

# Report of Investigation

Title of Investigation: Stephen Hawks 50 Cal	Investigation Number: [REDACTED]	Report Number: 1
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## SUMMARY OF EVENT:

The 21<sup>st</sup> Judicial Drug Task Force from Faulkner County contacted the Little Rock ATF Office in an effort to obtain information and location of several guns in their possession.

## NARRATIVE:

In February of 2011 Faulkner County Prosecutor Cody Highland asked for the assistance of ATF in tracing a gun that was located in the 21<sup>st</sup> Judicial Drug Task Force evidence locker. The gun traced by special Agent [REDACTED] was a Barrett M107 .50 BMG rifle serial # 14068. The gun was placed in the evidence locker approximately two months before the Prosecuting Attorney election where Cody Highland beat Marcus Vaden by Brian Tatum. Tatum was interviewed about the incident and advised that Perry Wise brought him the rifle a few months before the election and told him to put it into the evidence locker. Tatum was also told by Wise not to tell anyone about the rifle.

The trace revealed that the firearm was purchased by Stephan Hawks on 10/30/08 from Don's Weaponry. [REDACTED] requested any information on the purchase from Don's Weaponry. Don's provided [REDACTED] with the Form 4473 showing Stephan Hawks purchased the firearm as a private individual answering question 11A "YES" that he was the actual buyer of the firearm and was not buying the gun for someone else. [REDACTED] also acquired the receipt for the rifle. The receipt stated that Stephan Hawks was purchasing the firearm in care of the Faulkner County Prosecutor's Office and paid with a check for \$11,874.60. Normally a law enforcement agency such as the Prosecuting Attorney's Office would purchase a firearm on departmental letterhead. It would not be purchased by an individual.

On 03/14/2011 Special Agents [REDACTED] and [REDACTED] interviewed Perry Wise, where he is employed with the State Hospital Police. Wise advised that approximately one year ago Marcus Vaden called him to his office and gave him the rifle. Wise was advised to hide the gun until after the election. Wise stated that he knew the gun was not evidence and that it was purchased by the Prosecutor's Office. Wise gave the gun to Tatum and told him to place it in the evidence room. Wise later asked Vaden if they could trade the rifle for needed equipment. Vaden told him not to do anything with the gun until after the election, but he could shoot it if he wanted.

Prepared by: [REDACTED]	Title: Special Agent, Little Rock Field Office	[REDACTED]	Date: 03/16/11
Authorized by: Grover C. Crossland	Title: Resident Agent in Charge, Little Rock Field Office	Signature: [Signature]	Date: 3/16/11
Second level reviewer (optional): Phillip M. Durham	Title: Special Agent in Charge, New Orleans Field Division	Signature:	Date:

On 03/15/11 Special Agent [REDACTED] interviewed Faulkner County Deputy Kent Hill. Hill has been employed with the Sheriff's Office for approximately five years. Hill advised that about 2.5 to 3 years ago he was patrolling the Mt. Vernon area about midnight, when he heard several gun shots that were not from a normal gun. His investigation of the incident lead him the residence of Jeff Johnson. At the residence he was approached by Johnson and Stephan Hawks, both were intoxicated. Johnson advised that they were shooting a .50 caliber gun that belonged to him. Hill advised them to stop due to the time of night.

On 03/15/2011 [REDACTED] met with Prosecutor Cody Highland, Faulkner County Sheriff Karl Byrd and Major Andy Shock at the Faulkner County Prosecutor's Office. [REDACTED] was provided with a Conway Police report. The report stated that Jason Bell reported a Glock pistol, model 23, and serial #MFZ 411 stolen from his apartment. Bell is a former Faulkner County Deputy, who now works for the Faulkner County Road Department. The report was dated 07/12/2009. The pistol was listed as property of the Faulkner County Judge's Office.

[REDACTED]

A search of the records at Cruse Uniforms showed that several guns were purchased for the Prosecutor's Office on departmental letterhead. Four Glock pistols were purchased by Steve Wallace on 06/28/2007:

Model 27 ser # KZE 727 .40 caliber  
Model 27 ser # KWH 606 .40 caliber  
Model 27 ser # KWH 608 .40 caliber  
Model 23 ser # LEU 774 .40 caliber

On 06/26/2008 a Glock model 23 ser# MBV 692 .40 caliber was shipped directly to Marcus Vaden and on 08/15/2008 a Glock model 22 ser# MDW 487 .40 caliber was also shipped to Marcus Vaden. Both were purchased at Cruse Uniform on letterhead. The Prosecutor's Office is presently attempting to locate theses firearms.

