a serial number, you may answer question 28 with "NSN" (No Serial Number), "N/A" or "None."

If more than five firearms are involved in a transaction, the information required by Section D, questions 26-30, must be provided for the additional firearms on a separate sheet of paper, which must be attached to the ATF Form 4473 covering the transaction.

Types of firearms include: pistol, revolver, rifle, shotgun, receiver, frame and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell or National Firearms Act (NFA) firearms.

Additional firearms purchases by the same buyer may not be added to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF Form 4473. The seller must conduct a new NICS check.

Question 30c. This box is for the FFL's use in recording any information he or she finds necessary to conduct business.

Question 32 Federal Firearms License Number: Must contain at least the first three and last five digits of the FFL number, for instance X-XX-XXXXX.

Question 33-35 Transferor/Sellers Information: For "denied" and "cancelled" NICS transactions, the person who completed Section B must complete Section D, questions 33-35.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923(g). Disclosure of the individual's Social Security number is voluntary. The number may be used to verify the buyer's identity.

Paperwork Reduction Act Notice

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 30 minutes per respondent or recordkeeper, depending on individual circumstances. Comments about the accuracy of this burden estimate and suggestions for reducing it should be directed to Reports Management Officer, Document Services Section, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Confidentiality is not assured.

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0003 (05/31/2015)

Report of Multiple Sale or Other Disposition of Pistols and Revolvers

(Please complete all information)

1. Date of Report 07-24-2016	2a. Federal Firearms Licensee (FFL) Number 9-33-073-07-8J-04572
2b. Business or Trade Name and Address (If you have complete information available on a rubber stamp, please place information here.) HONEY BADGER FIREARMS, 4349 TWAIN AVE SUITE A, SAN DIEGO, CALIFORNIA, 92120	
2c. Are any of the firearm(s) connected to another multiple sale? (If yes, specify date) See instruction 2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____	
2d. If you sold these firearms at a gun show or other qualifying event, identify the event and provide a complete address of the event.	

3. Any Combination of Pistols and Revolvers Disposed of to the Same unlicensed Person at One Time or During Any Five Consecutive Business Days						
Type (Pistol or revolver)	Serial Number	Manufacturer	Model	Importer	Caliber	Transfer Date
PISTOL	2931866	COLT	1911		45ACP	07/24/2016
PISTOL	47A141276	SIG SAUER	P226 LEGION		9MM	07/24/2016
PISTOL	NN03541	COLT	1911		9MM	07/24/2016

4. Transferee's Name (Last, first, middle) GARMO, MORAD, MARCO
5. Residence Address (Number, street, city, county, state, zip code) [REDACTED] A MESA, SAN DIEGO, CALIFORNIA, 91942

6. Sex MALE	7a. Ethnicity <input type="checkbox"/> Hispanic or Latino <input checked="" type="checkbox"/> Not Hispanic or Latino	7b. Race (Check one or more boxes.) (See instruction 5.) <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> African American or Black <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian or Other Pacific Islander			
8. Identification Number [REDACTED]	9. Type of Identification (ID) DRIVERS LICENSE	10. ID State CA	11. Date of Birth [REDACTED] 1967	12. Place of Birth (City, state, country) [REDACTED], CANADA	

13. If the buyer of the firearms listed in item 4 is a person authorized to act on behalf of a corporation, company, association, partnership or other such business entity, you must complete the following, if applicable: (See instruction 6.)
Name and Address of Business Entity

14a. Identify the official designated by the State or local authorities where you, the FFL, will be forwarding Copy 2. SDPD ATTC: LIC 1401 BROADWAY MS 735 SAN DIEGO CA 92101 Name of Agency Street Address, City, and State	
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14b. Date Copy 2 was forwarded to Agency 07-24-2016

15. Additional Information Relating to the Transfer of the Firearms (if applicable)

16. Name of Employee Filling Out This Form GIOVANNI TILOTTA	Date 07-24-2016
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When Fax is available, please Fax to 1-877-283-0288.

ATF E-Form 3310.4
Revised May 2012

BF-REPORTS-002292



State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 07859-02696
STATUS: PENDING

TRANSACTION DATE/TIME: 07/07/2016 04:20:23 PM

EARLIEST DELIVERY DATE/TIME: 07/07/2016 04:20:23 PM

LATEST DELIVERY DATE/TIME: 08/06/2016 04:20:23 PM

2055

PURCHASER INFORMATION

FIRST NAME MORAD		MIDDLE NAME MARCO		LAST NAME GARMO		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY LA MESA		STATE CA	ZIP 91942	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE WHITE	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 6 FT 05 IN	WEIGHT 230
DATE OF BIRTH 1967		PLACE OF BIRTH CANADA		U.S. CITIZEN YES			
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE COLT		MODEL 1911		CALIBER(S) 45	
SERIAL NUMBER 47A44276 2931866	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 5.0 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE	
COMMENT MASTER LOCK 107 CABLE LOCK.					

TRANSACTION INFORMATION

TRANSACTION TYPE PEACE OFFICE NON-ROSTER HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION N/A
WAITING PERIOD EXEMPTION TYPE PEACE OFFICER (LETTER REQUIRED)		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT

 DEALER: HONEY BADGER FIREARMS
 ADDRESS: 4349 TWAIN AVE STE A, SAN DIEGO CA, 92120

DROS ENTERED BY TILOTTA, GIOVANNI	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4867
By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.		COE# 17497

FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 28250)

Firearms purchasers/transferees may request a copy of his/her firearm ownership record(s) from the Department of Justice by completing and submitting an Automated Firearms System Request for Firearm Records form (BOF 053). Additionally, purchasers/transferees are entitled to report the acquisition, disposition, or ownership of firearms to the department pursuant to Penal Code section 28000. For more information on California firearms laws or to obtain firearms reporting forms, please visit the Attorney General's website at oag.ca.gov/firearms.

