

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

**Notice to Deny Application for License**

- In the matter of application for license as a/an \_\_\_\_\_, filed by:  
or
- In the matter of application for renewal of license number 1-59-131-07-3G-50159 as a/an  
manufacturer in firearms other than destructive devices \_\_\_\_\_, filed by:

Name and Address of Applicant (Show number, street, city, State and ZIP Code)  
Kiloton Tactical LLC  
3274 County Hwy 181 W  
Defuniak Springs, Florida 32433

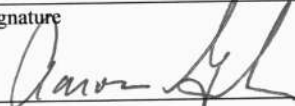
**Notice Is Hereby Given That:**

The application described above may be denied because the applicant does not qualify for licensing under the provisions of 18 U.S.C. § 923(d), as set forth in the pages attached and made a part of this form. Pursuant to 18 U.S.C. § 923(f)(2), you may file a request for a hearing to review the denial of your application. This request must be received, in duplicate, by the Director of Industry Operations (DIO), Bureau of Alcohol, Tobacco, Firearms and Explosives, located at 400 N Tampa Street, Suite 2100, Tampa, Florida 33602, within 15 days of your receipt of this notice.

Where a timely request for hearing is made, and the application described above is for renewal of a currently valid license, you may continue to operate under your present license pending the outcome of the hearing. The hearing will be held as provided in 27 CFR Part 478.

If a timely request for a hearing is not received, the application shall be disapproved, and a copy so marked will be returned to the applicant.

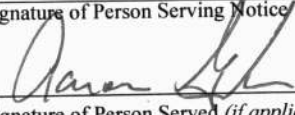
- Please see included brochure

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official	Signature
07/10/2023	Aaron R. Gerber, Director of Industry Operations, Tampa Field Division	

I certify that on the date shown below I served this notice on the person identified below by:

- Certified mail to the address shown below.  
Tracking Number: 7018 3090 0002 0520 8302
- Delivering a copy of the notice to the address shown below.

Or

Date Notice Served	Title of Person Serving Notice	Signature of Person Serving Notice
07/10/2023	Aaron R. Gerber, Director of Industry Operations, Tampa Field Division	
Print Name and Title of Person Served		Signature of Person Served (if applicable)
Kiloton Tactical LLC		

Address Where Notice Served  
3274 County Hwy 181 W  
Defuniak Springs, Florida 32433

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Kilton Tactical LLC  
3274 County Hwy 181 W  
Defuniak Springs, Florida 32433

License No: 1-59-131-07-3G-50159

The Gun Control Act of 1968, as amended (GCA), Title 18, United States Code, Chapter 44 and its implementing regulations, Title 27, Code of Federal Regulations (C.F.R.), Part 478, mandates that ATF shall issue a firearms license to a qualified applicant. See 18 U.S.C. § 923(c); 27 C.F.R. § 478.47. The GCA provides the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) may deny a firearms license application where the applicant has willfully violated any provision of the GCA or its regulations. 18 U.S.C. § 923(d)(1)(C); 27 C.F.R. § 478.47.(b)(3).

On or about May 24, 2022 through on or about June 9, 2022, Industry Operations Investigator Nicholas Speranza Jr, conducted a compliance inspection at the Licensee's business premises. On or about April 26, 2023, Kilton Tactical LLC filed a timely renewal application for Federal firearms license number 1-59-131-07-3G-50159.

The inspection revealed the following violations that form the basis of this Denial of Renewal Application filed by Kilton Tactical LLC:

#### WILLFUL VIOLATIONS

1. On five (5) occasions the Licensee willfully violated 18 U.S.C. § 922(t)(1) and 27 C.F.R. §§ 478.102(a) and 478.102(c) by transferring firearms to the following unlicensed individuals without receiving a unique identification number even though at the time of transfer the National Instant Criminal Background Check System (NICS), through Florida Department of Law Enforcement (FDLE), was operational.:

