

JOHN MORGAN  
SECURITIES COMMISSIONER



RONAK V. PATEL  
DEPUTY SECURITIES COMMISSIONER

Mail: P.O. BOX 13167  
AUSTIN, TEXAS 78711-3167

Phone: (512) 305-8300  
Facsimile: (512) 305-8310

## Texas State Securities Board

208 E. 10th Street, 5th Floor  
Austin, Texas 78701-2407  
www.ssb.texas.gov

BETH ANN BLACKWOOD  
CHAIR

E. WALLY KINNEY  
MEMBER

DAVID A. APPLEBY  
MEMBER

ALAN WALDROP  
MEMBER

MIGUEL ROMANO, JR.  
MEMBER

SOAH DOCKET 312-16-5973

|                                  |                           |
|----------------------------------|---------------------------|
| IN THE MATTER OF                 | §                         |
| TEXAS FIRST FINANCIAL, LLC;      | § IN THE STATE OFFICE OF  |
| BOBBY EUGENE GUESS; AND          | § ADMINISTRATIVE HEARINGS |
| MECHANICAL MOTION SOLUTIONS, LLC | §                         |

TO: Texas First Financial, LLC  
5300 Town and Country Blvd, Suite 190, Frisco, Texas 75034;

Bobby Eugene Guess  
5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034; and

Mechanical Motions Solutions, LLC  
5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034.

### NOTICE OF HEARING

This is your OFFICIAL NOTICE that a hearing will be held at the State Office of Administrative Hearings, in the William P. Clements Building, 300 W. 15th Street, 4th Floor, Austin, Texas 78701, before an Honorable Administrative Law Judge on the 6th day of September, 2016, at 9:00 A.M., for the purpose of determining whether to affirm, modify or set aside Emergency Cease and Desist Order No. ENF-16-CDO-1746.

This hearing will be held pursuant to The Securities Act, TEX. REV. CIV. STAT. ANN. arts. 581-1 to 581-43 (West 2010 & Supp. 2016) (the "Texas Securities Act"); the Rules and Regulations of the State Securities Board, 7 Tex. Admin. Code Chapter 101 §§ 2001.001 to 2001.902 (West 2010 & Supp. 2016); and the Rules of Practice and Procedure of the State Office of Administrative Hearings, 1 Tex. Admin. Code Chapter 155 (Supp. 2016) ("SOAH Rules").

Legal authority and jurisdiction for this matter exist under Sections 23-2 and 24 of the Texas Securities Act, Section 2003.021(b) of the Texas Government Code and Section 155.51 of the SOAH Rules.

**IF YOU FAIL TO ATTEND THE HEARING, THE FACTUAL ALLEGATIONS IN THIS NOTICE COULD BE DEEMED ADMITTED, AND THE SECURITIES COMMISSIONER MAY DISPOSE OF THIS CASE WITHOUT A HEARING AND MAY GRANT THE RELIEF SOUGHT IN THIS NOTICE.**

### **BACKGROUND**

1. On August 15, 2016, the Securities Commissioner entered Emergency Cease and Desist Order No. ENF-16-CDO-1746 (the "**Emergency Cease and Desist Order**"). A true and correct copy of the Emergency Cease and Desist Order is attached as Government's Exhibit No. 1, and it is fully incorporated herein.
2. The Emergency Cease and Desist Order ordered Texas First Financial, LLC; Bobby Eugene Guess; and Mechanical Motion Solutions, LLC, to immediately cease and desist from:
  - a. Offering for sale and selling 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.
  - b. Acting as a securities dealer, agent, investment adviser or investment adviser representative until Respondent is registered with the Securities Commissioner or is acting pursuant to an exemption from registration under the Texas Securities Act.
  - c. Engaging in any fraud in connection with the offer for sale of any security in Texas.
3. Respondents, through Respondent Guess, requested the Emergency Cease and Desist Order be set aside. The request was received on August 25, 2016. A true and correct copy of the request is attached as Government's Exhibit No. 2.
4. Section 23-2.D requires that all hearings be held no later than the 10th day after the date the Securities Commissioner receives the request for a hearing unless the parties agree to a later hearing date. Respondents did not agree to a later hearing date. A true and correct copy of the Enforcement Division's correspondence relating to a possible later date is attached hereto as Government's Exhibit No. 3, and a true and correct copy of Respondent's reply is attached as Government's Exhibit No. 4.
5. A hearing has now been set at the State Office of Administrative Hearings for September 6, 2016, at 9:00 A.M., CST.
6. At the hearing, the Enforcement Division will present evidence supporting the Emergency Cease and Desist Order and request that the Honorable Administrative Law Judge enter a Proposal for Decision that affirms the Emergency Cease and Desist Order in its entirety.

