

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
CHARITIES DIVISION**

IN THE MATTER OF :)	
)	
)	
NORTH MISSISSIPPI CENTER FOR HIGHER)	Administrative Proceeding
EDUCATIONAL ADVANCEMENT, INC)	Number: LC-13-0817
504 West Main Street, Suite 7)	
West Point, MS 39773)	
)	
<i>Respondent</i>)	

CEASE AND DESIST ORDER

The SECRETARY OF STATE OF MISSISSIPPI, by and through the undersigned designated representative, hereby issues this Cease and Desist Order against NORTH MISSISSIPPI CENTER FOR HIGHER EDUCATIONAL ADVANCEMENT, INC. and further gives notice of his intent to impose an administrative penalty, revoke registration, administratively dissolve, and in support hereof, states the following.

I. JURISDICTION

The Secretary of State is vested with the regulation of charitable organizations that solicit donations in the State of Mississippi pursuant to Miss. Code Ann. §79-11-501, *et seq.* (Rev. 2009). North Mississippi Center for Higher Educational Advancement, Inc. (“NMCHEA”) is a charitable organization as defined by Miss. Code Ann. §79-11-501(a)(i) (Rev. 2009) (“Act”), to-wit:

- (B) Any person actually or purporting to be established for any voluntary health and welfare, benevolent, philanthropic, patriotic, educational, humane, scientific, public health, environmental conservation, civic, or other eleemosynary purpose or for the benefit of law enforcement personnel, fire fighters, or other public safety organizations, or any person employing in any manner a charitable

appeal as the basis of any solicitation or an appeal that suggests that there is a charitable purpose to any solicitation and includes each local, county or area division within this state of such charitable organization, provided such local, county or area division has authority and discretion to disburse funds or property otherwise than by transfer to any parent organization.

NMCHEA is a charitable organization as defined by the Act, and is subject to the Secretary of State's regulatory authority. Therefore, the Secretary of State finds that he has jurisdiction over the subject matter and the parties herein.

II. FINDINGS OF FACT

1. In November 2013, the Division received a complaint stating that an individual involved in the operations of NMCHEA had a felony conviction. The Division was able to confirm that Warren E. Stamps had been convicted of embezzlement in 1984, but has not been able to confirm Mr. Stamps' exact position within NMCHEA.

2. Further investigation showed that NMCHEA was registered with the Division in 2003. Registration was again attempted in June of 2006, but this registration was never completed. Therefore, NMCHEA should not be soliciting in this state.

3. On November 5, 2013, the Division's investigator met with Mr. Stamps in West Point, Mississippi. During this meeting, Mr. Stamps indicated that NMCHEA did not renew their registration with the Division, as they were told they did not have to because of their funding. The Division's investigator advised Mr. Stamps that the Division would need to review the funding sources and confirm that NMCHEA was not required to register with the Division; however, no documents or contact was received from NMCHEA following this meeting.

4. On November 8, 2013, the Division discovered that JustGive.org had a donate button for NMCHEA, thus constituting solicitation during the period of non-registration.

5. On February 4, 2014, the Division sent written correspondence via certified mail to NMCHEA notifying the organization that it was in fact soliciting within Mississippi, and also informing it that it was not properly registered with the Division to solicit contributions as required by Miss. Code Ann. §79-11-503(1) (Rev. 2009). This letter was mailed to Warren Stamps at 504 West Main Street, Suite 7, West Point, Mississippi 39773.

6. Having received no response to this letter, the Division sent a second registration letter via certified mail to NMCHEA on March 17, 2014. This letter was mailed to Dr. Henry L. Berry, the registered agent for the organization, at 504 West Main Street, Suite 7, West Point, Mississippi 39773.

7. On March 21, 2014, the Division received the green certified mail receipt for this letter, indicating that it had been received by NMCHEA. This receipt was signed by Angel Blake.

8. To date, the Division has not received a response or registration from NMCHEA.

III. CONCLUSIONS OF LAW

9. According to Miss. Code Ann. §79-11-503(1) (Rev. 2009), every charitable organization which solicits or intends to solicit contributions shall file with the Secretary of State a registration statement and pay a filing fee of Fifty Dollars (\$50.00). NMCHEA is soliciting contributions, but has failed to file a registration statement and is, therefore, in violation of this provision.

10. Because NMCHEA has solicited donations as defined by Miss. Code Ann. § 79-11-501(j) (Rev. 2009) during the period of non-registration. NMCHEA is in violation of the Act and is, therefore, subject to the provision of Miss. Code Ann §79-11-509 (Rev. 2009), including the issuance of a cease and desist order with or without prior hearing, revocation, denial, or suspension of registration, and imposition of an administrative penalty by the Secretary of State.

IV. CEASE AND DESIST

As provided in Miss. Code Ann. §79-11-509(4) (Rev. 2009), the Secretary of State hereby orders the NMCHEA to immediately **CEASE AND DESIST** soliciting charitable contributions in and from the State of Mississippi as defined by Miss. Code Ann. §79-11-501 (Rev. 2009). This order shall remain in effect until further ordered by the Secretary of State.

V. NOTICE OF INTENDED ACTIONS

A. ADMINISTRATIVE PENALTY

Pursuant to Miss. Code Ann. §79-11-509(4)(c) (Rev. 2009), the Secretary of State can impose up to Twenty-Five Thousand Dollars (\$25,000.00) for each violation of Miss. Code Ann. §79-11-501 (Rev. 2009) through §79-11-529 (Rev. 2009). The Secretary of State hereby imposes an administrative penalty in the amount of Two Thousand and Five Hundred Dollars (\$2,500.00), and any additional costs of collection, including attorney's fees, against NMCHEA. The administrative penalty shall be paid to the Secretary of State within thirty (30) days after receipt of this Cease and Desist Order unless a hearing is timely requested by NMCHEA.

B. REVOKE REGISTRATION

Pursuant to Miss. Code Ann. §79-11-509 (1)(e) (Rev. 2009), the Secretary of State shall deny, suspend, or revoke a registration of a registrant that has violated or failed to comply with any provision of the chapter or rule thereunder. The Secretary of State will therefore revoke the registration of NMCHEA.

C. ADMINISTRATIVE DISSOLUTION

Pursuant to Miss. Code Ann. §79-11-509(4)(b) (Rev. 2009), the Secretary of State may administratively dissolve a domestic corporation that is a charitable organization. The Secretary of State therefore seeks to administratively dissolve NMCHEA.

VI. RIGHT TO ADMINISTRATIVE HEARING

An administrative hearing may be requested in this matter. Any such request shall be

CERTIFICATE OF SERVICE

I, Tanya G. Webber, do here by certify, that I have this day, mailed a true and correct copy, via certified mail, return receipt requested, of the Cease and Desist Order to the following:

North Mississippi Center for Higher Educational Advancement, Inc.
Attention: Henry L. Berry
504 West Main Street, Suite 7
West Point, MS 39773

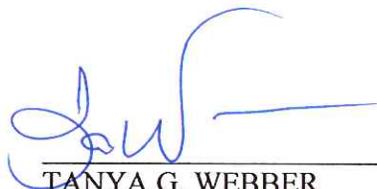
North Mississippi Center for Higher Educational Advancement
Attention: Henry L. Berry
1501 Church Hill Road
West Point, MS 39773

North Mississippi Center for Higher Educational Advancement
Attention: Henry L. Berry
Post Office Box 704
West Point, MS 39773

Warren E. Stamps
Post Office Box 937
West Point, MS 39773

Warren E. Stamps
1036 Little Street
West Point, MS 39773

This the 29th day of May, 2014.



TANYA G. WEBBER
Assistant Secretary of State
Charities Division

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