

Table B-1.
U.S. Courts of Appeals—Appeals Commenced, Terminated, and Pending, by Circuit,
During the 12-Month Period Ending December 31, 2008

Circuit and Nature of Proceeding	Cases Pending Jan. 1, 2008 ¹	Cases Commenced			Cases Terminated							Cases Pending Dec. 31, 2008	
		Total	Original	Reopened ²	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing		After Submission on Briefs
ALL CIRCUITS	50,946	61,492	59,569	1,923	59,283	2,285	28,080	12,162	15,918	28,918	8,802	20,116	53,155
CRIMINAL	12,839	14,295	14,054	241	13,549	668	3,485	948	2,537	9,396	2,742	6,654	13,585
U.S. PRISONER PETITIONS	2,534	5,443	5,284	159	4,886	87	3,475	2,074	1,401	1,324	154	1,170	3,091
OTHER U.S. CIVIL	2,619	2,919	2,827	92	2,952	96	1,146	293	853	1,710	695	1,015	2,586
PRIV. PRISONER PETITIONS	6,706	11,579	11,268	311	10,768	60	8,141	4,893	3,248	2,567	579	1,988	7,517
OTHER PRIVATE CIVIL	10,945	11,745	11,402	343	12,014	844	5,192	1,334	3,858	5,978	3,408	2,570	10,676
BANKRUPTCY	886	747	714	33	856	66	359	98	261	431	239	192	777
ADMINISTRATIVE APPEALS	13,573	11,118	10,413	705	10,651	450	4,856	1,628	3,228	5,345	964	4,381	14,04
ORIGINAL PROCEEDINGS	844	3,646	3,607	39	3,607	14	1,426	894	532	2,167	21	2,146	883
DISTRICT OF COLUMBIA	1,567	1,267	1,246	21	1,289	210	504	165	339	575	260	315	1,545
CRIMINAL	219	105	99	6	136	14	59	6	53	63	46	17	188
U.S. PRISONER PETITIONS	153	289	283	6	177	31	86	48	38	60	10	50	265
OTHER U.S. CIVIL	232	243	238	5	257	14	67	16	51	176	65	111	218
PRIV. PRISONER PETITIONS	11	15	14	1	16	1	11	4	7	4	2	2	10
OTHER PRIVATE CIVIL	151	130	129	1	188	16	62	16	46	110	52	58	93
BANKRUPTCY	-	4	4	-	2	-	2	-	2	-	-	-	2
ADMINISTRATIVE APPEALS	772	394	393	1	422	134	186	62	124	102	84	18	744
ORIGINAL PROCEEDINGS	29	87	86	1	91	-	31	13	18	60	1	59	25
FIRST CIRCUIT	1,557	1,629	1,621	8	1,732	41	666	176	490	1,025	340	685	1,454
CRIMINAL	659	562	560	2	612	19	173	12	161	420	135	285	609
U.S. PRISONER PETITIONS	92	93	92	1	119	3	71	46	25	45	14	31	66
OTHER U.S. CIVIL	81	93	93	-	97	3	37	5	32	57	28	29	77
PRIV. PRISONER PETITIONS	116	168	167	1	167	-	118	64	54	49	11	38	117
OTHER PRIVATE CIVIL	355	431	429	2	436	9	196	20	176	231	138	93	350
BANKRUPTCY	34	34	34	-	26	1	10	4	6	15	7	8	42
ADMINISTRATIVE APPEALS	187	199	197	2	217	6	56	21	35	155	7	148	169
ORIGINAL PROCEEDINGS	33	49	49	-	58	-	5	4	1	53	-	53	24

Table B-1. (December 31, 2008—Continued)

