

the Securities Commissioner, the Division conducted an investigation into the activities of Moses Lamont Burkett, CRD No. 5231724 (“Burkett” or the “Respondent”), and in connection with its investigation, the Division has determined that evidence exists to support the following:

II. JURISDICTION

1. The Securities Commissioner has jurisdiction over this matter pursuant to S.C. Code Ann. § 35-1-601(a).

III. RESPONDENT

2. Respondent Burkett is a South Carolina resident with a last known address of 615 North Jones Avenue, Rock Hill, South Carolina 29730.

IV. FINDINGS OF FACT AS TO THE RESPONDENT’S SALE OF WOODBRIDGE NOTES

3. Burkett has never been registered with the Division in any capacity.

12. THE NOTES THEMSELVES WERE INSOLVENT AND WERE NEVER SECURED BY ANY REAL PROPERTY.

1-3-UNION-PONZI-SCHEME-00116, *Miami Herald*, *Judge gives 20-year max to 1 ponzi-schemer who stole millions from Florida to California*, Oct. 15, 2019, <https://www.miamiherald.com/news/local/article236215238.html>.

² In the matter of Woodbridge Group of Companies, LLC – Consent Order (8/5/19), <http://www.scag.gov/2019-notices-and-orders#ixzz6NYdt80Iq>

comply with the Act, pursuant to S.C. Code Ann. § 35-1-412(d)(2).

24. The Respondent's violation of S.C. Code Ann. § 35-1-412(d)(2) provides the basis for this order, pursuant to S.C. Code Ann § 35-1-412(c).

such registration in violation of S.C. Code Ann. § 35-1-412(d)(2).

... acting as an agent in commerce with the public without being registered with the Division as such or exempt from registration, constitutes a willful failure to comply with the Act, pursuant to S.C. Code Ann. § 35-1-412(d)(2).

the Respondent has neither replied to any emails nor supplied any of the requested responses.

**IX. CONCLUSIONS OF LAW AS TO RESPONDENT'S
REFUSAL TO COOPERATE**

37. The Respondent's refusal to cooperate with the Division's investigation pursuant S.C. Code Ann § 35-1-411 is a violation of S.C. Code Ann § 35-1-412.

