Messenbaugh Laura Patricia Form 4 September 14, 2009

### UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

OMB Number:

3235-0287

Expires:

January 31, 2005

0.5

Estimated average burden hours per

response...

**OMB APPROVAL** 

if no longer subject to Section 16. Form 4 or

Check this box

**SECURITIES** 

Form 5 obligations may continue. See Instruction

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person \* Messenbaugh Laura Patricia

2. Issuer Name and Ticker or Trading

SMF ENERGY CORP [FUEL]

5. Relationship of Reporting Person(s) to Issuer

Symbol

(First) (Middle) (Last)

(Street)

3. Date of Earliest Transaction

(Check all applicable) Director 10% Owner

200 W CYPRESS CREEK

(Month/Day/Year) 09/10/2009

X\_ Officer (give title Other (specify below) below)

RD. SUITE 400

4. If Amendment, Date Original

See Remarks 6. Individual or Joint/Group Filing(Check

Filed(Month/Day/Year)

Applicable Line) \_X\_ Form filed by One Reporting Person

Form filed by More than One Reporting

Person

FT LAUDERDALE, FL 33309

(City) (State) (Zip)

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)

2. Transaction Date 2A. Deemed (Month/Day/Year) Execution Date, if

(Month/Day/Year)

3. 4. Securities TransactionAcquired (A) or Code Disposed of (D)

(Instr. 3, 4 and 5)

Code V Amount (D) Price

5. Amount of 6. Ownership Securities Form: Direct Beneficially Owned (T) (Instr. 4)

7. Nature of Indirect (D) or Indirect Beneficial Ownership

(Instr. 4)

(A)

(Instr. 8)

Following Reported Transaction(s)

(Instr. 3 and 4)

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of SEC 1474 information contained in this form are not (9-02)required to respond unless the form displays a currently valid OMB control number.

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of 3. Transaction Date 3A. Deemed 4 5. Number of 6. Date Exercisable and 7. Title and Amoun Derivative Conversion (Month/Day/Year) Execution Date, if **Transaction**Derivative **Expiration Date** Underlying Securiti Security or Exercise any Code Securities Acquired (Month/Day/Year) (Instr. 3 and 4)

### Edgar Filing: Messenbaugh Laura Patricia - Form 4

(Instr. 3)	Price of Derivative Security		(Month/Day/Year)	(Instr. 8)	(A) or Disposed of (D) (Instr. 3, 4, and 5)					
				Code V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amou or Numb of Sha
Option to Purchase Common Stock	\$ 0.55	09/10/2009		A	23,000		<u>(1)</u>	04/18/2017	Common Stock	23,0
Option to Purchase Common Stock	\$ 1.88	09/10/2009		D		23,000	<u>(1)</u>	04/18/2017	Common Stock	23,0
Option to Purchase Common Stock	\$ 0.55	09/10/2009		A	22,000		(3)	04/18/2017	Common Stock	22,0
Option to Purchase Common Stock	\$ 1.88	09/10/2009		D		22,000	(3)	04/18/2017	Common Stock	22,0
Option to Purchase Common Stock	\$ 0.55	09/10/2009		A	10,000		<u>(5)</u>	10/08/2017	Common Stock	10,0
Option to Purchase Common Stock	\$ 1.28	09/10/2009		D		10,000	<u>(5)</u>	10/08/2017	Common Stock	10,0

# **Reporting Owners**

Reporting Owner Name / Address	Relationships						
	Director	10% Owner	Officer	Other			
Messenbaugh Laura Patricia 200 W CYPRESS CREEK RD SUITE 400 FT LAUDERDALE, FL 33309			See Remarks				

# **Signatures**

/s/ Laura Patricia Messenbaugh	09/14/2009	
**Signature of Reporting Person	Date	

Reporting Owners 2

### Edgar Filing: Messenbaugh Laura Patricia - Form 4

### **Explanation of Responses:**

- \* If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) The option vests as follows: 20% vested on April 18, 2008, 40% vested on April 18, 2009 and 40% will vest on April 18, 2010.
- (2) The reporting person agreed to cancellation of an option granted to her on April 18, 2007, in exchange for an option with the same terms, vesting schedule and expiration date but with a lower exercise price.
- (3) The option vests as follows: 20% vested on April 18, 2008, 40% vested on April 18, 2009 and 40% will vest on April 18, 2010.
- (4) The reporting person agreed to cancellation of an option granted to her on April 18, 2007, in exchange for an option with the same terms, vesting schedule and expiration date but with a lower exercise price.
- (5) The option vests as follows: 20% vested on October 8, 2008, 40% will vest on October 8, 2009 and 40% will vest on October 8, 2010.
- The reporting person agreed to cancellation of an option granted to her on October 8, 2007, in exchange for an option with the same terms, vesting schedule and expiration date but with a lower exercise price.

#### **Remarks:**

VP, Finance and Accounting, CAO and PAO

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.