- A. On December 5, 2021, the Licensee contacted NICS through FDLE to conduct a background check on Carolyn Bobbitt and received an approval number of 26224305A. On January 7, 2022, the Licensee transferred a Smith & Wesson, MP15 Sport II, Rifle, Serial Number TS99655 to Carolyn Bobbitt, without initiating a new NICS background check. (33 days).
- B. On November 30, 2021, the Licensee contacted NICS through FDLE to conduct a background check on Lindy Day and received an approval number of 26196374A. On February 15, 2022, the Licensee transferred a Henry, Survival Rifle, Serial Number US041775B and an Anderson, AM15, Receiver, Serial Number 21282669 to Lindy Day, without initiating a new NICS background check. (77 days).
- C. On May 29, 2021, the Licensee contacted NICS through FDLE to conduct a background check on Jason Lambert and received an approval number of 25462811A. On July 31, 2021, the Licensee transferred a Beretta, CX4, Rifle, Serial Number CX76655 to Jason Lambert, without initiating a new NICS background check. (63 days).

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- D. On January 15, 2022, the Licensee contacted NICS through FDLE to conduct a background check on Jason Lambert and received an approval number of 26398070A. On April 5, 2022, the Licensee transferred a Browning, Bar II Safari, Rifle, Serial Number 107NW25193, and a Sako, L461, Rifle, Serial Number AI171662 to Jason Lambert, without initiating a new NICS background check. (80 days).
  - E. On August 14, 2021, the Licensee contacted NICS through FDLE to conduct a background check on Anita Smith and received an approval number of 25767003A. On November 10, 2021, the Licensee transferred a Ruger, Mini 14, Rifle, Serial Number 197-28555 to Anita Smith, without initiating a new NICS background check. (88 days).
2. The Licensee willfully violated 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a by failing to report on a Report of Multiple Sale or Other Disposition of Pistols or Revolvers (ATF E-Form 3310.4) the sale or otherwise disposal of, at one time or during any five (5) consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed individual when he transferred the firearms to the following unlicensed individuals:
- A. On or about August 12, 2021, the Licensee transferred a Smith & Wesson Shield Plus 9mm Pistol, serial number JLE3179 to Jeremy Jerald Carter and on or about August 13, 2021, transferred a Smith & Wesson M&P EZ 380 Pistol, serial number RDX6796. Finally reported on May 25, 2022.
  - B. On or about May 3, 2022, the Licensee transferred the following four (4) firearms to Lindy Alyce Day: (1) Glock 43X 9mm handgun, serial number BUVE104; (2) Glock 43X 9mm handgun, serial number BUTL839; (3) Keltec KS7 12-gauge shotgun, serial number QC232; (4) Mossberg MVP Rifle, serial number MVP 0029839. Reported on May 21, 2022.
  - C. On or about February 17, 2022, the Licensee transferred a Ruger LCP Max 380 caliber pistol, serial number 381323521 and on or about February 19, 2022, the Licensee transferred a Smith & Wesson 686 Plus 357M, serial number DPP2508 to Larry Wayne Houser. Finally reported on March 1, 2022.
  - D. On or about July 10, 2021, the Licensee transferred a Ruger 57 5.7x28mm pistol, serial number 642-30001 and a Smith & Wesson 22LR Victory pistol, serial number VEL8622 to Thomas Wheeler Nevens. Reported on May 25, 2022.
  - E. On or about March 10, 2022, the Licensee transferred a NAA Mini Revolver, serial number E456074 and Taurus 38 Spl M856 Revolver, serial number ACJ304976 to David Edward Szklarski. Reported on March 11, 2022.
3. The Licensee failed to follow Florida's mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 before transferring firearms to the following unlicensed individuals in violation of 18 U.S.C. § 922(b)(2):

