

Table B-5.
U.S. Courts of Appeals—Decisions in Cases Terminated on the Merits, by Circuit and Nature of Proceeding,
During the 12-Month Period Ending September 30, 2017

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
Total	54,347	2,947	62.6	34,045	21,957	3,187	2,829	435	79	5,558	7.8
Criminal	10,921	763	70.1	7,652	5,482	1,504	494	150	22	-	6.5
U.S. Prisoner Petitions	4,748	88	65.7	3,121	790	127	121	22	8	2,053	3.9
Other U.S. Civil	2,670	129	60.8	1,623	1,260	110	207	42	4	-	12.8
Private Prisoner Petitions	9,548	179	62.2	5,935	1,666	444	292	19	9	3,505	4.9
Other Private Civil	12,690	1,247	52.2	6,629	5,265	460	804	87	13	-	12.1
Bankruptcy	843	68	54.9	463	359	50	49	5	-	-	10.6
Administrative Agency Appeals	5,850	316	45.5	2,661	2,063	253	212	110	23	-	8.0
Original Proceedings and Miscellaneous Applications	7,077	157	84.2	5,961	5,072	239	650	-	-	-	-
DC	1,050	181	45.8	481	366	24	76	11	3	1	16.2
Criminal	71	10	45.1	32	26	-	6	-	-	-	18.8
U.S. Prisoner Petitions	90	1	35.6	32	26	1	3	-	1	1	9.4
Other U.S. Civil	255	30	56.5	144	119	5	16	3	1	-	11.1
Private Prisoner Petitions	16	2	-	10	9	-	1	-	-	-	10.0
Other Private Civil	147	16	59.9	88	73	1	12	2	-	-	13.6
Bankruptcy	4	-	-	3	2	1	-	-	-	-	-
Administrative Agency Appeals	380	122	32.1	122	70	13	32	6	1	-	26.2
Original Proceedings and Miscellaneous Applications	87	-	57.5	50	41	3	6	-	-	-	-

Table B-5. (September 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
1st	1,472	61	61.4	904	742	28	81	7	-	46	9.3
Criminal	556	23	63.8	355	318	12	21	4	-	-	5.9
U.S. Prisoner Petitions	79	2	63.3	50	10	2	6	2	-	30	12.0
Other U.S. Civil	79	5	59.5	47	41	1	4	1	-	-	8.5
Private Prisoner Petitions	80	3	52.5	42	26	-	-	-	-	16	-
Other Private Civil	363	20	50.7	184	152	2	30	-	-	-	16.3
Bankruptcy	30	2	60.0	18	15	2	1	-	-	-	5.6
Administrative Agency Appeals	103	6	40.8	42	35	-	7	-	-	-	16.7
Original Proceedings and Miscellaneous Applications	182	-	91.2	166	145	9	12	-	-	-	-
2nd	4,125	293	57.1	2,355	1,497	464	171	42	-	181	6.9
Criminal	642	70	71.5	459	319	86	32	22	-	-	7.0
U.S. Prisoner Petitions	155	4	64.5	100	13	14	3	1	-	69	3.0
Other U.S. Civil	258	20	55.4	143	82	45	13	3	-	-	9.1
Private Prisoner Petitions	449	3	57.9	260	48	84	13	3	-	112	5.0
Other Private Civil	1,429	75	49.1	702	469	164	64	5	-	-	9.1
Bankruptcy	82	9	59.8	49	32	15	2	-	-	-	4.1
Administrative Agency Appeals	662	16	52.6	348	274	50	16	8	-	-	4.6
Original Proceedings and Miscellaneous Applications	448	96	65.6	294	260	6	28	-	-	-	-

