

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 72906 / August 22, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-16035

In the Matter of

DONNA JESSEE TUCKER,

Respondent.

**ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934,
MAKING FINDINGS, AND IMPOSING
REMEDIAL SANCTIONS**

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”) against Donna Jessee Tucker (“Respondent”).

II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, Respondent admits the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in Sections III.2. and III.4. below, and consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and Respondent's Offer, the Commission finds that:

1. Donna Jessee Tucker was a registered representative associated with the Roanoke, Virginia branch office of UBS Financial Services Inc., a registered broker-dealer, from November 2007 to April 2013. Tucker, 58 years old, is a resident of Roanoke, Virginia.

2. On August 1, 2014, a final judgment ("Final Judgment") was entered by consent against Tucker, permanently enjoining her from future violations of Section 17(a) of the Securities Act of 1933, Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, in the civil action entitled *Securities and Exchange Commission v. Donna Jessee Tucker*, Civil Action No. 7:14-cv-00398, in the United States District Court for the Western District of Virginia.

3. The Commission's complaint alleged that, among other things, from in or around January 2008 to in or around April 2013, Tucker misappropriated \$730,289 from four customers using an elaborate scheme involving, among other things, unauthorized sales of securities in customer accounts, forged signatures on customer checks, and forged loan applications. The complaint further alleged that Tucker concealed her theft by providing customers with fabricated account statements and fraudulent verbal assurances concerning the value of their investment accounts.

4. On July 31, 2014, Tucker pled guilty to one count of wire fraud, in violation of 18 U.S.C. §1343, and one count of tax evasion, in violation of 26 U.S.C. §7201, before the United States District Court for the Western District of Virginia, in *United States v. Donna Jessee Tucker*, Criminal Information No. 7:14-cr-00043.

5. The counts of the criminal information to which Tucker pled guilty are based on the same facts in the Commission's action, and alleged, *inter alia*, that Tucker devised a scheme to defraud customers and to obtain money and property by means of false and fraudulent pretenses, representations and promises, and that she attempted to evade and defeat part of the income tax due and owing as a result of the money she stole from customers.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Tucker's Offer.

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act that Respondent Tucker be, and hereby is:

barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Jill M. Peterson
Assistant Secretary