

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2016

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) Beaty, Jr., James A.	2. Court or Organization U. S. District Court-Middle District of North Carolina	3. Date of Report 08/30/2017
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Article III Judge (Senior)	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☒ Amended Report	6. Reporting Period 01/01/2016 to 12/31/2016
7. Chambers or Office Address 251 North Main Street- Suite 248 Winston-Salem, North Carolina 27101-3984		
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.)

POSITION

NAME OF ORGANIZATION/ENTITY

1.		
2.		
3.		
4.		
5.		

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

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1.	
2.	
3.	

FINANCIAL DISCLOSURE REPORT

Page 2 of 8

Name of Person Reporting

Beaty, Jr., James A.

Date of Report

08/30/2017

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. 2016	NC Judicial Retirement Vested Benefit	\$32,345.00
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.	
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.				

FINANCIAL DISCLOSURE REPORT

Page 3 of 8

Name of Person Reporting

Beaty, Jr., James A.

Date of Report

08/30/2017

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 8

Name of Person Reporting

Beaty, Jr., James A.

Date of Report

08/30/2017

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. Duke Energy, Common Stock	A	Dividend	J	T	Buy (add'l)	01/01/16	J		
2. Merrill Lynch/BankofAmerica Spouse RetirementAccount Totals (IRA)	C	Int./Div.	M	T	Redeemed (part)	12/22/16	J	D	
3. -Cash	A	Interest	J	T	Open	06/15/16	J		
4. -Money Account/Bankof America NA RASP	A	Interest	J	T	Open	06/15/16	J		
5. -VariousMutual Funds: ConsumerDiscretionary (XLY)	A	Dividend	J	T	Buy	06/15/16	J		
6. -HealthCareSelect SPDR (XLV)	A	Dividend	J	T	Buy	06/15/16	J		
7. -IShares MSCI EAFE (EFA) Europe Australasia Far East	A	Dividend	K	T	Buy	06/15/16	K		
8. -IShares IBOX \$ (LQD) Bonds	A	Int./Div.	J	T	Buy	06/15/16	J		
9. -IShares TIPS Bonds (TIP)	A	Int./Div.	J	T	Buy	06/15/16	J		
10. -IShares 3-7 year Treasury Bond(IEI)	A	Int./Div.	J	T	Buy	06/15/16	J		
11. -IShares MBS ETF (MBB)	A	Dividend	J	T	Buy	06/15/16	J		
12. -IShares IBOXXS High Yield Bonds (HYG)	A	Int./Div.	J	T	Buy	06/22/16	J		
13. -IShares INC CORE MSCI Emerging Mkts	A	Dividend	J	T	Buy	10/15/16	J		
14. -Materials Select Sector (XLB)	A	Dividend	J	T	Buy	06/15/16	J		
15. -PowerShares EM Sovereign Bonds (XLB)	A	Int./Div.	J	T	Buy	06/15/16	J		
16. -PowerSharesPreferred (PGX)	A	Dividend	J	T	Buy	06/15/16	J		
17. -Real Estate Select (XLRE)	A	Dividend	J	T	Buy	09/23/16	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 H = \$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 = \$250,001 - \$500,000	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 8

Name of Person Reporting

Beaty, Jr., James A.

Date of Report

08/30/2017

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)

18. -Sector SPRD Consrms Stpl (XLP)	A	Dividend	J	T	Buy	06/15/16	J		
19. -Sector SPDR Energy (XLE)	A	Dividend	J	T	Buy	06/15/16	J		
20. -Sector SPDR Industrial (XLJ)	A	Dividend	J	T	Buy	06/15/16	J		
21. -Sector SPDR Utilities (XLU)	A	Dividend	J	T	Buy	06/15/16	J		
22. -SPDR S&P Insurance ETF (KIE)	A	Dividend	J	T	Buy	05/16/16	J		
23. -Vaneck Vectors JP Morgan EM Local Currency (EMLC)	A	Dividend	K	T	Buy	06/15/16	J		
24. -Vanguard Financials ETF (VFH)	A	Dividend	J	T	Buy	06/15/16	J		
25. -Vanguard Information Tech ETF (VGT)	A	Dividend	J	T	Buy	06/15/16	J		
26. -Vanguard Telecomm SRVCS (VOX)	A	Dividend	J	T	Buy	06/15/16	J		
27. -Vanguard Intermediate Term Bond ETF (BIV)	A	Dividend	J	T	Buy	06/15/16	J		
28. -Vanguard Short Term Bond (BSV)	A	Int./Div.	J	T	Buy	06/15/16	J		
29. Equitable Variable-Alliance Common Stock Fund	A	Dividend	K	T					
30. AXA Equitable Incentive Life/Moderate Common Fund	A	Dividend	K	T					
31. Bank of America/Savings Account	A	Interest	J	T					
32. Vacant Real Estate Forsyth NC/ Parcel 1		None	J	W					
33. Vacant Real Estate Forsyth NC/Parcel 2		None	J	W					
34. Vacant Real Estate/Union SC		None	L	W					

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	

FINANCIAL DISCLOSURE REPORT

Page 6 of 8

Name of Person Reporting

Beaty, Jr., James A.

