

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 4397/November 29, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17651

In the Matter of

ADRIAN D. BEAMISH, CPA

ORDER DENYING IN PART
RESPONDENT'S MOTION FOR
MORE DEFINITE STATEMENT

On October 31, 2016, the Securities and Exchange Commission issued an order instituting proceedings (OIP) against Respondent pursuant to Section 4C of the Securities Exchange Act of 1934 and Rule 102(e) of the Commission's Rules of Practice. On November 23, 2016, Respondent submitted a motion for a more definite statement.

The motion advances several arguments, three of which are meritless. First, Respondent argues that "there is no obvious basis for jurisdiction that can be inferred from the OIP." Motion at 4. The OIP clearly and specifically states that this proceeding was instituted pursuant to Section 4C(a)(2) of the Exchange Act and Rule 102(e)(1)(ii). *See* OIP at 1, 11-12. To the extent Respondent contends that he is not subject to either Section 4C or Rule 102(e), that contention goes to the merits and not to the Commission's jurisdiction. Second, Respondent requests that several paragraphs of the OIP be stricken as irrelevant and "inflammatory." Motion at 13. I lack the authority to grant such relief, nor is such relief properly requested by way of motion for more definite statement. *See* 17 C.F.R. §§ 201.200(d)(2), .220(d). Lastly, Respondent seeks more specific information "demonstrating that public investors and the SEC's processes require future protection from" Respondent. Motion at 2, 4. Respondent does not support his request with any points and authorities; in any event, the OIP need only "[s]tate the nature of any relief" requested rather than provide analysis of the public interest factors. 17 C.F.R. § 201.200(b)(4).

Respondent's motion for a more definite statement is therefore DENIED IN PART as outlined above. In responding to the motion, the Division of Enforcement need only address the remaining arguments.

SO ORDERED.

Cameron Elliot
Administrative Law Judge