

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES ACT OF 1933
Release No. 10457 / February 8, 2018

SECURITIES EXCHANGE ACT OF 1934
Release No. 82667 / February 8, 2018

Admin. Proc. File No. 3-16386

In the Matter of

TIMOTHY W. CARNAHAN
and
CYIOS CORPORATION

SUPPLEMENTAL BRIEFING ORDER

On February 13, 2015, the Commission instituted this administrative proceeding and directed that it be presided over by an administrative law judge.¹ The ALJ issued an initial decision on December 21, 2015,² and respondents Timothy W. Carnahan and CYIOS Corporation sought Commission review of that decision. On November 30, 2017, the Commission remanded the matter to the ALJ who issued the initial decision in order for him to conduct a de novo reconsideration and reexamination of the record to determine “whether to ratify or revise in any respect all prior actions taken by” the ALJ.³ The parties were given the opportunity to submit any new evidence that they deemed relevant. On January 12, 2018, the ALJ determined, upon reconsideration of the record, to ratify all prior actions and determinations in this proceeding, including the initial decision.⁴

The Commission’s consideration of respondents’ petition for review would be assisted by the submission of additional briefing. Accordingly, it is ORDERED that the parties may file simultaneous opening briefs, not to exceed 6000 words, addressing any matters that they deem

¹ *Traci J. Anderson, CPA*, Exchange Act Release No. 74273, 2015 WL 627340 (Feb. 13, 2015).

² *Traci J. Anderson, CPA*, Initial Decision Release No. 930, 2015 SEC LEXIS 5189 (Dec. 21, 2015).

³ *Pending Administrative Proceedings*, Securities Act Release No. 10440, 2017 WL 59692324, at *1-2 (Nov. 30, 2017).

⁴ *Traci J. Anderson, CPA*, Order Ratifying Actions, Admin. Proc. Rulings Release No. 5461 (Jan. 12, 2018).

pertinent in light of the ALJ's ratification order by March 12, 2018.⁵ They may file simultaneous reply briefs, not to exceed 3000 words, by March 26, 2018. It is unnecessary to restate arguments asserted in previous briefing before the Commission.

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Brent J. Fields
Secretary

⁵ Attention is called to Rules of Practice 150-153, 17 C.F.R. § 201.150-153, with respect to form and service, and Rule of Practice 450(b), 17 C.F.R. § 201.450(b), with respect to content limitations. Requests for extensions of time to file briefs will be disfavored.