

Pro Se 3 (Rev. 12/16) The Defendant's Answer to the Complaint

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

Sherman Division

FILED
JUN 9 2017

Clerk, U.S. District Court
Texas Eastern

SECURITIES AND EXCHANGE COMMISSION

Case No. 4:17cv336

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) [X] Yes [] No

THURMAN P. BRYANT, III, and
BRYANT UNITED CAPITAL FUNDING, INC.
(see attached for relief defendants)

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

THE DEFENDANT'S ANSWER TO THE COMPLAINT

I. The Parties Filing This Answer to the Complaint

Provide the information below for each defendant filing this answer or other response to the allegations in the plaintiff's complaint. Attach additional pages if needed.

Name: Thurman P Bryant, Jr
Street Address: 2 Dogwood Ln
City and County: Hilltop Lakes, Leon
State and Zip Code: Texas 77871
Telephone Number: (936) 245-2322
E-mail Address: sonny_103@hotmail.com

II. The Answer and Defenses to the Complaint

A. Answering the Claims for Relief

On a separate page or pages, write a short and plain statement of the answer to the allegations in the complaint. Number the paragraphs. The answer should correspond to each paragraph in the complaint, with paragraph 1 of the answer corresponding to paragraph 1 of the complaint, etc. For each paragraph in the complaint, state whether: the defendant admits the allegations in that paragraph; denies the allegations; lacks sufficient knowledge to admit or deny the allegations; or admits certain allegations but denies, or lacks sufficient knowledge to admit or deny, the rest.

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B. Presenting Defenses to the Claims for Relief

Write a short and plain statement identifying the defenses to the claims, using one or more of the following alternatives that apply.

1. The court does not have subject-matter jurisdiction over the claims because *(briefly explain why there is no federal-question jurisdiction or diversity-of-citizenship jurisdiction; see the complaint form for more information)*

2. The court does not have personal jurisdiction over the defendant because *(briefly explain)*

3. The venue where the court is located is improper for this case because *(briefly explain)*

4. The defendant was served but the process-the form of the summons-was insufficient because *(briefly explain)*

5. The manner of serving the defendant with the summons and complaint was insufficient because *(briefly explain)*

6. The complaint fails to state a claim upon which relief can be granted because *(briefly explain why the facts alleged, even if true, are not enough to show the plaintiff's right to recover)*

7. Another party *(name)* _____ needs to be joined (added) in the case. The reason is *(briefly explain why joining another party is required)*

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- a. If the basis for subject-matter jurisdiction is diversity of citizenship, state the effect of adding the other party:

The other party is a citizen of the State of *(name)* _____.

Or is a citizen of *(foreign nation)* _____. The amount of damages sought from this other party is *(specify the amount)* _____.

- b. If the claim by this other party is based on an alleged violation of a federal constitutional or statutory right, state the basis:

C. Asserting Affirmative Defenses to the Claims for Relief

Identify an affirmative defense or avoidance that provides a basis for the defendant to avoid liability for one or more of the plaintiff's claims even if the basis for the claim is met. Any affirmative defense or avoidance must be identified in the answer. Include any of the following that apply, as well as any others that may apply.

The plaintiff's claim for *(specify the claim)*

is barred by *(identify one or more of the following that apply)*:

1. Accord and satisfaction *(briefly explain)*

2. Arbitration and award *(briefly explain)*

3. Assumption of risk *(briefly explain)*

4. Contributory or comparative negligence of the plaintiff *(briefly explain)*

5. Duress *(briefly explain)*

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6. Estoppel *(briefly explain)*

7. Failure of consideration *(briefly explain)*

8. Fraud *(briefly explain)*

9. Illegality *(briefly explain)*

10. Injury by fellow employee *(briefly explain)*

11. Laches (Delay) *(briefly explain)*

12. License *(briefly explain)*

13. Payment *(briefly explain)*

14. Release *(briefly explain)*

15. Res judicata *(briefly explain)*

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16. Statute of frauds *(briefly explain)*

17. Statute of limitations *(briefly explain)*

18. Waiver *(briefly explain)*

19. Other *(briefly explain)*

D. Asserting Claims Against the Plaintiff (Counterclaim) or Against Another Defendant (Cross-Claim)

For either a counterclaim against the plaintiff or a cross-claim against another defendant, state briefly the facts showing why the defendant asserting the counterclaim or cross-claim is entitled to the damages or other relief sought. Do not make legal arguments. State how each opposing party was involved and what each did that caused the defendant harm or violated the defendant's rights, including the dates and places of that involvement or conduct. If more than one counterclaim or cross-claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

1. The defendant has the following claim against the plaintiff *(specify the claim and explain it; include a further statement of jurisdiction, if needed)*:

2. The defendant has the following claim against one or more of the other defendants *(specify the claim and explain it; include a further statement of jurisdiction, if needed)*:

3. State briefly and precisely what damages or other relief the party asserting a counterclaim or cross-claim asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons that are alleged to entitle the party to actual or punitive money damages.

