

Table B-5A.
U.S. Courts of Appeals—Cases Terminated on Procedural Grounds, by Circuit and Nature of Proceeding,
During the 12-Month Period Ending September 30, 2023

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42 ¹	Default	Cert. of Appealability	Other	Total	FRAP 42 ¹	Default	Other
Total	40,636	14,245	115	3,006	2,314	273	42	13	364	11,124	4,208	5,366	1,550
Criminal	9,267	2,183	4	349	204	71	7	-	67	1,830	1,133	639	58
U.S. Prisoner Petitions	2,716	960	1	199	164	10	3	10	12	760	111	620	29
Other U.S. Civil	2,404	849	34	181	148	18	4	-	11	634	270	326	38
Private Prisoner Petitions	6,803	3,035	3	818	760	15	15	3	25	2,214	225	1,889	100
Other Private Civil	10,191	4,174	69	950	754	110	12	-	74	3,155	1,744	1,310	101
Bankruptcy	571	223	1	46	40	6	-	-	-	176	91	79	6
Administrative Agency Appeals	5,364	2,211	3	373	244	43	1	-	85	1,835	634	503	698
Original Proceedings and Miscellaneous Applications	3,320	610	-	90	-	-	-	-	90	520	-	-	520
DC	768	260	1	62	32	13	2	6	9	197	126	53	18
Criminal	69	25	-	8	3	3	-	-	2	17	12	5	-
U.S. Prisoner Petitions	50	30	-	10	1	2	1	6	-	20	3	17	-
Other U.S. Civil	235	54	-	17	13	2	1	-	1	37	19	18	-
Private Prisoner Petitions	5	2	-	-	-	-	-	-	-	2	-	2	-
Other Private Civil	128	30	-	6	6	-	-	-	-	24	15	9	-
Administrative Agency Appeals	237	104	1	18	9	6	-	-	3	85	77	2	6
Original Proceedings and Miscellaneous Applications	44	15	-	3	-	-	-	-	3	12	-	-	12
1st	923	250	-	24	9	14	-	-	1	226	144	77	5
Criminal	263	65	-	5	2	2	-	-	1	60	50	10	-
U.S. Prisoner Petitions	62	9	-	2	-	2	-	-	-	7	5	2	-
Other U.S. Civil	61	21	-	2	2	-	-	-	-	19	7	12	-
Private Prisoner Petitions	61	18	-	1	1	-	-	-	-	17	3	14	-
Other Private Civil	306	106	-	11	2	9	-	-	-	95	67	28	-
Bankruptcy	36	12	-	1	1	-	-	-	-	11	6	5	-
Administrative Agency Appeals	74	15	-	2	1	1	-	-	-	13	6	6	1
Original Proceedings and Miscellaneous Applications	60	4	-	-	-	-	-	-	-	4	-	-	4
2nd	3,501	1,459	11	262	198	33	1	-	30	1,186	638	459	89
Criminal	608	169	1	11	11	-	-	-	-	157	97	54	6
U.S. Prisoner Petitions	185	57	-	9	8	1	-	-	-	48	16	31	1
Other U.S. Civil	200	78	-	10	9	-	-	-	1	68	22	45	1
Private Prisoner Petitions	329	129	-	38	36	1	-	-	1	91	16	69	6
Other Private Civil	1,243	594	10	127	81	27	1	-	18	457	258	188	11
Bankruptcy	79	33	-	4	4	-	-	-	-	29	8	20	1
Administrative Agency Appeals	638	340	-	62	49	4	-	-	9	278	221	52	5
Original Proceedings and Miscellaneous Applications	219	59	-	1	-	-	-	-	1	58	-	-	58

Table B-5A (September 30, 2023—Continued)

