

2. In August 2012, the Department of Justice filed criminal charges against Casey and others, alleging conspiracy to commit wire fraud (18 U.S.C. § 1349) and mail fraud (18 U.S.C. § 1341) for conspiring with others to defraud individuals who invested in Commodities Online, LLC (“COL”). *United States v. Howard, et al.*, Case No. 12-cr-20630-JAL, (S.D. Fla.). In September 5, 2012, the Commission filed a civil action seeking permanent injunctive relief against Casey and others alleging that Casey violated Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 (“Securities Act”), 15 U.S.C. §§77e(a), 77e(c) and 77q(a), and Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. §78j(b), and Rule 10b-5 thereunder 17 C.F.R. §240.10b-5. *Securities and Exchange Commission v. Howard, et. al.*, Case No. 12-cv-61731-WJZ (S.D. Fla.). The Commission’s Complaint alleged that Casey, as outside counsel and later as president of COL, substantially participated in COL’s fraudulent solicitation of investors for its securities offerings.
3. On April 29, 2014, Casey failed to appear at a status hearing in his criminal case and was determined to be a fugitive. A bench warrant was issued for his arrest by the U.S. District Court for the Southern District of Florida.² The criminal case was concluded due to his fugitive status.
4. On May 28, 2014, the Supreme Court of Florida entered an Order suspending Casey from the practice of law. The court based its ruling upon the May 19, 2014 Petition for Emergency Suspension of the Florida Bar (“Bar”), which requested the court enter an emergency suspension of Casey based on his participation in the COL fraud and his failure to appear at a status hearing in his criminal case on April 29, 2014. The Bar Petition asserted that Casey “has caused or is likely to cause, immediate and serious harm to clients and/or the public and that immediate action must be taken for the protection of the respondent’s clients and the public.”

III.

In view of the foregoing, the Commission finds that Casey is an attorney who has been suspended by a State court within the meaning of Rule 102(e)(2) of the Commission’s Rules of Practice.

² On August 28, 2014, a grand jury indicted Casey for knowingly failing to appear before the court in violation of 18 U.S.C. 3146(a)(1) and (b)(1)(A)(i). See *United States v. Casey*, Case No. 14-cr-20619-FAM (S.D. Fla.). The court subsequently transferred this criminal case to fugitive status.

Accordingly, it is ORDERED, that Casey 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