

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending March 31, 2013

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appealability	Percent Reversed ³
ALL CIRCUITS	58,459	2,771	60.7	35,474	23,710	2,680	2,225	511	70	6,278	6.9
CRIMINAL	13,432	902	69.9	9,384	7,234	1,276	679	177	17	1	7.2
U.S. PRISONER PETITIONS	4,903	97	65.9	3,230	892	155	88	24	4	2,067	2.7
OTHER U.S. CIVIL	2,653	124	57.6	1,527	1,230	99	174	23	1	-	11.4
PRIV. PRISONER PETITIONS	10,999	170	63.8	7,018	2,086	421	259	36	6	4,210	3.7
OTHER PRIVATE CIVIL	12,615	1,018	50.2	6,336	5,164	356	712	89	15	-	11.2
BANKRUPTCY	703	51	47.4	333	256	32	38	5	2	-	11.4
ADMINISTRATIVE APPEALS	8,759	380	45.5	3,985	3,320	238	245	157	25	-	6.1
ORIGINAL PROCEEDINGS	4,395	29	83.3	3,661	3,528	103	30	-	-	-	-
DC CIRCUIT	1,054	193	42.1	444	350	10	64	4	-	16	16.2
CRIMINAL	66	4	56.1	37	32	-	5	-	-	-	13.5
U.S. PRISONER PETITIONS	107	3	45.8	49	30	1	1	1	-	16	2.0
OTHER U.S. CIVIL	223	19	61.4	137	112	3	21	1	-	-	15.3
PRIV. PRISONER PETITIONS	5	-	80.0	4	4	-	-	-	-	-	-
OTHER PRIVATE CIVIL	120	6	53.3	64	54	-	9	1	-	-	14.1
BANKRUPTCY	9	-	44.4	4	4	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	419	161	22.7	95	61	6	27	1	-	-	28.4
ORIGINAL PROCEEDINGS	105	-	51.4	54	53	-	1	-	-	-	-
1ST CIRCUIT	1,507	85	62.8	947	759	26	73	6	-	83	8.1
CRIMINAL	553	44	63.1	349	316	10	19	4	-	-	5.4
U.S. PRISONER PETITIONS	97	5	72.2	70	20	1	1	-	-	48	1.4
OTHER U.S. CIVIL	77	8	55.8	43	37	2	4	-	-	-	9.3
PRIV. PRISONER PETITIONS	104	-	69.2	72	35	-	2	-	-	35	2.8
OTHER PRIVATE CIVIL	387	20	55.6	215	173	9	31	2	-	-	14.4
BANKRUPTCY	23	1	56.5	13	11	-	2	-	-	-	15.4
ADMINISTRATIVE APPEALS	191	7	59.7	114	99	3	12	-	-	-	10.5
ORIGINAL PROCEEDINGS	75	-	94.7	71	68	1	2	-	-	-	-
2ND CIRCUIT	6,145	332	55.9	3,434	2,147	680	197	46	1	363	6.1
CRIMINAL	816	63	72.8	594	380	128	69	16	1	-	11.6
U.S. PRISONER PETITIONS	258	5	72.5	187	19	39	5	2	-	122	2.7
OTHER U.S. CIVIL	262	23	57.6	151	93	49	8	1	-	-	5.3
PRIV. PRISONER PETITIONS	782	31	66.6	521	85	172	17	6	-	241	3.3
OTHER PRIVATE CIVIL	1,744	158	52.5	916	663	178	70	5	-	-	7.6
BANKRUPTCY	77	9	46.8	36	20	12	4	-	-	-	11.1
ADMINISTRATIVE APPEALS	1,949	42	41.4	806	668	98	24	16	-	-	3.0
ORIGINAL PROCEEDINGS	257	1	86.8	223	219	4	-	-	-	-	-

