

TRAVIS J. ILES  
SECURITIES COMMISSIONER

CLINTON EDGAR  
DEPUTY SECURITIES COMMISSIONER

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## Texas State Securities Board

208 E. 10th Street, 5th Floor  
Austin, Texas 78701-2407  
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BETH ANN BLACKWOOD  
CHAIR

E. WALLY KINNEY  
MEMBER

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MEMBER

ALAN WALDROP  
MEMBER

MIGUEL ROMANO, JR.  
MEMBER

IN THE MATTER OF THE §  
INVESTMENT ADVISER §  
REPRESENTATIVE REGISTRATION §  
AND THE AGENT REGISTRATION §  
OF JOHN WILLIAM NOEY §

**Order No. IC18-CAF-01**

TO: John William Noey (CRD # 4676895)  
Principal Securities, Inc.  
5080 Spectrum Dr., Ste. 1200E  
Addison, TX 75001

### DISCIPLINARY ORDER

Be it remembered that John William Noey ("Respondent") appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this order ("Order") and the Findings of Fact and the 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 the Respondent by The Securities Act, Tex. Rev. Civ. Stat. Ann. arts. 581-1 to 581-44 (West 2010 & Supp. 2017) ("Texas Securities Act"), and the Administrative Procedure Act, Tex. Gov't Code Ann. §§ 2001.001 to 2001.902 (West 2008 & Supp. 2017)("Administrative Procedure Act").

2. On February 15, 2012, Respondent registered with the Securities Commissioner as an agent of Principal Securities, Inc. ("Principal"). This registration is currently effective.
3. On March 3, 2012, Respondent registered with the Securities Commissioner as an investment adviser representative of Principal. This registration is currently effective.

#### **Failure to Update Form U4**

1. In connection with Respondent's applications for registration with the Securities Commissioner as an agent and investment adviser representative of Principal, Respondent filed with the Securities Commissioner the Uniform Application for Securities Industry Registration or Transfer (known as the "Form U4").
2. Item 14B of the Form U4 requires the disclosure of whether the individual has ever been charged with a misdemeanor involving investments or an investment-related business or any fraud, false statements or omissions, wrongful taking of property, bribery, perjury, forgery, counterfeiting, extortion, or a conspiracy to commit any of these offenses.
3. Respondent answered "No" to Item 14B on both the February and March 2012 Form U4 filings with the Securities Commissioner.
4. Sections 115.9(a)(3) and 116.9(a)(3) of the Rules and Regulations of the Texas State Securities Board ("Board Rules") require that a person registered as an agent or an investment adviser representative shall report to the Securities Commissioner within thirty (30) days after its occurrence any misdemeanor action based on fraud, deceit, or wrongful taking of property.
5. On October 3, 2012, while registered as an agent and investment adviser representative of Principal, Respondent was charged with a misdemeanor offense that involved theft of property with a value of more than fifty dollars (\$50.00) but less than five hundred dollars (\$500.00) (the "Criminal Charge").
6. The Criminal Charge was later dismissed on January 9, 2013 upon Respondent's completion of the terms set forth in Respondent's plea agreement.
7. However, Respondent did not update the Form U4 to report the Criminal Charge until April 23, 2018.

8. Accordingly, Respondent did not report the misdemeanor charge to the Securities Commissioner within thirty (30) days of the Criminal Charge.
9. Respondent filed a total of twelve (12) Form U4 amendments between the time Respondent was initially charged with a misdemeanor offense and the date on which Respondent finally disclosed the misdemeanor charge. Each time Respondent answered "No" to Item 14B of Respondent's Form U4.

#### CONCLUSIONS OF LAW

9. Respondent's failures to report to the Securities Commissioner the misdemeanor charge within thirty (30) days of such changes are violations of §115.9(a)(3) of and §116.9(a)(3) the Board Rules.
10. Pursuant to Section 14.A(6) of the Texas Securities Act, Respondent's aforementioned violations of the Board Rules constitute bases for the issuance of an order reprimanding Respondent.
11. Pursuant to Section 23-1 of the Texas Securities Act, Respondent's aforementioned violations of the Board Rules constitute bases for the assessment of an administrative fine against Respondent.

#### ORDER

1. It is hereby ORDERED that John William Noey is hereby REPRIMANDED.
2. It is further ORDERED that John William Noey shall pay an ADMINISTRATIVE FINE in the amount of Five Thousand Dollars (\$5,000.00). Payment shall be made by delivery of a cashier's check to the Securities Commissioner in the amount of Five Thousand Dollars (\$5,000.00) payable to the State of Texas, within ten (10) days of the entry of this order.

SIGNED AND ENTERED BY THE SECURITIES COMMISSIONER this 15<sup>th</sup>  
day of August, 2018.



\_\_\_\_\_  
TRAVIS J. ILES  
Securities Commissioner

Respondent:

  
\_\_\_\_\_  
John William Noey

Approved as to Form:

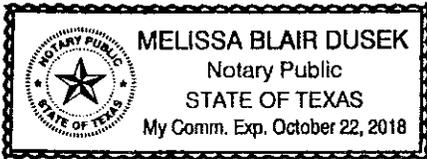
  
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Brittanie R. Jones  
Attorney  
Registration Division

  
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Clinton Edgar  
Deputy Securities Commissioner

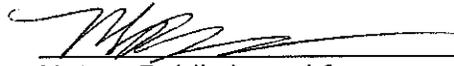
**ACKNOWLEDGMENT**

On this 9<sup>th</sup> day of August, 2018, John William Noey ("Respondent") personally appeared before me, executed the foregoing Order, and acknowledged that:

1. Respondent has read the foregoing Order;
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 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]

  
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Notary Public in and for  
the State of Texas

My commission expires on: 10/22/18