

KS BANCORP INC  
Form 8-K  
April 27, 2004  
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# UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

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## FORM 8-K

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### CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (date of earliest event reported): April 23, 2004

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## KS Bancorp, Inc.

(Exact Name of Registrant as Specified in Its Charter)

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North Carolina  
(State or Other Jurisdiction

000-22734  
(Commission File No.)

56-1842707  
(IRS Employer

of Incorporation)

Identification No.)

1031 N. Brightleaf Boulevard

Smithfield, North Carolina  
(Address of Principal Executive Offices)

27577  
(Zip Code)

(919) 938-3101

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(Registrant's Telephone Number, Including Area Code)

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**Item 7. Financial Statements and Exhibits**

(c) Exhibits

(99)(a) Press Release, dated April 23, 2004

**Item 12. Results of Operations and Financial Condition**

On April 23, 2004, KS Bancorp, Inc. announced first quarter earnings and declared a quarterly dividend of \$0.16 per share for shareholders of record on April 22, 2004 with payment to be made on May 4, 2004.

A copy of the press release announcing the first quarter earnings and the dividend is attached hereto as Exhibit (99)(a) and is incorporated by reference herein.

**Disclosure about forward-looking statements**

This Form 8-K contains forward-looking statements. These statements are subject to certain risks and uncertainties that could cause actual results to differ materially from those anticipated in the forward-looking statements. Factors that might cause such a difference include, but are not limited to, changes in interest rate environment, management's business strategy, national, regional, and local market conditions and legislative and regulatory conditions.

Readers should not place undue reliance on forward-looking statements, which reflect management's view only as of the date hereof. The Company undertakes no obligation to publicly revise these forward-looking statements to reflect subsequent events or circumstances. Readers should also carefully review the risk factors described in other documents the Company files from time to time with the Securities and Exchange Commission.

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**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

KS BANCORP, INC.

Date: April 26, 2004

By: /s/ Earl W. Worley, Jr.

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Earl W. Worley, Jr.  
Chief Financial Officer