

Edgar Filing: SPACEDEV INC - Form NT 10-K

SPACEDEV INC  
Form NT 10-K  
March 30, 2004

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549  
FORM 12B-25

SEC FILE NUMBER  
000-28947  
CUSIP NUMBER  
846241 10 7

NOTIFICATION OF LATE FILING

(Check One):

Form 10-K  Form 20-F  Form 11-K  Form 10-Q  
 Form N-SAR

For Period Ended: December 31, 2003  
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Transition Report on Form 10-K  
 Transition Report on Form 20-F  
 Transition Report on Form 11-K  
 Transition Report on Form 10-Q  
 Transition Report on Form N-SAR  
For the Transition Period Ended: N/A  
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Read Instruction (on back page) Before Preparing Form. Please Print or Type.

NOTHING IN THIS FORM SHALL BE CONSTRUED TO IMPLY THAT THE COMMISSION HAS VERIFIED ANY INFORMATION CONTAINED HERIN.

If the notification relates to a portion of the filing checked above, identify the Item(s) to which the notification relates:  
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PART I -- REGISTRANT INFORMATION

SpaceDev, Inc.  
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Full Name of Registrant

N/A  
-----

Former Name if Applicable

13855 Stowe Drive  
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Address of Principal Executive Office (Street and Number)

Poway, CA 92064  
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City, State and Zip Code

PART II -- RULES 12B-25(B) AND (C)

If the subject report could not be filed without unreasonable effort or expense and the registrant seeks relief pursuant to Rule 12b-25(b), the following should be completed. (Check box if appropriate)

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- | (a) The reasons described in reasonable detail in Part III of this
- | form could not be eliminated without unreasonable effort or
- | expense;
- |
- | (b) The subject annual report, semi-annual report, transition report
- | on Form 10-K, Form 20-F, Form 11-K or Form N-SAR, or portion
- [X] | thereof will be filed on or before the 15th calendar day
- | following the prescribed due date; or the subject quarterly
- | report or transition report on Form 10-Q, or portion thereof will
- | be filed on or before the fifth calendar day following the
- | prescribed due date; and
- |
- | (c) The accountant's statement or other exhibit required by Rule
- | 12b-25(c) has been attached if applicable.

PART III -- NARRATIVE

The Registrant's Annual Report on Form 10-KSB for the year ended December 31, 2003, could not be filed within the prescribed time period because certain financial and other information necessary for an accurate and full completion of the Registrant's Annual Report on Form 10-KSB could not be provided within the prescribed time period without unreasonable effort or expense.

PART IV-- OTHER INFORMATION

(1) Name and telephone number of person to contact in regard to this notification

|                    |             |                    |
|--------------------|-------------|--------------------|
| Richard B. Slansky | (858)       | 375-2030           |
| -----              | -----       | -----              |
| (Name)             | (Area Code) | (Telephone Number) |

(2) Have all other periodic reports reports required under Section 13 or 15(d) of the Securities Exchange Act of 1934 or Section 30 of the Investment Company Act of 1940 during the preceeding 12 months or for such shorter period that the registrant was required to file such report(s) been filed? If answer is no, identify report(s)

[ X ]Yes [ ]No

(3) Is it anticipated that any significant change in results of operations from the corresponding period for the last fiscal year will be reflected by the earnings statements to be included in the subject report or portion thereof?

[ ]Yes [ X ]No

If so, attach an explanation of the anticipated change, both narratively and quantitatively, and, if appropriate, state the reasons why a reasonable estimate of the results cannot be made.

SpaceDev, Inc.  
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(Name of Registrant as Specified in Charter)

has caused this notification to be signed on its behalf by the undersigned hereunto duly authorized.

Date: March 29, 2004 By: Richard B. Slansky  
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INSTRUCTION: The form may be signed by an executive officer of the registrant of by any other duly authorized representative. The name and title of the person signing the form shall be typed or printed beneath the signature. If the

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statement is signed on behalf of the registrant by an authorized representative (other than an executive officer), evidence of the representative's authority to sign on behalf of the registrant shall be filed with the form.

ATTENTION

INTERNATIONAL MISSTATEMENTS OR OMISSIONS OF FACT CONSTITUTE FEDERAL CRIMINAL VIOLATIONS (SEE 18 U.S.C. 1001).