

**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) O'Brien, Terrence L	2. Court or Organization Tenth Circuit	3. Date of Report 05/15/2006
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 U.S. Court of Appeals 2120 Carey Ave., STE 200 Cheyenne, WY 82001	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 instructions.)

NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1.	_____
2.	_____
3.	_____
4.	_____
5.	_____

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> <i>(yours, not spouse's)</i>
1. 2005	State of Wyoming - Judicial Retirement	\$ 24,958.98
2.		
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.	
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. Christmas & Birthday Gifts (Wallet, Tie, Cuff Links) & meals	Marian Rochelle	\$ 1500.00
2. Christmas, Birthday gifts (Trip to Peru, Art), other travel, meals & misc.	April Brimmer Kunz	\$ 5000.00
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. Chase Manhattan Mortgage Corporation	Mortgage on Park City, Utah Rental Property	M
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-H)	(5) Identity of buyer/seller (if private transaction)
1. Rental Property, Park City, UT 1/29/1999 - \$195,000.00	E	Rent	M	R					
2. IRA#1 Nationwide Templeton Foreign Fund	A	Distribution	K	T					
3. Artisan Mid Cap ARTMX	A	Dividend	K	T					
4. Janus Mid Cap Value Fund	A	Dividend	K	T					
5. IRA #1 Nationwide American Century Ultra	A	Distribution	K	T					
6. IRA #1 Dreyfus Money Market Reserves	A	Distribution	J	T					
7. IRA#2 AMZN	A	Dividend	J	T					
8. IRA#2 IMN	A	Dividend	J	T					
9. IRA #2 MCRL	A	Dividend	J	T					
10. IRA#2 MSFT	A	Dividend	J	T					
11. IRA #2 MMM	A	Dividend	J	T					
12. IRA #2 NSM	A	Dividend	J	T					
13. IRA #2 SLR	A	Dividend	J	T					
14. IRA #2 CVX	A	Dividend	J	T					
15. IRA#2 TYC	A	Dividend	J	T					
16. IRA#2 Money Market Account	A	Interest	J	T					
17. A (TDW)	A	Dividend	J	T					

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000 R = Cost (Real Estate Only) V = Other	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 S = Assessment W = Estimated	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000 T = Cash Market	E = \$15,001 - \$50,000
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						(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. AMX	A	Dividend	J	T					
19. BIIB	A	Dividend	J	T					
20. BMY	A	Dividend	J	T					
21. CSCO	A	Dividend	J	T					
22. CAG	A	Dividend	J	T					
23. DPHIQ (was DPH)	A	Dividend	J	T					
24. FDX	A	Dividend	J	T					
25. GE	A	Dividend	J	T					
26. GLW	A	Dividend	K						
27. GM	A	Dividend	J	T					
28. G	A	Dividend	J	T	Merger	10/03	J	A	Became PG - see line 34
29. GT	A	Dividend	J	T					
30. HPQ	A	Dividend	J	T					
31. INTC	A	Dividend	K	T					
32. MSFT	A	Dividend	K	T					
33. MIPS (was MIPSB)	A	Dividend	J	T					
34. PG	A	Dividend	K	T	Merger	10/03	J	A	From Gillette - line 28

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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35. RTNA	A	Dividend	J	T					
36. TMX	A	Dividend	J	T					
37. WMB	A	Dividend	J	T					
38. WPJGX	A	Dividend	J	T					
39. CMFUZ	A	Interest	J	T					
40. T Rowe Price Science Fund PRSCX	A	Dividend	J	T					
41. MS Growth Fund A GRTAX	A	Distribution	K	T	Class Exch	4/25	J	A	Moved from GRTBX
42. MS Information Fund A IFOAX	A	Dividend	J	T	Class Exch	4/25	J	A	Moved from IFOBX
43. MS Capital Opportunity Trust A CPOAX	A	Distribution	J	T		4/25	J	A	Split from CPOBX
44. MS Capital Opportunity Trust B CPOBX	A	Distribution	J	T					
45. MS Pacific Growth Fund A TGRAX	A	Distribution	K	T	Class Exch	4/25	J	A	Moved from TGRBX
46. A (Fidelity)	A	Dividend	J	T					
47. BRKB	A	Dividend	J	T					
48. BKH	A	Dividend	K	T					
49. FSLB	A	Dividend	J	T					Line 2 on 2004 report
50. HDI	A	Dividend	K	T					
51. JDSU	A	Dividend	J	T					Line 1 on 2004 report

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52. MHS	A	Dividend	J	T					
53. MRK	A	Dividend	J	T					
54. MSFT (Fidelity)	A	Dividend	J	T					
55. MOT	A	Dividend	J	T					
56. SPI	A	Dividend	J	T					
57. TXN	A	Dividend	J	T					
58. WFC	A	Dividend	J	T					
59. YUM	A	Dividend	J	T					
60. FCNTX	A	Dividend	J	T					
61. FHIGX	A	Dividend	L	T					
62. FMAGX	A	Dividend	M	T					
63. FTEXX	A	Interest	K	T					
64. Indiana State Def Fin auth Wtr Fac Arn Water Project Bonds	A	Interest	J	T					
65. PTHAX	A	Interest	J	T					
66. VKMHX	A	Interest	J	T					
67. EDJ Cash & Money Mkt	A	Interest	J	T					
68. PFL Annuity #1	A	Interest	K	T					

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69. PFL Annuity #2	A	Interest	K	T					
70. PFL Annuity #3	A	Interest	K	T					
71. Checking Gillettete, WY	A	Interest	J	T					
72. Savings Gillette, WY	B	Interest	M	T					
73. Checking - Park City, Utah	A	Interest	J	T					
74. U S Coins		None	J	T					
75. U.S. Bonds	A	Interest	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
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report)*

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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. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.



Date May 15, 2006

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