

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit
During the 12-Month Period Ending December 31, 2007

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
ALL CIRCUITS	61,462	51.0	31,340	23,899	3,126	2,405	1,166	744	8.4
CRIMINAL	14,094	72.9	10,280	8,317	1,032	553	349	29	5.4
U.S. PRISONER PETITIONS	4,940	26.5	1,309	1,007	127	119	32	24	9.1
OTHER U.S. CIVIL	2,826	57.4	1,623	1,283	78	205	47	10	12.6
PRIV. PRISONER PETITIONS	11,110	24.8	2,755	1,950	419	294	79	13	10.7
OTHER PRIVATE CIVIL	11,906	50.6	6,021	4,732	358	775	122	34	12.9
BANKRUPTCY	819	51.2	419	335	21	57	4	2	13.6
ADMINISTRATIVE APPEALS	12,014	49.2	5,915	3,371	1,009	370	533	632	6.3
ORIGINAL PROCEEDINGS	3,753	80.4	3,018	2,904	82	32	-	-	-
DISTRICT OF COLUMBIA	1,261	41.3	521	407	24	63	22	5	13.0
CRIMINAL	149	49.7	74	58	-	12	4	-	16.2
U.S. PRISONER PETITIONS	191	28.3	54	40	4	1	6	3	1.9
OTHER U.S. CIVIL	236	58.5	138	112	3	20	2	1	14.5
PRIV. PRISONER PETITIONS	25	28.0	7	6	-	1	-	-	-
OTHER PRIVATE CIVIL	169	55.0	93	75	3	11	4	-	11.8
BANKRUPTCY	3	100.0	3	2	-	1	-	-	-
ADMINISTRATIVE APPEALS	423	25.5	108	72	13	16	6	1	14.8
ORIGINAL PROCEEDINGS	65	67.7	44	42	1	1	-	-	-
FIRST CIRCUIT	1,774	55.0	976	870	34	55	17	-	5.8
CRIMINAL	663	57.8	383	343	14	19	7	-	5.0
U.S. PRISONER PETITIONS	101	25.7	26	25	-	1	-	-	3.8
OTHER U.S. CIVIL	84	61.9	52	44	2	5	1	-	9.6
PRIV. PRISONER PETITIONS	133	37.6	50	45	3	2	-	-	4.0
OTHER PRIVATE CIVIL	471	51.6	243	212	6	21	4	-	8.6
BANKRUPTCY	31	58.1	18	13	-	4	1	-	22.2
ADMINISTRATIVE APPEALS	236	66.5	157	145	6	2	4	-	1.3
ORIGINAL PROCEEDINGS	55	85.5	47	43	3	1	-	-	-
SECOND CIRCUIT	6,875	40.7	2,800	1,986	447	208	112	47	8.0
CRIMINAL	886	49.8	441	387	16	19	19	-	4.3
U.S. PRISONER PETITIONS	279	11.5	32	18	10	-	3	1	-
OTHER U.S. CIVIL	223	37.7	84	55	21	6	2	-	7.1
PRIV. PRISONER PETITIONS	833	15.2	127	53	56	6	11	1	4.7
OTHER PRIVATE CIVIL	1,304	40.6	529	322	133	53	21	-	10.0
BANKRUPTCY	84	31.0	26	18	5	3	-	-	11.5
ADMINISTRATIVE APPEALS	3,011	45.3	1,365	952	191	121	56	45	8.9
ORIGINAL PROCEEDINGS	255	76.9	196	181	15	-	-	-	-

