

Table B-7.
U.S. Courts of Appeals—Nature of Suit or Offense in Cases Arising From the U.S. District Courts, by Circuit,
During the 12-Month Period Ending September 30, 2008

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
TOTAL CASES	45,121	769	1,353	3,618	3,179	4,544	6,472	4,005	2,830	2,611	7,603	1,907	6,230
TOTAL CRIMINAL CASES	13,667	115	545	925	870	1,209	2,535	1,168	735	1,036	1,657	583	2,289
TOTAL CIVIL CASES	31,454	654	808	2,693	2,309	3,335	3,937	2,837	2,095	1,575	5,946	1,324	3,941
U.S. CASES	8,100	515	203	454	521	1,359	826	523	724	423	1,159	364	1,029
U.S. PLAINTIFF	403	5	15	41	19	23	79	36	18	27	72	21	47
NEGOTIABLE INSTRUMENTS	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER CONTRACT ACTIONS	15	-	-	4	1	2	1	2	-	1	2	1	1
CONDEMNATION OF LAND	6	-	1	-	-	-	5	-	-	-	-	-	-
OTHER REAL PROP. ACTIONS	15	-	2	2	-	-	1	4	3	-	2	1	-
TORT ACTIONS	8	-	-	1	1	-	2	1	-	1	-	1	1
CIVIL RIGHTS:													
EMPLOYMENT	37	-	-	3	4	4	6	3	1	4	9	-	3
OTHER CIVIL RIGHTS	11	-	-	-	-	1	3	-	1	-	4	2	-
FORFEITURE AND PENALTY	71	-	5	7	1	5	10	11	2	6	10	3	11
FAIR LABOR STAND. ACT	5	-	-	1	-	-	1	-	-	1	1	-	1
OTHER LABOR	11	-	-	2	-	1	-	2	1	1	3	-	1
SECUR., COMMOD., & EXCHG.	56	-	3	15	3	2	7	-	3	-	6	2	15
TAX SUITS	68	-	2	1	5	3	22	3	2	3	16	4	7
ALL OTHER	100	5	2	5	4	5	21	10	5	10	19	7	7
U.S. DEFENDANT	7,697	510	188	413	502	1,336	747	487	706	396	1,087	343	982
CONTRACT ACTIONS	49	9	3	1	4	3	7	3	1	2	12	-	4
REAL PROPERTY ACTIONS	42	-	1	2	2	4	4	1	3	5	13	5	2
TORT ACTIONS	251	13	11	11	17	25	26	55	12	8	50	8	15
CIVIL RIGHTS:													
EMPLOYMENT	290	35	6	14	19	43	36	19	17	14	43	12	32
OTHER CIVIL RIGHTS	448	43	16	45	39	37	50	26	15	14	106	17	40
PRISONER PETITIONS:													
MOTIONS TO VACATE SEN.	2,350	12	59	157	130	364	319	130	197	179	232	100	471
HABEAS CORPUS	1,127	184	27	35	123	153	114	79	69	48	154	65	76
HABEAS CORPUS—DEATH	4	-	-	1	-	-	-	1	-	2	-	-	-
PRISONER CIVIL RIGHTS	611	70	15	24	76	14	65	52	-	15	94	19	167

