

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending December 31, 2010

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
ALL CIRCUITS	58,319	52.3	30,512	24,058	2,924	2,361	525	644	8.4
CRIMINAL	13,471	73.4	9,892	7,846	1,301	556	131	58	5.6
U.S. PRISONER PETITIONS	4,820	26.8	1,293	967	167	132	22	5	10.2
OTHER U.S. CIVIL	2,912	57.2	1,666	1,308	92	217	45	4	13.0
PRIV. PRISONER PETITIONS	11,093	28.6	3,171	2,362	438	271	42	58	8.5
OTHER PRIVATE CIVIL	12,165	49.5	6,025	4,858	348	729	74	16	12.1
BANKRUPTCY	709	44.9	318	232	28	51	5	2	16.0
ADMINISTRATIVE APPEALS	9,395	55.9	5,252	3,778	392	375	206	501	7.1
ORIGINAL PROCEEDINGS	3,754	77.1	2,895	2,707	158	30	-	-	-
DISTRICT OF COLUMBIA	1,271	44.3	563	420	44	86	11	2	16.5
CRIMINAL	104	53.8	56	45	5	4	2	-	7.1
U.S. PRISONER PETITIONS	286	32.9	94	49	23	20	1	1	21.3
OTHER U.S. CIVIL	265	60.0	159	138	3	15	3	-	9.4
PRIV. PRISONER PETITIONS	16	37.5	6	5	-	1	-	-	-
OTHER PRIVATE CIVIL	137	62.0	85	76	2	6	1	-	7.1
BANKRUPTCY	4	75.0	3	2	-	1	-	-	-
ADMINISTRATIVE APPEALS	365	30.4	111	60	8	38	4	1	34.2
ORIGINAL PROCEEDINGS	94	52.1	49	45	3	1	-	-	-
1ST CIRCUIT	1,600	57.8	924	801	40	76	7	-	8.8
CRIMINAL	532	62.6	333	294	15	23	1	-	6.9
U.S. PRISONER PETITIONS	133	34.6	46	40	4	2	-	-	4.3
OTHER U.S. CIVIL	103	52.4	54	43	-	10	1	-	18.5
PRIV. PRISONER PETITIONS	151	46.4	70	56	4	10	-	-	14.3
OTHER PRIVATE CIVIL	405	55.3	224	195	3	26	-	-	11.6
BANKRUPTCY	43	53.5	23	16	5	1	1	-	4.3
ADMINISTRATIVE APPEALS	174	67.2	117	102	7	4	4	-	3.4
ORIGINAL PROCEEDINGS	59	96.6	57	55	2	-	-	-	-
2ND CIRCUIT	5,761	55.0	3,170	2,445	466	198	61	-	6.6
CRIMINAL	936	64.0	599	483	62	38	16	-	6.3
U.S. PRISONER PETITIONS	229	19.2	44	13	28	1	2	-	2.3
OTHER U.S. CIVIL	214	52.3	112	75	19	16	2	-	14.3
PRIV. PRISONER PETITIONS	765	28.8	220	123	76	17	4	-	7.7
OTHER PRIVATE CIVIL	1,742	49.2	857	602	147	98	10	-	11.4
BANKRUPTCY	93	36.6	34	22	6	6	-	-	17.6
ADMINISTRATIVE APPEALS	1,550	71.4	1,106	985	74	20	27	-	1.8
ORIGINAL PROCEEDINGS	232	85.3	198	142	54	2	-	-	-

