

WHEREAS, the Respondent elects to permanently waive any right to judicial review or a hearing and appeal under Chapter 78A (the North Carolina Securities Act) or Chapter 150B of the North Carolina General Statutes (the Administrative Procedure Act) with respect to this Final Order.

NOW, THEREFORE, the Securities Administrator, acting through her duly appointed Deputy Securities Administrator, pursuant to and under all authority granted by the North Carolina Securities Act and with the consent of the Respondent does hereby enter into this Final Order in settlement of the above-captioned matter.

I.

JURISDICTION AND CONSENT

Respondent admits the jurisdiction of the Securities Division, admits the Findings of Fact and Conclusions of Law contained in this Final Order, and consents to the entry of this Final Order by the Deputy Securities Administrator.

II.

FINDINGS OF FACT

The Securities Administrator, acting by and through her duly appointed Deputy Securities Administrator, makes the following findings of fact regarding an investigation into certain activities undertaken by the Respondent:

1. Respondent resides in Mooresville, Iredell County, North Carolina.

2. On May 18, 2016, Respondent submitted an application (Form U-4) for registration as a securities salesman with the Securities Administrator pursuant to the North Carolina Securities Act. Previously, Respondent was last actively registered as a representative of Southeast Investments, N.C., Inc., a registered securities dealer, between January 13, 2016 and April 5, 2016.

3. The Form U-4, also known as the Uniform Application for Securities Industry Registration or Transfer, is a form required to be used by securities salesmen to register in the jurisdictions they would like to conduct business. The form requires certain material disclosures to be made that include disclosures relating to employment, disciplinary history, customer complaints, liens, bankruptcies and outside business activities.

4. When Respondent filed for registration with the Securities Administrator on May 18, 2016, Respondent failed to disclose two outside business activities that Respondent was engaged in. The two businesses that Respondent failed to disclose are described in Paragraphs 5 and 6, below.

5. During the week of April 17-23, 2016, Respondent filed with the Iredell County Register of Deeds an application for registration of an assumed name for "Topcat 56". The purpose of the company is to buy and sell exotic cars.

6. Respondent is also a real estate agent associated with Keller Williams Realty, Inc. (a Texas corporation). Keller Williams Realty, Inc. is a real estate franchise company and each Keller Williams office is independently owned and operated. Sexton was associated with Keller Williams Realty, Inc. before he filed his application for registration as a securities salesman in North Carolina on May 18, 2016.

5. Pursuant to N.C.G.S. 78A-39(a)(2)a., failing to disclose any outside business activities, which are material to the application, resulted in an incomplete application.

6. The issuance of this Order is necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of the North Carolina Securities Act.

BASED UPON THE FOREGOING findings of fact, and consistent with the consent and stipulation of Respondent, the Securities Administrator makes the following:

III.

CONCLUSIONS OF LAW

1. The Secretary has statutory authority pursuant to N.C.G.S. §78A-39(a) to enter and issue a revocation of the salesman registration of Respondent Sexton.

2. There is reasonable cause to believe Respondent has filed an application for registration which was incomplete in any material respect under the North Carolina Securities Act.

3. The Securities Administrator finds that the entry of this Final Order is necessary or appropriate in the public interest or for the protection of investors and clients and consistent with the purposes fairly intended by the policy and provisions of the North Carolina Securities Act.

IV.

ORDER

NOW, THEREFORE, with the consent and agreement of Respondent, it is **HEREBY ORDERED AND AGREED** that:

Respondent shall cease and desist from violating the North Carolina Securities Act and is ordered to accurately complete the Form U-4 with respect to his reporting of outside business activities; and

Respondent agrees to amend his Form U-4 in a timely manner with respect to all reportable events and all outside business activities. This agreement requires Respondent to keep his Form U-4 up to date and prepared in accordance with the instructions for the Form U-4; and

Respondent shall provide a monetary payment of \$1,000.00 (one thousand dollars) to the Securities Administrator in settlement of this securities investigation;

Respondent, by execution of this Final Order, waives any right to a hearing or judicial review thereof. Said Respondent affirmatively states that he has freely agreed to the signing of this Final Order, and that no threats, promises or offers of any kind, other than as stated in this document, have been made by the Securities Administrator, Deputy Securities Administrator, any member of the staff of the Securities Division, or any agent or employee of the Department of the Secretary of State in connection with the signing of this Order.

This Order shall become final upon entry.

WITNESS MY HAND AND THE OFFICIAL SEAL of the North Carolina Department of the Secretary of State, this the 18TH day of October, 2016.

Time of entry: 3:27 P.M.



**ELAINE F. MARSHALL
SECRETARY OF STATE OF NORTH
CAROLINA and SECURITIES
ADMINISTRATOR, by**

[Redacted signature]

**KEVIN M. HARRINGTON
DEPUTY SECURITIES ADMINISTRATOR**

CONSENT TO ENTRY OF FINAL ORDER
BY DANIEL PETER SEXTON

1. DANIEL PETER SEXTON hereby acknowledges that he has been served with a copy of this Final Order, has read the foregoing Final Order, is aware of his right to a hearing and appeal in this matter, and has waived this right.
2. DANIEL PETER SEXTON admits the jurisdiction of the Securities Division, and admits the Findings of Fact and Conclusions of Law contained in this Final Order, and consents to the entry of this Final Order by the Secretary of State.
3. DANIEL PETER SEXTON states that no promise of any kind or nature whatsoever was made to him to induce him to enter into this Final Order and that he has entered into this Final Order voluntarily.
4. DANIEL PETER SEXTON understands that the State of North Carolina may make such public announcement concerning this agreement and the subject matter thereof as the State of North Carolina may deem appropriate.

Dated this 13th day of October, 2016.

By: 
DANIEL PETER SEXTON

SUBSCRIBED AND SWORN TO before me this
13th day of October, 2016.


Notary Public

JILL CREWS
Notary Public
Iredell Co., North Carolina
My Commission Expires Jan. 4, 2021

My Commission expires: 1-4-2021

STATE OF NORTH CAROLINA
DEPARTMENT OF REVENUE

NOTICE TO TAXPAYER

YOUR TAX RETURN HAS BEEN RECEIVED AND IS BEING REVIEWED.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE OFFICE OF THE ASSISTANT SECRETARY OF REVENUE.

YOUR RETURN WILL BE REOPENED IF WE FIND A DISCREPANCY.

DATE: 10/18/2016

RECEIVED

OCT 18 2016

**NC Secretary of State
Securities Division**

10/18/2016

STATE OF NORTH CAROLINA

[Handwritten Signature]

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