

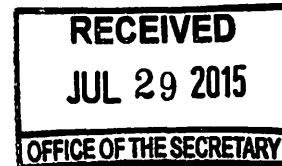
UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-16502

In the Matter of

Luminary Acquisition Corp.,

Respondent.



**DIVISION OF ENFORCEMENT'S
BRIEF ON THE TIMELINESS OF LUMINARY'S APPEAL**

Introduction

The Division of Enforcement ("Division") submits that the Notice of Appeal filed by Respondent Luminary Acquisition Corp. ("Luminary") on July 1, 2015 was untimely under Commission Rules of Practice 360(b) and 410(b) because it was due by June 8, 2015.

Statement of Facts

On May 12, 2015, Administrative Law Judge Carol Fox Foelak issued an Initial Decision revoking the securities registration of Luminary by default for failing to answer or otherwise defend the proceeding. The Initial Decision stated: "Pursuant to [Rule of Practice 360], a party may file a petition for review of this Initial Decision within twenty-one days after service of the Initial Decision." Initial Decision at 3. The Initial Decision was served on Luminary by Certified Mail, Return Receipt Requested, at the address provided in its last filing with the Commission, 1504 R St., NW, Washington, DC 2009, as well as at an additional address, 305 W. 75th St., Suite 2C, New York, NY 10021, which Luminary had used in an April 15, 2015 letter sent to the Commission's Office of Chief Accountant. The record of the U.S.

Postal Service tracking numbers maintained by the Secretary establishes that mail service of the Initial Decision was attempted and notice was left at the Washington address on May 16, 2015, and that delivery was attempted on the New York address on May 18, 2015.

On June 24, 2015, the Commission issued a notice that the initial decision had become final pursuant to Rule of Practice 360(d).

Argument

Commission Rules of Practice 360(b) and 410(b) require that a respondent file a petition for review within twenty-one days of service of the initial decision. Luminary was served with the initial decision at its last filing address in Washington, DC on May 16, 2015, so its petition for review had to be filed by June 8, 2015. Even if one uses the date of service on Luminary's alternative New York address, its petition for review was still due by June 8, 2015. Thus, Luminary's "notice of appeal" filed on July 1, 2015, was over three weeks late, was clearly untimely, and should therefore be dismissed.

Conclusion

For the reasons set forth above, the Division respectfully requests that the Commission dismiss Luminary's appeal as untimely.

Dated: July 29, 2015

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that true copies of the Division of Enforcement's Brief On the Timeliness of Luminary's Appeal were served on the following on this 29th day of July, 2015, in the manner indicated below:

By U.S. Mail:

Luminary Acquisition Corp.
1504 R St., NW
Washington, DC 20009

Luminary Acquisition Corp.
305 W. 75th St., Suite 2C
New York, NY 10021

By U.S. Mail and Email:

Luminary Acquisition Corp.
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