Table B-5. (September 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
3rd	3,729	594	57.5	2,146	1,494	63	182	32	1	374	8.9
Criminal	422	19	70.4	297	260	11	14	12	-	-	4.7
U.S. Prisoner Petitions	292	2	68.5	200	94	1	8	-	1	96	4.0
Other U.S. Civil	145	4	53.8	78	67	3	8	-	-	-	10.3
Private Prisoner Petitions	591	5	71.7	424	118	4	23	1	-	278	5.4
Other Private Civil	1,430	555	37.1	531	436	13	78	4	-	-	14.7
Bankruptcy	82	5	51.2	42	35	1	6	-	-	-	14.3
Administrative Agency Appeals	258	3	48.4	125	91	5	14	15	-	-	11.2
Original Proceedings and Miscellaneous Applications	509	1	88.2	449	393	25	31	-	-	-	-
4th	4,626	147	73.4	3,397	2,314	217	181	37	-	648	5.6
Criminal	1,154	59	77.0	889	726	107	45	11	-	-	5.1
U.S. Prisoner Petitions	702	12	76.6	538	147	16	21	-	-	354	3.9
Other U.S. Civil	232	9	70.7	164	140	6	14	4	-	-	8.5
Private Prisoner Petitions	828	8	69.2	573	238	20	21	-	-	294	3.7
Other Private Civil	876	47	64.0	561	460	49	51	1	-	-	9.1
Bankruptcy	62	3	53.2	33	31	-	2	-	-	-	6.1
Administrative Agency Appeals	243	7	65.8	160	123	8	8	21	-	-	5.0
Original Proceedings and Miscellaneous Applications	529	2	90.5	479	449	11	19	-	-	-	-

Table B-5. (September 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
5th	7,942	751	58.0	4,608	2,595	1,015	218	86	-	694	5.0
Criminal	2,727	275	71.1	1,940	955	879	65	41	-	-	3.4
U.S. Prisoner Petitions	642	47	46.7	300	57	28	4	3	-	208	1.3
Other U.S. Civil	178	15	44.4	79	66	6	7	-	-	-	8.9
Private Prisoner Petitions	1,515	131	47.3	717	135	72	23	1	-	486	3.2
Other Private Civil	1,379	230	42.2	582	462	20	76	24	-	-	13.1
Bankruptcy	61	7	57.4	35	28	3	3	1	-	-	8.6
Administrative Agency Appeals	407	25	47.7	194	160	2	16	16	-	-	8.2
Original Proceedings and Miscellaneous Applications	1,033	21	73.7	761	732	5	24	-	-	-	-
6th	5,105	126	70.8	3,616	2,387	150	371	21	-	687	7.7
Criminal	960	46	73.1	702	559	83	50	10	-	-	7.1
U.S. Prisoner Petitions	487	2	72.7	354	86	6	17	1	-	244	4.8
Other U.S. Civil	173	7	57.2	99	83	1	14	1	-	-	14.1
Private Prisoner Petitions	1,065	5	65.4	696	200	19	33	1	-	443	4.7
Other Private Civil	1,014	39	60.3	611	515	16	78	2	-	-	12.8
Bankruptcy	47	5	70.2	33	30	1	2	-	-	-	6.1
Administrative Agency Appeals	256	10	68.8	176	151	8	11	6	-	-	6.3
Original Proceedings and Miscellaneous Applications	1,103	12	85.7	945	763	16	166	-	-	-	-

