

Table 56

**DISPOSITION OF DEFENDANT SENTENCING APPEALS IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2006**

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²			AFFIRMED AND REVERSED ²			DISMISSED		REMANDED	
		n	%	n	%	n	%	n	%	n	%		
TOTAL	8,145	5,579	68.5	955	(935)	11.7	224	(208)	2.8	632	7.8	756	9.3
D.C. CIRCUIT	69	34	49.3	8	(8)	11.6	1	(1)	1.4	4	5.8	22	31.9
District of Columbia	69	34	49.3		8 (8)	11.6		1 (1)	1.4	4	5.8	22	31.9
FIRST CIRCUIT	151	111	73.5	20	(20)	13.2	11	(11)	7.3	2	1.3	7	4.7
Maine	25	21	84.0		1 (1)	4.0		2 (2)	8.0	0	0.0	1	4.0
Massachusetts	37	31	83.8		4 (4)	10.8		2 (2)	5.4	0	0.0	2	5.1
New Hampshire	12	9	75.0		2 (2)	16.7		1 (1)	8.3	0	0.0	0	0.0
Puerto Rico	60	41	68.3		10 (10)	16.7		5 (5)	8.3	2	3.3	2	3.3
Rhode Island	13	9	69.2		3 (3)	23.1		1 (1)	7.7	0	0.0	2	13.3
SECOND CIRCUIT	274	177	64.6	34	(34)	12.4	16	(16)	5.8	2	0.7	46	16.8
Connecticut	23	14	60.9		0 (0)	0.0		0 (0)	0.0	0	0.0	9	39.1
New York													
Eastern	60	30	50.0		13 (13)	21.7		5 (5)	8.3	0	0.0	12	20.0
Northern	19	11	57.9		6 (6)	31.6		0 (0)	0.0	0	0.0	2	10.5
Southern	134	94	70.1		9 (9)	6.7		9 (9)	6.7	1	0.7	21	15.6
Western	32	23	71.9		5 (5)	15.6		2 (2)	6.3	1	3.1	2	6.5
Vermont	6	5	83.3		1 (1)	16.7		0 (0)	0.0	0	0.0	0	0.0
THIRD CIRCUIT	349	220	63.0	70	(70)	20.1	6	(6)	1.7	20	5.7	38	10.7
Delaware	14	13	92.9		0 (0)	0.0		0 (0)	0.0	0	0.0	1	7.1
New Jersey	74	47	63.5		10 (10)	13.5		1 (1)	1.4	5	6.8	11	14.9
Pennsylvania													
Eastern	132	71	53.8		37 (37)	28.0		0 (0)	0.0	9	6.8	15	11.4
Middle	88	57	64.8		17 (17)	19.3		4 (4)	4.5	4	4.5	6	6.8
Western	39	27	69.2		5 (5)	12.8		1 (1)	2.6	2	5.1	4	10.3
Virgin Islands	7	5	71.4		1 (1)	14.3		0 (0)	0.0	0	0.0	1	14.3
FOURTH CIRCUIT	1,048	752	71.8	138	(138)	13.2	21	(19)	2.0	89	8.5	48	4.6
Maryland	92	47	51.1		17 (17)	18.5		4 (3)	4.3	14	15.2	11	11.8
North Carolina													
Eastern	114	83	72.8		13 (13)	11.4		1 (1)	0.9	13	11.4	4	3.5
Middle	170	134	78.8		21 (21)	12.4		2 (2)	1.2	8	4.7	5	2.9
Western	112	79	70.5		14 (14)	12.5		2 (2)	1.8	13	11.6	4	3.6
South Carolina	235	190	80.9		19 (19)	8.1		3 (3)	1.3	11	4.7	12	5.1
Virginia													
Eastern	117	74	63.2		19 (19)	16.2		3 (3)	2.6	18	15.4	3	2.6
Western	66	43	65.2		13 (13)	19.7		0 (0)	0.0	6	9.1	4	6.1
West Virginia													
Northern	31	21	67.7		3 (3)	9.7		4 (4)	12.9	3	9.7	0	0.0
Southern	110	81	73.6		19 (12)	17.3		2 (1)	1.8	3	2.7	5	4.6

Table 56 (cont.)

