

Table B-5A.

U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit, During the 12-Month Period Ending September 30, 2013

| Circuit and Nature of Proceeding | Total Appeals Terminated | Procedural Terminations | | | | | | | | | | | |
|----------------------------------|--------------------------|-------------------------|---------------|--------------|----------------|----------------------|-----------|----------------------|------------|---------------|----------------------|--------------|--------------|
| | | Total | Cross Appeals | By Judges | | | | | | By Staff | | | |
| | | | | Total | Juris. Defects | FRAP 42 ¹ | Default | Cert. Appeal-ability | Other | Total | FRAP 42 ¹ | Default | Other |
| ALL CIRCUITS | 58,393 | 20,573 | 129 | 6,102 | 3,872 | 1,381 | 85 | 122 | 642 | 14,342 | 5,182 | 7,591 | 1,569 |
| CRIMINAL | 12,707 | 2,802 | 2 | 660 | 377 | 112 | 12 | - | 159 | 2,140 | 1,321 | 703 | 116 |
| U.S. PRISONER PETITIONS | 5,196 | 1,551 | 1 | 392 | 315 | 8 | 7 | 44 | 18 | 1,158 | 139 | 993 | 26 |
| OTHER U.S. CIVIL | 2,662 | 988 | 11 | 247 | 183 | 36 | 1 | - | 27 | 730 | 294 | 429 | 7 |
| PRIV. PRISONER PETITIONS | 10,839 | 3,672 | 1 | 1,243 | 1,064 | 21 | 39 | 78 | 41 | 2,428 | 280 | 2,071 | 77 |
| OTHER PRIVATE CIVIL | 12,763 | 5,525 | 91 | 1,443 | 1,024 | 326 | 21 | - | 72 | 3,991 | 2,096 | 1,806 | 89 |
| BANKRUPTCY | 802 | 357 | 11 | 78 | 58 | 13 | 2 | - | 5 | 268 | 141 | 114 | 13 |
| ADMINISTRATIVE APPEALS | 8,702 | 4,914 | 12 | 1,882 | 851 | 865 | 3 | - | 163 | 3,020 | 911 | 1,475 | 634 |
| ORIGINAL PROCEEDINGS | 4,722 | 764 | - | 157 | - | - | - | - | 157 | 607 | - | - | 607 |
| DC CIRCUIT | 954 | 417 | 9 | 90 | 29 | 12 | 1 | 6 | 42 | 318 | 198 | 56 | 64 |
| CRIMINAL | 81 | 29 | - | 1 | 1 | - | - | - | - | 28 | 26 | 2 | - |
| U.S. PRISONER PETITIONS | 85 | 49 | - | 9 | 3 | - | - | 6 | - | 40 | 19 | 21 | - |
| OTHER U.S. CIVIL | 204 | 56 | - | 13 | 6 | 4 | - | - | 3 | 43 | 25 | 18 | - |
| PRIV. PRISONER PETITIONS | 8 | 2 | - | - | - | - | - | - | - | 2 | - | 2 | - |
| OTHER PRIVATE CIVIL | 116 | 43 | 2 | 6 | 1 | 1 | 1 | - | 3 | 35 | 23 | 11 | 1 |
| BANKRUPTCY | 6 | 1 | - | 1 | 1 | - | - | - | - | - | - | - | - |
| ADMINISTRATIVE APPEALS | 342 | 176 | 7 | 35 | 17 | 7 | - | - | 11 | 134 | 105 | 2 | 27 |
| ORIGINAL PROCEEDINGS | 112 | 61 | - | 25 | - | - | - | - | 25 | 36 | - | - | 36 |
| 1ST CIRCUIT | 1,472 | 475 | 2 | 118 | 86 | 9 | 2 | 7 | 14 | 355 | 252 | 101 | 2 |
| CRIMINAL | 540 | 164 | 1 | 20 | 17 | - | 1 | - | 2 | 143 | 122 | 21 | - |
| U.S. PRISONER PETITIONS | 98 | 29 | - | 12 | 6 | - | - | 5 | 1 | 17 | 5 | 12 | - |
| OTHER U.S. CIVIL | 72 | 22 | - | 7 | 6 | - | - | - | 1 | 15 | 7 | 8 | - |
| PRIV. PRISONER PETITIONS | 101 | 35 | - | 8 | 5 | - | 1 | 2 | - | 27 | 10 | 17 | - |
| OTHER PRIVATE CIVIL | 386 | 149 | 1 | 36 | 29 | 4 | - | - | 3 | 112 | 84 | 28 | - |
| BANKRUPTCY | 19 | 7 | - | 4 | 4 | - | - | - | - | 3 | 3 | - | - |
| ADMINISTRATIVE APPEALS | 185 | 68 | - | 31 | 19 | 5 | - | - | 7 | 37 | 21 | 15 | 1 |
| ORIGINAL PROCEEDINGS | 71 | 1 | - | - | - | - | - | - | - | 1 | - | - | 1 |

