

**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 September 30, 2009**

Nature of Suit or Offense	Circuit												
	Total	DC	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>TOTAL CASES</b>	<b>44,677</b>	<b>687</b>	<b>1,435</b>	<b>3,687</b>	<b>2,801</b>	<b>4,593</b>	<b>6,258</b>	<b>3,993</b>	<b>2,931</b>	<b>2,730</b>	<b>7,633</b>	<b>2,055</b>	<b>5,874</b>
<b>TOTAL CRIMINAL CASES</b>	<b>13,710</b>	<b>112</b>	<b>554</b>	<b>938</b>	<b>807</b>	<b>1,240</b>	<b>2,524</b>	<b>1,255</b>	<b>640</b>	<b>1,155</b>	<b>1,682</b>	<b>599</b>	<b>2,204</b>
<b>TOTAL CIVIL CASES</b>	<b>30,967</b>	<b>575</b>	<b>881</b>	<b>2,749</b>	<b>1,994</b>	<b>3,353</b>	<b>3,734</b>	<b>2,738</b>	<b>2,291</b>	<b>1,575</b>	<b>5,951</b>	<b>1,456</b>	<b>3,670</b>
<b>U.S. CASES</b>	<b>8,410</b>	<b>423</b>	<b>222</b>	<b>417</b>	<b>444</b>	<b>1,763</b>	<b>836</b>	<b>544</b>	<b>694</b>	<b>448</b>	<b>1,162</b>	<b>453</b>	<b>1,004</b>
<b>U.S. PLAINTIFF</b>	<b>412</b>	<b>4</b>	<b>25</b>	<b>51</b>	<b>25</b>	<b>23</b>	<b>57</b>	<b>47</b>	<b>18</b>	<b>23</b>	<b>68</b>	<b>15</b>	<b>56</b>
NEGOTIABLE INSTRUMENTS	1	-	-	-	-	-	-	1	-	-	-	-	-
OTHER CONTRACT ACTIONS	22	-	1	5	1	2	2	3	-	1	4	-	3
CONDEMNATION OF LAND	5	-	-	-	-	-	3	2	-	-	-	-	-
OTHER REAL PROP. ACTIONS	12	-	1	-	1	1	2	-	3	1	1	1	1
TORT ACTIONS	13	-	2	2	-	1	-	-	1	3	2	1	1
CIVIL RIGHTS													
EMPLOYMENT	31	-	-	4	1	3	2	5	-	5	7	3	1
OTHER CIVIL RIGHTS	15	-	-	3	2	2	4	2	1	-	1	-	-
FORFEITURE AND PENALTY	55	-	4	4	-	4	6	11	2	3	9	3	9
FAIR LABOR STAND. ACT	1	-	-	-	-	-	-	1	-	-	-	-	-
OTHER LABOR	10	-	-	2	2	1	-	3	-	-	1	-	1
SECUR., COMMOD., & EXCHG.	50	1	1	20	-	-	5	1	2	-	8	3	9
TAX SUITS	73	-	2	-	8	1	21	8	1	1	8	1	22
ALL OTHER	124	3	14	11	10	8	12	10	8	9	27	3	9
<b>U.S. DEFENDANT</b>	<b>7,998</b>	<b>419</b>	<b>197</b>	<b>366</b>	<b>419</b>	<b>1,740</b>	<b>779</b>	<b>497</b>	<b>676</b>	<b>425</b>	<b>1,094</b>	<b>438</b>	<b>948</b>
CONTRACT ACTIONS	56	6	-	4	3	6	13	2	1	1	16	-	4
REAL PROPERTY ACTIONS	47	1	-	5	1	1	18	2	2	2	9	3	3
TORT ACTIONS	169	8	15	6	12	15	20	14	6	14	35	6	18
CIVIL RIGHTS													
EMPLOYMENT	268	51	11	15	6	35	40	22	13	6	29	14	26
OTHER CIVIL RIGHTS	486	47	17	48	37	36	50	28	21	13	91	19	79
PRISONER PETITIONS													
MOTIONS TO VACATE SEN.	2,554	12	85	144	118	408	351	177	181	206	252	125	495
