

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

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
ALL CIRCUITS	60,316	51.0	30,781	24,974	2,317	2,421	545	524	8.4
CRIMINAL	13,799	71.8	9,913	7,996	1,110	578	179	50	5.8
U.S. PRISONER PETITIONS	5,283	32.4	1,713	1,486	109	89	22	7	5.2
OTHER U.S. CIVIL	3,155	53.6	1,690	1,354	65	234	34	3	13.8
PRIV. PRISONER PETITIONS	10,790	28.1	3,029	2,315	345	278	56	35	9.2
OTHER PRIVATE CIVIL	12,502	49.4	6,181	5,074	216	796	80	15	12.9
BANKRUPTCY	849	47.1	400	308	30	58	4	-	14.5
ADMINISTRATIVE APPEALS	10,209	53.3	5,446	4,259	241	362	170	414	6.6
ORIGINAL PROCEEDINGS	3,729	64.6	2,409	2,182	201	26	-	-	-
DISTRICT OF COLUMBIA	1,092	45.1	492	403	23	57	9	-	11.7
CRIMINAL	106	51.9	55	44	3	4	4	-	7.3
U.S. PRISONER PETITIONS	147	42.2	62	53	4	4	1	-	6.5
OTHER U.S. CIVIL	253	51.8	131	109	4	17	1	-	13.0
PRIV. PRISONER PETITIONS	19	52.6	10	8	-	2	-	-	20.0
OTHER PRIVATE CIVIL	129	60.5	78	66	2	9	1	-	11.5
BANKRUPTCY	3	66.7	2	1	-	1	-	-	-
ADMINISTRATIVE APPEALS	369	30.9	114	86	10	16	2	-	14.0
ORIGINAL PROCEEDINGS	66	60.6	40	36	-	4	-	-	-
FIRST CIRCUIT	1,759	58.4	1,027	875	54	87	11	-	8.7
CRIMINAL	604	65.6	396	344	19	30	3	-	7.6
U.S. PRISONER PETITIONS	129	31.0	40	31	7	2	-	-	5.0
OTHER U.S. CIVIL	103	61.2	63	55	-	5	3	-	7.9
PRIV. PRISONER PETITIONS	168	41.1	69	60	5	4	-	-	5.8
OTHER PRIVATE CIVIL	446	52.9	236	191	9	36	-	-	15.3
BANKRUPTCY	44	61.4	27	21	4	2	-	-	7.4
ADMINISTRATIVE APPEALS	197	67.0	132	113	9	5	5	-	3.8
ORIGINAL PROCEEDINGS	68	94.1	64	60	1	3	-	-	-
SECOND CIRCUIT	6,850	48.8	3,344	2,796	264	230	53	1	7.3
CRIMINAL	874	54.2	474	423	15	30	6	-	6.3
U.S. PRISONER PETITIONS	215	10.7	23	20	-	3	-	-	13.0
OTHER U.S. CIVIL	308	45.1	139	117	-	21	1	-	15.1
PRIV. PRISONER PETITIONS	740	21.1	156	136	3	15	2	-	9.6
OTHER PRIVATE CIVIL	2,080	42.8	890	737	22	117	14	-	13.1
BANKRUPTCY	157	22.3	35	29	2	4	-	-	11.4
ADMINISTRATIVE APPEALS	2,248	63.7	1,431	1,329	31	40	30	1	2.8
ORIGINAL PROCEEDINGS	228	86.0	196	5	191	-	-	-	-

Table B-5. (March 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	
THIRD CIRCUIT	4,297	58.8	2,528	2,164	95	217	51	1	9.2
CRIMINAL	938	82.6	775	697	12	55	10	1	7.1
U.S. PRISONER PETITIONS	336	39.3	132	112	10	9	1	-	6.8
OTHER U.S. CIVIL	204	63.7	130	107	5	15	3	-	11.5
PRIV. PRISONER PETITIONS	780	28.3	221	149	35	31	6	-	14.0
OTHER PRIVATE CIVIL	1,072	57.5	616	518	22	71	5	-	11.5
BANKRUPTCY	79	48.1	38	32	4	2	-	-	5.3
ADMINISTRATIVE APPEALS	633	66.2	419	355	7	31	26	-	7.4
ORIGINAL PROCEEDINGS	255	77.3	197	194	-	3	-	-	-
FOURTH CIRCUIT	5,190	57.6	2,991	2,671	125	128	63	4	4.7
CRIMINAL	1,216	79.9	971	826	48	56	40	1	5.8
U.S. PRISONER PETITIONS	1,368	49.0	671	637	19	9	6	-	1.3
OTHER U.S. CIVIL	233	53.6	125	106	8	11	-	-	8.8
PRIV. PRISONER PETITIONS	877	30.3	266	236	20	8	2	-	3.0
OTHER PRIVATE CIVIL	751	55.5	417	361	17	35	4	-	8.4
BANKRUPTCY	57	49.1	28	23	2	3	-	-	10.7
ADMINISTRATIVE APPEALS	338	66.3	224	193	11	6	11	3	2.7
ORIGINAL PROCEEDINGS	350	82.6	289	289	-	-	-	-	-
FIFTH CIRCUIT	7,683	49.3	3,786	2,721	751	262	52	-	7.4
CRIMINAL	2,464	73.0	1,798	1,142	573	62	21	-	3.4
U.S. PRISONER PETITIONS	614	21.5	132	101	22	6	3	-	4.5
OTHER U.S. CIVIL	330	48.5	160	125	11	21	3	-	13.1
PRIV. PRISONER PETITIONS	1,917	19.8	380	226	98	48	8	-	12.6
OTHER PRIVATE CIVIL	1,261	54.6	688	550	36	99	3	-	14.4
BANKRUPTCY	101	46.5	47	27	6	14	-	-	29.8
ADMINISTRATIVE APPEALS	558	47.7	266	240	5	7	14	-	2.6
ORIGINAL PROCEEDINGS	438	71.9	315	310	-	5	-	-	-
SIXTH CIRCUIT	4,595	52.2	2,397	2,088	44	215	50	-	10.1
CRIMINAL	1,097	65.4	717	614	13	74	16	-	10.3
U.S. PRISONER PETITIONS	299	29.4	88	79	3	6	-	-	6.8
OTHER U.S. CIVIL	233	45.9	107	85	3	14	5	-	13.1
PRIV. PRISONER PETITIONS	1,044	34.6	361	305	5	46	5	-	12.7
OTHER PRIVATE CIVIL	1,074	46.6	500	426	12	57	5	-	11.4
BANKRUPTCY	62	51.6	32	25	3	3	1	-	9.4
ADMINISTRATIVE APPEALS	393	66.9	263	231	5	9	18	-	3.4
ORIGINAL PROCEEDINGS	393	83.7	329	323	-	6	-	-	-

