

**Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit
During the Twelve-Month Period Ended September 30, 1998**

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	Percent Reversed ²
ALL CIRCUITS	52,002	47.9	24,910	19,414	1,903	2,558	608	427	10.4
CRIMINAL	10,105	67.6	6,830	5,838	359	445	118	70	6.5
U.S. PRISONER PETITIONS	5,663	28.6	1,618	1,257	122	166	52	21	10.3
OTHER U.S. CIVIL	3,893	59.3	2,309	1,896	84	255	44	30	11.0
PRIV. PRISONER PETITIONS	11,214	29.8	3,338	2,408	537	249	94	50	7.5
OTHER PRIVATE CIVIL	15,441	51.9	8,009	6,215	277	1,221	171	125	15.2
BANKRUPTCY	1,187	48.0	570	449	20	82	13	6	14.4
ADMINISTRATIVE APPEALS	3,721	44.6	1,661	839	471	110	116	125	6.6
ORIGINAL PROCEEDINGS	778	73.9	575	512	33	30	-	-	-
DISTRICT OF COLUMBIA	1,590	39.8	633	490	29	72	28	14	11.5
CRIMINAL	166	60.2	100	74	3	12	8	3	12.0
U.S. PRISONER PETITIONS	125	44.8	56	46	2	3	4	1	5.4
OTHER U.S. CIVIL	301	53.5	161	126	2	25	6	2	15.5
PRIV. PRISONER PETITIONS	58	48.3	28	19	1	4	3	1	14.3
OTHER PRIVATE CIVIL	187	55.6	104	91	2	8	2	1	7.7
BANKRUPTCY	7	57.1	4	4	-	-	-	-	-
ADMINISTRATIVE APPEALS	713	22.2	158	111	18	18	5	6	11.4
ORIGINAL PROCEEDINGS	33	66.7	22	19	1	2	-	-	-
FIRST CIRCUIT	1,430	51.7	740	623	6	36	53	22	5.1
CRIMINAL	377	56.2	212	197	-	5	8	2	2.4
U.S. PRISONER PETITIONS	129	20.9	27	20	-	-	3	4	-
OTHER U.S. CIVIL	113	62.8	71	62	1	4	4	-	5.6
PRIV. PRISONER PETITIONS	109	29.4	32	29	-	1	2	-	3.1
OTHER PRIVATE CIVIL	561	57.8	324	260	3	24	32	5	7.4
BANKRUPTCY	31	54.8	17	13	-	-	2	2	-
ADMINISTRATIVE APPEALS	67	40.3	27	12	2	2	2	9	7.4
ORIGINAL PROCEEDINGS	43	69.8	30	30	-	-	-	-	-
SECOND CIRCUIT	4,289	40.1	1,721	1,203	199	40	75	204	2.3
CRIMINAL	746	54.7	408	336	18	6	10	38	1.5
U.S. PRISONER PETITIONS	301	30.6	92	65	19	-	3	5	-
OTHER U.S. CIVIL	318	49.4	157	104	23	8	5	17	5.1
PRIV. PRISONER PETITIONS	745	30.2	225	100	61	6	23	35	2.7
OTHER PRIVATE CIVIL	1,599	43.0	688	496	60	17	28	87	2.5
BANKRUPTCY	86	33.7	29	20	2	2	2	3	6.9
ADMINISTRATIVE APPEALS	455	19.3	88	49	16	-	4	19	-
ORIGINAL PROCEEDINGS	39	87.2	34	33	-	1	-	-	-

Table B-5. (September 30, 1998—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	3,231	53.9	1,740	1,353	147	162	64	14	9.7
CRIMINAL	531	79.5	422	351	19	33	12	7	7.8
U.S. PRISONER PETITIONS	359	32.9	118	77	17	14	9	1	11.9
OTHER U.S. CIVIL	227	57.7	131	110	6	9	6	-	6.9
PRIV. PRISONER PETITIONS	614	36.8	226	153	43	18	9	3	8.0
OTHER PRIVATE CIVIL	1,159	54.4	631	483	51	71	23	3	11.3
BANKRUPTCY	87	51.7	45	36	3	3	3	-	6.7
ADMINISTRATIVE APPEALS	173	54.3	94	75	4	13	2	-	13.8
ORIGINAL PROCEEDINGS	81	90.1	73	68	4	1	-	-	-
FOURTH CIRCUIT	5,233	49.1	2,569	2,236	117	187	24	5	7.3
CRIMINAL	1,100	63.8	702	654	18	28	2	-	4.0
U.S. PRISONER PETITIONS	892	30.4	271	213	11	42	3	2	15.5
OTHER U.S. CIVIL	343	62.4	214	196	4	11	3	-	5.1
PRIV. PRISONER PETITIONS	1,201	31.0	372	300	54	16	1	1	4.3
OTHER PRIVATE CIVIL	1,248	57.1	713	625	16	64	7	1	9.0
BANKRUPTCY	107	54.2	58	50	1	7	-	-	12.1
ADMINISTRATIVE APPEALS	307	67.8	208	172	10	17	8	1	8.2
ORIGINAL PROCEEDINGS	35	88.6	31	26	3	2	-	-	-
FIFTH CIRCUIT	7,774	45.7	3,552	2,388	431	687	44	2	19.6
CRIMINAL	1,436	70.8	1,017	817	144	51	5	-	5.0
U.S. PRISONER PETITIONS	804	27.4	220	160	29	25	6	-	11.4
OTHER U.S. CIVIL	391	59.8	234	184	7	38	5	-	16.2
PRIV. PRISONER PETITIONS	2,621	23.0	604	338	199	60	7	-	9.9
OTHER PRIVATE CIVIL	1,970	60.9	1,199	676	43	470	8	2	39.2
BANKRUPTCY	160	48.1	77	56	1	19	1	-	24.7
ADMINISTRATIVE APPEALS	289	34.6	100	69	4	15	12	-	15.0
ORIGINAL PROCEEDINGS	103	98.1	101	88	4	9	-	-	-
SIXTH CIRCUIT	4,330	44.9	1,943	1,692	24	217	9	1	11.2
CRIMINAL	741	67.2	498	441	4	51	2	-	10.2
U.S. PRISONER PETITIONS	487	24.6	120	105	2	13	-	-	10.8
OTHER U.S. CIVIL	305	56.1	171	151	3	17	-	-	9.9
PRIV. PRISONER PETITIONS	1,024	28.3	290	264	3	22	1	-	7.6
OTHER PRIVATE CIVIL	1,424	47.7	679	587	3	83	6	-	12.2
BANKRUPTCY	94	43.6	41	30	1	10	-	-	24.4
ADMINISTRATIVE APPEALS	208	51.9	108	89	-	18	-	1	16.7
ORIGINAL PROCEEDINGS	47	76.6	36	25	8	3	-	-	-

