

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit
During the 12-Month Period Ending June 30, 2008

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	59,152	50.0	29,596	23,099	2,653	2,411	888	545	8.8
CRIMINAL	13,575	71.5	9,702	7,873	919	606	275	29	6.2
U.S. PRISONER PETITIONS	4,815	26.0	1,251	947	137	121	31	15	9.7
OTHER U.S. CIVIL	2,864	57.6	1,650	1,280	88	216	55	11	13.1
PRIV. PRISONER PETITIONS	11,069	24.4	2,705	1,960	433	246	55	11	9.1
OTHER PRIVATE CIVIL	11,658	51.1	5,957	4,706	312	758	149	32	12.7
BANKRUPTCY	804	47.9	385	303	21	56	4	1	14.5
ADMINISTRATIVE APPEALS	10,769	50.1	5,391	3,563	691	372	319	446	6.9
ORIGINAL PROCEEDINGS	3,598	71.0	2,555	2,467	52	36	-	-	-
DISTRICT OF COLUMBIA	1,251	42.1	527	417	23	58	26	3	12.1
CRIMINAL	151	44.4	67	55	2	6	4	-	9.0
U.S. PRISONER PETITIONS	167	34.7	58	48	-	1	7	2	1.7
OTHER U.S. CIVIL	232	59.5	138	113	4	16	4	1	11.6
PRIV. PRISONER PETITIONS	30	23.3	7	5	1	1	-	-	-
OTHER PRIVATE CIVIL	175	56.6	99	77	1	17	4	-	17.2
BANKRUPTCY	1	100.0	1	-	-	1	-	-	-
ADMINISTRATIVE APPEALS	423	25.5	108	71	14	16	7	-	14.8
ORIGINAL PROCEEDINGS	72	68.1	49	48	1	-	-	-	-
FIRST CIRCUIT	1,774	55.4	982	860	46	65	11	-	6.9
CRIMINAL	638	61.6	393	349	12	29	3	-	7.4
U.S. PRISONER PETITIONS	121	24.8	30	23	4	3	-	-	10.0
OTHER U.S. CIVIL	88	55.7	49	40	4	5	-	-	10.2
PRIV. PRISONER PETITIONS	152	29.6	45	39	3	2	1	-	4.4
OTHER PRIVATE CIVIL	458	52.0	238	206	5	21	6	-	8.8
BANKRUPTCY	22	63.6	14	10	2	2	-	-	14.3
ADMINISTRATIVE APPEALS	227	68.7	156	141	12	2	1	-	1.3
ORIGINAL PROCEEDINGS	68	83.8	57	52	4	1	-	-	-
SECOND CIRCUIT	6,558	44.7	2,934	2,158	425	193	150	8	7.0
CRIMINAL	1,029	56.2	578	498	20	27	33	-	4.7
U.S. PRISONER PETITIONS	280	14.3	40	18	15	1	6	-	2.5
OTHER U.S. CIVIL	207	46.9	97	62	24	4	7	-	4.1
PRIV. PRISONER PETITIONS	885	14.5	128	57	56	3	11	1	2.3
OTHER PRIVATE CIVIL	1,198	43.5	521	315	131	32	43	-	6.1
BANKRUPTCY	96	26.0	25	18	4	3	-	-	12.0
ADMINISTRATIVE APPEALS	2,627	52.1	1,369	1,031	159	122	50	7	8.9
ORIGINAL PROCEEDINGS	236	74.6	176	159	16	1	-	-	-

Table B-5. (June 30, 2008—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	3,977	57.5	2,287	1,889	139	213	43	3	10.0
CRIMINAL	733	79.4	582	514	2	54	10	2	9.3
U.S. PRISONER PETITIONS	363	46.8	170	138	19	11	2	-	6.5
OTHER U.S. CIVIL	178	68.0	121	91	9	18	3	-	14.9
PRIV. PRISONER PETITIONS	848	21.8	185	105	47	29	4	-	15.7
OTHER PRIVATE CIVIL	871	59.0	514	401	35	73	5	-	14.2
BANKRUPTCY	85	48.2	41	34	2	4	1	-	9.8
ADMINISTRATIVE APPEALS	702	72.9	512	450	20	23	18	1	4.5
ORIGINAL PROCEEDINGS	197	82.2	162	156	5	1	-	-	-
FOURTH CIRCUIT	4,777	56.4	2,696	2,316	170	156	48	6	6.3
CRIMINAL	1,344	76.4	1,027	878	59	59	27	4	5.7
U.S. PRISONER PETITIONS	812	34.2	278	242	26	9	1	-	3.2
OTHER U.S. CIVIL	200	68.0	136	116	8	11	1	-	8.1
PRIV. PRISONER PETITIONS	1,032	31.8	328	272	45	10	1	-	3.0
OTHER PRIVATE CIVIL	710	57.2	406	338	21	45	2	-	11.1
BANKRUPTCY	51	51.0	26	18	1	7	-	-	26.9
ADMINISTRATIVE APPEALS	314	70.1	220	182	8	12	16	2	5.5
ORIGINAL PROCEEDINGS	314	87.6	275	270	2	3	-	-	-
FIFTH CIRCUIT	8,587	50.5	4,334	3,346	585	311	92	-	7.6
CRIMINAL	2,756	78.6	2,166	1,667	388	73	38	-	3.4
U.S. PRISONER PETITIONS	652	23.5	153	95	31	27	-	-	17.6
OTHER U.S. CIVIL	340	55.3	188	158	9	21	-	-	11.2
PRIV. PRISONER PETITIONS	2,207	17.9	396	219	120	51	6	-	12.9
OTHER PRIVATE CIVIL	1,461	55.4	810	659	28	115	8	-	14.2
BANKRUPTCY	133	53.4	71	62	2	7	-	-	9.9
ADMINISTRATIVE APPEALS	573	43.3	248	190	5	13	40	-	5.2
ORIGINAL PROCEEDINGS	465	64.9	302	296	2	4	-	-	-
SIXTH CIRCUIT	4,787	55.2	2,643	2,306	42	238	53	4	9.9
CRIMINAL	1,232	69.1	851	737	15	75	23	1	8.8
U.S. PRISONER PETITIONS	335	28.4	95	87	2	5	-	1	5.3
OTHER U.S. CIVIL	193	59.1	114	98	3	12	1	-	10.5
PRIV. PRISONER PETITIONS	932	32.2	300	258	2	36	4	-	12.0
OTHER PRIVATE CIVIL	1,199	53.8	645	544	12	83	6	-	12.9
BANKRUPTCY	54	51.9	28	23	-	5	-	-	17.9
ADMINISTRATIVE APPEALS	466	63.5	296	259	2	14	19	2	4.7
ORIGINAL PROCEEDINGS	376	83.5	314	300	6	8	-	-	-