Table B-5. (September 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
7th	2,947	125	57.7	1,699	1,057	84	165	35	38	320	10.5
Criminal	497	31	60.4	300	223	35	32	1	9	-	10.7
U.S. Prisoner Petitions	355	7	66.2	235	65	2	16	3	1	148	6.8
Other U.S. Civil	147	9	56.5	83	55	2	12	12	2	-	14.5
Private Prisoner Petitions	693	8	46.9	325	118	6	22	3	4	172	6.8
Other Private Civil	791	43	48.4	383	305	8	56	6	8	-	14.6
Bankruptcy	49	18	28.6	14	13	-	-	1	-	-	-
Administrative Agency Appeals	113	9	62.8	71	36	2	10	9	14	-	14.1
Original Proceedings and Miscellaneous Applications	302	-	95.4	288	242	29	17	-	-	-	-
8th	3,170	124	78.0	2,472	1,798	99	129	33	13	400	4.9
Criminal	750	42	78.5	589	478	71	25	13	2	-	4.2
U.S. Prisoner Petitions	370	5	80.0	296	65	2	3	6	2	218	1.0
Other U.S. Civil	100	-	72.0	72	64	4	3	-	1	-	4.2
Private Prisoner Petitions	527	3	69.6	367	163	4	11	4	3	182	3.0
Other Private Civil	548	43	67.0	367	310	7	40	9	1	-	10.9
Bankruptcy	15	2	-	10	8	1	1	-	-	-	10.0
Administrative Agency Appeals	152	20	59.9	91	74	8	4	1	4	-	4.4
Original Proceedings and Miscellaneous Applications	708	9	96.0	680	636	2	42	-	-	-	-

Table B-5. (September 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
9th	11,867	357	62.8	7,456	4,600	676	935	31	7	1,207	10.5
Criminal	1,381	100	67.9	938	673	115	141	8	1	-	15.0
U.S. Prisoner Petitions	454	3	73.8	335	74	36	15	1	1	208	4.5
Other U.S. Civil	696	22	68.1	474	347	34	91	2	-	-	19.2
Private Prisoner Petitions	2,257	5	74.1	1,673	421	137	112	2	2	999	6.7
Other Private Civil	2,706	113	59.7	1,616	1,247	151	212	5	1	-	13.1
Bankruptcy	316	14	58.2	184	135	23	25	1	-	-	13.6
Administrative Agency Appeals	2,919	90	39.9	1,166	930	150	72	12	2	-	6.2
Original Proceedings and Miscellaneous Applications	1,138	10	94.0	1,070	773	30	267	-	-	-	-
10th	1,959	23	66.2	1,297	878	67	99	81	1	171	7.3
Criminal	377	1	72.7	274	181	45	23	25	-	-	8.4
U.S. Prisoner Petitions	261	1	59.8	156	57	3	7	4	1	84	4.5
Other U.S. Civil	162	2	69.8	113	79	2	16	16	-	-	14.2
Private Prisoner Petitions	295	5	60.0	177	72	8	7	3	-	87	4.0
Other Private Civil	596	12	63.1	376	318	9	25	24	-	-	6.6
Bankruptcy	23	2	56.5	13	11	-	-	2	-	-	-
Administrative Agency Appeals	61	-	63.9	39	26	-	6	7	-	-	15.4
Original Proceedings and Miscellaneous Applications	184	-	81.0	149	134	-	15	-	-	-	-

Table B-5. (September 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
11th	6,355	165	56.9	3,614	2,229	300	221	19	16	829	6.6
Criminal	1,384	87	63.4	877	764	60	40	3	10	-	4.6
U.S. Prisoner Petitions	861	2	61.0	525	96	16	18	1	1	393	3.4
Other U.S. Civil	245	6	51.8	127	117	1	9	-	-	-	7.1
Private Prisoner Petitions	1,232	1	54.5	671	118	90	26	1	-	436	3.9
Other Private Civil	1,411	54	44.5	628	518	20	82	5	3	-	13.1
Bankruptcy	72	1	40.3	29	19	3	7	-	-	-	24.1
Administrative Agency Appeals	296	8	42.9	127	93	7	16	9	2	-	12.6
Original Proceedings and Miscellaneous Applications	854	6	73.8	630	504	103	23	-	-	-	-

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously.

Totals for cases terminated on the merits in the Third Circuit and in the nation have been revised following resolution of a technical issue affecting the data.

¹ Affirmed includes appeals affirmed in part and reversed in part.

² Percent not shown where the total number of appeals terminated on the merits is less than 10. Percent reversed not computed for original proceedings because of their difference from appeals, nor are original proceedings included in the percentage of total appeals reversed.