

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) Harwell, Robert B	2. Court or Organization U.S. District Court, S.C.	3. Date of Report 5/11/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) Article III Judge, Active	5. Report Type (check appropriate type) ☐ Merit Promotion ☐ Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address 401 W. Evan Street McMillan Federal Bldg. Florence, SC 29501	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. Officer/Director	Harwell Farms and Investment, Inc.
2. Officer/Director	Harwell Properties, Inc.
3. Officer/Director	Harwell Development Co., Inc.
4. Trustee	Trust #1
5. Custodian	Custodial Account #1
6. Custodian	Custodial Account #2

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

☐ NONE - (No reportable agreements.)

DATE	PARTIES AND TERMS
1. 7/9/04	Bellenger, Barth & Hoeber, LLP, my former law partners and I have agreed that I will be paid 25% of the contingent fees generated on specifically
2.	designated files existing at the time of my departure (June 25, 2004) for my interest in my former law practice.

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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.	2004	U.S. District Court	57,430.00
2.	2004	Harwell, Ballenger, Barth & Hoefer, LLP	208,455.00
3.	2004	Ballenger, Barth & Hoefer, LLP (per agreement for interest in law firm-See Part II)	55,825.00

B. Spouse's Non-Investment Income - (If you were married during any portion of the reporting year, please complete this section. Dollar amounts not required except for bonuses.)☒ **NONE** - (No reportable non-investment income.)

	<u>DATE</u>	<u>SOURCE AND TYPE</u>
1.		

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. SC Trial Lawyers Association	Aug. 5-8, 2004, Hilton Head Island, S.C., attended S.C. Trial Lawyers Assoc. Convention (lodging)

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V. GIFTS. (Includes those to spouse and dependent children. See pp. 28-31 of instructions.)

☒ NONE - (No such reportable gifts.)

SOURCE

DESCRIPTION

VALUE

1.

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)

☐ NONE - (No reportable liabilities.)

CREDITOR

DESCRIPTION

VALUE CODE

1. First Reliance

PCDG, LLC/note & mtg./limited liability

J

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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)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Amount Code 1 (A-H)	Type (e.g. div, rent or int.)	Value Code 2 (J-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)
☐ NONE (No reportable income, assets, or transactions)									
1. Charles Schwab/Sweep Acct	C	Interest	M	T					
2. Common WB	A	Dividend	K	T					
3. Common WFC	A	Dividend	J	T					
4. Common ALV (X)	A	Dividend	J	T					
5. Common R&H (X)	A	Dividend	J	T					
6. Common TSFG	B	Dividend	L	T					
7. BB&T Accts	E	Interest	O	T					
8. First Reliance Accts	C	Interest	N	T					
9. Harwell Farms & Investment 12 1/2% 12/31/04 compiled \$31M		None	K	U					See additional notes (1)
10. Harwell Properties, Inc. 12 1/2% 12/31/04 compiled \$21M	F	Distribution	K	U					See additional notes (1)
11. Harwell Devel Co., Inc. 12 1/2% compiled 12/31/04 \$52M	B	Distribution	L	U					See additional notes (1)
12. PCDG, LLC (10%) 1998 & 2000 \$32,000		None	K	R					See additional notes (1)
13. Charles Schwab IRA #1	B	Dividend	M	T					
14. -Cash fund									
15. -DFA Intl Small Co Port									
16. -DFA Value III Port									
17. -DFA Large Cap Intl Port									
18. -DFA Large Cap Value III Port									

1. Income/Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001-\$100,000	B = \$1,001-\$5,000 G = \$100,001-\$1,000,000	C = \$5,001-\$10,000 H = \$1,000,001-\$5,000,000	D = \$10,001-\$15,000 I = 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 = \$5,000,001-\$10,000,000	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 the spouse and dependent children. See pp. 34-57 of filing instructions.)

