

AO-10
Rev. 1/2004

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2004

Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (Last name, First name, Middle initial) O'Brien, Terence L.	2. Court or Organization Tenth Circuit	3. Date of Report 5/20/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge - Active	5. Report Type (check appropriate type) ☐ Newcomer Date: 9/4/2001 ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address U.S. Court of Appeals 2120 Carey Ave., STE 200 Cheyenne, WY 82001	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.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. _____

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

☐ **NONE** - (No reportable agreements.)

DATE

PARTIES AND TERMS

1. 2002 State of Wyoming Judicial Retirement

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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>GROSS INCOME</u> (yours, not spouse's)
1.	2003	State of Wyoming - Judicial Retirement	23,878.44
2.			

IV. REIMBURSEMENTS - (transportation, lodging, food, entertainment)

(includes those to spouse and dependent children. See pp. 25-27 of instructions.)

☒ **NONE** - (No such reportable reimbursements.)

	<u>SOURCE</u>	<u>DESCRIPTION</u>
1.		

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V. GIFTS. (Includes those to spouse and dependent children. See pp. 28-31 of instructions.)☐ **NONE** - (No such reportable gifts.)

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.	Curtis & Marian Rochelle	Clock	\$2,000
2.	April Brimmer Kunz	Trees	\$2,600
3.	April Brimmer Kunz	Jacket	\$600

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)☐ **NONE** - (No reportable liabilities.)

	<u>CREATOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.	Chase Manhattan Mortgage Corporation	Mortgage on Park City, Utah Rental Property	M

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VII. INVESTMENTS and TRUSTS — income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions.)

A. Description of Assets (including trust assets) Place "XX" after each asset except 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, merger, redemption)	If not exempt from disclosure			
						(2) Date: Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of counterparty (if private transaction)
☐ NONE (No reportable income, assets, or transactions)									
1. Rental Property, Park City, UT 1/29/1999 - \$195,000.00	E	rent	M	R					
2. IRA#1 Nationwide Templeton Foreign Fund	A	Distribution	K	T					
3. Artisan Mid Cap ARTMX	A	Dividend	K	T					
4. Berger Mid Cap Value Fund BEMVX	A	Dividend	K	T					
5. IRA #1 Nationwide American Century Ultra	A	Distribution	K	T					
6. IRA #1 Dreyfus Money Market Reserves	A	Distribution	J	T					
7. IRA#2 AMZN	A	Dividend	J	T					
8. IRA#2 IMN	A	Dividend	J	T					
9. IRA #2 MCRL	A	Dividend	J	T					
10. IRA#2 MSFT	A	Dividend	J	T					
11. IRA #2 MMM	A	Dividend	J	T					
12. IRA #2 NSM	A	Dividend	J	T					
13. IRA #2 SLR	A	Dividend	J	T					
14. IRA #2 CVX	A	Dividend	J	T					
15. IRA#2 TYC	A	Dividend	J	T					
16. A	A	Dividend	J	T					
17. AMX	A	Dividend	J	T					
18. BIIB (BGEN Merged into BIIB)	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 = \$250,000-\$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 = \$50,000,001-\$100,000,000		
3. Value Method Codes	Q = Appraisal	R = Cost (Real Estate Only)	S = Assessment	T = Closed Market	
(See Column C2)	U = Book Value	V = Other	W = Estimated		

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VII. INVESTMENTS and TRUSTS — income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions.)

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 (I-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g. buy, sell, merger, redemption)	If not exempt from disclosure			
						(2) Date: Month- Day	(3) Value Code 2 (I-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
19. BMY	A	Dividend	J	T					
20. CSCO	A	Dividend	J	T					
21. CAG	A	Dividend	J	T					
22. DPH	A	Dividend	J	T					
23. FDX	A	Dividend	J	T					
24. GE	A	Dividend	J	T					
25. GLW	A	Dividend	J						
26. GM	A	Dividend	J	T					
27. G	A	Dividend	J	T					
28. GT	A	Dividend	J	T					
29. HPQ	A	Dividend	J	T					
30. INTC	A	Dividend	K	T					
31. MSFT	A	Dividend	K	T					
32. MIPS	A	Dividend	J	T					
33. RTNA	A	Dividend	J	T					
34. TMX	A	Dividend	J	T					
35. WMB	A	Dividend	J	T					
36. ZMH	A	Dividend	J	T	Sold	3/17	J	B	

1. Income-Code Codes:

(See Columns B1 and D4)

2. Value Codes:

(See Columns C1 and D3)

