

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 6509 / December 20, 2023

ADMINISTRATIVE PROCEEDING
File No. 3-21814

In the Matter of

**JON DARRELL
SEAWRIGHT,**

Respondent.

**ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 203(f) OF THE
INVESTMENT ADVISERS ACT OF 1940,
MAKING FINDINGS, AND IMPOSING
REMEDIAL SANCTIONS**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Jon Darrell Seawright (“Respondent”).

II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, Respondent admits the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in paragraph III.B. below, and consents to the entry of this Order Instituting Administrative Proceedings Pursuant To Section 203(f) Of The Investment Advisers Act Of 1940, Making Findings, And Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and Respondent's Offer of Settlement, the Commission finds that:

A. Respondent, an investment adviser, provided investment advice to an investment vehicle (the "Timber Fund") by selecting investments in promissory notes for and operating the Timber Fund, from as early as 2011 through at least April 2018. Respondent is a 51-year-old resident of Jackson, Mississippi.

B. On July 13, 2022, Respondent pled guilty to one count of conspiracy to commit wire fraud in violation of Title 18 United States Code, Section 371 before the United States District Court for the Southern District of Mississippi, in United States v. Jon Darrell Seawright, Crim. Information No. 3:22-CR-84.

C. On November 13, 2023, the Court entered judgment against Seawright, finding him guilty of conspiracy to commit wire fraud in violation of 18 U.S.C. § 371, ordering him to pay \$977,044 in restitution jointly and severally with his co-defendant, and sentencing him to a twelve-month and one-day term of imprisonment followed by a two-year term of supervised release.

D. The count of the criminal information to which Respondent pled guilty alleged, inter alia, that Respondent defrauded investors and obtained money and property by means of materially false statements and that he used the United States mails to make such statements. In connection with that plea, Respondent admitted that he knowingly solicited investors to invest in the Timber Fund through materially false and fraudulent pretenses, representations, or promises. Respondent, while being associated with an investment adviser, falsely promised that each property location, promissory note, timber contract, and timber deed would be vetted by him or others. In persuading investors to maintain their investments and to invest additional funds, Respondent told investors that he would profit only if the investments performed as promised, failing to disclose that he received payments for recruiting investments to the scheme and received a predetermined percentage of investors' funds from the timber broker for each recruited investor. Respondent admitted that he knowingly transmitted or caused to be transmitted by means of wire or radio communications in interstate commerce, any writing, signals or sounds for the purpose of executing the scheme in violation of Title 18, United States Code, Section 1343.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent's Offer.

Accordingly, it is hereby ORDERED pursuant to Section 203(f) of the Advisers Act that Respondent be, and hereby is, barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, compliance with the Commission's order and payment of any or all of the following: (a) any disgorgement or civil penalties ordered by a Court against the Respondent in any action brought by the Commission; (b) any disgorgement amounts ordered against the Respondent for which the Commission waived payment; (c) any arbitration award related to the conduct that served as the basis for the Commission order; (d) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (e) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Vanessa A. Countryman
Secretary