

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

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
<b>ALL CIRCUITS</b>	<b>56,396</b>	<b>27,303</b>	<b>24</b>	<b>13,344</b>	<b>3,563</b>	<b>655</b>	<b>53</b>	<b>3</b>	<b>7,387</b>	<b>1,683</b>	<b>13,935</b>	<b>6,815</b>	<b>6,198</b>	<b>922</b>
CRIMINAL	11,678	2,950	1	995	461	125	10	-	-	399	1,954	1,297	550	107
U.S. PRISONER PETITIONS	5,753	3,932	-	2,784	261	18	3	-	2,386	116	1,148	280	831	37
OTHER U.S. CIVIL	3,394	1,221	2	336	192	68	5	-	-	71	883	462	403	18
PRIV. PRISONER PETITIONS	12,768	9,211	1	6,236	974	13	15	3	5,001	230	2,974	537	2,366	71
OTHER PRIVATE CIVIL	13,607	6,133	20	1,514	879	374	16	-	-	245	4,599	3,121	1,385	93
BANKRUPTCY	870	375	-	84	53	14	2	-	-	15	291	198	83	10
ADMINISTRATIVE APPEALS	4,822	2,772	-	1,157	743	43	2	-	-	369	1,615	920	580	115
ORIGINAL PROCEEDINGS**	3,504	709	-	238	-	-	-	-	-	238	471	-	-	471
<b>DISTRICT OF COLUMBIA</b>	<b>1,182</b>	<b>549</b>	<b>-</b>	<b>146</b>	<b>75</b>	<b>14</b>	<b>3</b>	<b>-</b>	<b>28</b>	<b>26</b>	<b>403</b>	<b>251</b>	<b>90</b>	<b>62</b>
CRIMINAL	97	40	-	4	3	-	-	-	-	1	36	29	6	1
U.S. PRISONER PETITIONS	116	68	-	34	3	-	-	-	26	5	34	7	26	1
OTHER U.S. CIVIL	278	96	-	24	12	4	3	-	-	5	72	46	21	5
PRIV. PRISONER PETITIONS	24	14	-	2	-	-	-	-	2	-	12	1	11	-
OTHER PRIVATE CIVIL	155	66	-	17	15	2	-	-	-	-	49	28	21	-
BANKRUPTCY	6	4	-	1	-	-	-	-	-	1	3	3	-	-
ADMINISTRATIVE APPEALS	436	236	-	54	42	8	-	-	-	4	182	137	5	40
ORIGINAL PROCEEDINGS**	70	25	-	10	-	-	-	-	-	10	15	-	-	15
<b>FIRST CIRCUIT</b>	<b>1,573</b>	<b>912</b>	<b>-</b>	<b>388</b>	<b>53</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>80</b>	<b>253</b>	<b>524</b>	<b>347</b>	<b>166</b>	<b>11</b>
CRIMINAL	518	358	-	145	6	-	-	-	-	139	213	137	76	-
U.S. PRISONER PETITIONS	127	91	-	55	1	-	-	-	37	17	36	17	18	1
OTHER U.S. CIVIL	113	49	-	18	2	-	-	-	-	16	31	21	10	-
PRIV. PRISONER PETITIONS	99	65	-	53	-	-	-	-	43	10	12	6	6	-
OTHER PRIVATE CIVIL	530	271	-	83	33	-	1	-	-	49	188	148	40	-
BANKRUPTCY	26	8	-	2	1	-	1	-	-	-	6	5	1	-
ADMINISTRATIVE APPEALS	93	61	-	29	10	-	-	-	-	19	32	13	15	4
ORIGINAL PROCEEDINGS**	67	9	-	3	-	-	-	-	-	3	6	-	-	6
<b>SECOND CIRCUIT</b>	<b>4,262</b>	<b>2,125</b>	<b>-</b>	<b>643</b>	<b>31</b>	<b>4</b>	<b>-</b>	<b>-</b>	<b>446</b>	<b>162</b>	<b>1,482</b>	<b>764</b>	<b>548</b>	<b>170</b>
CRIMINAL	723	201	-	44	6	1	-	-	-	37	157	80	28	49
U.S. PRISONER PETITIONS	269	204	-	125	5	-	-	-	103	17	79	16	50	13
OTHER U.S. CIVIL	259	103	-	3	-	-	-	-	-	3	100	39	57	4
PRIV. PRISONER PETITIONS	840	641	-	425	17	-	-	-	343	65	216	8	185	23
OTHER PRIVATE CIVIL	1,483	687	-	36	2	2	-	-	-	32	651	414	207	30
BANKRUPTCY	80	36	-	-	-	-	-	-	-	-	36	26	6	4
ADMINISTRATIVE APPEALS	369	227	-	10	1	1	-	-	-	8	217	181	15	21
ORIGINAL PROCEEDINGS**	239	26	-	-	-	-	-	-	-	-	26	-	-	26

