

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 85749 / April 29, 2019

Admin. Proc. File No. 3-18980

In the Matter of the Application of

KEVIN CLAYTON COX

For Review of Action Taken by

FINRA

ORDER GRANTING MOTION TO WITHDRAW APPLICATION FOR REVIEW

On January 30, 2019, Kevin Clayton Cox filed with the Commission an application for review of FINRA action. Cox had submitted a claim for arbitration with FINRA requesting expungement of certain customer dispute information. FINRA notified Cox that his claim was not eligible for arbitration, and he appealed.

We issued an order scheduling briefs that directed the parties to address whether the Commission has jurisdiction over Cox's application for review.¹ Three days later, on April 8, 2019, Cox moved to withdraw his application because FINRA had represented that it would "allow [his] case to proceed through FINRA arbitration" and thus his appeal would be "moot." Under the circumstances, it is appropriate to grant Cox's request.

¹ *Kevin Clayton Cox*, Exchange Act Release No. 85535, 2019 WL 1505188 (April 5, 2019).

Accordingly, IT IS ORDERED that the request of Kevin Clayton Cox to withdraw his application for review is granted and that this review proceeding is dismissed.

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

Vanessa A. Countryman
Acting Secretary