**CONTACT INFORMATION**

Rachael Luna  
State Bar No. 24075897  
Attorney, Enforcement Division  
State Securities Board  
208 E. 10th Street, 5th Floor  
Austin, Texas 78756  
Telephone: 512-305-8392  
Facsimile: 512-305-8398  
Email: rluna@ssb.texas.gov

Docketing Office  
State Office of Administrative Hearings  
300 W. 15th Street, Suite 504  
Telephone: 512-475-3445  
Facsimile: 512-475-4994

**SECURITIES COMMISSIONER'S REPRESENTATIVE**

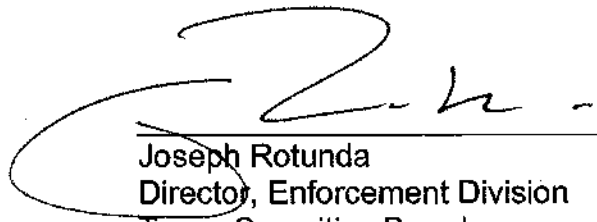
Pursuant to Section 105.8 of the Board Rules, all documents filed by any party, other than business records and transcripts, and all documents issued by the Administrative Law Judge must be contemporaneously served upon the Securities Commissioner's Representative as identified below:

Marlene Sparkman  
Securities Commissioner's Representative  
State Securities Board  
208 E. 10th Street, 5th Floor  
Austin, Texas 78701  
(512) 305-8300  
(512) 305-8336 (fax)

Pursuant to Section 105.13 of the Board Rules, the Staff respectfully requests that the Office order that all costs charged to the State Securities Board by any court reporting service in this matter be assessed against the Respondent.

You are invited to appear personally, with, without, or through counsel, and to present any and all evidence relating to the matters set forth in this Notice.

Signed this, the 29th day of August, 2016.



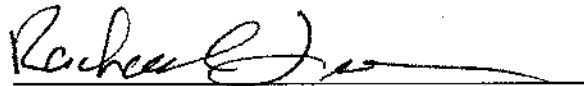
\_\_\_\_\_  
Joseph Rotunda  
Director, Enforcement Division  
Texas Securities Board  
208 E. 10th Street, 5th Floor  
Austin, Texas 78701  
Texas Bar No. 24029808  
Telephone: 512-305-8392  
Facsimile: 512-305-8398  
Email: jrotunda@ssb.state.tx.us

## CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of this Notice of Hearing have been served in the manner set forth below on TEXAS FIRST FINANCIAL, LLC; BOBBY EUGENE GUESS; AND MECHANICAL MOTION SOLUTIONS, LLC, and the SECURITIES COMMISSIONER'S REPRESENTATIVE on this the 29th day of August, 2016.

- To: Respondent Texas First Financial** via certified mail, return receipt requested to 5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034.
- To: Respondent Bobby Eugene Guess** via electronic mail to bob@texas1stfinancial.com and via certified mail, return receipt requested to 5300 Town and Country Blvd, Suite 190, Frisco, Texas 75034.
- To: Respondent Mechanical Motion Solutions, LLC** via certified mail, return receipt requested to 5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034.
- To: Marlene Sparkman, the Securities Commissioner's Representative,** via hand delivery at 208 E. 10th Street, 5<sup>th</sup> floor, Austin, Texas 78701.

By:



Rachael Luna  
State Bar No. 24075897  
Attorney, Enforcement Division  
State Securities Board  
208 E. 10th Street, 5th Floor  
Austin, Texas 78701  
Telephone: 512-305-8392  
Facsimile: 512-305-8398  
Email: rluna@ssb.texas.gov

JOHN MORGAN  
SECURITIES COMMISSIONER

RONAK V. PATEL  
DEPUTY SECURITIES COMMISSIONER

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MEMBER

ALAN WALDROP  
MEMBER

MIGUEL ROMANO, JR.  
MEMBER

IN THE MATTER OF  
TEXAS FIRST FINANCIAL, LLC; BOBBY  
EUGENE GUESS; AND MECHANICAL  
MOTION SOLUTIONS, LLC

§  
§  
§  
§

Order No. ENF-16-CDO-1746

TO: Texas First Financial, LLC  
5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034,  
c/o Bob Guess, 4425 West Airport Freeway, Suite 120, Irving, Texas 75062, and  
P.O. Box 1872, Van Alstyne, Texas 75495

Bobby Eugene Guess  
5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034,  
4425 West Airport Freeway, Suite 120, Irving, Texas 75062, and  
P.O. Box 1872, Van Alstyne, Texas 75495

Mechanical Motion Solutions, LLC  
5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034,  
88 Center Church Rd., McMurray, Pennsylvania 15317, and  
c/o Corporation Service Company d/b/a CSC-Lawyers Incorporating Service  
Company, 211 E. 7th St., Suite 620, Austin, Texas 78701

### EMERGENCY CEASE AND DESIST ORDER

This is your OFFICIAL NOTICE of the issuance by the Securities Commissioner 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. arts. 581-1 to 581-44 (West 2010 & Supp. 2015) (the "**Texas Securities Act**").

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. Texas First Financial, LLC ("**Respondent TFF**"), is a domestic limited liability company. It maintains last known addresses at 5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034, and 4425 West Airport Freeway, Suite 120, Irving, Texas 75062. It may be served through its Registered Agent, Bob Guess, at 4425 West Airport Freeway, Suite 120, Irving, Texas 75062.



