

Table C-4.
U.S. District Courts—Civil Cases Terminated, by Nature of Suit and Action Taken,
During the 12-Month Period Ending December 31, 2008

| Nature of Suit | Total | No Court Action | Court Action | | | | | | |
|---|----------------|-----------------|----------------|-----------------|--------------------------|-----------------------|--------------|--------------|------------------------|
| | | | Total | Before Pretrial | During or After Pretrial | During or After Trial | | | Percent Reaching Trial |
| | | | | | | Total | Nonjury | Jury | |
| TOTAL CASES | 234,174 | 56,167 | 178,007 | 150,570 | 22,791 | 4,646 | 2,454 | 2,192 | 2.0 |
| UNITED STATES CASES | 44,135 | 10,777 | 33,358 | 31,604 | 1,477 | 277 | 182 | 95 | 0.6 |
| CONTRACT ACTIONS | | | | | | | | | |
| FRANCHISE | 2 | 1 | 1 | 1 | - | - | - | - | - |
| NEGOTIABLE INSTRUMENTS | 19 | 7 | 12 | 10 | 2 | - | - | - | - |
| RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS | 3,096 | 1,458 | 1,638 | 1,609 | 27 | 2 | - | 2 | 0.1 |
| OTHER CONTRACTS | 482 | 105 | 377 | 304 | 68 | 5 | 3 | 2 | 1.0 |
| REAL PROPERTY | 1,194 | 232 | 962 | 920 | 35 | 7 | 5 | 2 | 0.6 |
| TORT ACTIONS | | | | | | | | | |
| MARINE PERSONAL INJURY | 32 | 8 | 24 | 16 | 5 | 3 | 3 | - | 9.4 |
| MOTOR VEHICLE PERSONAL INJURY | 417 | 110 | 307 | 206 | 82 | 19 | 18 | 1 | 4.6 |
| OTHER PERSONAL INJURY | 1,225 | 304 | 921 | 668 | 188 | 65 | 62 | 3 | 5.3 |
| OTHER TORTS | 222 | 56 | 166 | 130 | 27 | 9 | 6 | 3 | 4.1 |
| ACTIONS UNDER STATUTES | | | | | | | | | |
| CONSUMER CREDIT | 9 | 2 | 7 | 6 | 1 | - | - | - | - |
| CABLE/SAT. TV | 1 | - | 1 | 1 | - | - | - | - | - |
| ANTITRUST | 35 | 8 | 27 | 25 | 2 | - | - | - | - |
| CIVIL RIGHTS | | | | | | | | | |
| ADA—EMPLOYMENT | 64 | 15 | 49 | 35 | 11 | 3 | - | 3 | 4.7 |
| ADA—OTHER | 35 | 9 | 26 | 21 | 5 | - | - | - | - |
| EMPLOYMENT | 1,240 | 232 | 1,008 | 737 | 216 | 55 | 12 | 43 | 4.4 |
| OTHER CIVIL RIGHTS | 1,046 | 240 | 806 | 737 | 55 | 14 | 6 | 8 | 1.3 |
| DEPORTATION | 60 | 20 | 40 | 39 | 1 | - | - | - | - |
| PRISONER PETITIONS | | | | | | | | | |
| MOTIONS TO VACATE SENTENCE | 5,891 | 1,135 | 4,756 | 4,734 | 18 | 4 | 3 | 1 | 0.1 |
| HABEAS CORPUS | 3,053 | 722 | 2,331 | 2,317 | 13 | 1 | 1 | - | 0.0 |
| HABEAS CORPUS—DEATH PENALTY | 7 | 1 | 6 | 6 | - | - | - | - | - |
| MANDAMUS AND OTHER | 642 | 176 | 466 | 446 | 20 | - | - | - | - |
| CIVIL RIGHTS | 947 | 209 | 738 | 732 | 4 | 2 | 2 | - | 0.2 |
| PRISON CONDITION | 328 | 47 | 281 | 274 | 4 | 3 | 3 | - | 0.9 |
| LIQUOR FORFEITURES | - | - | - | - | - | - | - | - | - |
| OTHER FORFEITURE AND PENALTY SUITS | 2,306 | 614 | 1,692 | 1,526 | 151 | 15 | 12 | 3 | 0.7 |
| FAIR LABOR STANDARDS ACT | 142 | 40 | 102 | 87 | 15 | - | - | - | - |
| OTHER LABOR LITIGATION | 261 | 63 | 198 | 172 | 24 | 2 | 1 | 1 | 0.8 |
| SELECTIVE SERVICE ACT | 1 | - | 1 | 1 | - | - | - | - | - |