3. Value Method Codes

(See Column C2)

A = \$1,000 or less

F = \$60,001-\$100,000

J = \$75,000 or less

N = \$250,000-\$500,000

P3 = \$250,000.001-\$500,000.000

Q = Appraisal

U = Book Value

B = \$1,001-\$2,500

G = \$100,001-\$1,000,000

K = \$15,001-\$50,000

● = \$500,001-\$1,000,000

R = Cost (Real Estate Only)

V = Other

C = \$2,501-\$5,000

H7 = \$1,000,001-\$5,000,000

L = \$90,001-\$100,000

P1 = \$1,000,001-\$5,000,000

P4 = \$500,000.001-\$1,000,000.000

S = Assessment

W = Estimated

D = \$5,001-\$15,000

H2 = More than \$5,000,000

M = \$100,001-\$250,000

P2 = \$5,000,001-\$25,000,000

T = Cash/Market

E = \$15,001-\$50,000

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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)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Amount Code 1 (A-H)	Type (e.g. div. rent or int.)	Value Code 2 (I-P)	Value Method Code 3 (Q-W)	Type (e.g. buy, sell, merger, 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)
37. WPJGX	A	Dividend	J	T					
38. WWIFX					Sold	11-05	J	A	
39. CMFUZ	A	Interest	J	T					
40. T Rowe Price Science Fund PRSCX	A	Dividend	J	T					
41. MS Growth Fund B GRTBX	A	Distribution	K	T					
42. MS Information Fund B IFBOX	A	Dividend	J	T					
43. MS Capital Opportunity Trust CPOBX	A	Distribution	J	T					
44. Morgan Stanley Pacific Growth Fund B TGRBX	A	Distribution	K	T					
45. A (Fidelity)	A	Dividend	J	T					
46. BRKB	A	Dividend	J	T					
47. BKH	A	Dividend	K	T					
48. HDI	A	Dividend	K	T					
49. JDSU	A	Dividend	J	T	Buy	5-18	J		
50. MRK	A	Dividend	J	T					
51. MHS	A	Dividend	J	T					
52. MSFT (Fidelity)	A	Dividend	J	T					
53. MOT	A	Dividend	J	T					
54. FSLB	A	Dividend	J	T	Spin Off	12-03	J		From MOT

1. Amount/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-\$500,000	
(See Columns C1 and D3)	N = \$500,001-\$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 = \$50,000,001-\$100,000,000		
3. Value Method Codes:	Q = Appraisal	R = Cost (Real Estate Only)	S = Assessment	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, merger, redemption)	If not exempt from disclosure			
						(2) Date: Month- Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
55. SPI	A	Dividend	J	T					
56. TXN	A	Dividend	J	T					
57. YUM	A	Dividend	J	T					
58. WFC	A	Dividend	J	T					
59. FCNTX	A	Dividend	J	T					
60. FHIGX	A	Dividend	L	T					
61. FMAGX	A	Dividend	M	T					
62. FTEXX	A	Interest	K	T					
63. Indiana State Def Fin auth Wtr Fac Am Water Project Bonds	A	Interest	J	T					
64. PTHAX (Not PTXAH) Transposed Letters Last Year	A	Interest	J	T					
65. VKMHX (Not VKMXH) Transposed Letters Last Year	A	Interest	J	T					
66. E D Jones Cash & Money Mkt	A	Interest	J	T					
67. PFL Annuity #1	A	Interest	J	T					
68. PFL Annuity #2	A	Interest	K	T					
69. PFL Annuity #3	A	Interest	K	T					
70. Checking Gillette, WY	A	Interest	J	T					
71. Savings Gillette, WY	B	Interest	M	T					
72. Checking - Park City, Utah	A	Interest	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
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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	
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	P3 = \$25,000,001-\$50,000,000		P4 = More than \$50,000,000		
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(See Column C2)	U = Book Value	V = Other	W = Estimated		

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A. Description of Assets (including trust assets) Place "(S)" 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 I (A-I)	(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, merger, redemption)	If not exempt from disclosure			
						(2) Date: Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
73. U S Coins		None	J	T					
74. U.S. Bonds	A	Interest	J	T					
75. Checking - Idaho Bank					Closed				xfer to Checking Park

1. Income 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	
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(See Columns C1 and B3)	N = \$250,000-\$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 = Acquisition	T = Cash/Market	
(See Column C2)	U = Book Value	V = Other	W = Estimated		

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of 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. § 501 et seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature



Date 5/20/2005

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)

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