

**Table B-5.**  
**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,**  
**During the 12-Month Period Ending September 30, 2010**

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>59,526</b>	<b>51.9</b>	<b>30,914</b>	<b>24,588</b>	<b>2,751</b>	<b>2,372</b>	<b>574</b>	<b>629</b>	<b>8.3</b>
CRIMINAL	13,512	72.8	9,842	7,838	1,219	565	158	62	5.7
U.S. PRISONER PETITIONS	5,069	29.6	1,500	1,204	149	122	18	7	8.1
OTHER U.S. CIVIL	2,991	56.8	1,699	1,350	87	214	44	4	12.6
PRIV. PRISONER PETITIONS	11,118	28.5	3,169	2,367	422	276	53	51	8.7
OTHER PRIVATE CIVIL	12,536	49.4	6,188	5,049	304	743	79	13	12.0
BANKRUPTCY	747	46.2	345	260	30	48	6	1	13.9
ADMINISTRATIVE APPEALS	9,794	54.9	5,378	3,939	357	375	216	491	7.0
ORIGINAL PROCEEDINGS	3,759	74.3	2,793	2,581	183	29	-	-	-
<b>DC</b>	<b>1,189</b>	<b>43.7</b>	<b>520</b>	<b>399</b>	<b>36</b>	<b>75</b>	<b>9</b>	<b>1</b>	<b>15.3</b>
CRIMINAL	118	55.1	65	55	4	3	3	-	4.6
U.S. PRISONER PETITIONS	258	32.9	85	54	16	13	1	1	15.3
OTHER U.S. CIVIL	250	56.4	141	123	5	12	1	-	8.5
PRIV. PRISONER PETITIONS	16	43.8	7	6	-	1	-	-	-
OTHER PRIVATE CIVIL	131	62.6	82	72	3	7	-	-	8.5
BANKRUPTCY	4	75.0	3	2	-	1	-	-	-
ADMINISTRATIVE APPEALS	327	29.1	95	47	8	36	4	-	37.9
ORIGINAL PROCEEDINGS	85	49.4	42	40	-	2	-	-	-
<b>1ST CIRCUIT</b>	<b>1,706</b>	<b>56.6</b>	<b>965</b>	<b>820</b>	<b>50</b>	<b>86</b>	<b>9</b>	<b>-</b>	<b>9.5</b>
CRIMINAL	567	61.9	351	302	22	25	2	-	7.1
U.S. PRISONER PETITIONS	125	29.6	37	32	3	2	-	-	5.4
OTHER U.S. CIVIL	106	52.8	56	46	-	9	1	-	16.1
PRIV. PRISONER PETITIONS	162	43.2	70	54	5	11	-	-	15.7
OTHER PRIVATE CIVIL	454	53.5	243	204	5	34	-	-	14.0
BANKRUPTCY	39	56.4	22	16	4	1	1	-	4.5
ADMINISTRATIVE APPEALS	191	66.5	127	109	9	4	5	-	3.1
ORIGINAL PROCEEDINGS	62	95.2	59	57	2	-	-	-	-
<b>2ND CIRCUIT</b>	<b>6,300</b>	<b>52.4</b>	<b>3,304</b>	<b>2,579</b>	<b>434</b>	<b>221</b>	<b>70</b>	<b>-</b>	<b>7.1</b>
CRIMINAL	937	61.3	574	465	53	39	17	-	6.8
U.S. PRISONER PETITIONS	233	17.2	40	16	19	3	2	-	7.5
OTHER U.S. CIVIL	264	53.0	140	105	13	20	2	-	14.3
PRIV. PRISONER PETITIONS	769	27.3	210	138	56	12	4	-	5.7
OTHER PRIVATE CIVIL	2,055	45.4	932	692	111	116	13	-	12.4
BANKRUPTCY	107	30.8	33	22	5	6	-	-	18.2
ADMINISTRATIVE APPEALS	1,696	68.8	1,166	1,046	64	24	32	-	2.1
ORIGINAL PROCEEDINGS	239	87.4	209	95	113	1	-	-	-

Table B-5. (September 30, 2010—Continued)

