

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, 2023

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	40,636	1,857	60.4	24,534	16,797	2,806	1,850	403	158	2,520	7.7
Criminal	9,267	537	70.6	6,547	4,798	1,243	380	112	14	-	5.8
U.S. Prisoner Petitions	2,716	75	61.9	1,681	551	110	86	14	11	909	5.1
Other U.S. Civil	2,404	131	59.2	1,424	1,036	124	181	78	5	-	12.7
Private Prisoner Petitions	6,803	150	53.2	3,618	1,425	398	158	12	14	1,611	4.4
Other Private Civil	10,191	703	52.1	5,314	4,140	434	668	60	12	-	12.6
Bankruptcy	571	53	51.7	295	215	55	22	2	1	-	7.5
Administrative Agency Appeals	5,364	166	55.7	2,987	2,361	210	190	125	101	-	6.4
Original Proceedings and Miscellaneous Applications	3,320	42	80.4	2,668	2,271	232	165	-	-	-	-
DC	768	113	51.4	395	305	35	44	7	-	4	11.2
Criminal	69	4	58.0	40	28	6	4	2	-	-	10.0
U.S. Prisoner Petitions	50	1	38.0	19	13	1	-	2	-	3	-
Other U.S. Civil	235	36	61.7	145	119	6	19	1	-	-	13.1
Private Prisoner Petitions	5	-	-	3	2	-	-	-	-	1	-
Other Private Civil	128	13	66.4	85	71	4	9	1	-	-	10.6
Administrative Agency Appeals	237	59	31.2	74	51	13	9	1	-	-	12.2
Original Proceedings and Miscellaneous Applications	44	-	65.9	29	21	5	3	-	-	-	-

Table B-5. (September 30, 2023—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	923	36	69.0	637	451	69	62	4	1	50	10.1
Criminal	263	19	68.1	179	140	21	17	1	-	-	9.5
U.S. Prisoner Petitions	62	1	83.9	52	12	5	3	1	-	31	5.8
Other U.S. Civil	61	-	65.6	40	34	1	5	-	-	-	12.5
Private Prisoner Petitions	61	-	70.5	43	19	3	2	-	-	19	4.7
Other Private Civil	306	10	62.1	190	150	21	18	1	-	-	9.5
Bankruptcy	36	3	58.3	21	15	6	-	-	-	-	-
Administrative Agency Appeals	74	1	78.4	58	35	7	14	1	1	-	24.1
Original Proceedings and Miscellaneous Applications	60	2	90.0	54	46	5	3	-	-	-	-
2nd	3,501	173	53.4	1,869	1,207	342	170	28	-	122	8.6
Criminal	608	48	64.3	391	263	98	19	11	-	-	4.9
U.S. Prisoner Petitions	185	16	60.5	112	24	18	10	3	-	57	8.9
Other U.S. Civil	200	18	52.0	104	54	28	21	1	-	-	20.2
Private Prisoner Petitions	329	10	57.8	190	46	67	11	1	-	65	5.8
Other Private Civil	1,243	55	47.8	594	423	106	56	9	-	-	9.4
Bankruptcy	79	13	41.8	33	28	4	1	-	-	-	3.0
Administrative Agency Appeals	638	3	46.2	295	247	16	29	3	-	-	9.8
Original Proceedings and Miscellaneous Applications	219	10	68.5	150	122	5	23	-	-	-	-

Table B-5. (September 30, 2023—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	2,540	100	63.8	1,620	1,123	72	145	25	1	254	8.3
Criminal	456	23	71.5	326	279	14	27	5	1	-	8.3
U.S. Prisoner Petitions	172	-	77.9	134	58	3	10	1	-	62	7.5
Other U.S. Civil	98	5	54.1	53	50	1	2	-	-	-	3.8
Private Prisoner Petitions	508	5	64.8	329	120	7	9	1	-	192	2.7
Other Private Civil	795	40	55.7	443	377	13	52	1	-	-	11.7
Bankruptcy	56	13	35.7	20	15	1	4	-	-	-	20.0
Administrative Agency Appeals	222	14	60.4	134	89	12	16	17	-	-	11.9
Original Proceedings and Miscellaneous Applications	233	-	77.7	181	135	21	25	-	-	-	-
4th	3,865	153	70.3	2,717	2,079	137	193	56	2	250	7.5
Criminal	1,211	53	77.5	938	775	94	60	9	-	-	6.4
U.S. Prisoner Petitions	427	8	70.7	302	140	4	20	1	-	137	6.6
Other U.S. Civil	205	11	60.5	124	99	3	17	4	1	-	13.7
Private Prisoner Petitions	647	13	56.0	362	211	16	21	1	-	113	5.8
Other Private Civil	753	41	66.3	499	431	11	54	3	-	-	10.8
Bankruptcy	34	3	67.6	23	20	1	2	-	-	-	8.7
Administrative Agency Appeals	228	7	71.5	163	112	5	7	38	1	-	4.3
Original Proceedings and Miscellaneous Applications	360	17	85.0	306	291	3	12	-	-	-	-

