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p.2



761070-00-0002
00-411-CHB

Special Agent James L. Ruffin

A pistol such as a Kel-Tec P-32 combined with Exhibits 1, 2, or 3 as provided, would not meet the definition of an "any other weapon" in section 5845(e) of Title 26 U.S.C. However, if Exhibit 3 were modified to allow an installed pistol to be fired while it was concealed within the case, the pistol with Exhibit 3 would then be a "firearm" and an "any other weapon" as that term is defined in 26 U.S.C. § 5845(c).

Curtis H.A. Bartlett
Firearms Enforcement Officer



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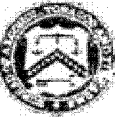


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p.1



 <p>DEPARTMENT OF THE TREASURY BUREAU OF ALCOHOL, TOBACCO AND FIREARMS</p> <p>Firearms Technology Branch Report of Technical Examination</p>	<p>Firearms Programs Division</p> <p>Washington, D.C. 20226</p> <p>Phone: (202) 927-7910</p>
<p>TO:</p> <p>Special Agent James L. Ruffin Bureau of Alcohol, Tobacco and Firearms 110 N. College, Ste. 302 Tyler, TX 75702</p>	<p>DATE: 6/6/00</p> <p>YOUR: 781070-00-0002</p> <p>RE: Citizen Matt Geissel</p> <p>OUR: 00-411-CHB</p>
<p>DATE EXHIBITS RECEIVED: 5/19/00</p> <p>DELIVERED BY: FedEx 816041286355</p>	<p>TYPE OF EXAMINATION REQUESTED:</p> <p>Test, Examination, Classification</p>
<p>EXHIBITS:</p> <ol style="list-style-type: none"> 1. leather holster, measuring approximately 2-3/4 X 5 inches in length. 2. leather holster, measuring approximately 3-1/2 x 3 inches in length 3. leather holster, measuring approximately 3-3/4 x 5-1/4 inches in length. <p>Findings: Exhibits 1, 2, and 3 are leather holsters which are designed to contain a pistol such as a Kel-Tec P-32.</p> <p>Certain wallet guns including both a pistol and a leather case have been determined to fall within the "any other weapon" category as that term is defined in section 5845(e) of the National Firearms Act. The pistol with the case was disguised to resemble a wallet and the weapon could be to be fired while the pistol was concealed within the leather case.</p> <p>Exhibit 1 does not conceal the appearance of the pistol. There is a hole permitting operation of the trigger. However, Exhibit 1 merely encloses the grip and trigger guard of the pistol and extends in front of the grip and below the slide. The entire slide of the pistol is exposed.</p> <p>Exhibit 2 does not conceal the pistol nor does it allow the pistol to be fired while it in the holster. Exhibit 2 encloses the front of the pistol and trigger guard. The entire grip of the pistol is exposed. The pistol must be withdrawn from the holster to be fired.</p> <p>Exhibit 3 is a rectangular case resembling a wallet. The case folds in the rear and completely conceals the entire pistol. However, there is no hole in the outside of the case to permit the pistol to be fired. To fire the pistol the flap must be opened exposing the pistol.</p> <p>CONCLUSIONS: Exhibits 1, 2, and 3 are not subject to the provisions of 18 U.S.C. Chapter 44 or 25 U.S.C. Chapter 53.</p>	