2. Bobby Eugene Guess, aka Bob Guess ("**Respondent Guess**"), is the Founder, Chief Executive Officer and President of Respondent TFF. Respondent Guess maintains last known addresses at 5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034, 4425 West Airport Freeway, Suite 120, Irving, Texas 75062, and P.O. Box 1872, Van Alstyne, Texas 75495.
3. Mechanical Motion Solutions, LLC ("**Respondent MMS**"), is a domestic limited liability company. It maintains last known addresses at 5300 Town and Country Blvd., Suite 190, Frisco, Texas 75034, and 88 Center Church Rd., McMurray, Pennsylvania 15317. It may be served through its Registered Agent, Corporation Service Company, d/b/a CSC-Lawyers Incorporating Service Company, at 211 E. 7th St., Suite 620, Austin, Texas 78701. Respondent Guess is a Member of Respondent MMS.
4. Respondents TFF and Guess are describing Respondent TFF as follows:
  - a. It is a full service firm with advisers having over 70 years of combined experience in the financial service industry;
  - b. It is offering investments in health care, technology and real estate; and
  - c. It is offering investments that yield 9%, and in some instances 10% or 12%, annualized rates of return with little or no market risk.
5. Respondents TFF and Guess are operating a website at <http://www.texas1stfinancial.com> that allows visitors to schedule an appointment to discuss a "9% return backed dollar for dollar with hard assets." Respondents TFF and Guess are also advertising on various radio stations in Texas, such as WBAP News Talk 820 AM, KLIF News/Information 570 AM, and ESPN Dallas 103.3 FM. The website and radio spots direct viewers and listeners to contact Respondent TFF. Additionally, Respondents TFF and Guess are holding "9% Investment Forum & Dinner" seminars where attendees learn more about their 9% investment return opportunities.
6. Respondents TFF and Guess are offering the following investments for sale in Texas:
  - a. Promissory notes issued by a real estate company known as North-Forty Development, LLC. Investors purportedly receive an annualized investment return of 9% interest-only payments paid quarterly for a term of 24 months with the principal due at the expiration of the term or an annualized investment return of 9% interest with principal and interest due at the expiration of a 12 month term. They are purportedly backed by the Deeds of Trust for the properties developed;

- b. Promissory notes issued by a company engaged in the field of urgent care medicine known as Primary Urgent Care, LLC. Investors purportedly receive an annualized investment return of 9% interest-only payments paid quarterly for a term of 36 months with the principal due at the expiration of the term or an annualized investment return of 10% interest with interest and principal due at the expiration of a 36 month term. The promissory notes are purportedly backed by stock of the parent company;
  - c. Promissory notes issued by the Founder and Chief Executive Officer of Stamedia, Inc., a company that has recently merged with Meteora. Investors purportedly receive an annualized investment return of 12% with principal and interest due at the end of a 1 year term. The promissory notes are purportedly backed by stock issued by Stamedia, Inc. and owned by the Founder and Chief Executive Officer of Stamedia, Inc.; and
  - d. Promissory notes issued by Respondent MMS. Respondent MMS are engaged in expanding a health care delivery system called the Elite Adjuster. Investors purportedly receive an annualized investment return of 9% interest-only payments paid quarterly for a term of 36 months with the principal due at the expiration of the term or an annualized investment return of 10% interest with principal and interest due at the expiration of a 36 month term. The promissory notes are purportedly backed by a "provisional patent application."
7. Respondents TFF and Guess have also offered for sale, in Texas, investments issued by Credit Nation Capital, LLC ("**CN Capital**"). CN Capital raised funds from investors, who were told that they would receive a "9% return on [their] money backed by hard assets dollar for dollar."
8. On or about August 4, 2016, the Honorable Judge Mark J. Rush issued a search warrant based on probable cause to seize business records of Texas First Financial evidencing the commission of fraud in connection with the sale or offer for sale of securities, acting as an unregistered dealer or agent, and the sale or offer for sale of unregistered securities in violation of the Texas Securities Act. The judge found probable cause for the issuance of the search warrant based on the information set forth in the affidavit, including but not limited to the following:
- a. Investors funds placed with Stamedia, Inc., were used to perpetuate a Ponzi scheme;
  - b. From July 1, 2015, through January 29, 2016, the principals of Stamedia, Inc., used investors funds to pay for personal expenditures at an average of \$423,000.00 per month; and
  - c. At least \$875,000.00, and perhaps as much as \$1.4 million, of investor funds placed with North-Forty Development, LLC, and companies associated with it, were expended for the benefit of the company's principal to cover a \$1,391,064.88 federal tax lien that was outstanding as of April 2016;

