

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2019

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

|                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                          |                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>1. Person Reporting (last name, first, middle initial)</b><br><br>Benavides, Fortunato P.                                                                                                              | <b>2. Court or Organization</b><br><br>5th Circuit Court of Appeals                                                                                                                                                                                                                      | <b>3. Date of Report</b><br><br>03/19/2020                       |
| <b>4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</b><br><br>U.S. Circuit Judge; Senior Status                                             | <b>5a. Report Type (check appropriate type)</b><br><input type="checkbox"/> Nomination <input type="checkbox"/> Date<br><input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final<br><b>5b.</b> <input type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2019<br>to<br>12/31/2019 |
| <b>7. Chambers or Office Address</b><br><br>903 San Jacinto Blvd., Rm. 450<br>Austin, TX 78701                                                                                                            |                                                                                                                                                                                                                                                                                          |                                                                  |
| <p align="center"><b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information.</p> |                                                                                                                                                                                                                                                                                          |                                                                  |

## 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. _____        | _____                              |
| 2. _____        | _____                              |
| 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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Name of Person Reporting

Benavides, Fortunato P.

Date of Report

03/19/2020

## 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><br>(yours, not spouse's) |
|-------------|---------------------------------------------------------------------|----------------------------------------|
| 1. 2019     | State of Texas Judicial Retirement System monthly benefits for year | \$67,200.00                            |
| 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. 2019     | 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.            |              |                 |                |                               |
| 2.            |              |                 |                |                               |
| 3.            |              |                 |                |                               |
| 4.            |              |                 |                |                               |
| 5.            |              |                 |                |                               |

|                          |                |
|--------------------------|----------------|
| Name of Person Reporting | Date of Report |
| Benavides, Fortunato P.  | 03/19/2020     |

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

☒ NONE (No reportable gifts.)

| SOURCE | DESCRIPTION | VALUE |
|--------|-------------|-------|
| 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.)

| CREDITOR | DESCRIPTION | VALUE CODE |
|----------|-------------|------------|
| 1.       |             |            |
| 2.       |             |            |
| 3.       |             |            |
| 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<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B<br>Income during<br>reporting period |                                        | C<br>Gross value at end<br>of reporting period |                                    | D<br>Transactions during reporting period |                  |                          |                         |                                                            |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------|------------------------------------------------|------------------------------------|-------------------------------------------|------------------|--------------------------|-------------------------|------------------------------------------------------------|
|                                                                                                                            | (1)                                    | (2)                                    | (1)                                            | (2)                                | (1)                                       | (2)              | (3)                      | (4)                     | (5)                                                        |
|                                                                                                                            | Amount<br>Code 1<br>(A-H)              | Type (e g ,<br>div , rent,<br>or int ) | Value<br>Code 2<br>(J-P)                       | Value<br>Method<br>Code 3<br>(Q-W) | Type (e g ,<br>buy, sell,<br>redemption)  | Date<br>mm/dd/yy | Value<br>Code 2<br>(J-P) | Gain<br>Code 1<br>(A-H) | Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 1. Chase Bank of TX, Austin TX, Related Ckg & Sav. Acct.                                                                   | A                                      | Interest                               | N                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 2. Principle Financial Group, Common Stock                                                                                 | A                                      | Dividend                               | J                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 3. 401K-Vanguard Institutional Index Fund                                                                                  | A                                      | Dividend                               | N                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 4. 401K-Harbor Capital Appreciation Fund                                                                                   | A                                      | Dividend                               | O                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 5. 401K-Dodge&Cox Stock Fund                                                                                               | D                                      | Dividend                               | N                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 6. SW Airlines Profit Sharing Plan-Harbor Capital Appreciation                                                             | A                                      | Dividend                               | N                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 7. SWAirlines Profit Sharing-Dodge&Cox Stock Fund                                                                          | C                                      | Dividend                               | M                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 8. SWAirlines Profit Sharing-Vanguard Inst. Index Fund                                                                     | A                                      | Dividend                               | M                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 9. Royalty Interest, Starr County, TX                                                                                      | A                                      | Royalty                                | J                                              | W                                  |                                           |                  |                          |                         |                                                            |
| 10. Univ. Fed. Credit Union, Austin, TX (money mrkt.acct)                                                                  | A                                      | Interest                               | K                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 11. RBFCU, Austin, TX, Related checking/savings/moneymarket accounts                                                       | B                                      | Interest                               | L                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 12. Robert Brooks Fed. Credit Union, Austin, TX (CDs)                                                                      | D                                      | Interest                               | N                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 13. Schwab Inherited IRA-ExxonMobile Stock                                                                                 | A                                      | Dividend                               | J                                              | T                                  | Sold (part)                               | 06/25/19         | J                        | B                       |                                                            |
| 14. Schwab Inherited IRA- Goldman Saks (GS)                                                                                | A                                      | Dividend                               | J                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 15. Schwab Inherited IRA-Goldman Saks CD                                                                                   | A                                      | Interest                               | J                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 16. Schwab Inherited IRA brokerage account ExxonMobile                                                                     | A                                      | Dividend                               | J                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 17. Southwest Airlines (LUV) stock Schwab                                                                                  | A                                      | Dividend                               | J                                              | T                                  |                                           |                  |                          |                         |                                                            |