Table C-4. (December 31, 2008—Continued)

| Nature of Suit | Total | No Court Action | Court Action | | | | | | |
|---|----------------|--------------------|----------------|--------------------|-----------------------------|-----------------------|------------|--------------|---------------------------|
| | | | Total | Before Pretrial | During or After Pretrial | During or After Trial | | | Percent Reaching Trial |
| | | | | | | Total | Nonjury | Jury | |
| ACTIONS UNDER STATUTES (CONTINUED) | | | | | | | | | |
| SOCIAL SECURITY LAWS | | | | | | | | | |
| DISABILITY INSURANCE | 6,270 | 993 | 5,277 | 5,211 | 65 | 1 | - | 1 | 0.0 |
| SUPPLEMENTAL SECURITY INCOME | 6,258 | 1,055 | 5,203 | 5,172 | 30 | 1 | 1 | - | 0.0 |
| RETIREMENT AND SERVICES BENEFITS | 610 | 99 | 511 | 510 | 1 | - | - | - | - |
| OTHER | 75 | 15 | 60 | 60 | - | - | - | - | - |
| TAX SUITS | 1,465 | 403 | 1,062 | 901 | 136 | 25 | 16 | 9 | 1.7 |
| IMMIGRATION | | | | | | | | | |
| NATURALIZATION APPLICATIONS | 522 | 232 | 290 | 286 | 4 | - | - | - | - |
| HABEAS CORPUS—ALIEN DETAINEES | 428 | 77 | 351 | 349 | 2 | - | - | - | - |
| OTHER IMMIGRATION ACTIONS | 465 | 178 | 287 | 277 | 10 | - | - | - | - |
| ALL OTHER U.S. ACTIONS | 5,285 | 1,911 | 3,374 | 3,078 | 255 | 41 | 28 | 13 | 0.8 |
| FEDERAL QUESTION | 135,712 | 30,800 | 104,912 | 89,353 | 13,551 | 2,008 | 557 | 1,451 | 1.5 |
| CONTRACT ACTIONS | | | | | | | | | |
| FRANCHISE | 90 | 22 | 68 | 58 | 8 | 2 | - | 2 | 2.2 |
| MARINE | 2,182 | 624 | 1,558 | 1,398 | 138 | 22 | 21 | 1 | 1.0 |
| MILLER ACT | 177 | 72 | 105 | 90 | 12 | 3 | 3 | - | 1.7 |
| OTHER CONTRACTS | 5,798 | 905 | 4,893 | 4,088 | 755 | 50 | 20 | 30 | 0.9 |
| REAL PROPERTY | 1,214 | 201 | 1,013 | 903 | 103 | 7 | 3 | 4 | 0.6 |
| TORT ACTIONS | | | | | | | | | |
| FEDERAL EMPLOYERS LIABILITY ACT | 533 | 121 | 412 | 230 | 146 | 36 | 1 | 35 | 6.8 |
| MARINE PERSONAL INJURY | 1,251 | 229 | 1,022 | 651 | 319 | 52 | 33 | 19 | 4.2 |
| OTHER PERSONAL INJURY | 4,463 | 905 | 3,558 | 3,116 | 392 | 50 | 23 | 27 | 1.1 |
| OTHER TORTS | 1,263 | 325 | 938 | 703 | 222 | 13 | 8 | 5 | 1.0 |
| ACTIONS UNDER STATUTES | | | | | | | | | |
| CONSUMER CREDIT | 3,893 | 1,492 | 2,401 | 1,963 | 429 | 9 | 3 | 6 | 0.2 |
| CABLE/SAT. TV | 603 | 195 | 408 | 381 | 27 | - | - | - | - |
| BANKRUPTCY SUITS | 3,199 | 559 | 2,640 | 2,052 | 576 | 12 | 6 | 6 | 0.4 |
| ANTITRUST | 1,172 | 248 | 924 | 752 | 167 | 5 | 1 | 4 | 0.4 |
| CIVIL RIGHTS | | | | | | | | | |
| ADA—EMPLOYMENT | 941 | 199 | 742 | 527 | 198 | 17 | 4 | 13 | 1.8 |
| ADA—OTHER | 1,456 | 492 | 964 | 772 | 183 | 9 | 7 | 2 | 0.6 |
| EMPLOYMENT | 12,416 | 2,637 | 9,779 | 6,551 | 2,830 | 398 | 50 | 348 | 3.2 |
| OTHER CIVIL RIGHTS | 14,969 | 2,920 | 12,049 | 8,947 | 2,558 | 544 | 77 | 467 | 3.6 |