A. Description of Assets (excluding 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. -DFA US Large Co Intl Index Port									
20. -DFA US Small Cap Port									
21. -DFA US Small Cap Value									
22. Charles Schwab IRA #2	C	Dividend	N	T					
23. -Cash fund									
24. -DFA Intl Small Co Port									
25. -DFA Intl Value III Port									
26. -DFA Large Cap Intl Port									
27. -DFA Large Cap Value III									
28. -DFA US Lg.Co. Inst Index Port									
29. -DFA US Small Cap Port									
30. -DFA US Small Cap Value									
31. Charles Schwab IRA # 3	A	Dividend	K	T					See additional notes (3)
32. -Cash fund									
33. -DFA US Small Cap Port									
34. Trust #1	C	Dividend	M	T					
35. -BB&T Corp.									
36. -Vanguard short-term treasury									

1. Income/Gain Codes:	A = \$1,000 or less (See Column B1 and D4)	B = \$1,001-\$2,500	C = \$2,501-\$5,000	D = \$5,001-\$15,000	E = \$15,001-\$50,000
2. Value Codes:	F = \$50,001-\$100,000 (See Columns C1 and D3)	G = \$100,001-\$1,000,000	H1 = \$1,000,001-\$5,000,000	H2 = More than \$5,000,000	
3. Value Method Codes:	J = \$15,000 or less (See Column C2)	K = \$15,001-\$50,000	L = \$50,001-\$100,000	M = \$100,001-\$250,000	
	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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						(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. Richland County Zero 8/1/05	B	Interest	L	T					
38. Berkeley Co. SC Zero 6/1/12	C	Interest	L	T					
39. Clemson University, SC Zero 5/1/10	B	Interest	L	T					
40. Piedmont Mun. Power Zero 1/1/08	A	Interest	J	T					
41. Piedmont Mun. Power Zero 1/1/13	A	Interest	J	T					See additional note #2
42. Piedmont Mun. Power Zero 1/1/13	A	Interest	K	T					See additional note #2
43. Piedmont Mun. Power Zero 1/1/13	A	Interest	K	T					
44. Piedmont Mun. Power Zero 1/1/15	C	Interest	L	T					See additional note #4
45. Richland Co. SC Zero 8/1/09	B	Interest	L	T					
46. Richland Co. SC Zero 8/1/07	A	Interest	J	T					
47. SC Zero 7/1/12	C	Interest	L	T					
48. Three Rivers Solid Zero 1/1/09	A	Interest	K	T					
49. Three Rivers Solid Zero 1/1/11	B	Interest	K	T					
50. Three Rivers Solid Zero 1/1/12	B	Interest	K	T					
51. Three Rivers Solid Zero 1/1/13	B	Interest	K	T					
52. DFA Tax Man US Mktwde	A	Dividend	K	T					
53. Rental Property #1, N Myrtle Beach, SC (2003, \$238,600)	D	Rent	M	R					See additional notes (5)
54. Rental Property #2, Snowshoe, W. VA (2003 \$175,000)	D	Rent	M	R					

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55. David W. Harwell & Sons Prop. LP (Cherry Grove beach, SC 49%		None	M	U					See additional notes (1)
56. (\$243,000 tax return 2004)									
57. [REDACTED], Florence, SC (25% purchase of previous	A	Rent			Sell	9-22	L	E	Ballenger, Barth &
58. partner's interest)									
59. College Fund #1	A	Dividend	K	T					
60. -College Bound Fund									
61. -Bank of America Strategic Growth									
62. -Mid Cap Brown Port Class A									
63. -Small Co Port Class A									
64. -Bond Port Class									
65. College Fund #2	A	Dividend	K	T					
66. -College Bound Fund									
67. -Bank of America Strategic Growth									
68. -Small Co Port Class A									
69. -Bond Port Class									
70. -Mid Cap Growth Port Class A									
71. [REDACTED] Farms, Florence, SC 1999 \$125,000		None	M	R					
72. Custodial Acct #1 "(X)"	A	Dividend	J	T					

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73. -Common TSFG									
74. Custodial Acct #2 "(X)"	A	Dividend	J	T					
75. -Common TSFG									

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

- (1) Changes in value were due to this years reporting being completed by CPA.
- (2) Re-issued existing bond into two bonds on 9/29/04.
- (3) Inadvertently omitted in listing of assets in previous year's reporting.
- (4) Inadvertently reported as maturity date of 2/1/15 instead of 1/1/15.
- (5) Increase in value due to \$58,000 in improvements.

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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

May 11, 2005

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