

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) FUSTE, JOSE A.	2. Court or Organization District Court - Puerto Rico	3. Date of Report 05/11/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. DISTRICT JUDGE (ACTIVE)	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 12/31/2009
7. Chambers or Office Address RM. CH-133 U.S. COURTHOUSE 150 CHARDON AVENUE SAN JUAN PR 00918-1758	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. _____	_____ (SEE SECTION VIII FOR EXPLANATORY NOTE).
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

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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.		
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. 2009	Self-employment as an attorney
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.)*

<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. BANCO POPULAR DE PUERTO RICO	LINE OF CREDIT	K
2. CITIBANK, PUERTO RICO	CREDIT CARD	J
3. CITIBANK, PUERTO RICO	CREDIT CARD	J
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. GINNIE MAE BONDS	D	Interest	L	T					
2. AMERICAN FUNDS GROUP: EUROPACIFIC GROWTH FUND	C	Dividend	L	T					
3. AMERICAN FUNDS GROUP: EUROPACIFIC GROWTH FUND	B	Dividend	K	T					
4. AMERICAN FUNDS GROUP: EUROPACIFIC GROWTH FUND	A	Dividend	J	T					
5. AMERICAN FUNDS GROUP: SMALLCAP WORLD FUND	A	Dividend	M	T					
6. JOHNSON & JOHNSON (COMMON STOCK)	A	Dividend	K	T					
7. SAVINGS ACCT. (CARIBE FEDERAL CREDIT UNION)	A	Dividend	J	T					
8. CHECKING & SAVINGS ACCT. (BANCO POPULAR)	A	Interest	J	T					
9. CHECKING & SAVINGS ACCT. (BANCO POPULAR)	A	Interest	J	T					
10. SAVINGS ACCT. (BANCO POPULAR DE P.R.)	A	Interest	J	T					
11. CHECKING & SAVINGS ACCT. (BANCO POPULAR P.R.)	A	Interest	K	T					
12. IRA ORIENTAL FED. BANK	B	Interest	K	T					
13. IRA ORIENTAL FED. BANK	C	Interest	K	T					
14. SAVINGS ACCT. (BANCO POPULAR)	A	Interest	K	T					
15. AMERICAN FUNDS GROUP: EUROPACIFIC GROWTH FUND	A	Dividend	K	T					
16. AMERICAN FUNDS GROUP: CAPITAL WORLD G+I	B	Dividend	L	T					
17. SAVINGS ACCT. (BANCO POPULAR)	A	Interest	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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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				
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18. LEHMAN BROS. 1993 GRANTOR TRUST CORP BOND	A	Interest	K	T					
19. WESTMORELAND MUNI. BOND	A	Interest	J	T					
20. NORTH YORK COUNTY SCHOOL DIST. MUNI. BOND	B	Interest	L	T					
21. POWER & CASSIA CTYS. SCHOOL DIST. MUNI. BOND	B	Interest			Redeemed	08/01/09	K		
22. ST CLAIR CO. SCHOOL DIST MUNI BOND	B	Interest	L	T					
23. HOUSTON TX ISD PUB FAC CORP. MUNI BOND	B	Interest	K	T					
24. FOOTHILL EASTERN TRANSP. MUNI. BOND	C	Interest	L	T					
25. NORTH ADAMS COMMUNITY SCHOOLS MUNI BOND	B	Interest	K	T					
26. ELLIS CTY. GENERAL OBLIG. BOND	C	Interest	L	T					
27. AMERICAN FUNDS GROUP: AMCAP FUND	A	Dividend	J	T					
28. AXA ROSENBERG US SMALLCAP FUND	A	Dividend	J	T					
29. DUPAGE CTY FOREST PRESERVE BOND	A	Interest	K	T					
30. GT ATLANTIC & PACIFIC TEA(PREFERRED STOCK)	B	Dividend	K	T					
31. CHICAGO ILL GEN OBLIG MUNI BOND	C	Interest	L	T					
32. DETROIT MI CONVENTION FAC MUNI BOND	A	Interest			Redeemed	09/30/09	K		
33. PR CONSERVATION TRUST MUNICIPAL BOND	A	Dividend	J	T					
34. PR MORTGAGE-BACKED & US GOV'T SECURITIES FUND	A	Dividend	J	T					

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35. INT'L HOSPITALITY ASSOC., CLASS A PREF SPEC P'SHIP INTEREST		None	K	T					
36. GATEWAY TR INDEX PLUS FUND	A	Dividend	J	T	Sold (part)	07/15/09	J		
37. GMAC (PREFERRED STOCK)	A	Dividend	J	T					
38. American Funds Group: New World Fund	A	Dividend	K	T					
39. Evergreen Equity Trust Asset Fund	B	Dividend	J	T					
40. Oppenheimer Developing Markets Fund	B	Dividend	J	T					
41. Barron Asset Fund	A	Dividend	J	T					
42. Harbor Capital Appreciation Fund	A	Dividend	J	T					
43. Evergreen Int'l Fund	A	Dividend	J	T					
44. Illinois Development Finance Authorization Muni. Bond	B	Interest	K	T					
45. PR Fixed Income Fund	A	Dividend	J	T					

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2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	
3. Value Method Codes (See Column C2)					

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

SEC. I. POSITIONS. I OWN AN APARTMENT IN THE CONDOMINIUM AND RESIDE IN THE SAME. I RECEIVE NO COMPENSATION AND MY DUTIES ARE CONFINED TO NON-PROFIT OPERATION AND MAINTENANCE OF THIS RESIDENCIAL FACILITY. SEE ADVISORY OPINION 29 & CANON 5.

SEC. IV. REIMBURSEMENTS & GIFTS. I HAVE ONLY RECEIVED OFFICIAL COURT-RELATED REIMBURSEMENTS ON AUTHORIZED EXPENDITURES REGARDING OFFICIAL TRAVEL ON BEHALF OF THE U.S. COURTS.

SEC. VII. INVESTMENTS & TRUSTS. THE IRAs OWNED BY [REDACTED] AND MYSELF ARE CASH-EQUIVALENT ACCOUNTS MAINTAINED AT A FINANCIAL INSTITUTION. THEY ARE COMPOSED OF GINNIE MAE BONDS AND OTHER SECURITIES WHICH ARE NOT DIRECTED OR MANAGED BY EITHER OF US. WE HAVE NO ABILITY TO SELECT THE ASSETS WITHIN THE ACCOUNTS AND, IN FACT, WE ARE NOT NOTIFIED OF THEIR CONTENTS.

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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.

Sign

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