

Table B-5.
U.S. Courts of Appeals—Decisions in Cases Terminated on the Merits, by Circuit and Nature of Proceeding,
During the 12-Month Period Ending June 30, 2017

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
Total	56,709	3,022	62.9	35,654	23,152	3,169	3,478	429	70	5,356	7.8
Criminal	10,779	724	69.1	7,450	5,335	1,432	510	154	19	-	6.8
U.S. Prisoner Petitions	4,425	73	64.5	2,856	699	118	120	21	7	1,891	4.2
Other U.S. Civil	2,672	133	60.7	1,621	1,282	103	199	32	5	-	12.3
Private Prisoner Petitions	9,536	157	61.3	5,845	1,655	392	301	25	7	3,465	5.1
Other Private Civil	12,637	1,307	51.2	6,470	5,146	452	781	79	12	-	12.1
Bankruptcy	797	60	54.5	434	343	44	41	4	2	-	9.4
Administrative Agency Appeals	6,108	366	43.6	2,663	2,094	244	193	114	18	-	7.2
Original Proceedings and Miscellaneous Applications	9,755	202	85.2	8,315	6,598	384	1,333	-	-	-	-
DC	1,153	216	45.9	529	408	24	81	11	4	1	13.3
Criminal	59	7	50.8	30	26	-	4	-	-	-	13.3
U.S. Prisoner Petitions	94	3	34.0	32	29	-	1	-	1	1	3.1
Other U.S. Civil	263	25	61.6	162	136	6	16	3	1	-	9.9
Private Prisoner Petitions	20	2	60.0	12	11	-	1	-	-	-	8.3
Other Private Civil	160	22	58.8	94	77	1	12	4	-	-	12.8
Bankruptcy	5	2	-	3	3	-	-	-	-	-	-
Administrative Agency Appeals	429	154	27.5	118	71	15	26	4	2	-	22.0
Original Proceedings and Miscellaneous Applications	123	1	63.4	78	55	2	21	-	-	-	-

Table B-5. (June 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
1st	1,441	56	61.6	887	723	41	75	6	-	42	8.8
Criminal	540	24	63.1	341	301	17	19	4	-	-	5.6
U.S. Prisoner Petitions	71	1	63.4	45	15	2	2	-	-	26	4.4
Other U.S. Civil	83	5	63.9	53	44	1	7	1	-	-	13.2
Private Prisoner Petitions	73	3	57.5	42	26	-	-	-	-	16	-
Other Private Civil	380	16	50.3	191	157	2	32	-	-	-	16.8
Bankruptcy	25	1	60.0	15	14	1	-	-	-	-	-
Administrative Agency Appeals	108	6	46.3	50	44	-	5	1	-	-	10.0
Original Proceedings and Miscellaneous Applications	161	-	93.2	150	122	18	10	-	-	-	-
2nd	4,237	219	58.7	2,488	1,546	457	225	44	-	216	7.0
Criminal	648	61	71.9	466	327	88	29	22	-	-	6.2
U.S. Prisoner Petitions	163	4	67.5	110	15	15	5	2	-	73	4.5
Other U.S. Civil	254	15	55.1	140	78	45	13	4	-	-	9.3
Private Prisoner Petitions	490	2	60.8	298	47	86	18	4	-	143	6.0
Other Private Civil	1,454	101	48.6	707	484	153	63	7	-	-	8.9
Bankruptcy	75	11	60.0	45	30	13	2	-	-	-	4.4
Administrative Agency Appeals	721	15	48.8	352	278	51	18	5	-	-	5.1
Original Proceedings and Miscellaneous Applications	432	10	85.6	370	287	6	77	-	-	-	-

