

DENISE VOIGT CRAWFORD  
SECURITIES COMMISSIONER



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## State Securities Board

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KENNETH W. ANDERSON, JR.  
MEMBER

SSB DOCKET NO. 00-029

IN THE MATTER OF  
THE AGENT REGISTRATION OF  
JAMES MARVIN WINDHAM, JR.

§  
§  
§

ORDER NO. CAF-1410

TO: Mr. James Marvin Windham, Jr. (CRD # 1783435)  
MV Securities Group, Inc. (CRD # 3761 3)  
2920 Chase Tower  
600 Travis Street  
Houston, Texas 77002

### DISCIPLINARY ORDER REPRIMANDING AN AGENT

Be it remembered that James Marvin Windham, Jr. ("Respondent"), appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this Order and the Findings of Fact and Conclusions of Law contained herein.

### FINDINGS OF FACT

- 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.2000) ("Texas Securities Act"), and the Administrative Procedure Act, TEX. GOV'T CODE ANN. §2001.001 et seq. (Vernon Supp. 2000) ("Administrative Procedure Act").
- Respondent is registered with the Securities Commissioner as an agent of MV Securities Group, Inc.
- Respondent has not been registered with Securities Commissioner as investment adviser or agent of McCrory Associates Investment Management, Inc. ("McCrory Associates"), a registered investment adviser.

4. The Staff of the Dealer Registration Division conducted an inspection of the activities of McCrory Associates.
5. During the course of the inspection, the Staff determined that McCrory Associates had allowed the Respondent to solicit advisory clients while not registered with the Securities Commissioner as required by Section 12 of the Texas Securities Act and Board Rule 115. 1(a)(3). The staff determined that Respondent was registered with the Securities Commissioner as required by Section 12 and Board Rule 115.1(a)(3) with another registered investment advisor as an agent of that registered investment advisor, during the period covered by the Staffs inspection; however, the solicitation by Respondent on behalf of McCrory Associates was not done in connection with Respondent's activity on behalf of that advisor, nor was Respondent's registration with that advisor disclosed to McCrory Associates' clients.

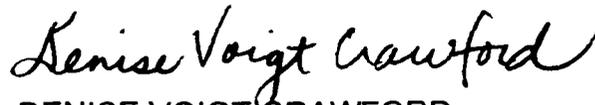
#### CONCLUSIONS OF LAW

1. The foregoing violations constitute bases for the issuance of an order reprimanding a registered agent pursuant to Section 14.A(6) of the Texas Securities Act.
2. The foregoing violations constitute bases for the issuance of an order assessing administrative fine pursuant to Section 23-1 of the Texas Securities Act.

#### ORDER

1. It is therefore ORDERED that Respondent is hereby REPRIMANDED.
2. It is therefore ORDERED that Respondent is hereby ASSESSED AN ADMINISTRATIVE FINE in the amount of Five Hundred Dollars (\$500.00). Payment shall be made by delivery of a cashier's check to the Securities Commissioner in the amount of Five Hundred Dollars (\$500.00), payable to the State of Texas, contemporaneously with the delivery of this Order.

SIGNED AND ENTERED BY THE SECURITIES COMMISSIONER this 15<sup>th</sup> day of December, 2000.

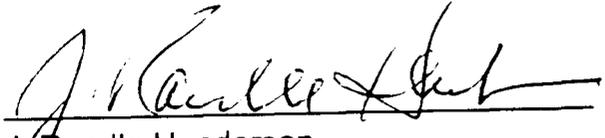
  
DENISE VOIGT CRAWFORD  
Securities Commissioner

Respondent:  
  
James M. Windham, Jr.

Approved as to Form:



Michael S. Gunst  
Director  
Dealer Registration Division



J. Randle Henderson  
Attorney for Respondent

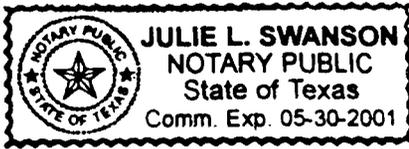


David Grauer  
Director  
Enforcement Division

**ACKNOWLEDGMENT**

On the 11th day of December, 2000, Jim Windham ("Respondent"), 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]

Julie L. Swanson  
Notary Public in and for  
the State of Texas

My commission expires on: 05-30-2001