

Table B-5A.
U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit,
During the 12-Month Period Ending September 30, 2006

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
ALL CIRCUITS	67,582	30,713	67	12,321	3,707	558	52	9	6,252	1,743	18,325	8,275	8,137	1,913
CRIMINAL	15,223	3,459	10	1,043	450	141	6	-	-	446	2,406	1,715	458	233
U.S. PRISONER PETITIONS	6,035	4,478	-	3,087	295	4	5	-	2,679	104	1,391	230	1,122	39
OTHER U.S. CIVIL	2,876	1,051	2	241	132	38	1	-	-	70	808	414	376	18
PRIV. PRISONER PETITIONS	10,367	7,537	1	4,588	817	17	20	9	3,573	152	2,948	507	2,352	89
OTHER PRIVATE CIVIL	12,064	5,380	48	1,224	720	297	17	-	-	190	4,108	2,692	1,304	112
BANKRUPTCY	856	365	5	97	58	19	-	-	-	20	263	187	68	8
ADMINISTRATIVE APPEALS	14,472	7,563	1	1,756	1,235	42	3	-	-	476	5,806	2,530	2,457	819
ORIGINAL PROCEEDINGS	5,689	880	-	285	-	-	-	-	-	285	595	-	-	595
DISTRICT OF COLUMBIA	1,195	457	-	132	65	12	3	-	20	32	325	226	55	44
CRIMINAL	125	51	-	6	3	2	-	-	-	1	45	37	4	4
U.S. PRISONER PETITIONS	119	51	-	24	1	-	2	-	18	3	27	5	21	1
OTHER U.S. CIVIL	268	73	-	17	9	3	1	-	-	4	56	45	11	-
PRIV. PRISONER PETITIONS	16	9	-	3	1	-	-	-	2	-	6	1	4	1
OTHER PRIVATE CIVIL	164	50	-	17	11	5	-	-	-	1	33	16	13	4
BANKRUPTCY	1	1	-	-	-	-	-	-	-	-	1	1	-	-
ADMINISTRATIVE APPEALS	394	194	-	53	40	2	-	-	-	11	141	121	2	18
ORIGINAL PROCEEDINGS	108	28	-	12	-	-	-	-	-	12	16	-	-	16
FIRST CIRCUIT	2,027	774	-	282	98	3	6	-	134	41	492	361	117	14
CRIMINAL	734	214	-	20	14	-	-	-	-	6	194	165	26	3
U.S. PRISONER PETITIONS	167	132	-	92	3	-	-	-	82	7	40	17	22	1
OTHER U.S. CIVIL	96	26	-	8	5	-	-	-	-	3	18	12	4	2
PRIV. PRISONER PETITIONS	138	95	-	71	14	-	5	-	52	-	24	6	17	1
OTHER PRIVATE CIVIL	503	191	-	53	43	3	1	-	-	6	138	113	23	2
BANKRUPTCY	30	7	-	1	1	-	-	-	-	-	6	5	1	-
ADMINISTRATIVE APPEALS	267	106	-	36	18	-	-	-	-	18	70	43	24	3
ORIGINAL PROCEEDINGS	92	3	-	1	-	-	-	-	-	1	2	-	-	2
SECOND CIRCUIT	8,969	4,795	38	754	-	12	-	-	388	354	4,003	1,867	1,798	338
CRIMINAL	823	289	9	76	-	1	-	-	-	75	204	75	38	91
U.S. PRISONER PETITIONS	283	239	-	124	-	-	-	-	114	10	115	12	92	11
OTHER U.S. CIVIL	277	125	-	17	-	-	-	-	-	17	108	45	57	6
PRIV. PRISONER PETITIONS	757	590	-	336	-	1	-	-	274	61	254	6	231	17
OTHER PRIVATE CIVIL	1,438	651	26	68	-	-	-	-	-	68	557	301	234	22
BANKRUPTCY	115	69	3	5	-	2	-	-	-	3	61	49	9	3
ADMINISTRATIVE APPEALS	4,932	2,746	-	125	-	8	-	-	-	117	2,621	1,379	1,137	105
ORIGINAL PROCEEDINGS	344	86	-	3	-	-	-	-	-	3	83	-	-	83