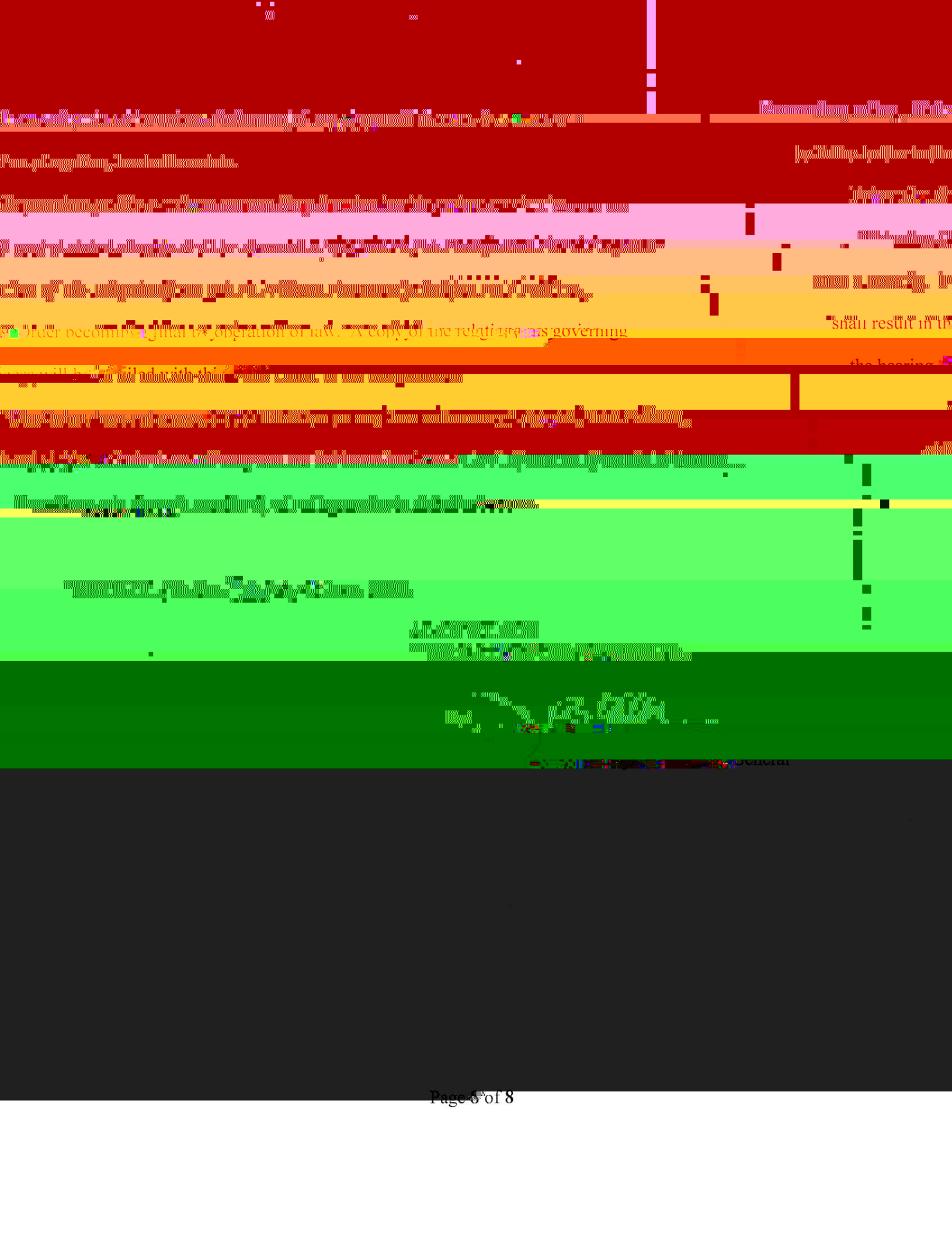
VI. ORDER

NOW THEREFORE, pursuant to S.C. Code Ann. § 35-1-604(a)(1), it is hereby **ORDERED** that:

- a. This order is in the public interest; and
- b. The Respondent and every successor, affiliate, control person, agent, servant, and employee of the Respondent, and every entity owned, operated, or indirectly or directly controlled by or on behalf of the Respondent **CEASE**

SECURITIES DIVISION, WITHIN THIRTY (30) DAYS AFTER THE DATE OF SERVICE OF THIS ORDER, A WRITTEN ANSWER SPECIFICALLY REQUESTING A HEARING. IF THE RESPONDENT REQUESTS A HEARING, THE DIVISION, WITHIN FIFTEEN (15) DAYS AFTER RECEIPT OF A WRITTEN REQUEST, WILL SCHEDULE THE HEARING FOR THE RESPONDENT.

deny each factual allegation in this Order, shall set forth specific facts on which the Respondent relies, and shall set forth concisely the matters of law and affirmative defenses upon which the



- some action within a prescribed time period after service:
- (a) The date of mailing is the date of service; and
 - (b) Three days are added to the prescribed time period.
- D. Content of Documents.

(3) The Securities Commissioner may revoke all or part of a delegation as a Hearing Officer.

(4) Procedures for Revocation.

(a) The Securities Commissioner may revoke a delegation as Hearing Officer at any time before a ruling on a substantive issue by the Hearing Officer or the taking of oral testimony from the first witness, whichever is earlier.

(b) The Securities Commissioner shall issue a written order of revocation that states the reason for the revocation and specifies whether all or part of the delegation has been revoked. If only part of the delegation has been revoked, the Securities Commissioner shall specify the portions of the Administrative Hearing for which the delegation has been revoked.

(c) The Securities Commissioner shall serve the order of revocation on all Parties and the Hearing Officer.

(d) A decision issued by the Securities Commissioner shall reflect the revocation of delegation, and a

(5) The Securities Commissioner may withdraw all or part of a delegation as Hearing Officer over an Administrative Hearing as to a Respondent at any time with the consent of that Respondent and the Division.
H. Notice of Hearing.

(2) An application for issuance of a subpoena shall be made in writing to the Hearing Officer and shall state:

- (a) The name and address of the person to be subpoenaed,
- (b) If production of documents or tangible items is sought, a particular description of the documents or tangible items sought; and
- (c) The name, address, and telephone number of the Party requesting the subpoena.

(3) A subpoena may be served by personal service or by registered mail. The Party requesting the subpoena shall be responsible for, and bear the cost of, service.

(4) A Party shall promptly file a return of service with the Hearing Officer including an affidavit by the person making personal service or, if the subpoena was served by mail, the return receipt.

(a) A Party defaulted as a result of a failure to appear at a prehearing conference or hearing may file a written motion requesting reconsideration by the Hearing Officer and stating the grounds for the request.

(b) A motion for reconsideration shall be filed within 15 days after service of a default order, or such lesser time as the Hearing Officer may direct.

O. Motions Generally.

(1) Unless otherwise permitted by these regulations or by the Hearing Officer, motions shall:

Administrative Hearing; and

(b) State concisely the question to be determined and be accompanied by any necessary supporting documentation and memoranda.

(2) Parties may, by stipulation, agree on any facts relevant to the proceedings. The facts stipulated shall be considered proven for purposes of the proceedings.

(a) The Hearing Officer may take official notice of a fact that is judicially noticeable or that is within

(b) Before taking official notice of a fact, the Hearing Officer shall:
(1) Notify each Party before or during the hearing; and

maintained in the custody of the Division in the event of an appeal from a decision of the Commission;

... may receive an immediate hearing without a final decision by [redacted], [redacted], or [redacted] order.

Y. Severability Clause. The provisions of this regulation are severable. If any part of this regulation is declared invalid or unconstitutional, that declaration shall not affect the parts which remain. Notwithstanding any invalidation, the remaining parts shall nonetheless continue to provide a workable and predictable procedure for conducting Administrative Hearings held pursuant to Sections 35-1-306, 35-1-412, and 35-1-604.

Fiscal Impact Statement:

There will be no increased costs to the State or its political subdivisions due to the regulations.

[redacted]
Statement of Rationale.

The Attorney General, as Securities Commissioner, oversees and enforces the provisions of the South Carolina Uniform Securities Act of 2005. Pursuant to the Act, the Securities Commissioner is authorized to conduct administrative hearings, should one be requested, after the issuance of an administrative order. This regulation would clearly disclose to the parties of such an administrative hearing what procedures are to be followed.