HOLDING FRANK B

Form 4 July 09, 2010

FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

Check this box if no longer subject to Section 16. Form 4 or Form 5

obligations

may continue.

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF **SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

See Instruction 1(b).

(Last)

(Print or Type Responses)

1. Name and Address of Reporting Person * **HOLDING FRANK B**

(First)

(Street)

(Middle)

2. Issuer Name and Ticker or Trading

Symbol

5. Relationship of Reporting Person(s) to

Issuer

FIRST CITIZENS BANCSHARES INC /DE/ [FCNCA]

(Check all applicable)

OMB APPROVAL

Estimated average

burden hours per

3235-0287

January 31,

2005

0.5

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Number:

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response...

POST OFFICE BOX 1377

3. Date of Earliest Transaction

(Month/Day/Year)

_X__ 10% Owner _X_ Director __Other (specify _X__ Officer (give title below)

10/31/2009

4. If Amendment, Date Original

Filed(Month/Day/Year)

Executive Vice Chairman 6. Individual or Joint/Group Filing(Check

Applicable Line)

X Form filed by One Reporting Person Form filed by More than One Reporting

Person

SMITHFIELD, NC 27577

(City)	(State)	(Zip) Ta	ble I - I	Non-	-Derivativ	ve Sec	urities	Acquired, Dispo	sed of, or Be	neficially Owned
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	Code (Instr.	8)	4. Securion Acquired Disposed (Instr. 3,	(A) or (A) or)) 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
Class A Common Stock			Code	V	Amount	(D)	Price	361,200	D	
Class A Common Stock								619,979	I	By: F. Holding 2010 GRAT
Class A Common Stock	10/31/2009		J		180	A	\$ 0	442,109 <u>(1)</u> <u>(3)</u>	I	By adult children and their spouses and children
Class A Common	04/05/2010		G	V	330	A	\$0	442,439	I	By adult children and their spouses

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Stock			and children
Class A Common Stock	26,430 (1)	I	By trust for adult children
Class A Common Stock	8,214 (2)	I	By Twin States Farming, Inc.
Class A Common Stock	167,600 (2)	I	By First Citizens Bancorporation, Inc.
Class A Common Stock	28,628 (2)	I	By Heritage BancShares, Inc. and subsidiary
Class A Common Stock	100,000 (2)	I	By Fidelity BancShares, Inc.
Class A Common Stock	46,699 (2)	I	By Southern BancShares(N.C.), Inc.
Class A Common Stock	46,000 (2)	I	By Southern Bank and Trust Company
Class A Common Stock	54,000 (2)	I	By Goshen, Inc.
Class A Common Stock	627 (2)	I	By E&F Properties, Inc.
Class B Common Stock	561,763 (1)	I	By adult children and their spouses and children
Class B Common Stock	45,900 (2)	I	By First Citizens Bancorporation, Inc.
Class B Common Stock	22,619 (2)	I	By Southern BancShares (N.C.), Inc.
Class B Common Stock	6,175 <u>(1)</u>	I	By trust for adult children
Class B Common Stock	1,355 (2)	I	By Twin States Farming, Inc.

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Class B Common Stock	200 (2)	I	By E&F Properties, Inc.
Class A Common Stock	508,654 (1)	I	By Ella Ann 2009 GRAT
Class B Common Stock	35,216 <u>(1)</u>	I	By Ella Ann 2009 GRAT
Class A Common Stock	87,190 <u>(1)</u>	I	By spouse
Class B Common Stock	3,519 <u>(1)</u>	I	By spouse
Class B Common Stock	950 <u>(1)</u>	I	By Ella Ann Lee Holding Revocable Trust dtd October 24, 2007
Class A Common Stock	310	I	By F. Holding 2009 GRAT
Class B Common Stock	2,400	D	
Class B Common Stock	1,475	I	By Frank B. Holding Revocable Trust Dated October 24, 2004

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of	2.	3. Transaction Date	3A. Deemed	4.	5.	6. Date Exercisable and	7. Title and	8. Price of	9
Derivative	Conversion	(Month/Day/Year)	Execution Date, if	Transaction	orNumber	Expiration Date	Amount of	Derivative]
Security	or Exercise		any	Code	of	(Month/Day/Year)	Underlying	Security	,
(Instr. 3)	Price of		(Month/Day/Year)	(Instr. 8)	Derivative	e	Securities	(Instr. 5)]
	Derivative				Securities		(Instr. 3 and 4)		(
	Security				Acquired]
					(A) or				ļ
					Disposed				7
					of (D)				(

9. Nu Deriv Secu Bene Own Follo Repo Trans (Insti

(9-02)

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(Instr. 3, 4, and 5)

				Amount
Code V (A) (D)	Exercisable	Expiration Date	Title	or Number of Shares

Reporting Owners

Reporting Owner Name / Address	Relationships				
	Director	10% Owner	Officer	Other	
HOLDING FRANK B POST OFFICE BOX 1377 SMITHFIELD, NC 27577	X	X	Executive Vice Chairman		

Signatures

Frank B. Holding, By: William R. Lathan, Jr., Attorney-in-Fact

07/09/2010

**Signature of Reporting Person

Date

Explanation of Responses:

- * If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the
- (1) reporting person is the beneficial owner of such securities for purposes of Section 16 of the Securities Exchange Act of 1934 or for any other purpose.
- (2) The reporting person is a director, officer and/or principal shareholder of the companies that own these shares, but he disclaims beneficial ownership of the listed shares except to the extent of his pecuniary interest therein.
- (3) Shares were transfered by the adult daughter's spouse into an irrevocable trust for which the adult daughter is sole trustee.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

Reporting Owners 4