DATE PRINTED: 7/7/2016, 4:20:30 PM



State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 07859-02701
STATUS: PENDING

TRANSACTION DATE/TIME: 07/07/2016 04:21:26 PM

EARLIEST DELIVERY DATE/TIME: 07/07/2016 04:21:26 PM

LATEST DELIVERY DATE/TIME: 08/06/2016 04:21:26 PM

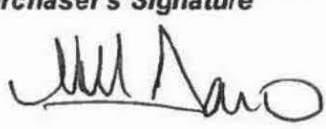

PURCHASER INFORMATION

FIRST NAME MORAD		MIDDLE NAME MARCO		LAST NAME GARMO		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY LA MESA		STATE CA	ZIP 91942	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE WHITE	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 6 FT 05 IN	WEIGHT 230
DATE OF BIRTH 967		PLACE OF BIRTH CANADA				U.S. CITIZEN YES	
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

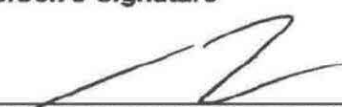
FIREARM INFORMATION

MAKE COLT		MODEL 1911		CALIBER(S) 9	
SERIAL NUMBER 2034234 NN03641	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 5.0 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE	
COMMENT MASTER LOCK 107 CABLE LOCK.					

TRANSACTION INFORMATION

TRANSACTION TYPE PEACE OFFICE NON-ROSTER HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION N/A
WAITING PERIOD EXEMPTION TYPE PEACE OFFICER (LETTER REQUIRED)	Purchaser's Signature 	
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	PURCHASER'S RIGHT THUMB PRINT 	

 DEALER: HONEY BADGER FIREARMS
 ADDRESS: 4349 TWIN AVE STE A, SAN DIEGO CA, 92120

DROS ENTERED BY TILOTTA, GIOVANNI	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4867
By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.		COE# 17497
FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 28250) Firearms purchasers/transferees may request a copy of his/her firearm ownership record(s) from the Department of Justice by completing and submitting an Automated Firearms System Request for Firearm Records form (BOF 053). Additionally, purchasers/transferees are entitled to report the acquisition, disposition, or ownership of firearms to the department pursuant to Penal Code section 28000. For more information on California firearms laws or to obtain firearms reporting forms, please visit the Attorney General's website at oag.ca.gov/firearms.		

DATE PRINTED: 7/7/2016, 4:21:33 PM



Dealer's Record of Sale of Firearm

DROS NUMBER: 07859-02716
STATUS: PENDING
TRANSACTION DATE/TIME: 07/07/2016 04:23:24 PM
EARLIEST DELIVERY DATE/TIME: 07/17/2016 04:23:24 PM
LATEST DELIVERY DATE/TIME: 08/06/2016 04:23:24 PM

PURCHASER INFORMATION

FIRST NAME MORAD		MIDDLE NAME MARCO		LAST NAME GARMO		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY LA MESA		STATE CA	ZIP 91942	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE WHITE	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 6 FT 05 IN	WEIGHT 230
DATE OF BIRTH 1967		PLACE OF BIRTH CANADA				U.S. CITIZEN YES	
FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE CENTURY ARMS INC		MODEL RAS47		CALIBER(S) 762	
SERIAL NUMBER RAS4700741	OTHER NUMBER RAS 47041242	TYPE RIFLE		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 16.1 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE OEM	
COMMENT MASTER LOCK 107 CABLE LOCK.					

TRANSACTION INFORMATION

TRANSACTION TYPE DEALER LONG GUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION N/A
WAITING PERIOD EXEMPTION TYPE NONE	I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	
	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT

DEALER: HONEY BADGER FIREARMS
ADDRESS: 4349 TWAIN AVE STE A, SAN DIEGO CA, 92120

DROS ENTERED BY TILOTTA, GIOVANNI By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4867 COE# 17497
---	------------------------------------	---

FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 28250)

Firearms purchasers/transferees may request a copy of his/her firearm ownership record(s) from the Department of Justice by completing and submitting an Automated Firearms System Request for Firearm Records form (BOF 053). Additionally, purchasers/transferees are entitled to report the acquisition, disposition, or ownership of firearms to the department pursuant to Penal Code section 28000. For more information on California firearms laws or to obtain firearms reporting forms, please visit the Attorney General's website at oag.ca.gov/firearms.

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State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 07859-02710
STATUS: PENDING
TRANSACTION DATE/TIME: 07/07/2016 04:22:29 PM

EARLIEST DELIVERY DATE/TIME: 07/07/2016 04:22:29 PM

LATEST DELIVERY DATE/TIME: 08/06/2016 04:22:29 PM


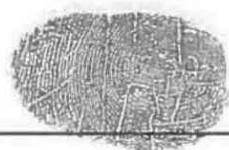
PURCHASER INFORMATION

FIRST NAME MORAD		MIDDLE NAME MARCO		LAST NAME GARMO		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY LA MESA		STATE CA	ZIP 91942	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE WHITE	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 6 FT 05 IN	WEIGHT 230
DATE OF BIRTH 1967		PLACE OF BIRTH CANADA				U.S. CITIZEN YES	
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO


FIREARM INFORMATION

MAKE SIG SAUER		MODEL P226 LEGION		CALIBER(S) 9	
SERIAL NUMBER 47A141276	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 4.5 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE	
COMMENT MASTER LOCK 107 CABLE LOCK.					

