

Table B-7.

U.S. Courts of Appeals—Nature of Suit or Offense in Cases Arising From the U.S. District Courts, by Circuit, During the 12-Month Period Ending December 31, 2008

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
TOTAL CASES	45,981	782	1,347	3,701	3,076	4,869	6,493	4,148	2,936	2,710	7,562	1,925	6,432
TOTAL CRIMINAL CASES	14,295	105	562	938	859	1,312	2,641	1,261	707	1,163	1,655	585	2,507
TOTAL CIVIL CASES	31,686	677	785	2,763	2,217	3,557	3,852	2,887	2,229	1,547	5,907	1,340	3,925
U.S. CASES	8,362	532	186	425	485	1,604	799	551	776	427	1,136	376	1,065
U.S. PLAINTIFF	398	4	11	45	17	22	80	40	19	22	69	16	53
NEGOTIABLE INSTRUMENTS	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER CONTRACT ACTIONS	13	-	-	4	1	2	1	2	-	-	1	1	1
CONDEMNATION OF LAND	6	-	1	-	-	-	5	-	-	-	-	-	-
OTHER REAL PROP. ACTIONS	12	-	1	1	1	-	1	4	2	-	1	1	-
TORT ACTIONS	7	-	1	1	1	-	2	1	-	-	-	-	1
CIVIL RIGHTS:													
EMPLOYMENT	35	-	-	7	3	4	4	3	1	6	4	-	3
OTHER CIVIL RIGHTS	11	-	-	2	-	2	3	-	-	-	3	1	-
FORFEITURE AND PENALTY	71	-	2	6	-	4	9	14	4	5	11	2	14
FAIR LABOR STAND. ACT	5	-	-	1	-	-	1	-	-	1	1	-	1
OTHER LABOR	11	-	-	4	1	1	-	2	-	-	2	-	1
SECUR.,COMMOD., & EXCHG.	51	-	2	15	2	2	6	-	4	-	7	2	11
TAX SUITS	76	-	1	1	4	3	28	4	2	2	16	3	12
ALL OTHER	100	4	3	3	4	4	20	10	6	8	23	6	9
U.S. DEFENDANT	7,964	528	175	380	468	1,582	719	511	757	405	1,067	360	1,012
CONTRACT ACTIONS	49	9	1	1	4	4	10	2	2	2	10	-	4
REAL PROPERTY ACTIONS	38	-	1	3	-	3	7	1	4	4	9	4	2
TORT ACTIONS	237	12	12	10	16	24	27	55	12	7	36	8	18
CIVIL RIGHTS:													
EMPLOYMENT	301	39	10	15	19	41	39	27	19	14	32	10	36
OTHER CIVIL RIGHTS	466	47	11	49	42	46	49	23	18	13	106	16	46
PRISONER PETITIONS:													
MOTIONS TO VACATE SEN.	2,312	11	65	145	131	369	296	125	178	179	236	108	469
HABEAS CORPUS	1,136	205	15	30	108	151	108	86	65	51	163	73	81
HABEAS CORPUS—DEATH	5	-	-	1	-	-	-	1	-	2	1	-	-
PRISONER CIVIL RIGHTS	613	63	12	16	59	52	67	51	1	13	95	17	167
PRISON CONDITION	235	2	1	3	6	55	9	16	61	11	10	38	23
OTHER PRIS. PETITIONS	1,142	8	-	8	5	741	7	4	319	4	23	4	19