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42'	Default	Cert. of Appealability	Other	Total	FRAP 42'	Default	Other
3rd	2,540	820	3	225	199	7	5	1	13	592	264	274	54
Criminal	456	107	-	20	13	1	3	-	3	87	66	19	2
U.S. Prisoner Petitions	172	38	-	10	9	-	-	-	1	28	8	20	-
Other U.S. Civil	98	40	-	10	10	-	-	-	-	30	9	21	-
Private Prisoner Petitions	508	174	-	57	54	1	-	1	1	117	15	101	1
Other Private Civil	795	312	2	93	88	2	2	-	1	217	134	81	2
Bankruptcy	56	23	1	10	9	1	-	-	-	12	6	5	1
Administrative Agency Appeals	222	74	-	20	16	2	-	-	2	54	26	27	1
Original Proceedings and Miscellaneous Applications	233	52	-	5	-	-	-	-	5	47	-	-	47
4th	3,865	995	3	259	238	9	-	-	12	733	292	387	54
Criminal	1,211	220	-	31	30	1	-	-	-	189	107	78	4
U.S. Prisoner Petitions	427	117	-	25	25	-	-	-	-	92	18	70	4
Other U.S. Civil	205	70	-	36	34	-	-	-	2	34	9	24	1
Private Prisoner Petitions	647	272	-	64	63	-	-	-	1	208	49	154	5
Other Private Civil	753	213	3	68	63	5	-	-	-	142	93	44	5
Bankruptcy	34	8	-	5	4	1	-	-	-	3	-	2	1
Administrative Agency Appeals	228	58	-	24	19	2	-	-	3	34	16	15	3
Original Proceedings and Miscellaneous Applications	360	37	-	6	-	-	-	-	6	31	-	-	31
5th	5,864	1,961	37	436	349	39	-	1	47	1,488	381	952	155
Criminal	2,000	317	-	25	17	8	-	-	-	292	133	157	2
U.S. Prisoner Petitions	353	140	-	21	19	1	-	1	-	119	9	110	-
Other U.S. Civil	278	148	28	18	13	4	-	-	1	102	50	50	2
Private Prisoner Petitions	1,078	541	-	134	133	1	-	-	-	407	29	368	10
Other Private Civil	1,140	488	8	140	107	16	-	-	17	340	118	222	-
Bankruptcy	59	17	-	6	5	1	-	-	-	11	5	6	-
Administrative Agency Appeals	465	156	1	79	55	8	-	-	16	76	37	39	-
Original Proceedings and Miscellaneous Applications	491	154	-	13	-	-	-	-	13	141	-	-	141
6th	3,307	1,126	7	245	228	9	1	-	7	874	340	378	156
Criminal	917	253	-	41	38	2	-	-	1	212	118	63	31
U.S. Prisoner Petitions	258	103	-	24	22	1	-	-	1	79	4	64	11
Other U.S. Civil	141	58	-	11	10	1	-	-	-	47	14	29	4
Private Prisoner Petitions	564	240	-	85	83	1	-	-	1	155	8	122	25
Other Private Civil	824	351	7	76	69	4	1	-	2	268	174	78	16
Bankruptcy	20	4	-	1	1	-	-	-	-	3	2	1	-
Administrative Agency Appeals	184	46	-	5	5	-	-	-	-	41	20	21	-
Original Proceedings and Miscellaneous Applications	399	71	-	2	-	-	-	-	2	69	-	-	69

Table B-5A (September 30, 2023—Continued)