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a. The defendant asserting the counterclaim or cross-claim against *(specify who the claim is against)* _____ alleges that the following injury or damages resulted *(specify)*:

b. The defendant seeks the following damages or other relief *(specify)*:

III. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this answer: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the answer otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: June 2, 2017

Signature of Defendant

Printed Name of Defendant Thurman P Bryant, Jr. (relief defendant)

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

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Telephone Number

E-mail Address

ATTACHMENT
Continuation of Defendant(s) Listing

Relief Defendants

**ARTHUR F. WAMMEL,
WAMMEL GROUP, LLC,
THURMAN P BRYANT, JR.,
CARLOS GOODSPEED a/k/a SEAN PHILLIPS
d/b/a TOP AGENT ENTERTAINMENT d/b/a
MR. TOP AGENT ENTERTAINMENT**

THURMAN P BRYANT, JR.
RELIEF DEFENDANT'S ANSWER TO THE COMPLAINT
Civil Action No. 4:17cv336

II. The Answer and Defenses to the Complaint
A. Answering the Claims for Relief

<i>Complaint</i>	<i>Answer</i>
3(d) paid out at least \$140,000 to Bryant, Jr., all without investors' consent or knowledge.	3(d) Denied. Did not receive \$140,000. Received \$120,000 from Thurman P Bryant III in the form of two cashier's checks he claimed as his personal funds. (Exhibits A & B)
9. As recently as April 2017, BUCF transferred \$140,000 to Bryant's father, Bryant, Jr.	9. Denied. Did not receive \$140,000 from BUCF. Received \$120,000 from Thurman P Bryant III in the form of two cashier's checks he claimed as his personal funds. I agreed to allow my Son temporary use of one of my secondary checking accounts for his personal use to end his habit of commingling his personal funds with company funds. I deposited the two cashier checks. I Admit I am the father of Thurman P Bryant III
15. Bryant, Jr., age 67, is a resident of Golden, Colorado and is Bryant's father.	15. Admitted in part and is a resident of Hilltop Lakes, Texas.
15. Bryant, Jr. received \$140,000 in BUCF investor funds to which he has no legitimate or lawful claim.	15. Denied. Did not receive \$140,000 from BUCF. Received \$120,000 from Thurman P Bryant III in the form of two cashier's checks he claimed as his personal money. I made neither personal claim nor benefited personally from any of these funds. (Exhibit C)
21. In early 2011, Bryant began raising money from investors, beginning first with his father, Bryant, Jr	21. Lacks sufficient knowledge to admit or deny.
45(d) sent \$140,000 to Bryant Jr. as purported but unearned investment returns	45(d) Denied. Did not receive \$140,000. Received \$120,000 from Thurman P Bryant III in the form of two cashier's checks as his purported personal money. I made neither personal claim nor benefited personally on any of these funds. I Deny the funds were purported but unearned investment returns.
54. In April 2017, Bryant and BUCF diverted \$140,000 to Bryant's father, Bryant Jr., ... Bryant, Jr. has no legitimate claim to these funds and there is no legitimate purpose for the transfers,...	54. Denied. Did not receive \$140,000 from BUCF. Received \$120,000 from Thurman P Bryant III in the form of two cashier's checks he claimed as his personal money. I made neither personal claim nor benefited personally on any of these funds.

Complaint

55. Further, BUCF's \$140,000 payment to Bryant Jr. in April 2017, which was made by two cashier's checks for \$20,000 and 120,000....

Answer

55. **Denied.** Did not receive \$140,000 from BUCF. Received \$120,000 from Thurman P Bryant III in the form of two cashier's checks for \$20,000 (Exhibit A) and \$100,000 (Exhibit B), he claimed as his personal money. I made neither personal claim nor benefited personally on any of these funds.

EXHIBIT A



Image

Account Number	
Original Description	ATM DEPOSIT
Posted Date	Apr 5, 2017
Amount	\$20,000.00

PRINTED ON DEMAND PAPER. PAST TO LEFT TO VIEW FOR POSITIVE. ALL OTHER MARKS ARE TO BE REMOVED.

