AO 10
Rev. 1/2013

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2012

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)	2. Court or Organization	3. Date of Report
Smith, Jerry E.	Fifth Circuit Court of Appeals	08/09/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)	**5a. Report Type (check appropriate type)**	**6. Reporting Period**
U.S. Circuit Judge (active)	☐ Nomination Date ☐ Initial ☑ Annual ☐ Final **5b.** ☐ Amended Report	01/01/2012 **to** 12/31/2012

7. Chambers or Office Address

12621 U.S. Courthouse
515 Rusk
Houston, TX 77002-2698

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.*

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

☐ NONE *(No reportable positions.)*

	POSITION	NAME OF ORGANIZATION/ENTITY
1.	Independent Executor	Estate # 1
2.	Independent Executor	Estate # 2
3.		
4.		
5.		

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

☑ NONE *(No reportable agreements.)*

	DATE	PARTIES AND TERMS
1.		
2.		
3.		

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.)*

	DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1.	2012	Lexis-Nexis Matthew Bender: writing and editing	$4,000.00
2.	2012	Texas Department of Family and Protective Services: adoption subsidy	$1,200.00
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.)*

	DATE	SOURCE AND TYPE
1.	2012	self-employed, consulting
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.)*

	SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1.	American Law Institute	7/25-28/12	Santa Fe, NM	Seminar	Transportation, lodging, and meals
2.	Federalist Society for Law & Public Policy	11/15-17/12	Washington, DC	Convention	Transportation, lodging, and meals
3.					
4.					
5.					

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.	Citibank	credit card	K
2.	Chase Bank	credit card	J
3.	Bank of America	credit card	J
4.	American Express	credit card	K
5.			

Name of Person Reporting	Date of Report
Smith, Jerry E.	08/09/2013

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 (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	D. (5) Identity of buyer/seller (if private transaction)
1. Invesco Money Market Fund -- Class AX (see Part VIII)		None	J	T					
2. 99% int. in Professional Audio-Video Corp. (see Part VIII)		None	J	T					
3. Wells Fargo Bank -- savings account	A	Interest	J	T					
4. Chase Bank -- checking account	A	Interest	J	T					
5. Compass Bank -- checking & IRA cash-equivalent	A	Interest	L	T					
6. Enterprise Bank, Brookshire, TX common stock(see Part VIII)		None	J	T					
7. Fidelity Security Life Ins. Co. -- IRA	A	Interest	J	T					
8. Templeton Growth Fund Inc. Class A (TEPLX)	A	Dividend	J	T					
9. Templeton Funds Inc. World Fund Class A (TEMWX)	A	Dividend	K	T					
10. Wells Fargo Bank -- bank deposit sweep	A	Int./Div.	J	T					
11. American Century Inter-term Tax Free Bond Fund (AXBIX)		None	K	T	Buy	10/24/12	K		
12. Blackrock Funds (BPRIX)		None	J	T	Buy	10/24/12	J		
13. Goldman Sachs Emerging Mkts. (GSDIX)		None	J	T	Buy	10/24/12	J		
14. Invesco High Yield Mun. Fund (ACTDX)		None	J	T	Buy	10/24/12	J		
15. JPMorgan TR 1 Inter Tax Free Bond Fund (VSITX)		None	K	T	Buy	10/24/12	K		
16. MFS Ser. Tr. X Emerging Mkt. Debt Fund Class I (MEDIX)		None	J	T	Buy	10/24/12	J		
17. MFS Mun. High Income Fund Class A (MMHYX)		None	J	T	Buy	10/24/12	J		

1. Income Gain Codes: (See Columns B1 and D4)	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
	F =$50,001 - $100,000	G =$100,001 - $1,000,000	H1 =$1,000,001 - $5,000,000	H2 =More than $5,000,000	
2. Value Codes (See Columns C1 and D3)	J =$15,000 or less	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		
3. Value Method Codes (See Column C2)	Q =Appraisal	R =Cost (Real Estate Only)	S =Assessment	T =Cash Market	
	U =Book Value	V =Other	W =Estimated		