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²		AFFIRMED AND REVERSED ²		DISMISSED		REMANDED			
		n	%	n	%	n	%	n	%	n	%		
FIFTH CIRCUIT	1,692	1,256	74.2	212	(210)	12.5	25	(22)	1.5	69	4.1	130	7.7
Louisiana													
Eastern	25	13	52.0	7	(7)	28.0	1	(1)	4.0	1	4.0	3	12.0
Middle	20	18	90.0	1	(1)	5.0	0	(0)	0.0	1	5.0	0	0.0
Western	53	43	81.1	8	(8)	15.1	0	(0)	0.0	1	1.9	1	1.9
Mississippi													
Northern	19	14	73.7	3	(3)	15.8	0	(0)	0.0	0	0.0	2	10.5
Southern	20	14	70.0	2	(2)	10.0	0	(0)	0.0	3	15.0	1	5.0
Texas													
Eastern	80	52	65.0	17	(17)	21.3	1	(1)	1.3	5	6.3	5	6.3
Northern	196	134	68.4	32	(32)	16.3	3	(3)	1.5	13	6.6	14	7.1
Southern	868	624	71.9	115	(114)	13.2	14	(11)	1.6	31	3.6	84	9.7
Western	411	344	83.7	27	(26)	6.6	6	(6)	1.5	14	3.4	20	4.9
SIXTH CIRCUIT	629	394	62.6	129	(127)	20.5	22	(20)	3.5	29	4.6	55	8.7
Kentucky													
Eastern	51	26	51.0	9	(9)	17.6	3	(2)	5.9	8	15.7	5	9.8
Western	42	30	71.4	5	(5)	11.9	1	(1)	2.4	2	4.8	4	9.5
Michigan													
Eastern	61	36	59.0	13	(13)	21.3	2	(2)	3.3	6	9.8	4	6.6
Western	94	60	63.8	20	(20)	21.3	3	(3)	3.2	0	0.0	11	11.7
Ohio													
Northern	69	34	49.3	18	(18)	26.1	6	(6)	8.7	3	4.3	8	11.6
Southern	40	30	75.0	7	(7)	17.5	0	(0)	0.0	0	0.0	3	7.5
Tennessee													
Eastern	107	80	74.8	14	(13)	13.1	3	(3)	2.8	1	0.9	9	8.4
Middle	48	31	64.6	9	(9)	18.8	1	(1)	2.1	3	6.3	4	8.3
Western	117	67	57.3	34	(33)	29.1	3	(2)	2.6	6	5.1	7	6.1
SEVENTH CIRCUIT	557	329	59.1	71	(70)	12.7	10	(9)	1.8	111	19.9	36	6.5
Illinois													
Central	53	28	52.8	5	(5)	9.4	1	(1)	1.9	17	32.1	2	3.8
Northern	232	133	57.3	43	(42)	18.5	3	(3)	1.3	36	15.5	17	7.3
Southern	39	25	64.1	4	(4)	10.3	1	(1)	2.6	9	23.1	0	0.0
Indiana													
Northern	54	30	55.6	2	(2)	3.7	1	(1)	1.9	14	25.9	7	13.0
Southern	47	28	59.6	3	(3)	6.4	0	(0)	0.0	16	34.0	0	0.0
Wisconsin													
Eastern	62	33	53.2	7	(7)	11.3	2	(1)	3.2	13	21.0	7	11.3
Western	70	52	74.3	7	(7)	10.0	2	(2)	2.9	6	8.6	3	4.3
EIGHTH CIRCUIT	584	489	83.7	33	(32)	5.7	12	(12)	2.1	21	3.6	29	5.0
Arkansas													
Eastern	32	29	90.6	2	(2)	6.3	0	(0)	0.0	0	0.0	1	3.1
Western	23	21	91.3	0	(0)	0.0	1	(1)	4.3	1	4.3	0	0.0
Iowa													
Northern	69	61	88.4	3	(3)	4.3	2	(2)	2.9	1	1.4	2	2.9
Southern	54	49	90.7	3	(3)	5.6	0	(0)	0.0	0	0.0	2	3.7
Minnesota	74	65	87.8	4	(4)	5.4	1	(1)	1.4	0	0.0	4	5.4
Missouri													
Eastern	71	53	74.6	6	(6)	8.5	1	(1)	1.4	7	9.9	4	5.6
Western	108	80	74.1	8	(8)	7.4	3	(3)	2.8	8	7.4	9	8.3
Nebraska	102	86	84.3	6	(5)	5.9	4	(4)	3.9	1	1.0	5	4.9
North Dakota	13	9	69.2	1	(1)	7.7	0	(0)	0.0	1	7.7	2	15.4
South Dakota	38	36	94.7	0	(0)	0.0	0	(0)	0.0	2	5.3	0	0.0

Table 56 (cont.)