9. The promissory notes have not been registered by qualification, notification or coordination, and no permit has been granted for their sale in Texas.
10. Respondents TFF and Guess have not registered with the Securities Commissioner as dealers or agents at any time material hereto.
11. In connection with the offer for sale of the promissory notes, Respondents are intentionally failing to disclose information about Respondent Guess and CN Capital and said information constitutes material facts. Specifically, Respondent Guess was an owner of CN Capital and its Vice President of Sales and Marketing. On or about November 10, 2015, the United States Securities and Exchange Commission filed a complaint against CN Capital and others in Securities and Exchange Commission v. James A. Torchia, et al., Case No. 1:15-cv-03904, in the United States District Court for the Northern District of Georgia, Atlanta Division. The SEC alleged within its complaint that CN Capital was operating an ongoing offering fraud and Ponzi scheme. The complaint also alleged Respondent Guess represented the investment was "backed by hard assets dollar for dollar" when in truth and in fact the company's liabilities dwarfed its assets and the company sustained multi-million dollar per year operating losses. On or about April 25, 2016, the Court issued an Opinion and Order enjoining CN Capital and its employees from violating the federal securities laws, including the anti-fraud provisions, and appointed a receiver to marshal and protect CN Capital assets.
12. In connection with the offer for sale of the promissory notes issued by North-Forty Development, LLC, Respondent TFF is intentionally failing to disclose the material fact that a search warrant was executed at the premises of Respondent TFF on August 5, 2016.
13. In connection with the offer for sale of the promissory notes issued by the Founder and Chief Executive Officer of Stamedia, Inc., that are purportedly backed by stock issued by Stamedia, Inc., Respondents TFF and Guess are misrepresenting relevant facts, to wit:
  - a. That Stamedia, Inc., entered into a contract with The Home Depot; and
  - b. That Stamedia, Inc., closed a deal with Mercedes Benz of Plano whereby Stamedia, Inc. would generate \$70,000.00 a month for Stamedia, Inc.

#### CONCLUSIONS OF LAW

1. The promissory notes 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 and selling securities in Texas at a time when the securities are not registered with the Securities Commissioner.



3. Respondents TFF and Guess 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 and of Texas Securities Act.
4. Respondents are engaging in fraud in connection with the offer for sale of securities.
5. Respondents' conduct, acts and practices threaten immediate and irreparable public harm.
6. 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 and selling 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 TFF and Guess immediately CEASE AND DESIST from the offer and sale of securities in Texas until Respondents TFF and Guess are registered with the Securities Commissioner as dealers or agents or an available exemption from registration is utilized.
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.

#### 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 \$10,000.00, or imprisonment in the penitentiary for not more than ten years, or by both such fine and imprisonment.

SIGNED AND ENTERED by the Securities Commissioner this 15<sup>th</sup> day of August, 2016.

  
\_\_\_\_\_  
JOHN MORGAN  
Securities Commissioner

(COPY)

CONFIDENTIAL

**Affidavit for Immediate Rescission of Search Warrant and for Immediate Return of all assets upon receipt**

**Affidavit for setting aside de facto affidavit for evidentiary search warrant**

**Affidavit for setting aside search warrant for THE STATE OF TEXAS FOR COUNTY OF COLLIN on behalf of Letha L. Sparks for all reasons fully stated in the forwarding counter-affidavit in support.**

**Affidavit for immediate setting aside of Texas State Securities Board document in its entirety as to order No. EnF-16-CDO-1746 and the Emergency cease and desist order, et al**

State of Texas et al )  
 )  
County of Collin et al )

State of Texas et al to the office of any county sheriff, its agents, assignees, associates, associations, et al, or any peace officer of Collin County et al, Texas, or of the State of Texas

Certified Return Receipt (www.usps.com) 7015 3430 0000 9654 7105  
Texas State Securities Board  
208 E. 10<sup>th</sup> Street, 5<sup>th</sup> Floor  
Austin, Texas 78701-2407

Certified Return Receipt (www.usps.com) 7015 3430 0000 9654 7112  
Office for Collin County Sheriff et al  
4300 Community Ave.  
McKinney, TX 75071

Certified Return Receipt (www.usps.com) 7015 3430 0000 9654 7143  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001



Greetings:

Whereas, an Affidavit was subscribed and sworn to before me on this day by Bobby Eugene Guess, who is a natural living blood man and who has reserved all rights in good faith, due to enrichment of others, and for all reasons stated within the attached conflicted jurisdictions as to facts stated within the de facto documents and affidavits:

Bobby Eugene Guess, "Affiant" and "principal"

You are directed to immediately contact all interested de facto parties to immediately return all real and personal property back to the rightful place, known as a location listed as: 5300 Town and Country Boulevard, Suite 190, Frisco, Texas 75034, so that the real and personal property can be given back to the rightful owners for possession for all reasons stated by this document and affidavit in support thereof and due to violations under the UCC 1-207 for the peace for all. In addition this document and / or documents are being given in good Faith.

Whereas demand is made in good faith that this warrant must be executed within three (3) days, exclusive of the day of its issuance and execution, with your return therein, showing how you have executed the same.

