

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending December 31, 2003

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
ALL CIRCUITS	56,746	48.1	27,291	21,583	2,284	2,238	791	395	9.0
CRIMINAL	11,612	69.3	8,044	6,731	714	398	184	17	4.9
U.S. PRISONER PETITIONS	5,548	29.9	1,660	1,302	158	145	46	9	8.7
OTHER U.S. CIVIL	3,382	59.3	2,005	1,558	108	276	46	17	13.8
PRIV. PRISONER PETITIONS	12,757	27.2	3,476	2,488	525	315	124	24	9.1
OTHER PRIVATE CIVIL	13,454	48.8	6,559	5,135	304	841	198	81	12.8
BANKRUPTCY	863	50.6	437	303	44	74	9	7	16.9
ADMINISTRATIVE APPEALS	5,542	40.8	2,259	1,302	388	145	184	240	6.4
ORIGINAL PROCEEDINGS ³	3,588	79.5	2,851	2,764	43	44	-	-	-
DISTRICT OF COLUMBIA	1,168	42.3	494	392	20	69	11	2	15.4
CRIMINAL	107	51.4	55	46	4	4	1	-	7.3
U.S. PRISONER PETITIONS	114	36.8	42	38	-	4	-	-	9.5
OTHER U.S. CIVIL	276	48.6	134	101	3	27	3	-	20.1
PRIV. PRISONER PETITIONS	20	40.0	8	8	-	-	-	-	-
OTHER PRIVATE CIVIL	152	50.0	76	58	3	13	2	-	17.1
BANKRUPTCY	4	25.0	1	1	-	-	-	-	-
ADMINISTRATIVE APPEALS	429	31.0	133	98	7	21	5	2	15.8
ORIGINAL PROCEEDINGS ³	66	68.2	45	42	3	-	-	-	-
FIRST CIRCUIT	1,610	35.9	578	493	11	70	3	1	13.4
CRIMINAL	536	25.2	135	120	3	12	-	-	8.9
U.S. PRISONER PETITIONS	128	19.5	25	17	3	5	-	-	20.0
OTHER U.S. CIVIL	103	49.5	51	42	-	8	-	1	15.7
PRIV. PRISONER PETITIONS	112	33.0	37	33	2	2	-	-	5.4
OTHER PRIVATE CIVIL	546	41.9	229	189	2	36	2	-	15.7
BANKRUPTCY	31	51.6	16	12	-	4	-	-	25.0
ADMINISTRATIVE APPEALS	88	33.0	29	24	1	3	1	-	10.3
ORIGINAL PROCEEDINGS ³	66	84.8	56	56	-	-	-	-	-
SECOND CIRCUIT	4,297	46.1	1,982	1,309	317	17	229	110	0.9
CRIMINAL	782	63.8	499	402	38	2	49	8	0.4
U.S. PRISONER PETITIONS	257	21.8	56	33	13	-	8	2	-
OTHER U.S. CIVIL	267	53.9	144	81	38	4	15	6	2.8
PRIV. PRISONER PETITIONS	779	23.4	182	105	30	3	34	10	1.6
OTHER PRIVATE CIVIL	1,423	47.8	680	385	129	5	113	48	0.7
BANKRUPTCY	90	42.2	38	26	8	1	1	2	2.6
ADMINISTRATIVE APPEALS	431	33.9	146	47	55	1	9	34	0.7
ORIGINAL PROCEEDINGS ³	268	88.4	237	230	6	1	-	-	-

