

Table B-5.

U.S. Courts of Appeals—Decisions in Cases Terminated on the Merits, by Circuit and Nature of Proceeding, During the 12-Month Period Ending September 30, 2018

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
Total	50,428	2,264	62.3	31,408	20,257	3,175	2,394	472	55	5,055	7.9
Criminal	9,682	653	72.3	7,000	4,995	1,387	473	134	11	-	6.8
U.S. Prisoner Petitions	4,876	101	66.5	3,241	896	120	153	40	4	2,028	4.7
Other U.S. Civil	2,628	111	62.4	1,641	1,247	134	217	40	3	-	13.2
Private Prisoner Petitions	9,130	171	60.3	5,506	1,694	464	280	31	10	3,027	5.1
Other Private Civil	12,023	775	52.0	6,253	4,982	441	745	78	7	-	11.9
Bankruptcy	731	60	53.2	389	311	43	29	4	2	-	7.5
Administrative Agency Appeals	6,220	337	50.0	3,112	2,381	321	247	145	18	-	7.9
Original Proceedings and Miscellaneous Applications	5,138	56	83.0	4,266	3,751	265	250	-	-	-	-
DC	1,138	189	48.6	553	437	32	65	16	2	1	12.6
Criminal	78	15	53.8	42	31	1	4	5	1	-	9.5
U.S. Prisoner Petitions	92	2	43.5	40	36	1	2	-	-	1	5.0
Other U.S. Civil	245	12	63.7	156	122	7	23	4	-	-	14.7
Private Prisoner Petitions	9	-	-	2	2	-	-	-	-	-	-
Other Private Civil	180	12	56.1	101	92	1	5	3	-	-	5.0
Bankruptcy	3	-	-	-	-	-	-	-	-	-	-
Administrative Agency Appeals	442	148	36.0	159	107	18	29	4	1	-	18.2
Original Proceedings and Miscellaneous Applications	89	-	59.6	53	47	4	2	-	-	-	-

Table B-5. (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
1st	1,232	52	61.7	760	589	31	73	7	-	60	8.4
Criminal	411	24	66.7	274	239	13	17	5	-	-	6.2
U.S. Prisoner Petitions	90	5	65.6	59	23	2	1	-	-	33	1.7
Other U.S. Civil	62	1	61.3	38	33	-	5	-	-	-	13.2
Private Prisoner Petitions	111	3	56.8	63	32	2	2	-	-	27	3.2
Other Private Civil	328	11	47.6	156	138	4	13	1	-	-	8.3
Bankruptcy	28	5	71.4	20	15	2	3	-	-	-	15.0
Administrative Agency Appeals	91	3	52.7	48	33	-	14	1	-	-	29.2
Original Proceedings and Miscellaneous Applications	111	-	91.9	102	76	8	18	-	-	-	-
2nd	3,879	186	58.4	2,266	1,411	414	189	57	-	195	8.4
Criminal	580	29	72.1	418	274	79	38	27	-	-	9.1
U.S. Prisoner Petitions	217	6	62.7	136	16	18	6	20	-	76	4.4
Other U.S. Civil	229	11	55.5	127	72	38	17	-	-	-	13.4
Private Prisoner Petitions	498	12	53.2	265	43	89	12	2	-	119	4.5
Other Private Civil	1,345	79	50.4	678	469	138	67	4	-	-	9.9
Bankruptcy	82	11	46.3	38	29	9	-	-	-	-	-
Administrative Agency Appeals	641	20	59.8	383	310	38	31	4	-	-	8.1
Original Proceedings and Miscellaneous Applications	287	18	77.0	221	198	5	18	-	-	-	-

Table B-5. (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
3rd	2,742	61	64.8	1,778	1,209	44	178	34	2	311	7.6
Criminal	361	13	75.3	272	245	9	14	4	-	-	5.1
U.S. Prisoner Petitions	253	3	62.5	158	62	3	8	1	-	84	5.1
Other U.S. Civil	131	5	55.7	73	65	2	5	-	1	-	6.8
Private Prisoner Petitions	521	1	69.1	360	107	1	22	3	-	227	6.1
Other Private Civil	744	24	56.9	423	357	8	56	2	-	-	13.2
Bankruptcy	42	3	71.4	30	25	2	3	-	-	-	10.0
Administrative Agency Appeals	277	12	48.4	134	105	2	2	24	1	-	1.5
Original Proceedings and Miscellaneous Applications	413	-	79.4	328	243	17	68	-	-	-	-
4th	4,294	203	71.0	3,049	2,161	169	146	38	2	533	5.4
Criminal	1,008	64	79.8	804	672	86	35	11	-	-	4.4
U.S. Prisoner Petitions	681	8	78.4	534	175	11	27	1	-	320	5.1
Other U.S. Civil	208	13	62.5	130	109	10	9	2	-	-	6.9
Private Prisoner Petitions	740	16	59.9	443	203	10	17	-	-	213	3.8
Other Private Civil	855	85	57.9	495	426	30	37	2	-	-	7.5
Bankruptcy	46	3	71.7	33	27	3	3	-	-	-	9.1
Administrative Agency Appeals	244	11	62.3	152	112	5	11	22	2	-	7.2
Original Proceedings and Miscellaneous Applications	512	3	89.5	458	437	14	7	-	-	-	-

