

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending September 30, 2013

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Disposed of by Consolidations	Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
ALL CIRCUITS	58,393	2,518	60.5	35,302	23,154	2,757	2,159	525	64	6,643	6.7
CRIMINAL	12,707	817	71.5	9,088	7,091	1,285	550	145	17	-	6.1
U.S. PRISONER PETITIONS	5,196	92	68.4	3,553	887	192	83	25	2	2,364	2.3
OTHER U.S. CIVIL	2,662	174	56.3	1,500	1,187	109	176	28	-	-	11.7
PRIV. PRISONER PETITIONS	10,839	175	64.5	6,992	1,959	457	252	39	6	4,279	3.6
OTHER PRIVATE CIVIL	12,763	917	49.5	6,321	5,104	374	733	93	17	-	11.6
BANKRUPTCY	802	55	48.6	390	296	38	46	6	4	-	11.8
ADMINISTRATIVE APPEALS	8,702	259	40.6	3,529	2,859	193	270	189	18	-	7.7
ORIGINAL PROCEEDINGS	4,722	29	83.2	3,929	3,771	109	49	-	-	-	-
DC CIRCUIT	954	98	46.0	439	346	14	57	8	-	14	14.2
CRIMINAL	81	3	60.5	49	42	-	6	1	-	-	12.2
U.S. PRISONER PETITIONS	85	-	42.4	36	18	1	3	1	-	13	8.3
OTHER U.S. CIVIL	204	15	65.2	133	108	3	19	3	-	-	14.3
PRIV. PRISONER PETITIONS	8	1	62.5	5	4	-	-	-	-	1	-
OTHER PRIVATE CIVIL	116	4	59.5	69	61	2	6	-	-	-	8.7
BANKRUPTCY	6	-	83.3	5	5	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	342	75	26.6	91	59	8	21	3	-	-	23.1
ORIGINAL PROCEEDINGS	112	-	45.5	51	49	-	2	-	-	-	-
1ST CIRCUIT	1,472	61	63.6	936	732	33	88	9	-	74	9.9
CRIMINAL	540	23	65.4	353	311	16	23	3	-	-	6.5
U.S. PRISONER PETITIONS	98	3	67.3	66	19	3	2	-	-	42	3.0
OTHER U.S. CIVIL	72	6	61.1	44	40	1	3	-	-	-	6.8
PRIV. PRISONER PETITIONS	101	-	65.3	66	32	-	2	-	-	32	3.0
OTHER PRIVATE CIVIL	386	24	55.2	213	160	9	42	2	-	-	19.7
BANKRUPTCY	19	-	63.2	12	11	-	1	-	-	-	8.3
ADMINISTRATIVE APPEALS	185	4	61.1	113	93	3	13	4	-	-	11.5
ORIGINAL PROCEEDINGS	71	1	97.2	69	66	1	2	-	-	-	-
2ND CIRCUIT	5,911	314	52.2	3,085	1,807	685	196	37	2	358	6.7
CRIMINAL	861	73	72.6	625	434	125	50	15	1	-	8.0
U.S. PRISONER PETITIONS	296	9	72.6	215	20	47	5	3	-	140	2.3
OTHER U.S. CIVIL	272	29	57.0	155	89	51	13	2	-	-	8.4
PRIV. PRISONER PETITIONS	757	33	65.3	494	65	193	14	4	-	218	2.8
OTHER PRIVATE CIVIL	1,789	145	52.4	938	648	203	83	4	-	-	8.8
BANKRUPTCY	74	6	60.8	45	27	11	6	1	-	-	13.3
ADMINISTRATIVE APPEALS	1,586	19	23.3	369	289	52	19	8	1	-	5.1
ORIGINAL PROCEEDINGS	276	-	88.4	244	235	3	6	-	-	-	-

