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OPEXA THERAPEUTICS, INC.

FORM 8-K
(Current report filing)

Filed 06/02/15 for the Period Ending 06/02/15

Address	2635 TECHNOLOGY FOREST BLVD. THE WOODLANDS, TX 77381
Telephone	(281) 272-9331
CIK	0001069308
Symbol	OPXA
SIC Code	2834 - Pharmaceutical Preparations
Industry	Biotechnology & Drugs
Sector	Healthcare
Fiscal Year	12/31

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UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the
Securities Exchange Act of 1934

Date of Report (date of earliest event reported): June 1, 2015

OPEXA THERAPEUTICS, INC.
(Exact name of registrant as specified in its charter)

Texas	**001-33004**	**76-0333165**
(State or other jurisdiction of incorporation)	(Commission File Number)	(IRS Employer Identification No.)

2635 Technology Forest Blvd., The Woodlands, Texas	**77381**
(Address of principal executive offices)	(Zip Code)

Registrant's telephone number, including area code: **(281) 272-9331**

N/A
(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 3.01. Notice of Delisting or Failure to Satisfy Continued Listing Rule or Standard; Transfer of Listing.

As previously disclosed, on December 5, 2014, Opexa Therapeutics, Inc. (the " **Company** ") received a letter from the listing qualifications department staff of the NASDAQ Stock Market (" **NASDAQ** ") notifying the Company that for the last 30 consecutive business days the bid price of the Company's common stock had closed below $1.00 per share, the minimum closing bid price required by the continued listing requirements of NASDAQ listing rule 5550(a)(2). The Company was initially provided 180 calendar days, or until June 3, 2015, to regain compliance with the minimum bid price rule.

On June 1, 2015, the Company requested an additional 180-day grace period to regain compliance with NASDAQ's minimum bid price requirement because the Company's stock has continued to trade below the $1.00 minimum closing bid price. The Company believes that it is in compliance with all other NASDAQ initial listing requirements including the minimum $5 million in shareholders' equity. Consequently, the Company expects NASDAQ to approve the request and grant an extension of an additional 180 days.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Dated: June 2, 2015

OPEXA THERAPEUTICS, INC.

By: /s/ Neil K. Warma

Neil K. Warma
President & Chief Executive Officer