

Table B-5.

**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,  
During the 12-Month Period Ending December 31, 2006**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>ALL CIRCUITS</b>	<b>67,699</b>	<b>50.8</b>	<b>34,407</b>	<b>26,311</b>	<b>3,057</b>	<b>2,638</b>	<b>1,086</b>	<b>1,315</b>	<b>8.7</b>
CRIMINAL	15,241	72.3	11,021	8,951	966	688	389	27	6.2
U.S. PRISONER PETITIONS	5,917	24.7	1,463	1,161	142	109	33	18	7.5
OTHER U.S. CIVIL	2,903	58.4	1,695	1,342	99	198	49	7	11.7
PRIV. PRISONER PETITIONS	10,812	26.2	2,836	2,091	394	273	59	19	9.6
OTHER PRIVATE CIVIL	12,083	49.0	5,917	4,679	327	764	90	57	12.9
BANKRUPTCY	842	50.7	427	324	39	57	3	4	13.3
ADMINISTRATIVE APPEALS	14,478	44.5	6,446	3,345	945	510	463	1,183	7.9
ORIGINAL PROCEEDINGS	5,423	84.9	4,602	4,418	145	39	-	-	-
<b>DISTRICT OF COLUMBIA</b>	<b>1,262</b>	<b>49.7</b>	<b>627</b>	<b>487</b>	<b>32</b>	<b>72</b>	<b>33</b>	<b>3</b>	<b>12.7</b>
CRIMINAL	154	48.1	74	53	3	9	9	-	12.2
U.S. PRISONER PETITIONS	116	52.6	61	49	1	5	4	2	8.2
OTHER U.S. CIVIL	285	67.7	193	149	5	24	14	1	12.4
PRIV. PRISONER PETITIONS	19	47.4	9	7	-	2	-	-	-
OTHER PRIVATE CIVIL	190	54.7	104	88	1	13	2	-	12.5
BANKRUPTCY	1	-	-	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	396	27.5	109	74	14	17	4	-	15.6
ORIGINAL PROCEEDINGS	101	76.2	77	67	8	2	-	-	-
<b>FIRST CIRCUIT</b>	<b>1,903</b>	<b>56.2</b>	<b>1,070</b>	<b>941</b>	<b>30</b>	<b>92</b>	<b>7</b>	<b>-</b>	<b>9.2</b>
CRIMINAL	672	63.2	425	377	7	37	4	-	8.7
U.S. PRISONER PETITIONS	164	22.0	36	31	3	1	1	-	2.8
OTHER U.S. CIVIL	92	69.6	64	54	3	7	-	-	10.9
PRIV. PRISONER PETITIONS	137	24.8	34	31	-	3	-	-	8.8
OTHER PRIVATE CIVIL	475	54.3	258	214	11	33	-	-	12.8
BANKRUPTCY	28	71.4	20	16	1	3	-	-	15.0
ADMINISTRATIVE APPEALS	245	60.0	147	136	2	7	2	-	4.8
ORIGINAL PROCEEDINGS	90	95.6	86	82	3	1	-	-	-
<b>SECOND CIRCUIT</b>	<b>8,874</b>	<b>41.8</b>	<b>3,712</b>	<b>2,113</b>	<b>452</b>	<b>358</b>	<b>92</b>	<b>697</b>	<b>10.3</b>
CRIMINAL	864	55.6	480	416	30	25	8	1	5.2
U.S. PRISONER PETITIONS	303	15.2	46	15	20	5	2	4	10.9
OTHER U.S. CIVIL	248	42.7	106	63	31	9	2	1	8.5
PRIV. PRISONER PETITIONS	757	18.4	139	73	33	22	9	2	15.8
OTHER PRIVATE CIVIL	1,390	44.0	612	389	118	69	19	17	11.3
BANKRUPTCY	111	34.2	38	23	8	6	1	-	15.8
ADMINISTRATIVE APPEALS	4,875	41.8	2,038	905	191	219	51	672	10.7
ORIGINAL PROCEEDINGS	326	77.6	253	229	21	3	-	-	-

