

**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) SMITH, D. Brooks	2. Court or Organization 3rd Circuit	3. Date of Report 5/9/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) Judge Active	5. Report Type (check appropriate type) <input type="radio"/> Nomination, Date <input type="radio"/> Initial <input checked="" type="radio"/> Annual <input type="radio"/> Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address US Court of Appeals, Ste 203 1798 Old Route 220 N Duncansville, PA 16635	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. Trustee	Saint Francis University, Loretto, PA
2.	

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 FINANCIAL
 DISCLOSURE OFFICE

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

NONE - (No reportable agreements.)

DATE	PARTIES AND TERMS
1.	

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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.)

	DATE	SOURCE AND TYPE	GROSS INCOME (yours, not spouse's)
1.	2004	Reliance Bank - Vice President, Commercial Lending - Salary	
2.			
3.			

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.)

	DATE	SOURCE AND TYPE
1.		

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

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

NONE - (No such reportable reimbursements.)

	SOURCE	DESCRIPTION
1.	Notre Dame Law School	2/11-2/13/04 South Bend, Indiana - moot court competition [travel, hotel & food]
2.	Temple Law School-Federalist Society	4/20/04 Philadelphia, PA - speech [hotel & food]
3.	Univ. Pittsburgh Law School-Dept of State	5/15-5/23/04 Kyiv, Ukraine-seminar & presentation [travel, hotel & food]
4.	Univ. Pittsburgh Law School-Dept of State & Dept of Justice (OPDAT)	10/1-10/9/04 Pristina/Kosovo - Skopje/Macedonia-seminar & presentation [travel, hotel & food]
5.	Univ. Pittsburgh Law School-Dept of State	10-27-10/28/04 Pittsburgh, PA-Instruction & presentation w/ Kosovo visitors [travel, hotel & food]
6.	Duquesne School of Law	11/11-11/12/04 Federalism in the Americas presentation [travel, hotel & food]

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

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

 NONE - (No such reportable reimbursements.)SOURCEDESCRIPTION

7. USAID-East West Management

12/5-12/13/04 Tirana, Albania-seminar & presentations [travel, hotel & food]

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

NONE - (No such reportable gifts.)

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.		
2.		

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

NONE - (No reportable liabilities.)

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
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 except those 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-F)	(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-T)	(5) Identity of buyer/seller (if private transaction)
<input type="checkbox"/> NONE (No reportable income, assets, or transactions)									
1. American Century Growth Fd	A	Dividend			Sell	8/16	J	A	
2. Euro Pac Growth Fd	A	Dividend	J	T					
3. FNB Corp.(common)	A	D v den	J	T					
4. FNB Corp.(common)	A	Dividend	J	T					
5. First Nat'l Bk shares FL(common)	A	Dividend	J	T	Buy	1/1	J		
6. First Nat'l BK shares FL (common)	A	Dividend	J	T	Buy	1/1	J		
7. Fidelity Mid Cap Fd	A	Dividend	J	T					
8. Fidelity Equity Growth	A	Dividend	J	T					
9. Franklin Small Cap	A	Dividend	J	T					
10. Investment Co. of America	A	Dividend	J	T					
11. Master's Select Equity Fd	A	Dividend	J	T					
12. M&T Bank (common)	C	Dividend	M	T					
13. M&T Bank 401(K)	C	Dividend	M	T					
14. MTB Prime Money Mkt3	A	Interest	J	T					
15. MTB Managed Aggressive Growth3	A	Int/div	K	T					
16. Raymond James IRA4	B	Int/div	K	T					
17. Reliance Bank-Account	A	Interest	J	T					
18. Reliance Bank-Account	A	Interest	J	T					

1. Income/Gain Codes (See Columns B1 and D4)	A = \$1,000 or less F = \$98,001-\$102,000	B = \$1,001-\$2,500 G = \$100,001-\$1,000,000	C = \$2,501-\$5,000 H = \$1,000,001-\$6,000,000	D = \$5,001-\$25,000 I = \$1,000,001-\$6,000,000	E = \$15,001-\$50,000 J = More than \$5,000,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,000-\$500,000 P = \$25,000,001-\$50,000,000	K = \$15,001-\$50,000 O = \$500,001-\$1,000,000	L = \$50,001-\$100,000 Q = \$1,000,001-\$5,000,000 R = \$5,000,001-\$25,000,000	M = \$100,001-\$250,000 P = \$1,000,001-\$5,000,000 R = \$5,000,001-\$25,000,000	N = More than \$250,000 Q = \$250,001-\$500,000 S = More than \$50,000,000
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Bond (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash/Note	

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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 "(K)" 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) Account Code 1 (A-I)	(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)
19. Reliance Bank 401(K)	A	Interest	K	T	Began partic	1/1			
20. Northwestern Mutual Life Ins. (Universal Life policies)	B	Dividend	M	T					
21.									
22.									
23.									

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

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

- 1 Held in [redacted] self-directed IRA with Ferris, Baker, Watts
- 2 Corporate spin-off from FNB Corp.
- 3 Held in self-directed IRA with M&T Investments
- 4 Custodian - SEI Trust Co. - Total assets now held in Heritage Cash Trust
- 5 Omitted by oversight in previous years' reports

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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

May 9, 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