Circuit and Nature of Proceeding	Cases Pending Jan. 1, 2008 ¹	Cases Commenced			Cases Terminated								Cases Pending Dec. 31, 2008
		Total	Original	Reopened ²	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
SECOND CIRCUIT	5,728	6,708	6,247	461	6,521	387	3,272	1,239	2,033	2,862	1,127	1,735	5,915
CRIMINAL	1,270	938	914	24	1,227	185	333	109	224	709	400	309	981
U.S. PRISONER PETITIONS	144	203	188	15	236	1	196	122	74	39	18	21	111
OTHER U.S. CIVIL	224	222	213	9	225	9	117	41	76	99	68	31	221
PRIV. PRISONER PETITIONS	487	756	731	25	769	4	652	443	209	113	38	75	474
OTHER PRIVATE CIVIL	1,401	1,582	1,545	37	1,332	120	695	193	502	517	392	125	1,651
BANKRUPTCY	127	71	66	5	105	14	57	14	43	34	24	10	93
ADMINISTRATIVE APPEALS	2,027	2,727	2,382	345	2,414	50	1,161	296	865	1,203	185	1,018	2,340
ORIGINAL PROCEEDINGS	48	209	208	1	213	4	61	21	40	148	2	146	44
THIRD CIRCUIT	3,719	3,970	3,919	51	3,922	35	1,648	642	1,006	2,239	378	1,861	3,767
CRIMINAL	1,037	859	856	3	785	8	173	63	110	604	94	510	1,111
U.S. PRISONER PETITIONS	217	309	306	3	320	-	179	108	71	141	9	132	206
OTHER U.S. CIVIL	155	176	171	5	171	-	60	21	39	111	17	94	160
PRIV. PRISONER PETITIONS	444	740	729	11	724	4	541	284	257	179	32	147	460
OTHER PRIVATE CIVIL	991	992	983	9	940	21	402	84	318	517	166	351	1,043
BANKRUPTCY	80	76	75	1	82	-	41	8	33	41	18	23	74
ADMINISTRATIVE APPEALS	754	629	612	17	711	2	216	69	147	493	41	452	672
ORIGINAL PROCEEDINGS	41	189	187	2	189	-	36	5	31	153	1	152	41
FOURTH CIRCUIT	2,549	5,559	5,528	31	4,835	157	2,168	786	1,382	2,510	377	2,133	3,273
CRIMINAL	998	1,312	1,305	7	1,155	79	216	41	175	860	127	733	1,155
U.S. PRISONER PETITIONS	309	1,368	1,360	8	971	8	571	317	254	392	9	383	706
OTHER U.S. CIVIL	124	236	235	1	201	7	70	9	61	124	27	97	159
PRIV. PRISONER PETITIONS	342	1,221	1,215	6	1,170	5	876	329	547	289	28	261	393
OTHER PRIVATE CIVIL	483	732	725	7	702	41	295	46	249	366	145	221	513
BANKRUPTCY	41	43	43	-	46	3	16	4	12	27	13	14	38
ADMINISTRATIVE APPEALS	223	346	344	2	305	14	88	35	53	203	27	176	264
ORIGINAL PROCEEDINGS	29	301	301	-	285	-	36	5	31	249	1	248	45
FIFTH CIRCUIT	5,028	7,669	7,241	428	7,603	95	3,751	1,608	2,143	3,757	1,024	2,733	5,094
CRIMINAL	1,871	2,641	2,551	90	2,394	28	644	104	540	1,722	331	1,391	2,118
U.S. PRISONER PETITIONS	347	487	445	42	540	1	427	250	177	112	8	104	294
OTHER U.S. CIVIL	214	312	286	26	333	4	137	44	93	192	56	136	193
PRIV. PRISONER PETITIONS	1,131	1,782	1,667	115	1,853	3	1,506	913	593	344	61	283	1,060
OTHER PRIVATE CIVIL	981	1,271	1,184	87	1,368	45	528	120	408	795	482	313	884
BANKRUPTCY	97	110	99	11	129	8	48	7	41	73	49	24	78
ADMINISTRATIVE APPEALS	323	624	592	32	554	5	319	166	153	230	35	195	393
ORIGINAL PROCEEDINGS	64	442	417	25	432	1	142	4	138	289	2	287	74

Table B-1. (December 31, 2008—Continued)

