

Table B-5.

**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,  
During the 12-Month Period Ending June 30, 2003**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>ALL CIRCUITS</b>	<b>56,660</b>	<b>48.3</b>	<b>27,372</b>	<b>21,716</b>	<b>2,273</b>	<b>2,334</b>	<b>782</b>	<b>267</b>	<b>9.4</b>
CRIMINAL	11,947	69.2	8,273	6,899	733	422	197	22	5.1
U.S. PRISONER PETITIONS	5,936	30.9	1,832	1,443	185	153	41	10	8.4
OTHER U.S. CIVIL	3,327	60.1	2,001	1,589	101	242	54	15	12.1
PRIV. PRISONER PETITIONS	12,744	27.8	3,549	2,491	567	351	119	21	9.9
OTHER PRIVATE CIVIL	13,816	49.5	6,838	5,359	294	930	203	52	13.6
BANKRUPTCY	917	52.1	478	366	36	63	8	5	13.2
ADMINISTRATIVE APPEALS	4,429	36.0	1,596	856	300	138	160	142	8.6
ORIGINAL PROCEEDINGS <sup>3</sup>	3,544	79.1	2,805	2,713	57	35	-	-	-
<b>DISTRICT OF COLUMBIA</b>	<b>1,201</b>	<b>42.5</b>	<b>511</b>	<b>406</b>	<b>11</b>	<b>74</b>	<b>13</b>	<b>7</b>	<b>15.7</b>
CRIMINAL	91	52.7	48	39	2	5	2	-	10.4
U.S. PRISONER PETITIONS	129	38.0	49	45	-	3	-	1	6.1
OTHER U.S. CIVIL	257	56.4	145	113	1	27	2	2	18.6
PRIV. PRISONER PETITIONS	24	45.8	11	9	-	1	1	-	9.1
OTHER PRIVATE CIVIL	165	49.1	81	64	1	12	3	1	14.8
BANKRUPTCY	5	40.0	2	2	-	-	-	-	-
ADMINISTRATIVE APPEALS	466	29.0	135	96	5	26	5	3	19.3
ORIGINAL PROCEEDINGS <sup>3</sup>	64	62.5	40	38	2	-	-	-	-
<b>FIRST CIRCUIT</b>	<b>1,611</b>	<b>35.1</b>	<b>565</b>	<b>478</b>	<b>14</b>	<b>71</b>	<b>1</b>	<b>1</b>	<b>13.6</b>
CRIMINAL	536	22.4	120	104	4	12	-	-	10.0
U.S. PRISONER PETITIONS	131	24.4	32	21	5	6	-	-	18.8
OTHER U.S. CIVIL	95	44.2	42	35	-	6	-	1	14.3
PRIV. PRISONER PETITIONS	105	37.1	39	28	1	10	-	-	25.6
OTHER PRIVATE CIVIL	557	42.7	238	204	2	31	1	-	13.0
BANKRUPTCY	32	40.6	13	11	-	2	-	-	15.4
ADMINISTRATIVE APPEALS	90	27.8	25	22	1	2	-	-	8.0
ORIGINAL PROCEEDINGS <sup>3</sup>	65	86.2	56	53	1	2	-	-	-
<b>SECOND CIRCUIT</b>	<b>4,091</b>	<b>46.0</b>	<b>1,883</b>	<b>1,217</b>	<b>343</b>	<b>30</b>	<b>213</b>	<b>80</b>	<b>1.7</b>
CRIMINAL	691	65.3	451	346	42	7	47	9	1.6
U.S. PRISONER PETITIONS	280	20.7	58	34	13	1	6	4	1.7
OTHER U.S. CIVIL	238	55.9	133	69	42	2	15	5	1.5
PRIV. PRISONER PETITIONS	830	23.6	196	96	56	6	31	7	3.1
OTHER PRIVATE CIVIL	1,450	47.5	689	421	120	10	109	29	1.5
BANKRUPTCY	72	45.8	33	24	6	1	1	1	3.0
ADMINISTRATIVE APPEALS	286	38.8	111	31	50	1	4	25	0.9
ORIGINAL PROCEEDINGS <sup>3</sup>	244	86.9	212	196	14	2	-	-	-

