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Mail: P.O. BOX 13167
AUSTIN, TEXAS 78711-3167

Texas State Securities Board

208 E. 10th Street, 5th Floor
Austin, Texas 78701-2407
www.ssb.state.tx.us

Phone: (512) 305-8300
Facsimile: (512) 305-8310

SSB Docket No. 03-014

IN THE MATTER OF
KENNETH R. GOLIGHTLY

§
§

Order No. CDO-1505

TO: Kenneth R. Golightly
c/o Bernard Campion, Esq.
222 Main Plaza East
San Antonio, Texas 78205

CEASE AND DESIST ORDER

Be it remembered that Kenneth R. Golightly ("Respondent") appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to this entry of this Order and Undertaking, and without admitting or denying them, the Findings of Fact and Conclusions of Law contained herein.

FINDINGS OF FACT

1. Respondent has waived (a) Respondent's right to notice and hearing in this matter; (b) Respondent's right to appear and present evidence in this matter; (c) Respondent's right to appeal this Order; and (d) all other procedural rights granted to Respondent by The Securities Act, TEX. REV. CIV. STAT. ANN. art. 581-1 et seq. (Vernon 1964 & Supp. 2003) ("Texas Securities Act"), and the Administrative Procedure Act, TEX. GOV'T CODE ANN. § 2001.001 et seq. (Vernon Supp. 2003) ("Administrative Procedure Act").
2. Respondent is an individual with a last known address of 2720 Popular Grove Lane, Schertz, Texas.
3. During or about September, 2000, Respondent represented to two Texas residents, Patricia Spann and Ellen Murphy, that if they invested with him, he would buy and sell stock on their behalf and would pay himself a commission for his services from their funds. Both invested a total of \$24,278.54.

4. Respondent deposited the aforementioned investor funds into a Charles Schwab account owned by Respondent and his wife.
5. During or about May, 2001, Respondent approached Ms. Spann and again made those representations identified in Finding of Fact 3. Ms. Spann re-invested \$50,000.
6. Respondent deposited the \$50,000 into a Charles Schwab account owned by Respondent and Ms. Spann.
7. Respondent was the only individual who bought and sold stock in these accounts. Respondent bought and sold this stock via the Internet by personal computer whereby Respondent accessed the Charles Schwab website and brokerage accounts via a personal identification code known only to Respondent.
8. Respondent regularly traded and received payment from the above-mentioned Charles Schwab accounts.
9. Respondent has not been registered with the Securities Commissioner as a securities dealer, agent, investment adviser or investment adviser representative at any time material hereto and Respondent has not submitted a notice filing as an investment adviser or an investment adviser representative at any time material hereto.

CONCLUSIONS OF LAW

1. The above-described stocks are "securities" as that term is defined by Section 4.A. of the Texas Securities Act.
2. Respondent engaged in the "offer for sale" and "sale" of the above-described securities in Texas as those terms are defined in Section 4.E of the Texas Securities Act.
3. Respondent acted as a "dealer" in securities or an "agent" of a dealer in securities as those terms are defined by Sections 4.C. and 4.D. of the Texas Securities Act.
4. Respondent violated Section 12 of the Texas Securities Act by making offers for sale and sales of securities without being registered pursuant to the provisions of Section 12 of the Texas Securities Act.
5. Respondent rendered services as an "investment adviser" in Texas as that term is defined by Section 4.N. of the Texas Securities Act.
6. Respondent violated Section 12 of the Texas Securities Act by rendering services as an investment adviser in Texas when Respondent was neither registered nor

notice-filed with the Securities Commissioner pursuant to Section 12 or Section 12-1 of the Texas Securities Act.

7. Pursuant to Section 23 of the Texas Securities Act, the foregoing violations constitute bases for the issuance of a Cease and Desist Order.

UNDERTAKING

1. Respondent agrees to pay \$24,315.78 to Patricia Spann, by money order or cashier's check, via certified mail to her home address, and deliver a copy of said check to the Securities Commissioner contemporaneously with the delivery of this Order.
2. Respondent agrees to pay \$5,684.22 to Ellen Murphy, by money order or cashier's check, via certified mail to her home address, and deliver a copy of said check to the Securities Commissioner contemporaneously with the delivery of this Order.

ORDER

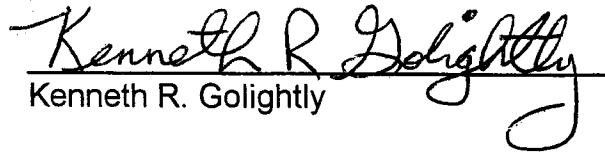
1. It is therefore ORDERED that Respondent CEASE AND DESIST from acting as a securities dealer or agent in Texas until Respondent is registered with the Securities Commissioner or an available exemption is utilized.
2. It is further ORDERED that Respondent immediately CEASE AND DESIST from rendering services as an investment adviser in Texas until Respondent is registered or notice-filed with the Securities Commissioner or an available exemption is utilized.

SIGNED AND ENTERED by the Securities Commissioner this 10th day of April, 2003.




DENISE VOIGT CRAWFORD
Securities Commissioner

Respondent:


Kenneth R. Golightly

Approved as to Form:


David Grauer
Director
Enforcement Division

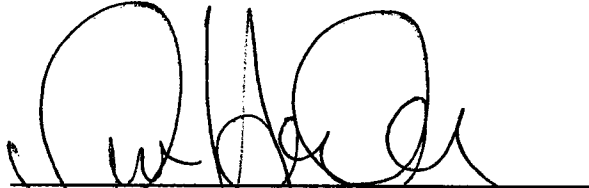
ACKNOWLEDGMENT

On the 27th day of March, 2003, Kenneth R. Golightly ("Respondent") personally appeared before me, executed the foregoing Order and Undertaking, and acknowledged that:

1. Respondent has read the foregoing Order and Undertaking;
2. Respondent has been fully advised of his rights under the Texas Securities Act and the Administrative Procedure Act;
3. Respondent knowingly and voluntarily consents to the entry of the foregoing Order and Undertaking, and the Findings of Fact and Conclusions of Law contained therein; and,
4. Respondent, by consenting to the entry of the foregoing Order, has knowingly and voluntarily waived his rights as set forth therein.



[affix notary seal here]


Notary Public in and for
the State of Texas

My commission expires on: 2/4/04