

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

Administrative Proceedings Rulings
Release No. 5548 / January 29, 2018

Administrative Proceeding
File Nos. 3-17874 and 3-17875

In the Matters of

**Talman Harris and
Victor Alfaya**

Order Ratifying Actions

Consistent with the Commission's November 30, 2017, order, the parties were given the opportunity to submit new evidence that they deemed relevant to my reexamination of the record, as well as opening and responsive briefs. *See Pending Admin. Proc.*, Securities Act of 1933 Release No. 10440, 2017 SEC LEXIS 3724 (Nov. 30, 2017); *Talman Harris*, Admin Proc. Rulings Release No. 5248, 2017 SEC LEXIS 3781 (ALJ Dec. 4, 2017). The Division of Enforcement timely filed a declaration and seven exhibits, accompanied by a brief urging me to ratify all prior actions by an administrative law judge. Neither Respondent timely filed a brief or new evidence, although I have considered Respondent Talman Harris' letter dated November 6, 2017, in which he claims he lacked notice of, and challenges the validity of service of, various filings.

Upon reconsideration of the record, I find nothing that requires revision. In particular, Harris' claims of lack of notice and defective service of the order instituting proceedings are refuted by the transcript of the May 26, 2017, prehearing conference, in which Harris participated with the assistance of his prison case manager. *See Prehr's Tr.* 3, 14-16 (May 26, 2017). And Harris' letter confirms that the Division properly served its motion for summary disposition, which Harris knew to expect under the briefing schedule set during the prehearing conference. *See id.* at 18-20; *see also* 17 C.F.R. § 150(c)(3).

Therefore, I RATIFY all prior actions taken by an administrative law judge in this proceeding.¹ The process contemplated by the Commission's November 30 order is complete.

Cameron Elliot
Administrative Law Judge

¹ My designation as the presiding administrative law judge in this proceeding has already been ratified. *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5247, 2017 SEC LEXIS 3780 (ALJ Dec. 4, 2017).