

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 92522 / July 29, 2021

INVESTMENT ADVISERS ACT OF 1940  
Release No. 5809 / July 29, 2021

Admin. Proc. File No. 3-19720

In the Matter of  
DANIEL B. VAZQUEZ, SR.

ORDER REGARDING SERVICE

On March 3, 2020, the Securities and Exchange Commission (“Commission”) issued an order instituting administrative proceedings (“OIP”) against Daniel B. Vazquez, Sr., pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940.<sup>1</sup> On July 13, 2021, the Commission issued an order requiring the Division of Enforcement to file a status report concerning service of the OIP by July 27, 2021, and every 28 days thereafter until service is accomplished.<sup>2</sup>

On July 27, 2021, the Division filed a status report stating that Division counsel had “conducted a new search of Respondent’s whereabouts and learned that he has been transferred to a halfway house operated by” the Federal Bureau of Prisons (“BOP”) in Jacksonville, Florida. The report also stated that “[o]n July 23, 2021, the Division served the OIP on Respondent at his address in Florida by UPS Overnight delivery,” and attached confirmation of delivery of the OIP

<sup>1</sup> *Daniel B. Vazquez, Sr.*, Exchange Act Release No. 88314, 2020 WL 1031574 (Mar. 3, 2020); *see* 15 U.S.C. §§ 78o(b), 80b-3(f).

<sup>2</sup> *Daniel B. Vazquez, Sr.*, Exchange Act Release No. 92383, 2021 WL 2953523 (July 13, 2021).

to that address.<sup>3</sup> “However, the Commission’s Rules of Practice do not authorize service of an OIP by sending it through a commercial courier service or express delivery service.”<sup>4</sup>

Accordingly, IT IS ORDERED that the Division of Enforcement file a status report concerning service of the OIP by August 26, 2021, and every 28 days thereafter until service is accomplished. If applicable, the status report shall explain how the Division determined that Respondent resided at the address at which service was made.

The parties’ attention is directed to the most recent amendments to the Commission’s Rules of Practice, which took effect on April 12, 2021, and which include new e-filing requirements.<sup>5</sup>

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

Vanessa A. Countryman  
Secretary

---

<sup>3</sup> A search of the BOP inmate locator website located at <https://www.bop.gov/inmateloc/> states that Respondent is “Located at: Orlando RRM,” a “Residential Reentry Management” field office in Wildwood, Florida. The Division did not explain in its status report how it determined that Respondent was located at a facility in Jacksonville.

<sup>4</sup> *Gary Edward Haynes*, Investment Advisers Act Release No. 5692, 2021 WL 763945, at \*1 (Feb. 26, 2021) (citing Rule of Practice 141(a)(2)(i), 17 C.F.R. § 201.141(a)(2)(i)); *cf.* Rule of Practice 141(b), 17 C.F.R. § 201.141(b) (providing that orders other than an order instituting proceedings may be served by any method of service authorized under Rule of Practice 150(c) and (d)); Rule of Practice 150(d)(3), 17 C.F.R. § 201.150(d)(3) (authorizing service by sending papers through a commercial courier service or express delivery service).

<sup>5</sup> *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), <https://www.sec.gov/rules/final/2020/34-90442a.pdf>; *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. The amendments impose other obligations 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.