Table B-5. (December 31, 2010—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/ Enforced ²	Dismissed	Reversed	Remanded	Other	
3RD CIRCUIT	4,252	57.3	2,437	2,100	85	188	62	2	8.4
CRIMINAL	855	79.4	679	622	12	36	7	2	5.3
U.S. PRISONER PETITIONS	349	37.5	131	111	14	5	1	-	3.8
OTHER U.S. CIVIL	165	66.7	110	92	5	8	5	-	7.3
PRIV. PRISONER PETITIONS	667	27.4	183	140	12	26	5	-	14.2
OTHER PRIVATE CIVIL	1,159	50.1	581	486	18	69	8	-	11.9
BANKRUPTCY	76	46.1	35	25	3	5	2	-	14.3
ADMINISTRATIVE APPEALS	708	70.9	502	413	18	37	34	-	7.4
ORIGINAL PROCEEDINGS	273	79.1	216	211	3	2	-	-	-
4TH CIRCUIT	4,757	59.2	2,818	2,467	155	143	46	7	5.6
CRIMINAL	1,719	79.5	1,366	1,183	86	74	21	2	5.4
U.S. PRISONER PETITIONS	652	31.7	207	177	8	20	2	-	9.7
OTHER U.S. CIVIL	176	61.9	109	96	4	4	5	-	3.7
PRIV. PRISONER PETITIONS	840	27.0	227	200	14	10	2	1	4.4
OTHER PRIVATE CIVIL	746	59.1	441	390	21	27	3	-	6.1
BANKRUPTCY	33	51.5	17	15	-	2	-	-	11.8
ADMINISTRATIVE APPEALS	273	62.3	170	134	13	6	13	4	3.5
ORIGINAL PROCEEDINGS	318	88.4	281	272	9	-	-	-	-
5TH CIRCUIT	7,529	50.3	3,786	2,676	757	273	80	-	7.8
CRIMINAL	2,483	77.2	1,918	1,196	614	68	40	-	3.5
U.S. PRISONER PETITIONS	603	17.9	108	67	24	15	2	-	13.9
OTHER U.S. CIVIL	269	50.2	135	101	10	18	6	-	13.3
PRIV. PRISONER PETITIONS	1,754	19.6	343	209	83	43	8	-	12.5
OTHER PRIVATE CIVIL	1,203	53.0	637	534	13	85	5	-	13.3
BANKRUPTCY	86	46.5	40	25	6	9	-	-	22.5
ADMINISTRATIVE APPEALS	581	41.5	241	187	5	30	19	-	12.4
ORIGINAL PROCEEDINGS	550	66.2	364	357	2	5	-	-	-
6TH CIRCUIT	4,324	51.2	2,213	1,905	68	198	41	1	10.0
CRIMINAL	1,129	67.1	758	662	13	68	15	-	9.0
U.S. PRISONER PETITIONS	301	25.9	78	65	6	7	-	-	9.0
OTHER U.S. CIVIL	196	57.7	113	89	4	15	5	-	13.3
PRIV. PRISONER PETITIONS	977	33.7	329	277	13	36	2	1	10.9
OTHER PRIVATE CIVIL	960	42.7	410	344	11	51	4	-	12.4
BANKRUPTCY	47	46.8	22	17	-	5	-	-	22.7
ADMINISTRATIVE APPEALS	348	60.3	210	182	3	10	15	-	4.8
ORIGINAL PROCEEDINGS	366	80.1	293	269	18	6	-	-	-