Table B-7. (December 31, 2008—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
U.S. DEFENDANT (CONTINUED)													
LABOR SUITS	36	5	-	2	5	5	-	9	4	-	4	1	1
SOCIAL SECURITY LAWS	566	4	11	47	46	49	48	45	29	57	137	35	58
TAX SUITS	133	2	7	8	5	9	21	18	5	11	27	9	11
ENVIRONMENTAL MATTERS	118	10	4	-	1	2	5	6	2	5	64	9	10
FREEDOM OF INFOR. ACT	63	24	3	8	3	4	2	3	1	-	8	2	5
ALL OTHER	514	87	22	34	18	27	24	39	37	32	106	26	62
PRIVATE CASES	23,324	145	599	2,338	1,732	1,953	3,053	2,336	1,453	1,120	4,771	964	2,860
FEDERAL QUESTION	20,653	138	478	1,977	1,476	1,797	2,646	2,113	1,328	949	4,405	811	2,535
MARINE CONTRACT	98	-	4	40	5	3	19	1	1	-	7	-	18
OTHER CONTRACT ACTIONS	530	4	17	157	29	29	42	42	47	18	87	13	45
FEDERAL EMPLOYERS LIABILITY ACT	23	-	-	5	-	1	1	3	8	2	2	-	1
MARINE INJURY	75	-	3	10	3	1	42	3	3	-	6	-	4
OTHER TORT ACTIONS	426	19	13	32	41	42	41	37	60	19	74	11	37
ANTITRUST	111	-	6	10	23	2	8	10	3	5	29	5	10
CIVIL RIGHTS:													
EMPLOYMENT	1,606	17	59	244	151	102	140	162	130	96	202	80	223
OTHER CIVIL RIGHTS	3,158	43	106	334	269	223	298	400	276	151	565	145	348
PRISONER PETITIONS:													
HABEAS CORPUS	6,428	-	84	434	341	402	1,053	666	331	260	1,906	237	714
HABEAS CORPUS—DEATH	175	-	-	1	4	13	52	32	-	5	35	4	29
PRISONER CIVIL RIGHTS	3,552	11	81	286	305	527	581	254	11	180	680	129	507
PRISON CONDITION	1,331	3	1	31	88	265	86	153	246	105	96	64	193
OTHER PRIS. PETITIONS	92	1	2	4	2	13	10	3	-	1	44	3	9
LABOR MGMT. RELAT. ACT	106	1	7	14	10	7	3	29	7	6	18	-	4
OTHER LABOR	789	9	28	79	55	39	63	118	64	44	150	22	118
COPYRIGHT, PATENT, & TRDMRK.	474	5	16	71	23	17	38	47	25	7	157	15	53
SECUR., COMMOD., & EXCHG.	161	2	6	55	11	5	14	7	14	7	28	1	11
CONST. OF STATE STATS.	93	-	5	10	4	12	8	11	5	4	21	10	3
ALL OTHER	1,425	23	40	160	112	94	147	135	97	39	298	72	208
DIVERSITY OF CITIZENSHIP	2,670	7	121	361	255	156	407	223	125	171	366	153	325
INSURANCE	606	-	23	44	62	26	111	36	28	37	97	33	109
OTHER CONTRACT ACTIONS	1,211	4	49	214	103	76	137	114	97	79	153	61	124
REAL PROPERTY ACTIONS	88	-	-	7	12	5	16	12	-	4	16	9	7
PERSONAL INJURY/PRODUCT LIABILITY	146	-	5	15	13	10	27	9	-	19	13	13	22
OTHER PERSONAL INJURY	390	2	26	46	33	26	84	32	-	19	46	35	41
PERSONAL PROP. DAMAGE	165	1	10	28	25	4	31	12	-	11	26	2	15
ALL OTHER	64	-	8	7	7	9	1	8	-	2	15	-	7

