

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 71459 / January 31, 2014

INVESTMENT ADVISERS ACT OF 1940
Release No. 3769 / January 31, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15711

In the Matter of

DANTE DEMIRO,

Respondent.

ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF
THE SECURITIES EXCHANGE ACT
OF 1934 AND SECTION 203(f) OF THE
INVESTMENT ADVISERS ACT OF
1940 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) of the Securities Exchange Act of 1934 (“Exchange Act”) and Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Dante DeMiro (“Respondent”).

II.

After an investigation, the Division of Enforcement alleges that:

A. RESPONDENT

From April 2008 through July 2010, DeMiro was a registered representative associated with and an employee of Brookstone Securities, Inc., which, at the time, was registered with the Commission as a broker-dealer and as an investment adviser. Brookstone Securities’ registration with the Commission as a broker-dealer ended in August 2012, and its registration with the Commission as an investment adviser ended in June 2012. DeMiro, 46 years old, is a resident of Michigan.

B. RESPONDENT'S CRIMINAL CONVICTION

1. On April 19, 2011, DeMiro pleaded guilty to two counts of wire fraud in violation of 18 U.S.C. § 1343 and three counts of bank fraud in violation of 18 U.S.C. § 1344, before the United States District Court for the Eastern District of Michigan, in United States v. Dante DeMiro, Case 2:10-CR-20594 (LPZ-RSW). On July 12, 2011, DeMiro was sentenced in that proceeding to a prison term of 120 months followed by four years of supervised release and ordered to make restitution in the amount of \$12,900,904.

2. The wire fraud counts of the criminal information to which DeMiro pleaded guilty alleged, among other things, that: (1) he knowingly devised a scheme to defraud investors by convincing them to give him money, purportedly to invest on their behalf in various certificates of deposit; (2) he did not invest their funds as promised, but instead used the funds to purchase personal items and real property, gamble, make payments to other investors in the same scheme, and make loans to several individuals and a local jewelry store; and (3) for the purpose of executing the scheme, he had his victims authorize wire transfers of funds into Michigan from other states in March and April of 2009 and in March, May, and June of 2010. At the time of the alleged misconduct, DeMiro was a registered representative associated with and an employee of Brookstone Securities, a broker-dealer and investment adviser registered with the Commission.

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 proceedings be instituted to determine:

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

B. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 15(b) of the Exchange Act and Section 203(f) of the Advisers 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