

APR 21 7/04  
 SEC. MAIL RECEIVED  
 FEB 11 2004  
 WASH. D.C. 155 SECTION  
 PROCESSING



04002000

SECURITIES COMMISSION

VE 2-12-04  
 OMB APPROVAL  
 OMB Number: 3235-0123  
 Expires: September 30, 1998  
 Estimated average burden hours per response . . . 12.00

SEC FILE NUMBER  
 8- 38183

**ANNUAL AUDITED REPORT  
 FORM X-17A-5  
 PART III**

**FACING PAGE**

**Information Required of Brokers and Dealers Pursuant to Section 17 of the Securities Exchange Act of 1934 and Rule 17a-5 Thereunder**

REPORT FOR THE PERIOD BEGINNING 01-01-03 AND ENDING 12-31-03  
MM/DD/YY MM/DD/YY

**A. REGISTRANT IDENTIFICATION**

NAME OF BROKER-DEALER: JOEL ROY MARCINIAK  
d/b/a JOMAR SERVICES

OFFICIAL USE ONLY  
 FIRM ID. NO.

ADDRESS OF PRINCIPAL PLACE OF BUSINESS: (Do not use P.O. Box No.)  
10555 U.S. 23 SOUTH

(No. and Street)

OSSINEKE MI 49766  
(City) (State) (Zip Code)

NAME AND TELEPHONE NUMBER OF PERSON TO CONTACT IN REGARD TO THIS REPORT  
JOEL ROY MARCINIAK (989) 471-5258  
(Area Code - Telephone No.)

**B. ACCOUNTANT IDENTIFICATION**

INDEPENDENT PUBLIC ACCOUNTANT whose opinion is contained in this Report\*

STRALEY, ILSLEY & LAMP P.C.

(Name - if individual, state last, first, middle name)

P.O. BOX 738 ALPENA MI 49707  
(Address) (City) (State) Zip Code)

CHECK ONE:

- Certified Public Accountant
- Public Accountant
- Accountant not resident in United States or any of its possessions.

**PROCESSED**  
**FEB 20 2004**

THOMSON FINANCIAL

FOR OFFICIAL USE ONLY

02279

\*Claims for exemption from the requirement that the annual report be covered by the opinion of an independent public accountant must be supported by a statement of facts and circumstances relied on as the basis for the exemption. See section 240.17a-5(e)(2).

OATH OR AFFIRMATION

I, JOEL ROY MARCINIAK, swear (or affirm) that, to the best of my knowledge and belief the accompanying financial statement and supporting schedules pertaining to the firm of JOMAR SERVICES, as of DECEMBER 31, 2003, are true and correct. I further swear (or affirm) that neither the company nor any partner, proprietor, principal officer or director has any proprietary interest in any account classified solely as that of a customer, except as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PATTI R. TEWS  
NOTARY PUBLIC ALPENA CO. MI  
MY COMMISSION EXPIRES May 10, 2006

Joel Roy Marciniak  
Signature

BROKER/DEALER  
Title

Patti R. Tews

Notary Public

This report\*\* contains (check all applicable boxes):

- (a) Facing page.
- (b) Statement of Financial Condition.
- (c) Statement of Income (Loss).
- (d) Statement of Changes in Financial Condition.
- (e) Statement of Changes in Stockholders' Equity or Partners' or Sole Proprietor's Capital.
- (f) Statement of Changes in Liabilities Subordinated to Claims of Creditors.
- (g) Computation of Net Capital
- (h) Computation for Determination of Reserve Requirements Pursuant to Rule 15c3-3.
- (i) Information Relating to the Possession or control Requirements Under Rule 15c3-3.
- (j) A Reconciliation, including appropriate explanation, of the Computation of Net Capital Under Rule 15c3-1 and the Computation for Determination of the Reserve Requirements Under Exhibit A of Rule 15c3-3.
- (k) A Reconciliation between the audited and unaudited Statements of Financial Condition with respect to methods of consolidation.
- (l) An Oath or Affirmation.
- (m) A copy of the SIPC Supplemental Report.
- (n) A report describing any material inadequacies found to exist or found to have existed since the date of the previous audit.
- (o) Statement regarding Rule 15c3-3.

