

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 1267/February 25, 2014

ADMINISTRATIVE PROCEEDING  
File No. 3-15711

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In the Matter of	:	ORDER POSTPONING HEARING AND
	:	DIRECTING ARRANGEMENTS FOR A
DANTE DEMIRO	:	PREHEARING CONFERENCE
	:	

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The Securities and Exchange Commission issued an Order Instituting Proceedings (OIP) on January 31, 2014, alleging, among other things, that on April 19, 2011, Dante DeMiro (DeMiro) pled guilty to two counts of wire fraud and three counts of bank fraud in United States v. DeMiro, Case No. 2:10-CR-20594 (LPZ-RSW) (E.D. Mich.), and that on July 12, 2011, DeMiro was sentenced to 120 months in prison followed by four years of supervised release, and ordered to make restitution in the amount of \$12,900,904. OIP at 2. DeMiro is required to file an Answer within twenty days after service of the OIP. See OIP at 3; 17 C.F.R. § 201.220. On February 20, 2014, the Division of Enforcement (Division) filed a Motion for Adjournment of Hearing and Brief in Support, explaining that DeMiro was transferred from the Federal Correctional Institution at Milan, Michigan, where the OIP was initially sent, to the Federal Prison Camp at Yankton, South Dakota (Yankton), where DeMiro is currently incarcerated, and attaching evidence showing that the OIP was forwarded from Michigan to DeMiro at the Federal Prison Camp at Yankton, where it was delivered on February 14, 2014. The Division represents it spoke with DeMiro at Yankton on that date.

**Ruling**

I FIND that DeMiro was served with the OIP on February 14, 2014. His Answer to the OIP is due Monday, March 10, 2014. See OIP at 3; 17 C.F.R. §§ 201.160, .220(b). I POSTPONE the hearing scheduled to begin on February 28, 2014. I DIRECT the Division to contact officials at Yankton to determine when DeMiro can be available for a telephonic prehearing conference and communicate that information to my Office. See 17 C.F.R. § 201.221(d). I will find DeMiro in default if he does not file an Answer, participate in a telephonic prehearing conference, or otherwise defend the proceeding. See OIP at 3; 17 C.F.R. §§ 201.155, .220(f), .221(f).

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Brenda P. Murray  
Chief Administrative Law Judge