Table B-7. (December 31, 2008—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
GENERAL LOCAL JURISDICTION	1	-	-	-	1	-	-	-	-	-	-	-	-
CONTRACT ACTIONS	1	-	-	-	1	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
TORT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
ALL OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL CRIMINAL CASES	14,295	105	562	938	859	1,312	2,641	1,261	707	1,163	1,655	585	2,507
VIOLENT OFFENSES	651	9	25	39	59	77	74	51	49	45	104	38	81
HOMICIDE	54	2	2	3	5	1	6	2	2	7	17	5	2
ROBBERY	265	2	6	5	23	33	35	22	35	16	36	11	41
ASSAULT	124	1	-	5	12	16	12	15	1	13	33	12	4
KIDNAPPING	39	2	2	3	2	1	11	2	6	3	5	1	1
RACKETEERING—VIOLENT CRIME	123	2	8	21	16	20	4	7	3	4	8	7	23
CARJACKING	23	-	6	1	1	3	4	3	-	1	1	-	3
TERRORISM	13	-	-	1	-	2	2	-	1	-	1	-	6
OTHER VIOLENT OFFENSES	10	-	1	-	-	1	-	-	1	1	3	2	1
PROPERTY OFFENSES	1,587	10	51	130	135	166	239	141	95	103	225	53	239
BURGLARY	5	-	1	-	-	-	1	-	-	1	1	1	-
LARCENY & THEFT, TOTAL	124	2	5	9	5	16	22	14	5	4	23	5	14
BANK	11	-	-	-	2	-	3	3	-	-	-	1	2
POSTAL	19	-	-	-	-	1	6	-	2	1	7	2	-
THEFT, U.S. PROPERTY	54	-	3	8	-	10	11	2	1	2	7	1	9
TRANSPORT, ETC. OF													
STOLEN PROPERTY	32	2	1	1	3	5	2	6	-	1	8	-	3
OTHER LARCENY AND THEFT OFFENSES	8	-	1	-	-	-	-	3	2	-	1	1	-
EMBEZZLEMENT	66	1	-	4	8	2	11	6	9	4	9	4	8
FRAUD, TOTAL	1,264	7	43	114	116	135	171	109	77	88	178	35	191
TAX	108	1	5	5	11	14	11	18	3	12	17	7	4
FINANCIAL INSTITUTIONS	142	2	3	13	23	14	24	15	7	7	13	4	17
SECURITIES AND EXCHANGE	44	1	2	12	3	4	-	1	2	1	15	1	2
MAIL	176	-	4	10	13	21	28	19	21	8	15	1	36
WIRE, RADIO, OR TELEVISION	141	-	3	17	8	16	16	7	18	13	19	9	15
SOCIAL SECURITY	27	-	-	-	-	2	-	4	2	4	8	1	6
CITIZENSHIP AND													
NATURALIZATION	10	-	-	-	1	-	1	-	-	-	5	1	2
PASSPORT	13	-	2	1	1	-	1	-	-	1	2	1	4

Table B-7. (December 31, 2008—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
PROPERTY OFFENSES (CONTINUED)													
IDENTIFICATION													
DOCUMENTS & INFO.	109	-	1	9	11	20	14	8	1	15	13	-	17
FALSE CLAIMS AND SERVICES, GOV'T.	36	-	3	4	3	2	10	3	-	1	1	-	9
FALSE STATEMENTS CONSPIRACY TO	63	-	10	2	11	6	9	10	1	1	12	1	-
DEFRAUD THE U.S. UNAUTHORIZED	213	2	8	21	25	18	31	17	7	14	15	3	52
ACCESS DEVICES	70	-	1	13	2	10	11	3	5	3	10	2	10
HEALTH CARE	47	-	1	1	2	6	10	4	4	5	6	1	7
OTHER FRAUD OFFENSES	65	1	-	6	2	2	5	-	6	3	27	3	10
FORGERY AND COUNTERFEITING	113	-	1	3	5	11	32	9	3	6	12	7	24
OTHER PROPERTY OFFENSES	15	-	1	-	1	2	2	3	1	-	2	1	2
DRUG OFFENSES	6,600	60	309	424	383	612	1,088	626	331	604	482	222	1,459
MARIJUANA, TOTAL	426	-	4	12	4	11	191	37	9	24	70	14	50
SELL, DISTRIBUTE, OR DISPENSE	316	-	3	10	4	9	143	22	9	24	42	14	36
IMPORT/EXPORT	71	-	-	-	-	-	44	3	-	-	17	-	7
MANUFACTURE	35	-	-	2	-	1	3	11	-	-	11	-	7
POSSESSION	4	-	1	-	-	1	1	1	-	-	-	-	-
ALL OTHER DRUGS, TOTAL	6,064	55	292	397	369	600	890	571	321	569	402	202	1,396
SELL, DISTRIBUTE, OR DISPENSE	5,795	52	282	365	353	592	854	551	314	541	353	200	1,338
IMPORT/EXPORT	136	2	6	26	11	3	11	4	-	-	31	-	42
MANUFACTURE	119	1	1	5	5	5	24	15	5	26	16	1	15
POSSESSION	14	-	3	1	-	-	1	1	2	2	2	1	1
OTHER DRUG OFFENSES	110	5	13	15	10	1	7	18	1	11	10	6	13
FIREARMS & EXPLOSIVES OFFENSES	2,018	11	98	126	134	282	254	256	107	207	182	95	266
FIREARMS, TOTAL	1,976	9	93	123	133	280	248	253	103	204	174	93	263
POSSESSION BY PROHIBITED PERSONS	1,256	4	26	73	79	171	158	149	70	166	112	66	182
FURTHERANCE OF VIOLENT/ DRUG-TRAFFICKING CRIMES	422	3	42	22	38	58	53	50	23	25	33	14	61
OTHER FIREARMS OFFENSES	298	2	25	28	16	51	37	54	10	13	29	13	20
EXPLOSIVES	42	2	5	3	1	2	6	3	4	3	8	2	3