Table C-4. (December 31, 2008—Continued)

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| | | | Total | Before Pretrial | During or After Pretrial | During or After Trial | | | Percent Reaching Trial |
| | | | | | | Total | Nonjury | Jury | |
| ACTIONS UNDER STATUTES (CONTINUED) | | | | | | | | | |
| PRISONER PETITIONS | | | | | | | | | |
| HABEAS CORPUS | 18,141 | 3,550 | 14,591 | 14,524 | 62 | 5 | 4 | 1 | 0.0 |
| HABEAS CORPUS—DEATH PENALTY | 217 | 49 | 168 | 165 | 3 | - | - | - | - |
| MANDAMUS AND OTHER | 680 | 155 | 525 | 519 | 6 | - | - | - | - |
| CIVIL RIGHTS | 16,786 | 3,017 | 13,769 | 13,239 | 339 | 191 | 32 | 159 | 1.1 |
| PRISON CONDITION | 7,094 | 940 | 6,154 | 5,887 | 159 | 108 | 43 | 65 | 1.5 |
| FAIR LABOR STANDARDS ACT | 5,368 | 963 | 4,405 | 3,787 | 554 | 64 | 20 | 44 | 1.2 |
| LABOR MANAGEMENT RELATIONS ACT | 1,067 | 325 | 742 | 590 | 144 | 8 | 3 | 5 | 0.7 |
| OTHER LABOR LITIGATION | 10,134 | 3,126 | 7,008 | 5,805 | 1,133 | 70 | 48 | 22 | 0.7 |
| COPYRIGHT | 3,606 | 1,349 | 2,257 | 1,883 | 326 | 48 | 16 | 32 | 1.3 |
| PATENT | 2,844 | 825 | 2,019 | 1,503 | 404 | 112 | 42 | 70 | 3.9 |
| TRADEMARK | 3,460 | 1,201 | 2,259 | 1,856 | 347 | 56 | 23 | 33 | 1.6 |
| CONSTITUTIONALITY OF STATE STATUTES | 195 | 40 | 155 | 127 | 25 | 3 | 1 | 2 | 1.5 |
| ALL OTHER FEDERAL QUESTION | 10,500 | 3,114 | 7,386 | 6,286 | 986 | 114 | 65 | 49 | 1.1 |
| DIVERSITY OF CITIZENSHIP | 54,318 | 14,588 | 39,730 | 29,613 | 7,756 | 2,361 | 1,715 | 646 | 4.3 |
| CONTRACT ACTIONS | | | | | | | | | |
| FRANCHISE | 297 | 95 | 202 | 169 | 31 | 2 | 2 | - | 0.7 |
| INSURANCE | 10,797 | 2,062 | 8,735 | 6,761 | 1,848 | 126 | 45 | 81 | 1.2 |
| NEGOTIABLE INSTRUMENTS | 369 | 89 | 280 | 241 | 34 | 5 | 2 | 3 | 1.4 |
| OTHER CONTRACTS | 12,367 | 3,467 | 8,900 | 6,652 | 1,914 | 334 | 165 | 169 | 2.7 |
| REAL PROPERTY | 1,805 | 647 | 1,158 | 948 | 178 | 32 | 20 | 12 | 1.8 |
| TORT ACTIONS | | | | | | | | | |
| MARINE PERSONAL INJURY | 299 | 83 | 216 | 172 | 34 | 10 | 5 | 5 | 3.3 |
| MOTOR VEHICLE PERSONAL INJURY | 3,429 | 805 | 2,624 | 1,716 | 793 | 115 | 8 | 107 | 3.4 |
| OTHER PERSONAL INJURY | 22,198 | 6,599 | 15,599 | 11,405 | 2,511 | 1,683 | 1,447 | 236 | 7.6 |
| OTHER TORTS | 2,131 | 545 | 1,586 | 1,200 | 338 | 48 | 20 | 28 | 2.3 |
| ACTIONS UNDER STATUTES | | | | | | | | | |
| CONSUMER CREDIT | 131 | 47 | 84 | 71 | 12 | 1 | 1 | - | 0.8 |
| CABLE/SAT. TV | 10 | 3 | 7 | 6 | 1 | - | - | - | - |

