

**Table B-5.**  
**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,**  
**During the 12-Month Period Ending September 30, 2003**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>ALL CIRCUITS</b>	<b>56,396</b>	<b>47.9</b>	<b>27,009</b>	<b>21,413</b>	<b>2,248</b>	<b>2,244</b>	<b>789</b>	<b>315</b>	<b>9.1</b>
CRIMINAL	11,678	69.2	8,078	6,761	702	404	193	18	5.0
U.S. PRISONER PETITIONS	5,753	30.8	1,771	1,397	174	147	44	9	8.3
OTHER U.S. CIVIL	3,394	59.2	2,010	1,567	107	270	49	17	13.4
PRIV. PRISONER PETITIONS	12,768	27.3	3,488	2,469	553	314	126	26	9.0
OTHER PRIVATE CIVIL	13,607	48.4	6,590	5,154	306	864	200	66	13.1
BANKRUPTCY	870	50.6	440	309	47	72	6	6	16.4
ADMINISTRATIVE APPEALS	4,822	38.7	1,865	1,076	310	135	171	173	7.2
ORIGINAL PROCEEDINGS <sup>3</sup>	3,504	79.0	2,767	2,680	49	38	-	-	-
<b>DISTRICT OF COLUMBIA</b>	<b>1,182</b>	<b>43.5</b>	<b>514</b>	<b>406</b>	<b>17</b>	<b>70</b>	<b>14</b>	<b>7</b>	<b>14.9</b>
CRIMINAL	97	53.6	52	42	3	5	2	-	9.6
U.S. PRISONER PETITIONS	116	38.8	45	42	-	2	-	1	4.4
OTHER U.S. CIVIL	278	53.6	149	114	3	27	3	2	18.1
PRIV. PRISONER PETITIONS	24	41.7	10	9	-	-	1	-	-
OTHER PRIVATE CIVIL	155	48.4	75	58	2	12	2	1	16.0
BANKRUPTCY	6	33.3	2	2	-	-	-	-	-
ADMINISTRATIVE APPEALS	436	31.2	136	98	5	24	6	3	17.6
ORIGINAL PROCEEDINGS <sup>3</sup>	70	64.3	45	41	4	-	-	-	-
<b>FIRST CIRCUIT</b>	<b>1,573</b>	<b>36.6</b>	<b>576</b>	<b>495</b>	<b>13</b>	<b>65</b>	<b>2</b>	<b>1</b>	<b>12.3</b>
CRIMINAL	518	23.6	122	111	3	8	-	-	6.6
U.S. PRISONER PETITIONS	127	27.6	35	23	5	7	-	-	20.0
OTHER U.S. CIVIL	113	52.2	59	49	-	9	-	1	15.3
PRIV. PRISONER PETITIONS	99	33.3	33	28	1	4	-	-	12.1
OTHER PRIVATE CIVIL	530	41.9	222	186	3	31	2	-	14.0
BANKRUPTCY	26	65.4	17	15	-	2	-	-	11.8
ADMINISTRATIVE APPEALS	93	33.3	31	27	1	3	-	-	9.7
ORIGINAL PROCEEDINGS <sup>3</sup>	67	85.1	57	56	-	1	-	-	-
<b>SECOND CIRCUIT</b>	<b>4,262</b>	<b>45.4</b>	<b>1,934</b>	<b>1,253</b>	<b>333</b>	<b>20</b>	<b>228</b>	<b>100</b>	<b>1.1</b>
CRIMINAL	723	64.2	464	361	41	4	48	10	0.9
U.S. PRISONER PETITIONS	269	23.0	62	36	14	1	8	3	1.6
OTHER U.S. CIVIL	259	52.9	137	74	37	4	16	6	2.9
PRIV. PRISONER PETITIONS	840	23.5	197	108	43	4	31	11	2.0
OTHER PRIVATE CIVIL	1,483	46.7	693	407	126	4	118	38	0.6
BANKRUPTCY	80	43.8	35	25	7	1	-	2	2.9
ADMINISTRATIVE APPEALS	369	36.9	136	41	57	1	7	30	0.7
ORIGINAL PROCEEDINGS <sup>3</sup>	239	87.9	210	201	8	1	-	-	-

