

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Rel. No. 65904 / December 6, 2011

Admin. Proc. File No. 3-14609

In the Matter of the Application of

WILLIAM J. MURPHY,
CARL M. BIRKELBACH, and
BIRKELBACH INVESTMENT
SECURITIES, INC.
c/o James J. Moylan and Associates, P.C.
P.O. Box 775965
Tree Haus
31685 Inca Way
Steamboat Springs, CO 80477

For Review of Disciplinary Action Taken by

FINRA

ORDER GRANTING
REQUEST TO WITHDRAW
APPLICATION AND
DISMISSING REVIEW
PROCEEDING WITH
RESPECT TO BIRKELBACH
INVESTMENT SECURITIES,
INC.

Birkelbach Investment Securities, Inc. ("BIS" or the "Firm"), a member of the Financial Industry Regulatory Authority, Inc. ("FINRA"), filed an application, pursuant to Section 19(d)(2) of the Securities Exchange Act of 1934, for review of a decision by FINRA imposing a \$2,500 fine on BIS.¹ On November 14, 2011, BIS moved for an order from the Commission allowing the Firm to withdraw its application for review, stating that "BIS will pay the \$2,500 fine to

¹ As part of the same proceeding, FINRA also barred William J. Murphy and Carl M. Birkelbach, both formerly associated with the Firm, in all capacities. FINRA further ordered Murphy to disgorge \$585,174.67 and ordered applicants jointly and severally to pay \$9,503.17 in hearing costs and \$3,510.80 in appeal costs. Murphy and Birkelbach filed an application for review, but do not seek to withdraw their application.

FINRA within 10 days of the SEC's Order granting this Motion." No other parties have filed an opposition, and there does not otherwise appear to be a reason to deny BIS's request.

Accordingly, IT IS ORDERED that the request by Birkelbach Investment Securities, Inc. to withdraw its application for review be, and hereby is, granted and that the review proceeding with respect to Birkelbach Investment Securities, Inc. be, and hereby is, dismissed.

For the Commission by the Office of the General Counsel, pursuant to delegated authority.

Elizabeth M. Murphy
Secretary