

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 998 /October 25, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15255

In the Matter of	:	
	:	
JOHN THOMAS CAPITAL MANAGEMENT	:	ORDER
GROUP LLC, d/b/a PATRIOT28 LLC,	:	
GEORGE R. JARKESY, JR.,	:	
JOHN THOMAS FINANCIAL, INC., and	:	
ANASTASIOS "TOMMY" BELESIS	:	

The hearing in this matter as to John Thomas Capital Management Group LLC d/b/a Patriot28, LLC and George R. Jarkesy, Jr. (JTCM/Jarkesy),¹ is scheduled to commence on November 18, 2013, at 26 Federal Plaza, New York, New York 10278. Under consideration is JTCM/Jarkesy's October 25, 2013, Motion to Stay Hearing Pending Appeal to the Commission. Because JTCM/Jarkesy requested emergency consideration, the undersigned is ruling on the motion without waiting for responsive pleadings.

JTCM/Jarkesy plans to file an interlocutory appeal to the Securities and Exchange Commission (Commission) of certain adverse rulings made at the October 24, 2013, prehearing conference. These are denial of JTCM/Jarkesy's requests styled "to Compel (1) Production of Brady and Jencks Act Material, (2) Designation of Brady and Jencks Act Material in Voluminous Records Previously Produced, (3) Certification of Brady and Jencks Act Compliance, and (4) Designation of Documents Produced in Response to Subpoenas and Document Requests" as well as requests for a lengthy postponement of the hearing, for a change of venue from New York City to Houston or Dallas, Texas, and for certification for interlocutory review, pursuant to 17 C.F.R. § 201.400(c), of the adverse rulings. John Thomas Capital Mgmt. Grp. LLC, d/b/a Patriot28 LLC, Admin. Proc. Rulings Release No. 992 (A.L.J. Oct. 24, 2013). JTCM/Jarkesy requests the undersigned to stay the proceeding "pending the appeal and because Respondents have not been permitted adequate time to prepare for the hearing."²

¹ The proceeding has been stayed, pursuant to 17 C.F.R. § 201.161(c)(2), as to John Thomas Financial, Inc., and Anastasios "Tommy" Belesis. John Thomas Capital Mgmt. Grp. LLC, d/b/a Patriot28 LLC, Admin. Proc. Rulings Release No. 964 (A.L.J. Oct. 16, 2013).

² JTCM/Jarkesy has known for more than five months that the hearing would take place in the fall of 2013. The proceeding was instituted on March 22, 2013. On May 13, 2013, the hearing

The request to stay the proceeding will be denied. The undersigned has already denied JTCM/Jarkesy's request to certify the adverse rulings to the Commission for interlocutory review. Additionally, the likelihood of JTCM/Jarkesy's succeeding on the merits of its request for interlocutory review is low.

IT IS SO ORDERED.

/S/ Carol Fox Foelak
Carol Fox Foelak
Administrative Law Judge

was scheduled to commence on October 15, 2013. Thereafter, following a ninety-day continuance request from JTCM/Jarkesy, the hearing was postponed to commence on November 12, 2013, and finally, to November 18, 2013. John Thomas Capital Mgmt. Grp. LLC, d/b/a Patriot28 LLC, Admin. Proc. Rulings Release Nos. 826 (A.L.J. Sept. 11, 2013), 992 (A.L.J. Oct. 24, 2013). The parties were repeatedly advised that any postponement of the hearing date beyond mid-November is inconsistent with the deadlines provided in 17 C.F.R. § 201.360(a)(2). John Thomas Capital Mgmt. Grp. LLC, d/b/a Patriot28 LLC, Admin. Proc. Rulings Release Nos. 826 (A.L.J. Aug. 30, 2013), 857 (A.L.J. Sept. 10, 2013), 862 (A.L.J. Sept. 11, 2013), 964 (A.L.J. Oct. 16, 2013).