Issued at 4 o'clock pm on this 22 day of AUGUST 2016, to certify which witness my hand this day

Bobby Eugene Guess

Affiant/ real natural man

State of Texas

County of Collin

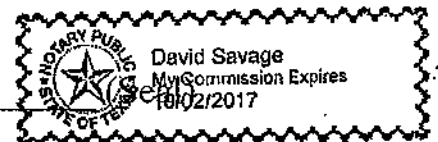
Subscribed and sworn to before me on this 22<sup>nd</sup> day of

August, 2016, by Bobby Guess

and \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me on my sworn oath sitting in for State of Texas.

Signature

David Savage



Notice and NOTICE to all parties of interest



nor shall any law be passed depriving a party of any remedy for the enforcement of a contract, which existed when the contract was made.

That I do not waive any of my rights at this time nor do I intend to waive any of my rights at any time without my written signed consent.

Affiant demands rescission for the immediate setting aside of any and all de facto documents as to:

Texas First Financial, et al  
Bobby Eugene Guess, et al  
Mechanical Motion Solutions, LLC

Due to the forwarding Facts:

- Statements made in the de facto document are clearly untrue.
- Documents were issued without the written consent of all parties by wet signature which is a violation of individual constitutional rights and the declaration of independence.
- The targeted parties of interest were not given proper notice that paperwork involving alleged violations was not in compliance (if any, as it relates to their private standards) nor were parties of interest given any notice of remedy for alleged violations before executing the unlawful documents as it relates to any legal determination, which is required by law.
- The findings were obtained by private associations through and by unlawful means of fraud (intentional deception).
- The acts and actions taken by third parties operating under private associations were committed in violations of RICO, organized crime, and judicial crime.

Affiant requests and demands that all parties must contest this affiant affidavit by counter-affidavit with a declaration by an independent notary due to conflict of interest by third parties who operate both in the public and private area.

Affiant demands that all unknown contracts without all facts revealed be rescinded immediately [made void, null and have no effect as to any of affiant accounts, et

all] due to all rights reserved and all special power of attorneys as to fraud (intentional deception).

Affiant demands that all wet signature(s) be rescinded due to fraud (intentional deception) and for all other reasons fully stated within this affidavit and others.

WHEREAS, the eternal and unchanging principles of the laws of Commerce are:

A matter must be expressed to be resolved.

In Commerce, Truth is sovereign.

Truth is expressed in the form of an Affidavit.

An un-rebutted Affidavit stands as truth in Commerce.

An un-rebutted Affidavit becomes Judgment in Commerce.

An Affidavit of Truth, under Commercial Law, can be satisfied only:

- through a rebuttal Affidavit of Truth, point by point;
- by payment;
- by agreement; or
- by resolution of a jury by the rules of common law.

All are equal under the law.

The Foundation of Commercial Law is based upon certain eternally just, valid, and moral Precepts and truth, which have remained unchanged for at least six thousand (6000) years having its roots in the Mosaic Law. Said Commercial Law forms the underpinnings of Western Civilization, if not all Nations, Law, and Commerce in this world. Commercial Law is non-judicial, and is prior and superior to, the basis of, and cannot be set aside or overruled by the statutes of any governments, Legislatures, Governmental or Quasi-Governmental Agencies, Courts, Judges, and Law Enforcement agencies that are under an inherent obligation to uphold said Commercial Law.

I declare under penalty of perjury under truth and the Laws of the United States of America for fairness without discrimination and for the peace for all, that the above statements and the foregoing is true, correct, complete, and not misleading and contains the truth, the whole truth, and nothing but the truth to my knowledge and belief.

Bob Guess

Affiant

State of Texas

County of Collin

Subscribed and sworn to before me on this 22<sup>nd</sup> day of

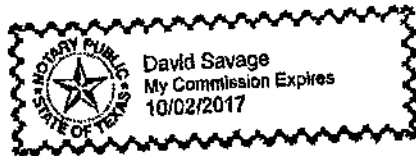
August, 2016, by

Bob Guess, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me on my sworn oath sitting in for State of Texas.

Notary Signature: David Savage (Seal)

Notice and NOTICE to all parties of interest

This document shall remain private and confidential until further notice



JOHN MORGAN  
SECURITIES COMMISSIONER

RONAK V. PATEL  
DEPUTY SECURITIES COMMISSIONER

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MIGUEL ROMANO, JR.  
MEMBER

August 26, 2016

Via CM,RRR and  
electronic mail to [bob@texas1stfinancial.com](mailto:bob@texas1stfinancial.com)

Mr. Bobby Eugene Guess  
Texas First Financial, LLC  
5300 Town and Country Blvd., Suite 190  
Frisco, Texas 75034

RE: Order No. ENF-16-CDO-1746

Dear Mr. Guess:

Thank you for speaking with the Enforcement Division today. As discussed, the Enforcement Division is in receipt of your correspondence concerning the Emergency Cease and Desist Order, styled In the Matter of Texas First Financial, LLC; Bobby Eugene Guess; and Mechanical Motion Solutions, LLC, Order No. ENF-16-CDO-1746 (the "Emergency Order").

In your correspondence, you request the Emergency Order be set aside in its entirety. As such, the staff is treating your correspondence as a request for hearing on behalf of all named Respondents.

