

Keith



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah Department of Commerce

FRANCINE A. GIANI
Executive Director

THAD LEVAR
Deputy Director

March 19, 2009

MR R BRYCE ROWLEY
3366 E SWEETWATER SPRINGS DR
WASHINGTON UT 84780

Re: Your Letter Dated March 17, 2009

Dear Mr. Rowley,

On March 18, 2009, the Division of Securities ("Division") received your letter dated March 17, 2009, which appears to be a request for agency review or appeal (hereafter, "Request") from the Division's decision which denied your application for a broker-dealer agent license. The Division forwarded your Request to Ms. Francine Giani, the Executive Director of the Department of Commerce. Please note that pursuant to Utah Admin. Code R151-46b-12(1),¹ the Executive Director determines all agency review matters. Therefore, you must direct all future filings in this matter to Ms. Giani's attention at the address on this letterhead. You must also provide a copy of any filing to the Division or its counsel. Subsection R151-46b-12(3)(e).

Ms. Giani has assigned me to assist her in this matter. Although you did not include a copy of the Division's decision with your Request as required by Subsection R151-46b-12(3)(a), I have obtained a copy of that decision from the Division. Please note that although your Request appears to be timely filed, it cannot be processed as this time because it is deficient. In order to succeed on agency review, a person requesting agency review has the burden of establishing that the Division has committed an error in its proceedings based upon the applicable law and the facts of his case, and he must set forth any factual or legal basis in support of his request, including adequate supporting arguments and citation to the hearing record and to appropriate legal authority. See Subsections R151-46b-12(3)(b), 12(7), and Utah Code Ann. § 63G-4-301(4). In your letter, you state only that "[m]any statements in the denial letter are inaccurate and need to be addressed." However, you have not identified any findings or conclusions in the Division's decision that you challenge, nor have you stated any factual or legal basis, or provided any arguments to support your Request.

Therefore, your Request could be dismissed unless we receive an additional submission from you by the deadline date of March 30, 2009 correcting the deficiencies noted above. The Division will then have an opportunity to respond to your Request, and you may file a reply memorandum in accordance with the time frames set forth in Subsections R151-46b-12(5) and

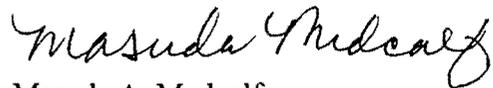
¹ The applicable statutes and rules may be accessed at: <http://www.commerce.utah.gov/agencyrev.html>.

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R151-46b-5(4). The Executive Director will issue a decision in this matter upon completion of the parties' filings.

You may contact me at (801) 530-7663 if you have questions about any technical or procedural matters, but please keep in mind that I cannot discuss the merits of your case.

Sincerely,



Masuda A. Medcalf
Administrative Law Judge

cc:  Keith Woodwell, Director, Division of Securities, Box 146760, S.L.C., Utah 84114-6760
Scott Davis, Assistant Attorney General, Box 140872, S.L.C., UT 84114-0872