\*\*For conditions of confidential treatment of certain portions of this filing, see section 240.17a-5(e)(3).

**JOEL ROY MARCINIAK  
d/b/a JOMAR SERVICES**

Financial Statements For The Years  
Ended December 31, 2003 and 2002

## CONTENTS

	<u>Page</u>
<b>INDEPENDENT AUDITORS' REPORT</b>	1
<b>FINANCIAL STATEMENTS</b>	
Statement of financial condition	2
Statement of changes in sole proprietor's equity	3
Statement of income	4
Statement of cash flows	5
Notes to financial statements	6



*Certified Public Accountants*

## STRALEY, ILSLEY & LAMP P.C.

2106 U.S. 23 SOUTH, P.O. BOX 738  
ALPENA, MICHIGAN 49707  
TELEPHONE (989) 356-4531  
FACSIMILE (989) 356-0494

TAX, AUDIT AND BUSINESS CONSULTANTS

PHILIP T. STRALEY, C.P.A.  
ROBERT D. ILSLEY, C.P.A.  
BERNARD R. LAMP, C.P.A.  
MARK L. SANDULA, C.P.A.  
TERRENCE D. YULE, C.P.A.  
JAMES E. KRAENZLEIN, C.P.A., C.V.A.  
SHANNA M. JOHNSON, C.P.A.  
DONALD C. LEVREN

RETIRED  
GORDON A. NETHERCUT, C.P.A.  
CARL F. REITZ, C.P.A.  
WARREN W. YOUNG, C.P.A.

### INDEPENDENT AUDITORS' REPORT

Mr. Joel Roy Marciniak  
d/b/a JOMAR Services  
Ossineke, Michigan

We have audited the accompanying statement of financial condition of **Joel Roy Marciniak, d/b/a JOMAR Services**, as of December 31, 2003 and 2002, and the related statements of income, changes in sole proprietor's equity, and cash flows, for the periods then ended. These financial statements are the responsibility of the owner. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with U.S. generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of **Joel Roy Marciniak, d/b/a JOMAR Services**, as of December 31, 2003 and 2002, and the results of its operations and its cash flows for the periods then ended in conformity with U.S. generally accepted accounting principles.

*Straley, Ilsley & Lamp P.C.*

January 20, 2004

JOEL ROY MARCINIAK  
D/B/A JOMAR SERVICES

STATEMENT OF FINANCIAL CONDITION

	December 31	
	<u>2003</u>	<u>2002</u>
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash		
Regular account	\$ 399.31	\$ 3,310.68
Certificate of deposit	<u>9,024.54</u>	<u>8,833.63</u>
Total cash	<u>9,423.85</u>	<u>12,144.31</u>
Commissions receivable	<u>336.88</u>	<u>5,085.92</u>
Total current assets	<u>9,760.73</u>	<u>17,230.23</u>
<b>FIXED ASSETS</b>		
Furniture and equipment (net of accumulated depreciation of \$4,873.84)	<u>-</u>	<u>-</u>
Total fixed assets	<u>-</u>	<u>-</u>
	<u>\$ 9,760.73</u>	<u>\$ 17,230.23</u>
<b>LIABILITIES AND OWNER'S EQUITY</b>		
<b>LIABILITIES</b>		
Accrued expenses	\$ 852.00	\$ -
<b>OWNER'S EQUITY</b>		
Equity of Joel Roy Marciniak	<u>8,908.73</u>	<u>17,230.23</u>
	<u>\$ 9,760.73</u>	<u>\$ 17,230.23</u>

**JOEL ROY MARCINIAK  
D/B/A JOMAR SERVICES**

**STATEMENT OF CHANGES IN SOLE PROPRIETOR'S EQUITY**

<b>OWNER'S EQUITY - December 31, 2001</b>	<b>\$ 11,246.19</b>
Owner's contributions for the year ended December 31, 2002	0
Net income for the year ended December 31, 2002	70,445.46
Owner's withdrawals for the year ended December 31, 2002	<u>(64,461.42)</u>
<b>OWNER'S EQUITY - December 31, 2002</b>	<b>17,230.23</b>
Owner's contributions for the year ended December 31, 2003	0
Net income for the year ended December 31, 2003	61,079.50
Owner's withdrawals for the year ended December 31, 2003	<u>(69,401.00)</u>
<b>OWNER'S EQUITY - December 31, 2003</b>	<b><u>\$ 8,908.73</u></b>

