

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2009

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 05/07/2010
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, ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 12/31/2009
7. Chambers or Office Address 903 San Jacinto Blvd., Rm. 450 Austin, TX 78701	8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____	

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. Sign 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. Advisory Board Member	U. of Houston Law Center's Blakely Advocacy Institute's Advisory Board
2. Advisory Board Member	U. of Houston Criminal Justice Institute Advisory Board
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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FEDERAL COURTS OFFICE

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Name of Person Reporting
Benavides, Fortunato P.

Date of Report
05/07/2010

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. 2008	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. 2008	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. George Mason University	10/21/09-10/24/09	San Diego, CA	Educational Seminar	food, lodging, transportation
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.)*

<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. Southwestern Life Ins. Co.	loan against policy	J
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

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Name of Person Reporting

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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 Month - Day	(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.	B	Interest	L	T					
2. Chase Bank of TX, Austin, TX; IRA Savin gs Acct.;	A	Interest	J	T					
3. Principle Financial Group, Common Stock	A	Dividend	J	T					
4. Van Kampen Mutual Fund-ACPAX		None	J	T					
5. Van Kam Global Franchise Fund Class A (VGFAX) see part VIII		None	J	T	Merged (with line 5)	10/02	J		
6. 401K-Vanguard Institutional Index Fund		None	L	T					
7. 401K-Harbor Capital Appreciation Fund		None	L	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 Cap ital Appreciation		None	L	T					
11. SW Airlines Profit Sharing Plan-EuroPac Gr . Fund-R5(RERFX)		None	L	T					
12. SWAirlines Profit Sharing-Dodge&Cox Sto ck Fund		None	K	T					
13. SWAirlines Profit Sharing-Vanguard Inst. I ndex Fund		None	K	T					
14. Royalty Interest, Starr County, TX	C	Royalty	K	W					
15. University Federal Credit Union, Austin, TX (CD)	A	Interest	K	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

K = \$15,001 - \$50,000
O = \$500,001 - \$1,000,000

L = \$50,001 - \$100,000
P1 = \$1,000,001 - \$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

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

VII. Item 5 from 2008 report referred to as MGEAX did not exist at the end of this reported year. Effective October 2, 2009, Van Kampen Mutual Fund-MGEAX merged into Van Kampen Global Franchise Fund Chase A (VGFA), now reported here in as item 5 in Part VII.

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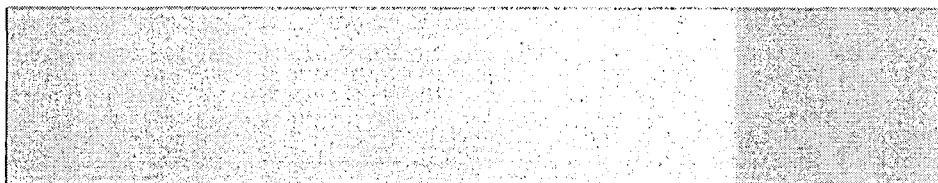
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IX. CERTIFICATION.

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.



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

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544

SELF INITIATED
AMENDMENT



FORTUNATO P. BENAVIDES
CIRCUIT JUDGE
512-916-5796

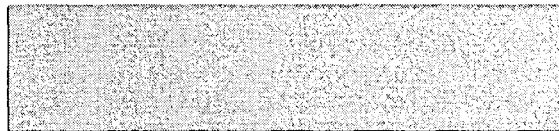
UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT
903 SAN JACINTO BOULEVARD, SUITE 450
AUSTIN, TEXAS 78701

May 7, 2010

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544

Dear Sirs:

Regarding my 2009 Financial Disclosure, Section III was the same as last year. Unfortunately, I neglected to change the dates. This letter serves to correct that the time reflected is for 2009 and serves as an amendment to my 2009 Financial Disclosure Report. The report was sent by United States mail on May 7, 2010.



Enc.

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