U.S. COMMODITY FUTURES TRADING COMMISSION



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Office of Proceedings Proceedings Clerk

12:02 pm, Jun 22, 2016

LIONEL BOYD,

v.

Complainant,

CFTC Docket No. 16-R005 Served electronically

ANTHONY JOSEPH CHOLLY, GREG ALAN PERLIN, and R.J. O'BRIEN & ASSOCIATES, LLC, Respondents.

FINAL DECISION

The parties have elected the *Voluntary* decisional procedure. By electing the Voluntary decisional procedure, the parties have waived: one, the opportunity for an oral hearing, two, the right to receive a written statement of the findings of fact upon which the final decision is based, and three, the right to appeal this final decision to the Commission and to the U.S. Court of Appeals.¹

After carefully reviewing the evidentiary record,² it has been concluded that complainant has failed to establish by a preponderance of the evidence any violations by respondents proximately causing damages. Accordingly, the complaint in this matter is dismissed.

¹ CFTC rules 12.100(b) and 12.106(c).

² The evidentiary record consists of: complainant's complaint (including attached account summary), and closing statements; respondents' answer and closing statement; and account opening documents and monthly account and trade confirmation statements for complainant's account, and broker's notes and written communications concerning complainant's account, produced by respondents in reply to a rule 12.34 discovery order.

June 22, 2016.

Philip V. McGuire, Judgment Officer