HABEAS CORPUS	914	70	18	17	93	105	107	78	56	51	145	91	83
HABEAS CORPUS—DEATH	1	-	-	-	-	-	-	-	-	-	1	-	-
PRISONER CIVIL RIGHTS	507	77	19	10	35	94	61	28	2	10	106	22	43

**Table B-7. (September 30, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	DC	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>U.S. DEFENDANT (CONTINUED)</b>													
PRISON CONDITION	273	3	-	3	7	56	9	20	64	11	18	54	28
OTHER PRIS. PETITIONS	1,218	12	-	5	6	900	7	6	243	5	17	4	13
LABOR SUITS	38	5	-	-	7	7	3	7	2	1	4	-	2
SOCIAL SECURITY LAWS	606	1	17	51	50	15	38	57	41	60	158	53	65
TAX SUITS	116	3	4	7	5	4	16	8	7	12	30	7	13
ENVIRONMENTAL MATTERS	134	22	-	-	2	3	1	6	3	7	68	11	11
FREEDOM OF INFOR. ACT	58	20	1	8	4	-	6	3	2	1	8	1	4
ALL OTHER	553	81	10	43	33	55	39	39	32	25	107	28	61
<b>TOTAL PRIVATE CASES</b>	<b>22,557</b>	<b>152</b>	<b>659</b>	<b>2,332</b>	<b>1,550</b>	<b>1,590</b>	<b>2,898</b>	<b>2,194</b>	<b>1,597</b>	<b>1,127</b>	<b>4,789</b>	<b>1,003</b>	<b>2,666</b>
<b>FEDERAL QUESTION</b>													
MARINE CONTRACT	124	-	3	65	5	4	21	-	-	-	12	-	14
OTHER CONTRACT ACTIONS	571	5	17	149	55	40	72	35	51	21	71	16	39
FEDERAL EMPLOYERS													
LIABILITY ACT	21	-	2	4	-	3	2	5	4	1	-	-	-
MARINE INJURY	63	-	3	3	1	1	35	3	3	3	8	-	3
OTHER TORT ACTIONS	477	9	25	47	27	42	56	42	54	25	93	8	49
ANTITRUST	82	1	3	9	17	3	6	8	1	5	17	1	11
CIVIL RIGHTS													
EMPLOYMENT	1,566	15	44	236	132	108	138	158	127	103	167	74	264
OTHER CIVIL RIGHTS	3,210	45	126	419	261	212	245	346	306	148	560	179	363
PRISONER PETITIONS													
HABEAS CORPUS	6,302	3	100	375	373	415	992	637	331	227	1,865	244	740
HABEAS CORPUS—DEATH	188	-	-	1	6	8	40	29	1	8	42	4	49
PRISONER CIVIL RIGHTS	2,903	14	64	272	162	274	586	246	18	213	681	91	282
PRISON CONDITION	1,331	1	3	19	98	129	83	195	316	99	103	78	207
OTHER PRIS. PETITIONS	57	3	1	5	2	10	7	4	2	3	3	1	16
LABOR MGMT. RELAT. ACT	99	-	4	7	11	5	4	18	9	8	25	2	6
OTHER LABOR	766	7	32	78	50	42	53	110	56	42	177	25	94
CPYRGHT, PATENT, & TRDMRK.	396	4	23	60	9	22	38	26	31	6	124	7	46
SECUR., COMMOD., & EXCHG.	269	2	5	73	12	2	22	7	8	11	114	5	8
CONST. OF STATE STATS.	110	2	9	12	7	8	11	4	6	2	38	8	3
ALL OTHER	1,392	26	74	161	105	94	125	111	108	49	304	70	165