Name of Person Reporting	Date of Report
Smith, Jerry E.	08/09/2013

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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 (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	D. (5) Identity of buyer/seller (if private transaction)
18. Pimco Total Return Fund Instl. Cl. (PITTRX)		None	K	T	Buy	10/24/12	K		
19. Rowe Price Tax Free Income Fund Advisor Class (PATAX)		None	J	T	Buy	10/24/12	J		
20.									
21. Estate #1 (X)									
22. -- Farmland, Lubbock County, TX (X)	C	Rent	K	W					
23. -- Working int., Bravo Land Co. #1 (X) (see Part VIII)		None	J	W					
24. -- Working int., North Timber Creek (X) (see Part VIII)	B	Royalty	J	W					
25. -- Working int., CAT Federal (X) (see Part VIII)	A	Royalty	J	W					
26. -- Working int., J.T. Federal #1A (X) (see Part VIII)	A	Royalty	J	W					
27. -- Working int., J.T. Federal #3 (X) (see Part VIII)	A	Royalty	J	W					
28. -- Working int., J.T. Federal #4 (X) (see Part VIII)	B	Royalty	J	W					
29. -- Working int., J.T. Federal #5 (X) (see Part VIII)	B	Royalty	J	W					
30. -- Working int., Quest Muddy Sand Unit (X) (see Part VIII)	C	Royalty	J	W					
31. -- Working int., Leola Unit (X) (see Part VIII)	A	Royalty	J	W					
32. -- Royalty int., various leases (X) (see Part VIII)	D	Royalty	K	W					
33. -- Royalty int., various leases (X) (see Part VIII)	A	Royalty	J	W					
34. -- Royalty int., various leases (X) (see Part VIII)	A	Royalty	J	W					

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	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	
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35. -- Royalty int., City of Lubbock Unit (X) (see Part VIII)	D	Royalty	J	W					
36. -- 25% int., S&M Oil Operations P'ship (X) (see Part VIII)	E	Royalty	L	W					
37.									
38. Estate # 2 (X)									
39. -- Plains Capital Bank, Lubbock, TX -- checking acct. (X)	A	Interest	L	T					
40. -- First United Bank, Lubbock, TX -- checking acct. (X)		None	M	T					
41. -- Farmland, Lubbock County, TX (X)	C	Rent	K	W					
42. -- Working int., Bravo Land Co. #1 (X) (see Part VIII)		None	J	W					
43. -- Working int., North Timber Creek (X) (see Part VIII)	B	Royalty	J	W					
44. -- Working int., CAT Federal (X) (see part VIII)	A	Royalty	J	W					
45. -- Working int., J.T. Federal #1A (X) (see Part VIII)	A	Royalty	J	W					
46. -- Working int., J.T. Federal #3 (X) (see Part VIII)	A	Royalty	J	W					
47. -- Working int., J.T. Federal #4 (X) (see Part VIII)	B	Royalty	J	W					
48. -- Working int., J.T. Federal #5 (X) (see Part VIII)	B	Royalty	J	W					
49. -- Working int., Quest Muddy Sand Unit (X) (see Part VIII)	C	Royalty	J	W					
50. -- Working int., Leola Unit (X) (see Part VIII)	A	Royalty	J	W					
51. -- Royalty int., various leases (X) (see Part VIII)	D	Royalty	K	W					

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52. -- Royalty int., various leases (X) (see Part VIII)	A	Royalty	J	W					
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54. -- Royalty int., City of Lubbock Unit (X) (see Part VIII)	D	Royalty	J	W					
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56.									
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

Part VII, line 1: Invesco Money Market Fund Class AX is the replacement name for Invesco Money Market Fund Class A.

Part VII, line 6: Enterprise Bank is the new name for Texas Permier Bank, N.A. The asset is common stock, not a cash account.

Part VII, line 2: Victoria, TX (asset: video production equipment)

Part VII, lines 23 & 42: Duval County, TX; Payor: Chroma Operating, Inc., Houston, TX

Part VII, lines 24 & 43: Campbell County, WY; Payor: Eighty-Eight Oil LLC, Casper, WY

Part VII, lines 25 & 44: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 26 & 45: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 27 & 46: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 28 & 47: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 29 & 48: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 30 & 49: Weson County, WY; Payors: Eighty-Eight Oil LLC, Casper, WY; Maxim Drilling & Exploration, Gillette, WY; Plains Marketing, L.P., Houston, TX

Part VII, lines 31 & 50: Campbell County, WY; Payor: Encana Oil & Gas, Inc., Denver, CO

Part VII, lines 32 & 51: La Plata County, CO; Payor: BP America Production Co., Tulsa, OK

Part VII, lines 33 & 52: Caddo County, OK; Payor: Mustang Fuel Corp., Oklahoma City, OK

Part VII, lines 34 & 53: La Plata County, CO; Payor: Red Willow Production Co., Ignacio, CO

Part VII, lines 35 & 54: Lubbock County, TX; Payor: Texland Petroleum, L.P., Fort Worth, TX

Part VII, lines 36 & 55: Lubbock, TX; Assets: cash, plus working interests in Dawson County, TX; Reagan County, TX; Crockett County, TX; Upton County, TX; Lea County, NM; Eddy County, TX; Terry County, TX

Name of Person Reporting	Date of Report
Smith, Jerry E.	08/09/2013

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/ Jerry E. Smith**

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
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544