

**FINANCIAL DISCLOSURE REPORT**  
Calendar Year 2003Report required by the Ethics in  
Government Act of 1978, as amended  
(5 U.S.C. App. Sec. 101-111)

|                                                                                                                                                                                                                      |  |                                                                                                                                                                                                                                 |                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <b>1. Person Reporting</b> (Last name, first, middle initial)<br>Miner, Roger J.                                                                                                                                     |  | <b>2. Court or Organization</b><br>U.S. Court of Appeals                                                                                                                                                                        | <b>3. Date of Report</b><br>04/14/2004                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br>U.S. Circuit Judge (Senior)                                                                  |  | <b>5. Report Type (check type)</b><br>Nomination, Date / /<br>Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final <input type="checkbox"/>                                                        | <b>6. Reporting Period</b><br>01/01/2003<br>to<br>12/31/2003 |
| <b>7. Chambers or Office Address</b><br>United States Courthouse<br>445 Broadway, Room 414<br>Albany, NY 12207                                                                                                       |  | <b>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.</b><br><br>Reviewing Officer _____ Date _____ |                                                              |
| <b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the <b>NONE</b> box for each section where you have no reportable information. Sign on the last page. |  |                                                                                                                                                                                                                                 |                                                              |

**I. POSITIONS** (Reporting individual only; see pp. 9-13 of Instructions.)

| POSITION                                                                   | NAME OF ORGANIZATION / ENTITY |
|----------------------------------------------------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> <b>NONE</b> (No reportable positions.) |                               |
| 1                                                                          |                               |
| 2                                                                          |                               |
| 3                                                                          |                               |

**II. AGREEMENTS** (Reporting individual only; see pp. 14-16 of Instructions.)

| DATE                                                                        | PARTIES AND TERMS |
|-----------------------------------------------------------------------------|-------------------|
| <input checked="" type="checkbox"/> <b>NONE</b> (No reportable agreements.) |                   |
| 1                                                                           |                   |
| 2                                                                           |                   |
| 3                                                                           |                   |

**III. NON-INVESTMENT INCOME** (Reporting individual and spouse; see pp. 17-24 of Instructions.)

| DATE                                                                        | SOURCE AND TYPE                                | GROSS INCOME<br>(yours, not spouse's) |
|-----------------------------------------------------------------------------|------------------------------------------------|---------------------------------------|
| <input type="checkbox"/> <b>NONE</b> (No reportable non-investment income.) |                                                |                                       |
| 1                                                                           | N.Y.S. Employees' Retirement System - Pension  | 15,966.48                             |
| 2                                                                           | Hofstra University School of Law - Law Lecture | 3,000.00                              |
| 3                                                                           |                                                |                                       |
| 4                                                                           |                                                |                                       |

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## IV. REIMBURSEMENTS -- transportation, lodging, food, entertainment.

(Includes those to spouse and dependent children. See pp. 25-27 of Instructions.)

| <input type="checkbox"/> | SOURCE<br>NONE (No such reportable reimbursements.) | DESCRIPTION      |
|--------------------------|-----------------------------------------------------|------------------|
| 1                        | Hofstra University School of Law                    | (Transportation) |
| 2                        |                                                     |                  |
| 3                        |                                                     |                  |
| 4                        |                                                     |                  |
| 5                        |                                                     |                  |
| 6                        |                                                     |                  |
| 7                        |                                                     |                  |

## V. GIFTS

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

| <input checked="" type="checkbox"/> | SOURCE<br>NONE (No such reportable gifts.) | DESCRIPTION | VALUE |
|-------------------------------------|--------------------------------------------|-------------|-------|
| 1                                   |                                            |             |       |
| 2                                   |                                            |             |       |
| 3                                   |                                            |             |       |

## VI. LIABILITIES

(Includes those of spouse and dependent children. See pp. 32-33 of Instructions.)

| <input checked="" type="checkbox"/> | CREDITOR<br>NONE (No reportable liabilities.) | DESCRIPTION | VALUE CODE* |
|-------------------------------------|-----------------------------------------------|-------------|-------------|
| 1                                   |                                               |             |             |
| 2                                   |                                               |             |             |
| 3                                   |                                               |             |             |
| 4                                   |                                               |             |             |
| 5                                   |                                               |             |             |
| 6                                   |                                               |             |             |

\* VAL. CODES: J=\$15,000 or less K=\$15,001-\$50,000 L=\$50,001 to \$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=\$50,000,001 or more

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Name of Person Reporting  
Miner, Roger J.

