

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

Administrative Proceedings Rulings
Release No. 5322 / December 7, 2017

Administrative Proceeding
File No. 3-17366

In the Matter of

**Capitol City Bancshares, Inc.,
Chang-On International, Inc.,
Computer Graphics
International Inc.,
John D. Oil and Gas Company,
Legal Life Plans, Inc., and
Power River Coal Corp.**

**Notice to the Parties and
Order Regarding Service**

On November 30, 2017, the Securities and Exchange Commission issued an order ratifying the appointment of its administrative law judges and directing all administrative law judges with pending proceedings to: (1) reconsider the record in each proceeding, including all substantive and procedural actions; (2) allow the parties to file any new evidence that the parties deem relevant to the reexamination of the record by January 5, 2018; (3) determine whether to revise or ratify prior actions; and (4) issue by February 16, 2018, an order on ratification. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10440, 2017 SEC LEXIS 3724, at *1-2.¹

The Commission also lifted the stay in this proceeding, which was imposed by its May 22, 2017, order following the U.S. Court of Appeals for the Tenth Circuit's decision denying rehearing en banc in *Bandimere v. SEC*, 844 F.3d 1168 (10th Cir. 2016), *reh'g and reh'g en banc denied*, 855 F.3d 1128 (10th Cir. 2017), *petition for cert. filed*, No. 17-475 (U.S. Sept. 29, 2017). *See*

¹ The Commission order is online here: <https://www.sec.gov/litigation/opinions/2017/33-10440.pdf>.

Pending Admin. Proc., 2017 SEC LEXIS 3724, at *4-5. The stay that I imposed on June 13, 2017, as to the entire proceeding is therefore lifted.

The only Respondents remaining in this proceeding have not been served.² The Division of Enforcement shall file status updates concerning service of the order instituting proceedings on Respondents Chang-On International, Inc., and Computer Graphics International Inc. by January 16, 2018, and every three months thereafter until service is accomplished. Chang-On and Computer Graphics will have the opportunity to submit new evidence concerning my prior actions once service has been established, and deadlines for such submissions will be set at that time. *See Pending Admin. Proc.*, 2017 SEC LEXIS 3724, at *3-4 (allowing the administrative law judge to modify deadlines in the Commission’s order for good cause).

Jason S. Patil
Administrative Law Judge

² Respondents John D. Oil and Gas Company and Legal Life Plans, Inc., have settled with the Commission. *Capitol City Bancshares, Inc.*, Securities Exchange Act of 1934 Release Nos. 79230, 2016 SEC LEXIS 4115 (Nov. 3, 2016); 78810, 2016 SEC LEXIS 3398 (Sept. 12, 2016). And Capitol City Bancshares, Inc., and Powder River Coal Corp. are not subject to the Commission’s remand, as the initial decision as to them became final in November 2016 and the time to file a petition for review with a U.S. Court of Appeals has expired. *See* 15 U.S.C. § 78y(a)(1) (aggrieved party may petition “within sixty days”); *Capitol City Bancshares, Inc.*, Exchange Act Release No. 79415, 2016 SEC LEXIS 4405 (Nov. 29, 2016) (finality order); *see also Pending Admin. Proc.*, 2017 SEC LEXIS 3724, at *5-9.