

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 70650 / October 9, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15560

In the Matter of

SHAWN H. MOORE,

Respondent.

**ORDER INSTITUTING ADMINISTRATIVE
PROCEEDINGS PURSUANT TO SECTION
SECTION 15(b)(6) OF THE SECURITIES
EXCHANGE ACT OF 1934 AND NOTICE OF
HEARING**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b)(6) of the Securities Exchange Act of 1934 (“Exchange Act”) against Shawn H. Moore (“Respondent” or “Moore”).

II.

After an investigation, the Division of Enforcement alleges that:

A. RESPONDENT

1. Moore, 46, is a resident of Centerville, Utah. Moore was the manager of numerous entities that were part of a larger group of approximately 150 entities formed by VesCor Capital Corp (“VesCor”). From at least January 2000 until February 2008, Moore acted as an unregistered broker or dealer in violation of the federal securities laws by soliciting investors to purchase investment contracts issued by VesCor for first trusts deed notes in real property owned by VesCor, guaranteeing between 10.5% and 16% return on their investment. Moore maintained investment records for over 800 VesCor investors, supervised in the preparation of investor documents such as prospectuses and monthly and annual investment statements, and balanced investor payment reports with accounting reports on a monthly, quarterly, and annual basis. Between January 2000 and February 2008, Moore earned at least \$325,773 in commissions and

consulting fees from VesCor for the money he raised from investors. Moore has never been registered with the Commission or any other regulatory agency.

B. ENTRY OF THE CRIMINAL CONVICTION

2. On November 18, 2008, the State of Utah charged Moore with four counts of securities fraud in violation of Utah Code Ann. § 61-1-1 (a second-degree felony), four counts of sales of securities by an unlicensed agent in violation of Utah Code Ann. § 61-1-3(1) (a third-degree felony), and one count of pattern of unlawful activity in violation of Utah Code Ann. § 76-10-1601 (a second-degree felony) in State of Utah v. Shawn H. Moore, Criminal No. 081908861 (3rd Dist. Utah). On February 6, 2013, Moore was convicted of five second-degree felony counts, including four counts of securities fraud and one count of pattern of unlawful activity, and four third-degree felony counts of the sale of securities by an unlicensed agent.

3. The counts of the criminal information to which Moore was found guilty alleged, among other things, that Moore defrauded investors and obtained money by means of materially false and misleading statements in connection with the fraudulent sale of unregistered promissory notes while Moore was not registered as a securities dealer or salesman. VesCor raised at least \$180 million through the fraudulent sales of securities to approximately 800 investors.

III.

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative be instituted to determine:

A. Whether the allegations set forth in Section II are true and, in connection therewith, to afford Respondent an opportunity to establish any defenses to such allegations; and,

B. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 15(b) of the Exchange Act including, but not limited to, disgorgement and prejudgment interest, and civil penalties pursuant to Section 21B of the Exchange Act.

IV.

IT IS ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission's Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Respondent shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220 of the Commission's Rules of Practice, 17 C.F.R. § 201.220.

If Respondent fails to file the directed answer, or fails to appear at a hearing after being duly notified, the Respondent may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f) and 201.310.

This Order shall be served forthwith upon Respondent personally or by certified mail.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 210 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

By the Commission.

Elizabeth M. Murphy
Secretary