Table B-5. (September 30, 2013—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Disposed of by Consolidations	Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
3RD CIRCUIT	4,090	130	66.4	2,715	1,869	79	128	72	1	566	5.4
CRIMINAL	683	26	78.8	538	491	7	26	13	1	-	4.8
U.S. PRISONER PETITIONS	426	1	74.2	316	128	5	7	3	-	173	2.2
OTHER U.S. CIVIL	208	21	38.0	79	69	6	4	-	-	-	5.1
PRIV. PRISONER PETITIONS	810	-	71.5	579	147	11	21	7	-	393	3.6
OTHER PRIVATE CIVIL	1,003	62	50.4	506	431	12	49	14	-	-	9.7
BANKRUPTCY	67	7	56.7	38	26	7	4	1	-	-	10.5
ADMINISTRATIVE APPEALS	424	12	65.6	278	209	21	14	34	-	-	5.0
ORIGINAL PROCEEDINGS	469	1	81.2	381	368	10	3	-	-	-	-
4TH CIRCUIT	5,215	195	73.4	3,828	2,761	134	145	55	1	732	4.0
CRIMINAL	1,545	78	81.0	1,252	1,124	54	53	21	-	-	4.2
U.S. PRISONER PETITIONS	762	6	83.5	636	161	10	10	2	-	453	1.6
OTHER U.S. CIVIL	188	11	72.3	136	120	7	8	1	-	-	5.9
PRIV. PRISONER PETITIONS	817	14	69.4	567	248	25	13	2	-	279	2.3
OTHER PRIVATE CIVIL	991	60	57.6	571	499	21	44	7	-	-	7.7
BANKRUPTCY	66	3	60.6	40	33	6	1	-	-	-	2.5
ADMINISTRATIVE APPEALS	352	13	51.7	182	147	7	5	22	1	-	2.7
ORIGINAL PROCEEDINGS	494	10	89.9	444	429	4	11	-	-	-	-
5TH CIRCUIT	7,579	613	55.1	4,176	2,537	748	203	61	-	627	5.3
CRIMINAL	2,479	263	66.9	1,659	1,031	556	47	25	-	-	2.8
U.S. PRISONER PETITIONS	741	42	52.6	390	87	73	12	3	-	215	3.1
OTHER U.S. CIVIL	200	9	53.0	106	83	4	18	1	-	-	17.0
PRIV. PRISONER PETITIONS	1,452	91	45.3	658	138	77	29	2	-	412	4.4
OTHER PRIVATE CIVIL	1,484	162	44.0	653	538	35	75	5	-	-	11.5
BANKRUPTCY	118	17	34.7	41	35	-	6	-	-	-	14.6
ADMINISTRATIVE APPEALS	470	18	42.6	200	164	2	9	25	-	-	4.5
ORIGINAL PROCEEDINGS	635	11	73.9	469	461	1	7	-	-	-	-
6TH CIRCUIT	5,462	210	65.7	3,588	2,617	128	229	45	-	569	7.2
CRIMINAL	1,268	77	71.8	910	764	64	69	13	-	-	7.6
U.S. PRISONER PETITIONS	377	7	70.3	265	110	5	5	2	-	143	1.9
OTHER U.S. CIVIL	213	8	54.0	115	98	1	16	-	-	-	13.9
PRIV. PRISONER PETITIONS	1,250	13	62.5	781	306	9	35	5	-	426	4.5
OTHER PRIVATE CIVIL	1,347	85	56.8	765	653	13	91	8	-	-	11.9
BANKRUPTCY	59	5	64.4	38	34	2	2	-	-	-	5.3
ADMINISTRATIVE APPEALS	423	14	67.8	287	253	7	10	17	-	-	3.5
ORIGINAL PROCEEDINGS	525	1	81.3	427	399	27	1	-	-	-	-

Table B-5. (September 30, 2013—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Disposed of by Consolidations	Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
7TH CIRCUIT	2,982	166	57.1	1,702	1,000	147	195	25	29	306	12.7
CRIMINAL	675	43	64.7	437	265	112	52	6	2	-	11.9
U.S. PRISONER PETITIONS	359	6	61.6	221	52	7	8	1	1	152	3.6
OTHER U.S. CIVIL	162	10	53.7	87	63	2	21	1	-	-	24.1
PRIV. PRISONER PETITIONS	547	5	50.3	275	94	2	22	1	2	154	8.0
OTHER PRIVATE CIVIL	787	69	46.0	362	281	9	58	2	12	-	16.0
BANKRUPTCY	50	9	56.0	28	12	2	10	-	4	-	35.7
ADMINISTRATIVE APPEALS	186	24	60.8	113	68	-	23	14	8	-	20.4
ORIGINAL PROCEEDINGS	216	-	82.9	179	165	13	1	-	-	-	-
8TH CIRCUIT	2,874	135	75.2	2,161	1,566	89	79	27	4	396	4.1
CRIMINAL	754	37	81.3	613	539	49	15	9	1	-	2.4
U.S. PRISONER PETITIONS	355	7	85.1	302	98	2	3	3	-	196	1.0
OTHER U.S. CIVIL	114	5	73.7	84	69	8	5	2	-	-	6.0
PRIV. PRISONER PETITIONS	549	4	71.2	391	170	6	12	3	-	200	3.1
OTHER PRIVATE CIVIL	620	71	62.3	386	334	10	37	5	-	-	9.6
BANKRUPTCY	23	1	78.3	18	17	1	-	-	-	-	-
ADMINISTRATIVE APPEALS	146	7	50.0	73	54	7	4	5	3	-	5.5
ORIGINAL PROCEEDINGS	313	3	93.9	294	285	6	3	-	-	-	-
9TH CIRCUIT	12,779	335	56.7	7,247	4,385	326	555	75	14	1,892	8.3
CRIMINAL	1,608	66	71.5	1,150	854	141	136	16	3	-	11.8
U.S. PRISONER PETITIONS	584	2	74.1	433	69	13	10	-	1	340	2.3
OTHER U.S. CIVIL	567	38	51.5	292	228	17	45	2	-	-	15.4
PRIV. PRISONER PETITIONS	2,936	5	74.8	2,195	545	15	75	5	3	1,552	3.4
OTHER PRIVATE CIVIL	2,099	163	41.1	863	667	35	156	3	2	-	18.1
BANKRUPTCY	206	5	32.0	66	52	6	8	-	-	-	12.1
ADMINISTRATIVE APPEALS	4,041	55	38.8	1,568	1,324	75	115	49	5	-	7.3
ORIGINAL PROCEEDINGS	738	1	92.1	680	646	24	10	-	-	-	-
10TH CIRCUIT	2,208	30	66.1	1,460	995	118	63	92	-	192	4.7
CRIMINAL	453	3	82.6	374	277	64	12	21	-	-	3.2
U.S. PRISONER PETITIONS	235	-	61.7	145	46	7	4	6	-	82	2.8
OTHER U.S. CIVIL	159	1	65.4	104	78	6	8	12	-	-	7.7
PRIV. PRISONER PETITIONS	404	-	59.9	242	100	16	6	10	-	110	2.5
OTHER PRIVATE CIVIL	650	25	57.7	375	304	12	25	34	-	-	6.7
BANKRUPTCY	33	1	57.6	19	12	-	4	3	-	-	21.1
ADMINISTRATIVE APPEALS	105	-	63.8	67	47	11	3	6	-	-	4.5
ORIGINAL PROCEEDINGS	169	-	79.3	134	131	2	1	-	-	-	-

Table B-5. (September 30, 2013—Continued)

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		Disposed of by Consolidations	Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
11TH CIRCUIT	6,867	231	57.7	3,965	2,539	256	221	19	13	917	6.4
CRIMINAL	1,760	125	64.1	1,128	959	97	61	2	9	-	5.4
U.S. PRISONER PETITIONS	878	9	60.1	528	79	19	14	1	-	415	2.7
OTHER U.S. CIVIL	303	21	54.5	165	142	3	16	4	-	-	9.7
PRIV. PRISONER PETITIONS	1,208	9	61.2	739	110	103	23	-	1	502	3.1
OTHER PRIVATE CIVIL	1,491	47	41.6	620	528	13	67	9	3	-	10.8
BANKRUPTCY	81	1	49.4	40	32	3	4	1	-	-	10.0
ADMINISTRATIVE APPEALS	442	18	42.5	188	152	-	34	2	-	-	18.1
ORIGINAL PROCEEDINGS	704	1	79.1	557	537	18	2	-	-	-	-

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit.

¹ Totals include reopened and remanded appeals as well as original appeals.

² Affirmed includes merit terminations affirmed in part and reversed in part.

³ Percent not shown where the total number of cases terminated on the merits is less than 10. Percentages of cases reversed have not been computed for original proceedings because of their difference from appeals, nor are they included in the percentage of total appeals reversed.