

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 99324 / January 11, 2024

Admin. Proc. File No. 3-20682

In the Matter of the application of

DEREK RUDOLF D'ALONZO

For Review of Action Taken by

FINRA

ORDER DISMISSING APPLICATION FOR REVIEW

On October 21, 2021, FINRA's Office of Hearing Officers issued an expedited decision suspending Derek Rudolf D'Alonzo from associating with any member firm in any capacity, because he failed to pay an arbitration award and failed to establish a bona fide inability to pay that award. On November 19, 2021, D'Alonzo attempted to file an application for review at apfilings@sec.gov and copied FINRA on that email. A year earlier, however, the Commission issued an order directing parties to submit filings to the Commission through its "Electronic Filings in Administrative Proceedings" system.¹ As a result, the apfilings@sec.gov email address was no longer operational when D'Alonzo attempted to use it.

On December 1, 2021, FINRA moved to dismiss D'Alonzo's application because his attempted filing did not comply with the Commission's Rules of Practice. D'Alonzo did not respond to FINRA's motion. On January 5, 2022, we ordered that D'Alonzo either file an application for review that complies with the Rules of Practice or file a brief addressing FINRA's motion to dismiss.² D'Alonzo did not respond to that order. We issued similar orders

¹ See *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>.

² *Derek Rudolf D'Alonzo*, Exchange Act Release No. 93910, 2022 WL 44343, at *1 (Jan. 5, 2022).

on July 27, 2022,³ and on October 13, 2023, directing D’Alonzo to respond.⁴ But, again, D’Alonzo did not do so. Under the circumstances, it appears that D’Alonzo has abandoned his appeal and that it therefore should be dismissed.⁵

Accordingly, it is ORDERED that Derek Rudolf D’Alonzo’s application for review is dismissed.

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

Vanessa A. Countryman
Secretary

³ *Derek Rudolf D’Alonzo*, Exchange Act Release No. 95370, 2022 WL 2981835, at *1 (July 27, 2022) (directing D’Alonzo to “either file an application for review that complies with the Commission’s Rules of Practice or file a brief addressing FINRA’s motion to dismiss”).

⁴ *Derek Rudolf D’Alonzo*, Exchange Act Release No. 98742, 2023 WL 6793624, at *1 (Oct. 13, 2023) (directing D’Alonzo to “either file an application for review that complies with the Commission’s Rules of Practice or file a brief addressing FINRA’s motion to dismiss”).

⁵ *See, e.g., Paul E. Taboada*, Exchange Act Release No. 82970, 2018 WL 1559752, at *1 (Mar. 30, 2018) (dismissing application for review where applicant failed to file brief in support of his application or respond to FINRA’s request that the application be dismissed); *Gabriel Block*, Exchange Act Release No. 84321, 2018 WL 11539448, at *1 (Sept. 28, 2018) (same).