

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 92181 / June 15, 2021

Admin. Proc. File No. 3-19515

In the Matter of

PATRICK S. CARTER

SUPPLEMENTAL ORDER REGARDING SERVICE

On September 25, 2019, the Securities and Exchange Commission issued an order instituting administrative proceedings (“OIP”) against Patrick S. Carter pursuant to Section 15(b) of the Securities Exchange Act of 1934.¹

On January 19, 2021, the Commission issued an Order Regarding Service, directing the Division of Enforcement to file a status report concerning service of the OIP.² On February 2, 2021, the Division filed a status report stating that, on September 25, 2019, the Office of the Secretary sent a copy of the OIP to two separate addresses for Carter by certified U.S. mail with return receipt requested, and that tracking information states that both mailings were delivered on October 5, 2019. But the status report also stated that the Office of the Secretary had not received return receipts for the mailings as of February 2, 2021. And the status report did not include any other proof of service for the mailings such as the tracking information.³

Further, the status report states that, on February 2, 2021, counsel for the Division “served another copy of the OIP on Carter by certified U.S. mail with return receipt requested to an address for Carter provided by the Federal Bureau of Investigation.” To date, the Division has not provided proof of service for the mailing to this third address.

Accordingly, it is ORDERED that, if the Division has obtained proof of service, it file a declaration of service attaching such proof by June 29, 2021; and, if the Division has not

¹ *Patrick S. Carter*, Exchange Act Release No. 87101, 2019 WL 4670692 (Sept. 25, 2019).

² *Patrick S. Carter*, Exchange Act Release No. 90942, 2021 WL 186924 (Jan. 19, 2021).

³ See Rule of Practice 141(a)(2)(i), 17 C.F.R. 201.141(a)(2)(i) (stating that OIPs may be served on individuals by “sending a copy of the order addressed to the individual by U.S. Postal Service certified, registered, or Express Mail and obtaining a confirmation of receipt”).

obtained proof of service, it file a status report concerning service of the OIP by June 29, 2021, and every 28 days thereafter until it obtains such proof.

The parties' attention is called to the Commission's March 18, 2020 order regarding the filing and service of papers, which provides that pending further order of the Commission parties to the extent possible shall submit all filings electronically at apfilings@sec.gov.⁴ Also, the Commission's Rules of Practice were recently amended to include new e-filing requirements, which took effect on April 12, 2021.⁵

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

Vanessa A. Countryman
Secretary

⁴ *Pending Administrative Proceedings*, Exchange Act Release No. 88415, 2020 WL 1322001 (Mar. 18, 2020), <https://www.sec.gov/litigation/opinions/2020/33-10767.pdf>.

⁵ *Amendments to the Commission's Rules of Practice*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020), 85 Fed. Reg. 86,464, 86,474 (Dec. 30, 2020); *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. The amendments also impose other obligations on parties to administrative proceedings such as a new redaction and omission of sensitive personal information requirement. *Amendments to the Commission's Rules of Practice*, 85 Fed. Reg. at 86,465–81.