Table B-5A. (September 30, 2013—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 | Cert. Appeal-ability | Other | Total | FRAP 42 ¹ | Default | Other |
| 2ND CIRCUIT | 5,911 | 2,512 | 20 | 1,201 | 285 | 845 | 4 | 2 | 65 | 1,291 | 624 | 613 | 54 |
| CRIMINAL | 861 | 163 | - | 15 | 11 | 2 | - | - | 2 | 148 | 96 | 43 | 9 |
| U.S. PRISONER PETITIONS | 296 | 72 | - | 19 | 17 | - | - | 1 | 1 | 53 | 4 | 47 | 2 |
| OTHER U.S. CIVIL | 272 | 88 | - | 18 | 15 | 3 | - | - | - | 70 | 19 | 50 | 1 |
| PRIV. PRISONER PETITIONS | 757 | 230 | - | 62 | 55 | 5 | - | 1 | 1 | 168 | 15 | 153 | - |
| OTHER PRIVATE CIVIL | 1,789 | 706 | 17 | 127 | 100 | 9 | 2 | - | 16 | 562 | 298 | 258 | 6 |
| BANKRUPTCY | 74 | 23 | - | 6 | 4 | - | 1 | - | 1 | 17 | 14 | 3 | - |
| ADMINISTRATIVE APPEALS | 1,586 | 1,198 | 3 | 947 | 83 | 826 | 1 | - | 37 | 248 | 178 | 59 | 11 |
| ORIGINAL PROCEEDINGS | 276 | 32 | - | 7 | - | - | - | - | 7 | 25 | - | - | 25 |
| 3RD CIRCUIT | 4,090 | 1,245 | 2 | 346 | 277 | 28 | 1 | 3 | 37 | 897 | 350 | 443 | 104 |
| CRIMINAL | 683 | 119 | - | 31 | 18 | 2 | - | - | 11 | 88 | 80 | 8 | - |
| U.S. PRISONER PETITIONS | 426 | 109 | - | 43 | 36 | 2 | - | 2 | 3 | 66 | 8 | 53 | 5 |
| OTHER U.S. CIVIL | 208 | 108 | - | 12 | 10 | 1 | - | - | 1 | 96 | 17 | 79 | - |
| PRIV. PRISONER PETITIONS | 810 | 231 | - | 82 | 79 | - | 1 | 1 | 1 | 149 | 21 | 118 | 10 |
| OTHER PRIVATE CIVIL | 1,003 | 435 | 2 | 113 | 87 | 19 | - | - | 7 | 320 | 189 | 125 | 6 |
| BANKRUPTCY | 67 | 22 | - | 6 | 5 | - | - | - | 1 | 16 | 14 | 2 | - |
| ADMINISTRATIVE APPEALS | 424 | 134 | - | 51 | 42 | 4 | - | - | 5 | 83 | 21 | 58 | 4 |
| ORIGINAL PROCEEDINGS | 469 | 87 | - | 8 | - | - | - | - | 8 | 79 | - | - | 79 |
| 4TH CIRCUIT | 5,215 | 1,192 | 8 | 282 | 254 | 14 | - | 5 | 9 | 902 | 446 | 403 | 53 |
| CRIMINAL | 1,545 | 215 | - | 41 | 39 | - | - | - | 2 | 174 | 101 | 69 | 4 |
| U.S. PRISONER PETITIONS | 762 | 120 | - | 23 | 20 | - | - | 3 | - | 97 | 21 | 76 | - |
| OTHER U.S. CIVIL | 188 | 41 | - | 7 | 5 | - | - | - | 2 | 34 | 19 | 14 | 1 |
| PRIV. PRISONER PETITIONS | 817 | 236 | - | 76 | 74 | - | - | 2 | - | 160 | 41 | 118 | 1 |
| OTHER PRIVATE CIVIL | 991 | 360 | 7 | 100 | 88 | 12 | - | - | - | 253 | 150 | 99 | 4 |
| BANKRUPTCY | 66 | 23 | 1 | 2 | 1 | 1 | - | - | - | 20 | 14 | 4 | 2 |
| ADMINISTRATIVE APPEALS | 352 | 157 | - | 31 | 27 | 1 | - | - | 3 | 126 | 100 | 23 | 3 |
| ORIGINAL PROCEEDINGS | 494 | 40 | - | 2 | - | - | - | - | 2 | 38 | - | - | 38 |

