

MCPHEELY BERNARD M  
Form 3  
August 17, 2012

**FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 20549**

OMB APPROVAL

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**INITIAL STATEMENT OF 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 * |         | 2. Date of Event Requiring Statement | 3. Issuer Name <b>and</b> Ticker or Trading Symbol                     |  |
| MCPHEELY BERNARD M                        |         | (Month/Day/Year)                     | Scio Diamond Technology Corp [SCIO]                                    |  |
| (Last)                                    | (First) | (Middle)                             | 08/13/2012   |  |
| 411 UNIVERSITY RIDGE,<br>SUITE D          |         |                                      | 4. Relationship of Reporting Person(s) to Issuer                       | 5. If Amendment, Date Original Filed(Month/Day/Year) |
| (Street)                                  |         |                                      | (Check all applicable)   |  |
| GREENVILLE, SC 29601                      |         |                                      | <input checked="" type="checkbox"/> Director                           | <input type="checkbox"/> 10% Owner                   |
| (City)                                    | (State) | (Zip)                                | <input type="checkbox"/> Officer                                       | <input type="checkbox"/> Other                       |
|   |         |                                      | (give title below)   | (specify below)                                      |
|   |         |                                      | 6. Individual or Joint/Group Filing(Check Applicable Line)             |  |
|   |         |                                      | <input checked="" type="checkbox"/> Form filed by One Reporting Person |  |
|   |         |                                      | <input type="checkbox"/> Form filed by More than One Reporting Person  |  |

**Table I - Non-Derivative Securities Beneficially Owned**

| 1. Title of Security<br>(Instr. 4) | 2. Amount of Securities Beneficially Owned<br>(Instr. 4) | 3. Ownership Form:<br>Direct (D)<br>or Indirect (I)<br>(Instr. 5) | 4. Nature of Indirect Beneficial Ownership<br>(Instr. 5)                        |
|------------------------------------|--|---|---|
| Common Stock                       | 250,000  | I   | By Self as Trustee for Bernard M. McPheely Revocable Trust u/a DTD May 25, 2012 |

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

SEC 1473 (7-02)

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

| 1. Title of Derivative Security<br>(Instr. 4) | 2. Date Exercisable and Expiration Date<br>(Month/Day/Year) | 3. Title and Amount of Securities Underlying Derivative Security | 4. Conversion or Exercise | 5. Ownership Form of | 6. Nature of Indirect Beneficial Ownership<br>(Instr. 5) |
|---|---|--|---------------------------|----------------------|--|
|---|---|--|---------------------------|----------------------|--|

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|                                     | Date Exercisable | Expiration Date | (Instr. 4)   | Amount or Number of Shares | Price of Derivative Security | Derivative Security: Direct (D) or Indirect (I) (Instr. 5) |   |
|-------------------------------------|------------------|-----------------|--------------|----------------------------|------------------------------|--|---|
|                                     |                  |                 | Title        |                            |                              |  |   |
| Warrant (Right to Buy Common Stock) | Â (1)            | Â (2)           | Common Stock | 250,000                    | \$ 1.6                       | I  | By Self as Trustee for Bernard M. McPheely Revocable Trust u/a DTD May 25, 2012 |

## Reporting Owners

| Reporting Owner Name / Address  | Relationships |           |         |       |
|---|---------------|-----------|---------|-------|
|   | Director      | 10% Owner | Officer | Other |
| MCPHEELY BERNARD M<br>411 UNIVERSITY RIDGE, SUITE D<br>GREENVILLE, SC 29601 | Â X           | Â         | Â       | Â     |

## Signatures

Bernard M. McPheely by Nelson Mullins Riley & Scarborough LLP with Power of Attorney 08/15/2012

\*\*Signature of Reporting Person Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, see Instruction 5(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).
- The warrants were issued pursuant to a staged investment in the Company by the Bernard M. McPheely Revocable Trust u/a DTD May 25, 2012, of which Mr. McPheely is the trustee, and therefore have varying issuance dates beginning in May 2012 through August 2012. The warrants were immediately exercisable upon issuance.
- (2) All such warrants have a three-year term, which expires upon the third anniversary of the respective issuance.

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.