TRANSACTION INFORMATION

TRANSACTION TYPE PEACE OFFICE NON-ROSTER HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION N/A
WAITING PERIOD EXEMPTION TYPE PEACE OFFICER (LETTER REQUIRED)		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT 

DEALER: HONEY BADGER FIREARMS
ADDRESS: 4349 TWAIN AVE STE A, SAN DIEGO CA, 92120

DROS ENTERED BY TILOTTA, GIOVANNI	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4867
By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.		COE# 17497

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DATE PRINTED: 7/7/2016, 4:22:35 PM



State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 07859-02696
STATUS: APPROVED
TRANSACTION DATE/TIME: 07/07/2016 04:20:23 PM
EARLIEST DELIVERY DATE/TIME: 07/17/2016 04:20:23 PM
LATEST DELIVERY DATE/TIME: 08/06/2016 04:20:23 PM
DELIVERY DATE/TIME: 07/20/2016 09:44:46 AM
DELIVERED BY: GIOVANNI TILOTTA

PURCHASER INFORMATION

FIRST NAME MORAD		MIDDLE NAME MARCO		LAST NAME GARMO		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY LA MESA		STATE CA	ZIP 91842	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE WHITE	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 6 FT 05 IN	WEIGHT 230
DATE OF BIRTH 1967		PLACE OF BIRTH CANADA		U.S. CITIZEN YES			
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE COLT		MODEL 1911		CALIBER(S) 45	
SERIAL NUMBER 2931888	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 5.0 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE	
COMMENT MASTER LOCK 107 CABLE LOCK.					

TRANSACTION INFORMATION

TRANSACTION TYPE PEACE OFFICE NON-ROSTER HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION N/A
WAITING PERIOD EXEMPTION TYPE PEACE OFFICER (LETTER REQUIRED)		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT

DEALER: HONEY BADGER FIREARMS

ADDRESS: 4349 TWAIN AVE STE A, SAN DIEGO CA, 92120

DROS ENTERED BY TILOTTA, GIOVANNI

By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.

Salesperson's Signature
DEALERSHIP TELEPHONE
(618) 354-4867

COE#

17497

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DATE PRINTED: 7/20/2016, 9:52:49 AM



State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 07859-02701
STATUS: APPROVED
TRANSACTION DATE/TIME: 07/07/2016 04:21:26 PM

EARLIEST DELIVERY DATE/TIME: 07/17/2016 04:21:26 PM

LATEST DELIVERY DATE/TIME: 08/06/2016 04:21:26 PM

DELIVERY DATE/TIME: 07/20/2016 09:45:50 AM

DELIVERED BY: GIOVANNI TILOTTA

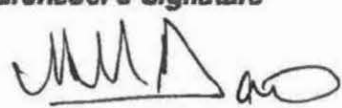
PURCHASER INFORMATION

FIRST NAME MORAD		MIDDLE NAME MARCO		LAST NAME GARMO		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY LA MESA		STATE CA	ZIP 91942	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE WHITE	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 6 FT 05 IN	WEIGHT 230
DATE OF BIRTH 967		PLACE OF BIRTH CANADA				U.S. CITIZEN YES	
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE COLT		MODEL 1911		CALIBER(S) 9	
SERIAL NUMBER NN03841	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 5.0 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE	
COMMENT MASTER LOCK 107 CABLE LOCK.					

TRANSACTION INFORMATION

TRANSACTION TYPE PEACE OFFICER NON-ROSTER HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION N/A
WAITING PERIOD EXEMPTION TYPE PEACE OFFICER (LETTER REQUIRED)		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT

DEALER: HONEY BADGER FIREARMS

ADDRESS: 4349 TWAIN AVE STE A, SAN DIEGO CA, 92120

DROS ENTERED BY TILOTTA, GIOVANNI	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4867
By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.		COE#
FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 28250)		
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DATE PRINTED: 7/20/2016, 9:53:46 AM



State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 07859-02716
STATUS: APPROVED
TRANSACTION DATE/TIME: 07/07/2016 04:23:24 PM
EARLIEST DELIVERY DATE/TIME: 07/17/2016 04:23:24 PM
LATEST DELIVERY DATE/TIME: 08/06/2016 04:23:24 PM
DELIVERY DATE/TIME: 07/20/2016 09:47:12 AM
DELIVERED BY: GIOVANNI TILOTTA

PURCHASER INFORMATION

FIRST NAME MORAD		MIDDLE NAME MARCO		LAST NAME GARMO		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY LA MESA		STATE CA	ZIP 91942	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE WHITE	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 6 FT 05 IN	WEIGHT 230
DATE OF BIRTH 1987		PLACE OF BIRTH CANADA				U.S. CITIZEN YES	
FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE CENTURY ARMS INC		MODEL RAS47		CALIBER(S) 762	
SERIAL NUMBER RAS47041242	OTHER NUMBER	TYPE RIFLE		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 16.1 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE OEM	
COMMENT MASTER LOCK 107 CABLE LOCK.					

TRANSACTION INFORMATION

TRANSACTION TYPE DEALER LONG GUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION N/A
WAITING PERIOD EXEMPTION TYPE NONE		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT

DEALER: HONEY BADGER FIREARMS
ADDRESS: 4349 TWAIN AVE STE A, SAN DIEGO CA, 92120

DROS ENTERED BY TILOTTA, GIOVANNI	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4667
By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.		COE# 17497

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DATE PRINTED: 7/20/2016, 9:55:05 AM



State of California
Department of Justice
Bureau of Firearms

Dealer's Record of Sale of Firearm

DROS NUMBER: 07859-02710
STATUS: APPROVED
TRANSACTION DATE/TIME: 07/07/2016 04:22:29 PM
EARLIEST DELIVERY DATE/TIME: 07/17/2016 04:22:29 PM
DELIVERY DATE/TIME: 07/20/2016 09:47:59 AM
LATEST DELIVERY DATE/TIME: 08/06/2016 04:22:29 PM
DELIVERED BY: GIOVANNI TILOTTA