Table B-5. (December 31, 2010—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
7TH CIRCUIT	3,336	44.3	1,479	1,044	154	225	34	22	17.1
CRIMINAL	729	68.7	501	285	131	68	7	10	13.6
U.S. PRISONER PETITIONS	460	24.1	111	82	6	20	3	-	18.0
OTHER U.S. CIVIL	155	64.5	100	75	2	22	1	-	22.0
PRIV. PRISONER PETITIONS	715	16.8	120	90	2	25	2	1	20.8
OTHER PRIVATE CIVIL	835	41.6	347	274	6	60	4	3	17.3
BANKRUPTCY	56	33.9	19	13	2	4	-	-	21.1
ADMINISTRATIVE APPEALS	191	60.2	115	63	2	25	17	8	21.7
ORIGINAL PROCEEDINGS	195	85.1	166	162	3	1	-	-	-
8TH CIRCUIT	3,281	66.3	2,175	1,899	162	93	13	8	4.7
CRIMINAL	996	81.6	813	681	95	29	3	5	3.6
U.S. PRISONER PETITIONS	358	37.7	135	124	3	6	1	1	4.4
OTHER U.S. CIVIL	176	71.6	126	112	4	9	1	-	7.1
PRIV. PRISONER PETITIONS	684	42.4	290	261	20	5	3	1	1.7
OTHER PRIVATE CIVIL	634	67.2	426	371	19	33	3	-	7.7
BANKRUPTCY	16	81.3	13	11	1	1	-	-	7.7
ADMINISTRATIVE APPEALS	139	72.7	101	76	15	7	2	1	6.9
ORIGINAL PROCEEDINGS	278	97.5	271	263	5	3	-	-	-
9TH CIRCUIT	13,471	48.8	6,571	4,798	502	587	97	587	9.6
CRIMINAL	1,654	68.1	1,126	954	51	86	7	28	7.6
U.S. PRISONER PETITIONS	494	29.1	144	117	13	8	4	2	5.6
OTHER U.S. CIVIL	702	54.6	383	287	15	71	6	4	18.5
PRIV. PRISONER PETITIONS	2,887	33.7	972	776	70	67	6	53	6.9
OTHER PRIVATE CIVIL	2,284	46.4	1,059	807	63	170	8	11	16.1
BANKRUPTCY	171	46.2	79	62	3	11	1	2	13.9
ADMINISTRATIVE APPEALS	4,503	49.9	2,248	1,299	231	166	65	487	7.4
ORIGINAL PROCEEDINGS	776	72.2	560	496	56	8	-	-	-
10TH CIRCUIT	2,375	54.1	1,284	946	202	69	66	1	5.7
CRIMINAL	557	76.3	425	302	98	14	11	-	3.3
U.S. PRISONER PETITIONS	298	32.2	96	61	21	7	6	1	7.3
OTHER U.S. CIVIL	163	64.4	105	71	14	10	10	-	9.5
PRIV. PRISONER PETITIONS	468	29.5	138	100	27	4	7	-	2.9
OTHER PRIVATE CIVIL	640	56.1	359	278	26	28	27	-	7.8
BANKRUPTCY	33	45.5	15	10	1	3	1	-	20.0
ADMINISTRATIVE APPEALS	89	69.7	62	42	14	2	4	-	3.2
ORIGINAL PROCEEDINGS	127	66.1	84	82	1	1	-	-	-

Table B-5. (December 31, 2010—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							
		Percent of Total Terminations	Total	Affirmed/ Enforced ²	Dismissed	Reversed	Remanded	Other	Percent Reversed ³
11TH CIRCUIT	6,362	48.6	3,092	2,557	289	225	7	14	8.2
CRIMINAL	1,777	74.2	1,318	1,139	119	48	1	11	3.6
U.S. PRISONER PETITIONS	657	15.1	99	61	17	21	-	-	21.2
OTHER U.S. CIVIL	328	48.8	160	129	12	19	-	-	11.9
PRIV. PRISONER PETITIONS	1,169	23.4	273	125	117	27	3	1	9.9
OTHER PRIVATE CIVIL	1,420	42.2	599	501	19	76	1	2	12.7
BANKRUPTCY	51	35.3	18	14	1	3	-	-	16.7
ADMINISTRATIVE APPEALS	474	56.8	269	235	2	30	2	-	11.2
ORIGINAL PROCEEDINGS	486	73.3	356	353	2	1	-	-	-

Note: This table does not include data for the U.S. Court of Appeals for the Federal Circuit.

¹ Totals include reopened and remanded appeals as well as original appeals.

² Affirmed includes merit terminations affirmed in part and reversed in part.

³ Percent not shown where the total number of cases terminated on the merits is less than 10. Percentages of cases reversed have not been computed for original proceedings because of their difference from appeals, nor are they included in the percentage of total appeals reversed.