

Table B-1A.
U.S. Courts of Appeals—Civil and Criminal Appeals Commenced, Terminated, and Pending, by Circuit and Nature of Proceeding, in Appeals
Arising From the U.S. District Courts During the 12-Month Period Ending September 30, 2018

Nature of Suit or Offense	Pending Oct. 1, 2017 ¹	Commenced			Terminated									Pending Sept. 30, 2018
					On Procedural Grounds			On the Merits						
		Total	Original	Reopened ²	Total	Total	By Consolida-tion	By Judge	By Staff	Total	By Consolida-tion	After Oral Argument	After Submission on Briefs	
Total	28,542	37,488	36,352	1,136	38,339	12,887	95	3,141	9,651	25,452	1,811	5,546	18,095	27,691
Total Criminal Appeals	8,777	9,792	9,639	153	9,682	2,029	3	386	1,640	7,653	653	1,462	5,538	8,887
Total Civil Appeals	19,765	27,696	26,713	983	28,657	10,858	92	2,755	8,011	17,799	1,158	4,084	12,557	18,804
U.S. Appeals	5,383	7,328	7,035	293	7,504	2,410	12	525	1,873	5,094	212	746	4,136	5,207
U.S. Plaintiff	277	242	229	13	283	112	1	31	80	171	25	85	61	236
Negotiable Instruments	1	0	-	-	1	1	-	-	1	-	-	-	-	0
Other Contract Actions	12	3	3	-	12	5	-	1	4	7	2	4	1	3
Condemnation of Land	0	4	4	-	1	-	-	-	-	1	-	-	1	3
Other Real Property Actions	4	8	8	-	6	4	-	1	3	2	-	1	1	6
Tort Actions	6	9	9	-	6	4	-	1	3	2	-	2	-	9
Civil Rights	22	16	14	2	20	6	1	1	4	14	3	11	-	18
Employment	11	10	8	2	14	4	-	1	3	10	3	7	-	7
Other Civil Rights	11	6	6	-	6	2	1	-	1	4	-	4	-	11
Forfeiture And Penalty	23	18	17	1	32	16	-	4	12	16	4	7	5	9
Fair Labor Standards Act	7	10	10	-	6	2	-	-	2	4	-	3	1	11
Other Labor	17	10	10	-	25	10	-	2	8	15	3	9	3	2
Securities, Commodities, & Exchanges	41	31	28	3	25	14	-	3	11	11	1	4	6	47
Tax Suits	39	30	29	1	49	16	-	7	9	33	2	8	23	20
All Other	105	103	97	6	100	34	-	11	23	66	10	36	20	108
U.S. Defendant	5,106	7,086	6,806	280	7,221	2,298	11	494	1,793	4,923	187	661	4,075	4,971
Contract Actions	35	40	39	1	47	19	-	-	19	28	1	14	13	28
Real Property Actions	33	36	35	1	40	18	1	1	16	22	1	6	15	29
Tort Actions	152	180	177	3	194	62	1	21	40	132	15	37	80	138
Civil Rights	428	662	639	23	689	274	-	71	203	415	20	91	304	401
Employment	126	154	151	3	165	42	-	10	32	123	3	25	95	115
Other Civil Rights	302	508	488	20	524	232	-	61	171	292	17	66	209	286
Prisoner Petitions	3,300	4,813	4,608	205	4,876	1,534	-	327	1,207	3,342	101	180	3,061	3,237

