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EMPIRE PETROLEUM CORP
Form NT 10-Q
May 20, 2004

SEC File Number: 001-16653
CUSIP Number: 030910 20 2

FORM 12b-25

U.S. SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

NOTIFICATION OF LATE FILING

(Check One)

- Form 10-K and Form 10-KSB Form 20-F Form 11-K
 Form 10-Q and Form 10-KSB Form N-SAR
For Period Ended: December 31, 2002

- 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

Nothing in this Form shall be construed to imply that the Commission has verified any information contained herein.

If the notification relates to a portion of the filing checked above, identify the Item(s) to which the notification relates: N/A

Part I - Registrant Information

Full Name of Registrant: Empire Petroleum Corporation

Former name if applicable: N/A

Address of Principal Executive Office
(Street and Number): 8801 S. Yale, Suite 120,
Tulsa, OK 74137-3575

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)

- (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 thereof, will be filed on or before the fifteenth 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

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- (c) The accountant's statement or other exhibit required by Rule 12b-25(c) has been attached if applicable.

Part III - Narrative

State below in reasonable detail the reasons why the Form 10-K and Form 10-KSB, 20-F, 11-K, 10-Q and Form 10-QSB, N-SAR or the transition report or portion thereof, could not be filed within the prescribed period.

Due to a recent increase in the Registrant's activities and its limited number of employees, the Registrant has been unable to complete and file its Quarterly Report on Form 10-QSB for the quarter ended March 31, 2004 by the filing deadline of May 15, 2004.

Part IV - Other Information

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

| | | |
|---------------------|-------------|--------------------|
| Albert E. Whitehead | 918 | 488-8068 |
| (Name) | (Area Code) | (Telephone Number) |

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

EMPIRE PETROLEUM CORPORATION
(Name of Registrant as specified in charter)

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

Date: May 14, 2004

By: /s/ Albert E. Whitehead
President and Chief Executive
Officer