

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-19841

<p>In the Matter of</p> <p>Santa Fe Gold Corporation,</p> <p>Respondent.</p>

DIVISION OF ENFORCEMENT’S MOTION FOR
DEFAULT AND BRIEF IN SUPPORT

The Division of Enforcement (“Division”), by counsel, pursuant to Commission Rules of Practice Rules 154(a) and 155(a)(2) respectfully moves the Securities and Exchange Commission (“Commission”) for an order entering a default against Santa Fe Gold Corporation (CIK No. 851726) (“SFEG” or “Respondent”) in this proceeding and ordering the revocation of the registration of each class of Respondent’s securities registered pursuant to Section 12 of the Securities Exchange Act of 1934 (“Exchange Act”).

Argument

On June 25, 2020, the Commission issued an Order Instituting Proceedings (“OIP”) against Respondent which has securities registered with the Commission under Section 12(g) of the Exchange Act. The OIP alleges the Respondent is delinquent in filing its mandated periodic reports. Because Respondent failed to answer or otherwise respond to the OIP, the Division now seeks entry of an order finding respondent SFEG to be in default in this proceeding.

Commission Rule of Practice 220(b) states that where an answer is required to be filed by rule or order, the respondent “shall do so within 20 days after service upon the respondent of the order instituting proceedings” unless a different period is provided by rule or order. Here, the OIP requires “an Answer [to be filed] to the allegations contained in this Order within ten (10) days after service of this Order.” OIP at IV. Commission Rule of Practice 160(a) provides that Saturdays, Sundays and Federal legal holidays are to be counted as part of the 10 day period, and Commission Rule of Practice 160(b) extends that time by three days if service is made by mail.

The Declaration of Gina Joyce to Assist Secretary with Record of Service (attached hereto as Exhibit 1) establishes that on July 30, 2020, SFEG was served by Express Mail delivery with the OIP, along with a letter from the Commission’s Secretary, and a letter from the Division offering discovery pursuant to Rule of Practice 230, at the address provided in its last EDGAR filing with the Commission, in accordance with Commission Rule of Practice 141(a)(2)(ii). SFEG’s answer to the OIP was due by Monday, August 10, 2020. However, SFEG has neither filed an answer nor made any other response to the OIP in this proceeding.

The Respondent at issue is delinquent in its filings with the Commission and has been delinquent for over two years. In addition, the Respondent’s failure to answer supports revocation of the registration of each class of Respondent’s securities. Accordingly, the Division moves for an order, pursuant to Rule 155(a)(2), finding this Respondent to be in default in this proceeding and ordering that the registration of each class of its securities registered pursuant to Exchange Act Section 12 be revoked.

Conclusion

For the reasons set forth above, the Division respectfully requests that the Commission:
1) grant the Division's Motion; 2) enter an order of default against Santa Fe Gold Corporation;
and 3) revoke the registration of each class of its securities registered pursuant to Section 12 of
the Exchange Act.

Dated: November 3, 2020

Respectfully submitted,

David Mislér

David Mislér (202) 551-2210
Gina Joyce (202) 551-4850
Securities and Exchange Commission
100 F Street, N.E., Room 5120
Washington, D.C. 20549-5010

COUNSEL FOR
DIVISION OF ENFORCEMENT

CERTIFICATE OF SERVICE

I hereby certify that true copies of the Division of Enforcement's Motion for Default and Brief in Support were served on the following on this 3rd day of November, 2020, in the manner indicated below:

By Email:

Office of the Secretary
Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-2557

By UPS:

Santa Fe Gold Corporation
3544 Rio Grande Blvd. NW
Albuquerque, NM 87107

By UPS

Peder K. Davisson, Esq.
Davisson & Associates, PA
4124 Quebec Avenue North, Suite 306
Minneapolis, MN 55427

(Counsel for Respondent)

Gina Joyce

Gina Joyce

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DECLARATION OF GINA JOYCE
TO ASSIST SECRETARY WITH RECORD OF SERVICE

GINA JOYCE, pursuant to 28 U.S.C. § 1746, declares:

1. I am a Senior Counsel with the Division of Enforcement (“Division”) of the Securities and Exchange Commission, and co-counsel for the Division in the captioned administrative proceeding. I am submitting this Declaration to assist the Office of the Secretary (“Secretary”) in maintaining a record of service on the Respondent in the captioned proceedings pursuant to Securities and Exchange Commission (“Commission”) Rule of Practice 141(a)(3).

2. Among other means, Commission Rule of Practice 141(a)(2)(ii) permits service on a corporation or entity by delivering a copy of an Order Instituting Administrative Proceedings (“OIP”) to an agent authorized by appointment or law to receive such service or, in the case of an issuer with a class of securities registered with the Commission, by sending the OIP via U.S. Postal Service certified, registered, or Express Mail and obtaining a confirmation of attempted delivery on the most recent

address shown on the entity's most recent filing with the Commission. Further, the OIP in this matter authorizes service of the OIP "by any means permitted by the Commission's Rules of Practice." Therefore, the Division asked the Commission's Secretary to first attempt service on the Respondent via U.S. Priority Mail Express.