ATTACHMENTS:

1. Form 4473
2. Information from Don's Weaponary

Title of Investigation: Stephen Hawks 50 Cal	Investigation Number: [REDACTED]	Report Number: 2
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**SUMMARY OF EVENT:**

On 04/08/2011 Special Agent (SA) [REDACTED] and FBI SA [REDACTED] interviewed Jeff Johnston at the office of Blake Hendricks, his lawyer.

**NARRATIVE:**

1. On 04/08/11 SA's [REDACTED] and [REDACTED] met with Jeff Johnston at the office of Blake Hendricks, his lawyer. Johnston is presently employed as the County administrator for Faulkner County. He answers to County Judge Preston Scroggin, who oversees the county budget.
2. Johnston was asked if he had any knowledge of a Barrett .50 caliber rifle that was purchased by the Prosecutor's Office. He advised that he did and went on to state that the purchase of the rifle was his idea. Johnson provided the following information: He asked Marcus Vaden, the prosecutor at the time, if Marcus would purchase the .50 caliber rifle for him. Marcus requested a check from the county funds account. An individual name Faye LNU who works for Faulkner County subsequently gave the check in question to Stephan Hawks, a prosecutor who worked for Vaden. On 10/30/08, He and Hawks went to Don's Weaponry in North Little Rock and purchased the Barrett .50 caliber rifle, a scope, cleaning kit and a case of 80 rounds of ammunition for \$11,874.60. Hawks completed ATF form 4473 advising he was the actual purchase of the firearm and that he was not purchasing the firearm for anyone else. Hawks gave Don's Weaponry the county check for \$11,874.60. Hawks and Johnston left with the rifle. They went back to Vaden's office and showed him what they had purchased. Vaden stated "that's a big damn gun!" Johnston left the office with the rifle and took it to his house where it stayed until the election neared. Approximately one year after purchasing the rifle, Hawks was at Johnston's residence in Mt Vernon around midnight. Johnston advised that they were drunk and shooting the rifle. A Faulkner County Deputy Kent King who was in the area heard several guns shots. The Deputy pulled up at the residence and advised them to stop shooting the rifle. Sometime near the election primaries, Johnston gave the gun to Mike Hutchins, a friend of Vaden, and he never saw the rifle again. Hutchins subsequently gave the rifle to Vaden a few days later. Hawks only shot the gun 4 or 5 times. Johnston heard that the rifle was found in the drug task force evidence locker.

Prepared by: [REDACTED]	Title: Special Agent, Little Rock Field Office	[REDACTED]	Date: 4/15/11
Authorized by: Grover C. Crossland	Title: Resident Agent in Charge, Little Rock Field Office	Signature: [Signature]	Date: 4/20/11
Second level reviewer (optional): Phillip M. Durham	Title: Special Agent in Charge, New Orleans Field Division	Signature: [REDACTED]	Date: [REDACTED]

