

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 5953/July 26, 2018

ADMINISTRATIVE PROCEEDING
File No. 3-15255

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

The Securities and Exchange Commission instituted this proceeding on March 22, 2013. On October 17, 2014, an Initial Decision concluded that George R. Jarkesy, Jr., and John Thomas Capital Management Group LLC, d/b/a Patriot28 LLC, violated the antifraud provisions of the federal securities laws and imposed various sanctions.¹ *John Thomas Capital Mgmt. Grp.*, Initial Decision Release No. 693, 2014 SEC LEXIS 4162 (A.L.J.) (cross-petitions for review pending).

On November 30, 2017, the Commission ratified the appointment of the undersigned as an Administrative Law Judge and directed her to “[r]econsider the record” and “[d]etermine . . . whether to ratify or revise . . . all prior actions” in proceedings such as this one. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10440, 2017 SEC LEXIS 3724. The parties were invited to “submit any new evidence [they deem] relevant to the [undersigned’s] reexamination of the record.” *John Thomas Capital Mgmt. Grp.*, Admin. Proc. Rulings Release Nos. 5404, 2017 SEC LEXIS 4147 (A.L.J. Dec. 19, 2017); 5647, 2018 SEC LEXIS 720 (A.L.J. Mar. 14, 2018). Submissions were made: by the Division of Enforcement, on January 5, 2018, urging ratification of all prior actions; and by Respondents, on January 8, and April 13, 2018, arguing, *inter alia*, that any disgorgement should be reduced by amounts paid to investors in related private litigation.

On June 21, 2018, “[i]n light of the Supreme Court’s decision in *Lucia v. SEC*,” 138 S. Ct. 2044 (2018), the Commission issued an order staying all pending administrative proceedings “effective immediately;” the stay to “remain operative for 30 days or further order of the Commission.” *Pending Admin. Proc.*, Securities Act Release No. 10510, 2018 SEC LEXIS 1490 (June 21, 2018). On July 20, 2018, the Commission “extend[ed] the stay for an additional 30 days to August 22, 2018, or further order of the Commission.” *Pending Admin. Proc.*, Securities Act Release No. 10522, 2018 SEC LEXIS 1774.

/s/ Carol Fox Foelak
Carol Fox Foelak
Administrative Law Judge

¹ The proceeding had ended as to the remaining Respondents. *John Thomas Capital Mgmt. Grp.*, Securities Exchange Act of 1934 Release No. 70989, 2013 SEC LEXIS 3862 (Dec. 5, 2013).