

INITIAL DECISION RELEASE NO. 539
ADMINISTRATIVE PROCEEDING
FILE NO. 3-15442

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

In the Matter of : INITIAL DECISION MAKING FINDINGS AND
: IMPOSING SANCTION BY DEFAULT
KIAVANNI PRINGLE : December 4, 2013

SUMMARY

This Initial Decision bars Kiavanni Pringle (Pringle) from the securities industry.

I. BACKGROUND

The Securities and Exchange Commission (Commission) instituted this proceeding with a Corrected Order Instituting Proceedings (OIP) on August 30, 2013, pursuant to Section 15(b) of the Securities Exchange Act of 1934 (Exchange Act). The OIP alleges that Pringle was enjoined against violations of the antifraud and registration provisions of the federal securities laws. Pringle was served with the OIP in accordance with 17 C.F.R. § 201.141(a)(2)(i) on November 12, 2013, and his Answer to the OIP was due within twenty days of service of the OIP on him. See OIP at 2; 17 C.F.R. § 201.220(b). He has not filed an Answer to date. Accordingly, he has failed to answer or otherwise to defend the proceeding within the meaning of 17 C.F.R. § 201.155(a)(2). Therefore, Pringle is in default, and the undersigned finds that the allegations in the OIP are true.¹ See OIP at 2; 17 C.F.R. §§ 201.155(a), .220(f).

II. FINDINGS OF FACT

Pringle is permanently enjoined from violating these antifraud and registration provisions: Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder. SEC v. Secure Capital Funding Corp., No. 3:11-cv-916 (D.N.J. June 28, 2013).² The question of any return of funds and assets to the United States, disgorgement, prejudgment interest, or civil penalties is to be determined at a later date. Id.

¹ Pringle was previously advised that if he failed to file an Answer within the time provided, he would be deemed to be in default, and the undersigned would enter an order barring him from the securities industry. See Kiavanni Pringle, Admin. Proc. Rulings Release No. 1041 (A.L.J. Nov. 15, 2013).

² Official notice pursuant to 17 C.F.R. § 201.323 is taken of the docket report and the court's orders in SEC v. Secure Capital Funding Corp.

Pringle, age 34, formerly of Massachusetts, was associated with an unregistered broker-dealer, ST Underwriters, from at least the third quarter of 2010 through July 15, 2011. During that time period, in the wrongdoing underlying his injunction, in connection with the sale of fictitious securities, Pringle misappropriated investor funds, falsely represented to investors that their funds were invested in Swiss debentures with no risk to investors' principal, and otherwise engaged in a variety of conduct that operated as a fraud and deceit on investors. He also sold unregistered securities.

III. CONCLUSIONS OF LAW

Pringle has been permanently enjoined "from engaging in or continuing any conduct or practice in connection with any such activity" as a broker or dealer within the meaning of Sections 15(b)(4)(C) and 15(b)(6)(A)(iii) of the Exchange Act.

IV. SANCTION

Pringle will be barred from the securities industry.³ This sanction will serve the public interest and the protection of investors, pursuant to Section 15(b) of the Exchange Act, and accord with Commission precedent and the sanction considerations set forth in Steadman v. SEC, 603 F.2d 1126, 1140 (5th Cir. 1979). Pringle's unlawful conduct was recurring and egregious.

V. ORDER

IT IS ORDERED that, pursuant to Section 15(b) of the Securities Exchange Act of 1934, 15 U.S.C. § 78o(b), KIAVANNI PRINGLE IS BARRED from associating with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization and from participating in an offering of penny stock.⁴

This Initial Decision shall become effective in accordance with and subject to the provisions of Rule 360 of the Commission's Rules of Practice, 17 C.F.R. § 201.360. Pursuant to that Rule, a party may file a petition for review of this Initial Decision within twenty-one days after service of the Initial Decision. A party may also file a motion to correct a manifest error of fact within ten days of the Initial Decision, pursuant to Rule 111 of the Commission's Rules of Practice, 17 C.F.R. § 201.111. If a motion to correct a manifest error of fact is filed by a party, then that party shall have twenty-one days to file a petition for review from the date of the undersigned's order resolving

³ The fact that Pringle was not associated with a registered broker-dealer during his wrongdoing does not insulate him from a bar. See Vladislav Steven Zubkis, Exchange Act Release No. 52876 (Dec. 2, 2005), 86 SEC Docket 2618, 2627, recon. denied, Exchange Act Release No. 53651 (Apr. 13, 2006), 87 SEC Docket 2584 (barring unregistered associated person of an unregistered broker-dealer from association with a broker or dealer).

⁴ Thus, he will be barred from acting as a promoter, finder, consultant, or agent; or otherwise engaging in activities with a broker, dealer, or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock, pursuant to Exchange Act Section 15(b)(6)(A), (C).

such motion to correct a manifest error of fact. The Initial Decision will not become final until the Commission enters an order of finality. The Commission will enter an order of finality unless a party files a petition for review or a motion to correct a manifest error of fact or the Commission determines on its own initiative to review the Initial Decision as to a party. If any of these events occur, the Initial Decision shall not become final as to that party.⁵

Carol Fox Foelak
Administrative Law Judge

⁵ A respondent may also file a motion to set aside a default pursuant to 17 C.F.R. § 201.155(b). See Alchemy Ventures, Inc., Exchange Act Release No. 70708, 2013 SEC Lexis 3459, at *5-6 (Oct. 17, 2013).