

**Table B-5.**  
**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit**  
**During the 12-Month Period Ending June 30, 2009**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							
		Percent of Total Terminations	Total	Affirmed/Enforced <sup>2</sup>	Dismissed	Reversed	Remanded	Other	Percent Reversed <sup>3</sup>
<b>ALL CIRCUITS</b>	<b>60,144</b>	<b>49.7</b>	<b>29,911</b>	<b>23,942</b>	<b>2,109</b>	<b>2,638</b>	<b>550</b>	<b>672</b>	<b>9.4</b>
CRIMINAL	14,104	69.4	9,794	7,973	963	608	194	56	6.2
U.S. PRISONER PETITIONS	5,238	32.3	1,693	1,417	128	116	26	6	6.9
OTHER U.S. CIVIL	3,091	56.6	1,749	1,384	91	225	42	7	12.9
PRIV. PRISONER PETITIONS	10,302	25.0	2,574	1,957	274	278	39	26	10.8
OTHER PRIVATE CIVIL	12,191	50.6	6,173	4,918	224	893	103	35	14.5
BANKRUPTCY	881	51.0	449	339	32	66	6	6	14.7
ADMINISTRATIVE APPEALS	10,683	49.8	5,319	3,981	244	418	140	536	7.9
ORIGINAL PROCEEDINGS	3,654	59.1	2,160	1,973	153	34	-	-	-
<b>DISTRICT OF COLUMBIA</b>	<b>1,355</b>	<b>41.5</b>	<b>562</b>	<b>407</b>	<b>80</b>	<b>57</b>	<b>18</b>	<b>-</b>	<b>10.4</b>
CRIMINAL	107	45.8	49	37	2	6	4	-	12.2
U.S. PRISONER PETITIONS	166	31.3	52	38	6	3	5	-	5.8
OTHER U.S. CIVIL	271	65.7	178	116	37	20	5	-	11.2
PRIV. PRISONER PETITIONS	7	57.1	4	4	-	-	-	-	-
OTHER PRIVATE CIVIL	148	59.5	88	68	16	3	1	-	3.4
BANKRUPTCY	3	33.3	1	1	-	-	-	-	-
ADMINISTRATIVE APPEALS	564	23.0	130	88	19	20	3	-	15.4
ORIGINAL PROCEEDINGS	89	67.4	60	55	-	5	-	-	-
<b>FIRST CIRCUIT</b>	<b>1,769</b>	<b>60.6</b>	<b>1,072</b>	<b>900</b>	<b>59</b>	<b>89</b>	<b>23</b>	<b>1</b>	<b>8.4</b>
CRIMINAL	665	69.5	462	398	21	31	11	1	6.7
U.S. PRISONER PETITIONS	113	45.1	51	38	8	5	-	-	9.8
OTHER U.S. CIVIL	95	65.3	62	47	2	11	2	-	17.7
PRIV. PRISONER PETITIONS	178	36.5	65	56	6	3	-	-	4.6
OTHER PRIVATE CIVIL	408	51.5	210	171	7	29	3	-	13.8
BANKRUPTCY	41	39.0	16	10	4	2	-	-	12.5
ADMINISTRATIVE APPEALS	217	71.4	155	132	11	5	7	-	3.2
ORIGINAL PROCEEDINGS	52	98.1	51	48	-	3	-	-	-
<b>SECOND CIRCUIT</b>	<b>6,472</b>	<b>45.5</b>	<b>2,947</b>	<b>2,468</b>	<b>211</b>	<b>214</b>	<b>52</b>	<b>2</b>	<b>7.6</b>
CRIMINAL	1,123	59.1	664	603	15	35	10	1	5.3
U.S. PRISONER PETITIONS	213	15.0	32	22	1	6	3	-	18.8
OTHER U.S. CIVIL	237	42.6	101	82	2	15	2	-	14.9
PRIV. PRISONER PETITIONS	761	14.8	113	88	5	16	3	1	14.2
OTHER PRIVATE CIVIL	1,603	40.2	645	536	13	78	18	-	12.1
BANKRUPTCY	106	46.2	49	41	-	6	2	-	12.2
ADMINISTRATIVE APPEALS	2,207	53.5	1,181	1,084	26	57	14	-	4.8
ORIGINAL PROCEEDINGS	222	73.0	162	12	149	1	-	-	-

