

May 15, 2024

Ms. Vanessa A. Countryman
Secretary
J. Matthew DeLos Darnier
Securities & Exchange Commission
Division of Enforcement
WASHINGTON, DC

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Ms. Countryman:

I write this letter in response to Release No. 99883 dated April 2, 2024. I agree to the terms and restrictions imposed on me by the Commission in original ~~release~~ Admin Proc. File No 3-2206. There was not any malfeasance or improper actions on my part in not responding to the Commission on the original date. In fact I had provided a signed copy of such document to my attorney at the time. For some reason unknown to me my former attorney never filed or sent my original letter. In the interim I have fired my attorney and I am representing myself.

As stated above I agree to the terms as stipulated by the Commission in its release and administrative proceedings file. I will not contest the terms and conditions.

Daniel Broyles
Signature

DANIEL THOMAS BROYLES

Release No. 99883 / April 2, 2024

Admin. Proc. File No. 3-21206
In the Matter of
Daniel Thomas Broyles

ORDER TO SHOW CAUSE

The Securities and Exchange Commission issued an order instituting proceedings ("OIP") on October 11, 2022, pursuant to section 15(b) of the Securities Exchange Act of 1934, against Daniel Thomas Broyles, who is currently incarcerated. On November 6, 2023, the Division of Enforcement filed an Affidavit of Service, which establishes that service of the OIP was made on Broyles on July 17, 2023, pursuant to Commission Rule of Practice 141(a)(2)(i).

As stated in the OIP, Broyles's answer was required to be filed within 20 days of service of the OIP. As of the date of this order, Broyles has not filed an answer. The prehearing conference and the hearing are thus continued indefinitely.

Accordingly, Broyles is ORDERED to SHOW CAUSE by May 17, 2024, why he should not be deemed to be in default and why this proceeding should not be determined against him due to his failure to file an answer and to otherwise defend this proceeding. Broyles's submission shall address the reasons for his failure to timely file and answer, and include a proposed answer to be accepted in the event that the Commission does not enter a default against him. Broyles shall deliver any response, including any answer, to the proper prison authorities not later than the due date, for forwarding to the Commission's Office of the Secretary.

When a party defaults, the allegations in the OIP will be deemed to be true and the Commission may determine the proceeding against that party upon consideration of the record without holding a public hearing. The OIP informed Broyles that a failure to file an answer could result in deeming him in default and determining the proceedings against him.

If Broyles files a response to this order to show cause, the Division may file a reply within 28 days after its service. If Broyles does not file a response, the Division shall file a motion for entry of an order of default and the imposition of remedial sanctions by June 14, 2024. The motion for sanctions should address each statutory element of the relevant provisions of Section 15(b) of the Exchange Act. The motion should discuss relevant authority relating to the legal basis for, and the appropriateness of, the requested sanctions and include evidentiary support sufficient to make an individualized assessment of whether those sanctions are in the public interest. The parties may file opposition and reply briefs within the deadlines provided by the Rules of Practice. The failure to timely oppose a dispositive motion is itself a basis for a finding of default; it may result in the determination of particular claims, or the proceeding as a whole, adversely to the non-moving party and may be deemed a forfeiture of arguments that could have been raised at that time.

Upon review of the filings in response to this order, the Commission will either direct further proceedings by subsequent order or issue a final opinion and order resolving the matter.

The parties' attention is directed to the e-filing requirements in the Rules of Practice. We also remind the parties that any document filed with the Commission must be served upon all participants in the proceeding and be accompanied by a certificate of service.

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Vanessa A. Countryman
Secretary

Witness: 

Date: MAY 15, 2024