Table B-1A. (September 30, 2018—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2017 ¹	Commenced			Terminated									Pending Sept. 30, 2018
		Total	Original	Reopened ²	Total	On Procedural Grounds			On the Merits					
						Total	By Consol- idation	By Judge	By Staff	Total	By Consol- idation	After Oral Argument	After Submission on Briefs	
Motions to Vacate Sentence	2,425	3,169	3,033	136	3,271	752	-	213	539	2,519	70	133	2,316	2,323
Habeas Corpus--General	452	848	817	31	819	352	-	44	308	467	12	21	434	481
Habeas Corpus--Death Penalty	5	2	2	-	4	-	-	-	-	4	2	1	1	3
Prisoner Civil Rights	229	431	411	20	427	238	-	41	197	189	12	14	163	233
Prison Condition	56	151	143	8	136	84	-	16	68	52	-	-	52	71
Other Prisoner Petitions	133	212	202	10	219	108	-	13	95	111	5	11	95	126
Labor Suits	29	17	17	-	29	14	-	1	13	15	4	6	5	17
Social Security Laws	551	560	542	18	652	139	-	25	114	513	3	112	398	459
Tax Suits	50	74	70	4	62	23	1	4	18	39	4	17	18	62
Environmental Matters	75	70	70	-	82	30	5	-	25	52	15	35	2	63
Freedom of Information Act	64	89	88	1	75	22	2	6	14	53	1	21	31	78
All Other	389	545	521	24	475	163	1	38	124	312	22	142	148	459
Total Private Appeals	14,382	20,368	19,678	690	21,153	8,448	80	2,230	6,138	12,705	946	3,338	8,421	13,597
Federal Question	11,857	17,561	16,959	602	18,181	7,244	38	2,032	5,174	10,937	705	2,555	7,677	11,237
Marine Contract	42	38	37	1	49	20	1	6	13	29	4	20	5	31
Other Contract Actions	233	344	334	10	303	137	1	32	104	166	15	70	81	274
Federal Employers Liability Act	6	15	15	-	4	1	-	-	1	3	-	1	2	17
Marine Injury	28	39	38	1	46	19	1	3	15	27	3	15	9	21
Other Tort Actions	390	449	435	14	522	229	-	59	170	293	35	100	158	317
Antitrust	149	80	74	6	108	35	-	4	31	73	16	42	15	121
Civil Rights	3,336	4,645	4,450	195	4,763	1,887	11	474	1,402	2,876	210	1,052	1,614	3,218
Employment	787	992	938	54	1,080	402	2	84	316	678	35	242	401	699
Other Civil Rights	2,549	3,653	3,512	141	3,683	1,485	9	390	1,086	2,198	175	810	1,213	2,519
Prisoner Petitions	5,139	8,662	8,393	269	9,130	3,453	3	1,174	2,276	5,677	171	422	5,084	4,671
Habeas Corpus--General	2,643	4,314	4,195	119	4,696	1,049	1	474	574	3,647	89	232	3,326	2,261
Habeas Corpus--Death Penalty	264	130	121	9	137	23	1	17	5	114	7	56	51	257
Prisoner Civil Rights	1,455	2,702	2,613	89	2,770	1,511	1	451	1,059	1,259	63	85	1,111	1,387
Prison Condition	755	1,440	1,388	52	1,461	836	-	224	612	625	12	49	564	734
Other Prisoner Petitions	22	76	76	-	66	34	-	8	26	32	-	-	32	32
Labor Management Relations Act	70	55	52	3	82	29	1	3	25	53	3	35	15	43

Table B-1A. (September 30, 2018—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2017 ¹	Commenced			Terminated										Pending Sept. 30, 2018
		Total	Original	Reopened ²	Total	On Procedural Grounds			On the Merits						
						Total	By Consolida-tion	By Judge	By Staff	Total	By Consolida-tion	After Oral Argument	After Submission on Briefs		
Other Labor	618	672	647	25	715	308	9	33	266	407	69	197	141	575	
Copyright, Patent, & Trademark	313	326	315	11	357	135	4	27	104	222	47	122	53	282	
Securities, Commodities, & Exchanges	107	116	111	5	100	34	-	8	26	66	1	50	15	123	
Constitutionality of State Statutes	98	131	122	9	127	34	-	9	25	93	19	57	17	102	
All Other	1,328	1,989	1,936	53	1,875	923	7	200	716	952	112	372	468	1,442	
Diversity of Citizenship	2,525	2,807	2,719	88	2,972	1,204	42	198	964	1,768	241	783	744	2,360	
Insurance	448	538	523	15	546	198	13	24	161	348	47	159	142	440	
Other Contract Actions	831	868	838	30	946	383	17	49	317	563	87	294	182	753	
Real Property Actions	316	358	343	15	359	153	1	25	127	206	19	56	131	315	
Personal Injury/Product Liability	189	152	148	4	204	90	4	14	72	114	27	56	31	137	
Other Personal Injury	336	386	375	11	434	158	6	37	115	276	39	103	134	288	
Personal Property Damage	208	246	238	8	235	103	1	18	84	132	17	68	47	219	
All Other	197	259	254	5	248	119	-	31	88	129	5	47	77	208	
Total Criminal Appeals	8,777	9,792	9,639	153	9,682	2,029	3	386	1,640	7,653	653	1,462	5,538	8,887	
Violent Offenses	542	505	504	1	508	123	-	46	77	385	47	84	254	539	
Homicide	48	49	49	-	46	10	-	3	7	36	3	8	25	51	
Robbery	123	125	125	-	133	37	-	15	22	96	8	16	72	115	
Assault	71	106	106	-	82	20	-	6	14	62	2	11	49	95	
Kidnapping	54	35	34	1	42	5	-	1	4	37	8	6	23	47	
Racketeering--Violent Crime	127	81	81	-	91	20	-	7	13	71	17	21	33	117	
Carjacking	60	56	56	-	53	10	-	3	7	43	1	9	33	63	
Terrorism	27	23	23	-	25	9	-	4	5	16	4	8	4	25	
Other Violent Offenses	32	30	30	-	36	12	-	7	5	24	4	5	15	26	
Property Offenses	1,216	1,274	1,235	39	1,271	296	-	60	236	975	151	285	539	1,219	
Burglary	3	3	3	-	4	1	-	-	1	3	1	-	2	2	
Larceny & Theft, Total	107	130	128	2	124	32	-	4	28	92	2	23	67	113	

