

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending December 31, 2011

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-Ability	Percent Reversed ³
ALL CIRCUITS	57,173	61.7	35,257	2,023	25,345	3,011	2,705	522	309	1,342	8.4
CRIMINAL	13,316	82.4	10,966	645	7,992	1,417	683	202	27	-	6.2
U.S. PRISONER PETITIONS	4,875	38.0	1,851	80	1,036	165	127	30	34	379	6.9
OTHER U.S. CIVIL	2,785	66.3	1,846	138	1,334	114	212	45	3	-	11.5
PRIV. PRISONER PETITIONS	11,651	36.8	4,288	105	2,343	492	329	35	21	963	7.7
OTHER PRIVATE CIVIL	12,119	63.6	7,711	727	5,559	408	893	95	29	-	11.6
BANKRUPTCY	702	64.7	454	63	312	32	35	5	7	-	7.7
ADMINISTRATIVE APPEALS	7,640	62.4	4,767	252	3,574	246	397	110	188	-	8.3
ORIGINAL PROCEEDINGS	4,085	82.6	3,374	13	3,195	137	29	-	-	-	-
DC CIRCUIT	1,083	74.8	810	148	508	36	81	16	21	-	10.3
CRIMINAL	116	69.0	80	12	58	1	7	2	-	-	8.8
U.S. PRISONER PETITIONS	139	82.7	115	28	39	14	9	4	21	-	7.8
OTHER U.S. CIVIL	247	76.1	188	19	130	4	29	6	-	-	15.4
PRIV. PRISONER PETITIONS	8	37.5	3	-	3	-	-	-	-	-	-
OTHER PRIVATE CIVIL	152	84.2	128	12	105	1	7	3	-	-	5.5
BANKRUPTCY	1	-	-	-	-	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	302	80.1	242	77	126	12	26	1	-	-	10.7
ORIGINAL PROCEEDINGS	118	45.8	54	-	47	4	3	-	-	-	-
1ST CIRCUIT	1,494	67.6	1,010	70	788	32	92	4	-	24	9.6
CRIMINAL	442	73.8	326	21	258	8	37	2	-	-	11.3
U.S. PRISONER PETITIONS	93	50.5	47	-	28	-	2	-	-	17	4.3
OTHER U.S. CIVIL	80	76.3	61	7	39	6	9	-	-	-	14.8
PRIV. PRISONER PETITIONS	114	47.4	54	-	45	-	2	-	-	7	3.7
OTHER PRIVATE CIVIL	508	68.3	347	38	260	15	32	2	-	-	9.2
BANKRUPTCY	37	45.9	17	1	13	-	3	-	-	-	17.6
ADMINISTRATIVE APPEALS	152	60.5	92	3	81	2	6	-	-	-	6.5
ORIGINAL PROCEEDINGS	68	97.1	66	-	64	1	1	-	-	-	-