Table B-5. (September 30, 2023—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	5,864	449	58.9	3,454	2,047	804	201	60	18	324	5.7
Criminal	2,000	194	74.5	1,489	777	637	41	34	-	-	2.8
U.S. Prisoner Petitions	353	29	52.1	184	48	21	2	1	9	103	1.1
Other U.S. Civil	278	17	40.6	113	74	15	17	7	-	-	15.0
Private Prisoner Petitions	1,078	90	41.5	447	131	61	23	3	8	221	5.1
Other Private Civil	1,140	97	48.7	555	430	41	79	5	-	-	14.2
Bankruptcy	59	3	66.1	39	31	5	3	-	-	-	7.7
Administrative Agency Appeals	465	16	63.0	293	249	20	13	10	1	-	4.4
Original Proceedings and Miscellaneous Applications	491	3	68.0	334	307	4	23	-	-	-	-
6th	3,307	138	61.8	2,043	1,391	117	171	28	88	248	9.5
Criminal	917	38	68.3	626	517	49	51	6	3	-	8.1
U.S. Prisoner Petitions	258	7	57.4	148	45	2	11	1	-	89	7.4
Other U.S. Civil	141	7	53.9	76	61	1	12	2	-	-	15.8
Private Prisoner Petitions	564	10	55.7	314	133	2	19	-	1	159	6.1
Other Private Civil	824	56	50.6	417	336	14	65	1	1	-	15.6
Bankruptcy	20	5	55.0	11	9	1	1	-	-	-	9.1
Administrative Agency Appeals	184	7	71.2	131	8	18	4	18	83	-	3.1
Original Proceedings and Miscellaneous Applications	399	8	80.2	320	282	30	8	-	-	-	-

Table B-5. (September 30, 2023—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	2,501	73	48.2	1,206	810	83	120	34	19	140	10.2
Criminal	524	32	54.4	285	195	53	31	2	4	-	10.9
U.S. Prisoner Petitions	203	4	41.9	85	22	-	9	-	1	53	10.6
Other U.S. Civil	160	3	64.4	103	67	1	12	20	3	-	11.7
Private Prisoner Petitions	654	3	35.6	233	129	3	8	2	4	87	3.4
Other Private Civil	636	23	44.0	280	220	11	42	4	3	-	15.0
Bankruptcy	52	3	-	10	8	-	-	1	1	-	-
Administrative Agency Appeals	75	5	45.3	34	23	-	3	5	3	-	8.8
Original Proceedings and Miscellaneous Applications	197	-	89.3	176	146	15	15	-	-	-	-
8th	2,788	295	71.9	2,004	1,506	150	82	17	3	246	4.3
Criminal	952	46	80.9	770	667	80	18	5	-	-	2.3
U.S. Prisoner Petitions	225	3	84.0	189	36	2	2	1	1	147	1.1
Other U.S. Civil	94	3	70.2	66	58	3	5	-	-	-	7.6
Private Prisoner Petitions	437	6	69.1	302	160	34	9	-	-	99	3.0
Other Private Civil	696	230	50.3	350	283	22	41	2	2	-	11.7
Bankruptcy	11	-	-	6	6	-	-	-	-	-	-
Administrative Agency Appeals	103	5	69.9	72	55	7	1	9	-	-	1.4
Original Proceedings and Miscellaneous Applications	270	2	92.2	249	241	2	6	-	-	-	-

Table B-5. (September 30, 2023—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	8,581	215	60.7	5,205	3,675	560	437	29	-	504	8.5
Criminal	848	36	62.4	529	389	70	62	8	-	-	11.7
U.S. Prisoner Petitions	323	3	70.3	227	71	34	8	1	-	113	3.5
Other U.S. Civil	597	28	66.5	397	288	48	58	3	-	-	14.6
Private Prisoner Petitions	1,298	9	66.6	864	284	148	40	1	-	391	4.6
Other Private Civil	2,033	89	53.3	1,084	799	124	157	4	-	-	14.5
Bankruptcy	149	8	65.1	97	59	30	8	-	-	-	8.2
Administrative Agency Appeals	2,843	42	55.0	1,564	1,390	89	73	12	-	-	4.7
Original Proceedings and Miscellaneous Applications	490	-	90.4	443	395	17	31	-	-	-	-
10th	1,726	24	61.4	1,059	722	84	49	74	10	120	4.5
Criminal	406	2	73.4	298	207	55	9	27	-	-	3.0
U.S. Prisoner Petitions	126	-	66.7	84	34	4	2	2	-	42	2.4
Other U.S. Civil	97	1	64.9	63	49	2	3	9	-	-	4.8
Private Prisoner Petitions	378	2	46.6	176	86	5	3	3	1	78	1.7
Other Private Civil	510	18	55.3	282	222	10	26	24	-	-	9.2
Bankruptcy	8	-	-	6	6	-	-	-	-	-	-
Administrative Agency Appeals	112	1	63.4	71	44	8	1	9	9	-	1.4
Original Proceedings and Miscellaneous Applications	89	-	88.8	79	74	-	5	-	-	-	-

Table B-5. (September 30, 2023—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	4,272	88	54.4	2,325	1,481	353	176	41	16	258	8.3
Criminal	1,013	42	66.7	676	561	66	41	2	6	-	6.1
U.S. Prisoner Petitions	332	3	43.7	145	48	16	9	-	-	72	6.2
Other U.S. Civil	238	2	58.8	140	83	15	10	31	1	-	7.1
Private Prisoner Petitions	844	2	42.1	355	104	52	13	-	-	186	3.7
Other Private Civil	1,127	31	47.5	535	398	57	69	5	6	-	12.9
Bankruptcy	67	2	43.3	29	18	7	3	1	-	-	10.3
Administrative Agency Appeals	183	6	53.6	98	58	15	20	2	3	-	20.4
Original Proceedings and Miscellaneous Applications	468	-	74.1	347	211	125	11	-	-	-	-

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.

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.