3. Johnston provided the following information: Sheriff Karl Byrd had a "falling out" with Marcus Vaden and Judge Preston Scroggin. Sheriff Byrd would not provide a deputy to write the gas well trucks tickets for violations, therefore Hawks drafted an ordinance establishing the entity of "County Road Department Police". A single position was established and given to an individual named Jason Bell, a former deputy. The Faulkner County Road Department (FCRD) [REDACTED]  
[REDACTED] About three or four months prior to the writing of this report, Judge Scroggin learned that ATF was investigating the county gun purchases. He instructed everyone to return the guns to the FCRD so the items in question could be accounted for. Wilhite was angry because he had to turn in his AR-15.
4. [REDACTED]  
[REDACTED]
5. On 07/15/09 Jason Bell reported a Glock Model 23, serial # MFZ 411 stolen from his apartment between 7/10/09 and 7/12/09. The Glock was purchased from ATR INC by the FCRD on official letterhead. When Conway Police Officer Anthony Reyken was taking the report he observed a Mini-14 rifle in Bell's apartment. Bell advised that the Mine-14 was in the apartment during the burglary, but not stolen.
6. Johnston advised that Jason Bell was selling department ammunition when he (Bell) was employed by the Sheriff's Office. Johnston bought an entire case from him which belonged to the Sheriff's Office. Bell advised Johnston the he was selling the ammunition in order to supplement his training budget.
7. Johnston advised that Stephan Hawks is in possession of a Glock 27 pistol that is property of the Prosecutor's Office. Hawks advised Johnston that Vaden gave him the gun when he left the prosecutor's office. Johnston was also in possession of a Glock 23, .40 caliber pistol serial number KNY 324 in 2007. Johnston was still in possession of the gun at the time of the interview and produced it for SA [REDACTED] for examination. Johnston stated that Judge Scroggin is in possession of a Glock pistol bought by the prosecutor's office and given to him by Marcus Vaden. Johnston advised that his Glock and Judge Scroggin's Glock were purchased by Vaden at the same place and same time. He believes the purchase was made at Gander Mountain or Academy Sports in Little Rock. Jason Bell also had a Bushmaster AR-15 type rifle given to him by Vaden.  
Johnston
8. During the interview, Johnston provided SA [REDACTED] with a typed letter with the name "Jason Bell" typed on the bottom of the letter however, the letter was not signed. Johnston advised that Bell had given him the letter to give to the police when Johnston came to speak with SAs [REDACTED] and [REDACTED]. The letter describes the acquisition, location and alleged theft of weapons belonging to the Faulkner County Road Department.

ATTACHMENTS:

1. Letter from Jason Bell.
2. Conway Police Report.

## SUMMARY OF EVENT:

On 04/21/2011 ATF Special Agent [REDACTED] and FBI Special Agent [REDACTED] interviewed Stephan Hawks at the Damascus Town Hall where he was presiding as a traffic judge.

## NARRATIVE:

1. On 04/21/2011 ATF Special Agent [REDACTED] and FBI Special Agent [REDACTED] interviewed Stephan Hawks at the Damascus Town Hall where he was presiding as a traffic judge. Hawks advised [REDACTED] and [REDACTED] that he was the Faulkner County Attorney appointed by Judge Preston Scroggin. He stated he also works as the Damascus City Judge. He advised that he had left the Faulkner County Prosecutor's Office in August of 2008.
2. Hawks was asked about purchasing a Barrett .50 caliber rifle in October of 2008. Hawks stated that Faulkner County Prosecutor Marcus Vaden gave him a check that was signed by Vaden and Faye Conville, Vaden's administrative assistant. Vaden directed Hawks to take Jeff Johnston and go to Don's Weaponry in North Little Rock to pick up the rifle. During a discussion on the way to pick up the rifle, Johnson told Hawks that he had talked Vaden into purchasing the rifle. Johnson and Hawks picked up the rifle, which he believed included 4 rounds of ammunition and a case, at Don's Weaponry and brought it back to Vaden's Office. Hawks advised that the rifle was waiting on him when he got to the gun store. Hawks believed someone must have called ahead or ordered the rifle. Hawks thought the rifle cost approximately 10- 11 thousand dollars. Vaden looked at the rifle and Johnson later left with the rifle. Hawks stated the rifle has never been to his residence. Hawks stated that he had shot the rifle twice and that he did not like it. It was too loud and produced too much percussion. He stated he did not want the rifle around his three kids and knows nothing about a .50 caliber rifle.
3. Hawks was shown the ATF form 4473 he filled out when he purchased the rifle. He was read question 11 (a) that ask if "you are the actual buyer of the firearm" and states "if you buying the firearm for someone else, the dealer cannot transfer the firearm to you". Hawks answered "yes" he was the actual buyer of the firearm. Hawks was asked what he thought was the purpose of the ATF form 4473. He stated the 4473 was for the accuracy of registration of the gun and so that the "wrong person" does not get a firearm. Hawks stated he was just doing what he was told to do by purchasing the firearm. Hawks was asked why he purchased the firearm. He stated it was because Marcus wanted it and told him to go get it. He was not sure why Marcus Vaden would want a .50 caliber rifle. He stated it was not his position to question Marcus Vaden. Hawks was asked why he purchased the rifle for Vaden after he had left the Prosecutor's Office. He stated that he may have been doing contract work for Vaden at the time of the purchase.
4. Hawks stated that he had purchased a firearm for Marcus Vaden in the past, but believed that purchase was done on official letterhead. (Law Enforcement agencies get a discount on firearms purchased on official letterhead.) Hawks believes the firearm purchased on letterhead was AR-15 and the purchase was from Gander Mountain in North Little Rock. Hawks was asked why he did not purchase the Barrett .50 caliber rifle on letterhead. Hawks stated he did what Marcus told him to do. He again said it was not for him to question the 20<sup>th</sup> Judicial Prosecuting Attorney.
5. Hawks was asked if he had recently spoken with Marcus Vaden about the .50 caliber rifle. Hawks stated that the new prosecutor, Cody highland, had asked him about the .50 caliber rifle. When Hawks told Marcus Vaden about the conversation, Vaden replied "It's up in Van Buren County, what does it matter?"
6. Hawks was asked if he was in possession of any firearms that belonged to the Prosecutor's Office. Hawks stated that he had a Glock model 27, .40 caliber pistol that was given to him by Marcus Vaden.



