

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 82703 / February 13, 2018

ADMINISTRATIVE PROCEEDING
File No. 3-18371

In the Matter of

JAMES R.J. SCHELTEMA,

Respondent.

**ORDER OF FORTHWITH SUSPENSION
PURSUANT TO RULE 102(e)(2) OF THE
COMMISSION'S RULES OF PRACTICE**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate to forthwith suspend James R.J. Scheltema (“Scheltema”) from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice (17 C.F.R. § 201.102(e)(2)).¹

II.

The Commission finds that:

1. Scheltema was an attorney admitted to practice law in Maryland and the District of Columbia until he was disbarred on July 18, 2017 and October 26, 2017, respectively. He is an inactive member of the Florida bar. He is also licensed as a certified public accountant in Florida. His certified public accounting license in Maryland expired on January 20, 2011.

¹ Rule 102(e)(2) provides, in pertinent part, that “[a]ny attorney who has been suspended or disbarred by a court of the United States or any State . . . or any person who has been convicted of a felony . . . shall be forthwith suspended from appearing or practicing before the Commission.”

2. Beginning in approximately 2010, Scheltema provided legal and accounting services to Hemp, Inc. and Medical Marijuana, Inc. (collectively, “Hemp”). His work included authoring numerous Rule 144 attorney opinion letters on behalf of individuals seeking to sell Hemp stock. Scheltema has similarly issued Rule 144 attorney opinion letters for other entities.

3. In consideration for the legal and accounting services he provided Hemp, Scheltema received restricted shares of Hemp stock. Scheltema failed to report the stock compensation he received from Hemp in his individual tax returns and failed to timely file corporate tax returns for two companies he owned and operated.

4. On January 19, 2017, in a criminal action titled *United States v. James R.J. Scheltema*, Case No. 3:16-cr80/MCR, the United States District Court for the Northern District of Florida, Scheltema pleaded guilty to two felony counts of filing false tax returns in violation of 26 U.S.C. § 7206(1) and one felony count of tax evasion in violation of 26 U.S.C. § 7201. On August 17, 2017, Scheltema was sentenced to five years of probation and ordered to pay \$275,777 in restitution.

5. Based on his criminal conviction, Scheltema was disbarred by Maryland on July 18, 2017 and the District of Columbia on October 26, 2017.

III.

In view of the foregoing, the Commission finds that Scheltema has been (1) convicted of a felony and (2) disbarred from the practice of law by Maryland and the District of Columbia within the meaning of Rule 102(e)(2) of the Commission’s Rules of Practice.

Accordingly, it is ORDERED, that James R.J. Scheltema 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