

SECURITIES AND EXCHANGE COMMISSION

FORM 4

Statement of changes in beneficial ownership of securities

Filing Date: **2013-01-17** | Period of Report: **2013-01-15**
SEC Accession No. [0001179110-13-000951](#)

([HTML Version](#) on [secdatabase.com](#))

REPORTING OWNER

Stapleton John F

CIK: **1462861**

Type: **4** | Act: **34** | File No.: **333-56262** | Film No.: **13534194**

Mailing Address

*3190 HIGH POINT DRIVE
CHASKA MN 55318*

ISSUER

EL CAPITAN PRECIOUS METALS INC

CIK: **1135202** | IRS No.: **880482413** | State of Incorporation: **NV** | Fiscal Year End: **0930**
SIC: **1000** Metal mining

Mailing Address

*5871 HONEYSUCKLE ROAD
PRESCOTT AZ 86305*

Business Address

*5871 HONEYSUCKLE ROAD
PRESCOTT AZ 86305
928-515-1942*

FORM 4

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

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

OMB APPROVAL	
OMB Number:	3235-0287
Expires:	02/28/2011
Estimated average burden hours per response	0.5

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

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. Name and Address of Reporting Person Stapleton John F			2. Issuer Name and Ticker or Trading Symbol EL CAPITAN PRECIOUS METALS INC [ECPN]		5. Relationship of Reporting Person(s) to Issuer (Check all applicable) <input checked="" type="checkbox"/> Director <input type="checkbox"/> 10% Owner <input checked="" type="checkbox"/> Officer (give title <input checked="" type="checkbox"/> Other (specify below) Chief Financial Officer / Chairman of the Board	
(Last)	(First)	(Middle)	3. Date of Earliest Transaction (Month/Day/Year) 01/15/2013			
3190 HIGH POINT DRIVE			4. If Amendment, Date Original Filed(Month/Day/Year)		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	
(Street) CHASKA, MN 55318						
(City)	(State)	(Zip)				

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 Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price			
Common Stock								4,495,980	D	

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

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)		5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Securities Underlying Derivative Security (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4)	10. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)
				Code	V	(A)	(D)	Date Exercisable	Expiration Date					
Stock Options	\$0.38							(1)	01/31/2014	Common Stock	500,000	500,000	D	
Stock Options	\$0.21								07/06/2012 07/06/2022	Common Stock	500,000	500,000	D	
Stock Options	\$1.02								11/30/2012 02/07/2018	Common Stock	500,000	500,000	D	
Stock Options (right to buy)	\$0.215	01/15/2013		A		500,000			01/15/2013 01/15/2018	Common Stock	500,000	\$ 0	500,000	D

Explanation of Responses:

1. All shares subject to this option become fully vested upon the execution of an engagement agreement between the Issuer and a specified investment advisory firm.

Signatures

/s/ John F. Stapleton

** Signature of Reporting Person

01/17/2013

Date

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

* 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).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

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 Number.