PURCHASER INFORMATION

FIRST NAME MORAD		MIDDLE NAME MARCO		LAST NAME GARMO		SUFFIX	
ALIAS FIRST NAME		ALIAS MIDDLE NAME		ALIAS LAST NAME		ALIAS SUFFIX	
STREET ADDRESS		CITY LA MESA		STATE CA	ZIP 91842	TELEPHONE	
ID TYPE CALIFORNIA DL	ID NUMBER	GENDER MALE	RACE WHITE	EYE COLOR BROWN	HAIR COLOR BROWN	HEIGHT 6 FT 05 IN	WEIGHT 230
DATE OF BIRTH 967		PLACE OF BIRTH CANADA				U.S. CITIZEN YES	
HSC/FSC EXEMPTION CODE X31 PEACE OFFICER - CALIFORNIA - ACTIVE							
Has purchaser ever been convicted of a felony or of an offense described in Penal Code section 29905, 23515, or convicted of assault, battery, or other misdemeanor offense specified in Penal Code section 29805 in the last 10 years?							NO
Is purchaser a danger/threat to self or others pursuant to Welfare and Institutions code (WIC) section 8100, or a person who has been admitted to a mental health facility as a danger to self or others pursuant to WIC section 5150, 5151, and/or 5152 within the past five years?							NO
Has purchaser ever been adjudicated by a court to be danger to others, found not guilty by reason of insanity, found incompetent to stand trial, or placed under a conservatorship pursuant to Welfare and Institutions Code section 8103?							NO
Is purchaser currently the subject of any restraining order pursuant to Family Code section 6380?							NO

FIREARM INFORMATION

MAKE SIG SAUER		MODEL P228 LEGION		CALIBER(S) 9	
SERIAL NUMBER 47A141278	OTHER NUMBER	TYPE HANDGUN		CATEGORY SEMI-AUTOMATIC	
COLOR BLACK	BARREL LENGTH 4.5 IN	FRAME/RECEIVER ONLY NO	NEW/USED NEW	FSD COMPLIANCE	
COMMENT MASTER LOCK 107 CABLE LOCK.					

TRANSACTION INFORMATION

TRANSACTION TYPE PEACE OFFICER NON-ROSTER HANDGUN	GUN SHOW TRANSACTION NO	30-DAY RESTRICTION EXEMPTION N/A
WAITING PERIOD EXEMPTION TYPE PEACE OFFICER (LETTER REQUIRED)		
I have read the list of prohibited offenses, and nothing would preclude me from possessing a firearm. By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.	Purchaser's Signature 	PURCHASER'S RIGHT THUMB PRINT

DEALER: HONEY BADGER FIREARMS

ADDRESS: 4349 TWAIN AVE STE A, SAN DIEGO CA, 92120

DROS ENTERED BY TILOTTA, GIOVANNI	Salesperson's Signature 	DEALERSHIP TELEPHONE (619) 354-4867
By signing this document, I hereby certify under penalty of perjury that the information provided is true and correct.		COE# 17497
FALSIFICATION OF INFORMATION ON THIS FORM IS A CRIME, PUNISHABLE BY UP TO 18 MONTHS IN STATE PRISON (PENAL CODE 28250)		
Firearms purchasers/transferees may request a copy of his/her firearm ownership record(s) from the Department of Justice by completing and submitting an Automated Firearms System Request for Firearm Records form (BOF 053). Additionally, purchasers/transferees are entitled to report the acquisition, disposition, or ownership of firearms to the department pursuant to Penal Code section 28000. For more information on California firearms laws or to obtain firearms reporting forms, please visit the Attorney General's website at oag.ca.gov/firearms .		

DATE PRINTED: 7/20/2016, 9:55:53 AM



FEDERAL FIREARMS LICENSE (FFL)
FIREARMS ACQUISITION AND DISPOSITION RECORD BOOKLOGBOOK NO. 3CONTINUED FROM LOGBOOK NO. 2 CONTINUED TO LOGBOOK NO. _____

ASSIGNED TO:

NAME Giovanni Tilotta Honey Badger FirearmsSIGNATURE [Signature] DATE 29 Sept 2015DATE ISSUED 29 Sept 2015 BY _____PHONE 619-354-4867 EMAIL _____COMPANY Honey Badger Firearms

DEPARTMENT _____

ADDRESS 4349 Twain Ave Suite ACITY San Diego STATE CA ZIP 92120DATE LOGBOOK COMPLETED my 2nd 2016 NUMBER OF PAGES FILLED IN - 56

Firearm Merged Acquisition Manufacturer's Record Book											
Manufacture Acquisition								Disposition			
Receipt of Manufacture of Firearm											
Date (Day/month/year)	Name (Last, First)	Address or FEI #	Type (Pistol, Revolver, Shotgun, etc.)	Importer	Caliber / Gauge	Model	Serial No	Date (Day/month/year)	Qty	Customer or FEI Name	Address / FEI # / 4473#
31/12/2015	Kroll	4-38-05719	Pistol	Sig Sauer	9mm	P320CA	58A056541	26/01/2016	1	Eds Public Safety	1-58-39571
31/12/2015	Kroll	4-38-05719	Pistol	Sig Sauer	45ACP	1911K _{SAF}	54B112805	26/01/2016	1	Athena Gun Club	5-76-04426
31/12/2015	Kroll	4-38-05719	Pistol	Sig Sauer	45ACP	P250	57C023654	15/01/2016	1	Michael outlaw	1621
31/12/2015	Kroll	4-38-05719	Rifle	Sig Sauer	5.56	m400	205035674	14/06/2016	1	Honey Badger	9-33-04572 Aira. EBoat
31/12/2015	Kroll	4-38-05719	Rifle	Sig Sauer	5.56	m400	205035677	26/01/2016	1	Ammo Bros	9-33-02624
31/12/2015	Kroll	4-38-05719	Pistol	Sig Sauer	9mm	SP2022CA	24B274984	28/01/2016	1	Thomas Smith	1652
31/12/2015	Kroll	4-38-05719	Pistol	Sig Sauer	9mm	SP2022CA	24B274986 24B274984	26/01/2016	1	Ammo Bros	9-33-02624
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield Rented	HLM 5056	11/01/2016	1	Genard Leon Guerrero	1600
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield Rented	HLM 4960	02/03/2016	1	Morad Garmo	1733-1
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield Rented	HLN 3592	25/03/2016	1	Guillermo Lopez	1796
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield	HLR 2455	23/03/2016	1	Ryan Walker	1782
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield	HLF 7275	15/01/2016	1	Roy Mitchell	1623
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield	HLP 7323	16/01/2016	1	Kevin Sauders	1627
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield	HLP 7543	26/10/2016	1	Johnathan Coons	1642
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield	HLL 3719	10/02/2016	1	Luis Valencia	1679
01/01/2016	Pro Force	9-86-00508	Pistol	SBW	9mm	Shield	HLP 7274	29/02/2016	1	Mark Omalley	1736