Table B-5. (December 31, 2007—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
THIRD CIRCUIT	4,097	56.6	2,318	1,836	194	220	66	2	10.4
CRIMINAL	678	82.6	560	498	8	45	9	-	8.0
U.S. PRISONER PETITIONS	401	47.1	189	143	31	12	1	2	6.3
OTHER U.S. CIVIL	210	71.4	150	102	16	25	7	-	16.7
PRIV. PRISONER PETITIONS	879	21.6	190	96	59	28	7	-	14.7
OTHER PRIVATE CIVIL	941	58.2	548	417	50	74	7	-	13.5
BANKRUPTCY	112	58.9	66	57	2	6	1	-	9.1
ADMINISTRATIVE APPEALS	656	64.3	422	337	21	30	34	-	7.1
ORIGINAL PROCEEDINGS	220	87.7	193	186	7	-	-	-	-
FOURTH CIRCUIT	4,871	56.5	2,751	2,442	125	142	40	2	5.8
CRIMINAL	1,366	76.2	1,041	923	52	48	17	1	4.6
U.S. PRISONER PETITIONS	865	32.3	279	246	16	16	1	-	5.7
OTHER U.S. CIVIL	185	71.9	133	120	3	8	2	-	6.0
PRIV. PRISONER PETITIONS	995	29.8	297	266	23	7	1	-	2.4
OTHER PRIVATE CIVIL	715	57.1	408	346	20	41	1	-	10.0
BANKRUPTCY	55	50.9	28	23	-	5	-	-	17.9
ADMINISTRATIVE APPEALS	344	73.3	252	211	6	16	18	1	6.3
ORIGINAL PROCEEDINGS	346	90.5	313	307	5	1	-	-	-
FIFTH CIRCUIT	9,326	52.7	4,918	3,737	652	319	210	-	6.8
CRIMINAL	3,313	82.4	2,731	2,059	459	98	115	-	3.6
U.S. PRISONER PETITIONS	691	22.7	157	105	25	25	2	-	15.9
OTHER U.S. CIVIL	342	51.5	176	152	8	16	-	-	9.1
PRIV. PRISONER PETITIONS	2,189	16.8	367	188	121	49	9	-	13.4
OTHER PRIVATE CIVIL	1,499	51.0	764	627	31	102	4	-	13.4
BANKRUPTCY	119	48.7	58	54	2	2	-	-	3.4
ADMINISTRATIVE APPEALS	672	47.0	316	213	4	19	80	-	6.0
ORIGINAL PROCEEDINGS	501	69.7	349	339	2	8	-	-	-
SIXTH CIRCUIT	4,938	54.9	2,709	2,306	65	285	52	1	11.6
CRIMINAL	1,267	67.5	855	751	18	71	15	-	8.3
U.S. PRISONER PETITIONS	354	30.2	107	100	1	6	-	-	5.6
OTHER U.S. CIVIL	190	67.4	128	112	-	15	1	-	11.7
PRIV. PRISONER PETITIONS	969	32.4	314	246	2	59	7	-	18.8
OTHER PRIVATE CIVIL	1,248	53.4	666	542	14	107	3	-	16.1
BANKRUPTCY	57	49.1	28	23	-	5	-	-	17.9
ADMINISTRATIVE APPEALS	451	64.3	290	245	4	14	26	1	4.8
ORIGINAL PROCEEDINGS	402	79.9	321	287	26	8	-	-	-