## Drug Crime Task Force

609 Locust Street  
PO Box 550  
Conway, AR 72033  
(501) 745-7060  
Fax: (501) 745-7090

Twentieth Judicial  
District Prosecuting  
Attorney's Office  
Cody Hiland  
Prosecuting Attorney

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### Memo

Date: 03/18/2011

To: S/A [REDACTED]

Our agency conducted an inventory of department owned firearms and determined that the following handguns are missing or stolen. We request your assistance in investigating and locating the firearms.

- 1) Glock 27 sn: KWH-608
- 2) Glock 22 sn: MDW487

A handwritten signature in black ink, appearing to be "J. S.", written over a redacted name.

Supervisor

REPRESENTING FAULKNER, VAN BUREN AND SEARCY COUNTIES

# Report of Investigation

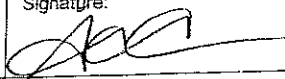
Title of Investigation: Stephen Hawks 50 Cal	Investigation Number: [REDACTED]	Report Number: 4
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## SUMMARY OF EVENT:

Receipt of Firearms belonging to 20th Judicial Drug Task Force.

## NARRATIVE:

1. On 11/02/2011 Special Agent [REDACTED] received a Glock .40 caliber pistol, Model 27, Serial # KWH 608 from Patrick Benca, the attorney for Stephan Hawks. Hawks had turned the firearm in to Benca on a previous date.
2. On 11/02/2011 Special Agent [REDACTED] received a Glock .40 caliber pistol, Model 23, Serial # KNY 384 from Blake Hendricks, the attorney for Jeff Johnston. Johnston had turned the firearm in to Hendricks on a previous date.
3. Both firearms were placed into ATF evidence to be returned to the 20<sup>th</sup> Judicial Drug Task Force.

Prepared by: [REDACTED]	Title: Special Agent, Little Rock Field Office	Signature: [REDACTED]	Date: 11/04/2011
Authorized by: Grover C. Crossland	Title: Resident Agent in Charge, Little Rock Field Office	Signature: 	Date: 11/4/11
Second level reviewer (optional): Phillip M. Durham	Title: Special Agent in Charge, New Orleans Field Division	Signature:	Date:

## 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 are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine.

Transferor's Transaction  
Serial Number

Prepare in original only. All entries must be in ink. Read the Important Notices, Instructions and Definitions on this form. "Please Print."

12227

### 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")

**HAWKS**

**STEPHAN**

**MICHAEL**

2. Current Residence Address (Cannot be a post office box.)

Number and Street Address

City

County

State

Zip Code

**405 SAVANNAH PARK CIR.**

**CONWAY**

**FAULKNER**

**AR**

**72034**

3. Place of Birth

4. Height

5. Weight

6. Gender

7. Birth Date

U.S. City/State

Foreign Country

Ft.

In.