Table B-5. (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
5th	7,584	575	54.7	4,152	2,235	892	240	86	1	698	5.8
Criminal	2,263	225	72.2	1,633	758	757	83	35	-	-	5.1
U.S. Prisoner Petitions	718	53	47.8	343	67	23	16	1	-	236	4.7
Other U.S. Civil	188	17	43.1	81	61	10	10	-	-	-	12.3
Private Prisoner Petitions	1,558	107	46.5	725	150	81	28	4	-	462	3.9
Other Private Civil	1,565	140	37.7	590	491	18	69	11	1	-	11.7
Bankruptcy	72	5	45.8	33	27	2	2	2	-	-	6.1
Administrative Agency Appeals	474	24	45.1	214	178	1	2	33	-	-	.9
Original Proceedings and Miscellaneous Applications	746	4	71.4	533	503	-	30	-	-	-	-
6th	4,525	135	69.0	3,121	2,034	130	225	34	-	698	7.8
Criminal	869	54	74.9	651	512	83	49	7	-	-	7.5
U.S. Prisoner Petitions	563	4	78.0	439	129	2	29	4	-	275	6.6
Other U.S. Civil	174	4	67.8	118	100	2	15	1	-	-	12.7
Private Prisoner Petitions	1,010	9	65.4	661	203	15	19	1	-	423	2.9
Other Private Civil	969	55	56.4	547	452	8	82	5	-	-	15.0
Bankruptcy	29	2	48.3	14	13	-	1	-	-	-	7.1
Administrative Agency Appeals	266	7	58.3	155	126	6	7	16	-	-	4.5
Original Proceedings and Miscellaneous Applications	645	-	83.1	536	499	14	23	-	-	-	-

Table B-5. (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
7th	2,643	101	53.4	1,412	954	88	168	51	19	132	13.7
Criminal	420	21	60.0	252	162	57	27	3	3	-	10.7
U.S. Prisoner Petitions	228	3	49.6	113	37	1	9	1	1	64	8.0
Other U.S. Civil	193	6	62.2	120	72	3	28	16	1	-	23.3
Private Prisoner Petitions	623	5	38.0	237	113	3	34	14	5	68	14.3
Other Private Civil	785	54	48.8	383	310	5	52	12	4	-	13.6
Bankruptcy	38	5	31.6	12	11	1	-	-	-	-	-
Administrative Agency Appeals	91	7	59.3	54	32	2	10	5	5	-	18.5
Original Proceedings and Miscellaneous Applications	265	-	90.9	241	217	16	8	-	-	-	-
8th	2,914	120	77.0	2,243	1,599	124	102	23	6	389	4.8
Criminal	771	39	81.1	625	516	84	21	3	1	-	3.4
U.S. Prisoner Petitions	389	8	83.3	324	85	2	9	6	2	220	2.8
Other U.S. Civil	135	3	74.1	100	91	2	6	1	-	-	6.0
Private Prisoner Petitions	520	7	71.5	372	186	6	9	2	-	169	2.4
Other Private Civil	493	42	63.7	314	257	10	39	7	1	-	12.4
Bankruptcy	20	1	55.0	11	10	1	-	-	-	-	-
Administrative Agency Appeals	158	14	57.6	91	66	14	5	4	2	-	5.5
Original Proceedings and Miscellaneous Applications	428	6	94.9	406	388	5	13	-	-	-	-

Table B-5. (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
9th	11,753	460	62.8	7,386	4,803	775	705	46	5	1,052	9.9
Criminal	1,375	99	68.9	947	710	110	117	10	-	-	12.4
U.S. Prisoner Petitions	487	3	73.5	358	82	30	24	1	-	221	6.7
Other U.S. Civil	748	34	69.0	516	372	55	83	6	-	-	16.1
Private Prisoner Petitions	2,087	7	73.7	1,539	447	159	100	2	-	831	6.5
Other Private Civil	2,828	196	57.8	1,634	1,234	181	209	10	-	-	12.8
Bankruptcy	291	21	54.0	157	124	20	12	1	-	-	7.6
Administrative Agency Appeals	3,142	75	48.2	1,516	1,176	205	114	16	5	-	7.5
Original Proceedings and Miscellaneous Applications	795	25	90.4	719	658	15	46	-	-	-	-
10th	1,813	21	66.9	1,212	778	90	81	60	-	203	6.6
Criminal	356	4	74.7	266	173	51	19	23	-	-	7.1
U.S. Prisoner Petitions	258	1	73.3	189	68	3	4	4	-	110	2.1
Other U.S. Civil	106	1	62.3	66	54	1	6	5	-	-	9.1
Private Prisoner Petitions	323	1	61.6	199	86	12	8	-	-	93	4.0
Other Private Civil	523	9	59.3	310	246	17	30	17	-	-	9.7
Bankruptcy	21	-	57.1	12	9	1	1	1	-	-	8.3
Administrative Agency Appeals	78	5	61.5	48	31	3	4	10	-	-	8.3
Original Proceedings and Miscellaneous Applications	148	-	82.4	122	111	2	9	-	-	-	-

Table B-5. (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
11th	5,911	161	58.8	3,476	2,047	386	222	20	18	783	7.3
Criminal	1,190	66	68.6	816	703	57	49	1	6	-	6.0
U.S. Prisoner Petitions	900	5	60.9	548	116	24	18	1	1	388	3.3
Other U.S. Civil	209	4	55.5	116	96	4	10	5	1	-	8.6
Private Prisoner Petitions	1,130	3	56.6	640	122	86	29	3	5	395	4.5
Other Private Civil	1,408	68	44.2	622	510	21	86	4	1	-	13.8
Bankruptcy	59	4	49.2	29	21	2	4	-	2	-	13.8
Administrative Agency Appeals	316	11	50.0	158	105	27	18	6	2	-	11.4
Original Proceedings and Miscellaneous Applications	699	-	78.3	547	374	165	8	-	-	-	-

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously.

¹ Affirmed includes appeals affirmed in part and reversed in part.

² Percent not shown where the total number of appeals terminated on the merits is less than 10. Percent reversed not computed for original proceedings because of their difference from appeals, nor are original proceedings included in the percentage of total appeals reversed.