

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) Higginbotham, Patrick E.	2. Court or Organization U.S. Court of Appeals, Fifth	3. Date of Report 07/10/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge (Senior Judge)	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☒ Amended Report	6. Reporting Period 01/01/2012 to 12/31/2012
7. Chambers or Office Address 903 San Jacinto Blvd, Room 400 Austin, TX 78701		
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.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Trustee	The Center for American & International Law (Formerly the Southwestern Legal Foundation)
2. Board of Overseers	Rand - Institute for Civil Justice
3. Co-Independent Executor	Trust #1
4. Independent Executor	Trust #2
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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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> (yours, not spouse's)
1. 2012	St. Mary's University (Teaching)	\$50,860.25
2. 2012	Southern Methodist University (Teaching)	\$41,777.76
3. 2012	Duke University (Teaching)	\$4,500.00
4. 2012	Matthew Bender & Co., Inc.	\$1,120.00

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.	
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. Texas Law Review Symposium	February 25, 2012	Austin, TX	Panel Participant	Lodging
2. New Orleans CH Federal Bar Association	May 24, 2012	New Orleans, LA	Speaker	Transportation, Parking
3. State Bar of Texas Annual Meeting	June 15, 2012	Houston, TX	Panel Participant	Transportation, Lodging
4. ABA Annual Meeting	August 5, 2012	Chicago, IL	Speaker	Transportation, Lodging
5. SMU School of Law	Jan. 10 - Apr. 19, 2012	Dallas, TX	Teaching	Transportation, Lodging (Weekly)

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V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*NONE *(No reportable gifts.)*SOURCEDESCRIPTIONVALUE

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.)*CREDITORDESCRIPTIONVALUE 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. 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, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Bank of America Account	A	Interest	J	T					
2. New York Life Insurance Company	A	Interest	K	T					
3. Verizon Common Stock	A	Dividend	J	T					
4. Comcast Common Stock	A	Dividend	J	T					
5. AT&T Common Stock	A	Dividend	J	T					
6. Frontier Communications Common Stock	A	Dividend	J	T					
7. Virtus Strategic Growth Fund A		None	K	T					
8. BAC MITTS DJUBS - ER	A	Interest	J	T					
9. Florida St BRD ED	A	Interest	J	T					
10. Bay Area Toll Auth CA	A	Interest	J	T					
11. Cherokee CO GA Hosp Auth RV CTFS REF MBIA	B	Interest			Redeemed	12/03/12	J	A	
12. Coconino-Yavapai AZ JT	A	Interest	J	T					
13. Maricopa CO AZ	A	Interest	J	T					
14. Hawaii ST	A	Interest	J	T					
15. Cypress - Fairbanks TEX	B	Interest	K	T					
16. Houston TEX INDPT SCH	B	Interest	K	T					
17. Chatham Cnty GA HOSP REV	A	Interest			Redeemed	6/18/12	J	A	

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 = \$250,001 - \$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	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) 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, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)

18. Fulton Cnty GA DEV AT RV GA TECH FNDTN	A	Interest			Redeemed	5/1/12	J	A	
19. AGL Resources Inc Common Stock	B	Dividend	K	T					
20. Blackrock Global Allocation Fd Inc	A	Dividend	M	T					
21. Duke Energy Corp	A	Dividend	K	T					
22. Exxon Mobil Corp Common Stock	C	Dividend	M	T					
23. Pimco Total Return Fd	A	Dividend	K	T					
24. Pioneer High Yield Fund Class C	A	Dividend	K	T					
25. Invesco Van Kampen	A	Dividend	J	T					
26. Trust #1		None	J	W					
27. Trust #2 -Rental Properties (Tarrant County, TX)	A	Rent	N	W					
28. Trust #2 - Royalty Interest (Tulsa, OK)	A	Royalty	J	W					
29. Rental Property (Pensacola, FL)	D	Rent	M	W					
30. Royalty Interest (Tulsa, OK)	A	Royalty	J	W					
31. IRA, Bank of America	B	Interest			Closed	9/3/12	K	A	
32. IRA, Bank of America (Money Market)	A	Interest	J	T	Distributed (part)	9/5/12	K	A	
33. Chase Account (Trust #1)		None	J	W					
34. Merrill Lynch Bank U.S.A.		None	M	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 = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

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35. Merrill Lynch Bank & Trust	A	Interest	M	T					
36. Coca Cola	B	Dividend	L	T					
37. Central Greene PA SCH DIST SER B	A	Interest			Redeemed	2/15/12	J	A	
38. Rochester NH XLCA	A	Interest	J	T					
39. Rental Property (Austin, TX)	D	Rent	M	W					
40. Delta Air Lines Inc.		None	J	T					
41. Spectra Energy Corp	A	Dividend	J	T					
42. Dallas TEX Wtrwks & Swr	A	Interest	J	T					
43. EFA EEM Stars Issuers BAC		None			Redeemed	6/5/12	K	A	
44. Capital One Bank Account	B	Interest	M	T					

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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/ Patrick E. Higginbotham**

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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