

TRAVIS J. ILES
SECURITIES COMMISSIONER



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MEMBER

IN THE MATTER OF §
KENZLEY RAMOS AKA ANTHONY DAVID § Order No. ENF-20-CDO-1803
"TONY" MCKINNEY AKA ANTHONY GREEN §

Kenzley Ramos aka Anthony David "Tony" Mckinney aka Anthony Green

3420 Fairway Oaks Drive B, Lawrenceville, Georgia 30044

2470 Sugarloaf Club Drive, Lawrenceville, Georgia 30096

2931 Mabry Lane NE, Brookhaven, Georgia 30319

2945 South Rainbow Drive, Decatur, Georgia 30034

EMERGENCY CEASE AND DESIST ORDER

This is your OFFICIAL NOTICE of the issuance by the Securities Commissioner of the State of Texas (the "**Securities Commissioner**") of an EMERGENCY CEASE AND DESIST ORDER pursuant to Section 23-2 of The Securities Act, Tex. Rev. Civ. Stat. Ann. arts. 581-1-581-45 (the "**Securities Act**").

The Enforcement Division of the Texas State Securities Board (the "**Enforcement Division**") has presented evidence sufficient for the Securities Commissioner to find:

FINDINGS OF FACT

1. KENZLEY RAMOS is using various aliases, including Anthony David "Tony" Mckinney and Anthony Green ("**Respondent**"). He may be served by certified mail, return receipt requested, addressed to 3420 Fairway Oaks Drive B, Lawrenceville, Georgia 30044; 2470 Sugarloaf Club Drive, Lawrenceville, Georgia 30096; 2931 Mabry Lane NE, Brookhaven, Georgia 30319; and 2945 South Rainbow Drive, Decatur, Georgia 30034.

OVERVIEW

2. Respondent, acting pursuant to various aliases, is soliciting investments in a forex and binary options trading program, telling prospective purchasers the "stock market is crumbling" and inviting them to "profit off the coronavirus with forex."
3. Respondent is promising lucrative returns and he is guaranteeing the payment of profits.

4. Respondent has not, however, fulfilled obligations to prior investors, paid promised returns to prior investors, or returned principal to prior investors.
5. Principal sent to invest in the program has been misappropriated and used for purposes other than trading forex and binary options.
6. The Securities Commissioner is entering this Emergency Cease and Desist Order to stop the illegal and fraudulent conduct and protect the public from immediate and irreparable harm.

THE PUBLIC SOLICITATIONS

7. Respondent is publishing advertisements in the financial services section of craigslist.org for residents of Austin, Dallas, San Antonio, and Houston, Texas.
8. The most recent advertisement claims the "stock market is crumbling," and it solicits potential investors to "profit off the coronavirus with forex."
9. This advertisement, as well as the other advertisements, promote an investment in a forex trading program, and they direct potential investors to contact Respondent.

THE INVESTMENTS IN A FOREX AND BINARY OPTIONS TRADING PROGRAM

10. Respondent is soliciting investments of \$200 to \$2,000.
11. Respondent is promising to use the principal to trade forex and binary options.
12. Respondent is also promising to generate 300 percent returns per week by trading forex and binary options.
13. Respondent is explaining he will collect a 15 percent fee whenever investors withdraw their returns.

THE GUARANTEE OF PROFITABILITY

14. Respondent is guaranteeing the payment of returns.
15. Respondent is claiming the guarantee means there is no risk and "[n]o possible way [investors] can lose money."

KENZLEY RAMOS

16. Although Respondent is acting pursuant to various aliases, he is directing potential investors to transfer principal to a bank account actually owned in the name of Kenzley Ramos.

17. Respondent is telling potential investors that Kenzley Ramos is a member of his team and that Kenzley Ramos assists with finances.

PUBLIC COMPLAINTS

18. Although Respondent is touting the profitability of the investments to new investors, various persons have publicly complained about Respondent, accusing him of stealing their money.
19. Respondent is representing these complaints were submitted by competitors, not prior investors, in an attempt to discredit him.
20. Respondent is also representing, regardless of the public complaints, he has continued to pay promised returns to investors.

FAILURE TO PAY PROFITS OR RETURN PRINCIPAL TO PRIOR INVESTORS

21. Although Respondent is touting the profitability of the investments to new investors, he has not fulfilled his obligation to prior investors, paid promised returns to prior investors, or returned principal to prior investors.

THE MISAPPROPRIATION OF PRINCIPAL

22. Although Respondent is touting the profitability of the investments to new investors, he is not disclosing the prior misappropriation of principal.
23. For example, on December 18, 2019, an investor ("Investor-1") agreed to purchase an investment in the forex and binary options trading program.
24. Investor-1 thereafter sent \$1,000 to a bank account that reflects the owner's name as Kenzley Ramos.
25. On or about December 31, 2019, this bank account was credited with \$1,000.
26. After the crediting of the account for \$1,000, the balance of funds in the bank account was \$1,035.
27. On January 2, 2020, Kenzley Ramos withdrew \$1,020 in cash from the account.
28. After withdrawing \$1,020 in cash, the balance of the bank account was \$15.
29. Respondent ceased communicating with Investor-1, never paid promised profits to Investor-1, and never returned the \$1,000 principal deposit to Investor-1.