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- A. On or about June 8, 2022, the Licensee transferred a Kimber Custom II 9mm pistol, serial number KF47519 and a Gunwerks Magnus 50 rifle, serial number E001991 to James Clifton Adams without waiting the mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Adams presented the Licensee with a Florida hunting license at the time of purchase. Pursuant to Florida Statute § 790.0655(2)(c), an unlicensed individual who holds a valid Florida hunting license is exempt from the mandatory waiting period for the purchase of a rifle or shotgun. Therefore, the transfer of the Kimber Custom II 9mm pistol, serial number KF47519 to Mr. Adams was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- B. On or about January 1, 2022, the Licensee transferred a Ruger MKIV 2LF pistol, serial number 500282503 to Russell Bailey without waiting the mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Bailey presented the Licensee with a Florida hunting license at the time of purchase. Pursuant to Florida Statute § 790.0655(2)(c), an unlicensed individual who holds a valid Florida hunting license is exempt from the mandatory waiting period for the purchase of a rifle or shotgun. Therefore, the transfer of the Ruger MKIV 2LF pistol, serial number 500282503 to Mr. Bailey was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- C. On or about August 31, 2021, the Licensee transferred a Landor BPX902 12-gauge shotgun, serial number BPX16768; a Springfield XDME 9mm pistol, serial number BA258622; and a Springfield Saint 5.56mm rifle, serial number ST429189 to Larry Wayne Bell without waiting the mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Bell presented the Licensee with a Florida hunting license at the time of purchase. Pursuant to Florida Statute § 790.0655(2)(c), an unlicensed individual who holds a valid Florida hunting license is exempt from the mandatory waiting period for the purchase of a rifle or shotgun. Therefore, the transfer of the Springfield XDME 9mm pistol, serial number BA258622 to Mr. Bell was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- D. On or about January 21, 2022, the Licensee transferred a POF Rebel 22LR pistol, serial number 21M-2003799 to Ian Michael Biseinere without waiting the mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Biseinere presented the Licensee with a Florida hunting license at the time of purchase. Pursuant to Florida Statute § 790.0655(2)(c), an unlicensed individual who holds a valid Florida hunting license is exempt from the mandatory waiting period for the purchase of a rifle or shotgun. Therefore, the transfer of the POF Rebel 22LR pistol, serial number 21M-2003799 to Mr. Biseinere was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- E. On or about July 30, 2021, the Licensee transferred a Smith & Wesson M&P 15-22P 22LR pistol, serial number WAE5591 to Ryan Winston Boschert without waiting the

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mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Boschert is a law enforcement officer as noted by the Licensee in Section E, Block 32. Pursuant to Florida Statute § 790.0655(2)(d), a law enforcement officer who is purchasing a rifle or shotgun is exempt from the three (3) day wait period. Therefore, the transfer of the Smith & Wesson M&P 15-22P 22LR pistol, serial number WAE5591 to Mr. Boschert was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).

- F. On or about November 19, 2021, the Licensee transferred a Bear Creek Arsenal BCA1 Receiver, serial number B01232 to Ryan Winston Boschert without waiting the mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Boschert is a law enforcement officer as noted by the Licensee in Section E, Block 32. Pursuant to Florida Statute § 790.0655(2)(d), a law enforcement officer who is purchasing a rifle or shotgun is exempt from the three (3) day wait period. Therefore, the transfer of the Bear Creek Arsenal BCA1 Receiver, serial number B01232 to Mr. Boschert was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- G. On or about March 9, 2022, the Licensee transferred a Springfield XDS Mod22 9mm handgun, serial number BA 686256 to Jeremy Michael Grezlik without waiting the mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Grezlik is a is a servicemember as noted by the Licensee in Section E, Block 32. Pursuant to Florida Statute § 790.0655(2)(d), a servicemember who is purchasing a rifle or shotgun is exempt from the three (3) day wait period. Therefore, the transfer of the Springfield XDS Mod22 9mm handgun, serial number BA 686256 to Mr. Grezlik was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- H. On or about September 5, 2021, the Licensee transferred a Canik TP9 Elite Combat 9mm pistol, serial number 21BN19372 to Samuel Joseph Holt without waiting the mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Holt is a is a servicemember as noted by the Licensee in Section E, Block 32. Pursuant to Florida Statute § 790.0655(2)(d), a servicemember who is purchasing a rifle or shotgun is exempt from the three (3) day wait period. Therefore, the transfer of the Canik TP9 Elite Combat 9mm pistol, serial number 21BN19372 to Mr. Holt was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- I. On or about November 24, 2021, the Licensee transferred a Springfield XDS 9mm pistol, serial number BA553770 to Samuel Dean Hunter without waiting the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655. Mr. Hunter is a is a servicemember as noted by the Licensee in Section E, Block 32. Pursuant to Florida Statute § 790.0655(2)(d), a servicemember who is purchasing a rifle or shotgun is exempt from the three (3) day wait period. Therefore, the transfer of the Springfield XDS 9mm pistol, serial number BA553770 to Mr. Hunter was in violation of the mandatory three (3)

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day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).