Table B-7. (September 30, 2008—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
U.S. DEFENDANT (CONTINUED)													
PRISON CONDITION	178	3	1	3	7	23	8	6	63	9	8	28	19
OTHER PRIS. PETITIONS	916	10	1	6	8	575	8	4	256	6	25	2	15
LABOR SUITS	24	2	1	2	2	2	-	6	3	1	3	2	-
SOCIAL SECURITY LAWS	556	4	6	51	46	50	53	39	25	50	140	40	52
TAX SUITS	121	2	4	9	6	8	20	17	5	7	24	7	12
ENVIRONMENTAL MATTERS	124	8	7	1	3	5	5	7	1	5	62	12	8
FREEDOM OF INFOR. ACT	68	30	4	8	3	4	1	3	1	-	9	1	4
ALL OTHER	538	85	26	43	17	26	31	39	38	31	112	25	65
PRIVATE CASES													
TOTAL	23,354	139	605	2,239	1,788	1,976	3,111	2,314	1,371	1,152	4,787	960	2,912
FEDERAL QUESTION	20,672	132	477	1,923	1,531	1,820	2,705	2,084	1,260	982	4,399	806	2,553
MARINE CONTRACT	89	-	3	26	4	4	22	3	2	-	6	-	19
OTHER CONTRACT ACTIONS	431	5	9	92	23	28	47	43	28	18	79	18	41
FEDERAL EMPLOYERS													
LIABILITY ACT	22	-	-	4	-	1	1	5	6	1	3	-	1
MARINE INJURY	75	-	4	10	2	1	42	3	3	-	5	-	5
OTHER TORT ACTIONS	431	20	13	27	42	37	43	38	62	21	68	14	46
ANTITRUST	122	1	6	11	22	2	9	9	6	6	37	6	7
CIVIL RIGHTS:													
EMPLOYMENT	1,674	17	72	260	156	103	139	170	137	99	200	97	224
OTHER CIVIL RIGHTS	3,172	45	112	341	312	213	317	383	229	155	579	144	342
PRISONER PETITIONS:													
HABEAS CORPUS	6,431	-	86	455	343	398	1,103	658	314	261	1,882	219	712
HABEAS CORPUS-DEATH	171	-	-	1	4	11	51	31	-	5	32	4	32
PRISONER CIVIL RIGHTS	3,590	10	78	282	313	526	571	256	8	174	711	124	537
PRISON CONDITION	1,380	2	3	33	89	324	81	138	242	119	98	60	191
OTHER PRIS. PETITIONS	94	2	3	4	3	12	10	2	3	-	45	3	7
LABOR MGMT. RELAT. ACT	110	1	8	16	10	5	3	34	6	7	15	1	4
OTHER LABOR	798	4	21	75	56	38	73	104	71	52	154	22	128
CPYRGHT, PATENT & TRDMRK.	454	5	16	67	24	20	33	47	23	10	145	14	50
SECUR., COMMOD., & EXCHG.	158	2	4	44	15	5	10	9	17	10	30	-	12
CONST. OF STATE STATS.	87	-	4	15	4	8	7	14	6	2	13	9	5
ALL OTHER	1,383	18	35	160	109	84	143	137	97	42	297	71	190

Table B-7. (September 30, 2008—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
DIVERSITY OF CITIZENSHIP	2,681	7	128	316	256	156	406	230	111	170	388	154	359
INSURANCE	612	1	22	45	65	28	103	46	24	34	102	35	107
OTHER CONTRACT ACTIONS	1,165	3	49	164	99	78	143	111	86	85	168	54	125
REAL PROPERTY ACTIONS	87	-	2	7	13	4	16	11	-	2	16	9	7
PERSONAL INJURY/PRODUCT LIABILITY	187	-	4	16	11	10	32	12	-	13	13	13	63
OTHER PERSONAL INJURY	388	2	30	50	33	25	80	27	1	21	47	40	32
PERSONAL PROP. DAMAGE	190	1	13	28	30	5	31	16	-	12	30	3	21
ALL OTHER	52	-	8	6	5	6	1	7	-	3	12	-	4
GENERAL LOCAL JURISDICTION	1	-	-	-	1	-	-	-	-	-	-	-	-
CONTRACT ACTIONS	1	-	-	-	1	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
TORT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
ALL OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL CRIMINAL CASES	13,667	115	545	925	870	1,209	2,535	1,168	735	1,036	1,657	583	2,289
VIOLENT OFFENSES	607	11	26	46	60	61	65	54	47	37	105	25	70
HOMICIDE	40	3	2	2	5	1	5	1	1	5	13	2	-
ROBBERY	262	2	7	8	25	31	27	26	39	15	42	7	33
ASSAULT	106	1	-	4	11	13	10	14	1	12	29	8	3
KIDNAPPING	42	3	2	3	2	1	14	1	6	2	5	1	2
RACKETEERING-VIOLENT CRIME	121	2	9	27	16	12	4	10	-	2	11	5	23
CARJACKING	17	-	6	-	1	1	2	2	-	1	1	-	3
TERRORISM	13	-	-	2	-	2	3	-	-	-	1	-	5
OTHER VIOLENT OFFENSES	6	-	-	-	-	-	-	-	-	-	3	2	1
PROPERTY OFFENSES	1,631	12	48	136	161	142	238	160	102	95	232	56	249
BURGLARY	5	-	1	-	-	1	-	-	-	1	1	1	-
LARCENY & THEFT, TOTAL	137	2	5	10	4	16	25	21	5	7	19	5	18
BANK	16	-	-	-	1	-	2	8	-	1	-	1	3
POSTAL	18	-	-	-	-	1	8	-	2	1	3	2	1
THEFT, U.S. PROPERTY TRANSPORT, ETC. OF	58	-	3	8	1	9	13	2	1	3	7	1	10
STOLEN PROPERTY	32	2	-	1	1	6	1	7	-	2	8	-	4
OTHER LARCENY AND THEFT OFFENSES	13	-	2	1	1	-	1	4	2	-	1	1	-

