

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 97024 / March 2, 2023

Admin. Proc. File No. 3-21211

In the Matter of
RICHARD GREGORY TILFORD

ORDER

On October 19, 2022, the Securities and Exchange Commission issued an order instituting administrative proceedings (“OIP”) against Richard Gregory Tilford pursuant to Section 15(b) of the Securities Exchange Act of 1934.¹ On November 22, 2022, the Office of the Secretary received a letter from Tilford, who is pro se and currently resides at a state correctional facility. In his letter, Tilford acknowledged that he received a service packet from the Commission by certified mail, but stated that it may be incomplete. Tilford provided a list of the documents he received and requested that the Commission verify that his list contained all documents sent to him. Tilford also states that, because he is not an attorney and lacks access to the internet, he is unaware of the content of the Commission’s Rules of Practice. Tilford did not attach a certificate of service to his filing or otherwise state that he served a copy of his letter on the Division of Enforcement.

From his letter, it appears that Tilford received a copy of the OIP and certain related documents, but may not have received a complete copy of one of these related documents. For the avoidance of doubt, Tilford will be provided with copies of the OIP and the related documents generally provided to respondents at the outset of an administrative proceeding.²

¹ *Richard Gregory Tilford*, Exchange Act Release No. 96103, 2022 WL 13564463 (Oct. 19, 2022).

² The documents that will be sent to Tilford concurrently with this order are the four-page OIP, a one-page party letter from the Commission’s Secretary, a seven-page document entitled “Administrative Proceedings Set before the Securities and Exchange Commission,” a one-page document entitled “Service List,” and a two-page document entitled “Formatting, Filing, and Service Compliance Checklist.” It appears from Tilford’s letter that he has already received the OIP and all of these documents, except for the last three pages of the “Administrative Proceedings” document and perhaps the party letter from the Commission’s Secretary.

Given the circumstances, the Office of the Secretary will also provide the Division with a copy of Tilford's letter.³

Tilford is reminded that in the future he must serve the Division with a copy of any document that he files with the Commission,⁴ and he must include a certificate of service with each document that he files.⁵ We construe Tilford's statement regarding his lack of access to the internet as a certification that he lacks the ability to electronically file or serve documents during the course of his incarceration.⁶ Accordingly, Tilford may serve and file documents by sending them through alternative methods specified in the Commission's Rules of Practice, including through the U.S. Postal Service by first class, certified, registered, or express mail delivery.⁷

Finally, it is ORDERED that Tilford shall file his answer to the OIP in accordance with Rule of Practice 220 no later than April 17, 2023.⁸ In particular, Tilford shall deliver his answer

³ Because Tilford does not state whether he retained a hard copy of his letter for his records, it is unclear if he can provide another copy of it to the Division.

⁴ Rule of Practice 150(a), 17 C.F.R. § 201.150(a). Concurrently with this order, respondent will be provided with a copy of the Rules of Practice. *See Allan Michael Roth*, Exchange Act Release No. 84469, 2018 WL 5262756, at *1 (Oct. 22, 2018).

⁵ Rule of Practice 151(d), 17 C.F.R. § 201.151(d).

⁶ *See* Rules of Practice 150(c)(1), 152(a)(1), 17 C.F.R. §§ 201.150(c)(1), .152(a)(1) (addressing, respectively, certification of inability to serve and file documents electronically).

⁷ *See* Rules of Practice 150(d), 152(a)(2), 17 C.F.R. §§ 201.150(d), .152(a)(2).

⁸ 17 C.F.R. § 201.220.

to the proper prison authorities no later than the due date, for forwarding to the Commission's Office of the Secretary.⁹

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

Vanessa A. Countryman
Secretary

⁹ See *Houston v. Lack*, 487 U.S. 266, 276 (1988) (holding that, under federal prison mailbox rule, pro se prisoners' notices of appeal are "filed" at moment of delivery to prison authorities for forwarding to the district court); *Adams v. United States*, 173 F.3d 1339, 1341 (11th Cir. 1999) (per curiam) (noting that this "mailbox rule [applies] to other filings by *pro se* prisoners").