

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) PAYNE, JAMES H	2. Court or Organization U.S.D.C.(EAST/NORTH/WEST OKLA)	3. Date of Report 03/28/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. DISTRICT JUDGE (active) *	5. ReportType (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 01/01/2004 to 12/31/2004
7. Chambers or Office Address 201 U.S. COURTHOUSE P.O. BOX 2459 MUSKOGEE, OKLAHOMA 74402	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. _____

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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. _____

2. _____

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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.)DATESOURCE AND TYPEGROSS INCOME

(yours, not spouse's)

1.

B. Spouse's Non-Investment Income - (If you were married during any portion of the reporting year, please complete this section. Dollar amount not required except for honoraria.)☒ **NONE** - (No reportable non-investment income.)DATESOURCE AND TYPE1.

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

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

☒ **NONE** - (No such reportable reimbursements.)SOURCEDESCRIPTION1.

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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.

\$0

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

☒ **NONE** - (No reportable liabilities.)

CREDITOR

DESCRIPTION

VALUE CODE

1.

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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) Amount Code 1 (A-H)	(2) Type (e.g. div. rent. or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g. buy, sell, merger, redemption)	If not exempt from disclosure			
						(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. 4TH STREET BUILDING CORP, Muskogee, OK (1989)	C	Dividend	L	Q					
2. 1/8 ACRE FARM - Stonewall Co., TX (1/8 interest)	A	Rent	L	W					
3. BANCFIRST (formerly City Bank) Muskogee, OK SAVINGS	A	Interest	J	T					
4. BANCFIRST (formerly City Bank) Muskogee, OK SAVINGS	A	Interest	J	T					
5. COMMERCIAL REAL ESTATE - 1/5 Acres Muskogee, OK (1/5 int)	A	Rent	K	W					
6. EDWARD D. JONES CO - Muskogee, OK - MONEY MARKET	A	Interest	J	T					
7. Wal-Mart Stores, Inc. (WMT) STOCK	A	Dividend	K	T					
8. UTS Van Kampen Merritt ANNUITY	A	Dividend	J	T					
9. Anchor Nat'l ANNUITY	B	Dividend	K	T					
10. AmCap Fund, Inc. (AHITX) MUTUAL FUND (HIGH INCOME) *	A	Dividend	K	T					
11. Polaris Variable - ANNUITY	A	Dividend	K	T					
12. American Mutual Fund CLA (AMRMX) *	B	Dividend	K	T					
13. Vodafone (Vod) STOCK	A	Dividend	J	T					
14. Edison, Int'l (EIX) STOCK	A	Dividend	J	T					
15. Pepsico (PEP) STOCK	C	Dividend	M	T					
16. Tricon Global (Yum) STOCK	A	Dividend	K	T					
17. SBC Commun (SBC) STOCK	B	Dividend	L	T					
18. AmCapFund CLA (AMCPX) MUTUAL FUND *	A	Dividend	J	T					

1. Income/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
(See Columns B1 and D4) 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: J = \$15,000 or less K = \$15,001-\$50,000 L = \$50,001-\$100,000 M = \$100,001-\$250,000
(See Columns C1 and D3) N = \$250,000-\$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-\$100,000,000 P5 = More than \$100,000,000
3. Value Method Codes Q = Appraisal R = Cost (Real Estate Only) S = Assessment T = Cash/Market
(See Column C2) U = Book Value V = Other W = Estimated

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A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(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)
19. Oracle (ORCL) STOCK	A	Dividend	K	T					
20. Hewlett Packard Co. (HPQ) STOCK *	A	Dividend	J	T					
21. Staples (SPLS) STOCK	A	Dividend			Sell	02/05	J	B	
22. Oneok (OKE) STOCK	A	Dividend	J	T					
23. Pfizer, Inc. (PFE) STOCK	A	Dividend	J	T					
24. Washington Mutual Investors MUTUAL FUND	A	Dividend	J	T					
25. Williams Co., Inc.(WMB)STOCK	A	Dividend	J	T					
26. Cisco (CSCO) STOCK	A	Dividend	J	T					
27. EuroPacific Growth (AEPGX) MUTUAL FUND (X)	A	Dividend	J	T					
28. Putnam New C (PNCAX) MUTUAL FUND	A	Dividend	J	T					
29. Putnam New Opp (PNOPX) MUTUAL FUND	A	Dividend	J	T					
30. Delta Airlines (DAL) STOCK	A	Dividend			Sell	12/30	J	A	
31. European Growth Port 00A MUTUAL FUND	A	Dividend	J	T					
32. John Hancock Growth MUTUAL FUND	A	Dividend	J	T					
33. ML Growth Fund CLB MUTUAL FUND	A	Dividend	J	T					
34. Alliance DDFD-Corp. Bond Port CLB MUTUAL FUND	A	Dividend	K	T					
35. ML Banking Advantage MONEY MARKET	B	Interest	K	T					
36. CMA Money Fund MONEY MARKET	A	Interest	K	T					

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(See Columns B1 and D4)	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:	J = \$15,000 or less	K = \$15,001-\$50,000	L = \$50,001-\$100,000	M = \$100,001-\$250,000	
(See Columns C1 and D3)	N = \$250,000-\$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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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			
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37. Puerto Rico Cmwlth IFA MUN. BOND	A	Dividend	K	T					

1. Income/Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001-\$100,000	B = \$1,001-\$2,500 G = \$100,001-\$1,000,000	C = \$2,501-\$5,000 H1 = \$1,000,001-\$5,000,000	D = \$5,001-\$15,000 H2 = More than \$5,000,000	E = \$15,001-\$50,000
2. Value Codes: (See Columns C1 and D3)	J = \$15,000 or less N = \$250,000-\$500,000 P3 = \$25,000,001-\$50,000,000	K = \$15,001-\$50,000 O = \$500,001-\$1,000,000	L = \$50,001-\$100,000 P1 = \$1,000,001-\$5,000,000 P4 = \$More than \$50,000,000	M = \$100,001-\$250,000 P2 = \$5,000,001-\$25,000,000	
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

- 10. Formerly identified as AmCapFund, Inc. MUTUAL FUND (HIGH INCOME)
- 12. Formerly identified as American Mutual Funds, Inc.
- 18. Formerly identified as AmCapFund - MUTUAL FUND
- 20. Formerly owned Compaq Computers (CPQ) stock converted to Hewlett Packard Co. (HPQ) as a result of merger in May 2002.

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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 03-28-2005

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