**Table B-5. (June 30, 2009—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>3</sup>
		Percent of Total Terminations	Total	Affirmed/ Enforced <sup>2</sup>	Dismissed	Reversed	Remanded	Other	
<b>THIRD CIRCUIT</b>	<b>3,883</b>	<b>57.0</b>	<b>2,213</b>	<b>1,843</b>	<b>76</b>	<b>252</b>	<b>41</b>	<b>1</b>	<b>12.2</b>
CRIMINAL	867	78.1	677	614	16	41	6	-	6.1
U.S. PRISONER PETITIONS	321	39.3	126	95	7	23	1	-	18.3
OTHER U.S. CIVIL	197	64.0	126	108	4	11	3	-	8.7
PRIV. PRISONER PETITIONS	621	28.7	178	123	25	25	4	1	14.0
OTHER PRIVATE CIVIL	1,020	54.4	555	427	18	104	6	-	18.7
BANKRUPTCY	79	53.2	42	31	5	6	-	-	14.3
ADMINISTRATIVE APPEALS	592	60.1	356	293	1	41	21	-	11.5
ORIGINAL PROCEEDINGS	186	82.3	153	152	-	1	-	-	-
<b>FOURTH CIRCUIT</b>	<b>5,168</b>	<b>54.8</b>	<b>2,834</b>	<b>2,524</b>	<b>133</b>	<b>115</b>	<b>60</b>	<b>2</b>	<b>4.5</b>
CRIMINAL	1,112	78.5	873	743	53	42	35	-	4.8
U.S. PRISONER PETITIONS	1,418	48.7	690	651	21	14	4	-	2.0
OTHER U.S. CIVIL	220	56.8	125	111	7	7	-	-	5.6
PRIV. PRISONER PETITIONS	1,004	23.2	233	204	20	7	2	-	3.0
OTHER PRIVATE CIVIL	726	54.1	393	327	22	34	10	-	8.7
BANKRUPTCY	43	60.5	26	19	1	5	1	-	19.2
ADMINISTRATIVE APPEALS	333	65.5	218	194	9	5	8	2	2.3
ORIGINAL PROCEEDINGS	312	88.5	276	275	-	1	-	-	-
<b>FIFTH CIRCUIT</b>	<b>7,225</b>	<b>50.4</b>	<b>3,639</b>	<b>2,686</b>	<b>618</b>	<b>277</b>	<b>58</b>	<b>-</b>	<b>8.1</b>
CRIMINAL	2,366	69.5	1,644	1,106	451	66	21	-	4.0
U.S. PRISONER PETITIONS	490	21.6	106	63	37	5	1	-	4.7
OTHER U.S. CIVIL	328	56.4	185	162	7	14	2	-	7.6
PRIV. PRISONER PETITIONS	1,671	18.7	312	194	73	44	1	-	14.1
OTHER PRIVATE CIVIL	1,299	60.4	784	606	38	126	14	-	16.1
BANKRUPTCY	121	48.8	59	45	6	8	-	-	13.6
ADMINISTRATIVE APPEALS	555	45.0	250	217	5	9	19	-	3.6
ORIGINAL PROCEEDINGS	395	75.7	299	293	1	5	-	-	-
<b>SIXTH CIRCUIT</b>	<b>4,910</b>	<b>49.8</b>	<b>2,447</b>	<b>2,087</b>	<b>46</b>	<b>257</b>	<b>56</b>	<b>1</b>	<b>11.6</b>
CRIMINAL	1,147	64.3	738	631	10	72	25	-	9.8
U.S. PRISONER PETITIONS	315	31.7	100	82	4	10	3	1	10.0
OTHER U.S. CIVIL	255	40.8	104	92	2	8	2	-	7.7
PRIV. PRISONER PETITIONS	1,088	27.6	300	246	5	46	3	-	15.3
OTHER PRIVATE CIVIL	1,245	48.9	609	502	10	96	1	-	15.8
BANKRUPTCY	68	63.2	43	33	7	2	1	-	4.7
ADMINISTRATIVE APPEALS	428	63.1	270	224	8	17	21	-	6.3
ORIGINAL PROCEEDINGS	364	77.7	283	277	-	6	-	-	-

