

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**ADMINISTRATIVE PROCEEDING**

**File No. 3-22307**

**In the Matter of**

**EPIC CAPITAL WEALTH  
ADVISORS, LLC,**

**Respondent.**

**REPLY IN SUPPORT OF MOTION  
FOR SUMMARY DISPOSITION**

The question before the Commission is whether an individual against whom a preliminary injunction was entered for alleged misconduct related to investment offerings and investment advice, and whom a state court enjoined from operating as an investment adviser within the state, should be permitted to register an entity he controls with the Commission as an investment adviser. The Division of Enforcement respectfully submits that the answer is no. Epic Capital takes issue with the proceedings underlying the relief entered by the state court, but as noted in the Division's motion, this is not the proper forum to litigate those issues.<sup>1</sup> Should Epic Capital's principal obtain relief in the proper forum—Colorado state court—he can then seek appropriate relief with respect to any associational bar the Commission may impose in *In re David Anthony*, File No. 3-22308, and may also resubmit Epic Capital's application for registration as an investment adviser with the Commission. Until then, the Division respectfully submits that the application should be denied.

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<sup>1</sup> The Division of Enforcement did not conduct an independent investigation into the allegations in the state proceedings.

Respectfully submitted this 10th day of January, 2025.

*s/ Ian J. Kellogg*

Ian Kellogg  
Division of Enforcement  
Securities and Exchange Commission  
Denver Regional Office  
1961 Stout Street, Ste. 1700  
Denver, CO 80294

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing was served on the following on January 10, 2025, in the manner indicated below:

Epic Capital Wealth Advisors, LLC (via email)  
c/o Mr. David Anthony  
dave@epiccapitalwealth.com

s/ Ian J. Kellogg  
Division of Enforcement  
Securities and Exchange Commission