**6**  
**190**

Male   
Female

Month

Day

Year

**FAYETTEVILLE, AR**

**09**

**06**

**1972**

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

9. Unique Personal Identification Number (UPIN) if applicable (See Instruction to Transferor 6.)

10. Race (Ethnicity) (Check one or more boxes.)

American Indian or Alaska Native

Black or African American

Native Hawaiian or Other Pacific Islander

Hispanic or Latino

Asian

White

11. Answer questions 11.a. through 12 by writing "yes" or "no" in the boxes to the right of the questions.

a. Are you the actual buyer of the firearm(s) listed on this form? <b>Warning:</b> 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 Important Notice 1 for actual buyer definition and examples.)	<b>YES</b>
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? (An information is a formal accusation of a crime by a prosecutor. See Definition 3.)	<b>NO</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 Important Notice 4, Exception 1.)	<b>NO</b>
d. Are you a fugitive from justice?	<b>NO</b>
e. Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance?	<b>NO</b>
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 Important Notice #4 and Definitions #5 and #6)	<b>NO</b>
g. Have you been discharged from the Armed Forces under dishonorable conditions?	<b>NO</b>
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 Important Notice 5.)	<b>NO</b>
i. Have you ever been convicted in any court of a misdemeanor crime of domestic violence? (See Important Notice 4, Exception 1 and Definition 4.)	<b>NO</b>
j. Have you ever renounced your United States citizenship?	<b>NO</b>
k. Are you an alien illegally in the United States?	<b>NO</b>
l. Are you a nonimmigrant alien? (See Definition 8.) If you answered "no" to this question, you are not required to respond to question 12.	<b>NO</b>
12. If you answered "yes" to question 11.l., do you fall within any of the exceptions set forth in Important Notice 4, Exception 2? (e.g., valid State hunting license.) (If "yes," the licensee must complete question 20c.)	
13. What is your State of residence (if any)? <b>ARKANSAS</b> (See Definition 7. If you are not a citizen of the United States, you only have a State of residence if you have resided in a State for at least 90 continuous days immediately prior to the date of this sale.)	
14. What is your country of citizenship? (List/check more than one, if applicable.) <input checked="" type="checkbox"/> United States of America <input type="checkbox"/> Other (Specify) _____	
15. If you are not a citizen of the United States, what is your U.S.-issued alien number or admission number?	



I certify that the answers to Section A are true and correct. I am aware that ATF Form 4473 contains Important Notices, Instructions, and Definitions. I understand that answering "yes" to question 11.a. if I am not the actual buyer of the firearm is a crime punishable as a felony. 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.i. 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. 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 Important Notice 6.)

16. Transferor's/Buyer's Signature

17. Certification Date

10/30/08

**Section B - Must Be Completed By Transferor (Seller)**

18. Type of firearm(s) to be transferred:

Handgun  Long Gun  Both

19. Location of sale if at a gun show or other qualifying event. (See Instruction to Transferor 15.)

(City, State)

20a. Identification (e.g., driver's license or other valid government-issued photo identification.) (See Instruction to Transferor 1.)

Type of Identification

AR DL

Number on Identification

[REDACTED]

Expiration Date of Identification (if any)

Month: 09 Day: 06 Year: 2009

20b. Aliens only: Type and dates of additional required identification (e.g., utility bills or lease agreements.) (See Instruction to Transferor 2.)

Type of Identification

Date(s)

20c. Nonimmigrant aliens only: Type of documentation showing an exception to the nonimmigrant alien prohibition (e.g., hunting license/permit; waiver.) (See Instruction to Transferor 3.)

**Question 21, 22, or 23 Must Be Completed Prior To The Transfer Of The Firearm(s) (See Instructions to Transferor 5-8.)**

21a. The transferee's identifying information in Section A was transmitted to NICS or the appropriate State agency on: 30 Oct. 2008

(Date)

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

18C9-TOK

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

Proceed  Delayed  
 Denied  Cancelled  
 [The firearm(s) may be transferred on \_\_\_\_\_ (MDI 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 NFA firearm(s). (See Instruction to Transferor 8.)

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 Instruction to Transferor 8.)

State Permit Type

Date of Issuance (if any)

Expiration Date (if any)

Permit Number (if any)

**Section C**

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 Instruction to Transferee 3 & Instruction to Transferor 9.)

