

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending March 31, 2012

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	57,002	60.5	34,462	2,225	23,685	2,711	2,519	512	108	2,702	8.0
CRIMINAL	13,347	77.5	10,342	732	7,413	1,299	664	213	21	-	6.4
U.S. PRISONER PETITIONS	4,807	44.4	2,136	86	961	145	121	24	10	789	5.7
OTHER U.S. CIVIL	2,835	61.3	1,737	144	1,250	113	193	34	3	-	11.1
PRIV. PRISONER PETITIONS	11,519	45.0	5,184	147	2,325	422	334	38	5	1,913	6.4
OTHER PRIVATE CIVIL	12,452	57.3	7,141	790	5,070	369	812	83	17	-	11.4
BANKRUPTCY	721	55.9	403	66	267	28	34	4	4	-	8.4
ADMINISTRATIVE APPEALS	7,327	57.6	4,224	241	3,284	205	330	116	48	-	7.8
ORIGINAL PROCEEDINGS	3,994	82.5	3,295	19	3,115	130	31	-	-	-	-
DC CIRCUIT	1,118	59.1	661	157	397	29	66	11	1	-	10.8
CRIMINAL	112	58.0	65	11	44	2	6	2	-	-	9.2
U.S. PRISONER PETITIONS	118	62.7	74	21	37	5	7	3	1	-	9.5
OTHER U.S. CIVIL	234	67.9	159	20	113	5	20	1	-	-	12.6
PRIV. PRISONER PETITIONS	11	27.3	3	-	3	-	-	-	-	-	-
OTHER PRIVATE CIVIL	144	68.8	99	12	69	2	12	4	-	-	12.1
BANKRUPTCY	1	-	-	-	-	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	360	53.9	194	93	70	11	19	1	-	-	9.8
ORIGINAL PROCEEDINGS	138	48.6	67	-	61	4	2	-	-	-	-
1ST CIRCUIT	1,528	62.5	955	80	733	24	89	4	-	25	9.9
CRIMINAL	447	69.6	311	30	236	6	37	2	-	-	11.9
U.S. PRISONER PETITIONS	89	46.1	41	1	22	-	-	1	-	17	-
OTHER U.S. CIVIL	98	68.4	67	5	52	5	5	-	-	-	7.5
PRIV. PRISONER PETITIONS	109	52.3	57	-	47	-	2	-	-	8	3.5
OTHER PRIVATE CIVIL	516	59.1	305	42	220	11	31	1	-	-	10.2
BANKRUPTCY	41	46.3	19	1	15	-	3	-	-	-	15.8
ADMINISTRATIVE APPEALS	158	55.7	88	1	76	1	10	-	-	-	11.4
ORIGINAL PROCEEDINGS	70	95.7	67	-	65	1	1	-	-	-	-