3. The Secretary provided me with the U.S. Priority Mail Express tracking number for the copy of the OIP¹ that was mailed by the Secretary to the Respondent in these proceedings. I input the tracking number into the U.S. Postal Service's ("USPS's") package tracking system on its Internet website located at www.usps.com, and printed out the tracking confirmation in order to obtain confirmation of the delivery or attempted delivery of the OIP on the Respondent. A true copy of the tracking confirmation for the Respondent on which express mail service was attempted is attached as Exhibit 1, hereto.

4. The Secretary mailed the OIP to Respondent Santa Fe Gold Corporation, CIK 851726 ("SFEG"), via U.S. Priority Mail Express, Tracking No. ER 006 859 410 US, to the address shown on its most recent EDGAR filing at P.O. Box 25201, Albuquerque, NM 87125. This address is taken from SFEG's last filing with the Commission, which was a Form 10-Q/A filed with the Commission on May 7, 2019. The USPS tracking system confirms that the package was delivered on July 30, 2020. *See* Exhibit 1 at pp. 1 - 2.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 24, 2020.

Gina Joyce

Gina Joyce

¹Each service package included the OIP, a letter from the Commission's Secretary, and a letter from the Division offering discovery pursuant to Rule of Practice 230.

Track Another Package +

Tracking Number: ER006859410US

Remove X

Your item was delivered at 8:20 am on July 30, 2020 in ALBUQUERQUE, NM 87125.
Waiver of signature was exercised at time of delivery.

Delivered

July 30, 2020 at 8:20 am
Delivered
ALBUQUERQUE, NM 87125

Get Updates ∨

Feedback

Text & Email Updates



Proof of Delivery



Tracking History



July 30, 2020, 8:20 am

Delivered

ALBUQUERQUE, NM 87125

Your item was delivered at 8:20 am on July 30, 2020 in ALBUQUERQUE, NM 87125. Waiver of signature was exercised at time of delivery.

July 30, 2020, 8:19 am
Arrived at Post Office
ALBUQUERQUE, NM 87101

July 29, 2020, 11:08 pm
Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

July 29, 2020, 7:38 pm
Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

Product Information



See Less ^

Feedback

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Go to our FAQs section to find answers to your tracking questions.

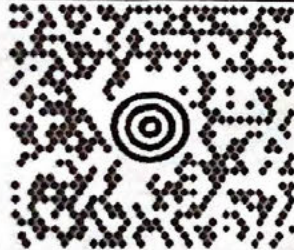
FAQs

GINA JOYCE
202-551-4850
SEC-ENFORCEMENT
100 F STREET NE
WASHINGTON DC 20549

0.5 LBS LTR

1 OF 1

SHIP TO:
PEDER K. DAVISSON
DAVISSON & ASSOCIATES, PA
SUITE 306
4124 QUEBEC AVENUE NORTH
MINNEAPOLIS MN 55427-1241



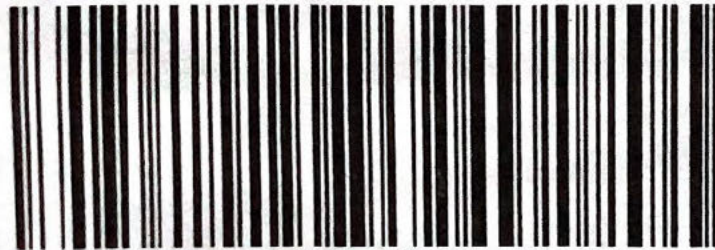
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UPS NEXT DAY AIR SAVER

1P

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BILLING: P/P



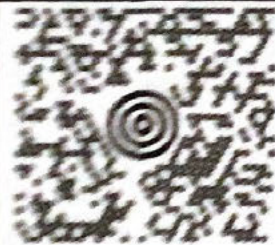
TM

GINA LOYCE
202-551-4850
SEC ENFORCEMENT
100 F STREET NE
WASHINGTON DC 20549

LTR

1 OF 1

SHIP TO:
SANTA FE GOLD CORPORATION
3544 RIO GRANDE BLVD. NW
ALBUQUERQUE NM 87107-3038



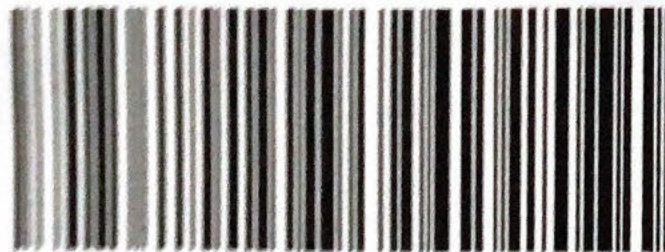
NM 871 1-05



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BILLING: P/P

