

FINANCIAL DISCLOSURE REPORT

Calendar Year 2003

in Government Act of 1978
(5 U.S.C. app. § 101-111)

1. Person Reporting (Last name, First name, Middle initial) Smith, Jerry E	2. Court or Organization Fifth Circuit Court of Appeals	3. Date of Report 5/14/04
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) U. S. Circuit 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 1/1/03 to 12/31/03
7. Chambers or Office Address 12621 United States Courthouse 515 Rusk Houston, TX 77002-2698	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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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>GROSS INCOME</u> (yours, not spouse's)
1.	2003	Matthew Bender & Co., Inc.: writing and editing	4,176
2.	2003	Texas Department of Family and Protective Services: monthly adoption subsidy	3,500
3.			

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.)

	<u>DATE</u>	<u>SOURCE AND TYPE</u>
1.	2003	self-employed, consulting

IV. REIMBURSEMENTS-- transportation, lodging, food, entertainment.

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

 NONE - (No such reportable reimbursements.)

	<u>SOURCE</u>	<u>DESCRIPTION</u>
1.	Chapman University Law School	Transportation, lodging, and meals for participation in mock argument, Orange, CA, 2/21/03
2.	Fish & Richardson, Inc.	Transportation, lodging, and meals for luncheon address, New York, NY, 3/28/03
3.	Texas Review of Law & Politics	Meals and lodging for participation in annual banquet, Austin, TX, 4/12/03
4.	American Law Institute/American Bar Association	Transportation, lodging, and meals for participation in seminar, Santa Fe, NM, 7/23-26/03
5.	Federalist Society for Law & Public Policy	Meals for participation in symposium, Washington, DC, 11/13-14/03
6.		

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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. CitiBank	Credit card	J
2. Federal Thrift Savings Plan	Loan	K
3. MBNA America	Credit card	K
4.		

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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 checked="" type="checkbox"/> NONE (No reportable income, assets, or transactions)									
1. Van Kampen American Capital Reserve Fund	A	Dividend	J	T					
2.									
3. Bank of America, Dallas, TX -- savings account	A	Interest	K	T					
4.									
5. 99% interest in Professional Audio-Video Corporation, (cont'd)		None	J	T					
6. (cont'd) Victoria, TX (assets: video production equipment)									
7.									
8. Templeton Funds Inc. World Fund -- shares	A	Dividend	K	T					
9.									
10. Templeton Growth Fund Incorporated -- shares	A	Dividend	J	T					
11.									
12. Texas Premier Bank, N.A., Brookshire, TX -- common stock	A	Dividend	J	T					
13.									
14. Fidelity Security Life Insurance Company	A	Interest	J	T					
15.									
16. Compass Bank, Houston, TX -- checking & IRA cash-equivalent	A	Interest	J	T					
17.									
18. Strategic Partners Equity Fund, Inc. Class A	A	Dividend	J	T	sell	12/29	J	A	

1. Income/Gain Codes:	A = \$1,000 or less (See Columns B) and D2)	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	H = \$1,000,001-\$5,000,000	FI = More than \$5,000,000
2. Value Codes:	J = \$15,000 or less (See Columns C) and D2)	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
3. Value Method Codes:	Q = Appraisal (See Column D)	R = Cost (Real Estate Only)	S = Assessment	T = Cash Market	U = Broker 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)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	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, merger, 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)
19. U.S. Treasury Investment Growth Receipts Series I	A	Interest	K	T					
20.									
21. Prudential Equity Fund: Class A.	A	Dividend	K	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 III 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 D4)	U = Real Value	V = Other	W = Estimated		

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

Part VII: All sales are partial sales.

Part VII: Strategic Partners Equity Fund, Inc. Class A is the new name for Prudential Moneymart Assets Fund.

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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

5-14-04

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