

Table B-5A.
U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit,
During the 12-Month Period Ending September 30, 2010

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
ALL CIRCUITS	59,526	26,419	186	12,264	3,778	555	92	-	5,643	2,196	13,969	6,388	6,356	1,225
CRIMINAL	13,512	3,084	4	888	412	133	5	-	-	338	2,192	1,398	646	148
U.S. PRISONER PETITIONS	5,069	3,418	-	2,203	304	9	10	-	1,802	78	1,215	292	894	29
OTHER U.S. CIVIL	2,991	1,180	16	297	163	34	4	-	-	96	867	434	399	34
PRIV. PRISONER PETITIONS	11,118	7,889	-	5,113	1,006	22	23	-	3,841	221	2,776	616	2,079	81
OTHER PRIVATE CIVIL	12,536	5,509	128	1,524	865	306	46	-	-	307	3,857	2,350	1,387	120
BANKRUPTCY	747	318	4	96	41	12	1	-	-	42	218	141	72	5
ADMINISTRATIVE APPEALS	9,794	4,066	34	1,727	987	39	3	-	-	698	2,305	1,157	879	269
ORIGINAL PROCEEDINGS	3,759	955	-	416	-	-	-	-	-	416	539	-	-	539
DC	1,189	461	26	78	21	13	4	-	11	29	357	187	89	81
CRIMINAL	118	42	-	5	1	3	-	-	-	1	37	32	3	2
U.S. PRISONER PETITIONS	258	54	-	16	3	2	1	-	9	1	38	10	27	1
OTHER U.S. CIVIL	250	91	1	10	4	2	1	-	-	3	80	42	34	4
PRIV. PRISONER PETITIONS	16	9	-	3	1	-	-	-	2	-	6	2	4	-
OTHER PRIVATE CIVIL	131	44	1	8	1	3	1	-	-	3	35	18	17	-
BANKRUPTCY	4	-	-	-	-	-	-	-	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	327	180	24	25	11	3	1	-	-	10	131	83	4	44
ORIGINAL PROCEEDINGS	85	41	-	11	-	-	-	-	-	11	30	-	-	30
1ST CIRCUIT	1,706	658	11	195	69	5	-	-	109	12	452	316	133	3
CRIMINAL	567	173	2	18	16	1	-	-	-	1	153	122	29	2
U.S. PRISONER PETITIONS	125	88	-	63	3	-	-	-	60	-	25	9	16	-
OTHER U.S. CIVIL	106	41	2	6	4	-	-	-	-	2	33	18	15	-
PRIV. PRISONER PETITIONS	162	91	-	59	10	-	-	-	49	-	32	9	23	-
OTHER PRIVATE CIVIL	454	186	7	27	21	3	-	-	-	3	152	123	29	-
BANKRUPTCY	39	14	-	4	4	-	-	-	-	-	10	6	4	-
ADMINISTRATIVE APPEALS	191	62	-	16	11	1	-	-	-	4	46	29	17	-
ORIGINAL PROCEEDINGS	62	3	-	2	-	-	-	-	-	2	1	-	-	1
2ND CIRCUIT	6,300	2,499	20	1,077	187	79	-	-	340	471	1,402	642	595	165
CRIMINAL	937	249	2	57	1	-	-	-	-	56	190	63	67	60
U.S. PRISONER PETITIONS	233	190	-	123	9	1	-	-	99	14	67	6	57	4
OTHER U.S. CIVIL	264	106	3	26	7	1	-	-	-	18	77	50	22	5
PRIV. PRISONER PETITIONS	769	551	-	362	32	1	-	-	241	88	189	9	167	13
OTHER PRIVATE CIVIL	2,055	855	14	253	68	74	-	-	-	111	588	368	188	32
BANKRUPTCY	107	51	1	16	2	1	-	-	-	13	34	17	15	2
ADMINISTRATIVE APPEALS	1,696	469	-	229	68	1	-	-	-	160	240	129	79	32
ORIGINAL PROCEEDINGS	239	28	-	11	-	-	-	-	-	11	17	-	-	17

Table B-5A. (September 30, 2010—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
3RD CIRCUIT	4,235	1,690	6	692	313	8	1	-	345	25	992	465	430	97
CRIMINAL	880	182	-	46	38	3	-	-	-	5	136	119	15	2
U.S. PRISONER PETITIONS	323	194	-	125	20	-	-	-	104	1	69	11	51	7
OTHER U.S. CIVIL	179	64	-	18	17	-	-	-	-	1	46	23	21	2
PRIV. PRISONER PETITIONS	674	488	-	314	70	1	-	-	241	2	174	17	147	10
OTHER PRIVATE CIVIL	1,096	460	6	112	105	3	1	-	-	3	342	228	105	9
BANKRUPTCY	82	39	-	13	10	1	-	-	-	2	26	21	4	1
ADMINISTRATIVE APPEALS	735	199	-	57	53	-	-	-	-	4	142	46	87	9
ORIGINAL PROCEEDINGS	266	64	-	7	-	-	-	-	-	7	57	-	-	57
4TH CIRCUIT	4,951	1,938	9	989	226	14	3	-	673	73	940	438	447	55
CRIMINAL	1,557	277	-	68	35	2	1	-	-	30	209	148	53	8
U.S. PRISONER PETITIONS	896	517	-	390	35	-	-	-	350	5	127	21	102	4
OTHER U.S. CIVIL	177	56	-	10	5	3	-	-	-	2	46	25	21	-
PRIV. PRISONER PETITIONS	881	638	-	396	62	-	2	-	323	9	242	58	182	2
OTHER PRIVATE CIVIL	752	292	8	73	58	8	-	-	-	7	211	139	65	7
BANKRUPTCY	40	15	1	2	1	-	-	-	-	1	12	9	3	-
ADMINISTRATIVE APPEALS	305	100	-	38	30	1	-	-	-	7	62	38	21	3
ORIGINAL PROCEEDINGS	343	43	-	12	-	-	-	-	-	12	31	-	-	31
5TH CIRCUIT	7,624	3,743	14	1,619	572	8	2	-	895	142	2,110	560	1,326	224
CRIMINAL	2,445	576	-	145	69	2	-	-	-	74	431	225	198	8
U.S. PRISONER PETITIONS	610	485	-	287	60	-	-	-	225	2	198	19	177	2
OTHER U.S. CIVIL	283	133	1	39	25	1	1	-	-	12	93	26	63	4
PRIV. PRISONER PETITIONS	1,863	1,472	-	846	173	-	-	-	670	3	626	63	557	6
OTHER PRIVATE CIVIL	1,232	541	11	127	111	2	-	-	-	14	403	165	209	29
BANKRUPTCY	89	40	-	13	5	1	1	-	-	6	27	11	15	1
ADMINISTRATIVE APPEALS	602	334	2	161	129	2	-	-	-	30	171	51	107	13
ORIGINAL PROCEEDINGS	500	162	-	1	-	-	-	-	-	1	161	-	-	161
6TH CIRCUIT	4,440	1,944	17	848	397	25	9	-	393	24	1,079	431	486	162
CRIMINAL	1,123	316	-	106	97	1	-	-	-	8	210	116	54	40
U.S. PRISONER PETITIONS	294	207	-	126	30	-	1	-	93	2	81	19	58	4
OTHER U.S. CIVIL	205	72	1	17	15	1	1	-	-	-	54	25	24	5
PRIV. PRISONER PETITIONS	999	635	-	427	119	3	2	-	300	3	208	22	164	22
OTHER PRIVATE CIVIL	997	481	13	117	92	15	5	-	-	5	351	188	143	20
BANKRUPTCY	56	25	1	5	3	2	-	-	-	-	19	12	7	-
ADMINISTRATIVE APPEALS	366	136	2	49	41	3	-	-	-	5	85	49	36	-
ORIGINAL PROCEEDINGS	400	72	-	1	-	-	-	-	-	1	71	-	-	71

Table B-5A. (September 30, 2010—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
7TH CIRCUIT	3,398	1,711	16	637	135	14	53	-	305	130	1,058	474	569	15
CRIMINAL	682	137	-	43	19	3	1	-	-	20	94	92	1	1
U.S. PRISONER PETITIONS	542	367	-	184	31	-	8	-	126	19	183	48	135	-
OTHER U.S. CIVIL	150	59	-	13	7	-	1	-	-	5	46	18	28	-
PRIV. PRISONER PETITIONS	704	586	-	224	23	2	4	-	179	16	362	40	320	2
OTHER PRIVATE CIVIL	849	438	12	118	50	8	37	-	-	23	308	235	70	3
BANKRUPTCY	59	26	-	12	1	-	-	-	-	11	14	12	2	-
ADMINISTRATIVE APPEALS	209	66	4	20	4	1	2	-	-	13	42	29	13	-
ORIGINAL PROCEEDINGS	203	32	-	23	-	-	-	-	-	23	9	-	-	9
8TH CIRCUIT	3,397	959	8	540	130	19	11	-	369	11	411	243	156	12
CRIMINAL	1,021	130	-	27	18	6	1	-	-	2	103	98	2	3
U.S. PRISONER PETITIONS	363	215	-	192	15	1	-	-	175	1	23	5	18	-
OTHER U.S. CIVIL	188	38	1	4	3	1	-	-	-	-	33	16	16	1
PRIV. PRISONER PETITIONS	704	357	-	258	51	1	10	-	194	2	99	15	83	1
OTHER PRIVATE CIVIL	687	183	7	46	38	5	-	-	-	3	130	99	31	-
BANKRUPTCY	15	2	-	-	-	-	-	-	-	-	2	2	-	-
ADMINISTRATIVE APPEALS	149	29	-	10	5	5	-	-	-	-	19	8	6	5
ORIGINAL PROCEEDINGS	270	5	-	3	-	-	-	-	-	3	2	-	-	2
9TH CIRCUIT	13,340	6,553	38	3,478	1,157	36	7	-	1,163	1,115	3,037	2,025	704	308
CRIMINAL	1,712	448	-	162	34	7	2	-	-	119	286	251	17	18
U.S. PRISONER PETITIONS	457	327	-	223	39	1	-	-	161	22	104	75	22	7
OTHER U.S. CIVIL	691	301	5	90	40	4	-	-	-	46	206	151	44	11
PRIV. PRISONER PETITIONS	2,669	1,801	-	1,406	306	8	5	-	1,002	85	395	292	80	23
OTHER PRIVATE CIVIL	2,216	1,009	31	293	167	9	-	-	-	117	685	550	121	14
BANKRUPTCY	172	72	-	18	10	-	-	-	-	8	54	44	9	1
ADMINISTRATIVE APPEALS	4,651	2,265	2	1,027	561	7	-	-	-	459	1,236	662	411	163
ORIGINAL PROCEEDINGS	772	330	-	259	-	-	-	-	-	259	71	-	-	71
10TH CIRCUIT	2,448	1,039	11	447	112	4	2	-	259	70	581	418	140	23
CRIMINAL	589	110	-	46	24	2	-	-	-	20	64	61	2	1
U.S. PRISONER PETITIONS	304	208	-	106	11	-	-	-	86	9	102	54	48	-
OTHER U.S. CIVIL	175	51	-	10	8	-	-	-	-	2	41	32	8	1
PRIV. PRISONER PETITIONS	474	336	-	218	33	2	-	-	173	10	118	65	52	1
OTHER PRIVATE CIVIL	657	267	11	43	33	-	2	-	-	8	213	187	25	1
BANKRUPTCY	38	10	-	3	2	-	-	-	-	1	7	6	1	-
ADMINISTRATIVE APPEALS	92	20	-	3	1	-	-	-	-	2	17	13	4	-
ORIGINAL PROCEEDINGS	119	37	-	18	-	-	-	-	-	18	19	-	-	19

Table B-5A. (September 30, 2010—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appealability	Other	Total	FRAP 42 ¹	Default	Other
11TH CIRCUIT	6,498	3,224	10	1,664	459	330	-	-	781	94	1,550	189	1,281	80
CRIMINAL	1,881	444	-	165	60	103	-	-	-	2	279	71	205	3
U.S. PRISONER PETITIONS	664	566	-	368	48	4	-	-	314	2	198	15	183	-
OTHER U.S. CIVIL	323	168	2	54	28	21	-	-	-	5	112	8	103	1
PRIV. PRISONER PETITIONS	1,203	925	-	600	126	4	-	-	467	3	325	24	300	1
OTHER PRIVATE CIVIL	1,410	753	7	307	121	176	-	-	-	10	439	50	384	5
BANKRUPTCY	46	24	1	10	3	7	-	-	-	-	13	1	12	-
ADMINISTRATIVE APPEALS	471	206	-	92	73	15	-	-	-	4	114	20	94	-
ORIGINAL PROCEEDINGS	500	138	-	68	-	-	-	-	-	68	70	-	-	70

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.

¹ Voluntary dismissal under Rule 42(b), Federal Rules of Appellate Procedure.