Firearms Merged Acquisition Manufacturer's Record Book											
Manufacture Acquisition								Disposition			
Receipt of Manufacture or Purchase											
Date (Day/month/year)	Name (Last, First)	Address or P.O. #	Type (Pistol, Revolver, Shotgun, etc)	Importer	Caliber / Gauge	Model	Serial No.	Date (Day/month/year)	Qty	Customer or FBI Name	Address / FBI # / 44730
02/01/2016	Nelson Stepha	4560 Utah Street San Diego CA 92116	Rifle	Roman	7.62x 39	WAS10	IDL 3935	27/01/2016	1	Toby New	7646
18/01/2016	Down Range Firearm	9-68-03731	Pistol	CZ	9mm	SP01	B844699	04/04/2016	1	Mark Bollard	1835
18/01/2016	Kentucky Gun Company	4-61-00868	Revolver	SEA	460 SEA	460 XVR	CY49810	15/02/2016	1	Shawn Rogers	1690
18/01/2016	Kroll	4-38-05719	Pistol	Sig Sauer	.357 Sig	P239	56A012627	29/01/2016	1	Jason unkult	1658
19/01/2016	Kroll	4-38-05719	Pistol	Sig Sauer	.45 ACP	P320	58A051662	02/03/2016	1	Leo Hanel Fine Jew	9-33-03395
21/01/2016	PalmHe State	1-57-04482	Lower Receiver	PSA	Multi	AR-15 MOE	PA006480	12/02/2016	1	Brandon mantogth	1684
27/01/2016	Kentucky Gun Company	4-61-00868	Revolver	Taurus	357	605	IZ97439	19/02/2016	1	Morad Garmo	1699
27/01/2016	Workes Armament	3-39-07544	Lower Receiver	Workes Armament	Multi	WA-15 Pistol	RJ-00105	27/01/2016	1	Honey Badger Firearms (MR)	9-33-04572
29/01/2016	Honey Badger Firearms (MR)	9-33-04572	Pistol	Workes Arm	223	WA-15	RJ-00105	09/02/2015	1	Malek nasirpour	1677
15/01/2016	Michael May	2125 Corte Condesa Chula Vista CA 91914	Pistol	CZ	9mm	Scorpion	B763993	29/01/2016	1	Ulysses Rimocal	1654
13/01/2016	Schaefer Shirley William	1340 Bellevue Ave Candiff CA 92007	Pistol	Sig	9mm	P226	UG38715	29/01/2016	1	Jacob shater	1657
13/01/2016	Schaefer William	1340 Bellevue Ave Candiff CA 92007	Pistol	Gluck	9mm	G19	YCX649	29/01/2016	1	Jacob chata	1657
13/01/2016	Tilotta	1465 E Lexington 9H	Pistol	Springfield	9mm	XOS	83950785	30/01/2016	1	Niecho Solamzano	1659
30/01/2016	Geanders	3-37-17572	Pistol	Beretta	9mm	92 Verte	BER696059	30/01/2016	1	Steven Ratts	1662
01/02/2016	Zanders	3-37-17572	Rifle	Century Arms	7.62x 39	C39V2	C39V2A14565	19/06/2016	1	Honey Badger	9-33-04572 Aimi EBook
01/02/2016	Zanders	3-37-17572	Rifle	Beretta	5.56	ARX100	5X05387	14/03/2016	1	Sacramento Black Rifle	9-68-03246

Firearms Merged Acquisition / Manufacturer's Record Book											
Grievance Talents FFL # 9-33-071-07-53-04572 ATE Rating 2010.8											
Manufacture / Acquisition								Disposition			
Receipt of Manufacture of Firearm											
Date (Day/month/year)	Name (Last, First)	Address or FFL #	Type (Pistol, Revolver, Shotgun, etc)	Importer	Caliber/ Gauge	Model	Serial No.	Date (Day/month/year)	Qty	Customer or FFL Name	Address / FFL # / 4473#
08/03/2016	Kroll	4-38-05719	Pistol	SAW	9mm	Shield	HMB 3174	22/03/2016	1	Robert newmoyer	1779
08/03/2016	Kroll	4-38-05719	Pistol	SAW	9mm	Shield	HMB 3176	25/03/2016	1	Brandon mantooth	1800
08/03/2016	Kroll	4-38-05719	Pistol	SAW	9mm	Shield	HME 3858 HMB 3858	25/03/2016	1	Caleb mcdellan	1799
08/03/2016	Kroll	4-38-05719	Pistol	SAW	9mm	Shield	HME 3884	28/03/2016	1	William Dance	1813
08/03/2016	Kroll	4-38-05719	Pistol	SAW	9mm	Shield	HME 4894	25/03/2016	1	Joseph Silveria	1798
08/03/2016	Kroll	4-38-05719	Pistol	CZ	9mm	FSB SA	B889606	14/06/2016	1	Honey Badger	9-33-04572 Aimi EBook
08/03/2016	Kroll	4-38-05719	Pistol	Sig Sauer	9mm	MPX-P	62B022741	30/03/2016	1	Michael Shiraishi	1820
08/03/2016	Kroll	4-38-05719	Pistol	Sig Sauer	.45 ACP	1911K	54B110244	14/06/2016	1	Honey Badger	9-33-04572 Aimi EBook
08/03/2016	Kroll	4-38-05719	Pistol	Sig Sauer	.45 ACP	1911R SCRIP	54B120731	14/06/2016	1	Honey Badger	9-33-04572 Aimi EBook
08/03/2016	Birmingham Pistol Wholesale	1-63-37351	Rifle	SAW	5.56	M&P 15 Sport II	8Y580086	21/03/2016	1	Stephen Roberts	1776
09/03/2016	Kroll	4-38-05719	Pistol	Sig Sauer	9mm	P226 Legion	47A131151	06/04/2016	1	Michael May	1840
09/03/2016	Kroll	4-38-05719	Rifle	CZ	308 Nato	750 sniper	B646766	14/06/2016	1	Honey Badger	9-33-04572 Aimi EBook
09/03/2016	Cash exchange	4-38-43137	Rifle	Remington	7.62 x39	Savage AK	409185012	17/04/2016	1	Mohammed elhomay	1871
10/03/2016	Kroll	4-38-05719	Rifle	Sig Sauer	5.56	M400	20K030126	20/03/2016	1	Master Arms	6-13-00776
10/03/2016	Kroll	4-38-05719	Rifle	Sig Sauer	5.56	M400	20K030128	20/03/2016	1	Oak Ridge Custom	1-58-03786
10/03/2016	Kroll	4-38-05719	Pistol Rifle	Sig Sauer	9mm	P226 Legion	47A141776	18/05/2016	1	Leo Hammel	9-33-03395

