

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

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 5/15/2012
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 01/01/2011 to 12/31/2011
7. Chambers or Office Address 903 San Jacinto Blvd, Room 400 Austin, TX 78701	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.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Trustee	The Center from 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.	

FINANCIAL DISCLOSURE REPORT

Page 2 of 8

Name of Person Reporting

Higginbotham, Patrick E

Date of Report

5/15/2012

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. 2011	Southern Methodist University (Teaching)	\$ 52,222.20
2. 2011	St. Mary's University (Teaching)	\$ 39,344.60
3. 2011	Duke University (Teaching)	\$ 4,687.50
4. 2011	Matthew Bender & Co, Inc.	\$ 1,408.00

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.	American Inns of Court	February 7, 2011	Alexandria, VA	Participant	Transportation, Lodging
2.	RAND ICJ Board Meeting	March 17-18, 2011	Santa Monica, CA	Member Participant	Transportation, Lodging
3.	Sedona Conference	June 22-23, 2011	Lisbon, Portugal	Speaker	Transportation, Lodging
4.	Yale Law and Policy Review	October 22, 2011	New Haven, CT	Speaker	Transportation, Lodging
5.	SMU School of Law	Aug. 23 - Nov. 29, 2011	Dallas, TX	Teaching	Transportation, Lodging

FINANCIAL DISCLOSURE REPORT

Page 3 of 8

Name of Person Reporting

Higginbotham, Patrick E

Date of Report

5/15/2012

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. _____

FINANCIAL DISCLOSURE REPORT

Page 4 of 8

Name of Person Reporting

Higginbotham, Patrick E

Date of Report

5/15/2012

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 Month - Day	(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	J	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	Sold (part)	11/23	J	A	
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	K	T					
12. Cocino-Yavapai AZ JT	A	Interest	J	T					
13. Maricopa CO AZ UNI SCH	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	J	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	

FINANCIAL DISCLOSURE REPORT

Page 5 of 8

Name of Person Reporting

Higginbotham, Patrick E

Date of Report

5/15/2012

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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. Fulco GA HSP AT RV ANTIC CTFS ST	A	Interest			Redeemed	5/18	K	A	
19. George L. Smith II GA WLD CONGR RV (Muni Bond)	A	Interest			Redeemed	11/29	J	A	
20. Fulton Cnty GA DEV AT RV GA TECH FNDTN	A	Interest	J	T					
21. AGL Resources Inc Common Stock	B	Dividend	K	T					
22. Blackrock Global Allocation Fd Inc	B	Dividend	L	T					
23. DTE Energy Company Common Stock	A	Dividend			Sold	7/14	J	A	
24. Duke Energy Corp Common Stock	A	Dividend	K	T					
25. Exxon Mobil Corp Common Stock	C	Dividend	M	T	Sold (part)	7/14	K	E	
26. Pimco Total Return Fd (Mutual Fund)	A	Dividend	J	T					
27. Pioneer High Yield Fund Class C	A	Dividend	J	T					
28. Invesco Van Kampen	A	Dividend	J	T					
29. Trust #1		None	J	W					
30. Trust #2 - Rental Properties (Tarrant County, TX)	A	Rent	N	W					
31. Trust #2 - Royalty Interest (Tulsa, OK)	A	Royalty	J	W					
32. Rental Property (Pensacola, FL)	D	Rent	M	W					
33. Royalty Interest (Tulsa, OK)	A	Royalty	J	W					
34. IRA, Bank of America	B	Interest	L	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 \$5,000,000	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	

FINANCIAL DISCLOSURE REPORT

Page 6 of 8

Name of Person Reporting

Higginbotham, Patrick E

Date of Report

5/15/2012

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.	B.		C.			D.				
Description of Assets (including trust assets)	Income during reporting period		Gross value at end of reporting period			Transactions during reporting period				
Place "(X)" after each asset exempt from prior disclosure	(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)	
	Amount	Type (e.g.,	Value	Value	Type (e.g.,	Date	Value	Gain	Identity of	
	Code 1	div., rent,	Code 2	Method	buy, sell,	Month -	Code 2	Code 1	buyer/seller	
	(A-H)	or int.)	(J-P)	Code 3	redemption)	Day	(J-P)	(A-H)	(if private	
				(Q-W)					transaction)	

35. IRA, Bank of America (Money Market)	A	Interest	J	T					
36. Chase Account (Trust #1)		None	J	W					
37. Merrill Lynch Bank U.S.A.		None	L	T					
38. Merrill Lynch Bank & Trust	A	Interest	L	T					
39. Coca Cola	B	Dividend	L	T					
40. Orlando FL UTL CMMN UTL SYS RV SER A	A	Interest			Redeemed	10/3	J	A	
41. Central Greene PA SCH DIST SER B	A	Interest	J	T					
42. Rochester NH XLCA	A	Interest	J	T					
43. Rental Property (Austin, TX)	D	Rent	M	W					
44. Delta Air Lines Inc.		None	J	T	Sold (part)	7/14	J	A	
45. Spectra Energy Corp	A	Dividend	J	T					
46. Dallas TEX Wtrwks & Swr	A	Interest	J	T	Buy	9/27	J		
47. EFA EEM Stars Issues BAC		None	K	T	Buy	5/26	K		
48. Capital One Bank Account	A	Interest	M	T	Open	7/1	M		

1. Income Gain Codes: (See Columns B1 and D4)	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	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	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	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	
3. Value Method Codes (See Column C2)					

FINANCIAL DISCLOSURE REPORT

Page 7 of 8

Name of Person Reporting	Date of Report
Higginbotham, Patrick E	5/15/2012

VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report.)*

FINANCIAL DISCLOSURE REPORT

Page 8 of 8

Name of Person Reporting

Higginbotham, Patrick E

Date of Report

5/15/2012

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 _____

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