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04/14/2004

## VII. Page 1 INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)

| A.<br>Description of Assets<br>(including trust assets)<br><br><i>Place "(X)" after each asset<br/>exempt from prior disclosure.</i> | B.<br>Income during<br>reporting period |                                                            | C.<br>Gross value<br>at end of<br>reporting<br>period |                                         | D.<br>Transactions during reporting period                                     |                               |                               |                              |                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------|-------------------------------|-------------------------------|------------------------------|-------------------------------------------------------------------|
|                                                                                                                                      | (1)<br>Amount<br>Code<br>(A-H)          | (2)<br>Type<br>(e.g.,<br>dividend,<br>rent or<br>interest) | (1)<br>Value<br>Code<br>(J-P)                         | (2)<br>Value<br>Method<br>Code<br>(Q-W) | (1)<br>Type<br>(e.g., buy,<br>sell, partial<br>sale,<br>merger,<br>redemption) | If not exempt from disclosure |                               |                              |                                                                   |
|                                                                                                                                      |                                         |                                                            |                                                       |                                         |                                                                                | (2)<br>Date:<br>Month-<br>Day | (3)<br>Value<br>Code<br>(J-P) | (4)<br>Gain<br>Code<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| <input type="checkbox"/> NONE (No reportable income, assets, or transactions.)                                                       |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 1 Alltel Corp.                                                                                                                       | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 2 Amerada Hess Corp.                                                                                                                 | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 3 American Electric Power Co.                                                                                                        | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 4 American Telephone & Tel. Co.                                                                                                      | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 5 Amer. Tel & Tel - Wireless Services, Inc.                                                                                          |                                         | None                                                       | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 6 Bell South                                                                                                                         | B                                       | Dividend                                                   | L                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 7 CH Energy Group, Inc. (form. Central Hudson Gas & Electric)                                                                        | A                                       | Dividend                                                   | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 8 Comcast                                                                                                                            |                                         | None                                                       | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 9 Exxon Mobil Corp. (formerly Exxon Corporation)                                                                                     | D                                       | Dividend                                                   | N                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 10 First Energy (formerly Centerior Energy)                                                                                          | B                                       | Dividend                                                   | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 11 Fleet Boston Corp. (formerly Fleet Financial Group)                                                                               | D                                       | Dividend                                                   | M                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 12 Fort Dearborn Income Securities                                                                                                   | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 13 Gencorp Inc.                                                                                                                      | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 14 GETECH                                                                                                                            | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 15 (The) Hartford Financial Services Group, Inc.                                                                                     | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 16 I.T.T. Industries, Inc. (formerly ITT)                                                                                            | A                                       | Dividend                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 17 I.B.M.                                                                                                                            | A                                       | Dividend                                                   | L                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |

1 Inc/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  
(Col. B1, D4) F=\$50,001-\$100,000 G=\$100,001-\$1,000,000 H1=\$1,000,001-\$5,000,000 H2=\$5,000,001 or more

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3 Val Mth Codes: Q=Appraisal R=Cost (real estate only) S=Assessment T=Cash/Market  
(Col. C2) U=Book Value V=Other W=Estimated