- J. On or about January 20, 2022, the Licensee transferred a Glock 48 9mm pistol, serial number BTHK090 to Anthony Craig Kelley without waiting the mandatory 3 day waiting period pursuant to Florida Statute § 790.0655. Mr. Kelley presented the Licensee with a Florida hunting license at the time of purchase. Pursuant to Florida Statute § 790.0655(2)(c), an unlicensed individual who holds a valid Florida hunting license is exempt from the mandatory waiting period for the purchase of a rifle or shotgun. Therefore, the transfer of the Glock 48 9mm pistol, serial number BTHK090 to Mr. Kelley was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- K. On or about July 17, 2021, the Licensee transferred a Springfield Saint Victor 5.56mm pistol, serial number ST318967 to Jordan Jung Lutz-Midthun without waiting the mandatory three (3) day waiting period pursuant to Florida Statute § 760.0655. Mr. Hunter is a is a servicemember as noted by the Licensee in Section E, Block 32. Pursuant to Florida Statute § 790.0655(2)(d), a servicemember who is purchasing a rifle or shotgun is exempt from the three (3) day wait period. Therefore, the transfer of the Springfield Saint Victor 5.56mm pistol, Serial Number ST318967 to Mr. Lutz-Midthun was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- L. On or about January 14, 2022, the Licensee transferred a Smith & Wesson M&P Shield Plus 9mm Pistol, Serial Number JHB3528 to Jake Forest Peaden without waiting the mandatory three (3) day waiting period pursuant to Florida Statute § 760.0655. Mr. Peaden presented the Licensee with a Florida hunting license at the time of purchase. Pursuant to Florida Statute § 790.0655(2)(c), an unlicensed individual who holds a valid Florida hunting license is exempt from the mandatory waiting period for the purchase of a rifle or shotgun. Therefore, the transfer of the Smith & Wesson M&P Shield Plus 9mm Pistol, Serial Number JHB3528 to Jake Forest Peade was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).
- M. On or about March 15, 2022, the Licensee transferred a Heritage Rough Rider Revolver Serial Number 3PH121490 and a Mossberg 590 Shockwave 12-gauge Firearm, serial number V1506989 to Willard Patterson Pond Jr. without waiting the mandatory three (3) day waiting period pursuant to Florida Statute § 760.0655. Mr. Pond Jr. is a is a servicemember as noted by the Licensee in Section E, Block 32. Pursuant to Florida Statute § 790.0655(2)(d), a servicemember who is purchasing a rifle or shotgun is exempt from the three (3) day wait period. Therefore, the transfer of the Heritage Rough Rider Revolver Serial Number 3PH121490 and a Mossberg 590 Shockwave 12-gauge Firearm, serial number V1506989 to Mr. Pond Jr. was in violation of the mandatory three (3) day waiting period pursuant to Florida Statute § 790.0655 in violation of 18 U.S.C. § 922(b)(2).

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4. On or about April 6, 2022, the Licensee transferred a Taurus 22LF TX22 Handgun, serial number 1PT466480 to Cortney Dawn Daniels and noted in Section C, block 27.a. that they contacted FDLE on March 23, 2022, and noted in block 27.b. that they received an approval number from FDLE of “26675400A.” However, on or about March 23, 2023, the Licensee transferred a Cold King Cobra 357mm Revolver, serial number RA264031 to Steve Joshua Richman and noted in Section C, block 27.a. that they contacted NICS on March 23, 2022, and noted in block 27.b. that the approval number received by FDLE was “26675400A.” The Licensee was unable to reconcile whether “26675400A” was the FDLE background check results from Ms. Daniels transaction or Mr. Richman’s transaction. Therefore, the Licensee willfully violated 18 U.S.C. § 922(m) and 27 C.F.R. § 478.128(c) as either Ms. Daniels or Mr. Richman’s ATF Form 4473 contained a false FDLE background approval number as it relates to that transaction.