

UNITED STATES OF AMERICA  
Before the  
COMMODITY FUTURES TRADING COMMISSION

JOHN PICCOLO

v.

COFFEE, SUGAR, & COCOA  
EXCHANGE

CFTC Docket No. 04-E-1

ORDER PURSUANT TO  
DELEGATED AUTHORITY

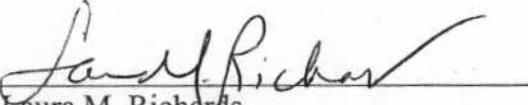
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C.F.T.C.  
2004 APR - 5 P 4: 14  
CLERK

On January 5, 2004, the Commission received John Piccolo's ("Piccolo") notice of appeal and untimely petition for a stay from a December 16, 2003 decision in a disciplinary action by the Coffee, Sugar, & Cocoa Exchange ("CSCE"). The CSCE promptly opposed the petition for stay as untimely, and on other grounds. On March 15, 2004, the Commission denied Piccolo's petition.

On February 5, 2004, the CSCE filed the record of the exchange proceeding. Piccolo did not submit a brief to perfect his appeal as required by Commission Rule § 9.22.

Accordingly, Piccolo's appeal is dismissed.

IT IS SO ORDERED.<sup>1</sup>

  
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Laura M. Richards  
Senior Assistant General Counsel  
Commodity Futures Trading Commission

Dated: April 5, 2004

<sup>1</sup> By the Commission pursuant to delegated authority. 17 C.F.R. § 9.9.