Table B-5. (June 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
3rd	3,727	584	58.3	2,171	1,438	64	251	38	1	379	8.5
Criminal	391	15	71.9	281	244	10	12	15	-	-	4.3
U.S. Prisoner Petitions	292	1	68.8	201	93	1	11	-	1	95	5.5
Other U.S. Civil	137	6	59.1	81	67	3	10	1	-	-	12.3
Private Prisoner Petitions	622	3	72.2	449	138	3	21	3	-	284	4.7
Other Private Civil	1,368	547	33.8	463	378	12	70	3	-	-	15.1
Bankruptcy	75	5	48.0	36	31	-	5	-	-	-	13.9
Administrative Agency Appeals	238	6	50.4	120	88	7	9	16	-	-	7.5
Original Proceedings and Miscellaneous Applications	604	1	89.4	540	399	28	113	-	-	-	-
4th	5,022	158	75.3	3,782	2,534	231	347	41	-	629	5.8
Criminal	1,118	52	78.5	878	712	100	50	16	-	-	5.7
U.S. Prisoner Petitions	675	9	76.3	515	136	18	19	-	-	342	3.7
Other U.S. Civil	242	13	68.6	166	141	9	13	3	-	-	7.8
Private Prisoner Petitions	819	9	67.5	553	223	21	21	1	-	287	3.8
Other Private Civil	883	58	63.4	560	436	66	55	3	-	-	9.8
Bankruptcy	64	5	50.0	32	31	-	1	-	-	-	3.1
Administrative Agency Appeals	232	9	63.8	148	118	5	7	18	-	-	4.7
Original Proceedings and Miscellaneous Applications	989	3	94.0	930	737	12	181	-	-	-	-

Table B-5. (June 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
5th	8,209	749	56.8	4,660	2,857	928	252	69	-	554	5.4
Criminal	2,690	266	67.4	1,814	908	811	57	38	-	-	3.1
U.S. Prisoner Petitions	547	39	43.7	239	44	24	5	3	-	163	2.1
Other U.S. Civil	187	15	46.5	87	71	6	10	-	-	-	11.5
Private Prisoner Petitions	1,397	117	41.9	586	113	62	18	2	-	391	3.1
Other Private Civil	1,427	232	41.7	595	484	17	82	12	-	-	13.8
Bankruptcy	60	5	58.3	35	30	3	2	-	-	-	5.7
Administrative Agency Appeals	385	28	44.9	173	143	1	15	14	-	-	8.7
Original Proceedings and Miscellaneous Applications	1,516	47	74.6	1,131	1,064	4	63	-	-	-	-
6th	5,295	162	70.1	3,712	2,443	163	466	24	-	616	8.3
Criminal	1,020	55	71.5	729	580	87	54	8	-	-	7.4
U.S. Prisoner Petitions	424	-	70.0	297	74	8	15	3	-	197	5.1
Other U.S. Civil	169	5	59.8	101	87	1	12	1	-	-	11.9
Private Prisoner Petitions	1,032	5	64.5	666	195	15	36	1	-	419	5.4
Other Private Civil	1,072	60	59.5	638	528	19	86	5	-	-	13.5
Bankruptcy	44	5	65.9	29	26	1	2	-	-	-	6.9
Administrative Agency Appeals	254	14	61.4	156	131	8	11	6	-	-	7.1
Original Proceedings and Miscellaneous Applications	1,280	18	85.6	1,096	822	24	250	-	-	-	-

