

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3368/December 3, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16893

In the Matter of

JAMES A. EVANS, JR.

ORDER REQUESTING ADDITIONAL EVIDENCE
OF SERVICE

On October 13, 2015, the Securities and Exchange Commission issued an Order Instituting Proceedings (OIP) against James A. Evans, Jr., pursuant to Section 203(f) of the Investment Advisers Act of 1940.

On October 29, 2015, I found that it appeared, based on tracking information provided by the Office of the Secretary, that service of the OIP had been effected on Evans by mailing a copy of the OIP to an address ascribed to Evans in Villa Rica, Georgia. *James A. Evans, Jr.*, Admin. Proc. Rulings Release No. 3270, 2015 SEC LEXIS 4455. I directed the parties to hold a prehearing conference and file a joint statement summarizing the results of such conference by November 19, 2015. *Id.*

To date, no prehearing conference statement has been filed, nor has Evans filed an Answer to the OIP. The USPS return receipt shows that the OIP was directed to Evans and delivered on November 17, but it was signed by an individual named Matthew Douglas, not Evans. I have received no additional evidence confirming that the Villa Rica address to which the OIP was mailed reflects an appropriate address for service on Evans or that receipt of the OIP by Douglas constituted proper service on Evans.

Accordingly, the Division of Enforcement is directed to file, by December 11, 2015, a declaration providing evidence that mailing the OIP to Evans at the Villa Rica, Georgia address constituted proper service under Commission Rule of Practice 141(a)(2)(i).¹ Alternatively, or in addition, the Division may effect service by other means authorized by the Rule and file a declaration regarding those efforts.

Cameron Elliot
Administrative Law Judge

¹ See the Division of Enforcement's Second Status Report on Service of Process in the matter of *Jonathan D. Davey, CPA* (File No. 3-16668) for an example of evidence of service.