Table B-5A. (September 30, 2013—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 | Cert. Appeal-ability | Other | Total | FRAP 42 ¹ | Default | Other |
| 5TH CIRCUIT | 7,579 | 2,790 | 11 | 805 | 658 | 20 | - | 5 | 122 | 1,974 | 472 | 1,303 | 199 |
| CRIMINAL | 2,479 | 557 | - | 186 | 107 | 2 | - | - | 77 | 371 | 211 | 157 | 3 |
| U.S. PRISONER PETITIONS | 741 | 309 | - | 65 | 60 | - | - | - | 5 | 244 | 12 | 231 | 1 |
| OTHER U.S. CIVIL | 200 | 85 | 1 | 23 | 21 | 1 | - | - | 1 | 61 | 23 | 38 | - |
| PRIV. PRISONER PETITIONS | 1,452 | 703 | - | 188 | 180 | 2 | - | 5 | 1 | 515 | 49 | 465 | 1 |
| OTHER PRIVATE CIVIL | 1,484 | 669 | 8 | 205 | 183 | 12 | - | - | 10 | 456 | 145 | 279 | 32 |
| BANKRUPTCY | 118 | 60 | 1 | 18 | 16 | - | - | - | 2 | 41 | 12 | 25 | 4 |
| ADMINISTRATIVE APPEALS | 470 | 252 | 1 | 117 | 91 | 3 | - | - | 23 | 134 | 20 | 108 | 6 |
| ORIGINAL PROCEEDINGS | 635 | 155 | - | 3 | - | - | - | - | 3 | 152 | - | - | 152 |
| 6TH CIRCUIT | 5,462 | 1,664 | 8 | 539 | 476 | 33 | 13 | 2 | 15 | 1,117 | 430 | 488 | 199 |
| CRIMINAL | 1,268 | 281 | 1 | 64 | 61 | 2 | - | - | 1 | 216 | 113 | 43 | 60 |
| U.S. PRISONER PETITIONS | 377 | 105 | - | 40 | 38 | - | - | 1 | 1 | 65 | 11 | 50 | 4 |
| OTHER U.S. CIVIL | 213 | 90 | - | 35 | 30 | 3 | 1 | - | 1 | 55 | 19 | 34 | 2 |
| PRIV. PRISONER PETITIONS | 1,250 | 456 | - | 203 | 188 | 3 | 8 | 1 | 3 | 253 | 26 | 201 | 26 |
| OTHER PRIVATE CIVIL | 1,347 | 497 | 6 | 135 | 112 | 18 | 4 | - | 1 | 356 | 219 | 127 | 10 |
| BANKRUPTCY | 59 | 16 | - | 2 | 2 | - | - | - | - | 14 | 11 | 3 | - |
| ADMINISTRATIVE APPEALS | 423 | 122 | 1 | 59 | 45 | 7 | - | - | 7 | 62 | 31 | 30 | 1 |
| ORIGINAL PROCEEDINGS | 525 | 97 | - | 1 | - | - | - | - | 1 | 96 | - | - | 96 |
| 7TH CIRCUIT | 2,982 | 1,114 | 5 | 244 | 138 | 10 | 8 | 3 | 85 | 865 | 378 | 469 | 18 |
| CRIMINAL | 675 | 195 | - | 65 | 49 | 1 | 1 | - | 14 | 130 | 101 | 28 | 1 |
| U.S. PRISONER PETITIONS | 359 | 132 | - | 21 | 17 | - | 1 | 1 | 2 | 111 | 19 | 90 | 2 |
| OTHER U.S. CIVIL | 162 | 65 | - | 24 | 11 | - | - | - | 13 | 41 | 17 | 24 | - |
| PRIV. PRISONER PETITIONS | 547 | 267 | - | 38 | 19 | 3 | 2 | 2 | 12 | 229 | 17 | 209 | 3 |
| OTHER PRIVATE CIVIL | 787 | 356 | 5 | 47 | 36 | 4 | 3 | - | 4 | 304 | 197 | 104 | 3 |
| BANKRUPTCY | 50 | 13 | - | 1 | - | 1 | - | - | - | 12 | 12 | - | - |
| ADMINISTRATIVE APPEALS | 186 | 49 | - | 19 | 6 | 1 | 1 | - | 11 | 30 | 15 | 14 | 1 |
| ORIGINAL PROCEEDINGS | 216 | 37 | - | 29 | - | - | - | - | 29 | 8 | - | - | 8 |

