

**FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2011**

*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) Benitez, Roger T.	2. Court or Organization U. S. District Court, Southern District of California	3. Date of Report 04/13/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge, Active	5a. Report Type (check appropriate type) <input type="checkbox"/> Nomination <input type="checkbox"/> Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final	6. Reporting Period 01/01/2011 to 12/31/2011
	5b. <input type="checkbox"/> Amended Report	
7. Chambers or Office Address 940 Front Street San Diego, California 92101		
IMPORTANT NOTES: <i>The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information. Insert signature on last page.</i>		

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.	Power of Attorney	Family
2.	Executor of Estate	Family
3.		
4.		
5.		

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.		
2.		
3.		

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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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1.		
2.		
3.		
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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2011	California State Teachers Retirement
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.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. ACI	10/2011	San Francisco	Employment Law Seminar Speaker	Air Travel, meals
2.				
3.				
4.				
5.				

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V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing 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. 32-33 of filing 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 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) 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-I)	(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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-I)	(5) Identity of buyer/seller (if private transaction)
		1.	Parcel 2 El Centro, Ca (98,026)	D	Rent	L	S			
2.	Parcel 3 El Centro, Ca (106,694)	D	Rent	M	S					
3.	Parcel 4 Salton City, Ca (2,508)		None	J	S					
4.	Northern Life Annuity/ING	B	Interest	K	T					
5.	Citibank- Bank Deposit Program	A	Interest	K	T					
6.	Amerigas Partners LP Unit-APU-limited partnership interest	A	Dividend			Sold	08/04/11	J	A	
7.	Apple Inc. AAPL- common stock		None			Sold	01/19/11	K	C	
8.	Automatic Data Processing ADP-common stock	A	Dividend	J	T					
9.	BP PLC Sponsor BP- common stock	A	Dividend	J	T	Buy (add'l)	02/09/11	J		
10.	Berkshire Hathaway B-BRKB-common stock		None	K	T					
11.	Boeing Corporation-BA common stock	A	Dividend			Sold	08/03/11	J	A	
12.	Bristol Myers BMY sommon stock	A	Dividend	J	T					
13.	Caterpillar (CAT)	A	Dividend	J	T	Buy	08/05/11	J		
14.	Centurylink CTL common stock	A	Dividend			Sold	08/03/11	J	A	
15.				J	T	Buy	08/10/11	J		
16.	Chevron Corp.-CVX-common stock	A	Dividend			Sold	04/01/11	J	C	
17.				J	T	Buy	08/05/11	J		

- 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 I12 = 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 = \$250,001 - \$500,000 O = \$500,001 - \$1,000,000 P1 = \$1,000,001 - \$5,000,000 P2 = \$5,000,001 - \$25,000,000
- 3. Value Method Codes P3 = \$25,000,001 - \$50,000,000 R = Cost (Real Estate Only) S = Assessment T = Cash Market
 (See Column C2) Q = Appraisal V = Other W = Estimated U = Book Value

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Name of Person Reporting

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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, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
	18. Clorox Company CLX common stock	A	Dividend			Sold	01/19/11	J	A
19. Ei Dupont-DD-common stock	A	Dividend			Sold	08/04/11	J	B	
20.			J	T	Buy	08/09/11	J		
21. General Electric- GE-common stock	A	Dividend	K	T					
22. HJ HEINZ -HNZ-common stock	A	Dividend			Sold	01/19/11	J	A	
23. Mirant Corp-common stock		None	J	T					
24. Nexaira Wireless -NXWI- common stock		None	J	T					
25. Pitney Bowes, Inc.-PBI-common stock	A	Dividend	J	T					
26. Progress Energy, Inc. PGN -common stock	A	Dividend	J	T					
27. Proctor & Gamble-PG-common stock	A	Dividend	J	T	Buy	08/09/11	J		
28. Visa (V)	A	Dividend			Buy	01/25/11	K		
29.					Sold	07/07/11	K	C	
30. At&t (T)	A	Dividend			Buy	03/23/11	J		
31.					Sold	03/29/11	J	A	
32.			J	T	Buy	08/23/11	J		
33.	A	Dividend	J	T	Buy (add'l)	11/04/11	J		
34. Freeport McMoran (FCX)	A	Dividend	J	T	Buy	08/08/11	J		

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 (See Columns B1 and D4) F=\$50,001 - \$100,000 G=\$100,001 - \$1,000,000 H=\$1,000,001 - \$5,000,000 I=\$5,000,001 - \$10,000,000 J=\$10,000,001 - \$50,000,000 K=\$50,000,001 - \$100,000,000 L=\$100,000,001 - \$500,000,000 M=\$500,000,001 - \$1,000,000,000 N=\$1,000,000,001 - \$5,000,000,000 O=\$5,000,000,001 - \$10,000,000,000 P=\$10,000,000,001 - \$50,000,000,000 Q=\$50,000,000,001 - \$100,000,000,000 R=More than \$100,000,000,000

