

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 100428 / June 26, 2024

ADMINISTRATIVE PROCEEDING
File No. 3-21978

In the Matter of

DWAYNE MALLOY

Respondent.

**ORDER INSTITUTING ADMINISTRATIVE
PROCEEDINGS PURSUANT TO SECTION
15(b) OF THE SECURITIES EXCHANGE
ACT OF 1934, 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 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) against Dwayne Malloy (“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 paragraphs III.2-4 below, and consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

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

1. Respondent Malloy, age 48, is a resident of Hazlet, New Jersey. From at least August 2007 through August 2012, Malloy was the President of Premier Links, Inc. ("Premier Links") an unregistered broker-dealer. Respondent and other persons associated with Premier Links cold-called prospective investors and pressured them to invest in the unregistered securities of speculative start-up companies, often falsely stating that the companies would soon conduct initial public offerings.

2. Respondent participated in an offering of Axiologix Education Corp., Edumedia Software Solutions Corp., and Digital Processing Solutions Inc., all of which were penny stocks.

3. On November 15, 2017, Respondent pled guilty to securities fraud in violation of Title 15 United States Code, Sections 78j(b) and 78ff before the United States District Court for the Eastern District of New York, in United States v. Amatulli, et al., 1:15-CR-135. On April 16, 2019, a judgment in the criminal case was entered against Malloy. He was sentenced to a prison term of 18 months followed by two years of supervised release. On April 16, 2019, Malloy also consented to the entry of a forfeiture money judgment in the amount of \$881,000.00.

4. In connection with that plea, Respondent admitted that between 2007 and 2012, he worked at Premier Links, a company located in Staten Island, New York. Respondent admitted that he agreed with others to participate in a scheme to defraud investors, including investors from other states, by making material false statements to solicit investors in securities, including telling some customers that companies would be going public at higher prices. Respondent admitted that in some instances, he did not disclose that the stocks were not being traded on a legitimate exchange. Respondent also admitted that he knew that some of the money collected was not used to purchase securities but was diverted to members of Premier Links, including himself.

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 15(b) of the Exchange Act that Respondent Malloy 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; and

Pursuant to Section 15(b)(6) of the Exchange Act Respondent Malloy be, and hereby is barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

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