



FEDERAL RESERVE BANK OF ST. LOUIS

P.O. Box 442
St. Louis, MO 63166-0442
www.stlouisfed.org

February 18, 2016

Henry Dennis Smiley, Jr.
REDACTED

Rogers, Arkansas 72758

Re: Criminal Conviction – Prohibition from Banking Industry

Dear Mr. Smiley:

The Federal Reserve Bank of St. Louis has become aware that you were convicted of one count of Bank Fraud, Title 18 U.S.C. 1344, in connection with your employment as an executive with Arvest Bank Group, Inc., for several years serving as president of Arvest Bank in Springdale, Arkansas before becoming president of Arvest Bank in Benton County, Arkansas. A copy of the judgment in the criminal case is attached. Because you have been convicted of a crime involving dishonesty or breach of trust, you are automatically subject to the prohibitions set forth in Section 19 of the Federal Deposit Insurance Act, 12 U.S.C. § 1829 (“Section 19”), for financial organizations and in Section 205 of the National Credit Union Act, 12 U.S.C. § 1785(d) (“Section 205(d)”), for insured credit unions.

Section 19 and Section 205(d) prohibit you from becoming or continuing as an institution-affiliated party with respect to any of the financial organizations described below in this letter. That means that you may not, among other things, act as an employee, officer, director, or agent of these banking organizations or credit unions. Nor may you otherwise participate, directly or indirectly, in the conduct of the affairs of any of these organizations. You are also prohibited from directly or indirectly owning or controlling any insured depository institution or holding company. These statutes do not prohibit you from being a normal, arms-length customer of a banking organization or credit union, such as having a loan, checking or savings account.

The prohibitions of Section 19 and Section 205(d) cover all insured depository institutions, including, but not limited to, any bank, savings association or credit union, and their holding companies, as well as Edge Act corporations and Agreement corporations. The Federal Deposit Insurance Corporation may grant written consent for you to engage in otherwise prohibited conduct with respect to insured depository institutions, and the Federal Reserve may grant written consent with respect to bank and savings and loan holding companies and Edge Act and Agreement corporations. The National Credit Union Administration Board may grant consent for insured credit unions. The automatic prohibition does not cover affiliation with a subsidiary of a bank holding

company that is not itself a bank holding company, or a subsidiary of a savings and loan holding company that is not itself a savings and loan holding company, or uninsured branches or agencies of foreign banks, unless the appropriate federal banking agency takes further action against you.

Should you engage in prohibited conduct without obtaining the required consent from the appropriate agency, you could be subject to daily criminal fines of up to \$1,000,000 or up to five years' imprisonment.

This letter will be posted on the public website of the Board of Governors of the Federal Reserve System. If you believe that the prohibitions of Section 19 and Section 205(d) do not apply to you, because, for example, your conviction has been reversed on appeal, or for any other reason, please contact me in writing at this Reserve Bank.

Sincerely,

REDACTED

Timothy A. Bosch
Vice President

cc: W.H. Taylor
Taylor Law Partners, LLP
303 E. Milsap Road
P.O. Box 8310
Fayetteville, AR 72703

Legal-Section19Letters@frb.gov

Special Activities Section
Division of Supervision
Federal Deposit Insurance Corporation
550 17th Street, N.W.
Washington, D.C. 20429

Candace Franks, Commissioner
Arkansas State Bank Department
400 Hardin Road, Suite 100
Little Rock, AR 72211-3501

Judgment and Disposition, dated January 29, 2016, concerning *United States v. Henry Dennis Smiley, Jr.*, Case No. 5:15-CR-50056-001, in the United States District Court for the Western District of Arkansas on file.