

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 74510 / March 13, 2015**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-16443**

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<b>In the Matter of</b>	:	
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<b>ROBERT J. ANDRES, ESQ.,</b>	:	<b>ORDER OF SUSPENSION PURSUANT</b>
	:	<b>TO RULE 102(e)(2) OF THE</b>
<b>Respondent.</b>	:	<b>COMMISSION'S RULES OF PRACTICE</b>
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	:	

**I.**

The Securities and Exchange Commission deems it appropriate to issue an order of forthwith suspension of Robert J. Andres (“Andres”) pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice [17 C.F.R. 201.102(e)(2)].<sup>1</sup>

**II.**

The Commission finds that:

1. Andres is an attorney, whom the State of Texas admitted to practice law in 1983.

2. On December 18, 2014, a judgment of conviction was entered against Andres in *United States v. Andres*, No. 2:11-CR-00985-RJS, in the United States District Court for the District of Utah, finding him guilty of one count of wire fraud in violation of 18 USC § 1343. In his statement to the Court in advance of his guilty plea, Andres acknowledged that he “recruited investors to invest in a trading operation” and “fraudulently obtained millions of dollars from investors.” Andres further admitted that he disseminated false balance sheets to investors and

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<sup>1</sup> Rule 102(e)(2) provides in pertinent part: “Any attorney who has been suspended or disbarred by a court of the United States or of any State; . . . or any person who has been convicted of a felony or a misdemeanor involving moral turpitude shall be forthwith suspended from appearing or practicing before the Commission.” See 17 C.F.R. 201.102(e)(2).

failed to disclose that new investors' funds would be partially used to make distributions to earlier investors. Finally, Andres acknowledged that he used more than \$2.2 million of investor funds for personal use and invested \$1.2 million in unauthorized investments and other investment schemes.

3. As a result of this conviction, Andres was sentenced to fifty-six months in prison, three years of probation and ordered to pay restitution in the amount of \$3,291,310.39.

### **III.**

In view of the foregoing, the Commission finds that Andres has been convicted of a felony within the meaning of Rule 102(e)(2) of the Commission's Rules of Practice.

Accordingly, it is ORDERED, that Robert J. Andres is forthwith suspended from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission's Rules of Practice.

By the Commission.

Brent J. Fields  
Secretary