FORM 4

### **UNITED STATES SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

OMB APPROVAL

| OMB Number:              | 3235-0287 |
|--------------------------|-----------|
| 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).

Check this box to indicate that a transaction was made pursuant to a contract, instruction or written plan for the purchase or sale of equity securities of the issuer that is intended to satisfy the affirmative defense conditions of Rule

#### STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

| 10b5-1(c). See Instr          | uction 10.                        |           |   |   |  |  |  |
|-------------------------------|-----------------------------------|-----------|---|---|--|--|--|
| 1. Name and Address SABBY MAN | of Reporting Person*  AGEMENT, LI | <u>.C</u> | 2. Issuer Name and Ticker or Trading Symbol Volcon, Inc. [ VLCN ] | Relationship of Reporting Person(s) to Issuer (Check all applicable)  Director  X 10% Owner |  |  |  |
| (Last)                        | (First)                           | (Middle)  | 3. Date of Earliest Transaction (Month/Day/Year) 08/16/2024       | Officer (give title Other (specify below) below)  |  |  |  |
| 7012 FISHER ISLAND DR         |                                   |           | 4. If Amendment, Date of Original Filed (Month/Day/Year)          | 6. Individual or Joint/Group Filing (Check Applicable Line)                                 |  |  |  |
| (Street)                      |                                   |           |   | X Form filed by One Reporting Person Form filed by More than One Reporting Person           |  |  |  |
| MIAMI BEACH                   | FL                                | 33109     |   |   |  |  |  |
| (City)                        | (State)                           | (Zip)     |   |   |  |  |  |

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

| 1. Title of Security (Instr. 3) | 2. Transaction<br>Date<br>(Month/Day/Year) | 2A. Deemed<br>Execution Date,<br>if any<br>(Month/Day/Year) | 3.<br>Transac<br>Code (Ir<br>8) |   | 4. Securities Acquired (A) or<br>Disposed Of (D) (Instr. 3, 4 and 5) |               |          | 5. Amount of<br>Securities<br>Beneficially Owned<br>Following Reported | 6. Ownership<br>Form: Direct (D)<br>or Indirect (I)<br>(Instr. 4) | Beneficial<br>Ownership            |  |
|---------------------------------|--|---|---------------------------------|---|--|---------------|----------|--|---|------------------------------------|--|
|                                 |  |   | Code                            | v | Amount   | (A) or<br>(D) | Price    | Transaction(s)<br>(Instr. 3 and 4)                                     |   | (Instr. 4)                         |  |
| Common Stock                    | 08/16/2024                                 |   | P                               |   | 16,974   | A             | \$1.4344 | 728,234(2)   | I(1)(2)   | See<br>Footnotes <sup>(1)(2)</sup> |  |
| Common Stock                    | 08/19/2024                                 |   | P                               |   | 5,065  | A             | \$1.5946 | 733,299(2)   | I(1)(2)   | See<br>Footnotes <sup>(1)(2)</sup> |  |

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

| 1. Title of<br>Derivative<br>Security (Instr. 3) | 2.<br>Conversion<br>or Exercise<br>Price of<br>Derivative<br>Security | <br>3A. Deemed<br>Execution Date,<br>if any<br>(Month/Day/Year) | Transaction Code (Instr. |  | 5. Number of<br>Derivative<br>Securities<br>Acquired (A)<br>or Disposed of<br>(D) (Instr. 3, 4<br>and 5) |      | Expiration Date<br>(Month/Day/Year) |     | 7. Title and Amount of<br>Securities Underlying<br>Derivative Security<br>(Instr. 3 and 4) |                     | Derivative<br>Security<br>(Instr. 5) | 9. Number of<br>derivative<br>Securities<br>Beneficially<br>Owned<br>Following<br>Reported | 10.<br>Ownership<br>Form:<br>Direct (D)<br>or Indirect<br>(I) (Instr. 4) | Beneficial<br>Ownership<br>(Instr. 4) |                              |  |
|--|---|---|--------------------------|--|--|------|-------------------------------------|-----|--|---------------------|--------------------------------------|--|--|---------------------------------------|------------------------------|--|
|  |   |   |                          |  |  | Code | v                                   | (A) | (D)  | Date<br>Exercisable | Expiration<br>Date                   | Title  | Amount<br>or<br>Number<br>of Shares                                      |                                       | Transaction(s)<br>(Instr. 4) |  |

#### Explanation of Responses

- 1. This Form 4 is being filed by Sabby Volatility Warrant Master Fund, Ltd. (SVWMF), Sabby Management, LLC (Advisor) and Hal Mintz. Advisor is investment manager to SVWMF. Mr. Mintz is manager of Advisor.
- 2. The amounts reported herein reflect the entire amount of Issuer's common stock held by SVWMF as of each transaction date. Each of Advisor and Mr. Mintz disclaims for purposes of Section 16 of the Securities and Exchange Act of 1934 (Section 16), beneficial ownership of such securities, except to the extent of its / his pecuniary interest therein, and this report shall not be deemed as an admission that either Advisor or Mr. Mintz is the beneficial owner of such securities for purposes of Section 16 or otherwise.

/s/ Robert Grundstein, COO and General Counsel of Sabby Management, LLC
\*\*\* Signature of Reporting Person

08/20/2024

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.