Table B-5. (March 31, 2012—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	5,206	59.8	3,111	291	1,899	528	153	55	2	183	5.2
CRIMINAL	810	70.2	569	78	352	87	40	12	-	-	7.0
U.S. PRISONER PETITIONS	238	47.5	113	3	27	35	4	2	1	41	3.5
OTHER U.S. CIVIL	246	56.1	138	11	73	42	7	5	-	-	5.1
PRIV. PRISONER PETITIONS	794	50.6	402	19	87	122	24	7	1	142	6.0
OTHER PRIVATE CIVIL	1,666	52.7	878	145	490	171	56	16	-	-	6.4
BANKRUPTCY	99	47.5	47	19	21	6	1	-	-	-	2.1
ADMINISTRATIVE APPEALS	1,138	68.3	777	16	670	58	20	13	-	-	2.6
ORIGINAL PROCEEDINGS	215	87.0	187	-	179	7	1	-	-	-	-
3RD CIRCUIT	4,115	64.9	2,669	68	2,040	85	226	57	2	191	9.2
CRIMINAL	780	82.3	642	10	560	10	37	24	1	-	5.8
U.S. PRISONER PETITIONS	402	61.4	247	-	157	8	9	2	-	71	3.6
OTHER U.S. CIVIL	166	59.0	98	1	83	3	11	-	-	-	11.2
PRIV. PRISONER PETITIONS	758	46.7	354	6	174	19	30	5	-	120	8.5
OTHER PRIVATE CIVIL	1,003	61.5	617	39	491	10	70	7	-	-	11.3
BANKRUPTCY	55	50.9	28	-	16	5	6	1	-	-	21.4
ADMINISTRATIVE APPEALS	609	68.5	417	12	307	20	59	18	1	-	14.1
ORIGINAL PROCEEDINGS	342	77.8	266	-	252	10	4	-	-	-	-
4TH CIRCUIT	5,153	71.1	3,664	185	2,715	199	215	84	8	258	6.4
CRIMINAL	1,918	87.2	1,673	107	1,254	108	137	65	2	-	8.2
U.S. PRISONER PETITIONS	676	49.7	336	11	154	26	12	3	1	129	3.6
OTHER U.S. CIVIL	208	70.2	146	11	118	6	9	2	-	-	6.2
PRIV. PRISONER PETITIONS	835	48.3	403	7	236	21	7	3	-	129	1.7
OTHER PRIVATE CIVIL	846	70.7	598	36	492	25	37	7	1	-	6.2
BANKRUPTCY	53	66.0	35	4	28	-	3	-	-	-	8.6
ADMINISTRATIVE APPEALS	245	63.7	156	2	127	10	9	4	4	-	5.8
ORIGINAL PROCEEDINGS	372	85.2	317	7	306	3	1	-	-	-	-

Table B-5. (March 31, 2012—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	7,426	57.3	4,254	377	2,489	730	257	63	-	338	6.4
CRIMINAL	2,525	71.6	1,809	149	1,010	564	51	35	-	-	2.8
U.S. PRISONER PETITIONS	658	38.8	255	21	85	27	11	3	-	108	4.3
OTHER U.S. CIVIL	257	51.4	132	14	93	14	11	-	-	-	8.3
PRIV. PRISONER PETITIONS	1,626	36.8	599	63	186	82	36	2	-	230	6.0
OTHER PRIVATE CIVIL	1,368	61.5	842	116	560	35	124	7	-	-	14.7
BANKRUPTCY	82	63.4	52	3	38	-	10	1	-	-	19.2
ADMINISTRATIVE APPEALS	424	44.3	188	10	150	6	7	15	-	-	3.7
ORIGINAL PROCEEDINGS	486	77.6	377	1	367	2	7	-	-	-	-
6TH CIRCUIT	5,444	60.4	3,289	184	2,666	146	247	45	1	-	8.3
CRIMINAL	1,510	80.2	1,211	70	970	62	87	22	-	-	7.2
U.S. PRISONER PETITIONS	414	36.0	149	3	131	5	9	1	-	-	6.0
OTHER U.S. CIVIL	202	58.4	118	4	96	2	15	1	-	-	12.7
PRIV. PRISONER PETITIONS	1,274	37.9	483	15	422	7	37	2	-	-	7.7
OTHER PRIVATE CIVIL	1,155	57.0	658	71	472	23	89	3	-	-	13.5
BANKRUPTCY	52	53.8	28	6	21	-	1	-	-	-	3.6
ADMINISTRATIVE APPEALS	409	71.4	292	11	244	14	6	16	1	-	2.1
ORIGINAL PROCEEDINGS	428	81.8	350	4	310	33	3	-	-	-	-
7TH CIRCUIT	3,015	51.8	1,563	179	1,025	127	170	17	34	11	11.9
CRIMINAL	634	74.8	474	65	270	103	29	3	4	-	6.1
U.S. PRISONER PETITIONS	384	26.0	100	5	67	2	17	-	3	6	17.0
OTHER U.S. CIVIL	141	57.4	81	5	53	3	19	1	-	-	23.5
PRIV. PRISONER PETITIONS	566	22.1	125	13	89	3	14	1	-	5	11.2
OTHER PRIVATE CIVIL	911	54.2	494	68	326	10	72	3	15	-	14.6
BANKRUPTCY	52	67.3	35	8	20	1	1	1	4	-	2.9
ADMINISTRATIVE APPEALS	151	64.9	98	14	51	1	16	8	8	-	16.3
ORIGINAL PROCEEDINGS	176	88.6	156	1	149	4	2	-	-	-	-