Section 23-2 of The Securities Act requires that upon receipt of a request for hearing a "hearing must be held not later than the 10<sup>th</sup> date after the date the Commissioner receives the request for a hearing unless the parties agree to a later hearing date."

As discussed, the hearing is held before an administrative law judge at the State Office of Administrative Hearings ("SOAH") and the Enforcement Division bears the burden of proof to present evidence in support of the Emergency Order. Additional information about SOAH, including its procedural rules may be found at <http://www.soah.texas.gov>. The Securities Act and its Rules and Regulations may be found at <https://www.ssb.texas.gov>.

Please note the SOAH proceeding relates solely to whether the Emergency Order should be affirmed, modified, or set aside. Any matters you wish to address concerning the execution of the evidentiary search warrant at Texas First Financial's business location on August 5, 2016 is not before SOAH.





Mr. Bobby Eugene Guess  
August 26, 2016  
Page 2

The Enforcement Division will docket the matter at SOAH and provide you with a notice of hearing for the time and place of said hearing. The Enforcement Division will attempt to set this hearing within the 10 day requirement for the week of August 29<sup>th</sup> through September 2<sup>nd</sup>. Also as discussed, when the Enforcement Division provides you with the notice of hearing, it will also provide you with the evidence submitted to the Securities Commissioner in connection with the recommendation that the Emergency Order be entered.

Please advise the Enforcement Division in writing if you would like to waive the 10 day hearing requirement and have the hearing scheduled for a later mutually agreeable date. Absent such a waiver of the 10 day requirement, the hearing must be held within 10 days.

Should you have or obtain counsel to represent you in this matter, please have counsel communicate with the Enforcement Division on your behalf.

Thank you for your time and consideration in regard to this matter.

Sincerely,



Travis J. Iles  
Enforcement Attorney  
Enforcement Division

JOHN MORGAN  
SECURITIES COMMISSIONER

RONAK V. PATEL  
DEPUTY SECURITIES COMMISSIONER

Mail: P.O. BOX 13187  
AUSTIN, TEXAS 78711-3187

Phone: (512) 306-8300  
Facsimile: (512) 265-8310



Texas State Securities Board

208 E. 10th Street, 5th Floor  
Austin, Texas 78701-2407  
www.ssb.texas.gov

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MEMBER

August 23, 2016

Via CM, FAX and  
electronic mail to bob@texas1stfinancial.com  
Mr. Bobby Eugene Guess  
Texas First Financial, LLC  
5300 Town and Country Blvd., Suite 190  
Frisco, Texas 75034

RE: Order No. ENF-16-CDO-1746

Dear Mr. Guess:

Thank you for speaking with the Enforcement Division today. As discussed, the Enforcement Division is in receipt of your correspondence concerning the Emergency Cease and Desist Order, styled in the Matter of Texas First Financial, LLC, Bobby Eugene Guess, and Mechanical Motion Solutions, LLC, Order No. ENF-16-CDO-1746 (the "Emergency Order").

In your correspondence, you request the Emergency Order be set aside in its entirety. As such, the staff is treating your correspondence as a request for a hearing on behalf of all named Respondents.

Section 23-2 of the Securities Act requires that upon receipt of a request for hearing a "hearing must be held not later than the 10<sup>th</sup> date after the date the Commissioner receives the request for a hearing unless the parties agree to a later hearing date."

As discussed, the hearing is held before an administrative law judge at the State Office of Administrative Hearings ("SOAH") and the Enforcement Division bears the burden of proof to present evidence in support of the Emergency Order. Additional information about SOAH, including its procedural rules may be found at <http://www.ssoah.texas.gov>. The Securities Act and its Rules and Regulations may be found at <https://www.ssb.texas.gov>.

Please note the SOAH proceeding relates solely to whether the Emergency Order should be affirmed, modified, or set aside. Any matters you wish to address concerning the execution of the evidentiary search warrant at Texas First Financial's business location on August 5, 2016 is not before SOAH.

RECEIVED  
COMMERCIAL  
CREDIT  
DIVISION  
AUG 23 2016  
RETURN TO  
CREDIT  
DIVISION  
FOR  
ORDER

GOVERNMENT  
EXHIBIT  
4  
CARTELS 888-783-6878

Mr. Bobby Eugene Guess  
August 26, 2016  
Page 2

The Enforcement Division will docket the matter at SOAH and provide you with a notice of hearing for the time and place of said hearing. The Enforcement Division will attempt to set this hearing within the 10 day requirement for the week of August 29<sup>th</sup> through September 2<sup>nd</sup>. Also as discussed, when the Enforcement Division provides you with the notice of hearing, it will also provide you with the evidence submitted to the Securities Commissioner in connection with the recommendation that the Emergency Order be entered.

Please advise the Enforcement Division in writing if you would like to waive the 10 day hearing requirement and have the hearing scheduled for a later mutually agreeable date. Absent such a waiver of the 10 day requirement, the hearing must be held within 10 days.

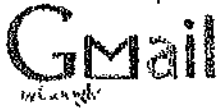
Should you have or obtain counsel to represent you in this matter, please have counsel communicate with the Enforcement Division on your behalf.

