**14.7 Firearms—Unlawful Disposition by Unlicensed**

**Dealer (18 U.S.C. § 922(a)(5))**

The defendant is charged in [Count \_\_\_\_\_\_\_ of] the indictment with the unlawful disposition of a firearm in violation of Section 922(a)(5) of Title 18 of the United States Code. For the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, the defendant willfully [sold] [traded] [gave] [transported] [delivered] [transferred] a [*specify firearm*] to [*name of unlicensed dealer*];

Second, neither the defendant nor [*name of unlicensed dealer*] was licensed as a firearm [dealer] [importer] [manufacturer] [collector]; and

Third, the defendant knew or had reasonable cause to believe that [*name of unlicensed dealer*] was not a resident of the same state in which the defendant resided.

**Comment**

*See* Comment to Instruction 14.1 (Firearms); Comment to Instruction 14.4 (Firearms—Shipment or Transportation to a Person Not Licensed as a Dealer, Importer, Manufacturer, or Collector).

*Revised May 2020*