**Table B-7. (September 30, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	DC	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>DIVERSITY OF CITIZENSHIP</b>	<b>2,630</b>	<b>15</b>	<b>121</b>	<b>337</b>	<b>217</b>	<b>168</b>	<b>362</b>	<b>210</b>	<b>165</b>	<b>153</b>	<b>385</b>	<b>190</b>	<b>307</b>
INSURANCE	648	-	18	42	45	26	99	38	97	25	110	49	99
OTHER CONTRACT ACTIONS	1,076	5	51	188	87	78	113	90	68	56	174	69	97
REAL PROPERTY ACTIONS	97	5	3	6	11	7	15	10	-	6	9	12	13
PERSONAL INJURY/ PRODUCT LIABILITY	147	-	6	16	20	4	32	10	-	20	8	9	22
OTHER PERSONAL INJURY	405	3	29	43	37	33	67	40	-	27	43	31	52
PERSONAL PROP. DAMAGE	175	1	8	35	12	9	30	16	-	15	24	9	16
ALL OTHER	82	1	6	7	5	11	6	6	-	4	17	11	8
<b>GENERAL LOCAL JURISDICTION</b>	-	-	-	-	-	-	-	-	-	-	-	-	-
CONTRACT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
TORT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
ALL OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL CRIMINAL CASES</b>	<b>13,710</b>	<b>112</b>	<b>554</b>	<b>938</b>	<b>807</b>	<b>1,240</b>	<b>2,524</b>	<b>1,255</b>	<b>640</b>	<b>1,155</b>	<b>1,682</b>	<b>599</b>	<b>2,204</b>
<b>VIOLENT OFFENSES</b>	<b>710</b>	<b>12</b>	<b>26</b>	<b>54</b>	<b>71</b>	<b>64</b>	<b>91</b>	<b>50</b>	<b>57</b>	<b>49</b>	<b>100</b>	<b>50</b>	<b>86</b>
HOMICIDE	71	-	1	2	15	2	10	2	4	9	15	6	5
ROBBERY	280	3	9	8	26	29	34	22	32	16	40	17	44
ASSAULT	108	1	-	3	9	10	14	5	2	13	30	14	7
KIDNAPPING	38	5	2	5	1	1	10	3	6	1	1	-	3
RACKETEERING-VIOLENT CRIME	135	2	7	29	17	18	12	5	10	3	5	9	18
CARJACKING	36	-	4	1	2	3	11	7	-	1	1	2	4
TERRORISM	11	1	-	4	1	-	-	-	1	1	1	1	1
OTHER VIOLENT OFFENSES	31	-	3	2	-	1	-	6	2	5	7	1	4
<b>PROPERTY OFFENSES</b>	<b>1,496</b>	<b>16</b>	<b>49</b>	<b>142</b>	<b>96</b>	<b>154</b>	<b>220</b>	<b>133</b>	<b>80</b>	<b>97</b>	<b>216</b>	<b>50</b>	<b>243</b>
BURGLARY	4	-	-	-	-	-	1	-	-	1	1	1	-
LARCENY & THEFT, TOTAL	103	6	5	4	6	11	20	12	2	4	21	4	8
BANK	10	-	-	1	1	4	1	1	-	-	-	1	1
POSTAL	17	-	-	1	-	1	4	-	-	1	9	1	-
THEFT, U.S. PROPERTY	51	3	-	2	2	5	13	5	2	3	10	2	4
TRANSPORT, ETC. OF STOLEN PROPERTY	18	3	2	-	3	-	2	3	-	-	2	-	3
OTHER LARCENY AND THEFT OFFENSES	7	-	3	-	-	1	-	3	-	-	-	-	-

**Table B-7. (September 30, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	DC	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>PROPERTY OFFENSES (CONTINUED)</b>													
<b>EMBEZZLEMENT</b>	46	-	1	2	-	2	6	7	2	6	10	3	7
<b>FRAUD, TOTAL</b>	1,240	10	40	131	85	132	177	99	71	82	172	33	208