**Table B-5. (June 30, 2003—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>THIRD CIRCUIT</b>	<b>3,912</b>	<b>51.2</b>	<b>2,002</b>	<b>1,598</b>	<b>137</b>	<b>229</b>	<b>37</b>	<b>1</b>	<b>12.4</b>
CRIMINAL	648	74.2	481	434	12	31	4	-	6.4
U.S. PRISONER PETITIONS	467	40.9	191	144	23	18	6	-	9.4
OTHER U.S. CIVIL	233	72.1	168	139	8	18	3	-	10.7
PRIV. PRISONER PETITIONS	841	27.6	232	121	64	36	11	-	15.5
OTHER PRIVATE CIVIL	1,146	51.2	587	466	22	95	3	1	16.2
BANKRUPTCY	96	49.0	47	35	2	9	1	-	19.1
ADMINISTRATIVE APPEALS	255	40.0	102	73	3	17	9	-	16.7
ORIGINAL PROCEEDINGS <sup>3</sup>	226	85.8	194	186	3	5	-	-	-
<b>FOURTH CIRCUIT</b>	<b>4,841</b>	<b>52.3</b>	<b>2,530</b>	<b>2,218</b>	<b>130</b>	<b>155</b>	<b>24</b>	<b>3</b>	<b>6.8</b>
CRIMINAL	1,152	69.7	803	723	43	28	7	2	3.5
U.S. PRISONER PETITIONS	844	32.8	277	240	14	21	1	1	7.6
OTHER U.S. CIVIL	216	71.3	154	134	7	11	2	-	7.1
PRIV. PRISONER PETITIONS	1,064	31.1	331	277	34	18	2	-	5.4
OTHER PRIVATE CIVIL	941	55.2	519	438	14	61	6	-	11.8
BANKRUPTCY	76	57.9	44	34	4	5	1	-	11.4
ADMINISTRATIVE APPEALS	215	51.2	110	90	6	9	5	-	8.2
ORIGINAL PROCEEDINGS <sup>3</sup>	333	87.7	292	282	8	2	-	-	-
<b>FIFTH CIRCUIT</b>	<b>9,114</b>	<b>47.5</b>	<b>4,333</b>	<b>3,410</b>	<b>562</b>	<b>321</b>	<b>40</b>	<b>-</b>	<b>7.9</b>
CRIMINAL	2,428	75.8	1,841	1,500	245	81	15	-	4.4
U.S. PRISONER PETITIONS	964	30.8	297	232	49	15	1	-	5.1
OTHER U.S. CIVIL	373	53.9	201	164	15	19	3	-	9.5
PRIV. PRISONER PETITIONS	2,515	20.6	517	256	209	47	5	-	9.1
OTHER PRIVATE CIVIL	1,670	52.2	872	695	37	129	11	-	14.8
BANKRUPTCY	156	59.6	93	79	2	12	-	-	12.9
ADMINISTRATIVE APPEALS	406	31.3	127	111	1	10	5	-	7.9
ORIGINAL PROCEEDINGS <sup>3</sup>	602	64.0	385	373	4	8	-	-	-
<b>SIXTH CIRCUIT</b>	<b>4,599</b>	<b>50.8</b>	<b>2,338</b>	<b>2,105</b>	<b>23</b>	<b>197</b>	<b>12</b>	<b>1</b>	<b>9.4</b>
CRIMINAL	919	69.5	639	598	5	33	3	-	5.2
U.S. PRISONER PETITIONS	369	33.1	122	115	-	6	1	-	4.9
OTHER U.S. CIVIL	254	63.4	161	143	-	16	2	-	9.9
PRIV. PRISONER PETITIONS	1,134	34.9	396	357	-	36	2	1	9.1
OTHER PRIVATE CIVIL	1,325	49.6	657	557	3	94	3	-	14.3
BANKRUPTCY	64	53.1	34	28	1	5	-	-	14.7
ADMINISTRATIVE APPEALS	189	48.1	91	80	3	7	1	-	7.7
ORIGINAL PROCEEDINGS <sup>3</sup>	345	69.0	238	227	11	-	-	-	-

