

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 88095 / January 30, 2020

Admin. Proc. File No. 3-18699

In the Matter of

ALPHAMETRIX MANAGED FUTURES LLC,
ALPHAMETRIX MANAGED FUTURES III LLC,
APT MOTOVOX GROUP, INC., AND
DRC ENEROY, INC.

ORDER DISMISSING PROCEEDING AS TO APT MOTOVOX GROUP, INC.

On August 30, 2018, the Commission issued an order instituting an administrative proceeding (“OIP”) against APT Motovox Group, Inc., pursuant to Section 12(j) of the Securities Exchange Act of 1934.¹ The OIP alleged that APT Motovox had violated periodic reporting requirements and sought to determine, based on those allegations, whether it was “necessary and appropriate for the protection of investors to suspend . . . or revoke the registration” of APT Motovox’s securities.

On September 24, 2018, APT Motovox filed with the Commission a Form 15 seeking to terminate voluntarily the registration of its securities under Section 12(g) of the Exchange Act.² Exchange Act Rule 12g-4(a)(1) permits the termination of registration if the issuer certifies that the class of securities being deregistered is held of record by fewer than 300 persons.³ In its Form 15, APT Motovox certified that it had approximately 198 holders of record as of

¹ *Alphamatrix Managed Futures LLC*, Exchange Act Release No. 84005, 2018 WL 4145048 (Aug. 30, 2018); *see also* 15 U.S.C. § 78l(j). The OIP also instituted proceedings against Alphamatrix Managed Futures LLC, Alphamatrix Managed Futures III LLC, and DRC Eneroy, Inc. The Commission issued an opinion revoking the registration of those issuers’ securities on April 5, 2019. *See Alphamatrix Managed Futures LLC*, Exchange Act Release No. 85527, 2019 WL 1529566 (Apr. 5, 2019). This order does not apply to those other three respondents.

² *See* 17 C.F.R. § 240.12g-4(a) (providing for certification of termination of registration under Exchange Act Section 12(g), 15 U.S.C. § 78l(g), by filing a Form 15).

³ 17 C.F.R. § 240.12g-4(a)(1).

September 24, 2018.⁴ Under Rule 12g-4(a), an issuer's registration is terminated 90 days after the issuer files a Form 15—in this case, December 23, 2018.⁵

The Division of Enforcement made no filings with respect to the Form 15 between the time APT Motovox filed the Form 15 and the time the Form 15 became effective. Now that the Form 15 has become effective, APT Motovox no longer has a class of securities registered under Section 12 of the Exchange Act. Because revocation and suspension of registration are the only remedies available in a proceeding instituted under Exchange Act Section 12(j), we find it appropriate to dismiss this proceeding against APT Motovox.⁶

Accordingly, it is ORDERED that this proceeding is dismissed with respect to APT Motovox Group, Inc.

By the Commission.

Vanessa A. Countryman
Secretary

⁴ On its Form 15, APT Motovox cited Rules 12h-3(b)(1)(i) and (ii), 17 C.F.R. § 240.12h-3(b)(1)(i)-(ii). Because APT Motovox certified that its class of securities was held of record by fewer than 300 persons, thus qualifying the registration of its securities for termination under Rule 12g-4(a)(1), we believe APT Motovox meant to invoke Rule 12g-4(a)(1).

⁵ 17 C.F.R. § 240.12g-4(a).

⁶ See, e.g., *Colorado Goldfields, Inc.*, Exchange Act Release No. 87236, 2019 WL 4916616, at *1 (Oct. 4, 2019) (dismissing Section 12(j) proceeding where respondent filed Form 15 after OIP was instituted, form became effective, and respondent no longer had a class of securities registered under Exchange Act Section 12); *Expleo Solutions, Inc.*, Exchange Act Release No. 78638, 2016 WL 4426914, at *1 (Aug. 22, 2016) (same); *Ruby Creek Resources, Inc.*, Exchange Act Release No. 76060, 2015 WL 5718239 (Sept. 30, 2015) (same); *DRC Ventures, Inc.*, Exchange Act Release No. 74153, 2015 WL 331958, at *1 (Jan. 27, 2015) (same).