Table B-5. (June 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
7th	3,203	106	60.3	1,932	1,209	142	226	30	33	292	12.1
Criminal	493	26	61.5	303	213	40	40	1	9	-	13.2
U.S. Prisoner Petitions	351	8	61.3	215	58	1	18	2	2	134	8.4
Other U.S. Civil	148	7	62.2	92	63	2	14	11	2	-	15.2
Private Prisoner Petitions	723	7	45.6	330	126	10	29	3	4	158	8.8
Other Private Civil	774	41	47.0	364	285	11	55	5	8	-	15.1
Bankruptcy	34	5	47.1	16	12	1	1	1	1	-	6.3
Administrative Agency Appeals	122	12	58.2	71	44	2	11	7	7	-	15.5
Original Proceedings and Miscellaneous Applications	558	-	97.0	541	408	75	58	-	-	-	-
8th	3,139	133	78.3	2,458	1,783	78	149	35	9	404	4.4
Criminal	777	44	79.7	619	521	54	25	17	2	-	4.0
U.S. Prisoner Petitions	328	3	81.7	268	52	-	3	5	1	207	1.1
Other U.S. Civil	106	2	69.8	74	69	3	1	-	1	-	1.4
Private Prisoner Petitions	528	3	68.9	364	152	2	9	3	1	197	2.5
Other Private Civil	517	53	67.3	348	295	8	36	8	1	-	10.3
Bankruptcy	14	3	-	8	6	-	2	-	-	-	25.0
Administrative Agency Appeals	141	16	56.7	80	68	6	1	2	3	-	1.3
Original Proceedings and Miscellaneous Applications	728	9	95.7	697	620	5	72	-	-	-	-

Table B-5. (June 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
9th	12,123	369	61.5	7,456	4,562	596	984	44	11	1,259	10.1
Criminal	1,394	99	68.2	951	667	121	153	9	1	-	16.1
U.S. Prisoner Petitions	457	4	69.4	317	63	27	14	3	-	210	4.4
Other U.S. Civil	681	27	64.9	442	334	24	81	2	1	-	18.3
Private Prisoner Petitions	2,357	4	72.9	1,718	445	107	113	2	2	1,049	6.6
Other Private Civil	2,634	106	58.2	1,532	1,197	132	196	5	2	-	12.8
Bankruptcy	287	13	56.1	161	123	18	19	1	-	-	11.8
Administrative Agency Appeals	3,141	99	39.4	1,236	997	144	68	22	5	-	5.5
Original Proceedings and Miscellaneous Applications	1,172	17	93.8	1,099	736	23	340	-	-	-	-
10th	2,072	19	66.3	1,373	933	80	116	69	1	174	6.9
Criminal	381	3	70.1	267	171	47	27	22	-	-	10.1
U.S. Prisoner Petitions	260	1	60.0	156	51	4	8	2	1	90	5.1
Other U.S. Civil	151	2	66.9	101	82	1	12	6	-	-	11.9
Private Prisoner Petitions	293	-	59.0	173	73	6	6	4	-	84	3.5
Other Private Civil	624	11	62.7	391	333	14	21	23	-	-	5.4
Bankruptcy	32	2	59.4	19	13	4	-	2	-	-	-
Administrative Agency Appeals	68	-	70.6	48	30	2	6	10	-	-	12.5
Original Proceedings and Miscellaneous Applications	263	-	82.9	218	180	2	36	-	-	-	-

Table B-5. (June 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
11th	7,088	251	59.3	4,206	2,716	365	306	18	11	790	7.1
Criminal	1,268	72	60.8	771	665	57	40	2	7	-	5.2
U.S. Prisoner Petitions	763	-	60.4	461	69	18	19	1	1	353	4.1
Other U.S. Civil	251	11	48.6	122	110	2	10	-	-	-	8.2
Private Prisoner Petitions	1,182	2	55.3	654	106	80	29	2	-	437	4.4
Other Private Civil	1,344	60	43.7	587	492	17	73	4	1	-	12.4
Bankruptcy	82	3	42.7	35	24	3	7	-	1	-	20.0
Administrative Agency Appeals	269	7	41.3	111	82	3	16	9	1	-	14.4
Original Proceedings and Miscellaneous Applications	1,929	96	75.9	1,465	1,168	185	112	-	-	-	-

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously.

Totals for cases terminated on the merits in the Third Circuit and in the nation have been revised following resolution of a technical issue affecting the data.

¹ Affirmed includes appeals affirmed in part and reversed in part.

² Percent not shown where the total number of appeals terminated on the merits is less than 10. Percent reversed not computed for original proceedings because of their difference from appeals, nor are original proceedings included in the percentage of total appeals reversed.