

Table B-5.

**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending December 31, 2002**

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	56,254	48.6	27,356	21,801	2,229	2,387	728	211	9.6
CRIMINAL	11,705	68.5	8,018	6,671	703	434	189	21	5.4
U.S. PRISONER PETITIONS	6,352	29.0	1,840	1,438	190	164	38	10	8.9
OTHER U.S. CIVIL	3,273	60.9	1,993	1,634	91	214	48	6	10.7
PRIV. PRISONER PETITIONS	12,176	29.1	3,544	2,497	576	346	106	19	9.8
OTHER PRIVATE CIVIL	14,140	49.6	7,014	5,536	306	943	191	38	13.4
BANKRUPTCY	937	54.0	506	402	32	61	10	1	12.1
ADMINISTRATIVE APPEALS	3,810	36.9	1,404	695	263	184	146	116	13.1
ORIGINAL PROCEEDINGS ³	3,861	78.7	3,037	2,928	68	41	-	-	-
DISTRICT OF COLUMBIA	1,288	39.5	509	413	12	70	7	7	15.1
CRIMINAL	76	57.9	44	35	2	5	2	-	11.4
U.S. PRISONER PETITIONS	138	39.1	54	48	1	4	-	1	7.4
OTHER U.S. CIVIL	256	59.8	153	129	1	20	-	3	13.1
PRIV. PRISONER PETITIONS	40	47.5	19	17	-	1	1	-	5.3
OTHER PRIVATE CIVIL	145	42.1	61	51	1	6	1	2	9.8
BANKRUPTCY	3	33.3	1	1	-	-	-	-	-
ADMINISTRATIVE APPEALS	556	23.7	132	88	6	34	3	1	25.8
ORIGINAL PROCEEDINGS ³	74	60.8	45	44	1	-	-	-	-
FIRST CIRCUIT	1,613	33.7	544	453	14	75	2	-	13.9
CRIMINAL	580	23.6	137	118	3	16	-	-	11.7
U.S. PRISONER PETITIONS	168	19.6	33	25	3	5	-	-	15.2
OTHER U.S. CIVIL	80	43.8	35	30	-	5	-	-	14.3
PRIV. PRISONER PETITIONS	136	38.2	52	38	2	11	1	-	21.2
OTHER PRIVATE CIVIL	513	46.0	236	201	2	33	-	-	14.0
BANKRUPTCY	35	37.1	13	11	-	2	-	-	15.4
ADMINISTRATIVE APPEALS	77	26.0	20	17	1	1	1	-	5.0
ORIGINAL PROCEEDINGS ³	24	75.0	18	13	3	2	-	-	-
SECOND CIRCUIT	4,176	46.3	1,933	1,301	335	37	206	54	2.0
CRIMINAL	684	62.1	425	338	34	8	40	5	1.9
U.S. PRISONER PETITIONS	307	20.5	63	28	22	2	6	5	3.2
OTHER U.S. CIVIL	239	54.4	130	75	36	2	17	-	1.5
PRIV. PRISONER PETITIONS	906	24.7	224	101	84	4	30	5	1.8
OTHER PRIVATE CIVIL	1,464	50.3	737	483	110	17	106	21	2.3
BANKRUPTCY	62	51.6	32	21	7	-	3	1	-
ADMINISTRATIVE APPEALS	232	34.9	81	28	32	-	4	17	-
ORIGINAL PROCEEDINGS ³	282	85.5	241	227	10	4	-	-	-

Table B-5. (December 31, 2002—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	3,751	52.0	1,949	1,568	137	204	37	3	11.6
CRIMINAL	609	75.4	459	403	18	31	5	2	6.8
U.S. PRISONER PETITIONS	454	39.6	180	127	28	17	7	1	9.4
OTHER U.S. CIVIL	249	73.9	184	149	8	21	6	-	11.4
PRIV. PRISONER PETITIONS	781	27.3	213	116	53	31	13	-	14.6
OTHER PRIVATE CIVIL	1,117	52.4	585	484	19	81	1	-	13.8
BANKRUPTCY	86	38.4	33	24	1	7	1	-	21.2
ADMINISTRATIVE APPEALS	203	35.0	71	51	4	12	4	-	16.9
ORIGINAL PROCEEDINGS ³	252	88.9	224	214	6	4	-	-	-
FOURTH CIRCUIT	4,957	52.5	2,600	2,283	134	150	30	3	6.4
CRIMINAL	1,153	69.5	801	723	40	28	8	2	3.5
U.S. PRISONER PETITIONS	988	31.4	310	262	18	25	5	-	8.1
OTHER U.S. CIVIL	239	71.1	170	154	9	5	2	-	2.9
PRIV. PRISONER PETITIONS	1,063	32.2	342	278	40	20	3	1	5.8
OTHER PRIVATE CIVIL	975	57.5	561	480	16	58	7	-	10.3
BANKRUPTCY	67	65.7	44	41	-	3	-	-	6.8
ADMINISTRATIVE APPEALS	152	57.2	87	69	4	9	5	-	10.3
ORIGINAL PROCEEDINGS ³	320	89.1	285	276	7	2	-	-	-
FIFTH CIRCUIT	8,672	46.3	4,019	3,067	520	391	40	1	10.6
CRIMINAL	2,177	71.9	1,566	1,215	257	75	18	1	4.8
U.S. PRISONER PETITIONS	892	26.5	236	184	33	19	-	-	8.1
OTHER U.S. CIVIL	334	53.6	179	140	12	24	3	-	13.4
PRIV. PRISONER PETITIONS	2,372	21.5	511	281	173	52	5	-	10.2
OTHER PRIVATE CIVIL	1,750	50.7	887	701	36	142	8	-	16.0
BANKRUPTCY	143	58.7	84	72	1	9	2	-	10.7
ADMINISTRATIVE APPEALS	340	39.4	134	69	2	59	4	-	44.0
ORIGINAL PROCEEDINGS ³	664	63.6	422	405	6	11	-	-	-
SIXTH CIRCUIT	4,586	50.8	2,328	2,078	41	202	6	1	9.9
CRIMINAL	847	70.4	596	541	10	43	2	-	7.2
U.S. PRISONER PETITIONS	390	25.9	101	98	-	3	-	-	3.0
OTHER U.S. CIVIL	255	67.5	172	156	2	13	1	-	7.6
PRIV. PRISONER PETITIONS	1,166	33.9	395	356	-	37	1	1	9.4
OTHER PRIVATE CIVIL	1,310	50.6	663	558	7	97	1	-	14.6
BANKRUPTCY	64	62.5	40	33	2	5	-	-	12.5
ADMINISTRATIVE APPEALS	147	45.6	67	60	2	4	1	-	6.0
ORIGINAL PROCEEDINGS ³	407	72.2	294	276	18	-	-	-	-

