AO 10 Rev. 1/2008	**FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2008**	*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** 05/15/2009
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** 01/01/2008 to 12/31/2008
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.)*

	POSITION	NAME OF ORGANIZATION/ENTITY
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

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

☑ NONE *(No reportable agreements.)*

	DATE	PARTIES AND TERMS
1.		
2.		
3.		

Higginbotham_Patrick_E

Name of Person Reporting	Date of Report
HIGGINBOTHAM, PATRICK E	05/15/2009

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	INCOME (yours, not spouse's)
1. 2008	ST. MARY'S UNIVERSITY (TEACHING)	$ 87,290.50
2. 2008	MATTHEW BENDER (WRITING)	$ 3,048.00
3. 2008	DUKE UNIVERSITY (TEACHING)	$ 4,500.00
4.		

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.)*

DATE	SOURCE AND TYPE
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.)*

SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1. SEE ATTACHEMENTS				
2.				
3.				
4.				
5.				

Name of Person Reporting	Date of Report
HIGGINBOTHAM, PATRICK E	05/15/2009

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*

☑ NONE *(No reportable gifts.)*

	SOURCE	DESCRIPTION	VALUE
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.)*

	CREDITOR	DESCRIPTION	VALUE CODE
1.	BANK OF AMERICA	MORTGAGE - AUSTIN RENTAL PROPERTY	L
2.			
3.			
4.			
5.			

Name of Person Reporting	Date of Report
HIGGINBOTHAM, PATRICK E	05/15/2009

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)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
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, 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. 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. FULTON CNTY GA DEV AUTH SPL FACS REV DELTA (MUNI BOND)		None	J	T					
7. CHEROKEE CO GA HOSP AUTH RV CTFS REF MBIA	B	Interest	K	T					
8. CHATHAM CNTY GA HOSP REV	A	Interest	J	T					
9. FULCO GA HSP AT RV ANTIC CTFS ST	B	Interest	K	T					
10. GEORGE L. SMITH II GA WLD CONGR RV (MUNI BOND)	A	Interest	J	T					
11. FULCO GA HOSP AT REV ANT CTFS HLTH SYS (MUNI BOND)	B	Interest			REDEMPTION	11/17	K	B	
12. FULTON CNTY GA DEV AT RV GA TECH FNDTN (MUNI BOND)	A	Interest	J	T					
13. AGL RESOURCES INC COMMON STOCK	B	Dividend	K	T					
14. A T & T CORP (FORMERLY BELLSOUTH CORP)	A	Dividend	K	T					
15. CINERGY CORP COMMON STOCK	A	Dividend	J	T					
16. DTE ENERGY COMPANY COMMON STOCK	A	Dividend	J	T					
17. EXXON MOBIL CORP COMMON STOCK	B	Dividend	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	

Name of Person Reporting	Date of Report
HIGGINBOTHAM, PATRICK E	05/15/2009

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)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
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, 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. GENERAL ELECTRIC COMMON STOCK	A	Dividend	K	T					
19. POST PROPERTIES INC REIT	A	Dividend	J	T					
20. VERIZON COMMUNICATIONS COMMON STOCK	A	Dividend	K	T					
21. MS MUN INC OPPT ST III	A	Dividend	J	T					
22. MS QUALITY MUN SECS (MUTUAL FUND)	A	Dividend	J	T					
23. PIMCO TOTAL RETURN FD (MUTUAL FUND)	A	Dividend	J	T					
24. PIONEER HIGH YIELD FUND CLASS C	A	Dividend	J	T					
25. VAN KAMPEN SENIOR INCM TR	A	Dividend	J	T					
26. TRUST #1		None			NO VALUE				
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)	B	Royalty	J	W					
31. IRA, BANK OF AMERICA	B	Interest	L	T					
32. IRA, BANK OF AMERICA (MONEY MARKET)	A	Interest	J	T					
33. CHASE ACCOUNT (TRUST #1)		None			NO VALUE				
34. MERRILL LYNCH BANK U.S.A.		None	L	T					

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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	
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HIGGINBOTHAM, PATRICK E	05/15/2009

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35. MERRILL LYNCH BANK & TRUST	B	Interest	L	T					
36. PHOENIX GROWTH FUND (MUTUAL FUND)		None	K	T					
37. BANK ONE ACCOUNTS	A	Interest	K	T					
38. DUKE ENERGY COMMON STOCK	A	Dividend	J	T					
39. CHASE BANK	A	Interest	J	T					
40. COCA COLA	A	Dividend	K	T					
41. ORLANDO FL UTL CMMN UTL SYS RV SER A RF OID MBIA	A	Interest	J	T					
42. CENTRAL GREENE PA SCH DIST SER B RF OID FSA	A	Interest	J	T					
43. ROCHESTER NH XLCA	A	Interest	J	T					
44. ERIE CNTY NY SER D-2 RF MBIA	A	Interest	J	T					
45. HOUSTON TEX CMTY CLG SYS RV JR SER A RF MBIA	A	Interest	J	T					
46. RENTAL PROPERTY (AUSTIN, TX)	B	Rent	M	W					
47. DELTA AIR LINES INC		None	J	T					
48. IDEARC INC		None	J	T					
49. SPECTRA ENERGY CORP	A	Dividend	J	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 =$250,001 - $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
HIGGINBOTHAM, PATRICK E	05/15/2009

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

Name of Person Reporting	Date of Report
HIGGINBOTHAM, PATRICK E	05/15/2009

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 [redacted]

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

SECTION IV. REIMBURSEMENTS AND GIFTS

Attachment to AO-10 - Financial Disclosure Statement

Patrick E. Higginbotham
Report Dated: March 25, 2009

SOURCE	DESCRIPTION
American College of Trial Lawyers National Symposium on the Vanishing Jury Trial	Participant - Dallas, TX Jan. 24 - 26, 2008 (transportation, lodging, meals)
Administer Oath of Office to Judge Alan S. Trust	Official Representative - Dallas, TX April 2, 2008 (transportation)
Judicial Conference of the Fifth Circuit	Member Participant - Point Clear, AL May 4 - 7, 2008 (transportation, lodging, meals)
State Bar of Texas Advanced Personal Injury Law Seminar The 7th Amendment Under Attack	Speaker - San Antonio, TX August 8, 2008 (transportation & meal)
Judge Catharina Haynes Investiture	Member Participant - Dallas, TX Sept. 5, 2008 (transportation, meal, cab, airport parking)
American Inns of Court Lewis F. Powell, Jr. Award for Professionalism & Ethics	Recipient - Washington, D.C. Oct. 10 - 12, 2008 (transportation, lodging, meals)
Fifth Circuit Court Retreat	Member Participant - Lumberton, MS Oct. 13 - 14, 2008 (transportation, lodging, meals)
RAND, Corp. ICJ Board of Overseers Meeting	Member Participant - Washington, D.C. Oct. 23 - 24, 2008 (transportation, meals, cab airport parking)
Cornell University Academic Symposium	Participant - Syracuse, NY Nov. 5 - 6, 2008 (transportation)
Duke Law School Senior Lecturing Fellow	Participant - Durham, NC Nov. 20 - 22, 2008 (paid to teach, expenses not reimb.)