

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 87063 / September 23, 2019

ACCOUNTING AND AUDITING ENFORCEMENT
Release No. 4089 / September 23, 2019

ADMINISTRATIVE PROCEEDING
File No. 3-16339

	: ORDER GRANTING APPLICATION FOR : REINSTATEMENT TO APPEAR AND PRACTICE : BEFORE THE COMMISSION AS AN ACCOUNTANT : RESPONSIBLE FOR THE PREPARATION OR : REVIEW OF FINANCIAL STATEMENTS REQUIRED : TO BE FILED WITH THE COMMISSION
In the Matter of Jason Griffith, CPA	

On September 18, 2015, Jason Griffith, CPA (“Griffith”) was suspended from appearing or practicing before the Commission as an accountant as a result of settled public administrative proceedings instituted by the Commission against him pursuant to Rule 102(e) of the Commission’s Rules of Practice.¹ This order is issued in response to Griffith’s application for reinstatement to appear and practice before the Commission as an accountant responsible for the preparation or review of financial statements required to be filed with the Commission.

The Commission found that Griffith willfully violated Section 17(a) of the Securities Act of 1933, caused violations of Rule 2-02(b)(1) of Regulation S-X, and engaged in improper professional conduct with respect to his role as the engagement quality review partner for the audits of seven clients of the accounting firm De Joya Griffith, LLC (“De Joya”). These seven clients were part of a scheme engineered by John Briner, Esq, a recidivist securities law violator, to create sham public shell companies. Griffith, and others, failed to respond appropriately to certain red flags that appeared during the course of the audits. In addition, Griffith failed to appropriately evaluate the engagement teams’ judgments to continue with the audits without re-assessing and responding to the risk of fraud when presented with the concerns of a De Joya staff member that Briner may be engaged in fraud and he further failed to detect basic accounting errors and inconsistencies between certain financial statements and registration statements of the issuers.

¹ See Accounting and Auditing Enforcement Release No. 3699 dated September 18, 2015. Griffith was permitted, pursuant to the order, to apply for reinstatement after three years upon making certain showings.

In his capacity as a preparer or reviewer, or as a person responsible for the preparation or review, of financial statements of a public company to be filed with the Commission, Griffith attests that he will undertake to have his work reviewed by the independent audit committee of any company for which he works, or in some other manner acceptable to the Commission, while practicing before the Commission in this capacity. Griffith is not, at this time, seeking to appear or practice before the Commission as an independent accountant. If he should wish to resume appearing and practicing before the Commission as an independent accountant, he will be required to submit an application to the Commission showing that he has complied and will comply with the terms of the original suspension order in this regard. Therefore, Griffith's suspension from practice before the Commission as an independent accountant continues in effect until the Commission determines that a sufficient showing has been made in this regard in accordance with the terms of the original suspension order.

Rule 102(e)(5) of the Commission's Rules of Practice governs applications for reinstatement, and provides that the Commission may reinstate the privilege to appear and practice before the Commission "for good cause shown."² This "good cause" determination is necessarily highly fact specific.

On the basis of information supplied, representations made, and undertakings agreed to by Griffith, it appears that he has complied with the terms of the September 18, 2015 order suspending him from appearing or practicing before the Commission as an accountant, that no information has come to the attention of the Commission relating to his character, integrity, professional conduct or qualifications to practice before the Commission that would be a basis for adverse action against him pursuant to Rule 102(e) of the Commission's Rules of Practice, and that Griffith, by undertaking to have his work reviewed by the independent audit committee of any company for which he works, or in some other manner acceptable to the Commission, in his practice before the Commission as a preparer or reviewer of financial statements required to be filed with the Commission, has shown good cause for reinstatement. Therefore, it is accordingly,

ORDERED pursuant to Rule 102(e)(5)(i) of the Commission's Rules of Practice that Jason Griffith, CPA is hereby reinstated to appear and practice before the Commission as an accountant responsible for the preparation or review of financial statements required to be filed with the Commission.

By the Commission.

Vanessa Countryman
Acting Secretary

² Rule 102(e)(5)(i) provides:

"An application for reinstatement of a person permanently suspended or disqualified under paragraph (e)(1) or (e)(3) of this rule may be made at any time, and the applicant may, in the Commission's discretion, be afforded a hearing; however, the suspension or disqualification shall continue unless and until the applicant has been reinstated by the Commission for good cause shown." 17 C.F.R. § 201.102(e)(5)(i).