

**FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2004**

Report Required by the Ethics  
in Government Act of 1978  
(5 USC app. §§ 101-111)

<b>1. Person Reporting (Last name, First name, Middle initial)</b> Smith, David H	<b>2. Court or Organization</b> Supreme Court of the United St	<b>3. Date of Report</b> 5/10/2005
<b>4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time)</b> Associate Justice	<b>5. ReportType (check appropriate type)</b> <input type="radio"/> Nomination, <input type="radio"/> Data <input type="radio"/> Initial <input checked="" type="radio"/> Annual <input type="radio"/> Final	<b>6. Reporting Period</b> 1/1/2004 to 12/31/2004
<b>7. Chambers or Office Address</b> Supreme Court of the United St One First Street, N.E. Washington, D. C. 20543	<b>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.</b> 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.	

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**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.		

**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.	

**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.	

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## V. GIFTS. (Includes those to spouse and dependent children. See pp. 28-31 of instructions.)

NONE - (No such reportable gift.)

SOURCE	DESCRIPTION	VALUE
1.		

## VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)

NONE - (No reportable liabilities.)

CREDITOR	DESCRIPTION	VALUE CODE
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 "00" 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-E)	(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. Granite Bank	A	Interest	N	T					
2. Paine Webber, Concord, NH: Tactical Allocation Fund, CLA	A	Gains	K	T					
3. Fierman Corp.		None	J	W					
4. Chittendon Corporation	G	Dividend	P2	T					
5. Citibank	A	Interest	J	T					
6. Pinpoint Global Communications (Formerly Biznews 24.com, Inc.)		None	M	T					

1. Income/Gain Codes:	A = \$1,000 or less	B = \$1,001-\$2,900	C = \$2,901-\$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 = \$250,001-\$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-\$60,000,000		P4 = More than \$60,000,000		
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.)

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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

May 10, 2005

**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