ADMINISTRATIVE PROCEEDING

BEFORE THE

SECURITIES COMMISSIONER OF SOUTH CAROLINA

IN THE MATTER OF:	)	
	)	**ORDER TO CEASE AND DESIST**
Ulundria Horsey Byrd,	)	
	)	**File No. 2018445**
Respondent.	)	

WHEREAS, the Securities Division of the Office of the Attorney General of the State of South Carolina (the "Division") has been authorized and directed by the Securities Commissioner of South Carolina (the "Securities Commissioner") to administer the provisions of S.C. Code Ann. § 35-1-101, *et seq.*, the South Carolina Uniform Securities Act of 2005 (the "Act"); and

WHEREAS, the Division received information regarding alleged activities of Ulundria Horsey Byrd ("Byrd" or the "Respondent") that, if true, would constitute violations of the Act; and

WHEREAS, based on the information received, the Division decided it was necessary and appropriate to open an investigation pursuant to S.C. Code Ann. § 35-1-602 to determine whether the Respondent had violated, was violating, or was about to violate the Act; and

WHEREAS, in connection with the investigation, the Division has determined that evidence exists to support the following findings of fact and conclusions of law:

I. JURISDICTION

1. The Securities Commissioner has jurisdiction over this matter pursuant to S.C. Code Ann. § 35-1-601(a).

II. RESPONDENT

2. Respondent Byrd is a South Carolina resident with a last known address of 209 Wittrock

Court, Taylors, South Carolina 29687-4643.

III. FINDINGS OF FACT

3. In or about 2015, Respondent Byrd approached two South Carolina residents (the "Investors") about a possible opportunity to invest with Respondent Byrd.

4. Respondent Byrd represented to the Investors that their investment would be used to purchase used vehicles at auctions and sell them for a profit.

5. Respondent Byrd further represented that if the Investors invested ten thousand dollars ($10,000), they would receive a return of four thousand five hundred dollars ($4,500), payable in three (3) monthly payments of one thousand five hundred dollars ($1,500), followed by an immediate return of principal.

6. Based upon Respondent Byrd's representations, on or about July 1, 2015, the Investors invested a total of ten thousand dollars ($10,000) with Respondent Byrd.

7. On or about August 1, 2015, Respondent Byrd returned one thousand five hundred dollars ($1,500) to the Investors.

8. On or about September 1, 2015, Respondent Byrd returned a further one thousand five hundred dollars ($1,500) to the Investors.

9. In or about September 2015, Respondent Byrd solicited the Investors to invest a second time in the same opportunity.

10. In connection with offering the second investment opportunity, Respondent Byrd stated that the Investors would receive a return of nine thousand dollars ($9,000), payable in three (3) monthly payments of three thousand dollars ($3,000), followed by an immediate return of principal.

11. On or about October 1, 2015, the Investors invested a further eight thousand five hundred dollars ($8,500) with Respondent Byrd.

12. The Respondent stated that the Investors' second investment, together with the Investors' first investment and remaining payment due, would constitute a total investment of twenty thousand dollars ($20,000).

13. On or about November 1, 2015, Respondent Byrd returned three thousand dollars ($3,000) to the Investors.

14. On or about December 1, 2015, Respondent Byrd returned three thousand dollars ($3,000) to the Investors.

15. Contrary to Respondent Byrd's representations, the Investors never received a third payment of three thousand dollars ($3,000).

16. Contrary to Respondent Byrd's representations, the Investors never received a return of their twenty-thousand-dollar ($20,000) principal.

17. In connection with offering the second investment opportunity, Respondent Byrd omitted to state that she had an outstanding civil judgment against her in the amount of approximately one thousand seven hundred and fifty dollars ($1,750).

18. At no time relevant to the events stated herein was Respondent Byrd registered with the Division as a broker-dealer, and no exemption from registration has been claimed by Respondent Byrd.

19. At no time relevant to the events stated herein were the securities at issue registered with the Division or federal covered securities, and no exemption from registration has been claimed by the Respondent.

IV. CONCLUSIONS OF LAW

20. The investment opportunities offered and sold by the Respondent constitute securities as defined by the Act.

21. The securities offered and sold by the Respondent were offered and sold in violation of

S.C. Code Ann. § 35-1-301.

22. In connection with the events above, Respondent Byrd transacted business in this State as an unregistered broker-dealer in violation of S.C. Code Ann. § 35-1-401(a).

23. In connection with the events above, Respondent Byrd (1) employed a device, scheme, or artifice to defraud; (2) made one or more untrue statements of material fact or omitted to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (3) engaged in acts, practices, or courses of business that operated as a fraud or deceit upon the Investors, in violation of S.C. Code Ann. § 35-1-501.