**Table B-5. (December 31, 2006—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>THIRD CIRCUIT</b>	<b>4,032</b>	<b>55.6</b>	<b>2,243</b>	<b>1,763</b>	<b>144</b>	<b>267</b>	<b>66</b>	<b>3</b>	<b>13.3</b>
CRIMINAL	745	75.3	561	464	11	82	3	1	14.6
U.S. PRISONER PETITIONS	423	41.4	175	150	16	9	-	-	5.1
OTHER U.S. CIVIL	188	63.3	119	91	7	15	6	-	12.6
PRIV. PRISONER PETITIONS	672	25.3	170	113	31	24	1	1	14.1
OTHER PRIVATE CIVIL	880	53.4	470	365	31	73	1	-	15.5
BANKRUPTCY	95	66.3	63	46	9	8	-	-	12.7
ADMINISTRATIVE APPEALS	737	60.5	446	312	22	56	55	1	12.6
ORIGINAL PROCEEDINGS	292	81.8	239	222	17	-	-	-	-
<b>FOURTH CIRCUIT</b>	<b>5,494</b>	<b>57.3</b>	<b>3,149</b>	<b>2,775</b>	<b>175</b>	<b>159</b>	<b>38</b>	<b>2</b>	<b>6.1</b>
CRIMINAL	1,433	77.3	1,107	936	86	72	13	-	6.5
U.S. PRISONER PETITIONS	1,097	29.4	323	285	17	19	2	-	5.9
OTHER U.S. CIVIL	177	66.7	118	105	11	2	-	-	1.7
PRIV. PRISONER PETITIONS	1,023	28.4	291	254	25	12	-	-	4.1
OTHER PRIVATE CIVIL	704	59.4	418	364	16	35	3	-	8.4
BANKRUPTCY	48	64.6	31	22	7	2	-	-	6.5
ADMINISTRATIVE APPEALS	389	72.0	280	236	7	15	20	2	5.4
ORIGINAL PROCEEDINGS	623	93.3	581	573	6	2	-	-	-
<b>FIFTH CIRCUIT</b>	<b>9,695</b>	<b>50.4</b>	<b>4,887</b>	<b>3,930</b>	<b>538</b>	<b>336</b>	<b>83</b>	<b>-</b>	<b>7.5</b>
CRIMINAL	3,336	77.5	2,587	2,150	290	137	10	-	5.3
U.S. PRISONER PETITIONS	915	17.6	161	120	30	9	2	-	5.6
OTHER U.S. CIVIL	340	46.2	157	132	13	11	1	-	7.0
PRIV. PRISONER PETITIONS	2,089	18.7	391	192	153	35	11	-	9.0
OTHER PRIVATE CIVIL	1,394	46.6	650	501	38	104	7	-	16.0
BANKRUPTCY	134	50.7	68	55	4	9	-	-	13.2
ADMINISTRATIVE APPEALS	806	45.8	369	289	4	24	52	-	6.5
ORIGINAL PROCEEDINGS	681	74.0	504	491	6	7	-	-	-
<b>SIXTH CIRCUIT</b>	<b>5,123</b>	<b>54.9</b>	<b>2,810</b>	<b>2,387</b>	<b>105</b>	<b>204</b>	<b>108</b>	<b>6</b>	<b>8.6</b>
CRIMINAL	1,144	68.4	783	643	31	34	74	1	4.3
U.S. PRISONER PETITIONS	392	28.6	112	99	1	11	1	-	9.8
OTHER U.S. CIVIL	234	65.0	152	130	2	19	1	-	12.5
PRIV. PRISONER PETITIONS	984	31.9	314	279	8	25	2	-	8.0
OTHER PRIVATE CIVIL	1,260	51.7	651	542	12	92	2	3	14.1
BANKRUPTCY	71	53.5	38	30	1	5	1	1	13.2
ADMINISTRATIVE APPEALS	462	62.6	289	237	9	15	27	1	5.2
ORIGINAL PROCEEDINGS	576	81.8	471	427	41	3	-	-	-

