



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF ECONOMIC JUSTICE
BUREAU OF INTERNET AND TECHNOLOGY

September 23, 2019

To Whom It May Concern:

My office has reason to believe that you are engaged in the sale and advertisement to residents of New York of unfinished lower receivers and firearms components that are intended for the assembly of assault weapons, as defined by New York State law. N.Y. Pen. L. § 265.00(22). Assault weapons are illegal in New York, and the sale and/or advertisement of these products violates New York law. You are directed to cease the sale and advertisement of these products to residents of New York within five (5) days of the receipt of this notice.

New York law criminalizes the possession, manufacture, sale, and transportation of assault weapons, which are defined as any semiautomatic rifle that can accept a detachable magazine and has at least one of several enumerated secondary characteristics, including a pistol grip or a stock that folds, telescopes, or bears a thumbhole. N.Y. Pen. L. §§ 265.00(22); 265.02(7); 265.10(1)–(3). Yet those are precisely the purposes of the products that your website(s) appear to offer for sale to New Yorkers. Your website offers unfinished lower receivers that require simple milling in order to manufacture unregistered and unserialized assault weapons, despite the fact that such manufacture and possession are illegal in New York. Nor does your website adequately warn New York consumers that using these products in the manner for which they are intended and advertised could result in imprisonment and/or fines.

The sale of such products to New Yorkers gravely endangers the public welfare by promoting the possession of illegal weapons and obstructing law enforcement investigations into the misuse of these weapons, and constitutes a criminal offense under New York State law. N.Y. Pen. L. §§ 115.00(1); 265.10(1)–(3). These sales also contravene New York's consumer protection statutes, which prohibit "repeated fraudulent or illegal acts" as well as "deceptive acts or practices" or "[f]alse advertising in the conduct of any business, trade or commerce." N.Y. Exec. L. § 63(12); N.Y. Gen. Bus. L. §§ 349, 350. Any misrepresentation or omission on your website that it is a criminal offense under New York State law to manufacture and/or possess assault weapons—the very purpose for which those products are intended and designed—is a deceptive trade practice that may subject you to disgorgement of all income resulting from such fraudulent and illegal practice, restitution to consumers, and penalties of up to \$5,000 for each individual violation of Article 22-A of New York's General Business Law. N.Y. Gen. Bus. L. § 350-d. I hereby demand that you stop the sale and advertisement to residents of New York of

unfinished lower receivers and firearms components that are intended for the assembly of assault weapons. You should take all necessary steps to preserve all physical and electronic records and data pertaining to matters that are the subject of this letter. The information that should be preserved includes active data (readily accessible today), archived data (stored on backup media), and deleted data (still recoverable through the use of computer forensics). You should also take affirmative steps to prevent anyone with access to your data systems and archives from seeking to modify or destroy electronic evidence on network or local hard drives or servers.

Pursuant to Executive Law § 63(12) and General Business Law § 349, the recipients of this notice are afforded the opportunity to show orally or in writing to the New York State Office of the Attorney General, within five business days of receipt of this notice, why the Attorney General should not initiate an enforcement action. Such correspondence may be sent to ghostguns@ag.ny.gov.

Sincerely,



Letitia James
New York State Attorney General