

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, 2021

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	47,748	2,115	59.7	28,485	18,954	2,892	2,475	627	188	3,349	8.7
Criminal	11,056	653	67.9	7,508	5,550	1,135	629	176	18	-	8.4
U.S. Prisoner Petitions	3,774	97	59.4	2,242	796	132	109	17	7	1,181	4.9
Other U.S. Civil	2,611	196	60.5	1,579	1,099	112	311	54	3	-	19.7
Private Prisoner Petitions	7,540	149	56.3	4,244	1,411	457	169	27	12	2,168	4.0
Other Private Civil	10,865	607	53.5	5,809	4,614	448	678	58	11	-	11.7
Bankruptcy	684	63	50.0	342	263	51	24	4	-	-	7.0
Administrative Agency Appeals	7,146	255	50.1	3,579	2,519	343	289	291	137	-	8.1
Original Proceedings and Miscellaneous Applications	4,072	95	78.1	3,182	2,702	214	266	-	-	-	-
DC	1,022	131	46.2	472	352	46	65	8	1	-	14.5
Criminal	90	9	61.1	55	40	1	10	4	-	-	18.2
U.S. Prisoner Petitions	92	1	33.7	31	23	3	5	-	-	-	16.1
Other U.S. Civil	267	17	63.7	170	136	9	24	-	1	-	14.1
Private Prisoner Petitions	16	-	-	2	2	-	-	-	-	-	-
Other Private Civil	113	6	64.6	73	59	4	8	2	-	-	11.0
Bankruptcy	0	-	-	-	-	-	-	-	-	-	-
Administrative Agency Appeals	375	95	25.9	97	60	20	15	2	-	-	15.5
Original Proceedings and Miscellaneous Applications	69	3	63.8	44	32	9	3	-	-	-	-

Table B-5. (September 30, 2021—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	1,207	80	68.6	828	563	114	86	10	-	55	10.8
Criminal	420	44	64.3	270	201	28	34	7	-	-	12.6
U.S. Prisoner Petitions	89	-	82.0	73	26	5	1	1	-	40	1.4
Other U.S. Civil	83	8	59.0	49	32	10	6	1	-	-	12.2
Private Prisoner Petitions	64	1	73.4	47	19	10	3	-	-	15	6.4
Other Private Civil	356	20	64.6	230	170	36	24	-	-	-	10.4
Bankruptcy	46	5	63.0	29	25	4	-	-	-	-	-
Administrative Agency Appeals	86	2	79.1	68	40	12	15	1	-	-	22.1
Original Proceedings and Miscellaneous Applications	63	-	98.4	62	50	9	3	-	-	-	-
2nd	4,585	172	51.5	2,363	1,651	300	225	40	-	147	7.8
Criminal	668	58	61.5	411	295	69	31	16	-	-	7.5
U.S. Prisoner Petitions	275	9	39.6	109	14	25	4	1	-	65	3.7
Other U.S. Civil	205	15	52.2	107	55	19	27	6	-	-	25.2
Private Prisoner Petitions	406	15	46.1	187	48	47	9	1	-	82	4.8
Other Private Civil	1,942	43	47.8	929	778	88	56	7	-	-	6.0
Bankruptcy	51	6	52.9	27	15	6	6	-	-	-	22.2
Administrative Agency Appeals	732	14	47.3	346	267	38	32	9	-	-	9.2
Original Proceedings and Miscellaneous Applications	306	12	80.7	247	179	8	60	-	-	-	-

Table B-5. (September 30, 2021—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	2,701	101	62.2	1,680	1,141	47	159	71	1	261	9.2
Criminal	489	22	69.9	342	289	9	29	14	1	-	8.5
U.S. Prisoner Petitions	244	2	59.4	145	69	3	5	1	-	67	3.4
Other U.S. Civil	94	2	59.6	56	48	1	7	-	-	-	12.5
Private Prisoner Petitions	475	-	66.1	314	101	-	19	-	-	194	6.1
Other Private Civil	725	65	52.4	380	317	8	52	3	-	-	13.7
Bankruptcy	56	2	62.5	35	31	-	4	-	-	-	11.4
Administrative Agency Appeals	361	8	64.8	234	144	14	23	53	-	-	9.8
Original Proceedings and Miscellaneous Applications	257	-	67.7	174	142	12	20	-	-	-	-
4th	4,259	210	65.8	2,801	1,946	133	295	135	-	292	10.5
Criminal	1,411	44	72.6	1,025	766	69	146	44	-	-	14.2
U.S. Prisoner Petitions	546	33	60.6	331	138	12	19	2	-	160	5.7
Other U.S. Civil	191	16	65.4	125	99	2	17	7	-	-	13.6
Private Prisoner Petitions	594	7	55.9	332	167	18	14	1	-	132	4.2
Other Private Civil	653	45	54.7	357	297	19	39	2	-	-	10.9
Bankruptcy	44	5	72.7	32	28	3	1	-	-	-	3.1
Administrative Agency Appeals	239	7	74.1	177	77	8	13	79	-	-	7.3
Original Proceedings and Miscellaneous Applications	581	53	72.6	422	374	2	46	-	-	-	-