Thank you for your time and consideration in regard to this matter.

Sincerely,



Travis J. Iles  
Enforcement Attorney  
Enforcement Division



Bob Guess <bob@texas1stfinancial.com>

ECDO No. ENF-16-CDO-1746  
1 message

Rachael Luna <rluna@ssb.texas.gov>  
To: bob@texas1stfinancial.com

Fri, Aug 26, 2016 at 12:22 PM

Mr. Guess:

Please find attached the correspondence mailed out today certified mail, return receipt requested. Please indicate to us if you would like to have the hearing outside of the 10 day hearing requirement. We will be contacting SOAH to get a hearing date and will advise you accordingly.

Thank you,

Rachael Luna  
Attorney, Enforcement Division  
Texas State Securities Board  
P. O. Box 13167  
Austin, Texas 78711  
Office: (512) 305-8392  
Fax: (512) 305-8398

Guess Correspondence\_08262016.pdf  
108K

**No Contract**

**Affidavit for Immediate Rescission of Search Warrant and for Immediate Return of all assets upon receipt**

**Affidavit for setting aside de facto affidavit for evidentiary search warrant**

**Affidavit for setting aside search warrant for THE STATE OF TEXAS FOR COUNTY OF COLLIN on behalf of Letha L. Sparks for all reasons fully stated in the forwarding counter-affidavit in support.**

**Affidavit for immediate setting aside of Texas State Securities Board document in its entirety as to order No. EnF-16-CDO-1746 and the Emergency cease and desist order, et al**

State of Texas et al )  
 )  
County of Collin et al )

State of Texas et al to the office of any county sheriff, its agents, assignees, associates, associations, et al, or any peace officer of Collin County et al, Texas, or of the State of Texas

Certified Return Receipt (www.usps.com) 7015 3430 0000 9654 7105  
Texas State Securities Board  
208 E. 10<sup>th</sup> Street, 5<sup>th</sup> Floor  
Austin, Texas 78701-2407

Certified Return Receipt (www.usps.com) 7015 3430 0000 9654 7112  
Office for Collin County Sheriff et al  
4300 Community Ave.  
McKinney, TX 75071

Certified Return Receipt (www.usps.com) 7015 3430 0000 9654 7143  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Greetings:

Whereas, an Affidavit was subscribed and sworn to before me on this day by Bobby Eugene Guess, who is a natural living blood man and who has reserved all rights in good faith, due to enrichment of others, and for all reasons stated within the attached conflicted jurisdictions as to facts stated within the de facto documents and affidavits:

Bobby Eugene Guess, "Affiant" and "principal"

You are directed to immediately contact all interested de facto parties to immediately return all real and personal property back to the rightful place, known as a location listed as: 5300 Town and Country Boulevard, Suite 190, Frisco, Texas 75034, so that the real and personal property can be given back to the rightful owners for possession for all reasons stated by this document and affidavit in support thereof and due to violations under the UCC 1-207 for the peace for all. In addition this document and / or documents are being given in good Faith.

Whereas demand is made in good faith that this warrant must be executed within three (3) days, exclusive of the day of its issuance and execution, with your return therein, showing how you have executed the same.

Issued at 4 o'clock pm on this 22 day of AUGUST 2016, to certify which witness my hand this day

Bobby Eugene Guess  
Affiant/ real natural man

State of Texas  
County of Collin  
Subscribed and sworn to before me on this 22<sup>nd</sup> day of August, 2016, by Bobby Eugene Guess  
and \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me on my sworn oath sitting in for State of Texas.

Signature David Savage



Notice and NOTICE to all parties of interest

**Affidavit for Bobby Eugene Guess, et al**

State of Texas et al )  
 ) Know all men by These Presents  
County of Collin et al )

BEFORE ME, the undersigned authority, on this day personally appeared Affiant, who being by me duly sworn, deposes and says under oath as follows:

That I am Bobby Eugene Guess, who is the principal of an estate and who is operating on the land called America within the state of Texas and who has reserved all rights by this affiant affidavit and as to:

Affiant demands the immediate rescission of Search Warrant and for immediate return of all assets upon receipt.

Affiant demands the immediate setting aside of de facto affidavit for evidentiary search warrant, et al.

Affiant demands rescission for immediate setting aside the search warrant for THE STATE OF TEXAS FOR COUNTY OF COLLIN on behalf of Letha L. Sparks for all reasons fully stated in the forwarding counter-affidavit in support.

Affiant demands immediate setting aside of Texas State Securities Board document in its entirety as to order No. EnF-16-CDO-1746 and the Emergency cease and desist order.

In addition, affiant states:

That I am of lawful age and am competent to make this Affidavit. I have firsthand knowledge of the facts stated herein.

That this sworn Affidavit is made as a matter of record as my right in my own proper person under the constitutions of the united states operating in and on the land called America. Article(s): No bill of attainder, ex post facto law, retroactive law, or any law impairing the obligation of contracts, shall be made; and no person's property shall be taken, or applied to public use without just compensation being made, unless by the consent of such person;

nor shall any law be passed depriving a party of any remedy for the enforcement of a contract, which existed when the contract was made.