|                                                 |                                                                                    |                                                      |                                                                                        |                                                            |                        |
|-------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------|------------------------|
| 1 Income Gain Codes:<br>(See Columns B1 and D4) | A =\$1,000 or less<br>F =\$50,001 - \$100,000                                      | B =\$1,001 - \$2,500<br>G =\$100,001 - \$1,000,000   | C =\$2,501 - \$5,000<br>H1 =\$1,000,001 - \$5,000,000                                  | D =\$5,001 - \$15,000<br>H2 =More than \$5,000,000         | E =\$15,001 - \$50,000 |
| 2 Value Codes<br>(See Columns C1 and D3)        | J =\$15,000 or less<br>N =\$250,001 - \$500,000<br>P3 =\$25,000,001 - \$50,000,000 | K =\$15,001 - \$50,000<br>O =\$500,001 - \$1,000,000 | L =\$50,001 - \$100,000<br>P1 =\$1,000,001 - \$5,000,000<br>P4 =More than \$50,000,000 | M =\$100,001 - \$250,000<br>P2 =\$5,000,001 - \$25,000,000 |                        |
| 3 Value Method Codes<br>(See Column C2)         | Q =Appraisal<br>U =Book Value                                                      | R =Cost (Real Estate Only)<br>V =Other               | S =Assessment<br>W =Estimated                                                          | T =Cash Market                                             |                        |

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<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B<br>Income during<br>reporting period |                                        | C<br>Gross value at end<br>of reporting period |                                    | D<br>Transactions during reporting period |                  |                          |                         |                                                            |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------|------------------------------------------------|------------------------------------|-------------------------------------------|------------------|--------------------------|-------------------------|------------------------------------------------------------|
|                                                                                                                            | (1)                                    | (2)                                    | (1)                                            | (2)                                | (1)                                       | (2)              | (3)                      | (4)                     | (5)                                                        |
|                                                                                                                            | Amount<br>Code 1<br>(A-H)              | Type (e g ,<br>div , rent,<br>or int ) | Value<br>Code 2<br>(J-P)                       | Value<br>Method<br>Code 3<br>(Q-W) | Type (e g ,<br>buy, sell,<br>redemption)  | Date<br>mm/dd/yy | Value<br>Code 2<br>(J-P) | Gain<br>Code 1<br>(A-H) | Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 18. Schwab/ROTH IRA Waste Mgmt (WM)                                                                                        | A                                      | Dividend                               | K                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 19. Schwab/ROTH IRA Coca Cola (KO)                                                                                         | A                                      | Dividend                               | K                                              | T                                  |                                           |                  |                          |                         |                                                            |
| 20. Schwab/ROTH IRA NFLX                                                                                                   |                                        | None                                   | K                                              | T                                  |                                           |                  |                          |                         |                                                            |

1 Income Gain 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 =\$50,001 - \$100,000

J =\$15,000 or less

N =\$250,001 - \$500,000

P3 =\$25,000,001 - \$50,000,000

Q =Appraisal

U =Book Value

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

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

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

O =\$500,001 - \$1,000,000

R =Cost (Real Estate Only)

V =Other

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

H1 =\$1,000,001 - \$5,000,000

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

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

P4 =More than \$50,000,000

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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|                                 |                       |
|---------------------------------|-----------------------|
| <b>Name of Person Reporting</b> | <b>Date of Report</b> |
| <b>Benavides, Fortunato P.</b>  | 03/19/2020            |

**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. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature: **s/ Fortunato P. Benavides**

**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)**

Committee on Financial Disclosure  
Administrative Office of the United States Courts  
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Washington, D.C. 20544