

STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:)
)
ALAN BURDETTE INVESTMENTS, LLC)
CARY ALAN BURDETTE) ADMINISTRATIVE ORDER
CLIFTON A BURDETTE)
) NO. CD-2008-0014
)
RESPONDENTS)

CEASE AND DESIST ORDER

The Alabama Securities Commission ("Commission"), having authority to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, Code of Alabama 1975, the Alabama Securities Act ("Act"), upon due consideration of the subject matter hereof, and having confirmed information of the offers for sale and/or sale of securities, into, within or from the state of Alabama, has determined as follows:

RESPONDENTS

1. ALAN BURDETTE INVESTMENTS, LLC ("A.B.I.") is an Alabama based Limited Liability Company with a business address of 1930 Edwards Lake Rd., Birmingham, AL 35235.
2. CARY ALAN BURDETTE ("A. BURDETTE") at all times relevant, was managing member, registered agent and/or CEO of A.B.I., with a home address of 7245 Cavern Rd., Trussville, AL 35173.
3. CLIFTON A. BURDETTE ("C. BURDETTE") at all times relevant, was a business associate of A. BURDETTE, with a home address of 4737 Maryland Avenue, Birmingham, AL 35210.

STATEMENT OF FACTS

4. The Commission is in receipt of information that between December, 2003, and October, 2007, A. BURDETTE engaged in the offer and/or sale of securities, to wit: Promissory Notes ("Notes"), to Alabama residents.

5. In December, 2003, continuing through May, 2006, an Alabama resident wrote checks representing an aggregate investment of \$358,000.00 to A. BURDETTE and C. BURDETTE who represented that the notes would pay 12 to 25% interest per NOTE with interest accumulating and paid annually. The investment checks were deposited into A. BURDETTE's Regions Bank account.

6. In February, 2004, an Alabama investor wrote a check in the amount of \$40,000.00 to A. BURDETTE who represented that the note would pay 12% interest with the entire balance due upon demand. This investment check was deposited into A. BURDETTE's Regions Bank account. In October, 2007, A. BURDETTE provided the estate of the Alabama investor a NOTE stating that the principal sum of \$40,000.00 plus a return of \$25,000.00 would be paid to the estate.

7. In May, 2005, an Alabama investor provided a check in the amount of \$100,000.00 to A. BURDETTE who represented that the note would pay 12% interest accumulating and paid annually until such time as the holder elects to withdraw the principal. This investment check was deposited into A. BURDETTE's Regions Bank Account.

8. In January, 2008, a review of the files of the Commission disclosed no record of registration for ALAN BURDETTE INVESTMENTS, LLC, CARY ALAN BURDETTE or CLIFTON A. BURDETTE as Dealers, Agents, Investment Advisors, or Investment Advisor Representatives in the state of Alabama.

9. In January, 2008, a review of the files of the Commission revealed no registration or exemption from registration for the "Promissory Notes" offered and sold by RESPONDENTS.

CONCLUSIONS OF LAW

10. Pursuant to Section 8-6-2 (10), Code of Alabama 1975, the definition of a "security" includes any note or evidence of indebtedness. The Promissory Notes offered and/or sold by RESPONDENTS are notes representing evidence of indebtedness and are securities under the Act.

11. Pursuant to Section 8-6-2(2) Code of Alabama 1975, the definition of "agent" includes any individual who represents an issuer in effecting or attempting to effect sales of securities. REpondents, A. BURDETTE and C. BURDETTE, effected sales of securities, to wit: Promissory notes, on behalf of RESPONDENT, A.B.I., and are therefore agents under the Act.

12. Pursuant to Section 8-6-3, Code of Alabama 1975, it is unlawful for any person to transact business in this state as a Dealer, Agent, Investment Advisor or Investment Advisor Representative unless he is registered under the Act. RESPONDENTS are not registered as a Dealer, Agent, Investment Advisor or Investment Advisor Representative in the state of Alabama, and have effected securities transactions with one or more Alabama residents in violation of the Act.

13. Pursuant to Section 8-6-4, Code of Alabama 1975, it is unlawful for any person to offer or sell any security in this state unless it is registered under the Act; the security is exempt from registration under Section 8-6-10; or the transaction is exempt under Section 8-6-11. The securities offered and sold by the RESPONDENTS were neither registered nor exempt from registration at the time of solicitation or sale in violation of the Act.

This Order does not prevent the Commission from seeking such other civil or criminal remedies that are available to it under the Act.

This Order is appropriate in the public interest for the protection of investors and is consistent with the purposes of the Act.

ACCORDINGLY, IT IS HEREBY ORDERED that RESPONDENTS, ALAN BURDETTE INVESTMENTS, LLC, CARY ALAN BURDETTE AND CLIFTON A. BURDETTE immediately **CEASE AND DESIST** from further offers or sales of any security into, within or from the state of Alabama.

Entered at Montgomery, Alabama, this 15th day of April, 2008.

ALABAMA SECURITIES COMMISSION
770 Washington Avenue, Suite 570
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(334) 242-2984

BY:



JOSEPH P. BORG
Director

