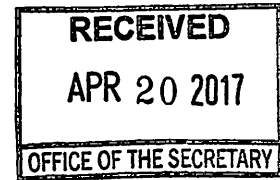


April 17, 2017

Office of the Secretary  
US Securities and Exchange Commission  
100 F Street, NE  
Mail Stop 1090  
Washington, DC 20549



3-17939

RE: Appeal of Proceeding Number 20160476349

McBarron Capital LLC (McBaaron) is appealing the expulsion of its FINRA membership under preceding number 20160476349.

McBarron is hereby, exercising its right to a hearing in this matter in accordance with FINRA Rules .

The grounds for this appeal are based on FINRA's failure to give McBarron proper and timely notification of its rights to a hearing in this matter.

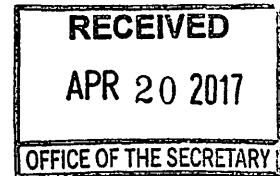
Thank you,

A handwritten signature in black ink, appearing to read "James Crafa". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

James Crafa

April 17, 2017

Office of the Secretary  
U.S. Securities and Exchange Commission  
100 F Street NE  
Mail Stop 1090- Room #10915  
Washington, DC 20549



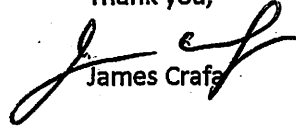
To Whom It May Concern,

McBarron Capital LLC (McBarron) is appealing, the attached, FINRA Administrative Proceeding 3-17767

The grounds for the appeal are as follows.

- 1) FINRA acting through Mr. Michael Dixon, FINRA's Hearing Officer took improper actions against McBarron in failing to properly consider and then failing to grant McBarrons' request for a hearing in the above referenced matter.
- 2) The order issued by Mr. Dixon on November 21, 2016 requiring a written response due December 5, 2016 was prejudicial in knowingly giving McBarron insufficient time in which to provide a written response to this notice.
- 3) McBarrons' response to the Office of Hearing Officers made on December 5, 2016 was proper and made in good faith and rejected by Mr. Dixon without proper consideration.
- 4) Mr. Dixon's decision to seek a FINRA expedited decision in this matter violated McBarrons' FINRA membership right to a hearing.
- 5) Mr. Dixon showed no cause as to why an expedited decision was needed in this matter.
- 6) Mr. Dixon's cancellation of McBarrons' membership on December 8, 2016 resulted in the immediate termination of two employees registrations without prior notice.
- 7) Mr. Dixons' cancellation of McBarrons' registrations caused significant financial harm to the McBarron and its employees.
- 8) Mr. Dixon by his actions in this matter knowingly violating both McBarrons' and its employee rights to a due process by failing to hold a hearing in this matter.

Thank you,

A handwritten signature in black ink, appearing to read 'J. Crafa', written in a cursive style. The signature is positioned above the printed name 'James Crafa'.

James Crafa

**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.<sup>1</sup> McBarron filed an application for review of the Decision on or about January 10, 2017. *See* RP 23.

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<sup>1</sup> 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.

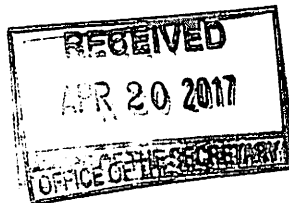
5. Finally, FINRA's brief in opposition is due on April 26, 2017. FINRA requests that the Commission stay the briefing schedule while this motion remains pending.

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[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).



April 17, 2017

Office of the Secretary  
US Securities and Exchange Commission  
100 F Street, NE  
Mail Stop 1090  
Washington, DC 20549

Attached please find McBarron Capital LLC appeals in FINRA matters No. 3-17767 and 20160476349.

3-17939

Thank you,



James Crafa