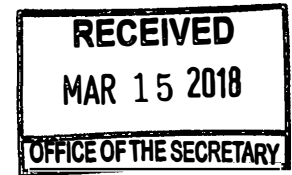


UNITED STATES OF AMERICA

Before the

SECURITIES AND EXCHANGE COMMISSION

**Admin. Proc. File No. 3-16386**



In the Matter of  
Timothy W. Carnahan,  
CYIOS Corporation  
Respondents

Dated: Monday, March 12, 2018

**DUE: March 12<sup>th</sup>, 2018**

Opening Brief:

“Per Supplemental Briefing Order - February 8<sup>th</sup>, 2018”

## SEC Unleashed a CYBERWAR against our United States Company almost 3 years ago.

### **CYBERWAR defined:**

The use of computer technology to disrupt the activities of a state or organization, especially the deliberate attacking of information systems for **strategic** or military purposes.

1. The “Respondents” were offered a “Deal” for everything to go away – a payment to the SEC.
2. The SEC “**Strategically**” advertised that our company was twofold: Defense Contractor and was their first “Target”.
3. As news was released, the SEC was promoting their dubbed “ROBOCOP” program as for finding fraud in our company and then stressed in a quote that our company is a “Special” case that the SEC would handle internally.
4. SEC found there was ZERO FRAUD in their Initial Decision Release No. 930, 2015 LEXIS 5189 (DEC, 21, 2015).
5. SEC has continued with this “FALSE POSITIVE” from their ROBOCOP findings only to build a story that is insidious to date.
6. What does all this mean: SEC has made this a personal issue, a marketing issue and one that should have never took place. The Respondents already stated the SEC has caused great financial harm and have requested relief.
7. The ALJ **has ignored ALL interlocutory appeals and all VALID PROVEN FACTUAL arguments** – moreover, ALJ stated in last Telephonic Meeting, “SEC can do whatever they want to do”. The ALJ completely dismissed our arguments.
8. The Respondents conclude this request for “Supplemental Briefings” proves our point that the SEC under Rule 411 Commission Consideration of Initial Decisions by Hearing Officers part (f) the commission **failed to obtain a majority**.

Failure to Obtain a Majority, in the event a majority of participating Commissioners do not agree to a disposition on the merits, the initial decision shall be of no effect, and an order will be issued in accordance with this result. Moreover, the absence of any action on the part of the commission for period of time as stated in the sec rules of practice, this case has been abandoned or dead locked (**Failure to Obtain a Majority**) as we know the record shows the case was scheduled, briefs were reviewed – but no decision, no stay under the rules of practices Rule 401 or any other section as per relevant to stays in the regulation.

Conclusion and Relief requested:

---

Based upon above, the respondents request for dismissal of the Administrative Proceeding collectively and relief granted as deemed in appeal brief and if further needed a Justice Department Review of this matter.

Vr,



---

Timothy Carnahan 3/12/2018  
(date)



---

Timothy Carnahan, CEO and President of CYIOS 3/12/2018  
(date)

## Service List

---

In accordance with Rule 150 of the Commission's Rules of Practice, I hereby certify that a true and correct copy of the foregoing document was served on the persons listed below on the 12 day of March, 2018 via electronic mail or in person as indicated.

Honorable Cameron Elliot, Administrative Law Judge  
Securities and Exchange Commission 100 F Street, N.E.  
Washington, DC 20549-2557  
By Electronic mail: [ALJ@SEC.GOV](mailto:ALJ@SEC.GOV)

Chris Davis, Timothy McCole  
801 Fort Worth Regional Office  
Securities and Exchange Commission 801 Cherry Street, Suite 1900  
Fort Worth, TX 76 102  
By Electronic Mail [DavisCa@SEC.GOV](mailto:DavisCa@SEC.GOV)

Timothy W. Carnahan, CYIOS Corporation  
President and CEO and Chairman CYIOS Corporation  
2637 E. Atlantic Blvd 28464  
Pompano Beach, FL 33062  
By Electronic Mail to [carnahan@cyios.com](mailto:carnahan@cyios.com)