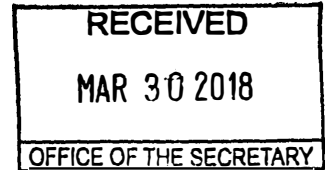


UNITED STATES OF AMERICA  
BEFORE THE  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C.



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In the Matter of the Application of  
The Association of Robert J. Escobio  
With Southern Trust Securities, Inc.

**HARD COPY**

For Review of Denial of Registration by  
FINRA

Admin. Proc. File No. 3-18143 - (FINRA SD-2130)

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**ROBERT ESCOBIO'S REQUEST THAT THE COMMISSION TAKE OFFICIAL  
NOTICE OF THE ORDER OF THE ELEVENTH CIRCUIT COURT OF APPEAL  
ENTERED MARCH 20, 2018 DIRECTING CFTC RESPOND TO APPELLANTS'  
PETITION FOR PANEL REHEARING**

Robert J. Escobio, ("Mr. Escobio"), by and through his undersigned counsel, requests that the Commission take official notice of the attached Order of the Eleventh Circuit Court of Appeals in the *U.S. Commodity Futures Trading Commission v. Southern Trust Metals, Inc., Loreley Overseas Corporation, and Robert Escobio*, dated March 20, 2018, in which the Court directs Appellee, the U.S. Commodity Futures Trading Commission ("CFTC"), to respond to Appellants' Petition for Panel Rehearing. See 17 C.F.R. § 201.323, (explaining that the Commission may take notice "of any material fact which might be judicially noticed by a district court of the United States"), see also *Anthony*

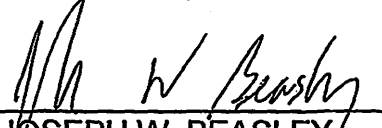
*Fields*, Exchange Act Release No. 74344, 2015 SEC LEXIS 662, at \*6n.3 (Feb. 20, 2015); *Thomas R. Alton*, 52 S.E.C. 380, 386 n.24 (1995). This order demonstrates that the Eleventh Circuit's decision, for which FINRA requested Official Notice on January 23, 2018, is non-final.

Dated: March 29, 2018

Respectfully submitted

Attorneys for Appellant, ROBERT J. ESCOBIO,  
BEASLEY, DEMOS & BROWN, LLC  
201 Alhambra Circle, Suite 601  
Coral Gables, FL 33134  
Tel.: 305-669-3131, Fax: 786-615-8945

By:

  
\_\_\_\_\_  
JOSEPH W. BEASLEY  
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[jmanley@beasleydemos.com](mailto:jmanley@beasleydemos.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following parties this 29th day of March, 2018 as follows:

**VIA FAX & FEDEX:**

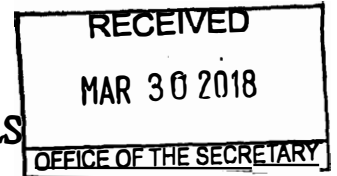
Mr. Brent J. Fields, Secretary  
United States Securities & Exchange  
Commission  
100 F Street, N.E.  
Mail Stop 1090-Room 10915  
Washington, D.C. 20549  
Tel.: 202-551-5400, Fax: 202-772-9324  
(Original + 3 copies via FEDEX)

**VIA E-MAIL, FAX & FEDEX:**

Andrew J. Love, Esq.  
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By: \_\_\_\_\_

  
Joseph W. Beasley



IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 16-16544

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D.C. Docket No. 1:14-cv-22739-JLK

U.S. Commodity Futures Trading Commission,

Plaintiff-Appellee,

versus

Southern Trust Metals, Inc.,  
Loreley Overseas Corporation, and  
Robert Escobio,

Defendants-Appellants.

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Appeal from the United States District Court  
for the Southern District of Florida

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**ORDER:**

The Court directs Appellee the U.S. Commodity Futures Trading Commission (the "CFTC") to respond to the 15-page Petition for Panel Rehearing,

filed by Appellants Southern Trust Metals, Inc., Loreley Overseas Corporation, and Robert Escobio on March 6, 2018. The CFTC shall submit its response by April 9, 2018, not to exceed 15 pages.

*Frank M. Hupp*  

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UNITED STATES CIRCUIT JUDGE