

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit
During the 12-Month Period Ending September 30, 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 CIRCUIT	62,846	50.5	31,717	24,237	3,064	2,393	1,110	913	8.3
CRIMINAL	14,320	72.6	10,393	8,483	1,026	550	306	28	5.3
U.S. PRISONER PETITIONS	5,139	25.8	1,326	1,040	123	114	27	22	8.6
OTHER U.S. CIVIL	2,835	56.9	1,612	1,292	74	191	47	8	11.8
PRIV. PRISONER PETITIONS	11,231	24.4	2,742	1,929	432	286	84	11	10.4
OTHER PRIVATE CIVIL	11,962	50.4	6,034	4,740	364	780	114	36	12.9
BANKRUPTCY	830	52.9	439	353	25	54	4	3	12.3
ADMINISTRATIVE APPEALS	12,701	47.8	6,066	3,419	925	389	528	805	6.4
ORIGINAL PROCEEDINGS	3,828	81.1	3,105	2,981	95	29	-	-	-
DISTRICT OF COLUMBIA	1,309	41.3	541	430	25	66	17	3	13.1
CRIMINAL	168	47.0	79	62	2	13	2	-	16.5
U.S. PRISONER PETITIONS	183	26.8	49	38	4	3	2	2	6.1
OTHER U.S. CIVIL	241	61.8	149	123	3	18	5	-	12.1
PRIV. PRISONER PETITIONS	21	38.1	8	8	-	-	-	-	-
OTHER PRIVATE CIVIL	195	54.4	106	91	2	10	3	-	9.4
BANKRUPTCY	3	66.7	2	2	-	-	-	-	-
ADMINISTRATIVE APPEALS	430	24.0	103	64	12	21	5	1	20.4
ORIGINAL PROCEEDINGS	68	66.2	45	42	2	1	-	-	-
FIRST CIRCUIT	1,752	56.5	990	867	40	66	17	-	6.9
CRIMINAL	680	58.5	398	354	15	21	8	-	5.3
U.S. PRISONER PETITIONS	91	30.8	28	25	1	2	-	-	7.1
OTHER U.S. CIVIL	77	67.5	52	45	1	5	1	-	9.6
PRIV. PRISONER PETITIONS	129	34.1	44	41	1	2	-	-	4.5
OTHER PRIVATE CIVIL	462	55.2	255	213	11	27	4	-	10.6
BANKRUPTCY	28	60.7	17	12	1	3	1	-	17.6
ADMINISTRATIVE APPEALS	223	64.6	144	128	8	5	3	-	3.5
ORIGINAL PROCEEDINGS	62	83.9	52	49	2	1	-	-	-
SECOND CIRCUIT	7,228	39.9	2,885	1,941	460	239	107	138	8.9
CRIMINAL	861	46.1	397	347	20	20	10	-	5.0
U.S. PRISONER PETITIONS	278	14.7	41	21	17	-	3	-	-
OTHER U.S. CIVIL	220	36.8	81	51	21	8	1	-	9.9
PRIV. PRISONER PETITIONS	763	17.6	134	54	59	11	10	-	8.2
OTHER PRIVATE CIVIL	1,306	40.9	534	327	126	62	16	3	11.6
BANKRUPTCY	65	38.5	25	15	6	3	1	-	12.0
ADMINISTRATIVE APPEALS	3,473	42.3	1,470	934	201	134	66	135	9.1
ORIGINAL PROCEEDINGS	262	77.5	203	192	10	1	-	-	-

Table B-5. (September 30, 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	4,066	55.4	2,251	1,777	199	205	68	2	10.0
CRIMINAL	673	81.9	551	487	10	46	8	-	8.3
U.S. PRISONER PETITIONS	394	44.7	176	135	28	11	-	2	6.3
OTHER U.S. CIVIL	213	66.7	142	97	13	22	10	-	15.5
PRIV. PRISONER PETITIONS	868	21.5	187	103	59	17	8	-	9.1
OTHER PRIVATE CIVIL	930	56.3	524	386	59	72	7	-	13.7
BANKRUPTCY	113	63.7	72	63	3	6	-	-	8.3
ADMINISTRATIVE APPEALS	652	62.1	405	320	19	31	35	-	7.7
ORIGINAL PROCEEDINGS	223	87.0	194	186	8	-	-	-	-
FOURTH CIRCUIT	4,900	55.9	2,741	2,447	121	139	33	1	5.7
CRIMINAL	1,333	76.3	1,017	909	53	44	11	-	4.3
U.S. PRISONER PETITIONS	934	32.8	306	273	13	18	2	-	5.9
OTHER U.S. CIVIL	186	69.9	130	116	8	4	2	-	3.1
PRIV. PRISONER PETITIONS	1,017	28.9	294	262	23	8	1	-	2.7
OTHER PRIVATE CIVIL	677	57.9	392	335	14	42	1	-	10.7
BANKRUPTCY	57	56.1	32	28	-	4	-	-	12.5
ADMINISTRATIVE APPEALS	360	74.2	267	227	5	18	16	1	6.7
ORIGINAL PROCEEDINGS	336	90.2	303	297	5	1	-	-	-
FIFTH CIRCUIT	9,578	52.0	4,977	3,832	632	314	199	-	6.7
CRIMINAL	3,429	81.2	2,784	2,153	433	99	99	-	3.6
U.S. PRISONER PETITIONS	769	19.8	152	109	20	20	3	-	13.2
OTHER U.S. CIVIL	357	47.3	169	148	4	17	-	-	10.1
PRIV. PRISONER PETITIONS	2,139	17.2	368	186	131	40	11	-	10.9
OTHER PRIVATE CIVIL	1,535	48.8	749	600	36	110	3	-	14.7
BANKRUPTCY	133	49.6	66	60	2	4	-	-	6.1
ADMINISTRATIVE APPEALS	690	48.3	333	231	1	18	83	-	5.4
ORIGINAL PROCEEDINGS	526	67.7	356	345	5	6	-	-	-
SIXTH CIRCUIT	4,962	54.7	2,715	2,329	76	259	49	2	10.9
CRIMINAL	1,208	67.7	818	733	13	60	12	-	7.3
U.S. PRISONER PETITIONS	350	27.7	97	88	-	9	-	-	9.3
OTHER U.S. CIVIL	192	66.7	128	112	-	15	1	-	11.7
PRIV. PRISONER PETITIONS	1,011	31.6	319	248	3	60	8	-	18.8
OTHER PRIVATE CIVIL	1,260	53.5	674	558	16	98	1	1	14.5
BANKRUPTCY	57	50.9	29	23	1	4	-	1	13.8
ADMINISTRATIVE APPEALS	438	65.3	286	243	6	10	27	-	3.5
ORIGINAL PROCEEDINGS	446	81.6	364	324	37	3	-	-	-