Table B-7. (September 30, 2008—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
PROPERTY OFFENSES (CONTINUED)													
EMBEZZLEMENT	64	1	-	3	10	2	13	6	9	3	6	5	6
FRAUD, TOTAL	1,294	9	41	117	136	114	165	118	79	79	194	42	200
TAX	106	2	5	3	11	18	8	13	5	12	18	4	7
FINANCIAL INSTITUTIONS	148	1	1	18	27	10	22	17	7	4	16	9	16
SECURITIES AND EXCHANGE	37	1	1	10	3	3	-	1	2	-	13	2	1
MAIL	192	-	5	13	17	19	28	22	17	9	19	2	41
WIRE, RADIO, OR TELEVISION	128	-	2	18	10	10	15	7	17	7	18	7	17
SOCIAL SECURITY	42	-	2	-	2	2	1	6	5	3	8	2	11
CITIZENSHIP AND													
NATURALIZATION	10	-	-	-	1	-	1	1	-	-	4	1	2
PASSPORT	12	-	1	-	1	-	-	-	-	1	2	1	6
IDENTIFICATION													
DOCUMENTS & INFO.	103	-	2	5	12	17	14	7	-	16	13	1	16
FALSE CLAIMS AND													
SERVICES, GOV'T.	43	-	2	5	5	1	10	4	-	2	2	-	12
FALSE STATEMENTS	71	-	15	1	12	3	11	11	1	1	11	1	4
CONSPIRACY TO													
DEFRAUD THE U.S.	197	3	3	20	27	16	23	20	8	16	16	1	44
UNAUTHORIZED													
ACCESS DEVICES	64	-	1	15	4	8	10	3	3	2	8	2	8
HEALTH CARE	59	1	1	2	2	4	18	5	8	3	7	4	4
OTHER FRAUD OFFENSES	82	1	-	7	2	3	4	1	6	3	39	5	11
FORGERY AND COUNTERFEITING	119	-	1	5	10	8	33	14	6	5	11	3	23
OTHER PROPERTY OFFENSES	12	-	-	1	1	1	2	1	3	-	1	-	2
DRUG OFFENSES	6,048	60	300	407	374	579	993	558	336	497	465	201	1,278
MARIJUANA, TOTAL	441	-	4	15	5	13	197	29	8	21	85	19	45
SELL, DISTRIBUTE,													
OR DISPENSE	324	-	4	12	5	10	150	16	8	21	50	19	29
IMPORT/EXPORT	78	-	-	1	-	-	46	3	-	-	23	-	5
MANUFACTURE	37	-	-	2	-	2	1	9	-	-	12	-	11
POSSESSION	2	-	-	-	-	1	-	1	-	-	-	-	-
ALL OTHER DRUGS, TOTAL	5,502	51	284	370	361	564	790	516	327	472	373	174	1,220
SELL, DISTRIBUTE,													
OR DISPENSE	5,251	47	276	341	346	556	755	497	315	449	323	173	1,173
IMPORT/EXPORT	133	2	5	25	10	3	17	2	1	-	32	-	36
MANUFACTURE	103	2	1	4	5	5	16	15	7	21	16	1	10
POSSESSION	15	-	2	-	-	-	2	2	4	2	2	-	1
OTHER DRUG OFFENSES	105	9	12	22	8	2	6	13	1	4	7	8	13

