

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-19864

In the Matter of

Trans-Pacific Aerospace Company, Inc., *et al.*,

Respondents.

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 Trans-Pacific Aerospace Company, Inc. (“TPAC”) (CIK No. 1422295) and Vertical Computer Systems, Inc. (“VCSY”) (CIK No. 1099509) (collectively “Respondents”) in this proceeding and ordering the revocation of the registration of each class of Respondents’ 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 Respondents which have securities registered with the Commission under Section 12(g) of the Exchange Act. The OIP alleges the Respondents are delinquent in filing their mandated periodic reports. Because Respondents failed to answer or otherwise respond to the

OIP, the Division now seeks entry of an order finding respondents TPAC and VCSY 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 A) (“Joyce Declaration”) establishes that on August 3, 2020, TPAC 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 (collectively the “Service Documents”), at the address provided in its last EDGAR filing with the Commission, in accordance with Commission Rule of Practice 141(a)(2)(ii). TPAC’s answer to the OIP was due by Thursday, August 13, 2020. However, TPAC has neither filed an answer nor made any other response to the OIP in this proceeding.

The Joyce Declaration also establishes that on August 3, 2020, VCSY was served by Express Mail delivery with the Service Documents at the address provided in its last EDGAR filing with the Commission, in accordance with Commission Rule of Practice 141(a)(2)(ii).

VCSY's answer to the OIP was due by Thursday, August 13, 2020. However, VCSY has neither filed an answer nor made any other response to the OIP in this proceeding.¹

The Respondents at issue are delinquent in their filings with the Commission and have been delinquent for over two years. In addition, the Respondents' failure to answer supports revocation of the registration of each class of Respondents' securities. Accordingly, the Division moves for an order, pursuant to Rule 155(a)(2), finding these Respondents to be in default in this proceeding and ordering that the registration of each class of their 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 Trans-Pacific Aerospace Company, Inc. and Vertical Computer Systems, Inc.; and 3) revoke the registration of each class of their securities registered pursuant to Section 12 of the Exchange Act.

Dated: November 3, 2020

Respectfully submitted,

David Misler

David Misler (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

¹ By motion dated July 21, 2020, a shareholder of VCSY filed a motion to file an amicus brief or alternatively, to state views, which was granted on August 18, 2020. After the Order Granting the Motion to State Views was served upon the Division, the Division requested the motion from the Office of the Secretary on August 18, 2020, since the motion had not been served upon the Division. Thereafter, the Division filed a response. The shareholder's views do not impact the fact that VCSY is both delinquent in its mandated filings and in default.

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:

Trans-Pacific Aerospace Company, Inc.
2975 Huntington Drive
Suite 107
San Marino, CA 91108

By UPS

Vertical Computer Systems, Inc
101 West Renner Road
Suite 200
Richardson, Texas 75082

Gina Joyce

Gina Joyce

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ADMINISTRATIVE PROCEEDING
File No. 3-19864

<p>In the Matter of</p> <p>Trans-Pacific Aerospace Company, Inc., <i>et al.</i>,</p> <p>Respondents.</p>

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 Respondents 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 Respondents via U.S. Priority Mail Express.

3. The Secretary provided me with the U.S. Priority Mail Express tracking numbers for the copies of the OIPs¹ that were mailed by the Secretary to the Respondents in these proceedings. I input each of the tracking numbers 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 confirmations in order to obtain confirmation of the delivery or attempted delivery of the OIP on each respondent. A true copy of the tracking confirmations for both Respondents for whom express mail service was attempted is attached as Exhibit 1, hereto.

4. The Secretary mailed the OIP to Respondent Trans-Pacific Aerospace Company, Inc., CIK 1422295 ("TPAC"), via U.S. Priority Mail Express, Tracking No. EJ 127 655 132 US, to the address shown on its most recent EDGAR filing at 2975 Huntington Drive, Suite 107, San Marino, CA 91108. This address is taken from TPAC's last filing with the Commission, which was a Form 12b-25 filed with the Commission on February 6, 2018. The USPS tracking system confirms that the package was delivered on August 3, 2020. *See* Exhibit 1 at pp. 1 - 2.

5. The Secretary mailed the OIP to Respondent Vertical Computer Systems, Inc., CIK 1099509 ("VCSY"), via U.S. Priority Mail Express, Tracking No. EJ 127 655 092 US, to the address shown on its most recent EDGAR filing at 101 West Renner Road,

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.

Suite 200, Richardson, Texas 75082. This address is taken from VCSY's last filing with the Commission, which was a Form 8-K filed with the Commission on September 24, 2019. The USPS tracking system confirms that the package was delivered on August 3, 2020. *See* Exhibit 1 at pp. 3 - 4.

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

Executed on September 28, 2020.

Gina Joyce

Gina Joyce

Track Another Package +

Tracking Number: EJ127655132US

[Remove X](#)

Your item was delivered in or at the mailbox at 9:37 am on August 3, 2020 in SAN MARINO, CA 91108.

Delivered

August 3, 2020 at 9:37 am
Delivered, In/At Mailbox
SAN MARINO, CA 91108

Feedback

Get Updates 

Text & Email Updates



Proof of Delivery



Tracking History



August 3, 2020, 9:37 am

Delivered, In/At Mailbox
SAN MARINO, CA 91108

Your item was delivered in or at the mailbox at 9:37 am on August 3, 2020 in SAN MARINO, CA 91108.

August 3, 2020, 7:19 am

Arrived at Post Office
SAN MARINO, CA 91108

August 2, 2020, 11:28 pm

Departed USPS Regional Facility
SANTA CLARITA CA DISTRIBUTION CENTER

August 2, 2020

In Transit to Next Facility

August 1, 2020, 6:41 pm

Arrived at USPS Regional Facility
SANTA CLARITA CA DISTRIBUTION CENTER

August 1, 2020, 11:45 am

Arrived at USPS Facility
ARCADIA, CA 91006

August 1, 2020, 9:25 am

Arrived at USPS Facility
GLENDALE, CA 91209

July 31, 2020, 11:18 pm

Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

July 31, 2020, 4:42 pm

Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

July 31, 2020, 5:24 am

Arrived at USPS Regional Facility
WASHINGTON DC DISTRIBUTION CENTER

Feedback

Track Another Package +

Tracking Number: EJ127655092US

Remove X

Your item was delivered in or at the mailbox at 1:18 pm on August 3, 2020 in RICHARDSON, TX 75082.

Delivered

August 3, 2020 at 1:18 pm
Delivered, In/At Mailbox
RICHARDSON, TX 75082

Feedback

Get Updates ∨

Text & Email Updates



Proof of Delivery



Tracking History



August 3, 2020, 1:18 pm

Delivered, In/At Mailbox
RICHARDSON, TX 75082

Your item was delivered in or at the mailbox at 1:18 pm on August 3, 2020 in RICHARDSON, TX 75082.

August 1, 2020, 11:44 am

Delivery Attempted - No Access to Delivery Location
75081

August 1, 2020, 11:31 am

Arrived at Post Office
RICHARDSON, TX 75081

August 1, 2020, 8:36 am

Arrived at USPS Regional Facility
COPELL TX DISTRIBUTION CENTER

July 31, 2020, 11:18 pm

Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

July 31, 2020, 4:42 pm

Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

July 31, 2020, 5:24 am

Arrived at USPS Regional Facility
WASHINGTON DC DISTRIBUTION CENTER

Feedback

Product Information



See Less

Can't find what you're looking for?

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

UPS CampusShip: View/Print Label

1. **Ensure there are no other shipping or tracking labels attached to your package.** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
2. **Fold the printed label at the solid line below.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.
3. **GETTING YOUR SHIPMENT TO UPS**
Customers with a Daily Pickup
Your driver will pickup your shipment(s) as usual.

Customers without a Daily Pickup

Take your package to any location of The UPS Store®, UPS Access Point(TM) location, UPS Drop Box, UPS Customer Center, Staples® or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of CampusShip and select UPS Locations.

Schedule a same day or future day Pickup to have a UPS driver pickup all your CampusShip packages. Hand the package to any UPS driver in your area.

UPS Access Point™
ASO GOLD SPOT
712 H ST NE
WASHI NGTON,DC 20002

UPS Access Point™
CVS STORE # 7174
1200 1ST ST NE
WASHI NGTON,DC 20002

UPS Access Point™
THE UPS STORE
455 MASSACHUSETTS AVE NW
WASHI NGTON,DC 20001

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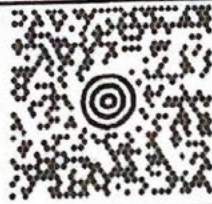
<p>GINA JOYCE 2025514850 SEC-ENFORCEMENT 100 F STREET NE WASHINGTON DC 20549</p> <p>LTR</p> <p>SHIP TO: TRANS-PACIFIC AEROSPACE CO., INC. SUITE 107 2975 HUNTINGTON DRIVE SAN MARINO CA 91108-2200</p> <p>1 OF 1</p>	 <p>CA 917 9-50</p> 	<p>UPS NEXT DAY AIR SAVER 1P</p> <p>TRACKING #: 1Z A41 W65 13 9576 5676</p>		<p>BILLING: P/P</p>  <p>CS 22.0.12. MACNV50 34.0A 1D/2020*</p>
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GINA JOYCE
202-551-4850
SEC-ENFORCEMENT
100 F STREET NE
WASHINGTON DC 20549

0.5 LBS LTR

1 OF 1

SHIP TO:
VERTICAL COMPUTER SYSTEMS, INC.
SUITE 200
101 WEST RENNER ROAD
RICHARDSON TX 75082-2002



TX 751 9-03



UPS NEXT DAY AIR SAVER 1P
TRACKING #: 1Z A41 W65 13 9308 8974



BILLING: P/P



CS 22.0.12. MAC/V50 31.0A 10/2020*