Table B-5. (June 30, 2008—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	3,168	39.1	1,239	909	80	199	14	37	16.8
CRIMINAL	681	58.7	400	263	70	58	7	2	14.5
U.S. PRISONER PETITIONS	425	19.3	82	55	1	24	-	2	29.3
OTHER U.S. CIVIL	167	50.3	84	66	-	13	-	5	15.5
PRIV. PRISONER PETITIONS	597	18.3	109	90	-	16	1	2	14.7
OTHER PRIVATE CIVIL	854	43.2	369	293	1	60	1	14	16.3
BANKRUPTCY	46	39.1	18	14	-	4	-	-	22.2
ADMINISTRATIVE APPEALS	217	53.0	115	75	-	23	5	12	20.0
ORIGINAL PROCEEDINGS	181	34.3	62	53	8	1	-	-	-
EIGHTH CIRCUIT	3,025	60.9	1,843	1,542	127	143	29	2	8.5
CRIMINAL	919	76.2	700	573	56	60	10	1	8.6
U.S. PRISONER PETITIONS	277	31.8	88	73	6	6	2	1	6.8
OTHER U.S. CIVIL	157	67.5	106	85	9	9	3	-	8.5
PRIV. PRISONER PETITIONS	579	38.5	223	189	12	15	7	-	6.7
OTHER PRIVATE CIVIL	672	57.0	383	321	17	41	4	-	10.7
BANKRUPTCY	31	61.3	19	10	3	6	-	-	31.6
ADMINISTRATIVE APPEALS	158	69.6	110	82	23	2	3	-	1.8
ORIGINAL PROCEEDINGS	232	92.2	214	209	1	4	-	-	-
NINTH CIRCUIT	12,229	46.4	5,671	3,896	553	450	308	464	8.5
CRIMINAL	1,789	67.9	1,214	983	74	66	82	9	5.4
U.S. PRISONER PETITIONS	378	20.4	77	46	7	8	7	9	10.4
OTHER U.S. CIVIL	672	55.1	370	258	7	84	16	5	22.7
PRIV. PRISONER PETITIONS	1,907	28.2	537	471	8	36	17	5	6.7
OTHER PRIVATE CIVIL	2,049	47.4	972	762	22	147	27	14	15.1
BANKRUPTCY	163	48.5	79	65	4	6	3	1	7.6
ADMINISTRATIVE APPEALS	4,455	43.4	1,934	838	425	94	156	421	4.9
ORIGINAL PROCEEDINGS	816	59.8	488	473	6	9	-	-	-
TENTH CIRCUIT	2,420	61.7	1,494	1,072	207	105	109	1	7.3
CRIMINAL	652	80.4	524	344	111	32	37	-	6.1
U.S. PRISONER PETITIONS	207	39.6	82	51	17	8	6	-	9.8
OTHER U.S. CIVIL	179	68.2	122	87	2	13	20	-	10.7
PRIV. PRISONER PETITIONS	415	36.9	153	108	36	6	3	-	3.9
OTHER PRIVATE CIVIL	638	62.5	399	306	18	36	39	-	9.0
BANKRUPTCY	51	54.9	28	22	2	4	-	-	14.3
ADMINISTRATIVE APPEALS	96	69.8	67	39	21	2	4	1	3.0
ORIGINAL PROCEEDINGS	182	65.4	119	115	-	4	-	-	-

Table B-5. (June 30, 2008—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	6,599	44.6	2,946	2,388	256	280	5	17	10.7
CRIMINAL	1,651	72.7	1,200	1,012	110	67	1	10	5.6
U.S. PRISONER PETITIONS	798	12.3	98	71	9	18	-	-	18.4
OTHER U.S. CIVIL	251	49.8	125	106	9	10	-	-	8.0
PRIV. PRISONER PETITIONS	1,485	19.8	294	147	103	41	-	3	13.9
OTHER PRIVATE CIVIL	1,373	43.8	601	484	21	88	4	4	14.6
BANKRUPTCY	71	49.3	35	27	1	7	-	-	20.0
ADMINISTRATIVE APPEALS	511	50.1	256	205	2	49	-	-	19.1
ORIGINAL PROCEEDINGS	459	73.4	337	336	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.