24. It is in the public interest, for the protection of investors, and consistent with the purposes of the Act that Respondent Byrd be ordered to cease and desist from engaging in the above-enumerated practices, which constitute violations of the Act, and pay an appropriate civil penalty for her wrongdoing.

V. CEASE AND DESIST ORDER

NOW THEREFORE, pursuant to S.C. Code Ann. § 35-1-604(a)(1), it is hereby **ORDERED** that:

a. Respondent Ulundria Horsey Byrd **CEASE AND DESIST** from transacting business in this State in violation of the Act; and

b. Respondent Ulundria Horsey Byrd pay a civil penalty in the amount of fifty thousand dollars ($50,000) if this Order becomes effective by operation of law, or, if Byrd seeks a hearing and any legal authority resolves this matter, pay a civil penalty in an amount not to exceed $10,000 for each violation of the Act by Byrd, and the actual cost of investigation or proceeding.

IT IS FURTHER ORDERED that, pursuant to S.C. Code Ann. §§ 35-1-604(a)(2) and (3), any exemption from registration with the Division upon which the Respondent may claim to rely under S.C. Code Ann. §§ 35-1-201(3)(C), (7), or (8); 35-1-202; 35-1-401(b)(1)(D) or (F); or 35-1-403(b)(1)(C), has been and is **PERMANENTLY REVOKED**.

VI. REQUIREMENT OF ANSWER AND NOTICE OF OPPORTUNITY FOR HEARING

The Respondent is hereby notified that she has the right to a hearing on the matters contained herein. To schedule such a hearing, the Respondent must file with the Securities Division, Post Office Box 11549, Rembert C. Dennis Building, Columbia, South Carolina, 29211-1549, attention: Tracy Meyers, within thirty (30) days after the date of service of this Order to Cease and Desist, a written Answer specifically requesting a hearing. If the Respondent requests a hearing, the Division, within fifteen (15) days after receipt of a request in a record from the Respondent, will schedule the hearing for the Respondent.

In the written Answer, the Respondent, in addition to requesting a hearing, shall admit or deny each factual allegation in this Order, shall set forth specific facts on which the Respondent relies, and shall set forth concisely the matters of law and affirmative defenses upon which the Respondent relies. If the Respondent is without knowledge or information sufficient to form a belief as to the truth of an allegation, she shall so state.

Failure by the Respondent to file a written request for a hearing in this matter within the thirty-day (30) period stated above shall be deemed a waiver by the Respondent of the right to such a hearing. Failure by the Respondent to file an Answer, including a request for a hearing, shall result in this Order, including the stated civil penalty, becoming final as to the Respondent by operation of law.

This Order does not prevent the Division or any law enforcement agency from seeking

additional civil or criminal remedies as are available under the Act, including remedies related to the offers and sales of securities by the Respondent set forth above.

ENTERED, this the 28th day of March, 2018.

ALAN WILSON
SECURITIES COMMISSIONER

By: Tracy Meyers
TRACY A. MEYERS
Deputy Securities Commissioner

ISSUANCE REQUESTED BY:

TAYLOR FAW
Assistant Attorney General
Securities Division
Rembert C. Dennis Building
1000 Assembly Street
Columbia, South Carolina 29201

STATE OF SOUTH CAROLINA
OFFICE OF THE ATTORNEY GENERAL
SECURITIES DIVISION

CERTIFICATE OF SERVICE AND
AFFIDAVIT OF COMPLIANCE
File Number 2018445

I hereby certify that I served upon the individual/entity listed below a copy of the document indicated below and dated March 28, 2018, by serving a copy of said document upon the Securities Commissioner of the State of South Carolina and by placing a copy of said document in the United States mail, certified mail, return receipt requested, first class postage prepaid and addressed to:

Ulundria Horsey Byrd
209 Wittrock Court
Taylors, South Carolina 29687-4643

Document(s): Order to Cease and Desist

Mailed March 29, 2018 from Columbia, South Carolina.

I further hereby certify, swear and affirm that, service of the above-listed entity is in compliance with Section 35-1-611, Code of Laws of South Carolina.

By: Sandra M. Matthews
Sandra M. Matthews
South Carolina Attorney General's Office
Securities Division
Post Office Box 11549
Columbia, SC 29211-1549
(803) 734-3300

Subscribed and sworn to before me on this 29 day of March, 2018.

Donna D. Knott
Notary Public for South Carolina

My commission expires: 8/29/2021

DONNA D. KNOTT
NOTARY
PUBLIC
SOUTH CAROLINA