Table B-5A. (September 30, 2013—Continued)

| Circuit and Nature of Proceeding | Total Appeals Terminated | Procedural Terminations | | | | | | | | | | | |
|----------------------------------|--------------------------|-------------------------|---------------|--------------|----------------|----------------------|-----------|---------------------|-----------|--------------|----------------------|--------------|------------|
| | | By Judges | | | | | | | By Staff | | | | |
| | | Total | Cross Appeals | Total | Juris. Defects | FRAP 42 ¹ | Default | Cert. Appealability | Other | Total | FRAP 42 ¹ | Default | Other |
| 8TH CIRCUIT | 2,874 | 578 | 3 | 220 | 116 | 17 | 42 | 1 | 44 | 355 | 181 | 136 | 38 |
| CRIMINAL | 754 | 104 | - | 37 | 14 | 2 | 2 | - | 19 | 67 | 61 | 3 | 3 |
| U.S. PRISONER PETITIONS | 355 | 46 | - | 21 | 14 | - | 6 | 1 | - | 25 | 6 | 19 | - |
| OTHER U.S. CIVIL | 114 | 25 | - | 5 | 4 | 1 | - | - | - | 20 | 12 | 6 | 2 |
| PRIV. PRISONER PETITIONS | 549 | 154 | - | 80 | 44 | 2 | 26 | - | 8 | 74 | 10 | 62 | 2 |
| OTHER PRIVATE CIVIL | 620 | 163 | 3 | 56 | 30 | 11 | 8 | - | 7 | 104 | 70 | 29 | 5 |
| BANKRUPTCY | 23 | 4 | - | 1 | 1 | - | - | - | - | 3 | 2 | 1 | - |
| ADMINISTRATIVE APPEALS | 146 | 66 | - | 13 | 9 | 1 | - | - | 3 | 53 | 20 | 16 | 17 |
| ORIGINAL PROCEEDINGS | 313 | 16 | - | 7 | - | - | - | - | 7 | 9 | - | - | 9 |
| 9TH CIRCUIT | 12,779 | 5,197 | 30 | 1,169 | 1,027 | 28 | 11 | 23 | 80 | 3,998 | 1,368 | 1,938 | 692 |
| CRIMINAL | 1,608 | 392 | - | 46 | 21 | 2 | 8 | - | 15 | 346 | 286 | 34 | 26 |
| U.S. PRISONER PETITIONS | 584 | 149 | - | 52 | 51 | - | - | 1 | - | 97 | 14 | 77 | 6 |
| OTHER U.S. CIVIL | 567 | 237 | 3 | 54 | 51 | 3 | - | - | - | 180 | 95 | 84 | 1 |
| PRIV. PRISONER PETITIONS | 2,936 | 736 | 1 | 295 | 269 | 1 | - | 22 | 3 | 440 | 59 | 352 | 29 |
| OTHER PRIVATE CIVIL | 2,099 | 1,073 | 20 | 231 | 206 | 16 | 1 | - | 8 | 822 | 493 | 315 | 14 |
| BANKRUPTCY | 206 | 135 | 6 | 13 | 9 | 2 | 1 | - | 1 | 116 | 50 | 60 | 6 |
| ADMINISTRATIVE APPEALS | 4,041 | 2,418 | - | 469 | 420 | 4 | 1 | - | 44 | 1,949 | 371 | 1,016 | 562 |
| ORIGINAL PROCEEDINGS | 738 | 57 | - | 9 | - | - | - | - | 9 | 48 | - | - | 48 |
| 10TH CIRCUIT | 2,208 | 718 | 18 | 213 | 66 | 11 | 1 | 65 | 70 | 487 | 288 | 168 | 31 |
| CRIMINAL | 453 | 76 | - | 24 | 9 | 1 | - | - | 14 | 52 | 37 | 10 | 5 |
| U.S. PRISONER PETITIONS | 235 | 90 | - | 33 | 4 | 1 | - | 23 | 5 | 57 | 10 | 46 | 1 |
| OTHER U.S. CIVIL | 159 | 54 | 7 | 8 | 3 | - | - | - | 5 | 39 | 33 | 6 | - |
| PRIV. PRISONER PETITIONS | 404 | 162 | - | 79 | 24 | 2 | 1 | 42 | 10 | 83 | 18 | 62 | 3 |
| OTHER PRIVATE CIVIL | 650 | 250 | 9 | 37 | 20 | 5 | - | - | 12 | 204 | 171 | 31 | 2 |
| BANKRUPTCY | 33 | 13 | 2 | 4 | 3 | 1 | - | - | - | 7 | 6 | 1 | - |
| ADMINISTRATIVE APPEALS | 105 | 38 | - | 12 | 3 | 1 | - | - | 8 | 26 | 13 | 12 | 1 |
| ORIGINAL PROCEEDINGS | 169 | 35 | - | 16 | - | - | - | - | 16 | 19 | - | - | 19 |