Table B-5. (March 31, 2012—Continued)

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		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-Ability	Percent Reversed ³
8TH CIRCUIT	2,911	71.8	2,090	117	1,603	106	105	12	3	144	5.6
CRIMINAL	876	84.9	744	42	616	53	28	4	1	-	.8
U.S. PRISONER PETITIONS	316	56.3	178	4	86	5	6	4	-	73	3.4
OTHER U.S. CIVIL	138	73.2	101	5	78	4	13	1	-	-	12.9
PRIV. PRISONER PETITIONS	561	50.3	282	6	188	5	12	-	-	71	4.3
OTHER PRIVATE CIVIL	611	73.2	447	52	342	11	40	1	1	-	8.9
BANKRUPTCY	22	63.6	14	1	10	3	-	-	-	-	-
ADMINISTRATIVE APPEALS	133	60.9	81	6	50	17	5	2	1	-	6.2
ORIGINAL PROCEEDINGS	254	95.7	243	1	233	8	1	-	-	-	-
9TH CIRCUIT	12,449	59.3	7,378	383	4,679	346	696	67	39	1,168	10.3
CRIMINAL	1,629	78.1	1,272	89	891	133	142	14	3	-	11.2
U.S. PRISONER PETITIONS	551	52.8	291	10	70	8	20	1	2	180	6.9
OTHER U.S. CIVIL	633	65.7	416	57	283	12	63	1	-	-	15.1
PRIV. PRISONER PETITIONS	3,497	53.9	1,885	11	683	52	141	7	3	988	7.5
OTHER PRIVATE CIVIL	2,074	54.8	1,136	130	794	37	168	7	-	-	14.8
BANKRUPTCY	167	56.3	94	19	61	10	4	-	-	-	4.3
ADMINISTRATIVE APPEALS	3,155	51.0	1,608	64	1,264	59	153	37	31	-	9.5
ORIGINAL PROCEEDINGS	743	91.0	676	3	633	35	5	-	-	-	-
10TH CIRCUIT	2,219	57.7	1,281	45	953	122	62	70	4	25	5.2
CRIMINAL	533	77.5	413	9	292	73	11	27	1	-	2.7
U.S. PRISONER PETITIONS	267	33.7	90	2	61	12	2	1	1	11	2.2
OTHER U.S. CIVIL	157	70.7	111	5	73	7	12	14	-	-	10.8
PRIV. PRISONER PETITIONS	378	31.0	117	1	80	8	5	8	1	14	4.3
OTHER PRIVATE CIVIL	610	59.3	362	24	285	11	24	18	-	-	6.6
BANKRUPTCY	23	65.2	15	-	10	1	3	1	-	-	20.0
ADMINISTRATIVE APPEALS	99	63.6	63	4	45	8	4	1	1	-	6.3
ORIGINAL PROCEEDINGS	152	72.4	110	-	107	2	1	-	-	-	-

Table B-5. (March 31, 2012—Continued)

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		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-Ability	Percent Reversed ³
11TH CIRCUIT	6,418	55.3	3,547	159	2,486	269	233	27	14	359	7.5
CRIMINAL	1,573	73.7	1,159	72	918	98	59	3	9	-	5.1
U.S. PRISONER PETITIONS	694	37.8	262	5	64	12	24	3	1	153	9.2
OTHER U.S. CIVIL	355	47.9	170	6	135	10	8	8	3	-	4.7
PRIV. PRISONER PETITIONS	1,110	42.7	474	6	130	103	26	3	-	206	5.5
OTHER PRIVATE CIVIL	1,548	45.5	705	55	529	23	89	9	-	-	12.6
BANKRUPTCY	74	48.6	36	5	27	2	2	-	-	-	5.6
ADMINISTRATIVE APPEALS	446	58.7	262	8	230	-	22	1	1	-	8.4
ORIGINAL PROCEEDINGS	618	77.5	479	2	453	21	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.