

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2012

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) Moreno, Mark A.	2. Court or Organization U.S. District Court, D.S.D.	3. Date of Report 04/17/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Magistrate Judge - Part-Time	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2012 to 12/31/2012
7. Chambers or Office Address 419 Federal Building 225 South Pierre Street Pierre SD 57501		
IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information.		

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. Shareholder and President	Schmidt, Schroyer, Moreno, Lee & Bachand, P.C.
2. Director and President	Neltom Addition Civic & Recreational Association
3. Member at Large	SD State Soccer Referee Committee
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.	

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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. 2012	Schmidt, Schroyer, Moreno, Lee & Bachand, P.C.	\$71,989.00
2. 2012	Soccer Official	\$1,275.00
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. 2012	St. Mary's Healthcare Center - Nurse
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.				
2.				
3.				
4.				
5.				

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V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*

☒ NONE *(No reportable gifts.)*

SOURCE	DESCRIPTION	VALUE
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.)*

CREDITOR	DESCRIPTION	VALUE CODE
1.		
2.		
3.		
4.		
5.		

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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. Common Stock - Schmidt, Schroyer, Moreno, Lee & Bachand, P.C.		None	K	U					
2. Prof. Shar. Plan & Trust - Schmidt, Schroyer, Moreno, . . . , P.C.	D	Int./Div.	M	T					
3. SD Retirement System (SDRS) (State of SD)	B	Interest	L	T					
4. Thrift Sav. Acct. (Amer. Funds Investment Co. of Amer.)	C	Dividend	K	T					
5. SD Retirement System (SDRS) (State of SD)	B	Interest	K	T					
6. SD Retirement System Supp. Retirement Plan (State of SD)	A	Interest	J	T					
7. Common Stock (Amern Strategic Inc. Port III)	A	Dividend	J	T					
8. U.S. Savings Bonds	A	Interest			Redeemed	5/16/12	J	A	
9. Mutual Fund Stock (Amer. Funds Fundamental Investors)	A	Dividend	J	T					
10. Mutual Fund Stock (Amer. Funds Growth Fund of America)	A	Dividend	J	T					
11. Mutual Fund Stock (Amer. Funds Investment Co. of Amer.)	A	Dividend	J	T					
12. Mutual Fund Stock (Amer. Funds Fundamental Investors)	A	Dividend	K	T					
13. Mutual Fund Stock (Vanguard 500 Index)	A	Dividend	J	T					
14. Retirement Plan (Catholic Health Initiatives)	C	Interest	L	T					
15. IRA (500 Index Fund - Vanguard Group)	A	Dividend	K	T					
16. IRA (500 Index Fund - Vanguard Group)	A	Dividend	J	T					
17. Mutual Fund Stock (Vanguard 500 Index)	A	Dividend	J	T					

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

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☐ 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)

18. Money Market Accounts (Ameriprise)	A	Dividend	J	T					
19. Money Market Accounts (Ameriprise)	A	Dividend	J	T					
20. IRA (Columbia Seligman Communications Fund - Ameriprise)	A	Dividend	K	T					
21. Mutual Fund Stock (Amer. Funds Growth Fund of America)	A	Dividend	J	T					
22. Roth IRA (Oakmark Equity & Income Fund - Ameriprise)	A	Dividend	J	T					
23. Mutual Fund Stock (Oakmark Equity & Income)	A	Dividend	K	T					
24. Roth IRA (Oakmark Equity & Inc. Fund - Ameriprise)	A	Dividend	J	T					
25. Mutual Fund Stock (Managers Pimco Bond)	A	Dividend	J	T					
26. College Access 529 (PIMCO- Real Return Plus-SD Inv. Coun.)	A	Dividend	J	T	Sold (part)	9/5/12	J	A	
27. Mutual Fund Stock (T. Rowe Mid Cap. Value)	A	Dividend	J	T					
28. Mutual Fund Stock (T. Rowe Mid Cap. Value)	A	Dividend	J	T					
29. Mutual Fund Stock (Dodge & Cox Stock)	A	Dividend	J	T					
30. Mutual Fund Stock (Dodge & Cox Balanced)	A	Dividend	J	T					
31. Mutual Fund Stock (Dodge & Cox Income)	A	Dividend	J	T					
32. Roth IRA (Stock Fund - Dodge & Cox)	A	Dividend	J	T					
33. Roth IRA (Balanced Fund - Dodge & Cox)	A	Dividend	J	T					
34. Roth IRA (Stock Fund - Dodge & Cox)	A	Dividend	J	T					

