

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-21951

In the Matter of	:	
TODD STUART BREITLING,	:	
Respondent.	:	DIVISION OF ENFORCEMENT'S
	:	REPLY TO RESPONSE OF
	:	TODD STUART BREITLING
	:	
	:	
	:	

Pursuant to the Court’s December 6, 2024 Order (Rel. No. 101835), the Division of Enforcement (the “Division”) respectfully submits the following:

1. On May 29, 2024, the Commission instituted these administrative proceedings against Respondent Todd Stuart Breitling (“Breitling”). On September 25, 2024, Breitling was served with the Order Instituting Proceedings (“OIP”). His Answer was required to be filed within 20 days after service of the OIP, or by October 15, 2024. Breitling did not file an Answer by the deadline.

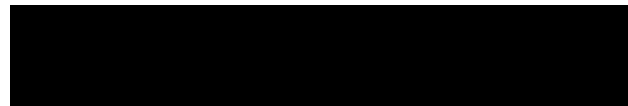
2. On December 6, 2024, the Commission issued an Order to Show Cause as to why Breitling should not be deemed to be in default (“Show Cause Order”). The Show Cause Order directed Breitling to show cause “why he should not be deemed to be in default and why this proceeding should not be determined against him due to his failure to file an answer or otherwise to defend this proceeding.” Show Cause Order at 1. The Show Cause Order further directed that “Breitling’s submission shall address the reasons for his failure to timely file an answer, and include a proposed answer to be accepted in the event that the Commission does not enter a default against him.”

3. On or about January 23, 2025, the Office of the Secretary received from Breitling, who is *pro se* and in prison, a handwritten Response to the Show Cause Order (“Response”), which attached another letter he had written to counsel for the Division during the first week of October 2024, but had not filed (the “Letter”). In his Response, he clarified that he intended for the Letter to be an Answer to the OIP (although the Letter was not filed until it was attached to the Response).

4. Thus, the Division is prepared to file either a motion for default and for remedies, or alternatively, proceed as directed by the Commission. Given the ambiguity concerning the procedural posture, the Division respectfully seeks clarification as to how to proceed.

Dated: February 19, 2025.

Respectfully submitted,



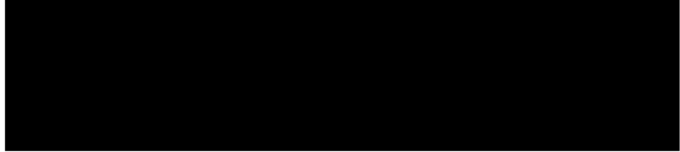
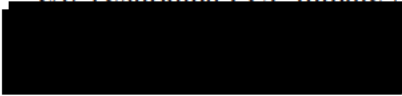
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COUNSEL FOR THE DIVISION OF
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CERTIFICATE OF SERVICE

In accordance with Rule 150 and 151 of the Commission's Rules of Practice, I hereby certify that a true and correct copy of the foregoing *Division of Enforcement's Notice of Service on Respondent Todd Stuart Breitling* was served on the following persons on February 19, 2025:

By Certified Mail, Return Receipt Requested:

Todd Stuart Breitling
c/o Texarkana FCI Inmate No.



Jennifer D. Reece