

**STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION**

IN THE MATTER OF:)	
)	
NEWMAN ENERGY CORPORATION)	
JOSEPH W NEWMAN)	ADMINISTRATIVE ORDER
JOSEPH D NOLFE)	NO. CD- 2007-0024
)	
<u>RESPONDENTS</u>)	

CEASE AND DESIST ORDER

The Alabama Securities Commission ("Commission"), having the authority to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, Code of Alabama 1975, the Alabama Securities Act ("the Act"), upon due consideration of the subject matter herein, and having confirmed information of the offer and/or sale of securities into, within, or from the State of Alabama, has determined as follows:

RESPONDENTS

1. NEWMAN ENERGY CORPORATION, ("NECorp") is an entity representing to be a corporation, with a business address of 1241 Vista Lane, Birmingham, AL 35216 and Post Office Box 9815, Mobile, AL 3669. (Further, the Alabama Office of Secretary of State shows no licensing or registration of NECorp in the state of Alabama)

2. JOSEPH W NEWMAN ("NEWMAN") at all times relevant to the violations set forth herein, acted as an agent of NECorp in the state of Alabama. NEWMAN's business addresses are 1241 Vista Lane, Birmingham, AL 35216 and Post Office Box 9815, Mobile, AL 3669. NEWMAN's home address is 5539 Natoma Drive, Fort Myers, FL 33919-2615.

3. JOSEPH D NOLFE ("NOLFE") is identified as the President and CEO of NECorp with a business address of 1241 Vista Lane, Birmingham, AL 35216. At all times relevant to the violations set forth herein, NOLFE acted as an agent of NECorp in the state of Alabama.

STATEMENT OF FACTS

4. Information made available to the Commission on May 7, 2007, indicates that NEWMAN and NOLFE engaged in the offer and/or sale, to Alabama residents, of securities, to wit: shares of NECorp that were neither registered nor exempt from registration in the State of Alabama.

5. On May 9, 2007, NEWMAN and NOLFE offered shares of NECorp to Alabama investors at \$15.00 a share, with a minimum investment of \$5,000.00.

6. In May 2007, a review of the files of the Alabama Securities Commission disclosed no record of registration for either NEWMAN or NOLFE as Dealers, Agents, Investment Advisors, or Investment Advisor Representatives in the state of Alabama.

7. In May 2007, a review of the Alabama Securities Commission files disclosed no record of the registration or exemption from registration for the shares offered for sale by NEWMAN and NOLFE.

CONCLUSIONS OF LAW

8. Pursuant to Section 8-6-2(10), Code of Alabama 1975, the definition of "security" includes any stock. Shares of stock of NECorp are securities under the statutory definition set forth in Section 8-6-2(10) of the Act.

9. Pursuant to Section 8-6-2(2), Code of Alabama 1975, the definition of "agent" includes any individual who represents an issuer in effecting sales of securities. RESPONDENTS' actions enumerated in paragraphs 4 and 5 establish that NEWMAN and NOLFE acted as agents of NECorp in violation of the Act.

10. Pursuant to Section 8-6-3, Code of Alabama 1975, it is unlawful for any person to transact business in this state as a Dealer, Agent, Investment Advisor, or Investment Advisor Representative unless he is registered under this article. RESPONDENTS are not registered as a Dealer, Agent, Investments Advisor, or Investment Advisor Representative in the State of Alabama, and have effected securities transactions with one or more Alabama residents in violation of the Act.

11. Section 8-6-4, Code of Alabama 1975 states: "It is unlawful for any person to offer or sell any security in this state unless it is registered under this article; the security is exempt from registration under Section 8-6-10; or the transaction is exempt under Section 8-6-11." The securities offered and sold by the RESPONDENTS were neither registered nor exempt from registration in Alabama at the time of solicitation or sale in violation of the Act.

This Order does not prevent the Alabama Securities Commission from seeking such other civil or criminal remedies that are available to it under the Alabama Securities Act.

This Order is appropriate in the public interest for the protection of investors and consistent with the purpose of the Alabama Securities Act.

ACCORDINGLY, IT IS HEREBY ORDERED that NEWMAN ENERGY CORPORATION, NEWMAN, AND NOLFE, CEASE AND DESIST from further offers or sales of any security into, within, or from the State of Alabama.

Entered at Montgomery, Alabama, this 24th day of AUGUST, 2007.



ALABAMA SECURITIES COMMISSION
770 Washington Street, Suite 570
Montgomery, Alabama 36130-4700
BY:

A handwritten signature in black ink, appearing to read "Joseph P. Borg", is written over a horizontal line. The signature is stylized with large, sweeping loops.

Joseph P. Borg
Director

JPB/ndw