**Table B-5. (September 30, 2003—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>THIRD CIRCUIT</b>	<b>3,801</b>	<b>50.4</b>	<b>1,915</b>	<b>1,526</b>	<b>136</b>	<b>218</b>	<b>33</b>	<b>2</b>	<b>12.4</b>
CRIMINAL	591	76.8	454	411	9	31	3	-	6.8
U.S. PRISONER PETITIONS	460	40.2	185	145	23	14	3	-	7.6
OTHER U.S. CIVIL	215	65.1	140	116	7	14	3	-	10.0
PRIV. PRISONER PETITIONS	826	27.5	227	123	63	33	8	-	14.5
OTHER PRIVATE CIVIL	1,125	49.2	553	431	22	96	3	1	17.4
BANKRUPTCY	80	57.5	46	35	2	8	1	-	17.4
ADMINISTRATIVE APPEALS	290	43.4	126	88	7	18	12	1	14.3
ORIGINAL PROCEEDINGS <sup>3</sup>	214	86.0	184	177	3	4	-	-	-
<b>FOURTH CIRCUIT</b>	<b>4,668</b>	<b>51.8</b>	<b>2,419</b>	<b>2,127</b>	<b>121</b>	<b>151</b>	<b>17</b>	<b>3</b>	<b>7.0</b>
CRIMINAL	1,057	71.7	758	689	38	25	5	1	3.3
U.S. PRISONER PETITIONS	845	32.7	276	243	14	17	1	1	6.2
OTHER U.S. CIVIL	208	68.3	142	117	7	16	1	1	11.3
PRIV. PRISONER PETITIONS	1,013	30.0	304	259	30	12	3	-	3.9
OTHER PRIVATE CIVIL	888	54.2	481	401	14	65	1	-	13.5
BANKRUPTCY	65	60.0	39	26	4	8	1	-	20.5
ADMINISTRATIVE APPEALS	273	50.9	139	121	7	6	5	-	4.3
ORIGINAL PROCEEDINGS <sup>3</sup>	319	87.8	280	271	7	2	-	-	-
<b>FIFTH CIRCUIT</b>	<b>9,135</b>	<b>48.3</b>	<b>4,416</b>	<b>3,483</b>	<b>585</b>	<b>303</b>	<b>45</b>	<b>-</b>	<b>7.4</b>
CRIMINAL	2,429	76.7	1,863	1,533	239	74	17	-	4.0
U.S. PRISONER PETITIONS	950	30.5	290	225	49	15	1	-	5.2
OTHER U.S. CIVIL	369	58.8	217	171	24	20	2	-	9.2
PRIV. PRISONER PETITIONS	2,482	21.2	525	263	208	46	8	-	8.8
OTHER PRIVATE CIVIL	1,638	52.1	853	688	41	114	10	-	13.4
BANKRUPTCY	154	55.2	85	47	19	17	2	-	20.0
ADMINISTRATIVE APPEALS	478	37.0	177	162	1	9	5	-	5.1
ORIGINAL PROCEEDINGS <sup>3</sup>	635	63.9	406	394	4	8	-	-	-
<b>SIXTH CIRCUIT</b>	<b>4,557</b>	<b>49.4</b>	<b>2,251</b>	<b>2,016</b>	<b>20</b>	<b>206</b>	<b>9</b>	<b>-</b>	<b>10.0</b>
CRIMINAL	894	69.0	617	578	4	33	2	-	5.3
U.S. PRISONER PETITIONS	353	34.8	123	115	-	7	1	-	5.7
OTHER U.S. CIVIL	247	59.1	146	124	-	21	1	-	14.4
PRIV. PRISONER PETITIONS	1,124	33.5	377	338	-	37	2	-	9.8
OTHER PRIVATE CIVIL	1,357	47.2	641	539	4	95	3	-	14.8
BANKRUPTCY	73	52.1	38	32	1	5	-	-	13.2
ADMINISTRATIVE APPEALS	214	52.8	113	102	3	8	-	-	7.1
ORIGINAL PROCEEDINGS <sup>3</sup>	295	66.4	196	188	8	-	-	-	-

