

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 100167 / May 17, 2024

Admin. Proc. File No. 3-21864

In the Matter of  
APPLIED MINERALS, INC.

ORDER DISCHARGING ORDER TO SHOW CAUSE AND DIRECTING PREHEARING  
CONFERENCE

On February 27, 2024, the Securities and Exchange Commission issued an order instituting proceedings (“OIP”) against Applied Minerals, Inc. (“Respondent”) pursuant to Section 12(j) of the Securities Exchange Act of 1934.<sup>1</sup> On April 1, 2024, the Division of Enforcement filed a Corrected Declaration of Gina Joyce, which established that, pursuant to Commission Rule of Practice 141(a)(2)(ii),<sup>2</sup> service of the OIP was made on Respondent on March 7, 2024. Respondent failed to file an answer and was ordered to show cause by May 2, 2024 why it should not be deemed in default and the registration of its securities revoked.<sup>3</sup>

On May 2, 2024, Respondent filed a response to the order to show cause and answer to the OIP. The response identifies why Respondent failed to timely answer the OIP, and the Division has not responded to this filing. The attached answer admits the allegations in paragraphs 1 and 2 of the OIP and raises several affirmative defenses.

Under the circumstances, IT IS ORDERED that the order to show cause is discharged. IT IS FURTHER ORDERED that Respondent and the Division of Enforcement conduct a

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<sup>1</sup> *Applied Minerals, Inc.*, Exchange Act Release No. 99611, 2024 WL 835269 (Feb. 27, 2024).

<sup>2</sup> 17 C.F.R. § 201.141(a)(2)(ii).

<sup>3</sup> *Applied Minerals, Inc.*, Exchange Act Release No. 99986, 2024 WL 1701318 (Apr. 18, 2024).

prehearing conference by May 31, 2024.<sup>4</sup> Following the conference, the parties shall file a statement with the Office of the Secretary advising the Commission of any agreements reached at the conference. If a prehearing conference is not held, a statement shall be filed with the Secretary advising the Commission of that fact and of the efforts to meet and confer. In either case, the statement shall be filed no later than June 14, 2024. If Respondent fails to participate in the prehearing conference as directed by this order, it may be deemed in default and the proceeding may be determined against it, and its securities may be revoked.<sup>5</sup>

The parties' attention is directed to the e-filing requirements in the Rules of Practice.<sup>6</sup> We also remind the parties that any document filed with the Commission must be served upon all participants in the proceeding and be accompanied by a certificate of service.<sup>7</sup>

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

Vanessa A. Countryman  
Secretary

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<sup>4</sup> Rule of Practice 221, 17 C.F.R. § 201.221; *see also Applied Minerals*, 2024 WL 835269, at \*2 (providing that the parties shall conduct a prehearing conference pursuant to Rule 221 within 14 days after service of Respondent's answer).

<sup>5</sup> Rules of Practice 155(a), 221(f), 17 C.F.R. §§ 201.155(a), .221(f); *see also Applied Minerals*, 2024 WL 835269, at \*2 ("If Respondent . . . fails to appear at a hearing or conference after being duly notified, [it] may be deemed in default and the proceedings may be determined against [it] . . .").

<sup>6</sup> *See* Rules of Practice 151, 152(a), 17 C.F.R. §§ 201.151, .152(a) (providing procedure for filing papers with the Commission and mandating electronic filing in the form and manner posted on the Commission's website); *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. Parties generally also must certify that they have redacted or omitted sensitive personal information from any filing. Rule of Practice 151(e), 17 C.F.R. § 201.151(e).

<sup>7</sup> *See* Rule of Practice 150, 17 C.F.R. § 201.150 (generally requiring parties to serve each other with their filings); Rule of Practice 151(d), 17 C.F.R. § 201.151(d) ("Papers filed with the Commission . . . shall be accompanied by a certificate stating the name of the person or persons served, the date of service, the method of service, and the mailing address or email address to which service was made, if not made in person.").