Table C-4. (December 31, 2008—Continued)

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|---|----------|-----------------|--------------|-----------------|--------------------------|-----------------------|----------|----------|------------------------|
| | | | Total | Before Pretrial | During or After Pretrial | During or After Trial | | | Percent Reaching Trial |
| | | | | | | Total | Nonjury | Jury | |
| ACTIONS UNDER STATUTES (CONTINUED) | | | | | | | | | |
| CIVIL RIGHTS | | | | | | | | | |
| ADA—EMPLOYMENT | 58 | 15 | 43 | 27 | 15 | 1 | - | 1 | 1.7 |
| ADA—OTHER | 19 | 7 | 12 | 7 | 4 | 1 | - | 1 | 5.3 |
| EMPLOYMENT | 195 | 71 | 124 | 103 | 21 | - | - | - | - |
| OTHER CIVIL RIGHTS | 68 | 15 | 53 | 50 | 3 | - | - | - | - |
| PRISON CONDITION | 1 | - | 1 | 1 | - | - | - | - | - |
| ALL OTHER DIVERSITY | 144 | 38 | 106 | 84 | 19 | 3 | - | 3 | 2.1 |
| LOCAL JURISDICTION | 9 | 2 | 7 | - | 7 | - | - | - | - |
| CONTRACT ACTIONS | 1 | - | 1 | - | 1 | - | - | - | - |
| REAL PROPERTY | 3 | 2 | 1 | - | 1 | - | - | - | - |
| TORT ACTIONS | | | | | | | | | |
| MOTOR VEHICLE PERSONAL INJURY | - | - | - | - | - | - | - | - | - |
| OTHER PERSONAL INJURY | 5 | - | 5 | - | 5 | - | - | - | - |
| OTHER TORTS | - | - | - | - | - | - | - | - | - |
| PRISONER PETITIONS | | | | | | | | | |
| HABEAS CORPUS | - | - | - | - | - | - | - | - | - |
| HABEAS CORPUS—DEATH PENALTY | - | - | - | - | - | - | - | - | - |
| MANDAMUS AND OTHER | - | - | - | - | - | - | - | - | - |
| CIVIL RIGHTS | - | - | - | - | - | - | - | - | - |
| PRISON CONDITION | - | - | - | - | - | - | - | - | - |
| ALL OTHER LOCAL | - | - | - | - | - | - | - | - | - |

NOTE: LAND CONDEMNATION CASES OMITTED.