

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2018

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) Smith, Jerry E.	2. Court or Organization Fifth Circuit Court of Appeals	3. Date of Report 08/09/2019
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 01/01/2018 to 12/31/2018
7. Chambers or Office Address 12621 U.S. Courthouse 515 Rusk Houston, TX 77002-2698		
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.	Independent Executor	Estate # 1
2.	Independent Executor	Estate # 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. 2018	Matthew Bender & Co., Inc.: writing and editing	\$5,060.00
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. 2018	self-employed, political consulting
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. American Law Institute	7/26-28/18	Santa Fe, NM	Seminar	Transportation, lodging, and meals
2. Federalist Society for Law & Public Policy	11/15-17/18	Washington, DC	Convention	Transportation, lodging, and meals
3. J. Reuben Clark Law School, Brigham Young University	3/6-7/18	Bologna, Italy	Moot court	Transportation, lodging, and meals
4. Federalist Society for Law & Public Policy	10/15/18	Chicago, IL	Panel discussion	Transportation, lodging, and meals
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.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
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.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
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. Invesco Money Market Fd -- Class AX (ACZXX)	A	Dividend	J	T					
2. 99% int. in Professional Audio-Video Corp. (see Part VIII)		None	J	T					
3. Wells Fargo Bank -- savings account	A	Interest	J	T					
4. Chase Bank -- checking account	A	Interest	J	T					
5. Compass Bank -- checking & IRA cash-equivalent	A	Interest	K	T					
6. Allegiance Bank, Brookshire, TX common stock		None	J	T					
7. Fidelity Security Life Ins. Co. -- IRA	A	Interest	J	T					
8. Templeton Growth Fd Inc. Class A (TEPLX)	A	Dividend	K	T					
9. Templeton Funds Inc. World Fd Class A (TEMWX)	A	Dividend	K	T	Sold (part)	12/13/18	K	E	
10. Wells Fargo Bank -- bank deposit sweep	A	Int./Div.	J	T	Sold (part)	12/13/18	J	B	
11. American Century Inter-term Tax Free Bond Fd C I Y (ATBYX)	A	Dividend	J	T	Buy	03/15/18	J		
12.									
13. JPMorgan Deposit Sweep (QCPCM)	A	Int./Div.	J	T	Sold (part)	01/23/18	J		
14.					Buy (add'l)	01/23/18	J		
15.					Sold (part)	03/16/18	J		
16.					Buy (add'l)	10/23/18	J		
17.					Buy (add'l)	12/14/18	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
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)

18.					Sold (part)	12/18/18	J		
19.									
20. Causeway Int'l Value Fd Inst. Cl (CIVIX)	A	Dividend	J	T					
21.									
22. iShares MSCI EAFE Int'l Index Fd (BTMKX)	A	Dividend	J	T	Buy	07/11/18	J		
23.					Buy	10/22/18	J		
24.									
25. iShares Tr 1-3 Yr Treasury Bd ETF (SHY)	A	Dividend	J	T	Buy	12/14/18	J		
26.									
27. Black Rock Mun Bd Fd Inc Nat'l Mun Fd Cl K (BNMLX)	A	Dividend	J	T					
28.									
29.									
30.									
31.									
32.									
33. Brown Advisory Fds WMC Strategic European Equity Fd (BAFHx)	A	Dividend			Sold	06/13/18	J		
34.									

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		
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35.									
36.									
37.	Dodge & Cox Funds Int'l Stock Fd (DODFX)	A	Dividend	J	T	Sold (part)	09/21/18	J	
38.									
39.	Dodge & Cox Income Fd (DODIX)	A	Dividend	J	T	Buy	01/22/18	J	
40.									
41.	JPMorgan Tr II Short-Inter Mun Bd Fd Inst'l (JIMIX)	A	Dividend	J	T				
42.									
43.									
44.	JPMorgan Beta Builders Canada ETF (BBCA)	A	Dividend	J	T	Buy	10/22/18	J	
45.									
46.									
47.									
48.									
49.	JP Morgan Tr I US Equity Fd C1 R6 (JUEMX)	A	Dividend	J	T	Sold (part)	10/22/18	J	
50.									
51.									