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42 ¹	Default	Cert. of Appealability	Other	Total	FRAP 42 ¹	Default	Other
7th	2,501	1,222	8	244	175	6	10	2	51	970	397	540	33
Criminal	524	207	-	49	44	-	-	-	5	158	122	33	3
U.S. Prisoner Petitions	203	114	-	26	19	1	-	1	5	88	16	72	-
Other U.S. Civil	160	54	-	14	11	-	1	-	2	40	24	16	-
Private Prisoner Petitions	654	418	1	44	31	1	4	1	7	373	29	323	21
Other Private Civil	636	333	6	84	70	3	5	-	6	243	155	88	-
Bankruptcy	52	39	-	1	-	1	-	-	-	38	37	1	-
Administrative Agency Appeals	75	36	1	14	-	-	-	-	14	21	14	7	-
Original Proceedings and Miscellaneous Applications	197	21	-	12	-	-	-	-	12	9	-	-	9
8th	2,788	489	4	222	134	10	19	-	59	263	154	90	19
Criminal	952	136	-	54	15	-	3	-	36	82	75	6	1
U.S. Prisoner Petitions	225	33	-	25	21	1	2	-	1	8	1	7	-
Other U.S. Civil	94	25	1	8	5	1	2	-	-	16	10	5	1
Private Prisoner Petitions	437	129	1	79	61	3	9	-	6	49	5	42	2
Other Private Civil	696	116	2	37	26	3	3	-	5	77	51	23	3
Bankruptcy	11	5	-	4	4	-	-	-	-	1	-	1	-
Administrative Agency Appeals	103	26	-	6	2	2	-	-	2	20	12	6	2
Original Proceedings and Miscellaneous Applications	270	19	-	9	-	-	-	-	9	10	-	-	10
9th	8,581	3,161	29	585	468	55	2	-	60	2,547	980	711	856
Criminal	848	283	-	11	5	-	1	-	5	272	246	21	5
U.S. Prisoner Petitions	323	93	1	29	26	-	-	-	3	63	18	35	10
Other U.S. Civil	597	172	4	40	31	7	-	-	2	128	64	35	29
Private Prisoner Petitions	1,298	425	1	194	185	5	-	-	4	230	49	151	30
Other Private Civil	2,033	860	23	182	140	25	-	-	17	655	401	195	59
Bankruptcy	149	44	-	8	7	1	-	-	-	36	25	9	2
Administrative Agency Appeals	2,843	1,237	-	115	74	17	1	-	23	1,122	177	265	680
Original Proceedings and Miscellaneous Applications	490	47	-	6	-	-	-	-	6	41	-	-	41
10th	1,726	643	7	161	118	9	2	3	29	475	254	207	14
Criminal	406	106	1	20	8	4	-	-	8	85	66	16	3
U.S. Prisoner Petitions	126	42	-	5	3	-	-	2	-	37	12	24	1
Other U.S. Civil	97	33	-	6	5	-	-	-	1	27	21	6	-
Private Prisoner Petitions	378	200	-	69	63	-	2	1	3	131	18	113	-
Other Private Civil	510	210	6	46	34	5	-	-	7	158	117	40	1
Bankruptcy	8	2	-	1	1	-	-	-	-	1	1	-	-
Administrative Agency Appeals	112	40	-	13	4	-	-	-	9	27	19	8	-
Original Proceedings and Miscellaneous Applications	89	10	-	1	-	-	-	-	1	9	-	-	9

Table B-5A (September 30, 2023—Continued)

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42 ¹	Default	Cert. of Appealability	Other	Total	FRAP 42 ¹	Default	Other
11th	4,272	1,859	5	281	166	69	-	-	46	1,573	238	1,238	97
Criminal	1,013	295	2	74	18	50	-	-	6	219	41	177	1
U.S. Prisoner Petitions	332	184	-	13	11	1	-	-	1	171	1	168	2
Other U.S. Civil	238	96	1	9	5	3	-	-	1	86	21	65	-
Private Prisoner Petitions	844	487	-	53	50	2	-	-	1	434	4	430	-
Other Private Civil	1,127	561	2	80	68	11	-	-	1	479	161	314	4
Bankruptcy	67	36	-	5	4	1	-	-	-	31	1	29	1
Administrative Agency Appeals	183	79	-	15	10	1	-	-	4	64	9	55	-
Original Proceedings and Miscellaneous Applications	468	121	-	32	-	-	-	-	32	89	-	-	89

NOTE: This table does not include data for the U.S. Courts of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously. Cert. of Appealability = Certificate of Appealability.
¹ Voluntary Dismissal Under Rule 42(B), Federal Rules of Appellate Procedure.