

Table 55

TYPES OF APPEAL IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2006

CIRCUIT District	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	9,908	100.0	5,947	60.0	2,336	23.6	1,625	16.4
D.C. CIRCUIT	93	0.9	51	54.8	19	20.4	23	24.7
District of Columbia	93	0.9	51	54.8	19	20.4	23	24.7
FIRST CIRCUIT	198	2.0	78	39.4	77	38.9	43	21.7
Maine	31	0.3	13	41.9	12	38.7	6	19.4
Massachusetts	60	0.6	15	25.0	26	43.3	19	31.7
New Hampshire	16	0.2	9	56.3	3	18.8	4	25.0
Puerto Rico	69	0.7	31	44.9	29	42.0	9	13.0
Rhode Island	22	0.2	10	45.5	7	31.8	5	22.7
SECOND CIRCUIT	381	3.8	166	43.6	111	29.1	104	27.3
Connecticut	32	0.3	9	28.1	14	43.8	9	28.1
New York								
Eastern	90	0.9	33	36.7	27	30.0	30	33.3
Northern	32	0.3	16	50.0	3	9.4	13	40.6
Southern	181	1.8	79	43.6	57	31.5	45	24.9
Western	39	0.4	26	66.7	7	17.9	6	15.4
Vermont	7	0.1	3	42.9	3	42.9	1	14.3
THIRD CIRCUIT	456	4.6	248	54.4	108	23.7	100	21.9
Delaware	20	0.2	8	40.0	6	30.0	6	30.0
New Jersey	84	0.8	48	57.1	27	32.1	9	10.7
Pennsylvania								
Eastern	180	1.8	88	48.9	45	25.0	47	26.1
Middle	101	1.0	71	70.3	17	16.8	13	12.9
Western	59	0.6	30	50.8	9	15.3	20	33.9
Virgin Islands	12	0.1	3	25.0	4	33.3	5	41.7
FOURTH CIRCUIT	1216	12.3	762	62.7	301	24.8	153	12.6
Maryland	121	1.2	52	43.0	43	35.5	26	21.5
North Carolina								
Eastern	135	1.4	91	67.4	28	20.7	16	11.9
Middle	180	1.8	145	80.6	25	13.9	10	5.6
Western	133	1.3	74	55.6	41	30.8	18	13.5
South Carolina	259	2.6	173	66.8	64	24.7	22	8.5
Virginia								
Eastern	158	1.6	71	44.9	48	30.4	39	24.7
Western	78	0.8	43	55.1	23	29.5	12	15.4
West Virginia								
Northern	32	0.3	21	65.6	10	31.3	1	3.1
Southern	120	1.2	92	76.7	19	15.8	9	7.5

Table 55 (cont.)

CIRCUIT	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	1,872	18.9	1,340	71.6	366	19.6	166	8.9
Louisiana								
Eastern	32	0.3	18	56.3	7	21.9	7	21.9
Middle	23	0.2	15	65.2	6	26.1	2	8.7
Western	72	0.7	51	70.8	7	9.7	14	19.4
Mississippi								
Northern	21	0.2	13	61.9	6	28.6	2	9.5
Southern	26	0.3	12	46.2	8	30.8	6	23.1
Texas								
Eastern	94	0.9	61	64.9	20	21.3	13	13.8
Northern	219	2.2	142	64.8	54	24.7	23	10.5
Southern	916	9.2	689	75.2	185	20.2	42	4.6
Western	470	25.1	339	72.1	73	15.5	57	12.1
SIXTH CIRCUIT	742	7.5	414	55.8	223	30.1	105	14.2
Kentucky								
Eastern	65	0.7	33	50.8	18	27.7	14	21.5
Western	49	0.5	26	53.1	16	32.7	7	14.3
Michigan								
Eastern	77	0.8	34	44.2	27	35.1	16	20.8
Western	98	1.0	70	71.4	24	24.5	4	4.1
Ohio								
Northern	87	0.9	42	48.3	30	34.5	15	17.2
Southern	53	0.5	27	50.9	14	26.4	12	22.6
Tennessee								
Eastern	118	1.2	66	55.9	42	35.6	10	8.5
Middle	64	0.6	27	42.2	21	32.8	16	25.0
Western	131	1.3	89	67.9	31	23.7	11	8.4
SEVENTH CIRCUIT	671	6.8	426	63.5	138	20.6	107	15.9
Illinois								
Central	67	0.7	40	59.7	14	20.9	13	19.4
Northern	265	2.7	173	65.3	60	22.6	32	12.1
Southern	51	0.5	38	74.5	2	3.9	11	21.6
Indiana								
Northern	72	0.7	38	52.8	17	23.6	17	23.6
Southern	68	0.7	37	54.4	11	16.2	20	29.4
Wisconsin								
Eastern	73	0.7	42	57.5	22	30.1	9	12.3
Western	75	0.8	58	77.3	12	16.0	5	6.7
EIGHTH CIRCUIT	794	8.0	445	56.0	179	22.5	170	21.4
Arkansas								
Eastern	47	0.5	24	51.1	9	19.1	14	29.8
Western	26	0.3	20	76.9	3	11.5	3	11.5
Iowa								
Northern	89	0.9	55	61.8	20	22.5	14	15.7
Southern	74	0.7	46	62.2	15	20.3	13	17.6
Minnesota	100	1.0	48	48.0	27	27.0	25	25.0
Missouri								
Eastern	96	1.0	57	59.4	22	22.9	17	17.7
Western	153	1.5	84	54.9	33	21.6	36	23.5
Nebraska	128	1.3	75	58.6	32	25.0	21	16.4
North Dakota	20	0.2	7	35.0	8	40.0	5	25.0
South Dakota	61	0.6	29	47.5	10	16.4	22	36.1