FIREARMS ACQUISITION AND DISPOSITION RECORD**HONEY BADGER FIREARMS**

FFL # 9-33-073-07-8J-04572
 4855 RUFFNER ST STE D1
 SAN DIEGO, CA 92111

Inspection Date 2/20/2019 1:33 PM

DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date Address or license No. if licensee, or Form 4473 Serial No. if Forms 4733 filed	Date Gun Show/Event Name City, State (Zip)
SIG SAUER UNITED STATES	P320C PISTOL 9MM	58B024632 73	5/26/16	GARMO MORAD LA MESA, CA91942	6/9/16 4473 # 1954A	HAMEL LEO JAMUL, CA91935
GLOCK UNITED STATES	G21 GEN 4 PISTOL 45ACP	VYF569 74	5/26/16	GARMO MORAD LA MESA, CA91942	6/9/16 4473 # 1954A	HAMEL LEO JAMUL, CA91935
GLOCK UNITED STATES	27 PISTOL .40 CAL	RLK240 999	10/28/16	GARMO MORAD LA MESA, CA91942	11/27/16 4473 # 2503	BAJAJ VIKAS SAN DIEGO, CA92110
CZ UNITED STATES	75 D COMPACT PISTOL 9MM	C082833 1674	5/3/17	GARMO MORAD LA MESA, CA91942	5/14/17 4473 # 2934	BAJAJ VIKAS SAN DIEGO, CA92110
CENTURY ARMS UNITED STATES	RAS47 RIFLE 7.62X39	RAS47058200 2846	5/30/18	GARMO MORAD LA MESA, CA91942	6/11/18 4473 # 3821	ANTON WAIEL EL CAJON, CA92019

2/20/2019

**GOVERNMENT'S
EXHIBIT**
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DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date Address or license No. if licensee, or Form 4473 Serial No. if Forms 4733 filed	Date Gun Show/Event Name City, State (Zip)
BERETTA UNITED STATES	APX PISTOL 9	A000555X 2847	5/30/18	GARMO MORAD [REDACTED] LA MESA, CA91942	6/11/18 4473 # 3821	ANTON WAIEL [REDACTED] EL CAJON, CA92019
MOLOT UNITED STATES	VEPER 12 SHOTGUN 12	14VAH6478 3108	8/ 2/18	GARMO MORAD [REDACTED] LA MESA, CA91942	8/13/18 4473 # 4001	ARAYA ALEXANDER [REDACTED] GRANADA HILLS, CA91344
JD MACHINE TECH UNITED STATES	TR1 RIFLE 5.56 NATO	B00463 3172	8/24/18	GARMO MORAD [REDACTED] LA MESA, CA91942	9/10/18 4473 # 4080	FAUST ZACHARY [REDACTED] CORONADO, CA92118
BERETTA UNITED STATES	APX PISTOL 9	A001236X 3674	1/ 4/19	GARMO MORAD [REDACTED] LA MESA, CA91942	1/14/19 4473 # 4467	JONES SEAN [REDACTED] SAN DIEGO, CA92108
BERETTA UNITED STATES	APX PISTOL 9	A053204X 3675	1/ 4/19	GARMO MORAD [REDACTED] LA MESA, CA91942	1/14/19 4473 # 4467	JONES SEAN [REDACTED] SAN DIEGO, CA92108
RUGER UNITED STATES	LCP PISTOL 380	371533473 3703	1/15/19	GARMO MORAD [REDACTED] LA MESA, CA91942	1/25/19 4473 # 4510	ANTON WAIEL [REDACTED] EL CAJON, CA92019

DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date	Address or license No. If licensee, or Form 4473 Serial No. if Forms 4733 filed
					Date	Gun Show/Event Name City, State (Zip)

Signature / Title

2/20/2019

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FIREARMS ACQUISITION AND DISPOSITION RECORD

HONEY BADGER FIREARMS

FFL # 9-33-073-07-8J-04572
4855 RUFFNER ST STE D1
SAN DIEGO, CA 92111

Inspection Date 2/20/2019 1:36 PM

Garmb

DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date	Address or license No. If licensee, or Form 4473 Serial No. if Forms 4733 filed
SIG SAUER UNITED STATES	P320 F BSS PISTOL 45ACP	58A070887 115	5/31/16	KROLL INTERNATIONAL LLC FFL # 4-38-099-01-9D-05719	6/13/16 4473 # 1954P	GARMO MORAD LA MESA, CA91942
SMITH WESSON UNITED STATES	MODEL 60 REVOLVER 38 SPECIAL	AEP6107 90	6/ 2/16	HAMEL LEO JAMUL, CA91935	6/13/16 4473 # 1954P	GARMO MORAD LA MESA, CA91942
SIG SAUER UNITED STATES	P226 LEGION PISTOL 9MM	47A141276 517	6/24/16	LEO HAMEL FINE JEWELERS FFL # 9-33-073-01-9K-03395	7/20/16 4473 # 2055	GARMO MORAD LA MESA, CA91942
CENTURY ARMS UNITED STATES	RAS47 RIFLE 7.62X39	RAS47041242 437	7/ 5/16	BILL HICKS & CO LTD FFL # 3-41-053-01-1C-02758	7/20/16 4473 # 2055	GARMO MORAD LA MESA, CA91942
COLT UNITED STATES	1911 PISTOL 45ACP	2931866 460	7/ 8/16	LIPSEY'S, LLC FFL # 5-72-033-01-0A-09424	7/20/16 4473 # 2055	GARMO MORAD LA MESA, CA91942