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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	
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52. Fidelity 500 Index Fd Institutional Prem Class I (FXAIX)	A	Dividend	J	T	Buy	02/09/18	J		
53.									
54. MFS Ser. Tr. X Emerging Mkt. Debt Fd Class I (MEDIX)	A	Dividend	J	T					
55.									
56.									
57.									
58. iShares MSCI Japan ETF Solicited (EWJ)	A	Dividend	J	T					
59.									
60.									
61. Vanguard 500 Index Fd Admiral Cl (VFIAX)	A	Dividend	J	T	Buy	09/21/18	J		
62.									
63. Vanguard Short Term Inflation Protected Sec Index Fd (VTIP)	A	Dividend	J	T	Buy	02/01/18	J		
64.					Sold (part)	03/15/18	J		
65.									
66. Vanguard Int'l Eq Index Fd FTSE Europe ETF (VGK)	A	Dividend	J	T					
67.									
68. John Hancock Income Fd Cl I (JSTIX)	A	Dividend			Merged (with line 70)	04/13/18	J		

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69.									
70. John Hancock Income Fd Cl R6 (JSNWX)	A	Dividend	J	T	Buy	04/13/18	J		
71.					Sold (part)	12/14/18	J		
72.									
73. Mainstay Fds High Yield Corp Bd Fd Cl R6 (MHYSX)	A	Dividend	J	T	Sold (part)	01/22/18	J		
74.					Sold (part)	02/16/18	J		
75.									
76. Harris Assocs Inv Tr Oakmark Fd Inst Cl (OANMX)	A	Dividend	J	T	Sold (part)	10/22/18	J		
77.									
78. Mass. Investors Trust Cl I (MITIX)	A	Dividend			Merged (with line 80)	05/11/18	J		
79.									
80. Mass. Investors Tr Cl R6 (MITJX)	A	Dividend	J	T	Buy	05/11/18	J		
81.									
82. MFS Research Int'l Fd Cl R6 (MRSKX)	A	Dividend	J	T	Sold (part)	09/21/18	J		
83.									
84.									
85. SPDR ETF Trust (SPY)	A	Dividend	J	T	Sold (part)	01/22/18	J		

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86.									
87. PIMCO Total Return Fd Inst'l Cl (PTTRX)	A	Dividend	J	T	Sold (part)	02/01/18	J		
88.					Sold (part)	12/14/18	J		
89.									
90. PIMCO Short Term Fd Inst'l Cl (PTSHX)	A	Dividend			Buy	02/16/18	J		
91.					Buy	06/13/18	J		
92.					Sold	10/22/18	J		
93.									
94. PIMCO Low Duration Fd Inst'l Cl (PTLDX)	A	Dividend	J	T	Sold (part)	01/22/18	J		
95.					Sold (part)	02/09/18	J		
96.									
97. Bernstein Intermed Div Mun Portfolio Adv. Clas (AIDYX) (see Part VIII)	A	Dividend	J	T	Buy (add'l)	03/15/18	J		
98.									
99. Tax Exempt Bd Fd Amer. Cl F3 (TFEBX)	A	Dividend	J	T	Buy	01/22/18	J		
100.					Buy (add'l)	02/01/18	J		
101.									
102. Six Circles Tax Aware Ultra Short Duration Fd (CUTAX)	A	Dividend	J	T	Buy	10/22/18	J		

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103.									
104. Six Circles U S Unconstrained Eq Fd (CUSUX)	A	Dividend	J	T	Buy	10/22/18	J		
105.									
106. Six Circles Int'l Unconstrained Eq Fd (CIUEX)	A	Dividend	J	T	Buy	10/22/18	J		
107.									
108. T Rowe Price Summit Mun Intermed Fd (PRSMX)	A	Dividend	J	T					
109.									
110.									
111.									
112. Estate #1 (H)									
113. -- First United Bank, Lubbock, TX -- checking acct.		None	M	T					
114. -- Working int., Bravo Land Co. #1 (see Part VIII)	A	Royalty	J	W					
115. -- Working Int., North Timber Creek (see Part VIII)									
116. -- Working int., CAT Federal (see Part VIII)	A	Royalty	J	W					
117. -- Working int., J.T. Federal #1A (see Part VIII)	A	Royalty	J	W					
118. -- Working int., J.T. Federal #3 (see Part VIII)	A	Royalty	J	W					
119. -- Working int., J.T. Federal #4 (see Part VIII)	B	Royalty	J	W					