Table 55 (cont.)

CIRCUIT	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	1,620	16.4	951	58.7	402	24.8	267	16.5
Alaska	32	0.3	21	65.6	7	21.9	4	12.5
Arizona	193	1.9	106	54.9	66	34.2	21	10.9
California								
Central	357	3.6	220	61.6	96	26.9	41	11.5
Eastern	80	0.8	36	45.0	26	32.5	18	22.5
Northern	59	0.6	36	61.0	13	22.0	10	16.9
Southern	220	2.2	108	49.1	58	26.4	54	24.5
Guam	11	0.1	8	72.7	0	0.0	3	27.3
Hawaii	58	0.6	24	41.4	20	34.5	14	24.1
Idaho	41	0.4	30	73.2	7	17.1	4	9.8
Montana	166	1.7	110	66.3	35	21.1	21	12.7
Nevada	133	1.3	78	58.6	22	16.5	33	24.8
Northern Mariana Islands	9	0.1	2	22.2	2	22.2	5	55.6
Oregon	65	0.7	47	72.3	8	12.3	10	15.4
Washington								
Eastern	122	1.2	78	63.9	30	24.6	14	11.5
Western	74	0.7	47	63.5	12	16.2	15	20.3
TENTH CIRCUIT	677	6.8	367	54.2	139	20.5	171	25.3
Colorado	97	1.0	55	56.7	21	21.6	21	21.6
Kansas	127	1.3	55	43.3	28	22.0	44	34.6
New Mexico	140	1.4	84	60.0	30	21.4	26	18.6
Oklahoma								
Eastern	39	0.4	16	41.0	12	30.8	11	28.2
Northern	51	0.5	28	54.9	9	17.6	14	27.5
Western	84	0.8	54	64.3	17	20.2	13	15.5
Utah	90	0.9	51	56.7	15	16.7	24	26.7
Wyoming	49	0.5	24	49.0	7	14.3	18	36.7
ELEVENTH CIRCUIT	1,188	12.0	699	58.8	273	23.0	216	18.2
Alabama								
Middle	22	0.2	10	45.5	7	31.8	5	22.7
Northern	43	0.4	21	48.8	7	16.3	15	34.9
Southern	49	0.5	33	67.3	5	10.2	11	22.4
Florida								
Middle	383	3.9	248	64.8	90	23.5	45	11.7
Northern	84	0.8	51	60.7	18	21.4	15	17.9
Southern	372	3.8	194	52.2	95	25.5	84	22.6
Georgia								
Middle	38	0.4	22	57.9	7	18.4	9	23.7
Northern	147	1.5	83	56.5	38	25.9	26	17.7
Southern	49	0.5	37	75.5	6	12.2	6	12.2

¹Of the 10,052 appeals cases, 144 were excluded due to missing type of appeal information. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2006 Appeals Datafile, APPFY06.