**JOEL ROY MARCINIAK  
D/B/A JOMAR SERVICES**

**STATEMENT OF INCOME**

	<u>Year Ended December 31</u>	
	<u>2003</u>	<u>2002</u>
<b>NET COMMISSION INCOME</b>	<b>\$ <u>83,052.58</u></b>	<b>\$ <u>94,290.85</u></b>
<b>OPERATING EXPENSES</b>		
Accounting and legal	900.00	1,000.00
Advertising	2,550.02	1,800.01
Bank service charges	153.12	130.47
Broker fees	3,194.69	1,609.29
Dues and publications	537.00	815.00
Employee costs	1,108.50	1,073.28
Office expense	69.25	7.25
Postage	1,126.57	1,090.82
Contributions	130.00	65.00
Rent	12,300.00	16,500.00
Taxes, licenses and bonds	<u>94.84</u>	<u>81.74</u>
Total operating expenses	<u>22,163.99</u>	<u>24,172.86</u>
Operating income	60,888.59	70,117.99
Interest income	<u>190.91</u>	<u>327.47</u>
<b>NET INCOME</b>	<b>\$ <u>61,079.50</u></b>	<b>\$ <u>70,445.46</u></b>

**JOEL ROY MARCINIAK  
D/B/A JOMAR SERVICES**

STATEMENT OF CASH FLOWS

	Year Ended December 31	
	<u>2003</u>	<u>2002</u>
<b>OPERATING ACTIVITIES</b>		
Net income	\$ 61,079.50	\$ 70,445.46
Adjustments to reconcile net income to net cash provided by operating activities		
Change in commissions receivable	4,749.04	(4,779.35)
Change in accrued expenses	<u>852.00</u>	<u>-</u>
Net cash provided by operating activities	66,680.54	65,666.11
<b>FINANCING ACTIVITIES</b>		
Owner's withdrawals	<u>(69,401.00)</u>	<u>(64,461.42)</u>
<b>NET CHANGE IN CASH</b>	(2,720.46)	1,204.69
<b>CASH - beginning of year</b>	<u>12,144.31</u>	<u>10,939.62</u>
<b>CASH - end of year</b>	\$ <u>9,423.85</u>	\$ <u>12,144.31</u>

**JOEL ROY MARCINIAK  
D/B/A JOMAR SERVICES**

**NOTES TO FINANCIAL STATEMENTS**

December 31, 2003 and 2002

**NOTE 1. FINANCIAL ENTITY**

The financial statements include the assets, liabilities, equity, and transactions of Joel Roy Marciniak, d/b/a JOMAR Services, a registered broker-dealer and accordingly do not refer to personal or any other financial information which may be pertinent to Joel Roy Marciniak.

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES**

The financial statements have been prepared on the accrual basis of accounting. Fixed assets are recorded at cost if purchased or estimated fair market value if contributed by the owner. Depreciation is recorded on the straight-line method over a 10 year life.

**NOTE 3. INCOME TAXES**

Income taxes have not been recorded on the statement of income since the owner is responsible for such taxes on a personal level.

**NOTE 4. RELATED PARTY TRANSACTIONS**

Office space is shared with another business owned by Joel Roy Marciniak on a month to month basis. Rent expense was \$16,500.00 and \$12,300.00 for 2002 and 2003, respectively.

Similarly, wages and payroll taxes for a shared employee are reimbursed to a related business and amounted to \$1,155.02 and \$1,203.34 for 2002 and 2003, respectively.

**NOTE 5. USE OF ESTIMATES**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

**NOTE 6. ADVERTISING**

Advertising expenses are charged against income as incurred. Advertising expenses were \$1,800.01 and \$2,550.02 for 2002 and 2003, respectively.

