

**Table 56A**

**DISPOSITION OF GOVERNMENT SENTENCING APPEALS IN EACH CIRCUIT AND DISTRICT<sup>1</sup>  
Fiscal Year 2007**

CIRCUIT District	TOTAL	AFFIRMED		REVERSED <sup>2</sup>		AFFIRMED AND REVERSED <sup>2</sup>		DISMISSED		REMANDED			
		n	%	n	%	n	%	n	%	n	%		
<b>TOTAL</b>	<b>177</b>	<b>41</b>	<b>23.2</b>	<b>119</b>	<b>(117)</b>	<b>67.2</b>	<b>15</b>	<b>(15)</b>	<b>8.5</b>	<b>2</b>	<b>1.1</b>	<b>0</b>	<b>0.0</b>
<b>D.C. CIRCUIT</b>	<b>2</b>	<b>0</b>	<b>0.0</b>	<b>2</b>	<b>(2)</b>	<b>100.0</b>	<b>0</b>	<b>(0)</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
District of Columbia	2	0	0.0	2	(2)	100.0	0	(0)	0.0	0	0.0	0	0.0
<b>FIRST CIRCUIT</b>	<b>6</b>	<b>1</b>	<b>16.7</b>	<b>4</b>	<b>(4)</b>	<b>66.7</b>	<b>1</b>	<b>(1)</b>	<b>16.7</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Maine	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Massachusetts	6	1	16.7	4	(4)	66.7	1	(1)	16.7	0	0.0	0	0.0
New Hampshire	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Puerto Rico	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Rhode Island	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
<b>SECOND CIRCUIT</b>	<b>10</b>	<b>3</b>	<b>30.0</b>	<b>6</b>	<b>(6)</b>	<b>60.0</b>	<b>1</b>	<b>(1)</b>	<b>10.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Connecticut	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
New York													
Eastern	2	1	50.0	0	(0)	0.0	1	(1)	50.0	0	0.0	0	0.0
Northern	2	1	50.0	1	(1)	50.0	0	(0)	0.0	0	0.0	0	0.0
Southern	3	1	33.3	2	(2)	66.7	0	(0)	0.0	0	0.0	0	0.0
Western	2	0	0.0	2	(2)	100.0	0	(0)	0.0	0	0.0	0	0.0
Vermont	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
<b>THIRD CIRCUIT</b>	<b>10</b>	<b>0</b>	<b>0.0</b>	<b>9</b>	<b>(9)</b>	<b>90.0</b>	<b>1</b>	<b>(1)</b>	<b>10.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Delaware	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
New Jersey	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Pennsylvania													
Eastern	7	0	0.0	6	(6)	85.7	1	(1)	14.3	0	0.0	0	0.0
Middle	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
Western	2	0	0.0	2	(2)	100.0	0	(0)	0.0	0	0.0	0	0.0
Virgin Islands	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>20</b>	<b>4</b>	<b>20.0</b>	<b>13</b>	<b>(12)</b>	<b>65.0</b>	<b>3</b>	<b>(3)</b>	<b>15.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Maryland	4	2	50.0	1	(1)	25.0	1	(1)	25.0	0	0.0	0	0.0
North Carolina													
Eastern	4	0	0.0	4	(4)	100.0	0	(0)	0.0	0	0.0	0	0.0
Middle	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Western	1	0	0.0	1	(0)	100.0	0	(0)	0.0	0	0.0	0	0.0
South Carolina	4	1	25.0	3	(3)	75.0	0	(0)	0.0	0	0.0	0	0.0
Virginia													
Eastern	6	1	16.7	3	(3)	50.0	2	(2)	33.3	0	0.0	0	0.0
Western	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
West Virginia													
Northern	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0