**Table B-5. (December 31, 2006—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>SEVENTH CIRCUIT</b>	<b>3,839</b>	<b>46.3</b>	<b>1,776</b>	<b>1,345</b>	<b>109</b>	<b>239</b>	<b>39</b>	<b>44</b>	<b>16.0</b>
CRIMINAL	847	67.2	569	384	106	62	14	3	10.9
U.S. PRISONER PETITIONS	552	16.7	92	77	-	12	-	3	13.0
OTHER U.S. CIVIL	143	60.1	86	67	-	14	1	4	16.3
PRIV. PRISONER PETITIONS	698	23.8	166	129	-	33	2	2	19.9
OTHER PRIVATE CIVIL	921	41.4	381	283	-	81	2	15	21.3
BANKRUPTCY	58	37.9	22	18	-	3	-	1	13.6
ADMINISTRATIVE APPEALS	288	61.1	176	107	-	33	20	16	18.8
ORIGINAL PROCEEDINGS	332	85.5	284	280	3	1	-	-	-
<b>EIGHTH CIRCUIT</b>	<b>3,485</b>	<b>62.2</b>	<b>2,166</b>	<b>1,819</b>	<b>141</b>	<b>175</b>	<b>31</b>	<b>-</b>	<b>9.6</b>
CRIMINAL	1,064	71.9	765	608	72	69	16	-	9.0
U.S. PRISONER PETITIONS	384	27.6	106	89	8	4	5	-	3.8
OTHER U.S. CIVIL	188	70.7	133	114	4	14	1	-	10.5
PRIV. PRISONER PETITIONS	545	35.0	191	159	10	19	3	-	9.9
OTHER PRIVATE CIVIL	727	65.6	477	396	23	56	2	-	11.7
BANKRUPTCY	33	72.7	24	19	2	3	-	-	12.5
ADMINISTRATIVE APPEALS	170	65.3	111	81	17	9	4	-	8.1
ORIGINAL PROCEEDINGS	374	96.0	359	353	5	1	-	-	-
<b>NINTH CIRCUIT</b>	<b>13,470</b>	<b>47.7</b>	<b>6,421</b>	<b>4,198</b>	<b>875</b>	<b>312</b>	<b>501</b>	<b>535</b>	<b>5.3</b>
CRIMINAL	2,407	70.5	1,697	1,265	159	57	207	9	3.4
U.S. PRISONER PETITIONS	413	26.9	111	85	7	5	9	5	4.5
OTHER U.S. CIVIL	528	53.6	283	223	10	36	13	1	12.7
PRIV. PRISONER PETITIONS	2,004	31.9	640	559	13	35	23	10	5.5
OTHER PRIVATE CIVIL	1,867	43.9	820	654	22	93	30	21	11.3
BANKRUPTCY	155	47.7	74	57	4	12	-	1	16.2
ADMINISTRATIVE APPEALS	5,276	38.4	2,027	604	655	61	219	488	3.0
ORIGINAL PROCEEDINGS	820	93.8	769	751	5	13	-	-	-
<b>TENTH CIRCUIT</b>	<b>2,903</b>	<b>57.0</b>	<b>1,656</b>	<b>1,247</b>	<b>188</b>	<b>142</b>	<b>70</b>	<b>9</b>	<b>9.3</b>
CRIMINAL	747	76.6	572	449	67	30	25	1	5.2
U.S. PRISONER PETITIONS	308	41.2	127	86	22	10	6	3	7.9
OTHER U.S. CIVIL	192	73.4	141	98	5	28	10	-	19.9
PRIV. PRISONER PETITIONS	562	36.5	205	143	23	29	7	3	14.1
OTHER PRIVATE CIVIL	663	54.1	359	288	19	37	15	-	10.3
BANKRUPTCY	28	39.3	11	7	3	1	-	-	9.1
ADMINISTRATIVE APPEALS	124	61.3	76	42	22	3	7	2	3.9
ORIGINAL PROCEEDINGS	279	59.1	165	134	27	4	-	-	-

**Table B-5. (December 31, 2006—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>ELEVENTH CIRCUIT</b>	<b>7,619</b>	<b>51.1</b>	<b>3,890</b>	<b>3,306</b>	<b>268</b>	<b>282</b>	<b>18</b>	<b>16</b>	<b>9.1</b>
CRIMINAL	1,828	76.6	1,401	1,206	104	74	6	11	5.3
U.S. PRISONER PETITIONS	850	13.3	113	75	17	19	1	1	16.8
OTHER U.S. CIVIL	288	49.7	143	116	8	19	-	-	13.3
PRIV. PRISONER PETITIONS	1,322	21.6	286	152	98	34	1	1	11.9
OTHER PRIVATE CIVIL	1,612	44.5	717	595	36	78	7	1	10.9
BANKRUPTCY	80	47.5	38	31	-	5	1	1	13.2
ADMINISTRATIVE APPEALS	710	53.2	378	322	2	51	2	1	13.5
ORIGINAL PROCEEDINGS	929	87.6	814	809	3	2	-	-	-

NOTE: THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

<sup>1</sup> TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS.

<sup>2</sup> PERCENT NOT SHOWN WHERE THE TOTAL NUMBER OF CASES TERMINATED ON THE MERITS IS LESS THAN 10. NO PERCENTAGES OF CASES REVERSED HAVE BEEN COMPUTED FOR ORIGINAL PROCEEDINGS BECAUSE OF THEIR DIFFERENCE FROM APPEALS, NOR HAVE THEY BEEN INCLUDED IN THE PERCENTAGE OF TOTAL APPEALS REVERSED.