Date of Report

08/30/2017

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)

35. NewBridge Bank Checking	B	Interest	K	T					
36. Wells Fargo Bank Checking	A	Interest	J	T					
37. Wells Fargo Money Market	A	Interest	J	T					
38. Allegacy Federal Credit Union Accounts	A	Interest	K	T					
39. Allegacy Federal Credit Union Certificate of Deposit	A	Interest	L	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	

FINANCIAL DISCLOSURE REPORT

Page 7 of 8

Name of Person Reporting

Beatty, Jr., James A.

Date of Report

08/30/2017

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

Part VII. Investments and Trusts.

Items A- 2-9

I have been unofficially voluntary inactive as a Senior Judge in the Middle District of North Carolina since August 31, 2016. In addition, I have been completely without a Chambers' staff since my Judicial Assistant retired as of December 31, 2016. I did not at the time have direct access to the Financial Disclosure website. Nevertheless, with the assistance of a colleague's Judicial Assistant, a Financial Disclosure Report was filed on my behalf as of May 5, 2017. At the time, other than an update reflecting a partial redemption from my [REDACTED] IRA account, there was not much difference between my Financial Disclosure Report for the calendar year 2015 filed on May 3, 2016 and the 2016 Report filed on May 5, 2017. While I acknowledge receiving the July 5, 2017 notice, I did not then take note of specific request that was being made for additional information. However, as a result of receiving a Letter of Deficiency which noted a previous request for an Amended 2016 Financial Disclosure Report, I retrieved my account information for the Financial Disclosure Reports and noticed that there was not a substantial difference between the reports that were filed on my behalf in 2015 and 2016.

However, I am now aware that the letter of July 5, 2017, highlighted the specific requests for information as to the income and value of each of the assets in Part VII in lines 3-9 that were part of the aggregate income and value within my [REDACTED] Bank of America Investment Services, Inc. (IRA). Although this was not requested for the 2015 Financial Disclosure which was used as guidance for preparing the 2016 report, I understand from the July 5, 2017 letter that this matter was addressed on the "Updates" page on the front of the filing instructions which may have been overlooked in the preparation of my 2016 Financial Disclosure. Given this change, I reached out to my [REDACTED] personal Financial Manager to obtain the information as requested. I am providing this information as requested based upon the information that was recently provided to me. While I acknowledge my personal responsibility for the report as filed, I regrettably must admit that I have had no involvement in the management of [REDACTED] personal retirement account other than to note on at least two prior Financial Disclosure Reports for 2015 and 2016, that withdrawals had been made from her IRA.

Upon reviewing the recent information that was provided at my request, it became apparent to me that changes had been made to the specific assets that composed [REDACTED] IRA. It appears that during some prior period, the assets of the IRA, as appeared in all of my prior reports had been liquidated and distributed among new and different funds. The prior assets listed in my 2015 and earlier reports were as follows: line 2-Bank of America Investment Services, Inc. (IRA) (the aggregate account), line 3 -Columbia Cash Reserve Daily, line 4- Federated Bond Class A, line 5-Federated American Leaders Class Mutual Fund, line 6-Federated Capital Appreciation Class A Mutual Fund, line 7-Federated INT'L Value Class A Mutual Fund, line 8-Federated Kaufman Class A, and line 9-Federated Strategic Value fund Class A Mutual Fund. However, the overall value of the accounts did not change because the entire funds were transferred from the old assets into the new assets. This occurrence was confirmed by the information provided to [REDACTED] personal Financial Manager. As a result, the previously reported assets within my original 2016 Financial Disclosure in Items A- 2-9 of Part VII. Investments and Trusts as noted above have been deleted and the Amended Report for 2016 in Items A-2-28 of Part VII. Investments and Trusts reflects the present portfolio as maintained by my spouse's Merrill Lynch/Bank of America personal Financial Manager.

With respect to the errors noted on the initial and subsequent audits of this Amended Report, it was indicated that for Part VII, Investments and Trusts, line 1, Column D(1) should be completed for each transaction. All of this activity was outside of the current reporting period. so I have placed an arbitrary date of June 15, 2016 as the transaction date since the program will not allow me to add anything other than a 2016 date. However, the majority of the new assets, particularly items numbered 2-11,14-16, 18-21, 23-28, were not purchased during the current reporting period, but instead were initially purchased during the 2015 reporting period on June 16, 2015. In addition, Item number 13 was initially purchased on October 15, 2015. The activity that did occur during the current reporting period has been identified as such. Again, this information was just newly discovered and is being provided to comply with the request for additional information for my Amended 2016 Financial Disclosure.

FINANCIAL DISCLOSURE REPORT

Page 8 of 8

Name of Person Reporting

Beaty, Jr., James A.

Date of Report

08/30/2017

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/ James A. Beaty, Jr.**

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