Table B-5. (September 30, 1998—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	3,261	43.4	1,415	1,112	43	184	36	40	13.1
CRIMINAL	579	62.3	361	277	42	28	5	9	7.8
U.S. PRISONER PETITIONS	485	21.9	106	87	-	16	1	2	15.1
OTHER U.S. CIVIL	187	57.8	108	85	-	17	1	5	15.7
PRIV. PRISONER PETITIONS	647	24.4	158	129	-	21	5	3	13.3
OTHER PRIVATE CIVIL	1,106	48.8	540	421	1	87	17	14	16.1
BANKRUPTCY	65	50.8	33	25	-	7	1	-	21.2
ADMINISTRATIVE APPEALS	156	49.4	77	59	-	5	6	7	6.5
ORIGINAL PROCEEDINGS	36	88.9	32	29	-	3	-	-	-
EIGHTH CIRCUIT	3,397	54.6	1,856	1,569	73	179	22	13	9.7
CRIMINAL	651	66.7	434	377	11	39	5	2	9.0
U.S. PRISONER PETITIONS	374	24.6	92	64	8	14	5	1	15.2
OTHER U.S. CIVIL	315	70.5	222	188	8	25	1	-	11.3
PRIV. PRISONER PETITIONS	775	40.9	317	275	22	15	2	3	4.7
OTHER PRIVATE CIVIL	1,086	62.5	679	573	19	78	7	2	11.5
BANKRUPTCY	62	64.5	40	33	2	5	-	-	12.5
ADMINISTRATIVE APPEALS	105	42.9	45	36	-	2	2	5	4.4
ORIGINAL PROCEEDINGS	29	93.1	27	23	3	1	-	-	-
NINTH CIRCUIT	8,425	51.5	4,337	3,150	589	309	193	96	7.3
CRIMINAL	1,424	69.9	995	821	72	53	43	6	5.3
U.S. PRISONER PETITIONS	692	29.8	206	177	5	10	12	2	4.9
OTHER U.S. CIVIL	759	60.3	458	384	17	45	7	5	9.8
PRIV. PRISONER PETITIONS	1,668	34.7	579	476	26	43	30	4	7.4
OTHER PRIVATE CIVIL	2,432	48.1	1,170	970	47	125	25	3	10.7
BANKRUPTCY	300	50.0	150	123	7	16	3	1	10.7
ADMINISTRATIVE APPEALS	1,004	63.9	642	71	410	13	73	75	2.0
ORIGINAL PROCEEDINGS	146	93.8	137	128	5	4	-	-	-
TENTH CIRCUIT	2,614	60.3	1,576	1,261	93	179	36	7	11.4
CRIMINAL	567	80.4	456	396	12	37	10	1	8.1
U.S. PRISONER PETITIONS	305	50.5	154	115	17	15	5	2	9.7
OTHER U.S. CIVIL	278	70.9	197	152	5	38	2	-	19.3
PRIV. PRISONER PETITIONS	493	44.6	220	155	44	13	8	-	5.9
OTHER PRIVATE CIVIL	798	56.0	447	355	11	67	10	4	15.0
BANKRUPTCY	56	44.6	25	21	-	4	-	-	16.0
ADMINISTRATIVE APPEALS	80	51.3	41	35	3	2	1	-	4.9
ORIGINAL PROCEEDINGS	37	97.3	36	32	1	3	-	-	-

Table B-5. (September 30, 1998—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	6,428	44.0	2,828	2,337	152	306	24	9	10.8
CRIMINAL	1,787	68.6	1,225	1,097	16	102	8	2	8.3
U.S. PRISONER PETITIONS	710	22.0	156	128	12	14	1	1	9.0
OTHER U.S. CIVIL	356	52.0	185	154	8	18	4	1	9.7
PRIV. PRISONER PETITIONS	1,259	22.8	287	170	84	30	3	-	10.5
OTHER PRIVATE CIVIL	1,871	44.6	835	678	21	127	6	3	15.2
BANKRUPTCY	132	38.6	51	38	3	9	1	-	17.6
ADMINISTRATIVE APPEALS	164	44.5	73	61	4	5	1	2	6.8
ORIGINAL PROCEEDINGS	149	10.7	16	11	4	1	-	-	-

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.