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Inspection Date 2/20/2019 1:30 PM

DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date Address or license No. If licensee, or Form 4473 Serial No. If Forms 4733 filed	Gun Show/Event Name City, State (Zip)
COLT UNITED STATES	1911 PISTOL 9MM	NN03641 456	7/11/16	BILL HICKS & CO LTD FFL # 3-41-053-01-1C-02758	7/20/16 4473 # 2055	GARMO MORAD LA MESA, CA91942
CZ	P-07 PISTOL 9MM	C014422 670	8/19/16	KROLL INTERNATIONAL LLC FFL # 4-38-099-01-9D-05719	12/15/16 4473 # 2585	GARMO MORAD LA MESA, CA91942
SMITH WESSON UNITED STATES	SHIELD PISTOL 45ACP	HDM3143 798	9/16/16	KROLL INTERNATIONAL LLC FFL # 4-38-099-01-9D-05719	10/28/16 4473 # 2426	GARMO MORAD LA MESA, CA91942
STURM RUGER UNITED STATES	SP101 REVOLVER 357 MAG	57106474 992	10/28/16	HAMPTON GREGORY EL CAJON, CA92020	10/29/16 4473 # 2430	GARMO MORAD LA MESA, CA91942
CANIK UNITED STATES	TP9 PISTOL 9MM	16BH01243 1415	12/23/16	C.A.I./ CENTURY ARMS FFL # 6-03-011-07-9B-00370	2/28/17 4473 # 2772	GARMO MORAD LA MESA, CA91942
JD MACHINE TECH UNITED STATES	TR1 RIFLE 5.56 NATO	B00463 1576	4/14/17	FARIDA DAVID SPRING VALLEY, CA91978	5/1/17 4473 # 2867	GARMO MORAD LA MESA, CA91942

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Inspection Date 4/20/2017 1:00 PM

DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date Address or license No. if licensee, or Form 4473 Serial No. if Forms 4733 filed	Date Gun Show/Event Name City, State (Zip)
MOSSBERG UNITED STATES	590 SHOTGUN 12	T620688 1577	4/14/17	FARIDA DAVID [REDACTED] SPRING VALLEY, CA91978	5/ 1/17 4473 # 2867	GARMO MORAD [REDACTED] LA MESA, CA91942
SMITH WESSON UNITED STATES	BODYGUARD REVOLVER 38 SPECIAL	CPY7500 1578	4/14/17	FARIDA DAVID [REDACTED] SPRING VALLEY, CA91978	5/ 1/17 4473 # 2867	GARMO MORAD [REDACTED] LA MESA, CA91942
BERETTA UNITED STATES	APX PISTOL 9MM	A001236X 1781	5/26/17	BOTACH, INC FFL # 9-88-003-07-9A-04665	6/ 1/17 4473 # 3026	GARMO MORAD [REDACTED] LA MESA, CA91942
CZ UNITED STATES	P10C PISTOL 9MM	C200931 1790	5/27/17	BILL HICKS & CO LTD FFL # 3-41-053-01-1C-02758	6/14/17 4473 # 3070	GARMO MORAD [REDACTED] LA MESA, CA91942
COLT UNITED STATES	CARRY REVOLVER 357 MAG	SY1396 1872	6/18/17	GOODRICH JOEL [REDACTED] VERSHIRE, VT05079	6/19/17 4473 # 3075	GARMO MORAD [REDACTED] LA MESA, CA91942
SMITH WESSON UNITED STATES	M66 COMBAT MAG REVOLVER 357 MAG	DJJ5111 2077	9/ 5/17	PROFORCE LAW ENFORCEMENT FFL # 9-86-025-01-7G-00508	9/28/17 4473 # 3240	GARMO MORAD [REDACTED] LA MESA, CA91942

Inspection Date 2/20/2019 1:30 PM

DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date Address or license No. if licensee, or Form 4473 Serial No. if Forms 4733 filed	Date Gun Show/Event Name City, State (Zip)
ZASTAVA UNITED STATES	M92 PAP RIFLE 7.62X39	M92PV062648 2194	10/ 4/17	GONZALES BRANDON [REDACTED] SAN DIEGO, CA92109	10/16/17 4473 # 3333	GARMO MORAD [REDACTED] LA MESA, CA91942
CZ	P10C PISTOL 9MM	C381287 2302	10/30/17	KROLL INTERNATIONAL LLC FFL # 4-38-099-01-9D-05719	2/ 2/18 4473 # 3468	GARMO MORAD [REDACTED] LA MESA, CA91942
WALTHER UNITED STATES	PPQ M1 PISTOL 9MM	FCL8076 2312	10/30/17	RSR GROUP FFL # 5-75-439-01-0D-26128	11/14/17 4473 # 3429	GARMO MORAD [REDACTED] LA MESA, CA91942
BERETTA UNITED STATES	APX PISTOL 9MM	4000555X 2322	11/ 1/17	KROLL INTERNATIONAL LLC FFL # 4-38-099-01-9D-05719	11/14/17 4473 # 3429	GARMO MORAD [REDACTED] LA MESA, CA91942
COLT UNITED STATES	COBRA REVOLVER 38 SPECIAL	A80727 2325	11/ 2/17	HAMEL LEO [REDACTED] JAMUL, CA91935	11/14/17 4473 # 3429	GARMO MORAD [REDACTED] LA MESA, CA91942
COLT UNITED STATES	DETECTIVE SPEC REVOLVER 38 SPECIAL	M04560 2326	11/ 2/17	HAMEL LEO [REDACTED] JAMUL, CA91935	11/14/17 4473 # 3429	GARMO MORAD [REDACTED] LA MESA, CA91942

