

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3987/July 14, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17013

In the Matter of

ALLEN M. PERRES, and
WILLARD R. ST. GERMAIN

ORDER

On June 7, 2016, I issued the initial decision in this proceeding. *See Allen M. Perres*, Initial Decision Release No. 1022, 2016 SEC LEXIS 2006. Respondent Allen M. Perres did not file a motion to correct manifest error of fact within ten days thereafter. *See* 17 C.F.R. § 201.111(h). However, he did request an extension of time within which to file a petition for review, which the Commission granted. *See Allen Perres*, Securities Act of 1933 Release No. 10106 (June 27, 2016). His petition for review was due July 13, 2016. *See id.*

On July 13, 2016, a person purporting to be Perres' counsel filed a "Reply to Initial Decision of Administrative Law Judge." The reply does not explicitly seek review of the initial decision; instead, it "requests that the ALJ reconsider" the sanction imposed by the initial decision. Reply at 2. In support of that request, the reply takes issue with numerous factual findings of the initial decision.

Inasmuch as the reply constitutes a motion for reconsideration of the initial decision, I lack the authority to act upon it. Inasmuch as the reply constitutes a motion to correct manifest error of fact, it is untimely. *See* 17 C.F.R. § 201.111(h). Inasmuch as the reply constitutes Perres' petition for review, that is a matter for the Commission.

SO ORDERED.

Cameron Elliot
Administrative Law Judge