Table B-5. (December 31, 2002—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	3,333	43.2	1,440	1,122	83	195	12	28	15.1
CRIMINAL	533	60.6	323	220	75	21	2	5	6.5
U.S. PRISONER PETITIONS	378	29.1	110	75	-	33	-	2	30.0
OTHER U.S. CIVIL	174	58.6	102	86	1	12	1	2	11.8
PRIV. PRISONER PETITIONS	773	28.1	217	172	-	37	2	6	17.1
OTHER PRIVATE CIVIL	1,122	40.3	452	365	-	75	4	8	16.6
BANKRUPTCY	44	47.7	21	14	1	6	-	-	28.6
ADMINISTRATIVE APPEALS	114	43.9	50	33	1	8	3	5	16.0
ORIGINAL PROCEEDINGS ³	195	84.6	165	157	5	3	-	-	-
EIGHTH CIRCUIT	3,055	59.3	1,813	1,540	103	136	31	3	8.7
CRIMINAL	618	76.9	475	406	27	30	11	1	6.3
U.S. PRISONER PETITIONS	400	35.5	142	130	6	5	1	-	3.5
OTHER U.S. CIVIL	168	69.0	116	98	4	10	4	-	8.6
PRIV. PRISONER PETITIONS	651	37.3	243	208	11	16	6	2	6.6
OTHER PRIVATE CIVIL	743	62.2	462	375	23	62	2	-	13.4
BANKRUPTCY	49	73.5	36	23	8	5	-	-	13.9
ADMINISTRATIVE APPEALS	125	51.2	64	32	19	6	7	-	9.4
ORIGINAL PROCEEDINGS ³	301	91.4	275	268	5	2	-	-	-
NINTH CIRCUIT	10,346	51.4	5,319	4,025	389	499	302	104	10.5
CRIMINAL	2,058	71.8	1,477	1,169	140	86	80	2	5.8
U.S. PRISONER PETITIONS	739	31.1	230	189	10	17	13	1	7.4
OTHER U.S. CIVIL	700	56.3	394	317	10	58	8	1	14.7
PRIV. PRISONER PETITIONS	1,900	34.1	647	521	12	73	40	1	11.3
OTHER PRIVATE CIVIL	2,493	49.6	1,237	951	38	199	43	6	16.1
BANKRUPTCY	263	52.9	139	111	9	15	4	-	10.8
ADMINISTRATIVE APPEALS	1,545	37.8	584	166	167	44	114	93	7.5
ORIGINAL PROCEEDINGS ³	648	94.3	611	601	3	7	-	-	-
TENTH CIRCUIT	2,562	54.9	1,406	1,034	197	133	39	3	10.3
CRIMINAL	446	77.6	346	273	34	23	16	-	6.6
U.S. PRISONER PETITIONS	321	49.8	160	96	52	8	4	-	5.0
OTHER U.S. CIVIL	183	69.9	128	97	4	22	5	-	17.2
PRIV. PRISONER PETITIONS	582	43.1	251	154	69	21	4	3	8.4
OTHER PRIVATE CIVIL	698	45.6	318	239	16	53	10	-	16.7
BANKRUPTCY	42	57.1	24	21	1	2	-	-	8.3
ADMINISTRATIVE APPEALS	83	55.4	46	25	19	2	-	-	4.3
ORIGINAL PROCEEDINGS ³	207	64.3	133	129	2	2	-	-	-

Table B-5. (December 31, 2002—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	7,915	44.2	3,496	2,917	264	295	16	4	9.2
CRIMINAL	1,924	71.2	1,369	1,230	63	68	5	3	5.0
U.S. PRISONER PETITIONS	1,177	18.8	221	176	17	26	2	-	11.8
OTHER U.S. CIVIL	396	58.1	230	203	4	22	1	-	9.6
PRIV. PRISONER PETITIONS	1,806	23.8	430	255	132	43	-	-	10.0
OTHER PRIVATE CIVIL	1,810	45.0	815	648	38	120	8	1	14.7
BANKRUPTCY	79	49.4	39	30	2	7	-	-	17.9
ADMINISTRATIVE APPEALS	236	28.8	68	57	6	5	-	-	7.4
ORIGINAL PROCEEDINGS ³	487	66.5	324	318	2	4	-	-	-

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.