VOID VOID VOID VOID VOID

CASHIER'S CHECK 7091102217

Number: **THURMAN P. BRYANT JR**
 Operator I.D.: **6476008** **6476008**

April 04, 2017

PAY TO THE ORDER OF *****THURMAN P. BRYANT JR*****

*****Twenty thousand dollars and no cents***** ****\$20,000.00****

Payee Address:
 Name:

WELLS FARGO BANK, N.A.
8851 LEGACY DR
PRISCO, TX 75084
 FOR INQUIRIES CALL (409) 394-9132

VOID IF OVERLAP IS SUSPECTED
[Signature]

Security Features: [Verify Now](#)

For security and protection, this section has been removed.

EXHIBIT B



Image

Account Number	
Original Description	ATM DEPOSIT
Posted Date	Apr 5, 2017
Amount	\$100,000.00



USAA FEDERAL SAVINGS BANK
16750 McDermott Pkwy
San Antonio, TX 78238-0544

100000.00

ACCOUNT NUMBER *

Date 04/05/2017 11:23:00

Member #

Name
Address

Subject to the terms and conditions of this bank's collection agreement now in effect.
DEPOSITS MAY NOT BE AVAILABLE FOR WITHDRAWAL

For security and protection, this section has been removed

PREVIOUS EDITIONS ARE VOID. HOLE TO RIGHT TO VIEW FOR ADDITIONAL SECURITY FEATURES OFF BACK

MEMO 4128
ORIGINAL 121001

CASHIER'S CHECK 7081102216

Remitter: THURMAN P. BRYANT JR
Company ID: 1610000 0010000

April 04, 2017

PAY TO THE ORDER OF ***THURMAN P. BRYANT JR***

One hundred thousand dollars and no cents **\$100,000.00**

Payee Address: REFUND
WELLS FARGO BANK, N.A.
4801 LEGACY DR
FRISCO, TX 75034
FOR INQUIRIES CALL (800) 368-3122

WELLS FARGO BANK
MURPHY

For security and protection, this section has been removed

Thurman P Bryant III - USE OF USAA CHECKING ACCOUNT			
2017	USAA Account - 5 April - 25 May 2017		Comments
	DEPOSITS	WITHDRAWALS	
April 5	\$ 20,000.00		ATM deposit of Cashier's Check - as Thurman P Bryant III's personal funds (<i>Exhibit A</i>)
	\$100,000.00		ATM deposit of Cashier's Check - as Thurman P Bryant III's personal funds (<i>Exhibit B</i>)
April 6	\$ 0.07		Interest Income
April 12		\$ (20,000.00)	Outbound Wire- Beneficiary Name and Account JPM GLOBAL SOURCE LLC...this is \$20,000 of a \$50,000 transfer. Thurman P Bryant III asked me to make a \$50,000 total wire transfer. I did not want to make it two wire transfers...my \$30,000 from a personal loan USAA deposited in this account going to JPM Global to fund a small concert 100% and his \$20,000, I did not ask what it was for but assumed he had made a personal arrangement to fund another concert for himself, so I combined to save wire fee. Later, he discovered he made a mistake in his request to me and I had sent \$20,000 too much. He said he would take care of getting the overage back.
April 13	\$200,000.00		Deposit from Ricardo M or Barbara J Solis - Thurman P Bryant III
April 17		\$ (200,000.00)	Outbound Wire- Beneficiary Name and Account TOP AGENT ENTERTAINMENT LLC, - Thurman P Bryant III
		\$ (20.00)	Wire Fee
April 19		\$ (1,000.00)	Outbound Wire- Beneficiary Name and Account: GLENDA L MCKNIGHT - Thurman P Bryant III
		\$ (20.00)	Wire Fee
April 21		\$ (16,500.00)	Outbound Wire- Beneficiary Name and Account JPM GLOBAL SOURCE LLC - Thurman P Bryant III
		\$ (20.00)	Wire Fee
April 24		\$ (10,000.00)	Outbound Wire- Beneficiary Name and Account GLAST PHILLIPS AND MURRAY TRUST IOL - Thurman P Bryant III
		\$ (20.00)	Wire Fee
April 26		\$ (610.00)	Check 1153 to Thurman P Bryant III
		\$ (100.00)	ACH Credit Card Payment - Thurman P Bryant III
May 1		\$ (1,326.79)	ACH Payment to Marlin Landscape - Thurman P Bryant III
		\$ (450.00)	Check 1154 to Blanca Palma - Thurman P Bryant III
May 2		\$ (587.89)	ACH Payment to GMFleas 805 - Thurman P Bryant III car lease payment
		\$ (1,277.42)	ACH Payment to Villas of Chapel - Apartment rent Thurman P Bryant III
		\$ (1,399.89)	ACH Payment to GMFleas 3214 - Thurman P Bryant III car lease payment
		\$ (1,433.69)	ACH Payment to GMFleas 3212 - Thurman P Bryant III car lease payment
		\$ (950.00)	Check 1158 to Thurman P Bryant III
May 3		\$ (143.00)	ACH payment to COMENITY PAY II WEB PYMT 5192 - Thurman P Bryant III
		\$ (5,970.00)	Check 1159 to Proliquidators - Thurman P Bryant III
		\$ (18,667.00)	Check 1155 to Patrick Fallen - Thurman P Bryant III
	0.87		Interest income