Table B-5. (March 31, 2013—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
3RD CIRCUIT	3,720	83	65.5	2,436	1,789	73	114	72	1	387	5.4
CRIMINAL	713	23	79.1	564	515	8	30	10	1	-	5.3
U.S. PRISONER PETITIONS	357	1	71.1	254	105	3	2	3	-	141	0.8
OTHER U.S. CIVIL	205	4	44.9	92	82	4	5	1	-	-	5.4
PRIV. PRISONER PETITIONS	636	1	62.9	400	123	14	12	5	-	246	3.0
OTHER PRIVATE CIVIL	929	48	51.2	476	402	16	49	9	-	-	10.3
BANKRUPTCY	46	-	60.9	28	21	5	2	-	-	-	7.1
ADMINISTRATIVE APPEALS	465	6	67.3	313	240	15	14	44	-	-	4.5
ORIGINAL PROCEEDINGS	369	-	83.7	309	301	8	-	-	-	-	-
4TH CIRCUIT	5,207	211	73.9	3,849	2,894	151	135	55	4	610	3.9
CRIMINAL	1,833	94	79.6	1,459	1,301	69	63	26	-	-	4.3
U.S. PRISONER PETITIONS	649	4	82.1	533	148	19	12	1	-	353	2.3
OTHER U.S. CIVIL	180	3	77.8	140	122	5	10	3	-	-	7.1
PRIV. PRISONER PETITIONS	785	17	67.5	530	240	21	8	4	-	257	1.5
OTHER PRIVATE CIVIL	878	65	60.7	533	467	20	40	6	-	-	7.5
BANKRUPTCY	65	8	56.9	37	34	3	-	-	-	-	-
ADMINISTRATIVE APPEALS	331	11	50.5	167	138	9	1	15	4	-	0.6
ORIGINAL PROCEEDINGS	486	9	92.6	450	444	5	1	-	-	-	-
5TH CIRCUIT	7,347	604	54.9	4,030	2,425	711	216	51	-	627	5.8
CRIMINAL	2,503	250	64.7	1,619	967	562	61	29	-	-	3.8
U.S. PRISONER PETITIONS	692	45	54.8	379	115	52	10	1	-	201	2.6
OTHER U.S. CIVIL	199	11	48.2	96	76	6	12	2	-	-	12.5
PRIV. PRISONER PETITIONS	1,425	84	46.7	665	143	57	36	3	-	426	5.4
OTHER PRIVATE CIVIL	1,371	155	45.4	622	518	25	75	4	-	-	12.1
BANKRUPTCY	101	12	42.6	43	37	-	6	-	-	-	14.0
ADMINISTRATIVE APPEALS	459	36	39.0	179	149	8	10	12	-	-	5.6
ORIGINAL PROCEEDINGS	597	11	71.5	427	420	1	6	-	-	-	-
6TH CIRCUIT	5,690	267	64.5	3,672	2,841	130	294	56	-	351	8.9
CRIMINAL	1,412	90	71.2	1,006	818	69	95	23	-	1	9.4
U.S. PRISONER PETITIONS	391	9	57.0	223	113	5	11	3	-	91	4.9
OTHER U.S. CIVIL	229	7	63.8	146	127	1	18	-	-	-	12.3
PRIV. PRISONER PETITIONS	1,219	19	54.6	665	359	7	36	4	-	259	5.4
OTHER PRIVATE CIVIL	1,450	116	62.0	899	753	12	124	10	-	-	13.8
BANKRUPTCY	62	7	58.1	36	36	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	464	17	69.4	322	286	10	10	16	-	-	3.1
ORIGINAL PROCEEDINGS	463	2	81.0	375	349	26	-	-	-	-	-

