

ADMINISTRATIVE PROCEEDING
BEFORE THE
SECURITIES COMMISSIONER OF SOUTH CAROLINA

IN THE MATTER OF:)	
)	
BIRKELBACH INVESTMENT)	ORDER REVOKING
SECURITIES, INC.)	REGISTRATION BY
CRD #11490)	DEFAULT
)	
<u>Respondent.</u>)	File Number 13050

The Securities Division of the Office of the Attorney General of the State of South Carolina (the "Division") under the authority of the South Carolina Uniform Securities Act of 2005 (the "Act"), S.C. Code Ann. §§ 35-1-101 to 35-1-703 (Supp. 2012), instituted this proceeding by filing a Rule to Show Cause ("Rule to Show Cause") against Birkelbach Investment Securities, Inc. ("Birkelbach" or "Respondent"), ordering Respondent to show cause why an order should not be issued against it, revoking Respondent's broker-dealer registration in the State of South Carolina.

In the Rule to Show Cause, the Division alleged that the Financial Industry Regulatory Authority ("FINRA"), a self-regulatory organization, expelled the Respondent from membership. The Rule to Show Cause notified the Respondent of the Division's intent to seek an order, pursuant to S.C. Code Ann. § 35-1-412, revoking the Respondent's registration as a broker-dealer in the State of South Carolina.

The Rule to Show Cause was served upon the Respondent at its last known address. Specifically, on or around June 7, 2013, the Division sent via certified mail, return receipt requested, a copy of the Rule to Show Cause addressed to Birkelbach Investment Securities, Inc. at 208 South La Salle, #1442, Chicago, Illinois, 60604-1103. Thereafter, on or around June 12,

2013, the United States Postal Service delivered the Rule to Show Cause. The Division did not receive a response to the Rule to Show Cause.

As a state registered broker-dealer, the Respondent provided the Division with its mailing address and is under a continuing obligation to update its registration information including the mailing address as changes occur.

By failing to respond to the Rule to Show Cause, or alternatively failing to update its address of record causing its failure to receive the Rule to Show Cause, the Respondent has caused the Rule to Show Cause to go into default. By allowing the Rule to Show Cause to go into default, the Respondent has opened itself up to the remedy sought in the Rule to Show Cause. The remedy sought in the Rule to Show Cause was entry of a Final Order revoking Respondent's broker-dealer registration in the State of South Carolina and permanently barring Respondent from the securities and investment advisory business in the State of South Carolina.

The Securities Commissioner finds that this order is in the public interest. Therefore, pursuant to S.C. Code Ann. § 35-1-412(d), the Respondent's registration is hereby revoked.

IT IS THEREFORE ORDERED, that the Respondent's registration as a broker-dealer is hereby revoked.

Executed and entered, this the 31 day of July, 2013.

By: Alan Wilson
ALAN WILSON
Securities Commissioner
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