

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2008013810201**

TO: Department of Enforcement
Financial Industry Regulatory Authority ("FINRA")

RE: ~~Cheryl Daniel~~, Respondent
General Securities Representative
~~CRD No. 4872951~~

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Respondent submits this Letter of Acceptance, Waiver and Consent ("AWC") for the purpose of proposing a settlement of the alleged rule violations described below. This AWC is submitted on the condition that, if accepted, FINRA will not bring any future actions against me alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. I hereby accept and consent, without admitting or denying the findings, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of FINRA, or to which FINRA is a party, prior to a hearing and without an adjudication of any issue of law or fact, to the entry of the following findings by FINRA:

BACKGROUND

Cheryl Daniel entered the securities industry on October 21, 2004, when she became registered with Ameriprise Financial Services. She currently holds Series 7 and 66 licenses. Subsequently, she was employed with three other securities firms, including Barron Moore, Inc. and Southwest Texas Capital, LLC. On May 27, 2008, Barron Moore filed a Form U5 terminating her employment from the firm. Thereafter, on July 29, 2008, Southwest Texas Capital filed a Form U5 terminating Daniel's employment from that firm.

Daniel is not currently registered with a firm; however, she remains subject to FINRA's jurisdiction for the purposes of this proceeding, pursuant to Article V, Section 4 of FINRA's Bylaws, because: (i) the AWC was filed within two years following the termination of her registration with FINRA; and (ii) the AWC charges him with misconduct committed while she was associated with a FINRA member firm. FINRA's jurisdiction over Daniel extends to July 28, 2010.

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RELEVANT DISCIPLINARY HISTORY

Respondent has no prior disciplinary history.

OVERVIEW

Daniel took confidential customer information when she left employment at Barron Moore, Inc., including social security numbers, and used the information to solicit business at her new firm, Southwest Texas Capital, LLC. In addition, Daniel responded to a FINRA 8210 request letter regarding her taking confidential customer information and records, and stated that she had not retained any such information; however, after the staff found confidential customer information and records in her files, Daniel admitted that she had provided false information to the staff because she did not want to get reprimanded for actions.

FACTS AND VIOLATIVE CONDUCT

- A. On June 10, 2008, Barron Moore, Inc. filed a Form U5 amendment on behalf of Daniel in which the firm concluded that she had violated SEC Regulation S-P when she took confidential customer information, including social security numbers, upon her departure from the firm and had then used the information to solicit business at her new firm, Southwest Texas Capital. As a result of Barron Moore's findings, Southwest Texas Capital conducted a review of Daniel's files, which revealed that she had retained either copies of or originals of Barron Moore account documents. The Barron Moore documents in Daniel's files included asset transfer forms, account statements, account workbooks, wire instructions, financial review forms, driver's licenses, social security cards, account applications, and/or copies of checks, for six customers.

On July 1, 2008, FINRA forwarded an 8210 request letter to Daniel, regarding the Barron Moore allegations concerning her retention of confidential customer information. On July 15, 2008, Daniel responded to FINRA's inquiry, falsely stating that she had not retained any confidential information and declaring only that she had retained customers' correspondence files containing copies of her notes taken during meetings, emails, and letters exchanged during their working relationship. However, Daniel later acknowledged to the staff, after being confronted with copies of documents retained by her, that she had provided false information to the staff because she did not want to get reprimanded for her actions.

By reason of the foregoing, Respondent violated SEC Regulation S-P, NASD Procedural Rule 8210 and NASD Conduct Rule 2110.

- B. I also consent to the imposition of the following sanctions:

A bar from association with any FINRA member in any capacity

I understand that if I am barred or suspended from associating with any FINRA member, I become subject to a statutory disqualification as that term is defined in Section 3(a)(39) of the Securities Exchange Act of 1934, as amended.

Accordingly, I may not be associated with any FINRA member in any capacity, including clerical or ministerial functions, during the period of the bar or suspension (see FINRA Rules 8310 and 8311).

The sanctions imposed herein shall be effective on a date set by FINRA staff. Pursuant to FINRA Rule 8313(e), a bar or expulsion shall become effective upon approval or acceptance of this AWC.

II.

WAIVER OF PROCEDURAL RIGHTS

I specifically and voluntarily waive the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against me;
- B. To be notified of the Complaint and have the opportunity to answer the allegations in writing;
- C. To defend against the allegations in a disciplinary hearing before a hearing panel, to have a written record of the hearing made and to have a written decision issued; and
- D. To appeal any such decision to the National Adjudicatory Council ("NAC") and then to the U.S. Securities and Exchange Commission and a U.S. Court of Appeals.

Further, I specifically and voluntarily waive any right to claim bias or prejudgment of the General Counsel, the NAC, or any member of the NAC, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including acceptance or rejection of this AWC.

I further specifically and voluntarily waive any right to claim that a person violated the ex parte prohibitions of FINRA Rule 9143 or the separation of functions prohibitions of FINRA Rule 9144, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including its acceptance or rejection.

III.

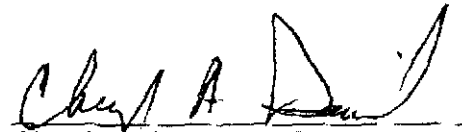
OTHER MATTERS

I understand that:

- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against me; and
- C. If accepted:
 - 1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
 - 2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about my disciplinary record;
 - 3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
 - 4. I may not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any finding in this AWC or create the impression that the AWC is without factual basis. I may not take any position in any proceeding brought by or on behalf of FINRA, or to which FINRA is a party, that is inconsistent with any part of this AWC. Nothing in this provision affects my right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it; that I have agreed to its provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the prospect of avoiding the issuance of a Complaint, has been made to induce me to submit it.

Date: 4/23/10


Cheryl Daniel, Respondent

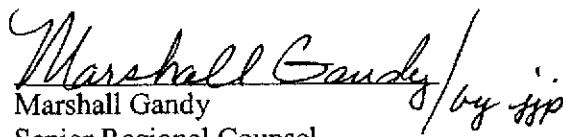
Reviewed by:

Counsel for Respondent

Accepted by FINRA:

April 28, 2010
Date

Signed on behalf of the
Director of ODA, by delegated authority



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