

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 1083/December 4, 2013

ADMINISTRATIVE PROCEEDING  
File No. 3-15560

In the Matter of

SHAWN H. MOORE

ORDER

On November 19, 2013, Shawn H. Moore (Moore) was barred, by default, from the securities industry. Shawn H. Moore, Initial Decision Release No. 527 (A.L.J. Nov. 19, 2013). Under consideration is Moore's Motion, filed December 3, 2013, to set aside the default pursuant to 17 C.F.R. § 201.155(b).

The Securities and Exchange Commission issued its Order Instituting Proceedings (OIP) against Moore on October 9, 2013, pursuant to Section 15(b)(6) of the Securities Exchange Act of 1934. The proceeding is a follow-on proceeding based on Utah v. Moore, Crim. No. 081908861 (3d Dist. Utah Feb. 6, 2013), in which Moore was convicted of securities fraud and other violations under Utah state law.

Moore was served with the OIP on October 18, 2013, pursuant to 17 C.F.R. § 201.141(a)(2)(i). His Answer was due within twenty days of service on him. See OIP at 2; 17 C.F.R. § 201.220(b). He was warned 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. Shawn H. Moore, Admin. Proc. Rulings Release No. 991 (A.L.J. Oct. 24, 2013).

"A motion to set aside a default shall be made within a reasonable time, state the reasons for the failure to appear or defend, and specify the nature of the proposed defense in the proceeding." 17 C.F.R. § 201.155(b). Moore's motion was "made within a reasonable time." As "the reasons for the failure to appear or defend," Moore refers to an informal agreement with the Division of Enforcement for an extension of time, until December 12, 2013, to file an Answer. Although Moore did not file an extension request, to ensure fairness, he will be given an opportunity to file an Answer to the OIP by December 12, 2013. If he files an Answer by that date, the default will be set aside, and further procedures will be ordered, as appropriate.

IT IS SO ORDERED.

/S/ Carol Fox Foelak  
Carol Fox Foelak  
Administrative Law Judge