Table B-5. (December 31, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-Ability	Percent Reversed ³
2ND CIRCUIT	5,175	62.6	3,237	282	2,054	550	191	61	2	97	6.2
CRIMINAL	843	80.1	675	84	426	103	47	15	-	-	7.0
U.S. PRISONER PETITIONS	228	37.3	85	4	26	30	4	3	1	17	4.7
OTHER U.S. CIVIL	243	59.3	144	13	78	43	5	5	-	-	3.5
PRIV. PRISONER PETITIONS	793	40.5	321	11	78	126	17	8	1	80	5.3
OTHER PRIVATE CIVIL	1,598	60.8	971	131	558	169	94	19	-	-	9.7
BANKRUPTCY	103	65.0	67	20	40	7	-	-	-	-	-
ADMINISTRATIVE APPEALS	1,148	68.6	787	19	670	64	23	11	-	-	2.9
ORIGINAL PROCEEDINGS	219	85.4	187	-	178	8	1	-	-	-	-
3RD CIRCUIT	4,158	63.3	2,633	52	2,102	86	238	57	4	94	9.7
CRIMINAL	764	83.4	637	7	562	11	34	21	2	-	5.3
U.S. PRISONER PETITIONS	409	51.3	210	1	161	9	7	2	-	30	3.3
OTHER U.S. CIVIL	162	67.3	109	2	94	2	8	3	-	-	7.3
PRIV. PRISONER PETITIONS	841	37.5	315	3	189	17	36	6	-	64	11.4
OTHER PRIVATE CIVIL	995	64.6	643	29	508	19	81	5	1	-	12.6
BANKRUPTCY	49	67.3	33	1	20	4	6	2	-	-	18.2
ADMINISTRATIVE APPEALS	617	70.5	435	9	330	17	60	18	1	-	13.8
ORIGINAL PROCEEDINGS	321	78.2	251	-	238	7	6	-	-	-	-
4TH CIRCUIT	5,165	72.4	3,741	175	2,914	199	247	81	5	120	7.1
CRIMINAL	1,971	93.0	1,833	106	1,410	117	134	66	-	-	7.3
U.S. PRISONER PETITIONS	712	42.3	301	10	170	26	24	3	1	67	8.0
OTHER U.S. CIVIL	218	73.4	160	12	133	3	11	1	-	-	6.9
PRIV. PRISONER PETITIONS	801	40.3	323	5	235	17	11	2	-	53	3.4
OTHER PRIVATE CIVIL	831	76.2	633	34	518	23	53	5	-	-	8.4
BANKRUPTCY	44	70.5	31	2	27	-	2	-	-	-	6.5
ADMINISTRATIVE APPEALS	236	68.2	161	3	127	12	11	4	4	-	6.8
ORIGINAL PROCEEDINGS	352	84.9	299	3	294	1	1	-	-	-	-

Table B-5. (December 31, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-Ability	Percent Reversed ³
5TH CIRCUIT	7,634	57.0	4,352	250	2,734	822	274	57	-	215	6.8
CRIMINAL	2,609	77.1	2,011	114	1,159	640	66	32	-	-	3.3
U.S. PRISONER PETITIONS	654	28.9	189	10	85	26	9	2	-	57	4.8
OTHER U.S. CIVIL	266	53.4	142	9	102	14	16	1	-	-	11.3
PRIV. PRISONER PETITIONS	1,773	30.2	535	35	200	102	39	1	-	158	7.3
OTHER PRIVATE CIVIL	1,289	65.5	844	75	603	32	126	8	-	-	14.9
BANKRUPTCY	77	59.7	46	2	36	-	7	1	-	-	15.2
ADMINISTRATIVE APPEALS	458	44.3	203	5	172	7	7	12	-	-	3.4
ORIGINAL PROCEEDINGS	508	75.2	382	-	377	1	4	-	-	-	-
6TH CIRCUIT	5,281	61.6	3,252	174	2,655	154	226	42	1	-	7.8
CRIMINAL	1,418	83.6	1,186	79	941	66	80	20	-	-	6.7
U.S. PRISONER PETITIONS	433	35.1	152	2	137	4	8	1	-	-	5.3
OTHER U.S. CIVIL	197	61.9	122	3	102	2	14	1	-	-	11.5
PRIV. PRISONER PETITIONS	1,265	35.9	454	13	391	11	37	2	-	-	8.1
OTHER PRIVATE CIVIL	1,100	60.0	660	58	495	27	76	4	-	-	11.5
BANKRUPTCY	48	64.6	31	6	24	-	1	-	-	-	3.2
ADMINISTRATIVE APPEALS	380	71.3	271	10	229	10	7	14	1	-	2.6
ORIGINAL PROCEEDINGS	440	85.5	376	3	336	34	3	-	-	-	-
7TH CIRCUIT	2,987	57.9	1,730	177	1,163	127	197	28	38	-	12.3
CRIMINAL	610	85.9	524	67	306	100	40	8	3	-	7.6
U.S. PRISONER PETITIONS	385	28.6	110	4	81	4	17	2	2	-	15.5
OTHER U.S. CIVIL	139	65.5	91	6	61	2	21	1	-	-	23.1
PRIV. PRISONER PETITIONS	563	25.2	142	16	103	4	17	1	1	-	12.0
OTHER PRIVATE CIVIL	919	62.1	571	69	384	13	82	6	17	-	14.4
BANKRUPTCY	54	87.0	47	9	30	-	3	1	4	-	6.4
ADMINISTRATIVE APPEALS	146	66.4	97	6	56	-	15	9	11	-	15.5
ORIGINAL PROCEEDINGS	171	86.5	148	-	142	4	2	-	-	-	-