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>3RD CIRCUIT</b>	<b>4,235</b>	<b>58.6</b>	<b>2,483</b>	<b>2,112</b>	<b>94</b>	<b>202</b>	<b>73</b>	<b>2</b>	<b>8.7</b>
CRIMINAL	880	78.5	691	623	13	42	11	2	6.1
U.S. PRISONER PETITIONS	323	39.9	129	108	15	5	1	-	3.9
OTHER U.S. CIVIL	179	64.2	115	98	4	8	5	-	7.0
PRIV. PRISONER PETITIONS	674	27.3	184	132	19	27	6	-	14.7
OTHER PRIVATE CIVIL	1,096	54.2	594	490	22	73	9	-	12.3
BANKRUPTCY	82	48.8	40	31	3	4	2	-	10.0
ADMINISTRATIVE APPEALS	735	71.8	528	433	17	39	39	-	7.4
ORIGINAL PROCEEDINGS	266	75.9	202	197	1	4	-	-	-
<b>4TH CIRCUIT</b>	<b>4,951</b>	<b>58.5</b>	<b>2,894</b>	<b>2,545</b>	<b>148</b>	<b>146</b>	<b>48</b>	<b>7</b>	<b>5.6</b>
CRIMINAL	1,557	78.9	1,228	1,054	74	72	25	3	5.9
U.S. PRISONER PETITIONS	896	41.7	374	344	11	17	2	-	4.5
OTHER U.S. CIVIL	177	66.1	117	99	8	6	4	-	5.1
PRIV. PRISONER PETITIONS	881	27.2	240	209	17	11	2	1	4.6
OTHER PRIVATE CIVIL	752	56.5	425	374	19	30	2	-	7.1
BANKRUPTCY	40	42.5	17	14	1	2	-	-	11.8
ADMINISTRATIVE APPEALS	305	63.3	193	154	15	8	13	3	4.1
ORIGINAL PROCEEDINGS	343	87.5	300	297	3	-	-	-	-
<b>5TH CIRCUIT</b>	<b>7,624</b>	<b>49.5</b>	<b>3,773</b>	<b>2,679</b>	<b>751</b>	<b>261</b>	<b>82</b>	<b>-</b>	<b>7.5</b>
CRIMINAL	2,445	75.2	1,838	1,160	575	61	42	-	3.3
U.S. PRISONER PETITIONS	610	20.3	124	83	27	13	1	-	10.5
OTHER U.S. CIVIL	283	50.5	143	104	13	20	6	-	14.0
PRIV. PRISONER PETITIONS	1,863	20.7	385	217	106	53	9	-	13.8
OTHER PRIVATE CIVIL	1,232	51.7	637	537	20	75	5	-	11.8
BANKRUPTCY	89	49.4	44	29	5	10	-	-	22.7
ADMINISTRATIVE APPEALS	602	44.0	265	217	4	25	19	-	9.4
ORIGINAL PROCEEDINGS	500	67.4	337	332	1	4	-	-	-
<b>6TH CIRCUIT</b>	<b>4,440</b>	<b>52.9</b>	<b>2,350</b>	<b>2,028</b>	<b>60</b>	<b>208</b>	<b>54</b>	<b>-</b>	<b>10.0</b>
CRIMINAL	1,123	67.8	761	650	14	80	17	-	10.5
U.S. PRISONER PETITIONS	294	29.3	86	79	4	3	-	-	3.5
OTHER U.S. CIVIL	205	59.5	122	96	4	15	7	-	12.3
PRIV. PRISONER PETITIONS	999	35.5	355	303	7	39	6	-	11.0
OTHER PRIVATE CIVIL	997	45.4	453	380	14	53	6	-	11.7
BANKRUPTCY	56	46.4	26	21	1	4	-	-	15.4
ADMINISTRATIVE APPEALS	366	60.1	220	191	3	8	18	-	3.6
ORIGINAL PROCEEDINGS	400	81.8	327	308	13	6	-	-	-