Thurman P Bryant III - USE OF USAA CHECKING ACCOUNT :			
2017	USAA Account <i>5 April - 25 May 2017</i>		Comments
May 5		\$ (2,000.00)	Outbound Wire- Beneficiary Name and Account Roberta R Williams - Thurman P Bryant III
		\$ (20.00)	Wire Fee
May 8		\$ (654.00)	ACH payment to COSERV OD CW WAL BILL PAY 9531 - Thurman P Bryant III
		\$ (450.00)	Check 1160 to Blanca Palma - Thurman P Bryant III
May 9	\$ 2,000.00		Inbound Wire- Returned for incorrect account number for Trina Solis wire
		\$ (2,000.00)	Outbound Wire- Beneficiary Name and Account Trina Solis - Thurman P Bryant III
		\$ (20.00)	Wire Fee
		\$ (2,000.00)	Outbound Wire- Beneficiary Name and Account SAMIRA S CALEHR - Thurman P Bryant III
		\$ (20.00)	Wire Fee
May 10		\$ (1,000.00)	Check 1161 to Thurman P Bryant III
May 11		\$ (1,000.00)	Wire xfer to Thurman P Bryant III account at Legacy Texas Bank
		\$ (2,000.00)	Outbound Wire- Beneficiary Name and Account: Trina Solis (second attempt- see return because of incorrect account number for same amount on 9 May) - Thurman P Bryant III
May 15		\$ (20.00)	Wire Fee
		\$ (450.00)	Check 1163 to Blanca Palma - Thurman P Bryant III
Totals:	\$322,000.94	\$ (292,129.68)	
Difference:	\$29,871.26		
Current Account Balance	\$29,871.26		I, Thurman P Bryant Jr, have never and do not now lay claim to or personally benefitted from any of the money shown in this reconciliation. The balance remaining in this account is not my money and will safeguard until given disposition instructions by the appropriate authority.

FROM:

Thurman Bryant, Jr.
Po Box 1472
Hilltop Lakes, Tx
77871

TO:

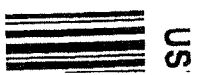
United States District Court
Sherman Division, Plano Courthouse
ATTN: Christine
1940 Preston Road
Plano, TX 75024



Origin: 77871
0 Lb 7.40 Oz
Jun 02, 17
48645087-02

PR

Expected Deliv



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Thurman P Bryant, Jr.

2 Dogwood Ln
P.O. Box 1472
Hilltop Lakes, TX 77871
(936) 245-2322
sonny_103@hotmail.com

June 2, 2017

United States District Court
Sherman Division
Plano Courthouse
ATTN: Christine

1940 Preston Road
Plano, Texas 75024

Re: **No.4:17cv336-** Securities and Exchange Commission v. Thurman P Bryant, III, et al; Thurman P Bryant, Jr., Relief Defendant

Christine

Please find enclosed the original and one copy of The Defendant's Answer To The Complaint in the Civil Action referenced above.

Please file with the papers of the Court and acknowledge receipt hereof by file-marking the copy and returning to me in the self-addressed stamped envelope.

Thank you for your assistance.

Regards,



Thurman P Bryant, Jr.

Pro Se

encs

CERTIFICATE OF SERVICE:

I certify that I have served a copy of The Defendant's Answer To The Complaint on June 2, 2017 by certified mail, return receipt requested on the following:

Jason Reinsch
U.S. Securities and Exchange Commission
801 Cherry Street, Suite 1900
Fort Worth, Texas 76102



Thurman P. Bryant, Jr.

2 Dogwood Ln
PO Box 1472
Hilltop Lakes, Texas 77871
(936) 245-2322