

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2017

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 04/20/2018
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge; Senior Status	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2017 to 12/31/2017
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 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. _____	_____
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. _____	_____

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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. 2017	State of Texas Judicial Retirement System monthly benefits for year	\$67,200.00
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. 2017	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.				
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.)*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.

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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. Chase Bank of TX, Austin TX, Related Ckg & Sav. Acct.	A	Interest	N	T					
2. Principle Financial Group, Common Stock	A	Dividend	J	T					
3. Schwab/American Franchise Fund (VAFAX) See note 1.	B	Dividend	K	T					
4. Schwab/Global Core Equity Fund (AWSAX) See note 1.	B	Dividend	J	T					
5. 401K-Vanguard Institutional Index Fund	D	Dividend	N	T	Buy (add'l)	03/31/17	J		
6. 401K-Harbor Capital Appreciation Fund	A	Dividend	N	T					
7. 401K-EuroPac Growth Fund-R5 (RERFX) - Y. See Note 2.	A	Dividend			Sold	03/31/17	J		
8. 401K-Dodge&Cox Stock Fund	C	Dividend	N	T					
9. SW Airlines Profit Sharing Plan-Harbor Capital Appreciation	A	Dividend	N	T					
10. SW Airlines Profit Sharing Plan-EuroPac Gr.-Fund-R5(RERFX)Y,see note 3	A	Dividend			Sold	03/31/17	J		
11. SW Airlines Profit Sharing-Dodge&Cox Stock Fund	C	Dividend	M	T					
12. SW Airlines Profit Sharing-Vanguard Inst. Index Fund, See note 3	C	Dividend	M	T	Buy (add'l)	03/31/17	J		
13. Royalty Interest, Starr County, TX	A	Royalty	J	W					
14. Univ. Fed. Credit Union, Austin, TX (money mrkt.acct)	A	Interest	M	T					
15. RBFCU, Austin, TX, Related checking/savings/moneymarket accounts	A	Interest	L	T					
16. Robert Brooks Fed. Credit Union, Austin, TX (CDs)	B	Interest	M	T					
17. Schwab Inherited IRA-ExxonMobile Stock-X	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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	(1) Amount Code I (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. Schwab Inherited IRA- Goldman Saks (GS) -X	A	Dividend	J	T					
19. Schwab Inherited IRA-Goldman Saks CD-X	A	Interest	J	T					
20. Schwab Inherited brokerage account ExxonMobile-X	A	Dividend	K	T					
21. Southwest Airlines (LUV) stock-X		None	K	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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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

Note 1:

On December 13, 2017, the asset manager of this asset was changed from Invesco to Charles Schwab and Company. No change in the value or number of shares occurred.

Note 2:

On March 31, 22,503 shares of Vanguard Institutional Index Fund were added in exchange for 98,287 shares of EuroPacific Growth Fund. There was no gain or loss in this transaction. As a result at the end of the year 2017, the asset described in item 7 of this report no longer existed. This exchange is designated as an "additional buy" in item 5 of this report and a "sell" in item 7 of this report.

Note 3:

On March 31, thirteen shares of Vanguard Institutional Index Fund were added in exchange for 58,756 shares of EuroPacific Growth Fund. There was no gain or loss in this transaction. As a result at the end of the year 2017, the asset described in item 10 of this report no longer existed. This exchange is designated as an "additional buy" in item 12 of this report and a "sell" in item 10 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/ **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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