

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE  
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

<b>In The Matter Of:</b>	)	
	)	
<b>UNITED BRETHERN MISSION,</b>	)	
<b>ALEXANDER McLEOD</b>	)	<b>Administrative Hearing</b>
<b>135 South 6<sup>th</sup> Street</b>	)	<b>Number: C-05-0053</b>
<b>McComb, Mississippi 39648</b>	)	
	)	
	)	
	)	
<i>Respondents</i>	)	

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**FINAL CEASE AND DESIST ORDER  
AND ORDER IMPOSING ADMINISTRATIVE PENALTY**

The SECRETARY OF STATE OF MISSISSIPPI, by and through James O. Nelson, II, Assistant Secretary of State for the Business Regulation and Enforcement Division (hereinafter "Division"), hereby issues this Final Cease and Desist Order and Order Imposing Administrative Penalty to UNITED BRETHERN MISSION (hereinafter "UBM"), and ALEXANDER McLEOD (hereinafter "McLeod") and in support hereof, states the following.

**I. Jurisdiction**

The Business Regulation and Enforcement Division of the Office of the Secretary of State (hereinafter "Division"), having the power to administer and to regulate charities under the Regulation of Charitable Solicitation Act, codified at Miss. Code Ann. Sections 79-11-501 to 79-11-529 (hereinafter "Act"), upon due consideration of the subject matter hereof, and having confirmed solicitation within the State of Mississippi, has determined the following:

## II. Findings of Fact

1. UNITED BRETHREN MISSION, 135 South 6<sup>th</sup> Street, McComb, Mississippi 39648, is an unregistered entity.
2. ALEXANDER McLEOD is an individual presently residing at 135 South 6<sup>th</sup> Street, McComb, Mississippi 39648.
3. UBM is portraying itself as a charity and soliciting contributions in Mississippi from Mississippi residents for the aid of tsunami victims in Sri Lanka, specifically for the construction of an orphanage, and provision of medical supplies and medical personnel. After diligent search of the records of the Division, no registration for UBM has been located.
4. UBM was not registered at the time of the solicitation, and has not been registered with the Division at any time prior to the issuance of this order.
5. On January 6, 2005, the "Enterprise Journal", McComb, Mississippi, published an article in which McLeod solicited donations for the purposes of constructing an orphanage and providing medical supplies and medical personnel to aid tsunami victims in Sri Lanka. This was a solicitation as defined in Miss. Code Ann. Section 79-11-501(j).
6. On January 21, 2005, the "Enterprise Journal" published a second article in which McLeod was quoted as saying ". . . all money raised so far will be used for orphanage needs. Donations may be made to the United Brethren Mission fund at Union Planters Bank." This same article also provided the information that those

wishing to donate or to contact McLeod regarding this fundraising effort could do so at 601-249-3659. This was a solicitation as defined in Miss. Code Ann. Section 79-11-501(j).

7. On June 10, 2005, the Division issued a Summary Cease and Desist Order and Notice of Intent to Impose Administrative Penalty.
8. The Summary Cease and Desist Order notified Respondents of their right to request an administrative hearing. More than thirty (30) days have elapsed since the Summary Cease and Desist Order was served on the Respondents and no notice requesting a hearing has been furnished to James O. Nelson, II, Assistant Secretary of State, Business Regulation and Enforcement.

#### **IV. Conclusions of Law**

9. The previous paragraphs are incorporated herein by reference.
10. Pursuant to Miss. Code Ann. Section 79-11-501(j)(ii), UBM's announcements and appeals for funds through the "Enterprise Journal" were solicitations as defined by Mississippi law. In violation of Miss. Code Ann. Section 79-11-503(1), Respondent UBM did not register with, and pay a filing fee to the Division prior to these solicitations.
11. Respondent McLeod is an agent and fiduciary of UBM as defined in Miss. Code Ann. Section 79-11-525. As agent and fiduciary, he is responsible for compliance with this Act.

12. Respondent engaged in illegal activity by soliciting contributions in Mississippi while not registered to do so in violation of Miss. Code Ann. 79-11-503.

#### **VI. Public Interest**

This Final Cease and Desist Order and Order Imposing Administrative Penalty is issued in the public interest and for the protection of investors consistent with the purpose of the Act.

#### **IX. Order**

**IT IS THEREFORE ORDERED**, pursuant to the authority set out in §79-11-509 of the Act that Respondent, UNITED BRETHERN MISSION and ALEXANDER McLEOD shall permanently **CEASE AND DESIST** FROM ACTIVITY IN, OR ORIGINATING FROM THE STATE OF MISSISSIPPI in connection with the solicitation of donations. In addition, Respondents shall EACH pay a fine in the amount of Five Hundred Dollars (\$500) payable to the "Mississippi Secretary of State" within fifteen days from the receipt of this Final Order.

**BE ADVISED THAT**, a willful violation of this Final Cease and Desist Order and Order Imposing Administrative Penalty may be punishable upon conviction by a fine of not more than Twenty-Five Thousand Dollars (\$25,000.00) or five (5) years imprisonment, or

both, in addition to civil and administrative remedies available to the Division.

SO ISSUED, this, the 7<sup>th</sup> day of ~~August~~ <sup>SEPTEMBER</sup> 2005.

ERIC CLARK  
Secretary of State

BY:



JAMES O. NELSON, II  
Assistant Secretary of State  
Business Regulation and Enforcement

Patricia Melvin, MSB # 2865  
Mississippi Secretary of State's Office  
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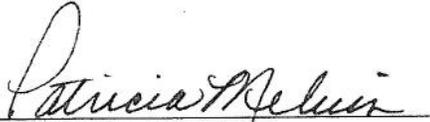
**CERTIFICATE OF SERVICE**

I, Patricia Melvin, do here by certify that I have this day mailed via Certified Mail, postage pre-paid, a true and correct copy of the Final Cease and Desist Order and Order Imposing Administrative Penalty to the following:

UNITED BRETHREN MISSION  
135 South 6<sup>th</sup> Street  
McComb, Mississippi 39648

ALEXANDER McLEOD  
135 South 6<sup>th</sup> Street  
McComb, Mississippi 39648

This, the 15<sup>th</sup> day of ~~August~~ <sup>September</sup>, 2005.

  
PATRICIA MELVIN

Patricia Melvin, MSB # 2865  
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