

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Benavides, Fortunato P.	2. Court or Organization 5th Circuit Court of Appeals	3. Date of Report 03/26/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge; Active	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2011 to 12/31/2011
7. Chambers or Office Address 903 San Jacinto Blvd., Rm. 450 Austin, TX 78701		
IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts, checking the <i>NONE</i> box for each part where you have no reportable information. Insert signature on last page.		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of filing instructions.)

☒ **NONE** (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of filing instructions.)

☒ **NONE** (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1. _____	_____
2. _____	_____
3. _____	_____

FINANCIAL DISCLOSURE REPORT

Page 2 of 6

Name of Person Reporting

Benavides, Fortunato P.

Date of Report

03/26/2012

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)***A. Filer's Non-Investment Income**☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2011	State of Texas Judicial Retirement System monthly benefits for year	\$60,000.00
2.		
3.		
4.		

B. Spouse's Non-Investment Income - *If you were married during any portion of the reporting year, complete this section.**(Dollar amount not required except for honoraria.)*☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2011	Southwest Airlines (flight attendant)
2.	
3.	
4.	

IV. REIMBURSEMENTS *-- transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)*☐ NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. The Grand Chapter of Phi Sigma Kappa	08/06/2011-08/07/2011	New Orleans, LA	Activity of Professional/Civic Organization	food, lodging, transportation
2.				
3.				
4.				
5.				

FINANCIAL DISCLOSURE REPORT

Page 3 of 6

Name of Person Reporting

Benavides, Fortunato P.

Date of Report

03/26/2012

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*NONE *(No reportable gifts.)*SOURCEDESCRIPTIONVALUE

1.

2.

3.

4.

5.

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*NONE *(No reportable liabilities.)*CREDITORDESCRIPTIONVALUE CODE

1.

2.

3.

4.

5.

FINANCIAL DISCLOSURE REPORT

Page 4 of 6

Name of Person Reporting

Benavides, Fortunato P.

Date of Report

03/26/2012

VII. INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Chase Bank of TX, Austin TX, Related Ckg & Sav. Acct.	A	Interest	L	T					
2. Univ. Fed. Credit Union, Austin, TX; IRA Saving Acct.	A	Interest	J	T					
3. Principle Financial Group, Common Stock	A	Dividend	J	T					
4. Invesco American Franchise Fund (VAFAX). See VIII.		None	J	T		05/30/11	J		
5. Invesco Global Core Equity Fund (AWSAX). See VIII.		None	J	T		05/30/11	J		
6. 401K-Vanguard Institutional Index Fund		None	M	T					
7. 401K-Harbor Capital Appreciation Fund		None	M	T					
8. 401K-EuroPac Growth Fund-R5 (RERFX)		None	L	T					
9. 401K-Dodge&Cox Stock Fund		None	L	T					
10. SW Airlines Profit Sharing Plan-Harbor Capital Appreciation		None	M	T					
11. SW Airlines Profit Sharing Plan-EuroPac Gr. Fund-R5(RERFX)		None	L	T					
12. SW Airlines Profit Sharing-Dodge&Cox Stock Fund		None	L	T					
13. SW Airlines Profit Sharing-Vanguard Inst. Index Fund		None	M	T					
14. Royalty Interest, Starr County, TX	C	Royalty	K	W					
15. University Federal Credit Union, Austin, TX (CD)	A	Interest	M	T					
16.									
17.									

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$250,000.001 - \$500,000.000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

Page 5 of 6

Name of Person Reporting

Benavides, Fortunato P.

Date of Report

03/26/2012

VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

VII. Item 4 from last year's report referred to as ACPAX did not exist at the end of the 2011 calendar year. On May 30, 2011, ACPAX was reorganized, merged with, and acquired by Invesco American Franchise Fund (VAFAX). No gain or loss was occasioned by the merger and shares of the former ACPAX were replaced by the VAFAX shares.

VII. Item 5 from last year's report referred to as VGFAFAX did not exist at the end of the 2011 calendar year. On May 30, 2011, VGFAFAX was reorganized, merged with, and acquired by Invesco Global Equity Fund (AWSAX). No gain or loss was occasioned by the merger and shares of the former VGFAFAX were replaced by the AWSAX shares.

FINANCIAL DISCLOSURE REPORT

Page 6 of 6

Name of Person Reporting	Date of Report
Benavides, Fortunato P.	03/26/2012

IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature: **s/ Fortunato P. Benavides**

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

Committee on Financial Disclosure
Administrative Office of the United States Courts
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