Table B-5. (September 30, 2010—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>7TH CIRCUIT</b>	<b>3,398</b>	<b>44.5</b>	<b>1,512</b>	<b>1,088</b>	<b>145</b>	<b>208</b>	<b>42</b>	<b>29</b>	<b>15.4</b>
CRIMINAL	682	70.7	482	268	124	65	13	12	13.5
U.S. PRISONER PETITIONS	542	30.4	165	129	7	25	4	-	15.2
OTHER U.S. CIVIL	150	59.3	89	70	2	16	1	-	18.0
PRIV. PRISONER PETITIONS	704	16.6	117	96	1	18	1	1	15.4
OTHER PRIVATE CIVIL	849	41.2	350	284	5	51	4	6	14.6
BANKRUPTCY	59	37.3	22	15	2	5	-	-	22.7
ADMINISTRATIVE APPEALS	209	55.5	116	59	2	26	19	10	22.4
ORIGINAL PROCEEDINGS	203	84.2	171	167	2	2	-	-	-
<b>8TH CIRCUIT</b>	<b>3,397</b>	<b>67.5</b>	<b>2,293</b>	<b>2,011</b>	<b>161</b>	<b>103</b>	<b>10</b>	<b>8</b>	<b>4.9</b>
CRIMINAL	1,021	81.7	834	701	95	31	3	4	3.7
U.S. PRISONER PETITIONS	363	40.2	146	133	4	6	1	2	4.1
OTHER U.S. CIVIL	188	75.5	142	127	6	9	-	-	6.3
PRIV. PRISONER PETITIONS	704	47.7	336	300	23	9	3	1	2.7
OTHER PRIVATE CIVIL	687	64.9	446	390	18	35	3	-	7.8
BANKRUPTCY	15	86.7	13	11	1	1	-	-	7.7
ADMINISTRATIVE APPEALS	149	75.8	113	93	10	9	-	1	8.0
ORIGINAL PROCEEDINGS	270	97.4	263	256	4	3	-	-	-
<b>9TH CIRCUIT</b>	<b>13,340</b>	<b>47.4</b>	<b>6,324</b>	<b>4,688</b>	<b>404</b>	<b>566</b>	<b>98</b>	<b>568</b>	<b>9.5</b>
CRIMINAL	1,712	68.1	1,166	1,015	35	79	8	29	6.8
U.S. PRISONER PETITIONS	457	27.1	124	100	10	8	2	4	6.5
OTHER U.S. CIVIL	691	52.2	361	280	7	66	4	4	18.3
PRIV. PRISONER PETITIONS	2,669	32.0	855	686	49	62	11	47	7.3
OTHER PRIVATE CIVIL	2,216	48.3	1,070	842	44	170	8	6	15.9
BANKRUPTCY	172	49.4	85	70	6	7	1	1	8.2
ADMINISTRATIVE APPEALS	4,651	47.8	2,221	1,302	211	167	64	477	7.5
ORIGINAL PROCEEDINGS	772	57.3	442	393	42	7	-	-	-
<b>10TH CIRCUIT</b>	<b>2,448</b>	<b>55.3</b>	<b>1,353</b>	<b>996</b>	<b>212</b>	<b>74</b>	<b>71</b>	<b>-</b>	<b>5.8</b>
CRIMINAL	589	78.9	465	324	107	19	15	-	4.1
U.S. PRISONER PETITIONS	304	31.6	96	63	21	8	4	-	8.3
OTHER U.S. CIVIL	175	68.6	120	83	13	11	13	-	9.2
PRIV. PRISONER PETITIONS	474	28.9	137	98	27	4	8	-	2.9
OTHER PRIVATE CIVIL	657	54.9	361	278	30	26	27	-	7.2
BANKRUPTCY	38	55.3	21	14	1	4	2	-	19.0
ADMINISTRATIVE APPEALS	92	77.2	71	54	13	2	2	-	2.8
ORIGINAL PROCEEDINGS	119	68.9	82	82	-	-	-	-	-

**Table B-5. (September 30, 2010—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>11TH CIRCUIT</b>	<b>6,498</b>	<b>48.4</b>	<b>3,143</b>	<b>2,643</b>	<b>256</b>	<b>222</b>	<b>8</b>	<b>14</b>	<b>8.0</b>
CRIMINAL	1,881	73.7	1,387	1,221	103	49	2	12	3.5
U.S. PRISONER PETITIONS	664	14.2	94	63	12	19	-	-	20.2
OTHER U.S. CIVIL	323	47.4	153	119	12	22	-	-	14.4
PRIV. PRISONER PETITIONS	1,203	22.7	273	128	112	29	3	1	10.6
OTHER PRIVATE CIVIL	1,410	42.2	595	506	13	73	2	1	12.3
BANKRUPTCY	46	41.3	19	15	1	3	-	-	15.8
ADMINISTRATIVE APPEALS	471	55.8	263	234	1	27	1	-	10.3
ORIGINAL PROCEEDINGS	500	71.8	359	357	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.