**Table B-5. (June 30, 2003—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	Percent Reversed <sup>2</sup>
<b>SEVENTH CIRCUIT</b>	<b>3,388</b>	<b>44.4</b>	<b>1,505</b>	<b>1,174</b>	<b>85</b>	<b>201</b>	<b>9</b>	<b>36</b>	<b>14.8</b>
CRIMINAL	594	59.4	353	247	78	23	1	4	6.5
U.S. PRISONER PETITIONS	369	26.8	99	74	-	22	1	2	22.2
OTHER U.S. CIVIL	176	60.2	106	87	-	14	2	3	13.2
PRIV. PRISONER PETITIONS	757	29.2	221	177	-	37	2	5	16.7
OTHER PRIVATE CIVIL	1,122	44.6	500	390	-	94	1	15	18.8
BANKRUPTCY	54	42.6	23	16	1	3	-	3	13.0
ADMINISTRATIVE APPEALS	135	36.3	49	36	-	7	2	4	14.3
ORIGINAL PROCEEDINGS <sup>3</sup>	181	85.1	154	147	6	1	-	-	-
<b>EIGHTH CIRCUIT</b>	<b>2,895</b>	<b>60.8</b>	<b>1,761</b>	<b>1,483</b>	<b>122</b>	<b>125</b>	<b>28</b>	<b>3</b>	<b>8.1</b>
CRIMINAL	656	77.0	505	431	33	28	12	1	5.5
U.S. PRISONER PETITIONS	315	41.0	129	111	9	6	3	-	4.7
OTHER U.S. CIVIL	215	62.8	135	115	6	12	2	-	8.9
PRIV. PRISONER PETITIONS	601	36.6	220	191	12	15	1	1	6.8
OTHER PRIVATE CIVIL	663	63.8	423	342	22	53	6	-	12.5
BANKRUPTCY	40	87.5	35	23	9	3	-	-	8.6
ADMINISTRATIVE APPEALS	149	50.3	75	37	27	6	4	1	8.0
ORIGINAL PROCEEDINGS <sup>3</sup>	256	93.4	239	233	4	2	-	-	-
<b>NINTH CIRCUIT</b>	<b>11,094</b>	<b>47.7</b>	<b>5,289</b>	<b>3,924</b>	<b>407</b>	<b>485</b>	<b>350</b>	<b>123</b>	<b>10.1</b>
CRIMINAL	2,096	70.9	1,486	1,176	147	74	88	1	5.0
U.S. PRISONER PETITIONS	792	30.2	239	188	11	23	16	1	9.6
OTHER U.S. CIVIL	679	57.9	393	292	13	68	18	2	17.3
PRIV. PRISONER PETITIONS	2,637	29.4	775	630	10	75	57	3	9.7
OTHER PRIVATE CIVIL	2,324	49.4	1,147	883	32	183	43	6	16.0
BANKRUPTCY	211	47.9	101	71	9	15	5	1	14.9
ADMINISTRATIVE APPEALS	1,809	34.9	632	175	183	42	123	109	6.6
ORIGINAL PROCEEDINGS <sup>3</sup>	546	94.5	516	509	2	5	-	-	-
<b>TENTH CIRCUIT</b>	<b>2,609</b>	<b>55.4</b>	<b>1,446</b>	<b>1,068</b>	<b>186</b>	<b>148</b>	<b>41</b>	<b>3</b>	<b>10.9</b>
CRIMINAL	466	77.0	359	278	40	26	15	-	7.2
U.S. PRISONER PETITIONS	315	49.5	156	100	40	11	5	-	7.1
OTHER U.S. CIVIL	201	73.1	147	112	2	29	4	-	19.7
PRIV. PRISONER PETITIONS	614	41.7	256	153	71	22	7	3	8.6
OTHER PRIVATE CIVIL	697	48.8	340	268	13	50	9	-	14.7
BANKRUPTCY	34	52.9	18	15	-	3	-	-	16.7
ADMINISTRATIVE APPEALS	95	51.6	49	26	18	4	1	-	8.2
ORIGINAL PROCEEDINGS <sup>3</sup>	187	64.7	121	116	2	3	-	-	-

**Table B-5. (June 30, 2003—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/ Enforced	Dismissed	Reversed	Remanded	Other	
<b>ELEVENTH CIRCUIT</b>	<b>7,305</b>	<b>43.9</b>	<b>3,209</b>	<b>2,635</b>	<b>253</b>	<b>298</b>	<b>14</b>	<b>9</b>	<b>10.3</b>
CRIMINAL	1,670	71.1	1,187	1,023	82	74	3	5	6.2
U.S. PRISONER PETITIONS	961	19.0	183	139	21	21	1	1	11.5
OTHER U.S. CIVIL	390	55.4	216	186	7	20	1	2	9.3
PRIV. PRISONER PETITIONS	1,622	21.9	355	196	110	48	-	1	13.5
OTHER PRIVATE CIVIL	1,756	44.7	785	631	28	118	8	-	15.0
BANKRUPTCY	77	45.5	35	28	2	5	-	-	14.3
ADMINISTRATIVE APPEALS	334	26.9	90	79	3	7	1	-	7.8
ORIGINAL PROCEEDINGS <sup>3</sup>	495	72.3	358	353	-	5	-	-	-

NOTE: THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

<sup>1</sup> TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS.

<sup>2</sup> PERCENT NOT SHOWN WHERE THE TOTAL NUMBER OF CASES TERMINATED ON THE MERITS IS LESS THAN 10. NO PERCENTAGES OF CASES REVERSED OR DENIED HAVE BEEN COMPUTED FOR ORIGINAL PROCEEDINGS BECAUSE OF THEIR DIFFERENCE FROM APPEALS, NOR HAVE THEY BEEN INCLUDED IN THE PERCENTAGE OF TOTAL APPEALS REVERSED.

<sup>3</sup> BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF PROCEEDINGS PREVIOUSLY NOT PRESENTED IN THIS TABLE.