## DISCLOSURE

Miner,

|                                                              |   |          | M | T |      |     |   |   |  |
|--------------------------------------------------------------|---|----------|---|---|------|-----|---|---|--|
|                                                              |   |          | J | T |      |     |   |   |  |
|                                                              |   |          | J |   |      |     |   |   |  |
|                                                              |   |          |   |   |      |     |   |   |  |
| 24 Newfield Exploration Company<br>(formerly EEX Corp.)      |   | None     |   |   | Sell | 1/8 | J | A |  |
| 25 Omnova Solutions, Inc.<br>(Spinoff from Gencorp)          |   | None     | J | T |      |     |   |   |  |
| 26 P.S.E.G. Inc.                                             | A | Dividend | J | T |      |     |   |   |  |
| 27 Qwest Comm. International Inc.<br>(form. U.S. West, Inc.) |   | None     | J | T |      |     |   |   |  |
| 28 Rayonier (spinoff from ITT)                               | B | Dividend | J | T |      |     |   |   |  |
| 29 Ryerson Tull (formerly Inland<br>Steel Co.)               | A | Dividend | J | T |      |     |   |   |  |
| 30 SBC Communications Group<br>(form. S.W. Bell & Pacific)   | C | Dividend | L | T |      |     |   |   |  |
| 31 Southern Co. (The)                                        | B | Dividend | K | T |      |     |   |   |  |
| 32 Sprint - FON (form. United<br>Telecommunications)         | A | Dividend | K | T |      |     |   |   |  |
| 33 Sprint- PCS Group (form.<br>United Telecommunications)    |   | None     | J | T |      |     |   |   |  |
| 34 Starwood Hotels & Resorts<br>(formerly ITT Corporation)   | A | Dividend | J | T |      |     |   |   |  |

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(Col. C1, D3) ●=\$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 or more

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## VII. Page 3 INVESTMENTS and TRUSTS — income, value, transactions

(Includes those of spouse and dependent children. See pp. 34-37 of Instructions.)

| A.<br>Description of Assets<br>(including trust assets)<br><br><i>Place "(X)" after each asset<br/>exempt from prior disclosure.</i> | B.<br>Income during<br>reporting period |                                                         | C.<br>Gross value<br>at end of<br>reporting<br>period |                                         | D.<br>Transactions during reporting period                                     |                               |                               |                              |                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------------------|-------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------|-------------------------------|-------------------------------|------------------------------|-------------------------------------------------------------------|
|                                                                                                                                      | (1)<br>Amount<br>Code<br>(A-H)          | (2)<br>Type<br>(e.g., dividend,<br>rent or<br>interest) | (1)<br>Value<br>Code<br>(J-P)                         | (2)<br>Value<br>Method<br>Code<br>(Q-W) | (1)<br>Type<br>(e.g., buy,<br>sell, partial<br>sale,<br>merger,<br>redemption) | If not exempt from disclosure |                               |                              |                                                                   |
|                                                                                                                                      |                                         |                                                         |                                                       |                                         |                                                                                | (2)<br>Date:<br>Month-<br>Day | (3)<br>Value<br>Code<br>(J-P) | (4)<br>Gain<br>Code<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| <input type="checkbox"/> NONE (No reportable income, assets, or transactions.)                                                       |                                         |                                                         |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 35 SPX Corp. (form. General Signal Corp.)                                                                                            |                                         | None                                                    | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 36 TXU(form Texas Utilities Co.) (spinoff fr. Enserch Corp)                                                                          |                                         | None                                                    | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 37 Verizon Commun. (formerly G.T.E. Corp. & Bell Atlantic)                                                                           | D                                       | Dividend                                                | M                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 38 Vodafone Airtouch PLC                                                                                                             | A                                       | Dividend                                                | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 39 Alliance Capital A -Growth & Income Fund                                                                                          | A                                       | Div/Cap Gains                                           | L                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 40 AXP Stock Fund(form. American Express-IDS Investors Stock)                                                                        | A                                       | "                                                       | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 41 AXP Mutual Fund (form. American Express - IDS Mutual, Inc.)                                                                       | A                                       | "                                                       | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 42 Century Shares Trust                                                                                                              | C                                       | "                                                       | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 43 Dreyfus Fund (KEOGH PLAN)                                                                                                         | C                                       | "                                                       | N                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 44 Midas Spec. Equities Fund(form Bull & Bear Special Equities)                                                                      |                                         | None                                                    | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 45 Neuberger-Berman Manhattan Fund                                                                                                   |                                         | None                                                    | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 46 Oppenheimer Bond Fund Class A                                                                                                     | A                                       | Div/Cap Gains                                           | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 47 Salomon Bros. Investors Fund/Value O                                                                                              | B                                       | "                                                       | M                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 48 State Street Investment Trust-Class S                                                                                             | A                                       | "                                                       | L                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 49 Weiss Peck Greer-W.P.G. Fund, Inc. (Growth)                                                                                       |                                         | None                                                    | K                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 50 T.E. Securities Trust Series #19                                                                                                  | A                                       | Interest                                                | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 51 Municipal Bond Fund Series #37                                                                                                    | A                                       | Interest                                                | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |

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## VII. Page 4 INVESTMENTS and TRUSTS -- income, value, transactions

(Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)

| A.<br>Description of Assets<br>(including trust assets)<br><br><i>Place "(X)" after each asset<br/>exempt from prior disclosure.</i> | B.<br>Income during<br>reporting period |                                                            | C.<br>Gross value<br>at end of<br>reporting<br>period |                                         | D.<br>Transactions during reporting period                                     |                               |                               |                              |                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------|-------------------------------|-------------------------------|------------------------------|-------------------------------------------------------------------|
|                                                                                                                                      | (1)<br>Amount<br>Code<br>(A-H)          | (2)<br>Type<br>(e.g.,<br>dividend,<br>rent or<br>interest) | (1)<br>Value<br>Code<br>(J-P)                         | (2)<br>Value<br>Method<br>Code<br>(Q-W) | (1)<br>Type<br>(e.g., buy,<br>sell, partial<br>sale,<br>merger,<br>redemption) | If not exempt from disclosure |                               |                              |                                                                   |
|                                                                                                                                      |                                         |                                                            |                                                       |                                         |                                                                                | (2)<br>Date:<br>Month-<br>Day | (3)<br>Value<br>Code<br>(J-P) | (4)<br>Gain<br>Code<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| <input type="checkbox"/> NONE (No reportable income, assets, or transactions.)                                                       |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 52 Franklin New York Tax Free A Income Fund                                                                                          | C                                       | Interest                                                   | L                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 53 Oppenheimer-Rochester Fund Municipals-Class A                                                                                     | A                                       | Interest                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 54 N.Y.S. Medical Care Facilities Bonds                                                                                              | A                                       | Interest                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 55 Mental Health Assn. of Columbia Greene County                                                                                     | A                                       | Interest                                                   |                                                       |                                         | Mtg. Paid                                                                      | 3/3                           | J                             | A                            |                                                                   |
| 56 Key Bank, N.A. (various accounts)                                                                                                 | A                                       | Interest                                                   | L                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 57 Prudential Bache (cash acct.)                                                                                                     | A                                       | Interest                                                   | J                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 58 U.S. Savings Bonds                                                                                                                | C                                       | Interest                                                   | L                                                     | T                                       |                                                                                |                               |                               |                              |                                                                   |
| 59                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 60                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 61                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 62                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 63                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 64                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 65                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 66                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 67                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |
| 68                                                                                                                                   |                                         |                                                            |                                                       |                                         |                                                                                |                               |                               |                              |                                                                   |

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Date of Report

04/14/2004

## VIII. ADDITIONAL INFORMATION OR EXPLANATIONS.

(Indicate part of report.)

All assets listed in Section VII are [REDACTED] owned.

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Miner, Roger J.

Date of Report

04/14/2004

**IX. CERTIFICATION**

I certify that all the 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. 4, section 501 et. seq., 5 U.S.C. 7353 and Judicial Conference regulations.

Signature

Date

4/14/04**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. 4, Section 104).

**FILING INSTRUCTIONS**

Mail original and three additional copies to:

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