2. Value Codes: J=\$15,000 or less K=\$15,001 - \$50,000 L=\$50,001 - \$100,000 M=\$100,001 - \$250,000 N=\$250,001 - \$500,000 O=\$500,001 - \$1,000,000 P=\$1,000,001 - \$5,000,000 Q=\$5,000,001 - \$25,000,000 R=\$25,000,001 - \$50,000,000 S=\$50,000,001 - \$100,000,000 T=\$100,000,001 - \$250,000,000 U=\$250,000,001 - \$500,000,000 V=\$500,000,001 - \$1,000,000,000 W=\$1,000,000,001 - \$5,000,000,000 X=\$5,000,000,001 - \$10,000,000,000 Y=\$10,000,000,001 - \$50,000,000,000 Z=\$50,000,000,001 - \$100,000,000,000

3. Value Method Codes: Q=Appraisal R=Cost (Real Estate Only) S=Assessment T=Cash Market U=Book Value V=Other W=Estimated

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	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-I)	(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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
		35.	Teva Pharm (TEVA)	A	Dividend	J	T	Buy	02/09/11	J
36.	Chicago Board of Trades (CBOE)	A	Dividend	J	T	Buy	05/17/11	J		
37.						Buy (add'l)	08/08/11	J		
38.	Ameren Energy- AEE/Common Stock	A	Dividend	J	T					
39.	Atlas Pipeline Partners, limited partnership interest- APL	A	Distribution			Sold	06/27/11	J	A	
40.	Crosstex Energy LP- limited partnership interest--XTEX	A	Dividend	J	T					
41.	Annaly Capital --NLY	A	Dividend			Sold	07/27/11	J	A	
42.	Diana Shipping DSX-common stock	A	Dividend			Sold	06/28/11	J	A	
43.	Mueller Water Products--MWA	A	Dividend	J	T					
44.	Tortoise MLP Fund--NTG	A	Dividend	J	T					
45.	Dinuba CA Fing Wastewtr Reclamation Reclamation----- Bond	A	Interest	J	T					
46.	Ontario Cmnty FACS Dist Bond	A	Interest			Sold	06/28/11	K	A	
47.	Travelzoo, Inc (TZOO)		None	J	T	Buy	09/27/11	J		
48.	Getty Realty Corp (GTY)		None			Buy	07/01/11	J		
49.						Sold	07/27/11	J	A	
50.	Gulf IS Fabrication (GIFI)	A	Dividend	J	T	Buy	07/01/11	J		
51.	Health Care Reit, Inc. (HCN)	A	Dividend	J	T	Buy	07/01/11	J		

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 H11 = \$1,000,001 - \$5,000,000 H12 = 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 = \$250,001 - \$500,000 O = \$500,001 - \$1,000,000 P1 = \$1,000,001 - \$5,000,000 P2 = \$5,000,001 - \$25,000,000
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 3. Value Method Codes R = Cost (Real Estate Only) S = Assessment T = Cash Market
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	(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-I)	Identity of buyer/seller (if private transaction)
52. Natural Resources Partners (NRP)	A	Dividend	J	T	Buy	06/27/11	J		
53. First Trust Energy Infra Fund (FIF)		None	J	T	Buy	09/27/11	J		
54. Franklin Fund-small cap growth fund I- FRSGX class		None	J	T					
55. Valic Fixed Account Plus	A	Dividend	J	T					
56. Valic Midcap Strat. GR./Morgan Stanley		None	J	T					
57. AIG Valic Mid Cap Fund (Wellington)		None	J	T					
58. Valic Small Cap Special Value-Evergreen/ Putnam		None	J	T					
59. Valic International Small Cap Equity/ AIG		None	J	T					
60. Washington Mutual-(now Chase Bank-) aggregate	A	Interest	O	T					
61. San Diego County Credit Union aggregate	B	Interest	M	T					
62. Temecula Valley Bank (now First Citizens Bank)- aggregate	B	Interest			Closed	02/28/11	M		
63. Bank of America aggregate	A	Interest	L	T					
64. San Diego National Bank- (now US Bank)- aggregate	C	Interest			Closed	12/29/11	N		
65. Scottrade - moneymarket (Y)		None							
66. Baidu, Inc. (BIDU)		None	J	T	Buy	08/09/11	J		
67. Power of Attorney ---									
68. -- -USFFCredit Union (aggregate)	A	Int./Div.			Closed	03/03/11	K		

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2. Value Codes J=\$15,000 or less K=\$15,001 - \$50,000 L=\$50,001 - \$100,000 M=\$100,001 - \$250,000
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3. Value Method Codes Q=Appraisal R=Cost (Real Estate Only) S=Assessment T=Cash Market
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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)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
69. --Chase Manhattan (aggregate)	A	Interest			Closed	02/28/11	O		
70. Executor of Estate---									
71. Chase Mnahattan (aggregate)	A	Interest	N	T	Open	06/29/11	N		
72. Citibank (aggregate)	A	Interest	M	T	Open	06/29/11	M		
73. California Bank and Trust	A	Interest	M	T	Open	06/29/11	M		
74. ---Property 1,Tampa Florida, \$52,871	A	Rent	L	S					
75. ---Property 2, Tampa Florida, \$60,801		None	L	S					
76. ---Property 3, St. Cloud, Florida, \$72,000		None	L	S					
77.									
78.									
79.									

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

1. Part VII, line 5 reflects an aggregate of lines 28 and 29 in 05/06/2010 report.
2. Part VII, lines 8, 15 and 18 include original acquisition of stock, purchased 08/26/2009 inadvertently omitted from 05/06/2010 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.

Signature: **s/ Roger T. Benitez**

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544