

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

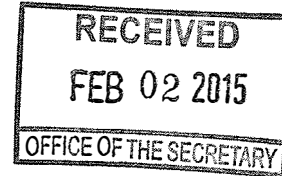
ORIGINAL

ADMINISTRATIVE PROCEEDING
File No. 3-16335

In the Matter of

DUANE HAMBLIN SLADE,

Respondent.



**DIVISION OF ENFORCEMENT'S BRIEF IN SUPPORT OF
UNOPPOSED MOTIONS FOR ADJOURNMENT OF HEARING
AND PREHEARING CONFERENCE**

Introduction

On January 13, 2015, the Securities and Exchange Commission ("Commission") issued an Order Instituting Proceedings ("OIP") against Duane Hamblin Slade ("Respondent") to determine what sanctions, if any, are appropriate in the public interest against him based on his convictions for Conspiracy to Commit Mail and Wire Fraud in June 2013. Respondent was served with the OIP on January 15, 2015 by USPS Certified Mail, which was delivered on January 21, 2015. As of the date of this Motion, Respondent has not served an Answer on the Division of Enforcement ("Division"). Respondent has communicated telephonically in response to the Division's requests to confer about proposed times for a prehearing conference and postponing the hearing currently scheduled to commence on February 9, 2015, and Respondent has no opposition to this motion. Therefore, the Division seeks to adjourn the hearing scheduled for February 9, 2015, and schedule a telephonic prehearing conference for

February 11, 2015, at 2:00 p.m. Eastern Time. The prehearing conference will allow the parties and the Court to determine an efficient manner in which to adjudicate these proceedings.

Statement of Facts

The Office of the Secretary served Respondent with the OIP by USPS Certified Mail on January 15, 2015, and the OIP was delivered on January 21, 2015. On January 21, 2015, the Division of Enforcement (“Division”) served Respondent by USPS Certified Mail with a letter offering the Division’s investigative files for inspection and copying pursuant to Rule of Practice 230. On January 21, 2015, the Division of Enforcement served Respondent by USPS Express Mail with the Order Scheduling Hearing and Designating Presiding Judge and a letter proposing a time for the prehearing conference and asking whether Respondent would object to the Division’s motion to postpone the February 9, 2015 hearing date. On January 22, 2015, Respondent telephonically contacted Division of Enforcement Senior Counsel Melissia A. Buckhalter-Honore via a Bureau of Prisons corrections counselor. The Respondent was allowed to speak via telephone, and advised that 1) he does not oppose the filing of this motion; 2) he does not intend to oppose these proceedings; and 3) he would be willing to consent to the sanctions being sought by the Division. The Division is providing Respondent with a draft settlement offer, and will advise the Court of the status of settlement negotiations at the proposed prehearing conference, if a Motion for a Stay of the Proceedings pursuant to Rule 161 of the Commission’s Rule of Practice has not been filed by that time.

Motions for Adjournment of Hearing and Prehearing Conference

The Division moves for an order setting aside the February 9, 2015 hearing and in lieu thereof scheduling a telephonic prehearing conference on February 11, 2015 pursuant to Rule 221. Respondent has responded to the Division’s requests to confer, and Respondent consents to

this Motion. Accordingly, the Division respectfully requests that the prehearing conference be scheduled for February 11, 2015 at 2:00 p.m. Eastern Time. The Division will make arrangements for the telephone conference call and the attendance of a court reporter. Postponing the hearing date and scheduling a prehearing conference will allow the Court to establish an orderly and efficient prehearing schedule for any prehearing motions, and, if necessary, to schedule a mutually acceptable date for a hearing.

Conclusion

For the reasons set forth above, the Division respectfully requests that the Administrative Law Judge grant the Division's Motions for Adjournment of Hearing and Prehearing Conference, and enter an order granting the following relief:

1. Setting aside the February 9, 2015 hearing date; and
2. Scheduling a telephonic prehearing conference for February 11, 2015, at 2:00 p.m. Eastern Time.

Dated: January 30, 2015

Respectfully submitted,



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