AO-10
Rev. 1/2004

FINANCIAL DISCLOSURE REPORT

Calendar Year 2003

in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (Last name, First name, Middle initial) Smith, Jerry E	2. Court or Organization Fifth Circuit Court of Appeals	3. Date of Report 5/14/04
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) U. S. Circuit Judge (active)	5. ReportType (check appropriate type) ○ Nomination, Date ○ Initial ◉ Annual ○ Final	6. Reporting Period 1/1/03 to 12/31/03
7. Chambers or Office Address 12621 United States Courthouse 515 Rusk Houston, TX 77002-2698	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.		

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

☑ NONE - (No reportable agreements.)

	DATE	PARTIES AND TERMS
1.		

RECEIVED
2004 MAY 24 A 11:28
FINANCIAL
DISCLOSURE OFFICE

FINANCIAL DISCLOSURE REPORT	Name of Person Reporting	Date of Report
	Smith, Jerry E	5/14/04

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.	2003	Matthew Bender & Co., Inc.: writing and editing	4,176
2.	2003	Texas Department of Family and Protective Services: monthly adoption subsidy	3,500
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.	2003	self-employed, consulting

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.	Chapman University Law School	Transportation, lodging, and meals for participation in mock argument, Orange, CA, 2/21/03
2.	Fish & Richardson, Inc.	Transportation, lodging, and meals for luncheon address, New York, NY, 3/28/03
3.	Texas Review of Law & Politics	Meals and lodging for participation in annual banquet, Austin, TX, 4/12/03
4.	American Law Institute/American Bar Association	Transportation, lodging, and meals for participation in seminar, Santa Fe, NM, 7/23-26/03
5.	Federalist Society for Law & Public Policy	Meals for participation in symposium, Washington, DC, 11/13-14/03
6		

FINANCIAL DISCLOSURE REPORT	Name of Person Reporting	Date of Report
	Smith, Jerry E	5/14/04

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

☑ NONE - (No such reportable gifts.)

	SOURCE	DESCRIPTION	VALUE
1.			

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

☐ NONE - (No reportable liabilities.)

	CREDITOR	DESCRIPTION	VALUE CODE
1.	CitiBank	Credit card	J
2.	Federal Thrift Savings Plan	Loan	K
3.	MBNA America	Credit card	K
4.			

Name of Person Reporting	Date of Report
Smith, Jerry E	5/14/04

VII. INVESTMENTS and TRUSTS — income, value, transcations (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 (1) Amount Code 1 (A-H)	(2) Type (e.g. div, rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (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. Van Kampen American Capital Reserve Fund	A	Dividend	J	T					
2.									
3. Bank of America, Dallas, TX -- savings account	A	Interest	K	T					
4.									
5. 99% interest in Professional Audio-Video Corporation,(contd)		None	J	T					
6. (cont'd) Victoria, TX (assets: video production equipment)									
7.									
8. Templeton Funds Inc. World Fund -- shares	A	Dividend	K	T					
9.									
10. Templeton Growth Fund Incorporated --shares	A	Dividend	J	T					
11.									
12. Texas Premier Bank, N.A., Brookshire, TX -- common stock	A	Dividend	J	T					
13.									
14. Fidelity Security Life Insurance Company	A	Interest	J	T					
15.									
16. Compass Bank, Houston, TX -- checking & IRA cash-equivalent	A	Interest	J	T					
17.									
18. Strategic Partners Equity Fund, Inc. Class A	A	Dividend	J	T	sell	12/29	J	A	

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	5/14/04

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)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period	If not exempt from disclosure			
Place "(X)" after each asset exempt from prior disclosure	(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)	(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. U.S. Treasury Investment Growth Receipts Series 1	A	Interest	K	T					
20.									
21. Prudential Equity Fund: Class A	A	Dividend	K	T					

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 = $250,000-$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

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

FINANCIAL DISCLOSURE REPORT	Name of Person Reporting	Date of Report
	Smith, Jerry E	5/14/04

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

Part VII: All sales are partial sales.

Part VII: Strategic Partners Equity Fund, Inc. Class A is the new name for Prudential Moneymart Assets Fund.

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.

Signatu[redacted] ____________________ Date 5-14-04

NOTE: [redacted]DUAL 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