

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 77414 / March 21, 2016

INVESTMENT COMPANY ACT OF 1940
Release No. 32034 / March 21, 2016

Admin. Proc. File No. 3-16008

In the Matter of

CRUCIBLE CAPITAL GROUP, INC. and
CHARLES MOORE

ORDER DISMISSING PROCEEDING AS TO CRUCIBLE CAPITAL GROUP, INC.

On August 8, 2014, we instituted administrative proceedings against Crucible Capital Group, Inc. (“Crucible”), a registered broker-dealer, and its founder, president, and sole shareholder, Charles Moore (“Moore”).¹ The Order Instituting Proceedings (“OIP”) alleged, among other things, that Crucible violated the net capital and books-and-records provisions of the Securities Exchange Act of 1934 and that Moore aided and abetted and caused those violations.² The OIP therefore ordered proceedings to determine whether the allegations were true and whether it was appropriate in the public interest to impose sanctions.³

The proceedings, however, have been stayed since August 20, 2014, at the request of the United States Attorney’s Office for the Southern District of New York, which instituted a parallel criminal action against Moore (*United States v. Moore*, No. 1:14cr648 (S.D.N.Y.)).⁴ The law judge granted the stay under Commission Rule of Practice 210(c)(3), which provides that a representative of a United States Attorney’s Office may be granted leave to participate in a proceeding “for the purpose of requesting a stay during the pendency of a criminal investigation

¹ *Crucible Capital Grp., Inc.*, Exchange Act Release No. 72797, 2014 WL 3887165, at*1 (Aug. 8, 2014).

² *Id.* at *6.

³ *Id.*

⁴ Order, *Crucible Capital Grp., Inc.*, Admin. Proc. File No. 3-16008 (ALJ Grimes Aug. 20, 2014).

or prosecution arising out of the same or similar facts that are at issue in the pending Commission” proceeding.⁵

On November 9, 2015, Moore pleaded guilty in the parallel criminal action to one count of obstructing a regulatory examination in violation of 18 U.S.C. § 1519. He was sentenced on February 18, 2016, to six months of imprisonment followed by two years of supervised release. Also, on February 18, 2016, Moore settled the Commission proceeding by consenting to findings that he willfully aided and abetted and caused Crucible’s net capital and books-and-records violations, and to the imposition of an industry bar and cease-and-desist order.⁶

The Division of Enforcement now requests that we dismiss the administrative proceeding as to Crucible. The Division states that dismissal is warranted because Crucible “is no longer operational, having withdrawn its broker-dealer registration,” and “is defunct.” As to potential monetary relief, the Division states that there is nothing for Crucible to disgorge “because the conduct alleged in the OIP did not result in the firm receiving any money,” and that “Crucible has minimal assets that could be used to satisfy any civil penalty imposed against it.”⁷

We conclude that, under the circumstances, it is appropriate to grant the Division's motion.⁸

Accordingly, IT IS ORDERED that this proceeding be dismissed as to Crucible Capital Group, Inc.

By the Commission.

Brent J. Fields
Secretary

⁵ 17 C.F.R. § 201.210(c)(3).

⁶ *Crucible Capital Grp., Inc.*, Exchange Act Release No. 77176, 2016 WL 683608, at *1 (Feb. 18, 2016).

⁷ The Division states that Crucible has “one bank account, which it recently closed with a final balance of \$114, and shares of stock in a few microcap issuers that are difficult to value because the shares are either restricted or free trading but illiquid.”

⁸ *See, e.g., Diego F. Hernandez*, Exchange Act Release No. 72210, 2014 WL 2112155, at *1 (May 21, 2014) (granting motion to dismiss anti-fraud proceeding against respondents that were “defunct entities, non-operational, not in good standing, and have no assets”); *LPB Capital d/b/a Family Office Grp., LLC*, Exchange Act Release No. 69885, 2013 WL 3271085, at *1 (June 28, 2013) (granting motion to dismiss charges against “defunct entity that is non-operational, is not in good standing, has no assets, and has already withdrawn and terminated its Commission and state registrations”).