**Table 56A (cont.)**

CIRCUIT District	AFFIRMED		REVERSED <sup>2</sup>		AFFIRMED AND REVERSED <sup>2</sup>		DISMISSED		REMANDED				
	n	%	n	%	n	%	n	%	n	%			
<b>FIFTH CIRCUIT</b>	<b>12</b>	<b>2</b>	<b>16.7</b>	<b>10</b>	<b>(10)</b>	<b>83.3</b>	<b>0</b>	<b>(0)</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Louisiana													
Eastern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Middle	2	1	50.0	1	(1)	50.0	0	(0)	0.0	0	0.0	0	0.0
Western	2	0	0.0	2	(2)	100.0	0	(0)	0.0	0	0.0	0	0.0
Mississippi													
Northern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Southern	2	0	0.0	2	(2)	100.0	0	(0)	0.0	0	0.0	0	0.0
Texas													
Eastern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Northern	3	0	0.0	3	(3)	100.0	0	(0)	0.0	0	0.0	0	0.0
Southern	2	1	50.0	1	(1)	50.0	0	(0)	0.0	0	0.0	0	0.0
Western	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
<b>SIXTH CIRCUIT</b>	<b>31</b>	<b>14</b>	<b>45.2</b>	<b>15</b>	<b>(15)</b>	<b>48.4</b>	<b>2</b>	<b>(2)</b>	<b>6.5</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Kentucky													
Eastern	2	1	50.0	1	(1)	50.0	0	(0)	0.0	0	0.0	0	0.0
Western	3	2	66.7	1	(1)	33.3	0	(0)	0.0	0	0.0	0	0.0
Michigan													
Eastern	9	4	44.4	5	(5)	55.6	0	(0)	0.0	0	0.0	0	0.0
Western	1	1	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Ohio													
Northern	7	1	14.3	5	(5)	71.4	1	(1)	14.3	0	0.0	0	0.0
Southern	3	1	33.3	2	(2)	66.7	0	(0)	0.0	0	0.0	0	0.0
Tennessee													
Eastern	2	2	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Middle	2	1	50.0	1	(1)	50.0	0	(0)	0.0	0	0.0	0	0.0
Western	2	1	50.0	0	(0)	0.0	1	(1)	50.0	0	0.0	0	0.0
<b>SEVENTH CIRCUIT</b>	<b>9</b>	<b>3</b>	<b>33.3</b>	<b>6</b>	<b>(6)</b>	<b>66.7</b>	<b>0</b>	<b>(0)</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Illinois													
Central	1	1	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Northern	5	1	20.0	4	(4)	80.0	0	(0)	0.0	0	0.0	0	0.0
Southern	2	0	0.0	2	(2)	100.0	0	(0)	0.0	0	0.0	0	0.0
Indiana													
Northern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Wisconsin													
Eastern	1	1	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>46</b>	<b>6</b>	<b>13.0</b>	<b>34</b>	<b>(33)</b>	<b>73.9</b>	<b>5</b>	<b>(5)</b>	<b>10.9</b>	<b>1</b>	<b>2.2</b>	<b>0</b>	<b>0.0</b>
Arkansas													
Eastern	2	0	0.0	1	(1)	50.0	1	(1)	50.0	0	0.0	0	0.0
Western	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
Iowa													
Northern	15	2	13.3	10	(10)	66.7	2	(2)	13.3	1	6.7	0	0.0
Southern	5	1	20.0	4	(4)	80.0	0	(0)	0.0	0	0.0	0	0.0
Minnesota	6	1	16.7	5	(5)	83.3	0	(0)	0.0	0	0.0	0	0.0
Missouri													
Eastern	5	0	0.0	5	(5)	100.0	0	(0)	0.0	0	0.0	0	0.0
Western	9	1	11.1	6	(5)	66.7	2	(2)	22.2	0	0.0	0	0.0
Nebraska	3	1	33.3	2	(2)	66.7	0	(0)	0.0	0	0.0	0	0.0
North Dakota	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
South Dakota	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0

**Table 56A (cont.)**

CIRCUIT District	AFFIRMED		REVERSED <sup>2</sup>		AFFIRMED AND REVERSED <sup>2</sup>		DISMISSED		REMANDED				
	n	%	n	%	n	%	n	%	n	%			
<b>NINTH CIRCUIT</b>	<b>11</b>	<b>5</b>	<b>45.5</b>	<b>5</b>	<b>(5)</b>	<b>45.5</b>	<b>1</b>	<b>(1)</b>	<b>9.1</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Alaska	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Arizona	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
California													
Central	2	0	0.0	1	(1)	50.0	1	(1)	50.0	0	0.0	0	0.0
Eastern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Guam	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Hawaii	1	1	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Idaho	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Montana	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
Nevada	2	1	50.0	1	(1)	50.0	0	(0)	0.0	0	0.0	0	0.0
Northern Mariana Islands	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Oregon	3	2	66.7	1	(1)	33.3	0	(0)	0.0	0	0.0	0	0.0
Washington													
Eastern	1	1	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Western	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
<b>TENTH CIRCUIT</b>	<b>5</b>	<b>0</b>	<b>0.0</b>	<b>5</b>	<b>(5)</b>	<b>100.0</b>	<b>0</b>	<b>(0)</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Colorado	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
Kansas	3	0	0.0	3	(3)	100.0	0	(0)	0.0	0	0.0	0	0.0
New Mexico	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
Oklahoma													
Eastern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Utah	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Wyoming	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>15</b>	<b>3</b>	<b>20.0</b>	<b>10</b>	<b>(10)</b>	<b>66.7</b>	<b>1</b>	<b>(1)</b>	<b>6.7</b>	<b>1</b>	<b>6.7</b>	<b>0</b>	<b>0.0</b>
Alabama													
Middle	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Northern	7	1	14.3	5	(5)	71.4	1	(1)	14.3	0	0.0	0	0.0
Southern	2	1	50.0	1	(1)	50.0	0	(0)	0.0	0	0.0	0	0.0
Florida													
Middle	5	1	20.0	3	(3)	60.0	0	(0)	0.0	1	20.0	0	0.0
Northern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Southern	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
Georgia													
Middle	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0

<sup>1</sup>Of the 8,530 appeals cases, 1,884 were excluded because the type of appeal was “conviction only.” Of the 6,646 remaining cases, seven were excluded due to missing information on type of appeal. Of the 6,639 cases, 6,462 were excluded as the appeal was by the defendant only. Descriptions of variables used in this table are provided in Appendix A.

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

SOURCE: U.S. Sentencing Commission, 2007 Appeals Datafile, APPFY07.