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	(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)
120. -- Working int., J.T. Federal #5 (see Part VIII)	B	Royalty	J	W					
121. -- Working int., Quest Muddy Sand Unit (see Part VIII)	C	Royalty	J	W					
122. -- Working int., Leola Unit (see Part VIII)	A	Royalty	J	W					
123. -- Royalty int., various leases (see Part VIII)	D	Royalty	K	W					
124. -- Royalty int., various leases (see Part VIII)	A	Royalty	J	W					
125. -- Royalty int., various leases (see Part VIII)	A	Royalty	J	W					
126. -- Royalty int., City of Lubbock Unit (see Part VIII)	D	Royalty	J	W					
127.									
128.									
129. Estate # 2 (H)									
130. -- First United Bank, Lubbock, TX -- checking acct.		None	J	T					
131.									
132. -- Working int., Bravo Land Co. #1 (see Part VIII)	A	Royalty	J	W					
133. -- Working int., North Timber Creek (see Part VIII)									
134. -- Working int., CAT Federal (see part VIII)	A	Royalty	J	W					
135. -- Working int., J.T. Federal #1A (see Part VIII)	A	Royalty	J	W					
136. -- Working int., J.T. Federal #3 (see Part VIII)	A	Royalty	J	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	

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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)
137. -- Working int., J.T. Federal #4 (see Part VIII)	B	Royalty	J	W					
138. -- Working int., J.T. Federal #5 (see Part VIII)	B	Royalty	J	W					
139. -- Working int., Quest Muddy Sand Unit (see Part VIII)	C	Royalty	J	W					
140. -- Working int., Leola Unit (see Part VIII)	A	Royalty	J	W					
141. -- Royalty int., various leases (see Part VIII)	D	Royalty	K	W					
142. -- Royalty int., various leases (see Part VIII)	A	Royalty	J	W					
143. -- Royalty int., various leases (see Part VIII)	A	Royalty	J	W					
144. -- Royalty int., City of Lubbock Unit (see Part VIII)	D	Royalty	J	W					
145.									

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.)*

Part VII, line 2: Victoria, TX (asset: video production equipment)

Part VII, lines 114 & 132: Duval County, TX; Payor: Chroma Operating, Inc., Houston, TX

Part VII, lines 116 & 134: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 117 & 135: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 118 & 136: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 119 & 137: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 120 & 138: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 121 & 139: Weson County, WY; Payors: Eighty-Eight Oil LLC, Casper, WY; Maxim Drilling & Exploration, Gillette, WY; Plains Marketing, L.P., Houston, TX

Part VII, lines 122 & 140: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 123 & 141: La Plata County, CO; Payor: BP America Production Co., Tulsa, OK

Part VII, lines 124 & 142: Caddo County, OK; Payor: Mustang Fuel Corp., Oklahoma City, OK

Part VII, lines 125 & 143: La Plata County, CO; Payor: Red Willow Production Co., Ignacio, CO

Part VII, lines 126 & 144: Lubbock County, TX; Payor: Texland Petroleum, L.P., Fort Worth, TX

Part VII, line 11: The correct trading symbol for American Century Inter-term Tax-Free Bond Fund Class Y is ATBYX.

Part VII, line 97: "Alliance" had been dropped from the name Bernstein Intermediate Div Mun Portfolio Advisor CL.

Part VII, lines 115 & 133: Duval County, WY; Payor: Chroma OPerating, Inc., Houston, TX: As disclosed in the annual report for 2017, this asset was sold on 1-4-17 to Marlin Oil Co. LLC, Value Code K, Gain Code A. The asset was owned by Estate #1 and Estate #2. It was not owned in 2018 and will not appear in future reports.

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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/ Jerry E. Smith**

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
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