

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending March 31, 2004

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
ALL CIRCUITS	56,243	48.4	27,222	21,444	2,377	2,162	779	460	8.7
CRIMINAL	11,620	68.8	7,997	6,674	713	409	183	18	5.1
U. S. PRISONER PETITIONS	5,238	30.2	1,580	1,227	153	142	51	7	9.0
OTHER U. S. CIVIL	3,223	59.6	1,921	1,507	103	248	52	11	12.9
PRIV. PRISONER PETITIONS	12,161	27.4	3,334	2,411	504	285	108	26	8.5
OTHER PRIVATE CIVIL	13,218	48.6	6,421	5,097	271	793	177	83	12.4
BANKRUPTCY	857	51.3	440	304	42	77	12	5	17.5
ADMINISTRATIVE APPEALS	6,382	42.6	2,721	1,532	524	159	196	310	5.8
ORIGINAL PROCEEDINGS ³	3,544	79.2	2,808	2,692	67	49	-	-	-
DISTRICT OF COLUMBIA	1,162	43.3	503	388	25	75	13	2	16.5
CRIMINAL	121	53.7	65	52	4	6	3	-	9.2
U. S. PRISONER PETITIONS	107	35.5	38	35	-	3	-	-	7.9
OTHER U. S. CIVIL	268	50.0	134	100	5	23	6	-	17.2
PRIV. PRISONER PETITIONS	26	57.7	15	14	-	1	-	-	6.7
OTHER PRIVATE CIVIL	136	51.5	70	55	3	10	2	-	14.3
BANKRUPTCY	3	66.7	2	1	-	1	-	-	-
ADMINISTRATIVE APPEALS	436	30.0	131	87	9	31	2	2	23.7
ORIGINAL PROCEEDINGS ³	65	73.8	48	44	4	-	-	-	-
FIRST CIRCUIT	1,635	37.5	613	524	15	71	2	1	12.7
CRIMINAL	518	28.2	146	124	4	18	-	-	12.3
U. S. PRISONER PETITIONS	135	14.8	20	14	3	3	-	-	15.0
OTHER U. S. CIVIL	111	51.4	57	50	-	7	-	-	12.3
PRIV. PRISONER PETITIONS	122	32.8	40	35	3	2	-	-	5.0
OTHER PRIVATE CIVIL	537	42.8	230	193	3	33	1	-	14.3
BANKRUPTCY	34	58.8	20	15	-	5	-	-	25.0
ADMINISTRATIVE APPEALS	114	38.6	44	38	1	3	1	1	6.8
ORIGINAL PROCEEDINGS ³	64	87.5	56	55	1	-	-	-	-
SECOND CIRCUIT	4,068	47.7	1,939	1,308	283	18	217	113	1.0
CRIMINAL	814	62.9	512	412	38	4	51	7	0.8
U. S. PRISONER PETITIONS	223	27.4	61	35	15	-	9	2	-
OTHER U. S. CIVIL	255	58.0	148	89	36	4	16	3	2.7
PRIV. PRISONER PETITIONS	681	24.4	166	93	30	2	30	11	1.2
OTHER PRIVATE CIVIL	1,300	49.1	638	390	97	6	97	48	0.9
BANKRUPTCY	82	45.1	37	25	7	1	3	1	2.7
ADMINISTRATIVE APPEALS	460	32.2	148	45	51	-	11	41	-
ORIGINAL PROCEEDINGS ³	253	90.5	229	219	9	1	-	-	-

Table B-5. (March 31, 2004—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
THIRD CIRCUIT	3,844	50.6	1,944	1,563	124	221	33	3	12.0
CRIMINAL	568	72.4	411	369	5	35	1	1	8.5
U. S. PRISONER PETITIONS	485	39.2	190	151	19	19	1	-	10.0
OTHER U. S. CIVIL	228	68.9	157	128	5	20	4	-	12.7
PRIV. PRISONER PETITIONS	790	29.6	234	127	69	33	5	-	14.1
OTHER PRIVATE CIVIL	1,138	50.1	570	471	17	77	5	-	13.5
BANKRUPTCY	66	51.5	34	26	1	7	-	-	20.6
ADMINISTRATIVE APPEALS	398	50.3	200	151	6	24	17	2	12.0
ORIGINAL PROCEEDINGS ³	171	86.5	148	140	2	6	-	-	-
FOURTH CIRCUIT	4,574	51.6	2,359	2,090	124	125	18	2	5.9
CRIMINAL	1,012	70.5	713	644	39	25	5	-	3.5
U. S. PRISONER PETITIONS	765	33.9	259	222	19	15	2	1	5.8
OTHER U. S. CIVIL	205	62.0	127	109	6	10	1	1	7.9
PRIV. PRISONER PETITIONS	978	30.5	298	262	28	5	3	-	1.7
OTHER PRIVATE CIVIL	828	52.4	434	368	16	50	-	-	11.5
BANKRUPTCY	67	61.2	41	23	5	10	3	-	24.4
ADMINISTRATIVE APPEALS	384	54.4	209	192	5	8	4	-	3.8
ORIGINAL PROCEEDINGS ³	335	83.0	278	270	6	2	-	-	-
FIFTH CIRCUIT	8,749	49.8	4,356	3,462	577	279	38	-	6.8
CRIMINAL	2,400	76.0	1,825	1,516	239	60	10	-	3.3
U. S. PRISONER PETITIONS	739	29.1	215	151	47	16	1	-	7.4
OTHER U. S. CIVIL	320	57.2	183	139	25	18	1	-	9.8
PRIV. PRISONER PETITIONS	2,332	22.6	528	285	191	42	10	-	8.0
OTHER PRIVATE CIVIL	1,637	51.8	848	691	45	107	5	-	12.6
BANKRUPTCY	156	60.9	95	56	20	17	2	-	17.9
ADMINISTRATIVE APPEALS	511	45.4	232	212	3	8	9	-	3.4
ORIGINAL PROCEEDINGS ³	654	65.7	430	412	7	11	-	-	-
SIXTH CIRCUIT	4,762	49.9	2,378	2,127	35	206	10	-	9.7
CRIMINAL	889	68.8	612	582	2	28	-	-	4.6
U. S. PRISONER PETITIONS	343	32.1	110	100	-	10	-	-	9.1
OTHER U. S. CIVIL	246	59.3	146	130	-	15	1	-	10.3
PRIV. PRISONER PETITIONS	1,165	34.3	400	353	1	43	3	-	10.8
OTHER PRIVATE CIVIL	1,436	47.2	678	578	4	91	5	-	13.4
BANKRUPTCY	77	57.1	44	37	-	7	-	-	15.9
ADMINISTRATIVE APPEALS	262	53.8	141	126	2	12	1	-	8.5
ORIGINAL PROCEEDINGS ³	344	71.8	247	221	26	-	-	-	-