Table B-5. (September 30, 2003—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>SEVENTH CIRCUIT</b>	<b>3,390</b>	<b>41.4</b>	<b>1,404</b>	<b>1,101</b>	<b>74</b>	<b>184</b>	<b>9</b>	<b>36</b>	<b>14.5</b>
CRIMINAL	588	57.7	339	246	68	22	-	3	6.5
U.S. PRISONER PETITIONS	378	22.2	84	63	-	18	2	1	21.4
OTHER U.S. CIVIL	177	63.8	113	91	-	18	1	3	15.9
PRIV. PRISONER PETITIONS	772	25.0	193	162	-	26	1	4	13.5
OTHER PRIVATE CIVIL	1,090	42.0	458	349	-	89	3	17	19.4
BANKRUPTCY	50	46.0	23	15	1	4	-	3	17.4
ADMINISTRATIVE APPEALS	165	33.9	56	43	-	6	2	5	10.7
ORIGINAL PROCEEDINGS <sup>3</sup>	170	81.2	138	132	5	1	-	-	-
<b>EIGHTH CIRCUIT</b>	<b>2,896</b>	<b>61.3</b>	<b>1,775</b>	<b>1,491</b>	<b>120</b>	<b>130</b>	<b>29</b>	<b>5</b>	<b>8.1</b>
CRIMINAL	685	76.5	524	443	33	33	14	1	6.3
U.S. PRISONER PETITIONS	307	43.3	133	110	10	8	4	1	6.0
OTHER U.S. CIVIL	227	66.1	150	126	5	18	1	-	12.0
PRIV. PRISONER PETITIONS	596	38.6	230	198	16	13	2	1	5.7
OTHER PRIVATE CIVIL	678	63.7	432	354	21	51	5	1	11.8
BANKRUPTCY	33	72.7	24	17	4	3	-	-	12.5
ADMINISTRATIVE APPEALS	153	52.3	80	47	27	2	3	1	2.5
ORIGINAL PROCEEDINGS <sup>3</sup>	217	93.1	202	196	4	2	-	-	-
<b>NINTH CIRCUIT</b>	<b>11,220</b>	<b>47.2</b>	<b>5,295</b>	<b>3,929</b>	<b>398</b>	<b>477</b>	<b>340</b>	<b>151</b>	<b>9.9</b>
CRIMINAL	2,053	68.5	1,406	1,107	138	75	85	1	5.3
U.S. PRISONER PETITIONS	750	30.9	232	178	9	26	18	1	11.2
OTHER U.S. CIVIL	699	57.2	400	295	14	72	17	2	18.0
PRIV. PRISONER PETITIONS	2,833	28.8	815	652	15	83	60	5	10.2
OTHER PRIVATE CIVIL	2,217	48.7	1,079	860	29	151	31	8	14.0
BANKRUPTCY	188	44.7	84	60	8	13	2	1	15.5
ADMINISTRATIVE APPEALS	1,880	37.8	711	221	181	49	127	133	6.9
ORIGINAL PROCEEDINGS <sup>3</sup>	600	94.7	568	556	4	8	-	-	-
<b>TENTH CIRCUIT</b>	<b>2,627</b>	<b>56.0</b>	<b>1,470</b>	<b>1,088</b>	<b>181</b>	<b>142</b>	<b>55</b>	<b>4</b>	<b>10.2</b>
CRIMINAL	473	79.9	378	296	43	24	15	-	6.3
U.S. PRISONER PETITIONS	300	45.3	136	90	28	13	5	-	9.6
OTHER U.S. CIVIL	210	74.8	157	121	3	29	4	-	18.5
PRIV. PRISONER PETITIONS	651	39.8	259	159	68	19	9	4	7.3
OTHER PRIVATE CIVIL	690	51.6	356	275	17	45	19	-	12.6
BANKRUPTCY	36	47.2	17	12	-	5	-	-	29.4
ADMINISTRATIVE APPEALS	104	51.9	54	28	20	3	3	-	5.6
ORIGINAL PROCEEDINGS <sup>3</sup>	163	69.3	113	107	2	4	-	-	-

**Table B-5. (September 30, 2003—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/ Enforced	Dismissed	Reversed	Remanded	Other	
<b>ELEVENTH CIRCUIT</b>	<b>7,085</b>	<b>42.9</b>	<b>3,040</b>	<b>2,498</b>	<b>250</b>	<b>278</b>	<b>8</b>	<b>6</b>	<b>10.1</b>
CRIMINAL	1,570	70.1	1,101	944	83	70	2	2	6.4
U.S. PRISONER PETITIONS	898	18.9	170	127	22	19	1	1	11.2
OTHER U.S. CIVIL	392	51.0	200	169	7	22	-	2	11.0
PRIV. PRISONER PETITIONS	1,508	21.1	318	170	109	37	1	1	11.6
OTHER PRIVATE CIVIL	1,756	42.5	747	606	27	111	3	-	14.9
BANKRUPTCY	79	38.0	30	23	1	6	-	-	20.0
ADMINISTRATIVE APPEALS	367	28.9	106	98	1	6	1	-	5.7
ORIGINAL PROCEEDINGS <sup>3</sup>	515	71.5	368	361	-	7	-	-	-

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

<sup>1</sup> TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS.

<sup>2</sup> 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.

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