Table B-7. (December 31, 2008—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
SEX OFFENSES	594	4	10	45	50	44	50	70	39	79	96	29	78
SEXUAL ABUSE OF ADULTS	22	-	-	-	4	-	-	-	-	8	6	2	2
SEXUAL ABUSE OF MINORS	140	1	4	10	7	7	12	23	9	25	19	9	14
SEXUALLY EXPLICIT MATERIAL	334	1	5	32	31	31	35	33	16	40	57	14	39
OTHER SEX OFFENSES	98	2	1	3	8	6	3	14	14	6	14	4	23
JUSTICE SYSTEM OFFENSES	183	-	3	17	17	18	31	19	6	16	19	9	28
OBSTRUCTION OF JUSTICE	72	-	1	7	9	8	6	7	3	10	6	5	10
ESCAPE FROM CUSTODY	45	-	1	4	3	4	9	5	1	2	6	1	9
FAILURE TO APPEAR	19	-	-	4	1	2	4	2	1	2	1	-	2
OTHER JUSTICE SYSTEM OFFENSES	47	-	1	2	4	4	12	5	1	2	6	3	7
IMMIGRATION OFFENSES	1,548	1	28	55	33	51	739	24	20	27	409	71	90
ALIEN SMUGGLING	171	-	4	1	1	4	74	1	1	4	55	1	25
IMPROPER ENTRY BY ALIEN	30	-	2	-	1	4	1	1	-	1	16	-	4
IMPROPER REENTRY BY ALIEN	1,322	1	22	53	28	41	658	21	19	18	336	70	55
OTHER IMMIGRATION OFFENSES	25	-	-	1	3	2	6	1	-	4	2	-	6
GENERAL OFFENSES	459	5	11	54	18	32	83	31	31	31	67	21	75
MONEY LAUNDERING	258	3	7	25	9	13	51	21	23	17	28	11	50
RICO ¹	64	1	2	14	1	5	10	4	1	-	20	-	6
EXTORTION AND THREATS	60	-	-	11	4	5	15	1	3	7	4	4	6
OTHER GENERAL OFFENSES	77	1	2	4	4	9	7	5	4	7	15	6	13
REGULATORY OFFENSES	123	3	12	13	9	6	12	14	7	2	23	4	18
TRAFFIC OFFENSES	13	-	1	-	-	3	-	-	-	-	5	-	4
UNCLASSIFIED OFFENSES	519	2	14	35	21	21	71	29	22	49	43	43	169

NOTE: THIS TABLE INCLUDES APPEALS REOPENED AND REMANDED AS WELL AS ORIGINAL APPEALS. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT. BEGINNING IN 2005, CATEGORIES FOR CRIMINAL OFFENSES WERE MODIFIED. THEREFORE, OFFENSE DATA FOR 2005 AND THEREAFTER ARE NOT COMPARABLE TO OFFENSE DATA PUBLISHED IN PREVIOUS YEARS.

¹ RICO = RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS.