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**BEFORE THE DIVISION OF SECURITIES
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF:

**GREGORY KENT HOWELL,
Respondent.**

**MOTION TO LIFT STAY and
REQUEST FOR HEARING**

Docket No. SD-08-0002

The State of Utah, Department of Commerce, Securities Division (Division), respectfully requests this tribunal to lift and terminate the stay entered in this matter on April 16, 2008. The stay was entered because of a related criminal proceeding against the Respondent in the Third District Court, case number 071909389. That case commenced December 20, 2007 and charged two counts: wrongful appropriation and securities fraud, both second degree felonies. On January 14, 2010, a jury found Respondent not guilty of the charge of securities fraud, but was unable to reach a verdict regarding the charge of wrongful appropriation. On April 27, 2012, Respondent entered a guilty plea to a reduced charge of wrongful appropriation, a class B misdemeanor. He was sentenced to 180 days, given credit for time served, and ordered to pay

\$100,000 restitution to the victim in that case.

Because the criminal case has been resolved and there are no further proceedings, pending in that case, the Securities Division requests that a hearing be scheduled as soon as it can be properly calendared to schedule further proceedings in this administrative proceeding.

Respectfully submitted this 26th day of February, 2013.

By: D. Scott Davis
D. Scott Davis
Assistant Attorney General
Counsel for the Division

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I personally served a true and correct copy of the foregoing on this 4th day of March, 2013, to the following:

Gregory Howell, #274772 Sanpete County Jail 160 North Main St. Manti, UT 84642	Sent via:
	<input type="checkbox"/> Hand-Delivery
	<input type="checkbox"/> Facsimile:
	<input checked="" type="checkbox"/> Mailed (U.S. Mail, postage prepaid)
	<input type="checkbox"/> Other:

D. Scott Davis