Table B-1A. (September 30, 2018—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2017 ¹	Commenced			Terminated									Pending Sept. 30, 2018
		Total	Original	Reopened ²	Total	On Procedural Grounds			On the Merits					
						Total	By Consolida-tion	By Judge	By Staff	Total	By Consolida-tion	After Oral Argument	After Submission on Briefs	
Bank	3	4	4	-	3	-	-	-	-	3	-	-	3	4
Postal	13	21	21	-	17	2	-	-	2	15	-	4	11	17
Theft, U.S. Property	69	89	87	2	83	23	-	3	20	60	1	13	46	75
Transportation of Stolen Property	18	11	11	-	18	6	-	1	5	12	1	6	5	11
Other Larceny and Theft Offenses	4	5	5	-	3	1	-	-	1	2	-	-	2	6
Embezzlement	26	23	23	-	29	3	-	-	3	26	1	15	10	20
Fraud, Total	1,028	1,057	1,020	37	1,057	245	-	54	191	812	143	237	432	1,028
Tax	52	53	50	3	55	11	-	2	9	44	4	17	23	50
Financial Institutions	36	41	40	1	43	14	-	5	9	29	2	10	17	34
Securities and Exchange	17	13	13	-	12	7	-	1	6	5	-	3	2	18
Mail	60	71	61	10	83	16	-	3	13	67	21	15	31	48
Wire, Radio, or Television	81	91	87	4	82	24	-	4	20	58	6	20	32	90
Social Security	16	14	14	-	20	8	-	1	7	12	-	2	10	10
Citizenship and Naturalization	9	8	8	-	9	-	-	-	-	9	1	3	5	8
Passport	5	14	14	-	6	2	-	-	2	4	-	-	4	13
Identification Documents and Information	47	60	60	-	53	15	-	3	12	38	2	7	29	54
False Claims and Services, Government	38	26	26	-	41	18	-	8	10	23	2	8	13	23
False Statements	36	35	32	3	43	10	-	-	10	33	9	12	12	28
Conspiracy to Defraud the U.S.	47	48	48	-	55	16	-	2	14	39	4	14	21	40
Unauthorized Access Devices	84	93	91	2	88	19	-	2	17	69	5	17	47	89
Health Care	122	87	83	4	104	10	-	4	6	94	23	34	37	105
Other Fraud Offenses	378	403	393	10	363	75	-	19	56	288	64	75	149	418
Forgery and Counterfeiting	42	48	48	-	45	14	-	2	12	31	4	6	21	45
Other Property Offenses	10	13	13	-	12	1	-	-	1	11	-	4	7	11
Drug Offenses	2,914	3,222	3,171	51	3,340	778	-	128	650	2,562	194	362	2,006	2,796
Marijuana, Total	214	205	202	3	238	53	-	3	50	185	20	37	128	181
Sell, Distribute, or Dispense	198	187	184	3	215	45	-	1	44	170	19	35	116	170

Table B-1A. (September 30, 2018—Continued)