Table B-5. (December 31, 2007—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Percent Reversed ³
SEVENTH CIRCUIT	3,078	43.3	1,333	924	113	200	52	44	15.9
CRIMINAL	671	65.4	439	292	98	46	1	2	10.5
U.S. PRISONER PETITIONS	376	20.7	78	56	-	19	-	3	24.4
OTHER U.S. CIVIL	140	52.9	74	52	-	16	-	6	21.6
PRIV. PRISONER PETITIONS	598	18.1	108	79	-	26	-	3	24.1
OTHER PRIVATE CIVIL	798	46.4	370	294	2	55	1	18	14.9
BANKRUPTCY	38	57.9	22	15	-	6	-	1	27.3
ADMINISTRATIVE APPEALS	257	63.4	163	71	-	31	50	11	19.0
ORIGINAL PROCEEDINGS	200	39.5	79	65	13	1	-	-	-
EIGHTH CIRCUIT	3,076	62.9	1,934	1,625	129	152	25	3	8.8
CRIMINAL	945	76.7	725	596	69	53	6	1	7.3
U.S. PRISONER PETITIONS	307	32.2	99	80	6	6	5	2	6.1
OTHER U.S. CIVIL	157	65.6	103	81	7	11	4	-	10.7
PRIV. PRISONER PETITIONS	577	39.3	227	199	8	20	-	-	8.8
OTHER PRIVATE CIVIL	650	64.5	419	347	19	47	6	-	11.2
BANKRUPTCY	24	66.7	16	11	3	2	-	-	12.5
ADMINISTRATIVE APPEALS	164	67.7	111	81	15	11	4	-	9.9
ORIGINAL PROCEEDINGS	252	92.9	234	230	2	2	-	-	-
NINTH CIRCUIT	13,300	49.1	6,531	4,208	876	360	469	618	6.2
CRIMINAL	1,884	69.4	1,308	1,016	92	57	131	12	4.4
U.S. PRISONER PETITIONS	397	22.2	88	61	7	2	8	10	2.3
OTHER U.S. CIVIL	651	53.3	347	261	7	60	16	3	17.3
PRIV. PRISONER PETITIONS	2,214	27.7	613	533	11	39	24	6	6.4
OTHER PRIVATE CIVIL	2,018	48.4	976	773	22	128	39	14	13.1
BANKRUPTCY	176	50.6	89	70	8	9	1	1	10.1
ADMINISTRATIVE APPEALS	5,133	45.5	2,333	727	725	59	250	572	2.5
ORIGINAL PROCEEDINGS	827	94.0	777	767	4	6	-	-	-
TENTH CIRCUIT	2,592	60.0	1,556	1,123	198	129	100	6	8.6
CRIMINAL	695	81.2	564	403	109	26	25	1	4.6
U.S. PRISONER PETITIONS	233	34.3	80	51	9	11	6	3	13.8
OTHER U.S. CIVIL	178	67.4	120	93	3	13	11	-	10.8
PRIV. PRISONER PETITIONS	451	38.1	172	105	26	20	20	1	11.6
OTHER PRIVATE CIVIL	730	58.5	427	320	27	48	32	-	11.2
BANKRUPTCY	47	57.4	27	21	-	5	1	-	18.5
ADMINISTRATIVE APPEALS	94	75.5	71	43	20	2	5	1	2.8
ORIGINAL PROCEEDINGS	164	57.9	95	87	4	4	-	-	-

Table B-5. (December 31, 2007—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/ Enforced ²	Dismissed	Reversed	Remanded	Other	
ELEVENTH CIRCUIT	6,274	47.7	2,993	2,435	269	272	1	16	10.4
CRIMINAL	1,577	73.5	1,159	991	97	59	-	12	5.1
U.S. PRISONER PETITIONS	745	16.1	120	82	18	20	-	-	16.7
OTHER U.S. CIVIL	230	51.3	118	99	8	10	1	-	8.5
PRIV. PRISONER PETITIONS	1,247	22.7	283	134	110	37	-	2	13.1
OTHER PRIVATE CIVIL	1,363	42.4	578	457	31	88	-	2	15.2
BANKRUPTCY	73	52.1	38	28	1	9	-	-	23.7
ADMINISTRATIVE APPEALS	573	57.1	327	274	4	49	-	-	15.0
ORIGINAL PROCEEDINGS	466	79.4	370	370	-	-	-	-	-

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 WHEN THE TOTAL NUMBER OF CASES TERMINATED ON THE MERITS IS LESS THAN 10. NO PERCENTAGES OF CASES REVERSED HAVE BEEN COMPUTED FOR ORIGINAL PROCEEDINGS BECAUSE OF THEIR DIFFERENCE FROM APPEALS, NOR HAVE THEY BEEN INCLUDED IN THE PERCENTAGE OF TOTAL APPEALS REVERSED.