Table B-5. (September 30, 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	
SEVENTH CIRCUIT	3,280	44.7	1,467	1,046	124	197	54	46	14.4
CRIMINAL	729	68.3	498	338	110	46	3	1	9.2
U.S. PRISONER PETITIONS	406	19.2	78	62	-	13	-	3	16.7
OTHER U.S. CIVIL	136	56.6	77	56	-	14	-	7	18.2
PRIV. PRISONER PETITIONS	644	19.1	123	93	-	27	-	3	22.0
OTHER PRIVATE CIVIL	835	46.5	388	312	2	56	-	18	14.4
BANKRUPTCY	47	46.8	22	15	-	6	-	1	27.3
ADMINISTRATIVE APPEALS	278	65.1	181	82	-	35	51	13	19.3
ORIGINAL PROCEEDINGS	205	48.8	100	88	12	-	-	-	-
EIGHTH CIRCUIT	2,988	62.1	1,855	1,563	112	159	20	1	9.6
CRIMINAL	912	73.1	667	551	61	51	4	-	7.6
U.S. PRISONER PETITIONS	322	31.1	100	84	4	7	4	1	7.0
OTHER U.S. CIVIL	165	71.5	118	98	3	13	4	-	11.0
PRIV. PRISONER PETITIONS	541	38.8	210	179	10	21	-	-	10.0
OTHER PRIVATE CIVIL	628	67.7	425	350	17	52	6	-	12.2
BANKRUPTCY	32	65.6	21	16	3	2	-	-	9.5
ADMINISTRATIVE APPEALS	160	60.6	97	73	11	11	2	-	11.3
ORIGINAL PROCEEDINGS	228	95.2	217	212	3	2	-	-	-
NINTH CIRCUIT	13,600	47.8	6,503	4,216	797	352	440	698	6.0
CRIMINAL	1,971	69.3	1,365	1,059	105	63	125	13	4.6
U.S. PRISONER PETITIONS	433	21.2	92	65	6	3	7	11	3.3
OTHER U.S. CIVIL	631	52.1	329	256	9	49	14	1	14.9
PRIV. PRISONER PETITIONS	2,354	25.1	591	514	11	36	25	5	6.1
OTHER PRIVATE CIVIL	1,960	47.3	928	738	25	118	34	13	12.7
BANKRUPTCY	183	49.2	90	71	8	9	1	1	10.0
ADMINISTRATIVE APPEALS	5,248	44.5	2,337	753	631	65	234	654	2.8
ORIGINAL PROCEEDINGS	820	94.0	771	760	2	9	-	-	-
TENTH CIRCUIT	2,680	59.6	1,597	1,155	201	132	101	8	8.5
CRIMINAL	714	81.1	579	433	95	27	23	1	4.7
U.S. PRISONER PETITIONS	260	37.3	97	64	14	10	6	3	10.3
OTHER U.S. CIVIL	183	65.0	119	91	5	15	8	-	12.6
PRIV. PRISONER PETITIONS	478	36.0	172	101	23	24	21	3	14.0
OTHER PRIVATE CIVIL	743	58.8	437	325	31	45	36	-	10.3
BANKRUPTCY	35	57.1	20	14	-	5	1	-	25.0
ADMINISTRATIVE APPEALS	112	73.2	82	47	26	2	6	1	2.4
ORIGINAL PROCEEDINGS	155	58.7	91	80	7	4	-	-	-

Table B-5. (September 30, 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	6,503	49.1	3,195	2,634	277	265	5	14	9.5
CRIMINAL	1,642	75.5	1,240	1,057	109	60	1	13	4.8
U.S. PRISONER PETITIONS	719	15.3	110	76	16	18	-	-	16.4
OTHER U.S. CIVIL	234	50.4	118	99	7	11	1	-	9.3
PRIV. PRISONER PETITIONS	1,266	23.1	292	140	112	40	-	-	13.7
OTHER PRIVATE CIVIL	1,431	43.5	622	505	25	88	3	1	14.1
BANKRUPTCY	77	55.8	43	34	1	8	-	-	18.6
ADMINISTRATIVE APPEALS	637	56.7	361	317	5	39	-	-	10.8
ORIGINAL PROCEEDINGS	497	82.3	409	406	2	1	-	-	-

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. 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.