Table B-5. (December 31, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-Ability	Percent Reversed ³
8TH CIRCUIT	2,934	71.8	2,106	106	1,682	118	116	13	7	64	6.2
CRIMINAL	835	89.5	747	35	623	51	33	4	1	-	4.4
U.S. PRISONER PETITIONS	345	43.8	151	3	92	4	6	4	5	37	4.0
OTHER U.S. CIVIL	138	77.5	107	3	89	2	12	1	-	-	11.2
PRIV. PRISONER PETITIONS	583	42.0	245	6	193	7	11	1	-	27	4.5
OTHER PRIVATE CIVIL	608	81.7	497	50	378	19	48	2	-	-	9.7
BANKRUPTCY	26	76.9	20	1	14	4	1	-	-	-	5.0
ADMINISTRATIVE APPEALS	133	61.7	82	6	48	22	4	1	1	-	4.9
ORIGINAL PROCEEDINGS	266	96.6	257	2	245	9	1	-	-	-	-
9TH CIRCUIT	12,709	59.8	7,603	397	5,189	436	737	65	206	573	10.7
CRIMINAL	1,642	80.5	1,322	61	984	131	124	8	14	-	9.4
U.S. PRISONER PETITIONS	512	44.1	226	10	86	16	18	2	2	92	8.0
OTHER U.S. CIVIL	595	72.8	433	55	294	13	67	3	1	-	15.5
PRIV. PRISONER PETITIONS	3,412	42.0	1,433	13	706	80	130	5	18	481	9.1
OTHER PRIVATE CIVIL	2,065	62.0	1,281	139	897	51	181	12	1	-	14.1
BANKRUPTCY	152	65.1	99	15	64	14	3	-	3	-	3.0
ADMINISTRATIVE APPEALS	3,507	58.4	2,047	101	1,446	89	209	35	167	-	10.2
ORIGINAL PROCEEDINGS	824	92.5	762	3	712	42	5	-	-	-	-
10TH CIRCUIT	2,250	58.7	1,320	47	980	148	68	71	6	-	5.5
CRIMINAL	554	76.4	423	8	298	83	12	21	1	-	2.8
U.S. PRISONER PETITIONS	283	33.6	95	2	72	16	2	2	1	-	2.1
OTHER U.S. CIVIL	149	71.8	107	3	69	8	12	15	-	-	11.2
PRIV. PRISONER PETITIONS	371	27.8	103	-	77	14	4	7	1	-	3.9
OTHER PRIVATE CIVIL	600	65.3	392	28	298	16	29	21	-	-	7.4
BANKRUPTCY	32	56.3	18	1	12	-	4	1	-	-	22.2
ADMINISTRATIVE APPEALS	103	69.9	72	5	48	8	4	4	3	-	5.6
ORIGINAL PROCEEDINGS	158	69.6	110	-	106	3	1	-	-	-	-

Table B-5. (December 31, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-Ability	Percent Reversed ³
11TH CIRCUIT	6,303	54.9	3,463	145	2,576	303	238	27	19	155	8.0
CRIMINAL	1,512	79.5	1,202	51	967	106	69	3	6	-	5.7
U.S. PRISONER PETITIONS	682	24.9	170	6	59	16	21	5	1	62	12.4
OTHER U.S. CIVIL	351	51.9	182	6	143	15	8	8	2	-	4.4
PRIV. PRISONER PETITIONS	1,127	31.9	360	3	123	114	25	2	-	93	6.9
OTHER PRIVATE CIVIL	1,454	51.2	744	64	555	23	84	8	10	-	11.3
BANKRUPTCY	79	57.0	45	5	32	3	5	-	-	-	11.1
ADMINISTRATIVE APPEALS	458	60.7	278	8	241	3	25	1	-	-	9.0
ORIGINAL PROCEEDINGS	640	75.3	482	2	456	23	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.