Table B-5A. (September 30, 2006—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
THIRD CIRCUIT	4,157	1,825	-	815	249	4	1	-	461	100	1,010	500	430	80
CRIMINAL	737	207	-	81	39	-	-	-	-	42	126	117	6	3
U.S. PRISONER PETITIONS	457	261	-	184	16	-	-	-	151	17	77	13	62	2
OTHER U.S. CIVIL	192	57	-	16	13	-	-	-	-	3	41	20	20	1
PRIV. PRISONER PETITIONS	696	515	-	381	61	1	-	-	310	9	134	20	111	3
OTHER PRIVATE CIVIL	921	406	-	55	44	2	1	-	-	8	351	254	91	6
BANKRUPTCY	93	37	-	5	3	-	-	-	-	2	32	26	5	1
ADMINISTRATIVE APPEALS	772	289	-	92	73	1	-	-	-	18	197	50	135	12
ORIGINAL PROCEEDINGS	289	53	-	1	-	-	-	-	-	1	52	-	-	52
FOURTH CIRCUIT	5,628	2,197	-	1,158	197	11	-	-	897	53	1,039	485	500	54
CRIMINAL	1,496	210	-	57	34	1	-	-	-	22	153	140	10	3
U.S. PRISONER PETITIONS	1,132	813	-	625	52	-	-	-	570	3	188	37	144	7
OTHER U.S. CIVIL	168	55	-	9	4	1	-	-	-	4	46	30	16	-
PRIV. PRISONER PETITIONS	988	705	-	374	43	2	-	-	327	2	331	71	256	4
OTHER PRIVATE CIVIL	718	254	-	38	26	6	-	-	-	6	216	166	43	7
BANKRUPTCY	59	21	-	5	4	-	-	-	-	1	16	10	6	-
ADMINISTRATIVE APPEALS	391	105	-	49	34	1	-	-	-	14	56	31	25	-
ORIGINAL PROCEEDINGS	676	34	-	1	-	-	-	-	-	1	33	-	-	33
FIFTH CIRCUIT	8,881	4,087	-	1,659	655	33	1	-	815	155	2,428	629	1,597	202
CRIMINAL	3,163	652	-	193	94	12	-	-	-	87	459	256	190	13
U.S. PRISONER PETITIONS	767	615	-	345	59	-	-	-	283	3	270	12	256	2
OTHER U.S. CIVIL	308	135	-	26	12	4	-	-	-	10	109	27	81	1
PRIV. PRISONER PETITIONS	1,815	1,490	-	731	193	1	-	-	532	5	759	74	673	12
OTHER PRIVATE CIVIL	1,228	581	-	118	96	5	1	-	-	16	463	207	248	8
BANKRUPTCY	111	48	-	15	4	7	-	-	-	4	33	18	15	-
ADMINISTRATIVE APPEALS	785	405	-	227	197	4	-	-	-	26	178	35	134	9
ORIGINAL PROCEEDINGS	704	161	-	4	-	-	-	-	-	4	157	-	-	157
SIXTH CIRCUIT	5,172	2,046	-	887	317	30	5	-	503	32	1,159	539	397	223
CRIMINAL	1,162	285	-	69	62	2	-	-	-	5	216	113	41	62
U.S. PRISONER PETITIONS	420	290	-	219	34	1	-	-	177	7	71	13	54	4
OTHER U.S. CIVIL	244	77	-	16	12	3	-	-	-	1	61	32	28	1
PRIV. PRISONER PETITIONS	939	582	-	430	100	-	1	-	326	3	152	23	108	21
OTHER PRIVATE CIVIL	1,307	545	-	97	70	18	4	-	-	5	448	312	108	28
BANKRUPTCY	62	17	-	7	4	2	-	-	-	1	10	6	3	1
ADMINISTRATIVE APPEALS	458	142	-	47	35	4	-	-	-	8	95	40	55	-
ORIGINAL PROCEEDINGS	580	108	-	2	-	-	-	-	-	2	106	-	-	106