Table B-7. (September 30, 2008—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
FIREARMS & EXPLOSIVES OFFENSES	1,978	13	95	113	140	261	265	221	109	202	183	113	263
FIREARMS, TOTAL	1,928	11	91	109	139	257	255	219	107	198	173	110	259
POSESSION BY													
PROHIBITED PERSONS	1,233	6	32	64	81	162	162	132	75	156	112	80	171
FURTHERANCE OF VIOLENT/ DRUG-TRAFFICKING CRIMES	395	3	40	25	35	43	59	33	21	23	34	18	61
OTHER FIREARMS OFFENSES	300	2	19	20	23	52	34	54	11	19	27	12	27
EXPLOSIVES	50	2	4	4	1	4	10	2	2	4	10	3	4
SEX OFFENSES	631	6	10	43	43	45	54	77	48	93	94	32	86
SEXUAL ABUSE OF ADULTS	23	-	-	-	3	-	-	-	-	10	8	-	2
SEXUAL ABUSE OF MINORS	131	1	2	7	4	9	12	20	10	22	18	9	17
SEXUALLY EXPLICIT MATERIAL	321	2	7	32	29	24	29	37	17	42	49	14	39
OTHER SEX OFFENSES	156	3	1	4	7	12	13	20	21	19	19	9	28
JUSTICE SYSTEM OFFENSES	171	-	2	18	18	19	24	15	8	15	14	9	29
OBSTRUCTION OF JUSTICE	70	-	1	8	9	11	4	5	3	9	7	4	9
ESCAPE FROM CUSTODY	41	-	-	4	4	3	10	2	1	2	4	2	9
FAILURE TO APPEAR	18	-	-	5	1	3	2	2	1	1	1	-	2
OTHER JUSTICE SYSTEM OFFENSES	42	-	1	1	4	2	8	6	3	3	2	3	9
IMMIGRATION OFFENSES	1,592	2	30	61	32	54	748	22	22	34	415	83	89
ALIEN SMUGGLING	181	1	4	1	1	3	74	1	1	4	62	4	25
IMPROPER ENTRY BY ALIEN	26	-	1	-	1	3	1	1	-	1	13	-	5
IMPROPER REENTRY BY ALIEN	1,357	1	25	57	25	46	665	19	21	26	337	79	56
OTHER IMMIGRATION OFFENSES	28	-	-	3	5	2	8	1	-	3	3	-	3
GENERAL OFFENSES	454	5	8	62	17	24	87	26	33	27	75	24	66
MONEY LAUNDERING	263	3	7	34	6	12	47	18	23	15	38	14	46
RICO ¹	58	1	1	15	1	4	7	4	1	1	17	-	6
EXTORTION AND THREATS	68	-	-	9	6	3	25	-	4	5	5	5	6
OTHER GENERAL OFFENSES	65	1	-	4	4	5	8	4	5	6	15	5	8
REGULATORY OFFENSES	149	4	14	14	6	7	19	13	11	5	27	8	21
TRAFFIC OFFENSES	13	-	1	-	-	3	-	-	-	-	5	-	4
UNCLASSIFIED OFFENSES	393	2	11	25	19	14	42	22	19	31	42	32	134

NOTE: THIS TABLE INCLUDES APPEALS REOPENED AND REMANDED AS WELL AS ORIGINAL APPEALS. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT. BEGINNING IN 2005, CATEGORIES FOR CRIMINAL OFFENSES WERE MODIFIED. THEREFORE, OFFENSE DATA FOR 2005 AND THEREAFTER ARE NOT COMPARABLE TO OFFENSE DATA PUBLISHED IN PREVIOUS YEARS.

¹ RICO = RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS.