

**FINANCIAL INDUSTRY REGULATORY AUTHORITY  
LETTER OF ACCEPTANCE, WAIVER AND CONSENT  
NO. 2015045644201**

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

RE: Enrique Cisneros, Jr., Respondent  
Non-Registered Fingerprint Person ("NRF")  
CRD No. 5676887

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I, Respondent Enrique Cisneros, Jr., submit 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**

Cisneros entered the securities industry in June 2009 through an association with NYLIFE Securities LLC (BD No. 5167) (the "Firm") as an NRF. In September 2014, Cisneros applied for registration with FINRA as an Investment Company and Variable Contracts Products Representative ("IR"), and the Firm filed a Uniform Application for Securities Industry Registration or Transfer ("Form U4") on September 2, 2014. While associated with the Firm, Cisneros worked at a branch office located in El Paso, Texas.

On May 27, 2015, the Firm filed a Uniform Termination Notice for Securities Industry Registration ("Form U5") providing that the Firm permitted Cisneros to resign after a customer complained that Cisneros "collected cash from a client to pay the premium for a traditional life insurance policy, but . . . allegedly kept a portion of the cash for his own personal use and benefit."

Cisneros is not currently registered or associated with a FINRA member firm. FINRA retains jurisdiction over Cisneros pursuant to Article V, Section 4 of FINRA's By-Laws.

### **RELEVANT DISCIPLINARY HISTORY**

Cisneros does not have any disciplinary history with the Securities and Exchange Commission, FINRA, any other self-regulatory organization, or any state securities regulator.

### **OVERVIEW**

Cisneros violated FINRA Rules 8210 and 2010 by failing to appear for an on-the-record interview ("OTR") with FINRA Enforcement staff on January 29, 2016.

### **FACTS AND VIOLATIVE CONDUCT**

In late 2015 and early 2016, FINRA was investigating a customer complaint that Cisneros misappropriated approximately \$550 in funds remitted by the customer to pay a premium on his life insurance policy and as a result, the customer's policy lapsed. As part of its investigation, by letter dated January 25, 2016, FINRA Enforcement requested that Cisneros appear for an OTR pursuant to FINRA Rule 8210 at FINRA's offices in New York, New York on January 29, 2016. Cisneros failed to appear for this OTR on January 29, 2016.

Through a telephone call and an email exchange between Cisneros's attorney and FINRA, and by this agreement, Cisneros acknowledges that he received FINRA's request for testimony and that he will not appear for an OTR at any time. By refusing to appear for an OTR as requested pursuant to FINRA Rule 8210, Cisneros has violated FINRA Rules 8210 and 2010.

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

- a bar from associating with any FINRA member in any and all capacities.

I understand that if I am barred from associating with any FINRA member, I become subject to a statutory disqualification as that term is defined in Article III, Section 4 of FINRA's By-Laws, incorporating Section 3(a)(39) of the Securities Exchange Act of 1934. Accordingly, I may not be associated with any FINRA member in any capacity, including clerical or ministerial functions, during the period of the bar (see FINRA Rules 8310 and 8311).

The sanctions imposed herein shall be effective on a date set by FINRA staff. 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 Chief Legal Officer, 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:**

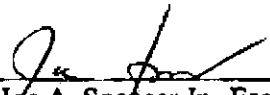
1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
3. FINRA may make a public 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: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

I, Enrique Cisneros, Jr., 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.

2/10/16  
Date

  
Respondent Enrique Cisneros, Jr.

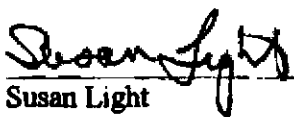
Reviewed by:

  
Joe A. Spencer Jr., Esq.  
1009 Montana Ave.  
El Paso, Texas 79902  
Tel: (915) 532-5562  
*Counsel for Enrique Cisneros, Jr.*

Accepted by FINRA:

March 17, 2016  
Date

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

  
Susan Light  
Senior Vice President and Chief Counsel  
FINRA Department of Enforcement  
One World Financial Center  
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New York, New York 10281-1003  
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