Table B-5. (March 31, 2004—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
SEVENTH CIRCUIT	3,302	42.3	1,398	1,071	84	189	12	42	14.8
CRIMINAL	567	57.5	326	214	82	27	1	2	8.3
U. S. PRISONER PETITIONS	338	21.9	74	59	-	12	3	-	16.2
OTHER U. S. CIVIL	171	65.5	112	83	-	21	2	6	18.8
PRIV. PRISONER PETITIONS	756	27.4	207	177	-	25	-	5	12.1
OTHER PRIVATE CIVIL	993	44.9	446	336	-	83	3	24	18.6
BANKRUPTCY	57	47.4	27	18	-	8	-	1	29.6
ADMINISTRATIVE APPEALS	249	30.5	76	57	-	12	3	4	15.8
ORIGINAL PROCEEDINGS ³	171	76.0	130	127	2	1	-	-	-
EIGHTH CIRCUIT	2,964	60.8	1,802	1,503	114	158	20	7	9.7
CRIMINAL	724	77.1	558	473	32	48	5	-	8.6
U. S. PRISONER PETITIONS	318	41.5	132	106	9	9	5	3	6.8
OTHER U. S. CIVIL	225	67.6	152	130	5	16	1	-	10.5
PRIV. PRISONER PETITIONS	553	37.1	205	171	17	13	3	1	6.3
OTHER PRIVATE CIVIL	705	60.1	424	338	16	63	5	2	14.9
BANKRUPTCY	39	56.4	22	17	3	2	-	-	9.1
ADMINISTRATIVE APPEALS	177	54.2	96	64	27	3	1	1	3.1
ORIGINAL PROCEEDINGS ³	223	95.5	213	204	5	4	-	-	-
NINTH CIRCUIT	11,595	46.8	5,426	3,754	619	429	347	277	8.5
CRIMINAL	1,890	67.2	1,271	980	131	68	90	2	5.4
U. S. PRISONER PETITIONS	661	33.0	218	158	10	28	21	1	12.8
OTHER U. S. CIVIL	623	56.2	350	271	14	51	13	1	14.6
PRIV. PRISONER PETITIONS	2,679	27.2	728	577	21	80	44	6	11.0
OTHER PRIVATE CIVIL	2,110	47.4	1,001	806	22	132	33	8	13.2
BANKRUPTCY	165	41.2	68	50	4	9	4	1	13.2
ADMINISTRATIVE APPEALS	2,888	43.1	1,244	380	415	49	142	258	3.9
ORIGINAL PROCEEDINGS ³	579	94.3	546	532	2	12	-	-	-
TENTH CIRCUIT	2,544	54.6	1,389	1,075	122	125	63	4	9.5
CRIMINAL	475	80.4	382	297	45	23	16	1	6.0
U. S. PRISONER PETITIONS	259	42.1	109	80	12	10	7	-	9.2
OTHER U. S. CIVIL	221	76.0	168	127	1	33	7	-	19.6
PRIV. PRISONER PETITIONS	605	34.0	206	147	38	9	9	3	4.4
OTHER PRIVATE CIVIL	659	52.7	347	272	17	39	19	-	11.2
BANKRUPTCY	34	52.9	18	11	2	5	-	-	27.8
ADMINISTRATIVE APPEALS	122	38.5	47	36	4	2	5	-	4.3
ORIGINAL PROCEEDINGS ³	169	66.3	112	105	3	4	-	-	-

Table B-5. (March 31, 2004—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/ Enforced	Dismissed	Reversed	Remanded	Other	
ELEVENTH CIRCUIT	7,044	44.2	3,115	2,579	255	266	6	9	9.4
CRIMINAL	1,642	71.6	1,176	1,011	92	67	1	5	5.7
U. S. PRISONER PETITIONS	865	17.8	154	116	19	17	2	-	11.0
OTHER U. S. CIVIL	350	53.4	187	151	6	30	-	-	16.0
PRIV. PRISONER PETITIONS	1,474	20.8	307	170	106	30	1	-	9.8
OTHER PRIVATE CIVIL	1,739	42.3	735	599	31	102	2	1	13.9
BANKRUPTCY	77	41.6	32	25	-	5	-	2	15.6
ADMINISTRATIVE APPEALS	381	40.2	153	144	1	7	-	1	4.6
ORIGINAL PROCEEDINGS ³	516	71.9	371	363	-	8	-	-	-

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

¹ TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS.

² 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.

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