

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

Administrative Proceedings Rulings
Release No. 5248 / December 4, 2017

Administrative Proceeding
File Nos. 3-17874 and 3-17875

In the Matters of

**Talman Harris and
Victor Alfaya**

**Notice to the Parties and
Order Following Remand**

The parties are notified of the Securities and Exchange Commission's order issued November 30, 2017. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10440, <https://www.sec.gov/litigation/opinions/2017/33-10440.pdf>. In that order, the Commission ratified the appointment of its administrative law judges and directed each judge to reconsider the record, including all substantive and procedural actions, in pending proceedings for which no initial decision has been issued and in those that are pending before the Commission following an initial decision.

I issued an initial decision in this matter on October 30, 2017. This proceeding has been remanded by the Commission's order. Each party may submit, by January 5, 2018, any new evidence it deems relevant to reexamination of the record. Each party may also submit a brief explaining the relevance of its new evidence and identifying any challenged rulings, findings, or conclusions. If any party chooses to submit a brief by January 5, all other parties will have until January 16, 2018, to file a responsive brief.

By February 16, 2018, I will issue an order upon reconsideration setting forth whether all prior actions taken by me are ratified or revised in any respect.

In addition to the Commission's order, I received a letter, dated November 6, 2017, from Respondent Talman Harris. Harris states that he has "not been formally served by the SEC" and has not received anything since "April 2017." With the letter, he submits a Federal Bureau of Prisons return-to-sender form indicating that a "package weighing over one pound"

was returned to the Division's counsel, John Enright, on June 27, 2017, because Harris was not preauthorized to receive such a package.

Insofar as Harris's letter challenges the service of pleadings and other documents relevant to my reexamination of the record, I will consider the letter and accompanying form with any other materials that the parties may choose to submit by January 5, 2018. To the extent it raises issues not within the scope of the Commission's remand, I will CONSTRUE the November 6, 2017, letter as a petition for review directed to the Commission. *See* 17 C.F.R. § 201.410.¹

SO ORDERED.

Cameron Elliot
Administrative Law Judge

¹ This is a ruling on a newly arisen matter following the ratification of my appointment by the Commission, not a ratification of a prior decision.