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

24. Transferee's/Buyer's Signature

25. Recertification Date

**Section D (See Instructions to Transferor 10-11.)**

26. Manufacturer and/or Importer	27. Model	28. Serial Number	29. Type (pistol, revolver, rifle, shotgun, etc.)	30. Caliber or Gauge
Barrett	M107	14068	Rifle	.50 BMG

**Complete ATF Form 3310.4 For Multiple Purchases Of Handguns (See Instruction to Transferor 13.)**

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


**DON'S WEAPONRY, INC.**  
4116 E. BROADWAY  
NO. LITTLE ROCK, AR 72117

32. Federal Firearms License Number (Complete 15 digit FFL Number.) (Hand stamp may be used.)

**71-10133**

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.

**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.**

33. Transferor's/Seller's Name (Please print.)	34. Transferor's/Seller's Signature	35. Transferor's/Seller's Title	36. Date Transfer is Completed
Timothy Seaton		Manager	30 Oct. 08

**Important Notices**

- Actual Buyer:** For purposes of this form, you are the actual buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (for example, redeeming the firearm from pawn/retrieving it from consignment, firearm raffle winner). You are also the actual buyer if you are legitimately acquiring the firearm as a gift for a third party. **ACTUAL 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 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 buyer of the firearm and should answer "yes" to question 11.a. Please note, if you are picking up a repaired firearm for another person, you should answer "n/a" to question 11.a.
- 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 lawfully may 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 only should 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 keep 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 to a resident of another State, the seller is presumed to know applicable State laws and published ordinances in both the seller's State and the buyer's State.

- Background Checks:** The Brady law, 18 U.S.C. § 922(t), 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.
- Prohibited Persons:** 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 a nonimmigrant alien; 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.

20TH DISTRICT LAW ENFORCEMENT 1170  
 FORFEITURES ACCOUNT  
 MARCUS VAGEN, PROSECUTING ATTY., TRUSTEE  
 P.O. BOX 500  
 CONWAY, AR 72033

DATE 10/30/08 \$1,874.60

PAY TO THE ORDER OF Doris Weapony \$1,874.60  
Eleven thousand Eight Hundred Seventy Four & 00/100

FOR 50 Cal

*Jay Coville*  
 2082373

11/04/2008 11/0 \$11,874.60

20TH DISTRICT LAW ENFORCEMENT 1173  
 FORFEITURES ACCOUNT  
 MARCUS VAGEN, PROSECUTING ATTY., TRUSTEE  
 P.O. BOX 500  
 CONWAY, AR 72033

DATE 11/25/08 \$10,000.00

PAY TO THE ORDER OF Rayton Dodge Chrysler Jeep \$10,000.00  
Ten thousand and 00/100

FOR Substitle - 2005

*Jay Coville*  
 2082373

11/25/2008 1173 \$10,000.00

AT&T  
 3720200435  
 3803. 71929

AT&T  
 002755550 11/25/2008 F58 >002901538

20TH DISTRICT LAW ENFORCEMENT 1171  
 FORFEITURES ACCOUNT  
 MARCUS VAGEN, PROSECUTING ATTY., TRUSTEE  
 P.O. BOX 500  
 CONWAY, AR 72033

DATE 11/13/08 \$40.00

PAY TO THE ORDER OF AT&T \$40.00  
Forty and 00/100

FOR AT&T 353576444

*Jay Coville*  
 2082373

11/19/2008 1171 \$40.00

20TH DISTRICT LAW ENFORCEMENT 1174  
 FORFEITURES ACCOUNT  
 MARCUS VAGEN, PROSECUTING ATTY., TRUSTEE  
 P.O. BOX 500  
 CONWAY, AR 72033

DATE 11/25/08 \$128.00

PAY TO THE ORDER OF Perry Wipes \$128.00  
One hundred twenty eight and 00/100

FOR reimburs for car tax

*Jay Coville*  
 2082373

11/26/2008 1174 \$128.00

AT&T  
 8230692058

AT&T  
 002755550 11/25/2008 F58 >002901538  
 Perry Wipes  
 2015799  
 deposit only

20TH DISTRICT LAW ENFORCEMENT 1172  
 FORFEITURES ACCOUNT  
 MARCUS VAGEN, PROSECUTING ATTY., TRUSTEE  
 P.O. BOX 500  
 CONWAY, AR 72033

DATE 11/13/08 \$33.27

PAY TO THE ORDER OF Laroux Howe \$33.27  
Thirty three and 27/100

FOR reimburs dog supplies

*Jay Coville*  
 2082373

11/17/2008 1172 \$33.27

002901538 11/14/2008 F58 >002901538