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SECURITIES COMMISSIONER

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## Texas State Securities Board

208 E. 10th Street, 5th Floor  
Austin, Texas 78701-2407  
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### SSB Docket No. 03-004

IN THE MATTER OF THE  
AGENT REGISTRATION OF  
ALONSO MARTIN MARTINEZ

§  
§  
§

**ORDER NO. SUS-1494**

TO: Alonso Martin Martinez (CRD # 2587981)  
IFMG Securities, Inc.  
100 Manhattanville Road, Suite 7  
Purchase, New York 10577

### DISCIPLINARY ORDER REPRIMANDING AND SUSPENDING AN AGENT

Be it remembered that Alonso Martin Martinez ("Respondent"), appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this Order and Undertaking, and 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 currently registered with the Securities Commissioner as an agent of IFMG Securities, Inc.
3. Respondent offered for sale and sold units in a coin-operated, customer-owned telephone program while employed with WM Financial Services, Inc. ("WMFS"), without the consent or approval of WMFS.
4. The units in the coin-operated, customer-owned telephone program were not registered with the Securities Commissioner by qualification, notification or coordination and no permit was granted by the Securities Commissioner for the sale of the units in the State of Texas.

5. Respondent, at all times relevant to this Order, was not registered with the Securities Commissioner as a securities dealer.
6. Respondent failed to disclose on his Form U-4 filed with the Securities Commissioner as an agent of WMFS, the sale of the units in the coin-operated, customer-owned telephone program as outside business activity and/or employment, as required by the Form U-4.
7. Respondent failed to disclose this outside business activity and past employment on his application for registration as an agent of Bank United Securities Corp. as required by the Form U-4.
8. Pursuant to Section 101.2(c) of the Board Rules, certain forms required to be filed with the Securities Commissioner, including the Form U-4, have been adopted as Board Rules.

#### UNDERTAKING

1. Respondent hereby agrees to cooperate with any investigation by the Enforcement Division of the Texas State Securities Board or any other law enforcement agency relating to any employer who has engaged in the offer and/or sale of coin-operated, customer-owned telephone programs, including, but not limited to, providing information or documents and testifying in any civil, administrative or criminal proceeding brought by this Agency or any other law enforcement entity or self-regulatory organization.
2. Respondent hereby agrees not to engage in any business activity without being properly registered with the Securities Commissioner as required by Section 12 of the Texas Securities Act. In the event Respondent believes such activity is exempt from registration under Section 5 of the Texas Securities Act, Respondent will not engage in such activity without first obtaining written approval from his dealer.
3. Respondent agrees not to engage in any outside business activity without receiving written approval from his dealer prior to engaging in such activity.
4. Respondent agrees to immediately file an amended Form U-4 disclosing his past employment with ETS Payphones, Inc., and BEE Communications, Inc.

#### CONCLUSIONS OF LAW

1. The units in the coin-operated, customer-owned telephone program are securities as defined by Section 4.A of the Texas Securities Act.
2. Respondent violated Section 7 of the Texas Securities Act by engaging in the offer and sale of the above-described securities which were not registered with the Securities Commissioner.

3. Respondent violated Section 12 of the Texas Securities Act by selling the above-described securities at a time when Respondent was not registered with the Securities Commissioner as a securities dealer.
4. Respondent's failure to disclose required information on Respondent's Form U-4 filed with the Securities Commissioner constitutes a material misrepresentation to the Securities Commissioner in connection with information deemed necessary to determine the Respondent's business repute or qualifications.
5. Pursuant to Section 14.A(6) of the Texas Securities Act, the foregoing violations constitute bases for the issuance of an order reprimanding and suspending an agent.

ORDER

1. It is therefore ORDERED that Alonso Martin Martinez is hereby REPRIMANDED.
2. It is further ORDERED that the registration of Alonso Martin Martinez is SUSPENDED for sixty-five (65) business days from the date this Order is signed by the Securities Commissioner.
3. It is further ORDERED that Alonso Martin Martinez COMPLY with the terms of the Undertaking contained herein.

SIGNED AND ENTERED BY THE SECURITIES COMMISSIONER this 6<sup>th</sup> day of February, 2003.

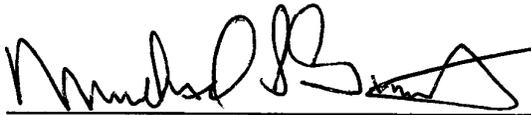
  
DENISE VOIGT CRAWFORD  
Securities Commissioner

Respondent:

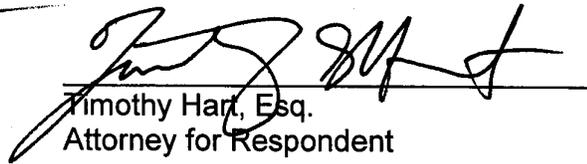


Alonso Martin Martinez

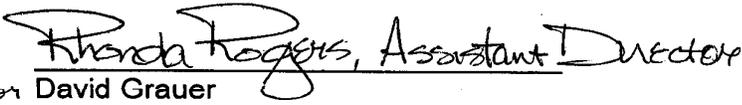
Approved as to Form:



Michael S. Gunst  
Director  
Inspections and Compliance Division



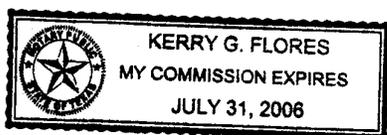
Timothy Hart, Esq.  
Attorney for Respondent

  
for David Grauer  
Director  
Enforcement Division

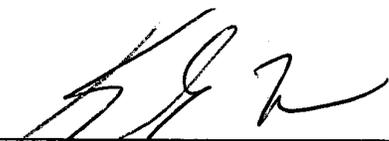
**ACKNOWLEDGMENT**

On the 6<sup>th</sup> day of January, 2003, Alonso Martin Martinez ("Respondent") 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]

  
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Notary Public in and for  
the State of TEXAS

My commission expires on: 7/31/06