TAX	94	1	2	14	1	6	15	14	3	10	21	4	3
FINANCIAL INSTITUTIONS	134	1	7	9	7	15	25	14	10	12	17	3	14
SECURITIES AND EXCHANGE	49	-	1	22	-	2	2	2	-	2	13	1	4
MAIL	199	4	3	16	21	13	26	15	20	11	18	3	49
WIRE, RADIO, OR TELEVISION	124	-	2	15	12	16	9	7	14	11	20	4	14
SOCIAL SECURITY	34	-	1	-	1	10	5	-	2	6	1	-	8
CITIZENSHIP AND													
NATURALIZATION	20	-	1	2	1	1	4	2	-	-	4	-	5
PASSPORT	13	-	2	3	2	-	-	-	1	-	-	-	5
IDENTIFICATION													
DOCUMENTS & INFO.	111	-	2	6	7	19	12	5	4	3	17	2	34
FALSE CLAIMS AND													
SERVICES, GOV'T.	37	-	1	4	2	7	6	1	2	1	4	2	7
FALSE STATEMENTS	70	3	5	5	6	10	4	9	3	3	17	1	4
CONSPIRACY TO													
DEFRAUD THE U.S.	160	1	9	16	15	13	22	17	5	10	20	6	26
UNAUTHORIZED													
ACCESS DEVICES	94	-	1	16	7	10	17	7	3	9	10	2	12
HEALTH CARE	64	-	3	1	1	4	24	3	2	3	3	2	18
OTHER FRAUD OFFENSES	37	-	-	2	2	6	6	3	2	1	7	3	5
<b>FORGERY AND COUNTERFEITING</b>	87	-	1	4	4	7	15	12	3	3	11	7	20
<b>OTHER PROPERTY OFFENSES</b>	16	-	2	1	1	2	1	3	2	1	1	2	-
<b>DRUG OFFENSES</b>	5,898	56	304	419	322	526	911	598	289	633	459	236	1,145
<b>MARIJUANA, TOTAL</b>	352	-	4	11	4	12	153	27	13	23	45	19	41
SELL, DISTRIBUTE,													
OR DISPENSE	271	-	3	9	4	12	118	22	13	18	27	16	29
IMPORT/EXPORT	52	-	-	1	-	-	32	-	-	-	13	1	5
MANUFACTURE	26	-	-	1	-	-	2	5	-	5	5	1	7
POSSESSION	3	-	1	-	-	-	1	-	-	-	-	1	-
<b>ALL OTHER DRUGS, TOTAL</b>	5,429	56	285	394	307	510	741	557	274	600	403	208	1,094
SELL, DISTRIBUTE,													
OR DISPENSE	5,141	53	274	365	299	486	703	537	268	568	352	202	1,034
IMPORT/EXPORT	135	1	6	27	6	3	5	8	1	-	35	-	43
MANUFACTURE	132	1	3	1	2	16	32	9	4	29	15	5	15
POSSESSION	21	1	2	1	-	5	1	3	1	3	1	1	2
<b>OTHER DRUG OFFENSES</b>	117	-	15	14	11	4	17	14	2	10	11	9	10

**Table B-7. (September 30, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	DC	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>FIREARMS, EXPLOSIVES OFFENSES</b>	<b>2,003</b>	<b>9</b>	<b>89</b>	<b>107</b>	<b>134</b>	<b>320</b>	<b>237</b>	<b>270</b>	<b>103</b>	<b>198</b>	<b>165</b>	<b>114</b>	<b>257</b>
<b>FIREARMS, TOTAL</b>	<b>1,967</b>	<b>9</b>	<b>81</b>	<b>96</b>	<b>132</b>	<b>319</b>	<b>237</b>	<b>267</b>	<b>98</b>	<b>197</b>	<b>163</b>	<b>112</b>	<b>256</b>
POSESSION BY													
PROHIBITED PERSONS	1,204	3	34	55	78	162	146	147	64	153	118	70	174