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 = \$25,000,001 - \$50,000,000	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 \$50,000,000	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	

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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)

35. Roth IRA (Balanced Fund - Dodge & Cox)	A	Dividend	J	T					
36. Roth IRA (Columbia Seligman Communications Fund-Ameriprise)	A	Dividend	J	T					
37. General Electric Stock	A	Dividend	J	T					
38. IBM Stock	A	Dividend	J	T					
39. Mutual Fund Stock (Oakmark Global)	A	Dividend	J	T					
40. Mutual Fund Stock (T Rowe Cap. Apprec.)	A	Dividend	J	T	Buy (add'l)	3/19/12	J		
41. Mutual Fund Stock (Selected American)	A	Dividend	J	T					
42. Mutual Fund Stock (T Rowe Media & Telecom)	A	Dividend	J	T					
43. Mutual Fund Stock (T Rowe Spectrum Growth)	A	Dividend	J	T					
44. Mutual Fund Stock (Amer. Funds Cap. Wld Gr & Inc.)	A	Dividend	J	T					
45. Roth IRA (Harbor Bond Fund - Ameriprise)	A	Dividend	J	T					
46. Roth IRA (Oakmark Global Fund - Ameriprise)	A	Dividend	J	T					
47. Roth IRA (T Rowe Cap Apprec Fund - Ameriprise)	A	Dividend	J	T					
48. Roth IRA (Harbor Bond Fund - Ameriprise)	A	Dividend	J	T					
49. Roth IRA (T Rowe Cap Apprec Fund - Ameriprise)	A	Dividend	J	T					
50. Mutual Fund Stock (Oakmark Global)	A	Dividend	J	T	Sold (part)	5/2/12	J		
51. Mutual Fund Stock (T Rowe Cap Apprec)	A	Dividend	J	T					

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 = \$25,000,001 - \$50,000,000	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 \$50,000,000	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	

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52. Mutual Fund Stock (Selected American)	A	Dividend	J	T					
53. Mutual Fund Stock (T Rowe Spectrum Growth)	A	Dividend	J	T					
54. Pepsico Stock	A	Dividend	J	T					
55. Mutual Fund Stock (Dodge & Cox Intl Stock)	A	Dividend	J	T					
56. Mutual Fund Stock (UMB Scout International)	A	Dividend	J	T					
57. Mutual Fund Stock (Oakmark Equity & Income)	A	Dividend	J	T					
58. Mutual Fund Stock (Permanent Portfolio)	A	Dividend	J	T					
59. IRA (Permanent Portfolio Fund - Ameriprise)	A	Dividend	J	T					
60. IRA (Permanent Portfolio Fund - Ameriprise)	A	Dividend	J	T					
61. Mutual Fund Stock (CGM Focus)		None			Sold	1/18/12	J		
62. Mutual Fund Stock (Vanguard Wellington)	A	Dividend	J	T					
63. Mutual Fund Stock (TCW)	A	Dividend	J	T					
64. Mutual Fund Stock (Fairholme)		None			Sold	1/24/12	J	A	
65. Roth IRA (Balanced Fund - Fidelity)		None			Sold	2/6/12	J		
66. Roth IRA (Balanced Fund - Fidelity)		None			Sold	2/6/12	J		
67. Mutual Fund Stock (Fidelity Govt. Inc.)	A	Dividend	J	T					
68. Mutual Fund Stock (Vanguard Intermediate-Term Treas.)	A	Dividend	J	T					

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69. Mutual Fund Stock (Harbor Bond)	A	Dividend	J	T	Buy (add'l)	2/10/12	J		
70. Mutual Fund Stock (Harbor Bond)	A	Dividend	J	T					
71. Mutual Fund Stock (FPA Crescent)	A	Dividend	J	T					
72. Mutual Fund Stock (Columbia Seligman Communications)	A	Dividend	J	T					
73. Mutual Fund Stock (Vanguard Wellesley Inc.)	A	Dividend	J	T					
74. Mutual Fund Stock (Vanguard Dividend Growth)	A	Dividend	J	T					
75. Mutual Fund Stock (Vanguard GNMA)	A	Dividend	J	T					
76. Mutual Fund Stock (FPA Crescent)	A	Dividend	J	T					
77. Roth IRA (Harbor Bond Fund - Ameriprise)	A	Dividend	J	T					
78. Roth IRA (Harbor Bond Fund - Ameriprise)	A	Dividend	J	T					
79. Mutual Fund Stock (FPA Crescent)	A	Dividend	J	T					
80. Mutual Fund Stock (FPA Crescent)	A	Dividend	J	T					
81. Mutual Fund Stock (FPA Crescent)	A	Dividend	J	T					
82. Mutual Fund Stock (FPA Crescent)	A	Dividend	J	T					
83. Common Stock (ALPS Corp.)		None	K	U					
84. Mutual Fund Stock (Vanguard GNMA)	A	Dividend	J	T					
85. Modern Woodman (Adjustable Life Insurance)	A	Interest	J	T					

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86. Mutual Fund Stock (Yacktman)	A	Dividend	J	T	Buy (add'l)	2/10/12	J		
87. Mutual Fund Stock (Amer. Funds New Perspective)	A	Dividend	J	T					
88. Mutual Fund Stock (Oakmark Equity & Income)	A	Dividend	J	T					
89. Mutual Fund Stock (Columbia Seligman Communications)	A	Dividend	J	T					
90. Retirement Sav.(403(b)) Plan (Fidelity Contrafund-Fidelity)	A	Dividend	K	T					
91. Retirement Sav(403(b))Plan(AmFunds EuroPacific Grth-Fidelity)	A	Dividend	K	T					
92. Retirement Sav(403(b))Plan(Vanguard Ext. Mkt. Idx - Fidelity)	A	Dividend	K	T					
93. Retirement Sav(403(b))Plan(Pimco Total Return - Fidelity)	A	Dividend	K	T					
94. Roth IRA (Vanguard Wellesley)	A	Dividend	J	T	Buy	3/19/12	J		
95. Roth IRA (Vanguard Wellesley)	A	Dividend	J	T	Buy	3/19/12	J		
96. Mutual Fund Stock (T. Rowe Health Sciences)	A	Dividend	J	T	Buy	3/19/12	J		

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

Part VII, page 4, line 1 - The common stock referred to is stock I own in my law firm. Although I did not receive any income from the stock itself during the applicable reporting period, I did earn income from my law practice with the firm during this period. See Part III-A.

The retirement savings plan listed in Part VII, page 4, line 15 of last year's report has been excised from this report because it aggregates the funds set forth in lines 90-93.

Part VII, page 7, lines 65, 66 - These funds were discovered to be excess contributions during the 2011 reporting year, but because of a mix up with Fidelity, were not transferred out of their respective Roth IRAs until this reporting period.

The Roth IRAs mentioned in Part VII, page 9, lines 95, 96 of the 2011 report have been deleted altogether because they were transferred last year into the mutual fund that is referred to on page 8, line 75 of this report.

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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/ Mark A. Moreno

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
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544