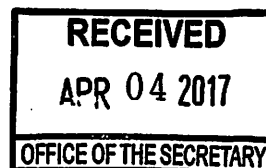


HARD COPY



**BEFORE THE
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C.**

In the Matter of the Application
of McBarron Capital LLC
For Review of Action Taken By
FINRA
File No. 3-17767

**MOTION OF FINRA TO DISMISS APPEAL AS ABANDONED
AND STAY THE BRIEFING SCHEDULE**

Alan Lawhead
Vice President
and
Director-Appellate Group

Andrew J. Love
Associate General Counsel

FINRA
1735 K Street, NW
Washington, DC 20006
(202) 728-8281

Dated: April 3, 2017

**BEFORE THE
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C.**



In the Matter of the Application
of McBarron Capital LLC
For Review of Action Taken By
FINRA
File No. 3-17767

**MOTION OF FINRA TO DISMISS APPEAL AS ABANDONED
AND STAY THE BRIEFING SCHEDULE**

Pursuant to SEC Rules of Practice 154 and 180(c), FINRA moves to dismiss the application for review filed by McBarron Capital LLC (“McBarron”) as abandoned. McBarron has not filed its brief in support of its application for review by the March 27, 2017 deadline established by the Commission in this proceeding. Nor has McBarron requested an extension of time to file its brief. In support of its motion, FINRA states:

1. On December 8, 2016, FINRA issued an expedited decision against McBarron (the “Decision”). The Decision canceled McBarron’s FINRA membership for its failure to pay certain outstanding fees owed to FINRA.¹ McBarron filed an application for review of the Decision on or about January 10, 2017. *See* RP 23.

¹ In late October 2016, McBarron filed a Uniform Request for Broker-Dealer Withdrawal. FINRA staff subsequently issued McBarron a Notice of Intent to Cancel Membership pursuant to

[Footnote continued on next page]

2. On February 24, 2017, the Commission issued an Order Scheduling Briefs (the "Order"). The Order required McBarron to file a brief in support of its application for review by March 27, 2017. The Order informed McBarron that "failure to file a brief in support of the application may result in dismissal of this review proceeding."

3. McBarron did not file a brief with the Commission by the March 27, 2017 deadline established by the Order. To date, McBarron has not filed a brief.

4. SEC Rule of Practice 180(c) provides that the Commission may dismiss a case if a party fails to make a filing required under the Rules of Practice. Under the circumstances, the Commission should treat McBarron's appeal as abandoned because it has failed to file a brief by the deadline established by the Order.

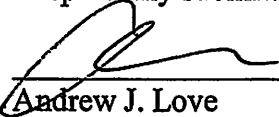
5. Finally, FINRA's brief in opposition is due on April 26, 2017. FINRA requests that the Commission stay the briefing schedule while this motion remains pending.

[cont'd]

FINRA Rule 9553, which informed McBarron that it owed FINRA approximately \$5,257 in fees and expenses and that this indebtedness must be paid in full before a termination from FINRA membership could be deemed effective. *See* RP 1; FINRA By-Laws, Art. IV, Sec. 5. McBarron failed to file a proper hearing request setting forth a permissible defense for its failure to pay the fees owed (despite having several opportunities to do so), and FINRA's Office of Hearing Officers subsequently issued the Decision pursuant to FINRA Rule 9553. *See* RP 19.

In a separate matter, on February 21, 2017, FINRA expelled McBarron for its failure to respond to requests for information pursuant to FINRA Rule 9552(h).

Respectfully submitted,



Andrew J. Love
Associate General Counsel
FINRA
1735 K Street, NW
Washington, DC 20006
(202) 728-8281

April 3, 2017

CERTIFICATE OF SERVICE

I, Andrew Love, certify that on this 3rd day of April 2017, I caused a copy of the foregoing Motion to Dismiss Appeal as Abandoned and Stay the Briefing Schedule to be served by messenger on:

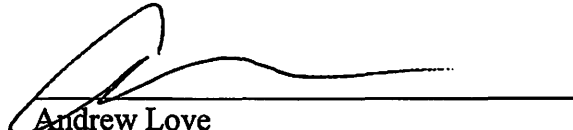
Brent Fields, Secretary
Securities and Exchange Commission
100 F Street, NE
Room 10915
Washington, DC 20549-1090

and by Federal Express, certified mail, and electronic mail on:

McBarron Capital LLC
Attn: James Crafa
75 Holly Hill Lane, Suite 100
Greenwich, CT 06830
crafa@mcbarroncapital.com

Service was made on the Commission by messenger and on the applicant by Federal Express and certified mail service due to the distance between FINRA's offices and the applicant.

Respectfully submitted,



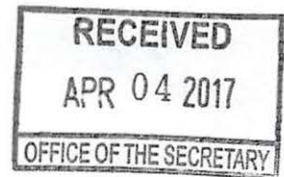
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(202) 728-8281



Financial Industry Regulatory Authority

Andrew J. Love
Associate General Counsel

Direct: (202) 728-8281
Fax: (202) 728-8264



April 3, 2017

BY MESSENGER

Brent Fields, Secretary
Securities and Exchange Commission
100 F Street, NE
Room 10915
Washington, D.C. 20549-1090

**RE: In the Matter of the Application for Review of McBarron Capital LLC,
Administrative Proceeding No. 3-17767**

Dear Mr. Fields:

Enclosed please find the original and three copies of FINRA's Motion to Dismiss Appeal as Abandoned and Stay the Briefing Schedule.

Please contact me at (202) 728-8281 if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to be "Andrew J. Love". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Andrew J. Love

cc: McBarron Capital LLC
Attn: James Crafa
75 Holly Hill Lane, Suite 100
Greenwich, CT 06830

Enclosure