FURTHERANCE OF VIOLENT/ DRUG TRAFFICKING CRIMES	385	4	21	22	36	59	41	52	22	23	23	20	62
OTHER FIREARMS OFFENSES	378	2	26	19	18	98	50	68	12	21	22	22	20
<b>EXPLOSIVES</b>	<b>36</b>	<b>-</b>	<b>8</b>	<b>11</b>	<b>2</b>	<b>1</b>	<b>-</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>1</b>
<b>SEX OFFENSES</b>	<b>679</b>	<b>7</b>	<b>14</b>	<b>47</b>	<b>69</b>	<b>45</b>	<b>54</b>	<b>78</b>	<b>39</b>	<b>71</b>	<b>124</b>	<b>31</b>	<b>100</b>
SEXUAL ABUSE OF ADULTS	24	-	-	1	1	-	-	1	-	6	7	7	1
SEXUAL ABUSE OF MINORS	160	1	6	11	11	10	10	26	7	31	27	4	16
SEXUALLY EXPLICIT MATERIAL	395	3	8	31	37	26	39	39	26	32	77	15	62
OTHER SEX OFFENSES	100	3	-	4	20	9	5	12	6	2	13	5	21
<b>JUSTICE SYSTEM OFFENSES</b>	<b>163</b>	<b>-</b>	<b>3</b>	<b>12</b>	<b>18</b>	<b>17</b>	<b>29</b>	<b>12</b>	<b>7</b>	<b>13</b>	<b>23</b>	<b>7</b>	<b>22</b>
OBSTRUCTION OF JUSTICE	77	-	2	6	13	8	12	4	3	6	8	5	10
ESCAPE FROM CUSTODY	35	-	1	-	1	3	6	6	-	1	8	1	8
FAILURE TO APPEAR	11	-	-	3	1	-	2	-	-	2	1	-	2
OTHER JUSTICE SYSTEM OFFENSES	40	-	-	3	3	6	9	2	4	4	6	1	2
<b>IMMIGRATION OFFENSES</b>	<b>1,690</b>	<b>2</b>	<b>27</b>	<b>60</b>	<b>31</b>	<b>42</b>	<b>840</b>	<b>27</b>	<b>24</b>	<b>25</b>	<b>434</b>	<b>55</b>	<b>123</b>
ALIEN SMUGGLING	199	-	3	1	-	1	93	1	2	3	56	1	38
IMPROPER ENTRY BY ALIEN	27	-	1	1	-	1	3	-	-	1	16	-	4
IMPROPER REENTRY BY ALIEN	1,438	2	21	57	28	38	740	24	22	18	359	54	75
OTHER IMMIGRATION OFFENSES	26	-	2	1	3	2	4	2	-	3	3	-	6
<b>GENERAL OFFENSES</b>	<b>426</b>	<b>5</b>	<b>16</b>	<b>44</b>	<b>25</b>	<b>32</b>	<b>59</b>	<b>34</b>	<b>19</b>	<b>27</b>	<b>76</b>	<b>18</b>	<b>71</b>
MONEY LAUNDERING	232	2	10	20	11	14	31	23	8	12	40	11	50
RICO <sup>1</sup>	67	1	1	20	-	2	9	2	9	1	17	-	5
EXTORTION AND THREATS	53	-	3	3	1	9	10	8	1	9	3	3	3
OTHER GENERAL OFFENSES	74	2	2	1	13	7	9	1	1	5	16	4	13
<b>REGULATORY OFFENSES</b>	<b>142</b>	<b>3</b>	<b>6</b>	<b>17</b>	<b>11</b>	<b>5</b>	<b>19</b>	<b>18</b>	<b>4</b>	<b>4</b>	<b>24</b>	<b>6</b>	<b>25</b>
<b>TRAFFIC OFFENSES</b>	<b>14</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2</b>
<b>UNCLASSIFIED OFFENSES</b>	<b>489</b>	<b>2</b>	<b>20</b>	<b>36</b>	<b>30</b>	<b>25</b>	<b>62</b>	<b>35</b>	<b>18</b>	<b>38</b>	<b>61</b>	<b>32</b>	<b>130</b>

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.

<sup>1</sup> RICO = Racketeer Influenced and Corrupt Organizations Act.