Table B-5A. (September 30, 2013—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 | Cert. Appealability | Other | Total | FRAP 42 ¹ | Default | Other |
| 11TH CIRCUIT | 6,867 | 2,671 | 13 | 875 | 460 | 354 | 2 | - | 59 | 1,783 | 195 | 1,473 | 115 |
| CRIMINAL | 1,760 | 507 | - | 130 | 30 | 98 | - | - | 2 | 377 | 87 | 285 | 5 |
| U.S. PRISONER PETITIONS | 878 | 341 | 1 | 54 | 49 | 5 | - | - | - | 286 | 10 | 271 | 5 |
| OTHER U.S. CIVIL | 303 | 117 | - | 41 | 21 | 20 | - | - | - | 76 | 8 | 68 | - |
| PRIV. PRISONER PETITIONS | 1,208 | 460 | - | 132 | 127 | 3 | - | - | 2 | 328 | 14 | 312 | 2 |
| OTHER PRIVATE CIVIL | 1,491 | 824 | 11 | 350 | 132 | 215 | 2 | - | 1 | 463 | 57 | 400 | 6 |
| BANKRUPTCY | 81 | 40 | 1 | 20 | 12 | 8 | - | - | - | 19 | 3 | 15 | 1 |
| ADMINISTRATIVE APPEALS | 442 | 236 | - | 98 | 89 | 5 | - | - | 4 | 138 | 16 | 122 | - |
| ORIGINAL PROCEEDINGS | 704 | 146 | - | 50 | - | - | - | - | 50 | 96 | - | - | 96 |

NOTE: Totals include reopened, remanded, and reinstated appeals as well as original appeals. Juris. Defects = jurisdictional defects; 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.