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DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date Address or license No. If licensee, or Form 4473 Serial No. If Forms 4733 filed	Date Gun Show/Event Name City, State (Zip)
GLOCK UNITED STATES	G43 PISTOL 9MM	ABRX156 2438	2/ 2/18	PRADO ENRIQUE [REDACTED] ST AUGUSTINE, FL32080	2/16/18 4473 # 3515	GARMO MORAD [REDACTED] LA MESA, CA91942
TAURUS UNITED STATES	85 REVOLVER 38 SPECIAL	IT42980 2593	3/21/18	LLANES DEREK [REDACTED] CHULA VISTA, CA91910	4/ 2/18 4473 # 3624	GARMO MORAD [REDACTED] LA MESA, CA91942
SIG SAUER UNITED STATES	P220 CARRY PISTOL 45	37B000145 2594	3/21/18	LLANES DEREK [REDACTED] CHULA VISTA, CA91910	4/ 2/18 4473 # 3624	GARMO MORAD [REDACTED] LA MESA, CA91942
SMITH WESSON UNITED STATES	617 REVOLVER 22 LR	DDZ0607 2716	4/25/18	WAMHOFF SAMUEL [REDACTED] FOLSOM, CA95630	5/11/18 4473 # 3711	GARMO MORAD [REDACTED] LA MESA, CA91942
SMITH WESSON UNITED STATES	10 REVOLVER 38 SPECIAL	CEZ9978 2784	5/16/18	CLASSIC FIREARMS FFL # 1-56-179-01-0H-06387	6/14/18 4473 # 3829	GARMO MORAD [REDACTED] LA MESA, CA91942
SIG SAUER UNITED STATES	P365 PISTOL 9	66A047292 2827	5/24/18	KROLL INTERNATIONAL LLC FFL # 4-38-099-01-9D-05719	6/14/18 4473 # 3829	GARMO MORAD [REDACTED] LA MESA, CA91942

DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date Address or license No. if licensee, or Form 4473 Serial No. if Forms 4733 filed	Date Gun Show/Event Name City, State (Zip)
BERETTA UNITED STATES	APX CENTURION PISTOL 9	A053204X 2902	6/15/18	BERETTA USA CORP/ BERETTA U: FFL # 8-52-033-07-9K-07699	7/ 9/18 4473 # 3917	GARMO MORAD LA MESA, CA91942
BCM UNITED STATES	BCM4 RIFLE 5.56 NATO	A028574 3109	8/ 2/18	ARAYA ALEXANDER GRANADA HILLS, CA91344	8/15/18 4473 # 4002	GARMO MORAD LA MESA, CA91942
REMINGTON UNITED STATES	870 SHOTGUN 12	RS95864Y 3110	8/ 2/18	ARAYA ALEXANDER GRANADA HILLS, CA91344	8/15/18 4473 # 4002	GARMO MORAD LA MESA, CA91942
SIG SAUER	P365 PISTOL 9MM	66A105681 3347	10/ 8/18	KROLL INTERNATIONAL LLC FFL # 4-38-099-01-9D-05719	10/22/18 4473 # 4227	GARMO MORAD LA MESA, CA91942
CENTURY ARMS UNITED STATES	WASR10 RIFLE 7.62X39	1971CA0780 3458	11/ 6/18	HIGUERA SUSAN SPRING VALLEY, CA91977	11/16/18 4473 # 4313	GARMO MORAD LA MESA, CA91942
IZHMASH UNITED STATES	SPORTSTER RIFLE 7.62X39 CAL	H09103005 3459	11/ 6/18	HIGUERA SUSAN SPRING VALLEY, CA91977	11/16/18 4473 # 4313	GARMO MORAD LA MESA, CA91942

Inspection Date 2/20/2019 2:00 PM

DESCRIPTION OF FIREARM			ACQUISITION		DISPOSITION	
Manufacturer and/or Importer Country	Model Type Caliber/Gauge/MM or Size	Serial # Control #	Date	FFL/Name and Address	Date 4473 #	Address or license No. if licensee, or Form 4473 Serial No. if Forms 4733 filed Gun Show/Event Name City, State (Zip)
CENTURY ARMS UNITED STATES	63DS RIFLE 7.62X39	AK63DS-F00427 3460	11/ 6/18	SPORTS SOUTH LLC FFL # 5-72-017-01-OK-02333	1/11/19 4473 # 4453	GARMO MORAD LA MESA, CA91942
SMITH WESSON UNITED STATES	19 REVOLVER 357 MAG	DKU8368 3516	11/30/18	SPORTS SOUTH LLC FFL # 5-72-017-01-OK-02333	12/12/18 4473 # 4359	GARMO MORAD LA MESA, CA91942
KIMBER UNITED STATES	PRO CARRY II PISTOL 9	KRF23210 3704	1/15/19	ANTON WAIEL EL CAJON, CA92019	1/25/19 4473 # 4511	GARMO MORAD LA MESA, CA91942

Signature / Title

2/20/2019

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SMS Messages

#	Folder	Party	Time	Status	Message
1	Sent	From +16192120719 Marco Garmo To 8054280221 Gio * Direction: Outgoing	3/22/2017 1:07:33 PM(UTC-8)	Sent	I asked Jr to order Fred a walther ppq m2 & a walther pps m2...fyi. i text him, no response. Thanks brother.
2	Inbox	From +18054280221 Gio * To +16192120719 Marco Garmo Direction: Incoming	3/22/2017 2:40:18 PM(UTC-8)	Read	K I will find out. Atf is here doing an audit. They will be here a few days