Table B-5. (March 31, 2013—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
7TH CIRCUIT	2,963	153	54.8	1,623	999	133	211	19	29	232	14.8
CRIMINAL	765	72	62.2	476	264	106	97	6	3	-	20.4
U.S. PRISONER PETITIONS	317	2	55.5	176	56	2	9	3	3	103	5.1
OTHER U.S. CIVIL	142	4	54.9	78	61	-	16	1	-	-	20.5
PRIV. PRISONER PETITIONS	521	3	44.9	234	77	2	21	2	3	129	9.0
OTHER PRIVATE CIVIL	797	60	45.2	360	283	11	56	-	10	-	15.6
BANKRUPTCY	38	3	39.5	15	10	-	3	-	2	-	20.0
ADMINISTRATIVE APPEALS	130	6	62.3	81	57	1	8	7	8	-	9.9
ORIGINAL PROCEEDINGS	253	3	80.2	203	191	11	1	-	-	-	-
8TH CIRCUIT	2,923	126	73.6	2,152	1,540	98	90	29	7	388	4.7
CRIMINAL	850	42	79.9	679	589	51	23	14	2	-	3.4
U.S. PRISONER PETITIONS	352	6	84.9	299	95	3	4	4	-	193	1.3
OTHER U.S. CIVIL	108	4	63.9	69	63	1	4	1	-	-	5.8
PRIV. PRISONER PETITIONS	576	-	68.1	392	177	8	10	2	-	195	2.6
OTHER PRIVATE CIVIL	614	65	61.9	380	316	17	44	3	-	-	11.6
BANKRUPTCY	29	-	75.9	22	19	1	2	-	-	-	9.1
ADMINISTRATIVE APPEALS	143	6	53.1	76	55	8	3	5	5	-	3.9
ORIGINAL PROCEEDINGS	251	3	93.6	235	226	9	-	-	-	-	-
9TH CIRCUIT	12,938	419	59.8	7,739	4,577	295	556	74	16	2,221	7.7
CRIMINAL	1,593	66	71.7	1,142	856	122	140	22	2	-	12.3
U.S. PRISONER PETITIONS	608	8	75.5	459	63	7	12	-	1	376	2.6
OTHER U.S. CIVIL	577	21	54.9	317	248	17	52	-	-	-	16.4
PRIV. PRISONER PETITIONS	3,375	8	76.5	2,583	617	16	96	6	3	1,845	3.7
OTHER PRIVATE CIVIL	2,152	242	40.4	869	704	34	119	10	2	-	13.7
BANKRUPTCY	152	9	32.9	50	34	6	10	-	-	-	20.0
ADMINISTRATIVE APPEALS	3,700	65	43.1	1,595	1,373	67	111	36	8	-	7.0
ORIGINAL PROCEEDINGS	781	-	92.7	724	682	26	16	-	-	-	-
10TH CIRCUIT	2,206	37	64.6	1,424	1,007	130	49	75	1	162	3.7
CRIMINAL	459	8	81.0	372	272	73	6	20	1	-	1.6
U.S. PRISONER PETITIONS	257	1	52.9	136	57	10	5	4	-	60	3.7
OTHER U.S. CIVIL	160	3	65.0	104	83	5	8	8	-	-	7.7
PRIV. PRISONER PETITIONS	411	1	54.3	223	101	14	3	3	-	102	1.3
OTHER PRIVATE CIVIL	620	21	58.5	363	296	15	22	30	-	-	6.1
BANKRUPTCY	31	1	67.7	21	12	1	3	5	-	-	14.3
ADMINISTRATIVE APPEALS	109	2	66.1	72	56	10	1	5	-	-	1.4
ORIGINAL PROCEEDINGS	159	-	83.6	133	130	2	1	-	-	-	-

Table B-5. (March 31, 2013—Continued)

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		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
11TH CIRCUIT	6,759	261	55.1	3,724	2,382	243	226	24	11	838	6.9
CRIMINAL	1,869	146	58.2	1,087	924	78	71	7	7	-	6.5
U.S. PRISONER PETITIONS	818	8	56.8	465	71	13	16	2	-	363	3.4
OTHER U.S. CIVIL	291	17	52.9	154	126	6	16	5	1	-	10.4
PRIV. PRISONER PETITIONS	1,160	6	62.8	729	125	110	18	1	-	475	2.5
OTHER PRIVATE CIVIL	1,553	62	41.1	639	535	19	73	9	3	-	11.4
BANKRUPTCY	70	1	40.0	28	18	4	6	-	-	-	21.4
ADMINISTRATIVE APPEALS	399	21	41.4	165	138	3	24	-	-	-	14.5
ORIGINAL PROCEEDINGS	599	-	76.3	457	445	10	2	-	-	-	-

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 where the total number of cases terminated on the merits is less than 10. Percentages of cases reversed have not been computed for original proceedings because of their difference from appeals, nor are they included in the percentage of total appeals reversed.