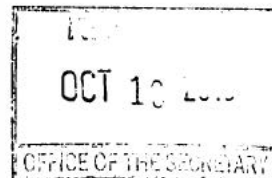


UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

ADMINISTRATIVE PROCEEDING
File No. 3-16824

In the Matter of
DANIEL PAEZ



**MOTION FOR ADJOURNMENT AND POSTPONMENT OF HEARING
PURSUANT RULE 161 OF THE COMMISSION'S RULES PRACTICE**

To the Honorable Administrative Judge:

COMES NOW the Petitioner, Daniel Paez, pro se, and respectfully submits this Motion for the adjournment and postponement of the hearing scheduled to commence at 9:30 AM Thursday October 15, 2015. In support of this motion, the petitioner shows the following:

- 1) The Securities and Exchange Commission, pursuant Rule 360(a)(2) of the Commission's Rules of Practice, specified the 210-days time period in which the hearing officer's initial decision must be filed with the Secretary.
- 2) It is also ordered that the parties confer and notify the presiding judge of a suggested date and time for a prehearing conference, which will be conducted telephonically, unless the parties prefer otherwise.
- 3) Actually, the petitioner is incarcerated in the Federal Correctional Complex- [REDACTED] in [REDACTED]. He will be released on April [REDACTED], 2016, which is before the 210 days limit for the filing of the initial decision.
- 4) In the institution where the petitioner is held, telephone calls for legal purposes has to be coordinated with at least 14 days of anticipation. Petitioner must specify the person who will be at the other side of the line, as well as the telephone number to be called, and other relevant information. It is also required that the institution confirm with anticipation

that the call will be answered as scheduled because an officer has to be assigned to be present with the petitioner during the telephone conference. Actually it will be imposible for the parties to confere before the date of the hearing.

- 5) On the other hand, petitioner wishes to excersise his right to be represented by a legal counselor in all stage of this proceedings.
- 6) Given these circumstances, the time frame specified by the Commission for the initial hearing puts the respondent in a state of indefension since his incarceration causes any and all gestions in the procedure to be extremely slow.
- 7) Petitioner respectfully states that the purposes of the Prehearing Conference stated in Rule 221 will not be served because, with such short notice, the petitioner is not able to find an appropriate legal represntation and is also impeded to produce any answer pursuant Rule 220 since he has not access to any evidence.
- 8) This situation will certainly has the consequence of an initial hearing in which the petitioner will not be equally protected by the law since he will be impeded, among others, to:
 - a) Have legal representation
 - b) File an answer pursuant Rule 220
 - c) Submit an outline or narrative summary of his case or defense
 - d) Establish a legaltheory upon its defense will rely
 - e) Present any witness that can testify in his favour
 - g) Have the bennefit of consulting an expert

THEREFORE, pursuant Rule 161 of the Commision's Rules of Practice, petitioner respectfully request the following:

- A) To give the petitioner a reasonable frame of time to confer with the other party and to notify the presiding administrative judge for a suggested course of procedural followings.
- B) To adjour and postpone the initial hearing to a date after the said communications were acomplished. (Rule 161(c))

This petition is requested in the Commission's determination of serving the best interest of justice and not result in the prejudice of any of the parties to the procedure (Rule 100(c)). Since the petitioner is "de facto" impeded to work, the suggested petition of postponement will not result in any danger to the protected interests of the public, but will result in a warranty of the due process rights for the petitioner.

Respectfully submitted, this Monday October 5, 2015.



Daniel Paez

[REDACTED]
Federal Correctional Complex
[REDACTED]

CERTIFICATE OF SERVICE

I hereby certify that an original and three copies of the foregoing were filed with the Securities and Exchange Commission, Office of the Secretary, 100 F Street, N.E., Washington, D.C. 20549-9303 and that a true and correct copy of the foregoing has been served by U.S. Mail, on this October 5, 2015, on the following persons entitled to notice:

Honorable Jason S. Patil
Administrative Law Judge
Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-9303

Andrew O. Schiff
Regional Trial Counsel
Division of Enforcement
Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, FL 33131



Daniel Paez