Table B-5A. (September 30, 2006—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appealability	Other	Total	FRAP 42*	Default	Other
SEVENTH CIRCUIT	3,803	1,890	-	786	178	14	15	-	370	209	1,104	514	517	73
CRIMINAL	829	203	-	65	24	5	5	-	-	31	138	130	3	5
U.S. PRISONER PETITIONS	559	467	-	294	45	1	-	-	225	23	173	32	135	6
OTHER U.S. CIVIL	134	55	-	18	10	-	-	-	-	8	37	18	14	5
PRIV. PRISONER PETITIONS	682	521	-	202	26	2	6	-	145	23	319	23	283	13
OTHER PRIVATE CIVIL	885	447	-	91	55	5	3	-	-	28	356	259	73	24
BANKRUPTCY	55	24	-	6	3	-	-	-	-	3	18	17	-	1
ADMINISTRATIVE APPEALS	306	99	-	46	15	1	1	-	-	29	53	35	9	9
ORIGINAL PROCEEDINGS	353	74	-	64	-	-	-	-	-	64	10	-	-	10
EIGHTH CIRCUIT	3,618	1,088	-	667	146	38	10	-	436	37	421	263	139	19
CRIMINAL	1,112	184	-	49	38	7	1	-	-	3	135	130	4	1
U.S. PRISONER PETITIONS	417	284	-	255	11	-	3	-	232	9	29	9	19	1
OTHER U.S. CIVIL	181	42	-	14	9	2	-	-	-	3	28	20	7	1
PRIV. PRISONER PETITIONS	548	347	-	262	40	4	6	-	204	8	85	13	71	1
OTHER PRIVATE CIVIL	764	169	-	63	41	18	-	-	-	4	106	81	25	-
BANKRUPTCY	31	6	-	2	1	1	-	-	-	-	4	4	-	-
ADMINISTRATIVE APPEALS	160	46	-	15	6	6	-	-	-	3	31	6	13	12
ORIGINAL PROCEEDINGS	405	10	-	7	-	-	-	-	-	7	3	-	-	3
NINTH CIRCUIT	13,424	6,611	-	2,575	1,084	34	4	9	1,017	427	4,036	2,215	1,092	729
CRIMINAL	2,407	590	-	152	33	4	-	-	-	115	438	384	13	41
U.S. PRISONER PETITIONS	511	368	-	301	18	-	-	-	273	10	67	46	19	2
OTHER U.S. CIVIL	534	227	-	49	34	2	-	-	-	13	178	133	44	1
PRIV. PRISONER PETITIONS	1,940	1,306	-	938	162	4	-	9	744	19	368	189	168	11
OTHER PRIVATE CIVIL	1,883	948	-	160	111	17	2	-	-	30	788	692	91	5
BANKRUPTCY	182	68	-	20	16	1	-	-	-	3	48	40	7	1
ADMINISTRATIVE APPEALS	5,139	3,054	-	923	710	6	2	-	-	205	2,131	731	750	650
ORIGINAL PROCEEDINGS	828	50	-	32	-	-	-	-	-	32	18	-	-	18
TENTH CIRCUIT	3,018	1,233	-	604	135	5	2	-	269	193	629	441	115	73
CRIMINAL	771	181	-	94	34	2	-	-	-	58	87	78	4	5
U.S. PRISONER PETITIONS	312	180	-	125	18	-	-	-	98	9	55	27	28	-
OTHER U.S. CIVIL	174	35	-	11	8	-	-	-	-	3	24	21	3	-
PRIV. PRISONER PETITIONS	552	336	-	232	40	-	2	-	171	19	104	52	49	3
OTHER PRIVATE CIVIL	708	302	-	50	32	3	-	-	-	15	252	225	23	4
BANKRUPTCY	33	17	-	3	2	-	-	-	-	1	14	9	4	1
ADMINISTRATIVE APPEALS	143	48	-	14	1	-	-	-	-	13	34	29	4	1
ORIGINAL PROCEEDINGS	325	134	-	75	-	-	-	-	-	75	59	-	-	59

Table B-5A. (September 30, 2006—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appealability	Other	Total	FRAP 42*	Default	Other
ELEVENTH CIRCUIT	7,690	3,710	29	2,002	583	362	5	-	942	110	1,679	235	1,380	64
CRIMINAL	1,864	393	1	181	75	105	-	-	-	1	211	90	119	2
U.S. PRISONER PETITIONS	891	778	-	499	38	2	-	-	456	3	279	7	270	2
OTHER U.S. CIVIL	300	144	2	40	16	23	-	-	-	1	102	11	91	-
PRIV. PRISONER PETITIONS	1,296	1,041	1	628	137	2	-	-	486	3	412	29	381	2
OTHER PRIVATE CIVIL	1,545	836	22	414	191	215	5	-	-	3	400	66	332	2
BANKRUPTCY	84	50	2	28	20	6	-	-	-	2	20	2	18	-
ADMINISTRATIVE APPEALS	725	329	1	129	106	9	-	-	-	14	199	30	169	-
ORIGINAL PROCEEDINGS	985	139	-	83	-	-	-	-	-	83	56	-	-	56

NOTE: TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS. JURIS. DEFECTS = JURISDICTIONAL DEFECTS. CPC = CERTIFICATE OF PROBABLE CAUSE. CERT. APPEALABILITY = CERTIFICATE OF APPEALABILITY. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

* VOLUNTARY DISMISSAL UNDER RULE 42(B), FEDERAL RULES OF APPELLATE PROCEDURE.