REGISTRATION VIOLATIONS

30. Respondent has not been registered with the Securities Commissioner as a dealer or agent at any time material hereto.
31. The investments in the forex and binary option trading program have not been registered by qualification, notification or coordination at any time material hereto, and no permit has been granted for their sale in Texas at any time material hereto.

FRAUD AND THE FAILURE TO PAY PRIOR INVESTORS

32. In connection with the offer of investments in the forex and binary option trading program, Respondent is intentionally failing to disclose he has not fulfilled his obligation to prior investors, paid promised returns to prior investors, or returned principal to prior investors, and this information constitutes material facts.

FRAUD AND THE MISAPPROPRIATION OF PRINCIPAL

33. In connection with the offer of investments in the forex and binary option trading program, Respondent is intentionally failing to disclose the prior misappropriation of principal, and this information constitutes a material fact.

FRAUD AND THE USE OF ALIASES

34. In connection with the offer of investments in the forex and binary option trading program, Respondent is knowingly misrepresenting his identity, and this information constitutes a relevant fact.

FRAUD AND THE GUARANTEE OF PROFITABILITY

35. In connection with the offer of investments in the forex and binary option trading program, Respondent is guaranteeing profitability but intentionally failing to disclose the following material facts:
 - A. His assets, liabilities and cash flow, as well as any other financial information that reflect his ability to pay promised returns to investors if the forex and binary option trading program fails to yield profits; and
 - B. His past performance in honoring the guarantee for prior investors.

FRAUD AND THE UNDISCLOSED RISKS ASSOCIATED WITH FOREX

36. In connection with the offer of investments in the forex and binary options trading program, Respondent is intentionally failing to disclose material facts, including the following risks associated with trading foreign currency:

- A. Fluctuations in a country's interest rates may lead to fluctuations in a currency's value, thereby negatively impacting the ability to close a trade for profit;
- B. Fluctuations in the foreign exchange rate between the time of placing a trade and the time of closing a trade may negatively impact the price of forex;
- C. A system or technical failure in a platform for executing trade may negatively impact the ability to close a trade for profit; and
- D. Leveraging transactions on margin, once called, may lead to substantial losses in excess of initial investments.

FRAUD AND UNDISCLOSED RISKS ASSOCIATED WITH BINARY OPTIONS

- 37. In connection with the offer of investments in the forex and binary options trading program, Respondent is intentionally failing to disclose material facts, including the following risks associated with trading binary options:
 - A. Traders may lose the entirety of their original investment when they fail to correctly wager on the market's direction and price at the time of expiration;
 - B. Fluctuations in markets may negatively impact the profitability of a binary option;
 - C. Traders must wait until the option expiration date before they can take their profits or losses, and such illiquidity the of the investment may negatively impact the ability to trade for a profit; and
 - D. Binary option platforms are thinly regulated and the lack of regulation may negatively impact the ability to securely trade the investments.

MISLEADING STATEMENTS ABOUT COMPLAINTS

- 38. As described herein, various persons have publicly complained about Respondent, accusing him of stealing their money.
- 39. As also described herein, Respondent is representing that these complaints were submitted by competitors, and not prior investors, in an attempt to discredit him.
- 40. As also described herein, Respondent is representing, regardless of the public complaints, he has continued to pay promised returns to investors.
- 41. These statements are materially misleading or otherwise likely to deceive the public because:

- A. Prior investors who are not competitors are actually publicly complaining about Respondent, accusing him of stealing their money;
- B. Respondent has not fulfilled his obligation to prior investors, paid promised returns to prior investors or returned principal to prior investors; and
- C. Respondent is not disclosing the prior misappropriation of principal.

CONCLUSIONS OF LAW

1. The investments in the forex and binary option trading program are securities as the term is defined by Section 4.A of the Securities Act.
2. Respondent is violating Section 7 of the Securities Act by offering securities for sale in Texas at a time when the securities are not registered with the Securities Commissioner.
3. Respondent is violating Section 12 of the Securities Act by offering securities for sale in Texas without being registered pursuant to the provisions of Section 12 of the Securities Act.
4. Respondent is engaging in fraud in connection with the offer for sale of securities.
5. Respondent has made an offer containing a statement that is materially misleading or otherwise likely to deceive the public.
6. Respondent's 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 Securities Act.

ORDER

1. It is therefore ORDERED Respondent 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 Securities Act.
2. It is further ORDERED Respondent immediately CEASE AND DESIST from acting as a securities dealer or agent in Texas until Respondent is registered with the Securities Commissioner or is acting pursuant to an exemption from registration under the Securities Act.

3. It is further ORDERED Respondent 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 Respondent 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 \$10,000, or imprisonment in the penitentiary for two to ten years, or by both such fine and imprisonment.

SIGNED AND ENTERED by the Securities Commissioner this 17th day of April 2020.



TRAVIS J. ILES
Securities Commissioner