

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) Biery, Jr., Samuel F	2. Court or Organization United States District Court	3. Date of Report 3/2/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) District 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 J.H. Wood Jr. U.S. Courthouse 655 E. Durango Blvd. San Antonio, Texas 78206	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. Board Member	Texas Lutheran University Corporation
2. Executive Committee School of Law	Southern Methodist University

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. 1979-94	Bexar County Retirement Account (Vested, created by statute, will continue in force). (See note in Item VIII).
2. 1983-94	Texas Judicial Retirement Account (Vested, created by statute, will continue in force).
3. 1973-78	Biery Law Firm deferred compensation retirement account (IRS approved can withdraw w/o penalty at age 59).

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FINANCIAL DISCLOSURE OFFICE

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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.)DATESOURCE AND TYPEGROSS INCOME

(yours, not spouse's)

1.

_____**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.)DATESOURCE AND TYPE1.

_____**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

1. Austin, Texas 5/18/2004

Fifth Circuit Conference(05/11/2004-05/14/2004). (mileage,meals,hotel).

2. Atlanta, GA 06/25/2004

FEDERAL Judicial Centers Sentencing Policy Institute. (06/21/2004-06/24/2002).
(airfare,meals,hotel).

3. Dallas, Texas (06/04/2004).

Hatton W. Sumners Foundation Conference.(06/04/2004-06/06/2004). (meals,hotel).

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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.		

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 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)
<input type="checkbox"/> NONE (No reportable income, assets, or transactions)									
1. IRA-Merrill Lynch(U.S. Treasuries)	B	Interest	K	T					See part VIII
2. Biery Law Firm Retirement Account(U.S. Govt. Mge. Bonds)	D	Interest	M	T					
3. State/County judicial retirement accounts	D	Interest	L	T					See part VIII
4. Frost Bank San Antonio, Texas	A	Interest	J	T					
5. New York Life policy	B	Interest	K	T					
6. Alamo Credit Union San Antonio, Texas	A	Interest	J	T					
7. Smith Barney-IRA Stock Mutual Fund	B	Interest	K	T					See part VIII
8. (A) Putman Asset Allocation Fund									See part VIII
9. (B) Seligman Communication Fund									See part VIII
10. © Smith-Barney Appreciation Fund									See part VIII
11. (D) Smith-Barney High Income Fund									See part VIII
12. Security Service Credit Union San Antonio, Texas (sp)	A	Interest	J	T					See part VIII
13. Bank One of San Antonio, Texas GNMA Mge. Bonds	B	Interest	L	T					

1. Income/Gain Codes:	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
(See Columns B1 and D4)	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:	J = \$15,000 or less	K = \$15,001-\$50,000	L = \$50,001-\$100,000	M = \$100,001-\$250,000	
(See Columns C1 and D3)	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	Q = Appraisal	R = Cost (Real Estate Only)	S = Assessment	T = Cash/Market	
(See Column C2)	U = Book Value	V = Other	W = Estimated		

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

These assets now belong to my former spouse and will be deleted on future reports:

Part II, Item #1

Part VII, Items # 1, (3 county retirement only), 7, 8, 9, 10, 11, & 12.

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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

March 4, 2005

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