

**BEFORE THE
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, DC**

In the Matter of the Application of
Christopher Anthony Sumner
For Review of Disciplinary Action Taken by
Financial Industry Regulatory Authority
File No. 3-21291

FINRA'S MOTION TO DISMISS THIS PROCEEDING AS ABANDONED

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March 16, 2023

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Pursuant to the Commission’s Rules of Practice 154 and 180(c), FINRA moves to dismiss the above-referenced proceeding as abandoned. Christopher Anthony Sumner did not file further briefing by the February 15, 2023 deadline to clarify the relief he seeks from the Commission. Sumner also did not file by the February 22, 2023 deadline an application for review that conforms with Rule of Practice 420. Nor did Sumner request an extension of time to submit either filing. In support of its motion, FINRA states the following:

1. On August 24, 2015, FINRA barred Sumner from associating with any FINRA member firm pursuant to FINRA Rule 9552(h) for failing to respond to requests for documents and information under FINRA Rule 8210.
2. On August 31, 2022, approximately seven years after he was barred, Sumner emailed the Commission two letters, including a letter to the Commission purportedly seeking review of FINRA’s action (“Submission”). In his Submission, Sumner admitted that he “failed to respond on time” to FINRA’s 8210 requests but that he was seeking “to clear [his] name from this matter and return to work as a productive member of society.”

3. On February 1, 2023, the Commission issued an Order Requesting Additional Written Submission requiring further briefing from Sumner (“Order”). According to the Commission, it was unclear whether Sumner’s Submission was an application for the Commission’s review of the bar FINRA imposed in 2015, or whether Sumner was seeking some other form of relief.

4. Pursuant to the Order, the Commission required that, by February 15, 2023, Sumner file a written statement clarifying the relief that he sought from the Commission and whether he intended to file an application for review; and, if he had such intention, that he file by no later than February 22, 2023, an application for review that conforms with Rule of Practice 420,¹ including the requirement under Rule of Practice 420(c) that he serve the application on FINRA. The Commission further reminded Sumner that, pursuant to Rule of Practice 180(c), his failure to file a brief or otherwise comply with the Order “may result in the Commission’s determination of the matter at issue against that party, an entry of default, or dismissal one or more claims.”²

5. Upon FINRA’s information and belief, Sumner did not file any brief, written statement, or an application for review by the deadlines established by the Order. Nor has Sumner sought an extension of time to do so. Moreover, to date, FINRA neither has been served with a copy of Sumner’s Submission to the Commission nor any subsequent papers that Sumner might have filed pursuant to the Order.

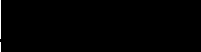
6. Commission Rule of Practice 180(c) provides that the Commission may dismiss a case if a party fails to make a filing required under the Rules of Practice, or fails to cure a

¹ 17 CFR § 201.420.

² 17 CFR § 201.180(c).

deficient filing within the time specified by the Commission.³ Sumner has failed to comply with the requirements of the Rules of Practice and has failed to submit the required filings by the deadlines established in the Order. Under the circumstances, we respectfully ask that the Commission treat Sumner's Submission as abandoned and dismiss this proceeding.

Respectfully submitted,

s/  _____
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March 16, 2023

³ *Id.*

CERTIFICATE OF SERVICE

I, Lisa Jones Toms, certify that on this 16th day of March 2023, I caused a copy of FINRA's Motion to Dismiss This Proceeding as Abandoned, in the matter of Application for Review of Christopher Anthony Sumner, Administrative Proceeding No. 3-21291, to be filed through the Commission's eFAP system with:

Vanessa Countryman, Secretary
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549-1090

and be served by electronic mail on the following:

Christopher Anthony Sumner

[REDACTED]

Christopher Anthony Sumner

[REDACTED]

Respectfully submitted,


/s/ [REDACTED]

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CERTIFICATE OF COMPLIANCE

I, Lisa Jones Toms, certify that this FINRA's Motion to Dismiss This Proceeding as Abandoned complies with the Commission's Rules of Practice by omitting or redacting any sensitive personal information described in Rule of Practice 151(e).

Respectfully submitted,

/s/  _____

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