Table B-5. (December 31, 2003—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
THIRD CIRCUIT	3,856	50.2	1,936	1,561	120	220	31	4	12.1
CRIMINAL	575	75.7	435	395	6	30	3	1	6.9
U.S. PRISONER PETITIONS	485	40.8	198	161	17	18	2	-	9.1
OTHER U.S. CIVIL	234	70.1	164	137	5	20	2	-	12.2
PRIV. PRISONER PETITIONS	838	27.9	234	128	67	32	7	-	13.7
OTHER PRIVATE CIVIL	1,118	48.2	539	433	15	85	5	1	15.8
BANKRUPTCY	70	55.7	39	30	1	8	-	-	20.5
ADMINISTRATIVE APPEALS	334	46.7	156	114	7	21	12	2	13.5
ORIGINAL PROCEEDINGS ³	202	84.7	171	163	2	6	-	-	-
FOURTH CIRCUIT	4,607	51.7	2,382	2,112	113	135	19	3	6.4
CRIMINAL	1,039	71.6	744	677	37	24	6	-	3.2
U.S. PRISONER PETITIONS	808	31.6	255	223	12	17	1	2	6.7
OTHER U.S. CIVIL	193	63.2	122	103	4	13	1	1	10.7
PRIV. PRISONER PETITIONS	992	30.5	303	256	30	14	3	-	4.6
OTHER PRIVATE CIVIL	839	53.5	449	383	15	51	-	-	11.4
BANKRUPTCY	61	60.7	37	22	4	8	3	-	21.6
ADMINISTRATIVE APPEALS	327	54.1	177	161	5	6	5	-	3.4
ORIGINAL PROCEEDINGS ³	348	84.8	295	287	6	2	-	-	-
FIFTH CIRCUIT	8,909	49.3	4,396	3,469	600	290	37	-	7.1
CRIMINAL	2,395	77.2	1,849	1,530	244	65	10	-	3.5
U.S. PRISONER PETITIONS	787	29.0	228	164	49	14	1	-	6.1
OTHER U.S. CIVIL	361	57.6	208	163	27	17	1	-	8.2
PRIV. PRISONER PETITIONS	2,439	21.7	530	276	203	43	8	-	8.1
OTHER PRIVATE CIVIL	1,610	51.6	830	659	49	115	7	-	13.9
BANKRUPTCY	150	62.7	94	56	20	16	2	-	17.0
ADMINISTRATIVE APPEALS	497	45.1	224	205	1	10	8	-	4.5
ORIGINAL PROCEEDINGS ³	670	64.6	433	416	7	10	-	-	-
SIXTH CIRCUIT	4,693	49.1	2,305	2,065	15	212	13	-	10.1
CRIMINAL	868	68.0	590	557	2	30	1	-	5.1
U.S. PRISONER PETITIONS	373	31.9	119	108	-	10	1	-	8.4
OTHER U.S. CIVIL	267	59.2	158	134	-	23	1	-	14.6
PRIV. PRISONER PETITIONS	1,169	34.2	400	356	-	40	4	-	10.0
OTHER PRIVATE CIVIL	1,380	47.1	650	553	3	89	5	-	13.7
BANKRUPTCY	81	56.8	46	37	1	8	-	-	17.4
ADMINISTRATIVE APPEALS	241	52.3	126	112	1	12	1	-	9.5
ORIGINAL PROCEEDINGS ³	314	68.8	216	208	8	-	-	-	-