**Table B5-A. (September 30, 2003—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
<b>THIRD CIRCUIT</b>	<b>3,801</b>	<b>1,803</b>	-	<b>926</b>	<b>307</b>	<b>7</b>	<b>2</b>	-	<b>536</b>	<b>74</b>	<b>877</b>	<b>499</b>	<b>324</b>	<b>54</b>
CRIMINAL	591	127	-	44	33	2	2	-	-	7	83	73	8	2
U.S. PRISONER PETITIONS	460	270	-	194	21	1	-	-	161	11	76	22	54	-
OTHER U.S. CIVIL	215	69	-	27	25	-	-	-	-	2	42	25	17	-
PRIV. PRISONER PETITIONS	826	598	-	445	64	-	-	-	375	6	153	20	128	5
OTHER PRIVATE CIVIL	1,125	522	-	121	95	3	-	-	-	23	401	307	78	16
BANKRUPTCY	80	33	-	5	2	1	-	-	-	2	28	25	3	-
ADMINISTRATIVE APPEALS	290	156	-	85	67	-	-	-	-	18	71	27	36	8
ORIGINAL PROCEEDINGS**	214	28	-	5	-	-	-	-	-	5	23	-	-	23
<b>FOURTH CIRCUIT</b>	<b>4,668</b>	<b>1,978</b>	<b>1</b>	<b>1,073</b>	<b>225</b>	<b>21</b>	-	-	<b>778</b>	<b>49</b>	<b>904</b>	<b>503</b>	<b>349</b>	<b>52</b>
CRIMINAL	1,057	166	-	50	37	-	-	-	-	13	116	94	18	4
U.S. PRISONER PETITIONS	845	557	-	434	41	2	-	-	390	1	123	37	84	2
OTHER U.S. CIVIL	208	49	-	9	6	-	-	-	-	3	40	30	9	1
PRIV. PRISONER PETITIONS	1,013	701	1	470	71	2	-	-	388	9	230	65	161	4
OTHER PRIVATE CIVIL	888	336	-	58	38	15	-	-	-	5	278	222	49	7
BANKRUPTCY	65	19	-	3	2	-	-	-	-	1	16	14	2	-
ADMINISTRATIVE APPEALS	273	125	-	49	30	2	-	-	-	17	76	41	26	9
ORIGINAL PROCEEDINGS**	319	25	-	-	-	-	-	-	-	-	25	-	-	25
<b>FIFTH CIRCUIT</b>	<b>9,135</b>	<b>4,519</b>	-	<b>2,080</b>	<b>681</b>	<b>29</b>	<b>3</b>	-	<b>1,281</b>	<b>86</b>	<b>2,439</b>	<b>625</b>	<b>1,557</b>	<b>257</b>
CRIMINAL	2,429	522	-	141	110	2	-	-	-	29	381	168	209	4
U.S. PRISONER PETITIONS	950	656	-	419	50	-	-	-	363	6	237	24	209	4
OTHER U.S. CIVIL	369	148	-	34	24	1	-	-	-	9	114	38	74	2
PRIV. PRISONER PETITIONS	2,482	1,952	-	1,161	235	1	2	-	918	5	791	78	708	5
OTHER PRIVATE CIVIL	1,638	671	-	145	111	21	1	-	-	12	526	257	262	7
BANKRUPTCY	154	61	-	11	10	-	-	-	-	1	50	19	30	1
ADMINISTRATIVE APPEALS	478	281	-	168	141	4	-	-	-	23	113	41	65	7
ORIGINAL PROCEEDINGS**	635	228	-	1	-	-	-	-	-	1	227	-	-	227
<b>SIXTH CIRCUIT</b>	<b>4,557</b>	<b>2,149</b>	-	<b>1,098</b>	<b>343</b>	<b>35</b>	<b>7</b>	-	<b>621</b>	<b>92</b>	<b>1,051</b>	<b>577</b>	<b>326</b>	<b>148</b>
CRIMINAL	894	252	-	74	60	2	1	-	-	11	178	103	40	35
U.S. PRISONER PETITIONS	353	227	-	179	20	-	-	-	159	-	48	14	27	7
OTHER U.S. CIVIL	247	94	-	36	27	2	-	-	-	7	58	28	25	5
PRIV. PRISONER PETITIONS	1,124	733	-	555	82	1	3	-	462	7	178	38	116	24
OTHER PRIVATE CIVIL	1,357	630	-	157	119	25	3	-	-	10	473	352	103	18
BANKRUPTCY	73	31	-	3	1	1	-	-	-	1	28	18	6	4
ADMINISTRATIVE APPEALS	214	85	-	50	34	4	-	-	-	12	35	24	9	2
ORIGINAL PROCEEDINGS**	295	97	-	44	-	-	-	-	-	44	53	-	-	53