**JOEL ROY MARCINIAK**  
d/b/a JOMAR SERVICES

COMPUTATION OF NET CAPITAL

	<u>December 31</u>	
	<u>2003</u>	<u>2002</u>
Total owner's equity from Statement of Financial Condition	\$ 8,908.73	\$ 17,230.23
Nonallowable Assets		
Net furniture and equipment	-	-
Potential for penalty for early withdrawal on certificate of deposit	<u>(34.47)</u>	<u>(34.47)</u>
Net capital	<u>\$ 8,874.26</u>	<u>\$ 17,195.76</u>

JOEL ROY MARCINIAK  
d/b/a JOMAR SERVICES

COMPUTATION OF BASIC NET CAPITAL REQUIREMENT

	December 31	
	<u>2003</u>	<u>2002</u>
Minimum net capital requirement	\$ 5,000.00	\$ 5,000.00
Net capital - Schedule 1	<u>8,874.26</u>	<u>17,195.76</u>
Excess net capital	<u>\$ 3,874.26</u>	<u>\$ 12,195.76</u>

JOEL ROY MARCINIAK  
d/b/a JOMAR SERVICES

RECONCILIATION OF COMPUTATION OF NET CAPITAL

	December 31	
	<u>2003</u>	<u>2002</u>
Net capital as reported on Focus Report - Part IIA, Computation of Net Capital	\$ 8,875.00	\$ 17,196.00
Rounding	<u>(.74)</u>	<u>(.24)</u>
Net capital - Schedule 1	<u>\$ 8,874.26</u>	<u>\$ 17,195.76</u>



*Certified Public Accountants*

PHILIP T. STRALEY, C.P.A.  
ROBERT D. ILSLEY, C.P.A.  
BERNARD R. LAMP, C.P.A.  
MARK L. SANDULA, C.P.A.  
TERRENCE D. YULE, C.P.A.  
JAMES E. KRAENZLEIN, C.P.A., C.V.A.  
SHANNA M. JOHNSON, C.P.A.  
DONALD C. LEVREN

**STRALEY, ILSLEY & LAMP P.C.**

2106 U.S. 23 SOUTH, P.O. BOX 738  
ALPENA, MICHIGAN 49707  
TELEPHONE (989) 356-4531  
FACSIMILE (989) 356-0494

TAX, AUDIT AND BUSINESS CONSULTANTS

RETIRED  
GORDON A. NETHERCUT, C.P.A.  
CARL F. REITZ, C.P.A.  
WARREN W. YOUNG, C.F.A.

Mr. Joel Roy Marciniak  
d/b/a JOMAR Services  
Ossineke, Michigan

In conjunction with our Independent Auditors' Report dated January 20, 2004, concerning our audit of your December 31, 2003 and 2002 Financial Statements, it is our opinion that the income reported on the Financial Statements is consistent with your claim for exclusion from membership in the Securities Investor Protection Corporation as filed on Form SIPC-3 dated January 2, 2004.

*Straley, Ilesley & Lamp P.C.*

January 20, 2004



*Certified Public Accountants*

PHILIP T. STRALEY, C.P.A.  
ROBERT D. ILSLEY, C.P.A.  
BERNARD R. LAMP, C.P.A.  
MARK L. SANDULA, C.P.A.  
TERRENCE D. YULE, C.P.A.  
JAMES E. KRAENZLEIN, C.P.A., C.V.A.  
SHANNA M. JOHNSON, C.P.A.  
DONALD C. LEVREN

## **STRALEY, ILSLEY & LAMP P.C.**

2106 U.S. 23 SOUTH, P.O. BOX 738  
ALPENA, MICHIGAN 49707  
TELEPHONE (989) 356-4531  
FACSIMILE (989) 356-0494

*TAX, AUDIT AND BUSINESS CONSULTANTS*

RETIRED  
GORDON A. NETHERCUT, C.P.A.  
CARL F. REITZ, C.P.A.  
WARREN W. YOUNG, C.P.A.

Mr. Joel Marciniak  
d/b/a JOMAR Services  
Ossineke, Michigan

We have conducted an audit of your Financial Statements for December 31, 2003 and 2002, and reported the results of that audit in our Independent Auditors' Report dated January 20, 2004. Concurrent with the performance of the audit, we examined the accounting system in regards to any material inadequacies which may have existed. No material inadequacies were found.

*Straley, Ilsley & Lamp P.C.*

January 20, 2004

**JOEL ROY MARCINIAK  
d/b/a JOMAR SERVICES**

**STATEMENT REGARDING RULE 15c3-3**

The firm is exempt from SEC Rule 15c3-3 pursuant to Subsection K2i.