Table B-5. (December 31, 2003—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
SEVENTH CIRCUIT	3,275	42.2	1,381	1,066	78	185	10	42	14.7
CRIMINAL	573	58.6	336	227	76	31	-	2	9.2
U.S. PRISONER PETITIONS	361	20.5	74	59	-	11	3	1	14.9
OTHER U.S. CIVIL	164	67.1	110	84	-	19	1	6	17.3
PRIV. PRISONER PETITIONS	723	25.9	187	156	-	27	-	4	14.4
OTHER PRIVATE CIVIL	1,022	44.2	452	347	-	81	3	21	17.9
BANKRUPTCY	49	51.0	25	16	-	6	-	3	24.0
ADMINISTRATIVE APPEALS	223	30.9	69	52	-	9	3	5	13.0
ORIGINAL PROCEEDINGS ³	160	80.0	128	125	2	1	-	-	-
EIGHTH CIRCUIT	2,919	61.3	1,789	1,500	119	143	20	7	8.8
CRIMINAL	677	77.3	523	445	31	40	7	-	7.6
U.S. PRISONER PETITIONS	329	42.9	141	113	11	9	5	3	6.4
OTHER U.S. CIVIL	237	67.9	161	135	7	19	-	-	11.8
PRIV. PRISONER PETITIONS	571	38.9	222	190	15	13	3	1	5.9
OTHER PRIVATE CIVIL	689	62.6	431	353	19	52	5	2	12.1
BANKRUPTCY	40	65.0	26	19	4	3	-	-	11.5
ADMINISTRATIVE APPEALS	165	49.7	82	48	29	4	-	1	4.9
ORIGINAL PROCEEDINGS ³	211	96.2	203	197	3	3	-	-	-
NINTH CIRCUIT	11,641	46.8	5,446	3,922	493	461	355	215	9.2
CRIMINAL	1,988	68.3	1,357	1,063	136	67	89	2	4.9
U.S. PRISONER PETITIONS	727	31.4	228	170	11	28	19	-	12.3
OTHER U.S. CIVIL	676	57.7	390	291	16	65	17	1	16.7
PRIV. PRISONER PETITIONS	2,937	27.5	808	644	20	84	55	5	10.4
OTHER PRIVATE CIVIL	2,223	48.2	1,072	854	25	148	36	9	13.8
BANKRUPTCY	171	41.5	71	52	5	9	3	2	12.7
ADMINISTRATIVE APPEALS	2,315	40.7	943	285	277	49	136	196	5.2
ORIGINAL PROCEEDINGS ³	604	95.5	577	563	3	11	-	-	-
TENTH CIRCUIT	2,595	55.8	1,447	1,094	144	146	59	4	10.7
CRIMINAL	477	80.3	383	296	43	25	18	1	6.5
U.S. PRISONER PETITIONS	285	43.5	124	88	20	11	5	-	8.9
OTHER U.S. CIVIL	213	76.1	162	123	1	33	5	-	20.4
PRIV. PRISONER PETITIONS	645	38.0	245	161	54	18	9	3	7.3
OTHER PRIVATE CIVIL	677	54.2	367	281	19	48	19	-	13.1
BANKRUPTCY	31	41.9	13	8	-	5	-	-	38.5
ADMINISTRATIVE APPEALS	104	38.5	40	30	4	3	3	-	7.5
ORIGINAL PROCEEDINGS ³	163	69.3	113	107	3	3	-	-	-

Table B-5. (December 31, 2003—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
ELEVENTH CIRCUIT	7,176	44.0	3,155	2,600	254	290	4	7	10.2
CRIMINAL	1,595	71.3	1,138	973	94	68	-	3	6.0
U.S. PRISONER PETITIONS	894	19.0	170	128	22	18	1	1	10.6
OTHER U.S. CIVIL	391	51.4	201	164	7	28	-	2	13.9
PRIV. PRISONER PETITIONS	1,532	20.9	320	175	104	39	1	1	12.2
OTHER PRIVATE CIVIL	1,775	44.2	784	640	25	118	1	-	15.1
BANKRUPTCY	85	36.5	31	24	1	6	-	-	19.4
ADMINISTRATIVE APPEALS	388	34.5	134	126	1	6	1	-	4.5
ORIGINAL PROCEEDINGS ³	516	73.1	377	370	-	7	-	-	-

NOTE: THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

¹ TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS.

² PERCENT NOT SHOWN WHERE THE TOTAL NUMBER OF CASES TERMINATED ON THE MERITS IS LESS THAN 10. NO PERCENTAGES OF CASES REVERSED OR DENIED HAVE BEEN COMPUTED FOR ORIGINAL PROCEEDINGS BECAUSE OF THEIR DIFFERENCE FROM APPEALS, NOR HAVE THEY BEEN INCLUDED IN THE PERCENTAGE OF TOTAL APPEALS REVERSED.

³ BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF PROCEEDINGS PREVIOUSLY NOT PRESENTED IN THIS TABLE.