

STATE OF ALABAMA  
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:

JACK MELVIN GLOVER JR

RESPONDENT

)  
)  
)  
ADMINISTRATIVE ORDER  
NO. CD 2010-00 60

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 ("Act"), upon due consideration of the subject matter hereof, and having confirmed information of the offers for sale and/or sale of securities into, within or from the state of Alabama, has determined as follows:

RESPONDENT

1. JACK MELVIN GLOVER JR ("GLOVER") during all times relevant represented that he is a licensed attorney in the state of Alabama with a principal business address of 529 Linden Street, Trussville, Alabama 35173

STATEMENT OF FACTS

2. The Commission received information that on or about April 6, 2010, GLOVER solicited funds from an Alabama resident with a promise to repay the principal plus interest equal to the principal on or before April 9, 2010.

3. The Alabama resident ("Investor") requested that GLOVER put this agreement in writing. GLOVER agreed to sign a Promissory Note that was drafted by Investor.

4. On or about April 6, 2010, **GLOVER** and Investor signed the Promissory Note. The Promissory Note was also witnessed and signed by another person.

5. On or about April 6, 2010, Investor gave **GLOVER** \$31,500 in the form of a Cashier's Check. **GLOVER** said he would send the funds to another individual who handled financial deals. **GLOVER** did not describe the financial deals.

6. On or about April 6, 2010, **GLOVER** gave Investor a personal check for \$63,000 as evidence that **GLOVER** planned to repay Investor the principal plus interest equal to the principal. However, when Investor attempted to cash the check, the check was returned marked "not sufficient funds".

7. **GLOVER** did not pay Investor as promised in the Promissory Note.

8. On December 2, 2010, a review of the Commission's registration files disclosed no record of registration nor any perfected exemption from registration for the Promissory Note in the State of Alabama.

9. On July 28, 2010, a review of the Commission's registration files disclosed no record of registration for **GLOVER** as broker dealer agent, investment advisor, or investment advisor representative in the state of Alabama

#### CONCLUSIONS OF LAW

10. Pursuant to Section 8-6-2(10), Code of Alabama 1975, Alabama's statutory definition of a security includes any note, stock or evidence of indebtedness. The promissory note offered and sold by **GLOVER** is a security under the Act.

11. Pursuant to Section 8-6-2(2), Code of Alabama 1975, the definition of "agent" includes any individual who represents a dealer or an issuer in effecting or attempting to effect sales of securities. **GLOVER** by soliciting the sale of a security,

to wit; the Promissory Note, to Alabama residents is an "Agent" as defined by the Act. **GLOVER** was not registered as an agent in the state of Alabama.

12. Pursuant to Section 8-6-3(a), Code of Alabama 1975, it is unlawful for any person to transact business in this state as a Dealer or Agent for securities unless he is registered under the Act. **GLOVER** sold a security in the state of Alabama while not being registered with the Commission in violation of the Act.

13. 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 the Act; the security is exempt from registration under Section 8-6-10; or the transaction is exempt under Section 8-6-11. The security offered and sold, to wit; the Promissory Note by **GLOVER** was neither registered nor exempt from registration in Alabama in violation of the Act.

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.

Additionally, if the allegations set forth herein are found to be true, through either administrative adjudication, failure of the **RESPONDENT** to make a timely request for hearing, or default of the **RESPONDENT**, it is the intention of the Commission to impose sanctions upon the **RESPONDENT**. Such sanctions may include, *inter alia*, an administrative assessment imposed on **RESPONDENT**, an additional administrative assessment for investigative costs arising from the investigation of the violation(s) described herein against **RESPONDENT**, and a permanent order to bar **RESPONDENT** from participation in any securities related industry in the state of Alabama.

**ACCORDINGLY, IT IS HEREBY ORDERED** that **RESPONDENT** immediately **CEASE AND DESIST** from further offers or sales of any security into, within or from the state of Alabama.

Entered at Montgomery, AL, this 14th day of December, 2010.



ALABAMA SECURITIES COMMISSION  
401 Adams Avenue, Suite 280  
Montgomery, AL 36104  
(334) 242-2984

BY:

A handwritten signature in black ink, appearing to read "Joseph P. Borg".

Joseph P. Borg  
Director