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Texas State Securities Board

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IN THE MATTER OF
HOMELAND COMMUNICATIONS CORP.;
FRANCES M. LABARRE;
JOSEPH YURKIN; AND
DAVID BLACKWELL

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§

Order No. **ENF-06-CDO-1621**

TO: Homeland Communications Corp.
1121 S. Military Trail, #337
Deerfield Beach, Florida 33442

Joseph Yurkin
102 N.E. 2nd Street, No. 352
Boca Raton, Florida 33432

Frances M. LaBarre
1121 S. Military Trail, #337
Deerfield Beach, Florida 33442

David Blackwell
1121 S. Military Trail, #337
Deerfield Beach, Florida 33442

EMERGENCY CEASE AND DESIST ORDER

This is your OFFICIAL NOTICE of the issuance by the Securities Commimssioner of the State of Texas ("Securities Commissioner") of an EMERGENCY CEASE AND DESIST ORDER pursuant to Section 23-2 of The Securities Act, TEX. REV. CIV. STAT. ANN. art. 581-1 et seq. (Vernon 1964 & Supp. 2006) ("Texas Securities Act¹⁾).

The Staff of the Enforcement Division of the Texas State Securities Board has presented evidence sufficient for the Securities Commissioner to find that:

FINDINGS OF FACT

1. Homeland Communications Corp. ("Respondent Homeland") maintains a last known address at 1121 S. Military Trail, #337, Deerfield Beach, Florida 33442.
2. Frances M. LaBarre ("Respondent LaBarre") maintains a last known address at 1121 S. Military Trail, #337, Deerfield Beach, Florida 33442.
3. Joseph Yurkin ("Respondent Yurkin") maintains a last known address at 102 N.E. 2nd Street, No. 352, Boca Raton, Florida 33432, and uses the business name SMR Development.com, Inc.

4. David Blackwell ("Respondent Blackwell") maintains a last known address at 1121 S. Military Trail, #37, Boca Raton, Florida 33442.
5. Donald LaBarre, contacted at the office of Homeland Communications Corp., purported to act on behalf of Respondent Homeland in resolving issues involving the Texas Securities Act. Donald LaBarre is the subject of several regulatory actions involving the offer and sale of securities, including:
 - a. An Order to Impose Sanctions issued by the Office of the Kansas Securities Commissioner on October 12, 2004, in K.S.C. No. 2003-4799, Docket No. 2004E034.
 - b. A 2004 permanent injunction against violations of the federal securities laws in Securities and Exchange Commission v. Larry Grabarnick, Marc David Shiner, Donald LaBarre, and Sara Jane Peck, Case No. 02 Civ. 20875.
 - c. An Order of Prohibition issued by the Illinois Securities Department on October 4, 2001, in File No. 9900557.
 - d. A Cease and Desist Order issued by Wyoming Securities Division on September 16, 1999, in Case No. 99-02.
 - e. A Cease and Desist Order issued by Indiana Securities Division on November 23, 1998, in Cause No. 98-0341 CD.
 - f. A Summary Order to Cease and Desist issued by the Pennsylvania Securities Commission on September 8, 1998, in Docket No. 9808-02.
6. Respondents and others, including Richard Cooper, are offering for sale in Texas shares of common stock in Respondent Homeland coupled with warrants for the future acquisition of additional shares. Respondents maintain a website at <http://www.homelandcomm.com/main.htm> where potential investors may request further information regarding an "opportunity to invest in Wireless Technology."
7. The shares of common stock have not been registered by qualification, notification or coordination and no permit has been granted for their sale in Texas.
8. Respondents have not been registered with the Securities Commissioner as dealers or agents at any time material hereto.
9. In connection with the offer for sale of the above-described shares of common stock, Respondents are intentionally failing to disclose the following material facts:
 - a. Respondents Homeland and LaBarre are the subjects of a Summary Order to Cease and Desist issued by the Pennsylvania Securities Commission on September 7, 2005, in Docket No. 2005-09-02.

- b. Respondent LaBarre is the subject of an Order to Impose Sanctions issued by the Office of the Kansas Securities Commissioner on October 12, 2004, in K.S.C. No. 2003-4799, Docket No. 2004E034.
 - c. Information regarding the assets, liabilities, profits, losses, cash flow and other financial data of Respondent Homeland.
10. In connection with the offer for sale of the above-described shares of common stock, Respondents represent that Respondent Homeland will make an initial public offering in May, 2007. This representation is materially misleading or otherwise likely to deceive the public, in light of the fact that the above-referenced Pennsylvania Securities Commission Order against Respondent Homeland includes a finding which indicates Respondents have been representing the company was about to make an initial public offering since at least August, 2005.

CONCLUSIONS OF LAW

- 1. The above-described shares of common stock are "securities" as that term is defined by Section 4.A of the Texas Securities Act.
- 2. Respondents are violating Section 7 of the Texas Securities Act by offering securities for sale in Texas at a time when the securities are not registered with the Securities Commissioner.
- 3. Respondents are violating Section 12 of the Texas Securities Act by offering securities for sale in Texas without being registered pursuant to the provisions of Section 12 of the Texas Securities Act.
- 4. Respondents are engaging in fraud in connection with the offer for sale of securities.
- 5. Respondents have made an offer containing a statement that is materially misleading or otherwise likely to deceive the public.
- 6. Respondents' conduct, acts, and practices threaten immediate and irreparable public harm.
- 7. The foregoing violations constitute bases for the issuance of an Emergency Cease and Desist Order pursuant to Section 23-2 of the Texas Securities Act.

ORDER

- 1. It is therefore ORDERED that Respondents immediately CEASE AND DESIST from offering for sale any security in Texas until the security is registered with the Securities Commissioner or is offered for sale pursuant to an exemption from registration under the Texas Securities Act.

2. It is further ORDERED that Respondents immediately CEASE AND DESIST from acting as securities dealers or agents in Texas until Respondents are registered with the Securities Commissioner or are acting pursuant to an exemption from registration under the Texas Securities Act.
3. It is further ORDERED that Respondents immediately CEASE AND DESIST from engaging in any fraud in connection with the offer for sale of any security in Texas.
4. It is further ORDERED that Respondents immediately CEASE AND DESIST from offering securities in Texas through an offer containing a statement that is materially misleading or otherwise likely to deceive the public.

NOTICE

Pursuant to Section 23-2 of the Texas Securities Act, you may request a hearing before the 31st day after the date you were served with this Order. The request for a hearing must be in writing, directed to the Securities Commissioner, and state the grounds for the request to set aside or modify the Order. Failure to request a hearing will result in the Order becoming final and non-appealable.

You are advised under Section 29.D of the Texas Securities Act that any knowing violation of an order issued by the Securities Commissioner under the authority of Section 23-2 of the Texas Securities Act is a criminal offense punishable by a fine of not more than \$5,000, or imprisonment in the penitentiary for not more than two years, or by both such fine and imprisonment.

SIGNED AND ENTERED by the Securities Commissioner this 12th day of October, 2006.



DENISE VOIGT CRAWFORD
Securities Commissioner