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COURT UPHOLDS ATF'S REVOCATION OF GUN LICENSE OF BEL AIR GUNS

Gun Shop Had Failed to Record Disposition of 124 Missing Firearms

Baltimore, Maryland - U.S. District Judge William D. Quarles, Jr. issued a ruling today in the civil case, ATF v. Charles David Scheuerman trading as Bel Air Gun & Pawn, in which the U.S. Attorney's Office successfully defended Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) revocation of a gun dealer's license, based on the fact that the gun shop owner did not keep complete and accurate records about what happened to its guns, announced United States Attorney for the District of Maryland Rod J. Rosenstein.

U.S. Attorney Rod Rosenstein said, "If gun dealers do not keep accurate records as required by law, ATF cannot determine whether a gun was purchased by a criminal. It is hard for ATF to do its job and trace guns recovered in crimes back to their purchasers when gun shops have unaccounted for firearms and incomplete records."

According to court documents, a May 2005 ATF inspection of Bel Air Gun & Pawn, located in Fallston, Maryland, resulted in Scheuerman being cited for 817 violations of the Gun Control Act, including failure to record the dispositions of 124 firearms missing from his inventory and failure to report the sale of multiple handguns on ten occasions. In October ATF notified Scheuerman that they planned to revoke his federal firearms-dealer license. A hearing was held in March 2006 and on June 19, 2006 Scheuerman received the ATF's final notice of the revocation of his license. Scheuerman challenged in U.S. District Court the ATF's decision to revoke his license.

In today's opinion, Judge Quarles found that Scheuerman's violation of his obligations as a federal firearms dealer was willful, based on Scheuerman's admitted knowledge of his legal obligations, and the numerous undisputed violations in 2005, despite prior citations and explanations of his responsibilities in 1992 and 1999.

In a similar case, in February, 2006, U.S. District Judge William M. Nickerson upheld the ATF's decision to revoke the federal firearms-dealers license of RSM, Inc. d/b/a Valley Guns. That decision was appealed to the United States Court of Appeals for the Fourth Circuit, who also upheld the ATF's revocation of RSM's federal firearms license.