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²		AFFIRMED AND REVERSED ²		DISMISSED		REMANDED			
		n	%	n	%	n	%	n	%	n	%		
NINTH CIRCUIT	1,335	716	53.6	129	(123)	9.7	54	(50)	4.0	141	10.6	295	22.1
Alaska	28	15	53.6	3	(2)	10.7	2	(2)	7.1	2	7.1	6	21.4
Arizona	170	67	39.4	15	(13)	8.8	2	(1)	1.2	52	30.6	34	20.0
California													
Central	308	146	47.4	43	(41)	14.0	16	(14)	5.2	31	10.1	72	23.4
Eastern	62	29	46.8	7	(7)	11.3	3	(3)	4.8	5	8.1	18	29.0
Northern	49	27	55.1	3	(3)	6.1	2	(1)	4.1	7	14.3	10	20.4
Southern	166	108	65.1	13	(12)	7.8	8	(8)	4.8	7	4.2	30	18.1
Guam	6	5	83.3	1	(1)	16.7	0	(0)	0.0	0	0.0	0	0.0
Hawaii	44	22	50.0	1	(1)	2.3	4	(4)	9.1	7	15.9	10	22.7
Idaho	37	11	29.7	4	(4)	10.8	3	(3)	8.1	2	5.4	17	46.0
Montana	143	94	65.7	10	(10)	7.0	7	(7)	4.9	2	1.4	30	21.0
Nevada	99	52	52.5	9	(9)	9.1	1	(1)	1.0	14	14.1	23	23.2
Northern Mariana Islands	4	2	50.0	0	(0)	0.0	0	(0)	0.0	0	0.0	2	50.0
Oregon	55	33	60.0	5	(5)	9.1	0	(0)	0.0	5	9.1	12	21.8
Washington													
Eastern	105	75	71.4	8	(8)	7.6	4	(4)	3.8	2	1.9	16	15.2
Western	59	30	50.8	7	(7)	11.9	2	(2)	3.4	5	8.5	15	25.4
TENTH CIRCUIT	500	291	58.2	33	(27)	6.6	9	(9)	1.8	139	27.8	28	5.6
Colorado	75	46	61.3	3	(2)	4.0	2	(2)	2.7	22	29.3	2	2.7
Kansas	82	39	47.6	6	(5)	7.3	0	(0)	0.0	33	40.2	4	4.9
New Mexico	112	59	52.7	10	(9)	8.9	6	(6)	5.4	30	26.8	7	6.2
Oklahoma													
Eastern	28	12	42.9	3	(2)	10.7	0	(0)	0.0	8	28.6	5	17.9
Northern	37	27	73.0	4	(3)	10.8	0	(0)	0.0	5	13.5	1	2.7
Western	70	46	65.7	4	(3)	5.7	1	(1)	1.4	15	21.4	4	5.7
Utah	65	41	63.1	3	(3)	4.6	0	(0)	0.0	17	26.2	4	6.2
Wyoming	31	21	67.7	0	(0)	0.0	0	(0)	0.0	9	29.0	1	3.2
ELEVENTH CIRCUIT	952	810	85.1	78	(76)	8.2	37	(33)	3.9	5	0.5	22	2.3
Alabama													
Middle	17	14	82.4	2	(2)	11.8	0	(0)	0.0	1	5.9	0	0.0
Northern	23	18	78.3	1	(1)	4.3	3	(3)	13.0	1	4.3	0	0.0
Southern	37	31	83.8	5	(5)	13.5	0	(0)	0.0	0	0.0	1	2.7
Florida													
Middle	331	291	87.9	19	(19)	5.7	12	(11)	3.6	0	0.0	9	2.7
Northern	68	55	80.9	5	(5)	7.4	5	(4)	7.4	0	0.0	3	4.4
Southern	286	241	84.3	29	(27)	10.1	7	(7)	2.4	2	0.7	7	2.4
Georgia													
Middle	29	23	79.3	3	(3)	10.3	1	(1)	3.4	1	3.4	1	3.6
Northern	121	99	81.8	13	(13)	10.7	8	(6)	6.6	0	0.0	1	0.8
Southern	40	38	95.0	1	(1)	2.5	1	(1)	2.5	0	0.0	0	0.0

¹Of the 10,052 appeals cases, 1,625 were excluded because the type of appeal was “conviction only.” Of the 8,427 remaining cases, 144 were excluded due to missing type of appeal. Of the 8,283 cases, 138 were excluded as the appeal was by the Government only. Of the remaining 8,145 cases, none were excluded due to missing district information or missing disposition of the appeal. Descriptions of variables used in this table are provided in Appendix A.

²This category (in parentheses) includes cases that were remanded for sentencing purposes.