

**To:** Axelrod, Matthew (ODAG)[Matthew.Axelrod@usdoj.gov]  
**From:** Burke, Dennis (USAAZ)  
**Sent:** Fri 3/18/2011 5:52:10 AM  
**Subject:** Re: 9th Circuit law

Will call you in the morning abt this. Thx.

**From:** Axelrod, Matthew (ODAG) (SMO)  
**Sent:** Thursday, March 17, 2011 03:02 PM  
**To:** Burke, Dennis (USAAZ)  
**Subject:** 9th Circuit law

Dennis,

Thanks for your participation in today's meeting. Having you there was very helpful. On question – is it really the law in the 9<sup>th</sup> Circuit that a straw purchase is not illegal unless the true purchaser of the firearm is a prohibited person? That doesn't seem right to me. Even if the true purchaser wasn't prohibited, couldn't you still charge a lie on the Form 4473 (in particular, to Question 11(a))?

Matt

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