Table B-5. (March 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	
SEVENTH CIRCUIT	3,367	45.5	1,531	1,149	141	184	22	35	13.1
CRIMINAL	681	70.2	478	282	120	58	11	7	12.1
U.S. PRISONER PETITIONS	525	38.5	202	171	10	18	1	2	8.9
OTHER U.S. CIVIL	137	63.5	87	71	-	15	-	1	17.2
PRIV. PRISONER PETITIONS	701	17.7	124	103	2	17	-	2	13.7
OTHER PRIVATE CIVIL	892	41.8	373	306	6	54	3	4	14.5
BANKRUPTCY	58	39.7	23	17	1	5	-	-	21.7
ADMINISTRATIVE APPEALS	192	52.1	100	57	2	15	7	19	15.0
ORIGINAL PROCEEDINGS	181	79.6	144	142	-	2	-	-	-
EIGHTH CIRCUIT	3,365	67.7	2,279	1,968	152	134	18	7	6.7
CRIMINAL	1,136	81.7	928	783	85	45	11	4	4.8
U.S. PRISONER PETITIONS	306	35.9	110	101	3	3	2	1	2.7
OTHER U.S. CIVIL	188	72.9	137	110	11	15	1	-	10.9
PRIV. PRISONER PETITIONS	645	45.1	291	259	18	11	2	1	3.8
OTHER PRIVATE CIVIL	642	65.6	421	352	18	50	1	-	11.9
BANKRUPTCY	33	69.7	23	19	-	4	-	-	17.4
ADMINISTRATIVE APPEALS	140	75.0	105	86	11	6	1	1	5.7
ORIGINAL PROCEEDINGS	275	96.0	264	258	6	-	-	-	-
NINTH CIRCUIT	12,889	43.9	5,653	4,288	208	588	102	467	10.6
CRIMINAL	1,717	67.3	1,156	1,013	22	71	19	31	6.1
U.S. PRISONER PETITIONS	474	18.6	88	68	5	9	2	4	10.2
OTHER U.S. CIVIL	708	53.0	375	298	5	67	3	2	17.9
PRIV. PRISONER PETITIONS	2,223	32.8	729	610	12	60	16	31	8.2
OTHER PRIVATE CIVIL	2,282	48.8	1,113	892	28	172	11	10	15.5
BANKRUPTCY	177	56.5	100	81	5	14	-	-	14.0
ADMINISTRATIVE APPEALS	4,472	44.1	1,973	1,208	131	194	51	389	9.8
ORIGINAL PROCEEDINGS	836	14.2	119	118	-	1	-	-	-
TENTH CIRCUIT	2,396	59.1	1,415	1,019	198	91	105	2	6.8
CRIMINAL	646	82.8	535	374	102	25	34	-	4.7
U.S. PRISONER PETITIONS	281	32.4	91	60	16	9	6	-	9.9
OTHER U.S. CIVIL	156	67.9	106	77	5	11	13	-	10.4
PRIV. PRISONER PETITIONS	436	32.3	141	87	33	7	14	-	5.0
OTHER PRIVATE CIVIL	602	55.6	335	249	22	33	30	1	9.9
BANKRUPTCY	30	76.7	23	14	3	3	3	-	13.0
ADMINISTRATIVE APPEALS	110	77.3	85	61	17	1	5	1	1.2
ORIGINAL PROCEEDINGS	135	73.3	99	97	-	2	-	-	-

Table B-5. (March 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
ELEVENTH CIRCUIT	6,833	48.9	3,338	2,832	262	228	9	7	7.6
CRIMINAL	2,320	70.3	1,630	1,454	98	68	4	6	4.2
U.S. PRISONER PETITIONS	589	12.6	74	53	10	11	-	-	14.9
OTHER U.S. CIVIL	302	43.0	130	94	13	22	1	-	16.9
PRIV. PRISONER PETITIONS	1,240	22.7	281	136	114	29	1	1	10.3
OTHER PRIVATE CIVIL	1,271	40.4	514	426	22	63	3	-	12.3
BANKRUPTCY	48	45.8	22	19	-	3	-	-	13.6
ADMINISTRATIVE APPEALS	559	59.7	334	300	2	32	-	-	9.6
ORIGINAL PROCEEDINGS	504	70.0	353	350	3	-	-	-	-

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.