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						Total	By Consolida-tion	By Judge	By Staff	Total	By Consolida-tion	After Oral Argument	After Submission on Briefs	
Import/Export	8	8	8	-	12	5	-	1	4	7	-	1	6	4
Manufacture	8	9	9	-	11	3	-	1	2	8	1	1	6	6
Possession	0	1	1	-	0	-	-	-	-	-	-	-	-	1
All Other Drugs, Total	2,651	2,973	2,927	46	3,053	713	-	124	589	2,340	169	317	1,854	2,571
Sell, Distribute, or Dispense	2,475	2,815	2,773	42	2,859	666	-	117	549	2,193	163	298	1,732	2,431
Import/Export	138	116	114	2	146	40	-	6	34	106	6	16	84	108
Manufacture	34	41	39	2	45	7	-	1	6	38	-	2	36	30
Possession	4	1	1	-	3	-	-	-	-	3	-	1	2	2
Other Drug Offenses	49	44	42	2	49	12	-	1	11	37	5	8	24	44
Firearms and Explosives Offenses	1,696	1,913	1,890	23	1,733	345	-	63	282	1,388	72	297	1,019	1,876
Firearms, Total	1,660	1,861	1,839	22	1,686	331	-	55	276	1,355	70	292	993	1,835
Possession by Prohibited Persons	880	1,043	1,035	8	978	173	-	26	147	805	38	175	592	945
Furtherance of Violent/Drug-Trafficking Crimes	523	582	572	10	500	114	-	20	94	386	22	83	281	605
Other Firearms Offenses	257	236	232	4	208	44	-	9	35	164	10	34	120	285
Explosives	36	52	51	1	47	14	-	8	6	33	2	5	26	41
Sex Offenses	659	772	762	10	719	120	1	23	96	599	21	147	431	712
Sexual Abuse of Adults	22	22	22	-	22	1	-	-	1	21	1	9	11	22
Sexual Abuse of Minors	271	259	256	3	272	40	-	11	29	232	8	59	165	258
Sexually Explicit Material	253	346	339	7	291	54	1	8	45	237	7	62	168	308
Other Sex Offenses	113	145	145	-	134	25	-	4	21	109	5	17	87	124
Justice System Offenses	160	124	123	1	155	25	1	4	20	130	26	29	75	129
Obstruction of Justice	92	75	74	1	88	14	1	1	12	74	14	21	39	79
Escape from Custody	29	26	26	-	39	9	-	2	7	30	7	3	20	16
Failure to Appear	16	10	10	-	16	-	-	-	-	16	3	3	10	10
Other Justice System Offenses	23	13	13	-	12	2	-	1	1	10	2	2	6	24
Immigration Offenses	730	930	914	16	962	136	-	21	115	826	57	97	672	698

Table B-1A. (September 30, 2018—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2017 ¹	Commenced			Terminated									Pending Sept. 30, 2018
		Total	Original	Reopened ²	Total	On Procedural Grounds			On the Merits					
						Total	By Consolida-tion	By Judge	By Staff	Total	By Consolida-tion	After Oral Argument	After Submission on Briefs	
Alien Smuggling	101	116	115	1	116	16	-	4	12	100	6	17	77	101
Improper Entry by Alien	12	8	8	-	8	2	-	-	2	6	1	3	2	12
Improper Reentry by Alien	596	779	764	15	814	113	-	17	96	701	50	73	578	561
Other Immigration Offenses	21	27	27	-	24	5	-	-	5	19	-	4	15	24
General Offenses	233	281	278	3	222	53	1	12	40	169	27	50	92	292
Money Laundering	149	165	163	2	131	28	-	7	21	103	16	30	57	183
RICO (Racketeer Influenced and Corrupt Organizations)	41	33	32	1	32	6	-	-	6	26	6	10	10	42
Extortion and Threats	19	36	36	-	27	9	-	5	4	18	2	3	13	28
Other General Offenses	24	47	47	-	32	10	1	-	9	22	3	7	12	39
Regulatory Offenses	124	139	137	2	140	31	-	5	26	109	8	48	53	123
Traffic Offenses	3	5	5	-	6	2	-	-	2	4	-	-	4	2
Unclassified Offenses	500	627	620	7	626	120	-	24	96	506	50	63	393	501

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 Revised.

² Beginning in 2007, the category entitled "Reopened," which includes all reopened Appeals, has replaced the category entitled "Reinstated." Therefore, data on reopened cases for 2007 and thereafter are not comparable to data published previously on reinstated cases.