**Table B-5. (June 30, 2009—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>3</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced <sup>2</sup>	Dismissed	Reversed	Remanded	Other	
<b>SEVENTH CIRCUIT</b>	<b>3,445</b>	<b>47.6</b>	<b>1,639</b>	<b>1,218</b>	<b>132</b>	<b>195</b>	<b>22</b>	<b>72</b>	<b>13.0</b>
CRIMINAL	733	64.9	476	302	111	44	12	7	9.2
U.S. PRISONER PETITIONS	593	36.3	215	187	8	16	-	4	7.4
OTHER U.S. CIVIL	156	60.3	94	66	-	23	-	5	24.5
PRIV. PRISONER PETITIONS	604	21.9	132	99	5	23	1	4	17.4
OTHER PRIVATE CIVIL	895	47.3	423	333	7	66	5	12	15.6
BANKRUPTCY	54	51.9	28	16	-	8	-	4	28.6
ADMINISTRATIVE APPEALS	229	55.9	128	72	1	15	4	36	11.7
ORIGINAL PROCEEDINGS	181	79.0	143	143	-	-	-	-	-
<b>EIGHTH CIRCUIT</b>	<b>3,168</b>	<b>66.0</b>	<b>2,092</b>	<b>1,774</b>	<b>129</b>	<b>168</b>	<b>19</b>	<b>2</b>	<b>9.0</b>
CRIMINAL	1,179	80.2	945	798	61	74	10	2	7.8
U.S. PRISONER PETITIONS	265	29.1	77	71	3	2	1	-	2.6
OTHER U.S. CIVIL	160	68.1	109	83	6	16	4	-	14.7
PRIV. PRISONER PETITIONS	541	42.3	229	201	14	12	2	-	5.2
OTHER PRIVATE CIVIL	575	63.5	365	290	26	49	-	-	13.4
BANKRUPTCY	39	53.8	21	12	1	8	-	-	38.1
ADMINISTRATIVE APPEALS	147	66.0	97	74	16	5	2	-	5.2
ORIGINAL PROCEEDINGS	262	95.0	249	245	2	2	-	-	-
<b>NINTH CIRCUIT</b>	<b>12,986</b>	<b>43.1</b>	<b>5,596</b>	<b>4,049</b>	<b>235</b>	<b>644</b>	<b>92</b>	<b>576</b>	<b>11.5</b>
CRIMINAL	1,657	69.3	1,148	952	45	94	21	36	8.2
U.S. PRISONER PETITIONS	432	18.1	78	62	4	9	2	1	11.5
OTHER U.S. CIVIL	691	59.5	411	326	10	67	6	2	16.3
PRIV. PRISONER PETITIONS	2,145	27.8	597	502	9	54	12	20	9.0
OTHER PRIVATE CIVIL	2,209	49.8	1,099	842	33	188	14	22	17.1
BANKRUPTCY	200	49.0	98	83	2	11	-	2	11.2
ADMINISTRATIVE APPEALS	4,698	45.3	2,128	1,251	132	215	37	493	10.1
ORIGINAL PROCEEDINGS	954	3.9	37	31	-	6	-	-	-
<b>TENTH CIRCUIT</b>	<b>2,463</b>	<b>61.3</b>	<b>1,511</b>	<b>1,137</b>	<b>175</b>	<b>98</b>	<b>96</b>	<b>5</b>	<b>6.8</b>
CRIMINAL	684	85.2	583	420	98	29	36	-	5.0
U.S. PRISONER PETITIONS	266	32.0	85	55	18	6	6	-	7.1
OTHER U.S. CIVIL	151	68.2	103	82	2	7	12	-	6.8
PRIV. PRISONER PETITIONS	441	33.1	146	102	26	8	10	-	5.5
OTHER PRIVATE CIVIL	630	63.3	399	319	14	40	26	-	10.0
BANKRUPTCY	38	57.9	22	11	4	5	2	-	22.7
ADMINISTRATIVE APPEALS	91	71.4	65	42	13	1	4	5	1.5
ORIGINAL PROCEEDINGS	162	66.7	108	106	-	2	-	-	-

**Table B-5. (June 30, 2009—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>3</sup>
		Percent of Total Terminations	Total	Affirmed/ Enforced <sup>2</sup>	Dismissed	Reversed	Remanded	Other	
<b>ELEVENTH CIRCUIT</b>	<b>7,300</b>	<b>46.0</b>	<b>3,359</b>	<b>2,849</b>	<b>215</b>	<b>272</b>	<b>13</b>	<b>10</b>	<b>8.9</b>
CRIMINAL	2,464	62.3	1,535	1,369	80	74	3	9	4.8
U.S. PRISONER PETITIONS	646	12.5	81	53	11	17	-	-	21.0
OTHER U.S. CIVIL	330	45.8	151	109	12	26	4	-	17.2
PRIV. PRISONER PETITIONS	1,241	21.4	265	138	86	40	1	-	15.1
OTHER PRIVATE CIVIL	1,433	42.1	603	497	20	80	5	1	13.3
BANKRUPTCY	89	49.4	44	37	2	5	-	-	11.4
ADMINISTRATIVE APPEALS	622	54.8	341	310	3	28	-	-	8.2
ORIGINAL PROCEEDINGS	475	71.4	339	336	1	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 and remanded appeals as well as original appeals.

<sup>2</sup> Affirmed includes merit terminations affirmed in part and reversed in part.

<sup>3</sup> 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.