Table B5-A. (September 30, 2003—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
<b>SEVENTH CIRCUIT</b>	<b>3,390</b>	<b>1,766</b>	-	<b>642</b>	<b>153</b>	<b>7</b>	<b>7</b>	-	<b>294</b>	<b>181</b>	<b>1,124</b>	<b>604</b>	<b>498</b>	<b>22</b>
CRIMINAL	588	156	-	41	17	1	-	-	-	23	115	103	7	5
U.S. PRISONER PETITIONS	378	288	-	172	16	-	-	-	136	20	116	30	84	2
OTHER U.S. CIVIL	177	56	-	15	10	-	-	-	-	5	41	24	17	-
PRIV. PRISONER PETITIONS	772	571	-	236	34	1	-	-	158	43	335	47	286	2
OTHER PRIVATE CIVIL	1,090	552	-	113	63	2	7	-	-	41	439	338	94	7
BANKRUPTCY	50	22	-	7	4	-	-	-	-	3	15	14	1	-
ADMINISTRATIVE APPEALS	165	89	-	31	9	3	-	-	-	19	58	48	9	1
ORIGINAL PROCEEDINGS**	170	32	-	27	-	-	-	-	-	27	5	-	-	5
<b>EIGHTH CIRCUIT</b>	<b>2,896</b>	<b>951</b>	-	<b>543</b>	<b>99</b>	<b>53</b>	<b>14</b>	-	<b>340</b>	<b>37</b>	<b>408</b>	<b>232</b>	<b>156</b>	<b>20</b>
CRIMINAL	685	94	-	31	14	11	3	-	-	3	63	61	2	-
U.S. PRISONER PETITIONS	307	168	-	153	15	3	3	-	130	2	15	5	9	1
OTHER U.S. CIVIL	227	55	-	17	7	7	1	-	-	2	38	24	14	-
PRIV. PRISONER PETITIONS	596	360	-	255	33	2	4	-	210	6	105	5	99	1
OTHER PRIVATE CIVIL	678	188	-	44	17	19	2	-	-	6	144	122	21	1
BANKRUPTCY	33	5	-	3	1	2	-	-	-	-	2	2	-	-
ADMINISTRATIVE APPEALS	153	70	-	35	12	9	1	-	-	13	35	13	11	11
ORIGINAL PROCEEDINGS**	217	11	-	5	-	-	-	-	-	5	6	-	-	6
<b>NINTH CIRCUIT</b>	<b>11,220</b>	<b>5,527</b>	-	<b>3,092</b>	<b>787</b>	<b>41</b>	<b>6</b>	<b>3</b>	<b>1,786</b>	<b>469</b>	<b>2,435</b>	<b>1,739</b>	<b>652</b>	<b>44</b>
CRIMINAL	2,053	534	-	189	56	9	3	-	-	121	345	325	14	6
U.S. PRISONER PETITIONS	750	514	-	419	16	3	-	-	380	20	95	61	31	3
OTHER U.S. CIVIL	699	265	-	70	48	9	1	-	-	12	195	144	50	1
PRIV. PRISONER PETITIONS	2,833	2,002	-	1,653	197	2	-	3	1,406	45	349	178	169	2
OTHER PRIVATE CIVIL	2,217	947	-	213	155	15	-	-	-	43	734	616	114	4
BANKRUPTCY	188	91	-	20	15	-	1	-	-	4	71	57	13	1
ADMINISTRATIVE APPEALS	1,880	1,142	-	512	300	3	1	-	-	208	630	358	261	11
ORIGINAL PROCEEDINGS**	600	32	-	16	-	-	-	-	-	16	16	-	-	16
<b>TENTH CIRCUIT</b>	<b>2,627</b>	<b>1,118</b>	-	<b>527</b>	<b>127</b>	<b>17</b>	<b>8</b>	-	<b>264</b>	<b>111</b>	<b>591</b>	<b>424</b>	<b>135</b>	<b>32</b>
CRIMINAL	473	89	-	37	21	3	1	-	-	12	52	44	7	1
U.S. PRISONER PETITIONS	300	164	-	106	14	2	-	-	77	13	58	32	24	2
OTHER U.S. CIVIL	210	49	-	12	4	1	-	-	-	7	37	34	3	-
PRIV. PRISONER PETITIONS	651	388	-	255	32	3	6	-	187	27	133	63	65	5
OTHER PRIVATE CIVIL	690	314	-	67	41	8	1	-	-	17	247	228	18	1
BANKRUPTCY	36	18	-	5	4	-	-	-	-	1	13	11	2	-
ADMINISTRATIVE APPEALS	104	46	-	18	11	-	-	-	-	7	28	12	16	-
ORIGINAL PROCEEDINGS**	163	50	-	27	-	-	-	-	-	27	23	-	-	23

