

**STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION**

IN THE MATTER OF:)	
)	
BRIAN ALAN BLACKMON)	ADMINISTRATIVE ORDER
)	NO. SC-2005-00 <u>02</u>
)	
)	
<u>RESPONDENT</u>)	

SHOW CAUSE ORDER

The Alabama Securities Commission ("Commission"), having the power to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, Code of Alabama 1975, the Alabama Securities Act, upon due consideration of the subject matter hereof, has determined as follows.

RESPONDENT

1. Brian Alan Blackmon ("BLACKMON"), was registered in Alabama as an Agent of Horowitz & Associates from October 27, 2003 to November 2004, with a business address of 900 Bob Wallace Avenue, Suite 124, Huntsville, AL 35801.

STATEMENT OF FACTS

2. From January 31, 1994 to December 16 1999, BLACKMON was registered as an Agent of Edward Jones in Huntsville, Alabama. Edward Jones terminated BLACKMON after determining that BLACKMON made an unauthorized transfer of funds from one customer account to another.

3. From February 15, 2000 to October 2003 BLACKMON was registered as an Agent of First Montauk Securities Corp. in Huntsville, Alabama. First Montauk Securities permitted BLACKMON to resign from its employ after determining that BLACKMON had violated firm policy relating to account documentation.

4. In November 2004, the Commission received information from an Alabama resident who had attended one of BLACKMON's seminars in the Huntsville, Alabama area. During this seminar BLACKMON gave the Alabama resident written information which falsely represented that BLACKMON was then a Director of an entity known as the National Senior Resource Center.

5. Horowitz & Associates terminated BLACKMON on November 5, 2004, after learning that BLACKMON had violated the firm's written supervisory policies regarding advertising and communications with the public. Horowitz determined that from March 2004 to October 2004 BLACKMON held a series of seminars in the Huntsville, Alabama area without the firm's knowledge or consent. Horowitz & Associates also determined that BLACKMON distributed handouts to attendees of the seminars which had neither been reviewed nor approved by Horowitz compliance personnel. The Commission has also received information from seminar attendees disclosing that BLACKMON focused on tax, and investment related issues with specific focus on the retirement community during the seminars.

CONCLUSIONS OF LAW

6. That the activity set forth in paragraphs 2 through 5 above, constitutes a pattern of dishonest and unethical business practices on the part of BLACKMON in the securities business.

7. That pursuant to Section 8-6-3(j)(7), Code of Alabama 1975, the Commission may suspend or revoke any registration, or censor or bar any applicant or registrant from employment with a securities dealer if the Commission finds that the Order is in the public interest, and that the registrant has engaged in dishonest or unethical practices in the securities business.

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

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

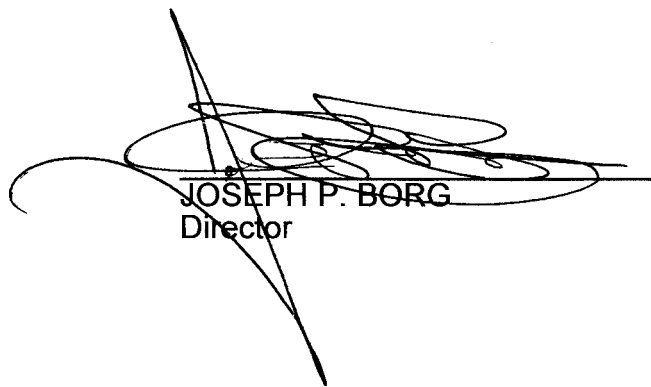
ACCORDINGLY, IT IS HEREBY ORDERED that BRIAN ALAN BLACKMON **SHOW CAUSE** to the Commission, within 28 days of the date of this Order, why his registration as an Agent should not be permanently barred in the state of Alabama.

Entered at Montgomery, AL, this 7th day of January, 2005



ALABAMA SECURITIES COMMISSION
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(334) 242-2984

BY:



JOSEPH P. BORG
Director

A large, stylized handwritten signature in black ink is written over the printed name and title of Joseph P. Borg.