

FOR CALENDAR YEAR 2004

(5 U.S.C. app. §§ 101-111)

1. Person Reporting (Last name, First name, Middle initial) Benitez, Roger T	2. Court or Organization Southern District/California	3. Date of Report 6/2/2005
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 United States District Court 940 Front St. San Diego, CA 92101	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.

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**FINANCIAL DISCLOSURE REPORT**

Name of Person Reporting

Benitez, Roger T

Date of Report

6/2/2005

**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. 2003  
\_\_\_\_\_Central Union High School District- salary  
\_\_\_\_\_2. 2003  
\_\_\_\_\_California State Teachers Retirement-pension  
\_\_\_\_\_**IV. REIMBURSEMENTS** -- transportation, lodging, food, entertainment.

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

 **NONE** - (No such reportable reimbursements.)SOURCEDESCRIPTION1.  
\_\_\_\_\_  
\_\_\_\_\_

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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. Parcel 1 El Centro, CA (08/03/01)	G	Rent			sale	12/29	P1	G	EC State Street, Building LLC
2. Parcel 2 El Centro, CA (87,161)	C	Rent	L	R					
3. Parcel 3 El Centro, CA (83,000)	C	Rent	L	R					
4. Parcel 4 vacant property-Salton City, CA		None	J	W					
5. Intel Corp common stock	A	Divident	J	T					
6. Smith Barney Money Funds, Govt, Port Palm Springs, CA (IRA)	A	Interest	K	T					
7. Franklin Fund-small cap growth fund I class a	A	Divident	J	T					
8. Cisco Systems-common stock		None	J	T					
9. Pfizer Inc, -common stock	A	Dividend	J	T					
10. Northern Life-Annuity/Now ING	B	Interest	K	T					
11. Valley Independent Bank, IRA CD account 1	B	Interest	M	T					
12. Valley Independent Bank, IRA CD account 2	A	Interest	K	T					
13. Valley Independent Bank, checking account 3	A	Interest	J	T					
14. Government Agencies Federal Credit Union, IRA account 1	A	Interest	K	T					
15. Government Agencies Federal Credit Union, Savings account 2	B	Interest	M	T					
16. Government Agencies Federal Credit Union savings account 4	A	Interest	J	T					
17. Government Agencies Federal Credit Union savings account 5	A	Interest	J	T					
18. Government Agencies Federal Credit Union account 6	A	Interest	J	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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						(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. American Airlines-Common Stock		None	J	T					
20. Pacific Southwest Airlines-Common Stock	A	Dividend	J	T					
21. Evergreen Small Cap		None	J	T					
22. Government Security Fund		None		T	sale	1/06	K	A	
23. Valic Fixed Account Plus	A	Interest	J	T					
24.					part sale	1/06	J	A	
25. General Electric-common stock	A	Dividend	J	T					
26. Mirant Corp-common stock		None	J	T					
27. Microsoft-common stock	A	Dividend	J	T					
28.					buy	8/05	J		
29. Gillette-common stock	A	Dividend	J	T					
30. Citigroup-common stock	A	Dividend	J	T					
31. Amgen-common stock		None	J	T					
32. Ei Dupont-common stock	A	Dividend	J	T					
33. EC State Street Building, LLC-Note		None	O	U					
34. Citibank-Bank Deposit	B	Interest	L	T					
35. AIG Valic Mid Cap Fund (Wellington)			J	T	buy	1/06	J		
36. AIG Valic Nasdaq 100 Index Fund			J	T	buy	1/06	J		

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(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	
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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)
37. AIG Valic Science & Technology T. Rowe Price			J	T	buy	1/06	J		

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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

6/09/05

**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