**Table B5-A. (September 30, 2003—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appealability	Other	Total	FRAP 42*	Default	Other
<b>ELEVENTH CIRCUIT</b>	<b>7,085</b>	<b>3,906</b>	<b>23</b>	<b>2,186</b>	<b>682</b>	<b>427</b>	<b>1</b>	<b>-</b>	<b>933</b>	<b>143</b>	<b>1,697</b>	<b>250</b>	<b>1,397</b>	<b>50</b>
CRIMINAL	1,570	411	1	195	98	94	-	-	-	3	215	80	135	-
U.S. PRISONER PETITIONS	898	725	-	494	59	7	-	-	424	4	231	15	215	1
OTHER U.S. CIVIL	392	188	2	71	27	44	-	-	-	-	115	9	106	-
PRIV. PRISONER PETITIONS	1,508	1,186	-	726	209	1	-	-	509	7	460	28	432	-
OTHER PRIVATE CIVIL	1,756	949	20	460	190	262	1	-	-	7	469	89	378	2
BANKRUPTCY	79	47	-	24	13	10	-	-	-	1	23	4	19	-
ADMINISTRATIVE APPEALS	367	254	-	116	86	9	-	-	-	21	138	25	112	1
ORIGINAL PROCEEDINGS**	515	146	-	100	-	-	-	-	-	100	46	-	-	46

NOTE: TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS. JURIS. DEFECTS = JURISDICTIONAL DEFECTS. CPC = CERTIFICATE OF PROBABLE CAUSE. CERT. APPEALABILITY = CERTIFICATE OF APPEALABILITY. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

\* VOLUNTARY DISMISSAL UNDER RULE 42(B), FEDERAL RULES OF APPELLATE PROCEDURE.

\*\* BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF ORIGINAL PROCEEDINGS PREVIOUSLY NOT INCLUDED IN THIS TABLE.