

**FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2005**

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 05/03/2006
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. CIRCUIT JUDGE (ACTIVE)	5a. Report Type (check appropriate type) <input type="checkbox"/> Nomination, Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final 5b. <input type="checkbox"/> Amended Report	6. Reporting Period 01/01/2005 to 12/31/2005
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 _____	
<p>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.</p>		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of instructions.)

NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. TRUSTEE, CHAIR, BOARD OF TRUSTEES	THE CENTER FROM AMERICAN & INTERNATIONAL LAW (FORMERLY THE SOUTHWESTERN LEGAL FOUNDATION)
2. BOARD OF OVERSEERS	RAND - INSTITUTE FOR CIVIL JUSTICE
3. ETHICS 2000 COMMISSION, MEMBER	AMERICAN BAR ASSOCIATION
4. CO-INDEPENDENT EXECUTOR	TRUST #1
5. INDEPENDENT EXECUTOR	TRUST #2

RECEIVED
 MAR 15 11 32 AM '06
 DISTRICT CLERK
 U.S. COURT OF APPEALS
 FIFTH CIRCUIT

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of 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 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. 2005	SMU (TEACHING - SPRING)	\$ 15,000.00
2. 2005	MATTHEW BENDER (WRITING)	\$ 1,584.00
3.		
4.		
5.		

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.	
5.	

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

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

NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>
1. SEE ATTACHMENT	
2.	
3.	
4.	
5.	

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

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.			
2.			
3.			
4.			
5.			

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.			
2.			
3.			
4.			
5.			

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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)

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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-I)	(5) Identity of buyer/seller (if private transaction)
1. BANK OF AMERICA ACCOUNT	B	Interest	J	T					
2. NEW YORK LIFE INSURANCE COMPANY	A	Interest	J	T					
3. BEAL BANK ACCOUNTS	B	Interest	J	T					
4. VERIZON COMMON STOCK	A	Dividend	K	T					
5. AT&T CORP COMMON STOCK	A	Dividend	J	T					
6. GEORGIA ST RFDG SER E (MUNI BOND)	A	Interest	K	T					
7. WALTON CO GA DEV AUTH IDR WALTON MFG CO (MUNI BOND)	A	Interest	J	T					
8. FULTON CNTY GA DEV AUTH SPL FACS REV DELTA (MUNI BOND)	B	Interest	J	T					
9. CHEROKEE CO GA HOSP AUTH RV CTFS REF MBIA	B	Interest	K	T					
10. CHATHAM CNTY GA HOSP REV	A	Interest	J	T					
11. FULCO GA HSP AT RV ANTIC CTFS ST	B	Interest	K	T					
12. GEORGE L. SMITH II GA WLD CONGR RV (MUNI BOND)	A	Interest	J	T					
13. RICHMOND CNTY GA WTR-SEW REV (MUNI BOND)	B	Interest	K	T					
14. FULCO GA HOSP AT REV ANT CTFS HLTH SYS (MUNI BOND)	B	Interest	K	T					
15. FULTON CNTY GA DEV AT RV GA TECH FNDTN (MUNI BOND)	A	Interest	J	T					
16. AGL RESOURCES INC COMMON STOCK	B	Dividend	K	T					
17. AT&T CORP COMMON STOCK	A	Dividend	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	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

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HIGGINBOTHAM, PATRICK E

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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)

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, 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)
18. BELLSOUTH CORP COMMON STOCK	A	Dividend	J	T					
19. COMCAST CORP NEW CLASS A COMMON STOCK		None	J	T					
20. CINERGY CORP COMMON STOCK	A	Dividend	J	T					
21. DTE ENERGY COMPANY COMMON STOCK	A	Dividend	J	T					
22. EXXON MOBIL CORP COMMON STOCK	B	Dividend	L	T					
23. GENERAL ELECTRIC COMMON STOCK	A	Dividend	J	T					
24. LUCENT TECHNOLOGIES INC COMMON STOCK		None	J	T					
25. POST PROPERTIES INC REIT	A	Dividend	J	T					
26. VERIZON COMMUNICATIONS COMMON STOCK	A	Dividend	K	T					
27. MS MUN INC OPPT ST III	A	Interest	J	T					
28. MS QUALITY MUN SECS (MUTUAL FUND)	A	Dividend	J	T					
29. PIMCO TOTAL RETURN FD (MUTUAL FUND)	A	Dividend	J	T					
30. PIONEER HIGH YIELD FUND CLASS C	A	Dividend	J	T					
31. VAN KAMPEN SENIOR INCM TR	A	Dividend	J	T					
32. TRUST #1		None			NO VALUE				
33. TRUST #2 - RENTAL PROPERTIES (TARRANT COUNTY, TX)	A	Rent	N	W					
34. TRUST #2 - ROYALTY INTEREST (TULSA, OK)	A	Royalty	J	W					

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

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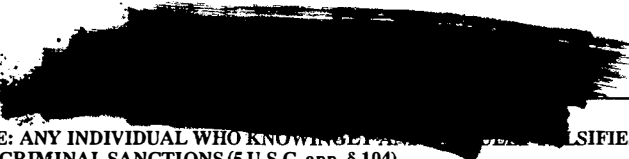
05/03/2006

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



Date

5/9/06

NOTE: ANY INDIVIDUAL WHO KNOWINGLY 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

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Higginbotham, Patrick E.

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SECTION IV. REIMBURSEMENTS AND GIFTS

Attachment to AO-10 - Financial Disclosure Statement

Patrick E. Higginbotham
Report Dated _____

<u>SOURCE</u>	<u>DESCRIPTION</u>
Stanford Law School	Panelist, Stanford, CA February 4-5 (transportation, parking, lodging, meals)
American Inns of Court Search Committee	Committee member - Washington, DC March 16 (transportation, parking, lodging, meals)
RAND, Institute for Civil Justice Meeting of Board	Participant, Santa Monica, CA March 17-18 (transportation, parking, lodging, meals)
ABOTA/FDCC 2005 Summit	Participant, Las Vegas. NV April 1 (transportation, lodging, meals, parking)
South Texas College of Law	Moderator, Houston, Texas April 8 (transportation, meals, parking)
JAMS	Participant, Las Vegas, NV April 28-30 (transportation, parking, lodging, meals) [REDACTED]
RAND, Institute for Civil Justice Meeting of Board	Participant, Washington, DC October 27-28 (transportation, parking, lodging, meals)
Wake Forest University Moot Court	Participant, Winston-Salem, NC November 17-20 (transportation, parking, lodging, meals) [REDACTED]