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							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
SIXTH CIRCUIT	4,299	5,035	4,952	83	4,802	219	2,100	1,002	1,098	2,483	896	1,587	4,532
CRIMINAL	1,335	1,261	1,253	8	1,113	57	329	112	217	727	273	454	1,483
U.S. PRISONER PETITIONS	241	283	272	11	328	5	226	162	64	97	9	88	196
OTHER U.S. CIVIL	183	268	263	5	209	8	87	25	62	114	40	74	242
PRIV. PRISONER PETITIONS	781	1,108	1,077	31	1,036	16	715	539	176	305	98	207	853
OTHER PRIVATE CIVIL	1,108	1,228	1,215	13	1,256	103	516	109	407	637	393	244	1,080
BANKRUPTCY	67	55	55	-	53	5	13	2	11	35	19	16	69
ADMINISTRATIVE APPEALS	405	448	436	12	432	24	140	50	90	268	63	205	421
ORIGINAL PROCEEDINGS	179	384	381	3	375	1	74	3	71	300	1	299	188
SEVENTH CIRCUIT	2,280	3,409	3,345	64	3,301	257	1,624	576	1,048	1,420	813	607	2,388
CRIMINAL	706	707	702	5	741	103	194	60	134	444	294	150	672
U.S. PRISONER PETITIONS	160	624	600	24	482	7	373	170	203	102	19	83	302
OTHER U.S. CIVIL	115	152	151	1	160	11	58	10	48	91	60	31	107
PRIV. PRISONER PETITIONS	324	588	572	16	574	10	435	167	268	129	37	92	338
OTHER PRIVATE CIVIL	735	865	848	17	883	92	400	80	320	391	295	96	717
BANKRUPTCY	49	55	55	-	58	14	21	5	16	23	16	7	46
ADMINISTRATIVE APPEALS	177	244	243	1	235	19	85	40	45	131	92	39	186
ORIGINAL PROCEEDINGS	14	174	174	-	168	1	58	44	14	109	-	109	20
EIGHTH CIRCUIT	2,007	3,100	3,068	32	3,045	166	983	569	414	1,896	578	1,318	2,062
CRIMINAL	675	1,163	1,154	9	1,014	51	176	65	111	787	239	548	824
U.S. PRISONER PETITIONS	108	260	258	2	257	4	176	159	17	77	11	66	111
OTHER U.S. CIVIL	135	167	164	3	149	3	38	7	31	108	47	61	153
PRIV. PRISONER PETITIONS	308	551	545	6	557	5	332	260	72	220	28	192	302
OTHER PRIVATE CIVIL	548	569	559	10	650	80	195	56	139	375	204	171	467
BANKRUPTCY	52	27	27	-	43	9	8	5	3	26	18	8	36
ADMINISTRATIVE APPEALS	141	153	152	1	153	13	46	10	36	94	31	63	141
ORIGINAL PROCEEDINGS	40	210	209	1	222	1	12	7	5	209	-	209	28

Table B-1. (December 31, 2008—Continued)

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							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs		
NINTH CIRCUIT	16,883	13,299	12,916	383	12,586	482	6,577	3,086	3,491	5,527	1,926	3,601	17,596	
CRIMINAL	2,125	1,655	1,624	31	1,737	72	470	103	367	1,195	405	790	2,043	
U.S. PRISONER PETITIONS	391	528	524	4	434	22	325	201	124	87	36	51	485	
OTHER U.S. CIVIL	866	608	592	16	689	27	268	50	218	394	225	169	785	
PRIV. PRISONER PETITIONS	2,043	2,761	2,733	28	1,941	5	1,457	1,070	387	479	172	307	2,863	
OTHER PRIVATE CIVIL	2,740	2,010	1,958	52	2,158	183	950	207	743	1,025	667	358	2,592	
BANKRUPTCY	253	165	157	8	178	9	83	17	66	86	45	41	240	
ADMINISTRATIVE APPEALS	8,190	4,611	4,371	240	4,531	161	2,254	761	1,493	2,116	364	1,752	8,270	
ORIGINAL PROCEEDINGS	275	961	957	4	918	3	770	677	93	145	12	133	318	
TENTH CIRCUIT	1,904	2,232	2,205	27	2,405	48	881	405	476	1,476	476	1,000	1,731	
CRIMINAL	611	585	575	10	665	6	106	32	74	553	213	340	531	
U.S. PRISONER PETITIONS	122	240	238	2	234	-	149	100	49	85	7	78	128	
OTHER U.S. CIVIL	151	136	135	1	163	1	56	12	44	106	28	78	124	
PRIV. PRISONER PETITIONS	224	437	430	7	432	1	274	181	93	157	18	139	229	
OTHER PRIVATE CIVIL	606	527	521	6	579	39	189	34	155	351	189	162	554	
BANKRUPTCY	37	31	31	-	44	-	16	7	9	28	14	14	24	
ADMINISTRATIVE APPEALS	93	103	103	-	102	1	28	8	20	73	7	66	94	
ORIGINAL PROCEEDINGS	60	173	172	1	186	-	63	31	32	123	-	123	47	
ELEVENTH CIRCUIT	3,425	7,615	7,281	334	7,242	188	3,906	1,908	1,998	3,148	607	2,541	3,798	
CRIMINAL	1,333	2,507	2,461	46	1,970	46	612	241	371	1,312	185	1,127	1,870	
U.S. PRISONER PETITIONS	250	759	718	41	788	5	696	391	305	87	4	83	221	
OTHER U.S. CIVIL	139	306	286	20	298	9	151	53	98	138	34	104	147	
PRIV. PRISONER PETITIONS	495	1,452	1,388	64	1,529	6	1,224	639	585	299	54	245	418	
OTHER PRIVATE CIVIL	846	1,408	1,306	102	1,522	95	764	369	395	663	285	378	732	
BANKRUPTCY	49	76	68	8	90	3	44	25	19	43	16	27	35	
ADMINISTRATIVE APPEALS	281	640	588	52	575	21	277	110	167	277	28	249	346	
ORIGINAL PROCEEDINGS	32	467	466	1	470	3	138	80	58	329	1	328	29	

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.

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.