That I do not waive any of my rights at this time nor do I intend to waive any of my rights at any time without my written signed consent.

Affiant demands rescission for the immediate setting aside of any and all de facto documents as to:

Texas First Financial, et al  
Bobby Eugene Guess, et al  
Mechanical Motion Solutions, LLC

Due to the forwarding Facts:

- Statements made in the de facto document are clearly untrue.
- Documents were issued without the written consent of all parties by wet signature which is a violation of individual constitutional rights and the declaration of independence.
- The targeted parties of interest were not given proper notice that paperwork involving alleged violations was not in compliance (if any, as it relates to their private standards) nor were parties of interest given any notice of remedy for alleged violations before executing the unlawful documents as it relates to any legal determination, which is required by law.
- The findings were obtained by private associations through and by unlawful means of fraud (intentional deception).
- The acts and actions taken by third parties operating under private associations were committed in violations of RICO, organized crime, and judicial crime.

Affiant requests and demands that all parties must contest this affiant affidavit by counter-affidavit with a declaration by an independent notary due to conflict of interest by third parties who operate both in the public and private area.

Affiant demands that all unknown contracts without all facts revealed be rescinded immediately [made void, null and have no effect as to any of affiant accounts, et



al] due to all rights reserved and all special power of attorneys as to fraud (intentional deception).

Affiant demands that all wet signature(s) be rescinded due to fraud (intentional deception) and for all other reasons fully stated within this affidavit and others.

WHEREAS, the eternal and unchanging principles of the laws of Commerce are:

A matter must be expressed to be resolved.

In Commerce, Truth is sovereign.

Truth is expressed in the form of an Affidavit.

An un-rebutted Affidavit stands as truth in Commerce.

An un-rebutted Affidavit becomes Judgment in Commerce.

An Affidavit of Truth, under Commercial Law, can be satisfied only:

- through a rebuttal Affidavit of Truth, point by point;
- by payment;
- by agreement; or
- by resolution of a jury by the rules of common law.

All are equal under the law.

The Foundation of Commercial Law is based upon certain eternally just, valid, and moral Precepts and truth, which have remained unchanged for at least six thousand (6000) years having its roots in the Mosaic Law. Said Commercial Law forms the underpinnings of Western Civilization, if not all Nations, Law, and Commerce in this world. Commercial Law is non-judicial, and is prior and superior to, the basis of, and cannot be set aside or overruled by the statutes of any governments, Legislatures, Governmental or Quasi-Governmental Agencies, Courts, Judges, and Law Enforcement agencies that are under an inherent obligation to uphold said Commercial Law.

I declare under penalty of perjury under truth and the Laws of the United States of America for fairness without discrimination and for the peace for all, that the above statements and the foregoing is true, correct, complete, and not misleading and contains the truth, the whole truth, and nothing but the truth to my knowledge and belief.

Bob Green

Affiant

State of Texas

County of Collin

Subscribed and sworn to before me on this 22<sup>nd</sup> day of

August, 2016, by

Bob Green, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me on my sworn oath sitting in for State of Texas.

Notary Signature: David Savage (Seal)

Notice and NOTICE to all parties of interest

This document shall remain private and confidential until further notice



# - Fax Transmission

**To:** Rachel et al, Travis et al

**From:** bobby

**Fax:** 15123058398

**Date:** 8/26/2016

**RE:** return to sender

**Pages:** 11

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**Comments:**

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August 26, 2016 "Notice"

Re: Return Documents for all reasons stated by this document and attached documents in support thereof.

Return to sender due to conflicting jurisdiction and violations of RICO Act and after proper notice was given to Travis (see notes).

"I do not waive any rights." Final Demand given for immediate return of all property!

bobby/ not an attorney private association

**PHONE CALL**

|         |                             |                    |             |      |              |
|---------|-----------------------------|--------------------|-------------|------|--------------|
| FOR     | <i>Travis Isles</i>         | DATE               | <i>8/26</i> | TIME | <i>10:59</i> |
| M.      |                             |                    |             |      |              |
| OF      |                             |                    |             |      |              |
| PHONE   | <i>512-305-8392</i>         |                    |             |      |              |
| MESSAGE | <i>ix: state securities</i> |                    |             |      |              |
|         | <i>ba.</i>                  |                    |             |      |              |
| SIGNED  |                             |                    |             |      |              |
|         | <input type="checkbox"/>    | TELEPHONED         |             |      |              |
|         | <input type="checkbox"/>    | RETURNED YOUR CALL |             |      |              |
|         | <input type="checkbox"/>    | PLEASE CALL        |             |      |              |
|         | <input type="checkbox"/>    | WILL CALL AGAIN    |             |      |              |
|         | <input type="checkbox"/>    | CAME TO SEE YOU    |             |      |              |
|         | <input type="checkbox"/>    | WANTS TO SEE YOU   |             |      |              |

"No contract"