

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2564/April 21, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16383

In the Matter of

CHARLES L. HILL, JR.

ORDER

On March 12, 2015, I entered a scheduling order in this matter. *Charles L. Hill, Jr.*, Admin. Proc. Rulings Release No. 2414, 2015 SEC LEXIS 930. Among other things, I directed that motions for summary disposition would be due April 15, 2015, oppositions to such motions would be due April 27, 2015, and replies to oppositions would be due May 4, 2015. *Id.*

On April 15, 2015, this Office received Respondent Charles L. Hill, Jr.'s motion for summary disposition in which he raised various constitutional challenges to this proceeding and the statutes that authorize it. In his motion, Mr. Hill did not address whether I have the authority to rule on his motion.

In light of the foregoing, I direct that in its opposition to Mr. Hill's motion, the Division of Enforcement shall address whether I have the authority to rule on Mr. Hill's constitutional challenges. Mr. Hill shall address this issue in his reply. With respect to my authority to rule on Mr. Hill's constitutional challenges, the parties' should consider *Elgin v. Dep't of the Treasury*, 132 S. Ct. 2126, 2136-37 & n.8 (2012), and *Thunder Basin Coal Co. v. Reich*, 510 U.S. 200, 215 (1994).

The Division's deadline to file an opposition to Mr. Hill's motion for summary disposition raising constitutional claims is extended to April 30, 2015. The deadline to reply is extended to May 7, 2015. If necessary, the parties' pleadings may exceed the word limit in Rule of Practice 154(c), 17 C.F.R. § 201.154(c) by 3,000 words.

James E. Grimes
Administrative Law Judge