Table B-5. (September 30, 2021—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	6,754	529	54.0	3,645	2,025	779	224	119	6	492	5.7
Criminal	2,099	232	66.1	1,387	740	581	39	27	-	-	2.8
U.S. Prisoner Petitions	608	38	48.0	292	72	29	11	5	3	172	3.8
Other U.S. Civil	184	13	44.6	82	57	7	12	6	-	-	14.6
Private Prisoner Petitions	1,235	89	43.6	539	107	79	21	9	3	320	3.9
Other Private Civil	1,180	111	49.2	581	437	45	91	8	-	-	15.7
Bankruptcy	67	11	34.3	23	15	4	4	-	-	-	17.4
Administrative Agency Appeals	768	25	46.1	354	257	24	9	64	-	-	2.5
Original Proceedings and Miscellaneous Applications	613	10	63.1	387	340	10	37	-	-	-	-
6th	4,028	214	66.1	2,661	1,785	125	245	38	145	323	9.7
Criminal	1,229	67	70.0	860	703	47	98	6	6	-	11.4
U.S. Prisoner Petitions	276	3	67.8	187	60	7	17	1	1	101	9.1
Other U.S. Civil	222	73	39.2	87	70	2	11	4	-	-	12.6
Private Prisoner Petitions	630	7	60.8	383	138	3	15	2	3	222	3.9
Other Private Civil	771	29	60.1	463	380	14	61	3	5	-	13.2
Bankruptcy	56	5	55.4	31	26	3	1	1	-	-	3.2
Administrative Agency Appeals	291	15	79.7	232	33	33	15	21	130	-	6.5
Original Proceedings and Miscellaneous Applications	553	15	75.6	418	375	16	27	-	-	-	-

Table B-5. (September 30, 2021—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	2,622	113	53.6	1,405	909	81	128	41	18	228	8.9
Criminal	635	32	51.0	324	217	59	33	11	4	-	10.2
U.S. Prisoner Petitions	311	2	62.1	193	98	1	9	-	1	84	4.7
Other U.S. Civil	145	5	64.8	94	75	-	10	7	2	-	10.6
Private Prisoner Petitions	635	6	47.4	301	135	6	10	2	4	144	3.3
Other Private Civil	614	55	46.3	284	223	6	44	6	5	-	15.5
Bankruptcy	14	3	-	6	5	-	-	1	-	-	-
Administrative Agency Appeals	105	10	47.6	50	28	1	5	14	2	-	10.0
Original Proceedings and Miscellaneous Applications	163	-	93.9	153	128	8	17	-	-	-	-
8th	3,129	123	76.6	2,398	1,853	169	100	13	1	262	4.5
Criminal	1,135	30	86.0	976	873	76	21	6	-	-	2.2
U.S. Prisoner Petitions	257	2	80.5	207	78	4	2	-	-	123	1.0
Other U.S. Civil	146	12	60.3	88	74	1	13	-	-	-	14.8
Private Prisoner Petitions	572	9	68.2	390	179	58	12	1	1	139	3.1
Other Private Civil	593	63	65.1	386	326	18	39	3	-	-	10.1
Bankruptcy	17	2	70.6	12	9	3	-	-	-	-	-
Administrative Agency Appeals	151	5	57.0	86	70	4	9	3	-	-	10.5
Original Proceedings and Miscellaneous Applications	258	-	98.1	253	244	5	4	-	-	-	-

Table B-5. (September 30, 2021—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	10,872	293	58.4	6,344	4,202	715	615	42	-	770	10.2
Criminal	1,152	58	64.2	740	555	82	99	4	-	-	13.4
U.S. Prisoner Petitions	471	3	66.7	314	103	30	17	1	-	163	5.4
Other U.S. Civil	738	28	68.3	504	311	51	134	8	-	-	26.6
Private Prisoner Petitions	1,764	10	67.1	1,183	344	185	45	2	-	607	3.8
Other Private Civil	2,335	104	54.9	1,282	930	175	171	6	-	-	13.3
Bankruptcy	248	23	39.1	97	73	22	2	-	-	-	2.1
Administrative Agency Appeals	3,528	65	46.3	1,634	1,344	151	118	21	-	-	7.2
Original Proceedings and Miscellaneous Applications	636	2	92.8	590	542	19	29	-	-	-	-
10th	1,697	20	64.3	1,092	725	104	63	93	5	102	5.9
Criminal	402	2	74.6	300	191	55	22	32	-	-	7.3
U.S. Prisoner Petitions	143	1	56.6	81	31	2	4	1	-	43	4.9
Other U.S. Civil	115	4	64.3	74	46	5	12	11	-	-	16.2
Private Prisoner Petitions	293	-	52.9	155	80	7	1	8	-	59	.6
Other Private Civil	474	10	59.3	281	235	11	19	16	-	-	6.8
Bankruptcy	23	-	60.9	14	8	4	-	2	-	-	-
Administrative Agency Appeals	150	3	72.0	108	62	16	2	23	5	-	1.9
Original Proceedings and Miscellaneous Applications	97	-	81.4	79	72	4	3	-	-	-	-

Table B-5. (September 30, 2021—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	4,872	129	57.4	2,796	1,802	279	270	17	11	417	10.4
Criminal	1,326	55	61.7	818	680	59	67	5	7	-	8.2
U.S. Prisoner Petitions	462	3	60.4	279	84	11	15	4	2	163	5.4
Other U.S. Civil	221	3	64.7	143	96	5	38	4	-	-	26.6
Private Prisoner Petitions	856	5	48.0	411	91	44	20	1	1	254	4.9
Other Private Civil	1,109	56	50.8	563	462	24	74	2	1	-	13.1
Bankruptcy	62	1	58.1	36	28	2	6	-	-	-	16.7
Administrative Agency Appeals	360	6	53.6	193	137	22	33	1	-	-	17.1
Original Proceedings and Miscellaneous Applications	476	-	74.2	353	224	112	17	-	-	-	-

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.