

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 57439 / March 6, 2008

ADMINISTRATIVE PROCEEDING
File No. 3-12981

In the Matter of

CHARLES J. SPINELLI, ESQ.

Respondent.

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**ORDER OF SUSPENSION PURSUANT
TO RULE 102(e)(2) OF THE
COMMISSION'S RULES OF PRACTICE**

I.

The Securities and Exchange Commission deems it appropriate to issue an order of forthwith suspension of Charles J. Spinelli ("Spinelli") pursuant to Rule 102(e)(2) of the Commission's Rules of Practice [17 C.F.R. §200.102(e)(2)].¹

II.

The Commission finds that:

1. Spinelli is a licensed attorney in New York.
2. On October 3, 2007, a judgment of conviction was entered against Spinelli in *United States v. Charles J. Spinelli*, No. 05-60212-CR-Jordan, in the United States District Court for the Southern District of Florida, finding him guilty of one count of conspiracy to commit wire fraud and one count of misprision of a felony.
3. As a result of this conviction, Spinelli was sentenced to 21 months imprisonment as to each count, to run concurrently with each other in a federal penitentiary and ordered to pay restitution in the amount of \$43.4 million.

¹ Rule 102(e)(2) provides in pertinent part: "Any ... person who has been convicted of a felony or a misdemeanor involving moral turpitude shall be forthwith suspended from appearing or practicing before the Commission."

III.

In view of the foregoing, the Commission finds that Spinelli has been convicted of a felony within the meaning of Rule 102(e)(2) of the Commission's Rules of Practice.

Accordingly, it is ORDERED, that Charles J. Spinelli is forthwith suspended from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission's Rules of Practice.

By the Commission.

Nancy M. Morris
Secretary