

Beard Robert W  
Form 4  
September 14, 2009

**FORM 4**

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

OMB APPROVAL

OMB Number: 3235-0287  
Expires: January 31, 2005  
Estimated average burden hours per response... 0.5

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

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

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
Beard Robert W

(Last) (First) (Middle)

200 W CYPRESS CREEK RD, SUITE 400

(Street)

FT LAUDERDALE, FL 33309

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol  
SMF ENERGY CORP [FUEL]

3. Date of Earliest Transaction  
(Month/Day/Year)  
09/10/2009

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

\_\_\_ Director \_\_\_ 10% Owner  
\_X\_ Officer (give title below) \_\_\_ Other (specify below)

See Remarks

6. Individual or Joint/Group Filing(Check Applicable Line)  
\_X\_ Form filed by One Reporting Person  
\_\_\_ Form filed by More than One Reporting Person

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

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership Indirect Beneficial Ownership (Instr. 4)
				(A) or (D)	Code V Amount (D) Price		

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

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

SEC 1474 (9-02)

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

1. Title of Derivative Security	2. Conversion or Exercise	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any	4. Transaction Code	5. Number of Derivative Securities Acquired	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Security (Instr. 3 and 4)
---------------------------------	---------------------------	--------------------------------------	-----------------------------------	---------------------	---	--	---

Edgar Filing: Beard Robert W - Form 4

(Instr. 3)	Price of Derivative Security	(Month/Day/Year)	(Instr. 8) Code	(A) or Disposed of (D) (Instr. 3, 4, and 5)		Date Exercisable	Expiration Date	Title	Amount or Number of Shares
				(A)	(D)				
Option to Purchase Common Stock	\$ 0.55	09/10/2009	A	50,000		<u>(1)</u>	07/21/2015	Common Stock	50,000
Option to Purchase Common Stock	\$ 2.37	09/10/2009	D		50,000	<u>(1)</u>	07/21/2015	Common Stock	50,000
Option to Purchase Common Stock	\$ 0.55	09/10/2009	A	25,000		<u>(3)</u>	12/08/2016	Common Stock	25,000
Option to Purchase Common Stock	\$ 1.55	09/10/2009	D		25,000	<u>(3)</u>	12/08/2016	Common Stock	25,000
Option to Purchase Common Stock	\$ 0.55	09/10/2009	A	10,000		<u>(5)</u>	10/08/2017	Common Stock	10,000
Option to Purchase Common Stock	\$ 1.28	09/10/2009	D		10,000	<u>(5)</u>	10/08/2017	Common Stock	10,000

## Reporting Owners

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

## Signatures

/s/ Robert W. Beard 09/14/2009

\*\*Signature of Reporting Person Date

## 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 stock option is fully vested.
- (2) The reporting person agreed to cancellation of an option granted to him on July 21, 2005, 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 December 8, 2007, 40% vested on December 8, 2008 and 40% will vest on December 8, 2009.
- (4) The reporting person agreed to cancellation of an option granted to him on December 8, 2006, 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.
- (6) The reporting person agreed to cancellation of an option granted to him 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:

Sr. VP, Marketing & Sales and Investor Relations Officer

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.