

**Table B-7.**

**U.S. Courts of Appeals—Nature of Suit or Offense in Cases Arising From the U.S. District Courts, by Circuit During the Twelve-Month Period Ended September 30, 1998**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>TOTAL CASES</b>	<b>48,057</b>	<b>1,012</b>	<b>1,270</b>	<b>4,214</b>	<b>3,229</b>	<b>4,471</b>	<b>7,542</b>	<b>4,405</b>	<b>3,083</b>	<b>3,158</b>	<b>7,303</b>	<b>2,398</b>	<b>5,972</b>
<b>TOTAL CRIMINAL CASES</b>	<b>10,535</b>	<b>137</b>	<b>388</b>	<b>826</b>	<b>569</b>	<b>968</b>	<b>1,559</b>	<b>929</b>	<b>595</b>	<b>649</b>	<b>1,674</b>	<b>513</b>	<b>1,728</b>
<b>TOTAL CIVIL CASES</b>	<b>37,522</b>	<b>875</b>	<b>882</b>	<b>3,388</b>	<b>2,660</b>	<b>3,503</b>	<b>5,983</b>	<b>3,476</b>	<b>2,488</b>	<b>2,509</b>	<b>5,629</b>	<b>1,885</b>	<b>4,244</b>
<b>U.S. CASES</b>													
<b>TOTAL</b>	<b>9,816</b>	<b>612</b>	<b>242</b>	<b>692</b>	<b>680</b>	<b>1,135</b>	<b>1,256</b>	<b>851</b>	<b>629</b>	<b>655</b>	<b>1,392</b>	<b>566</b>	<b>1,106</b>
<b>U.S. PLAINTIFF</b>	<b>638</b>	<b>5</b>	<b>15</b>	<b>86</b>	<b>49</b>	<b>49</b>	<b>81</b>	<b>62</b>	<b>27</b>	<b>57</b>	<b>90</b>	<b>36</b>	<b>81</b>
NEGOTIABLE INSTRUMENTS	6	-	1	-	-	-	3	-	-	1	-	1	-
OTHER CONTRACT ACTIONS	44	-	2	6	-	6	1	4	1	7	4	4	9
CONDEMNATION OF LAND	9	-	-	-	-	4	3	-	-	-	1	-	1
OTHER REAL PROPERTY	34	-	2	3	2	1	4	-	1	7	8	3	3
TORT ACTIONS	8	-	-	-	1	-	-	-	1	-	1	1	4
CIVIL RIGHTS:													
EMPLOYMENT	55	-	1	6	2	1	4	16	6	3	3	8	5
OTHER CIVIL RIGHTS	43	-	-	8	-	5	3	1	2	11	5	3	5
FORFEITURE AND PENALTY	119	-	7	9	9	16	23	15	2	4	15	2	17
FAIR LABOR STAND. ACT	10	-	-	1	3	-	2	2	-	1	1	-	-
OTHER LABOR	15	-	-	2	4	1	-	2	1	1	3	1	-
SECUR., COMMOD., & EXCHG.	40	-	-	11	6	-	1	-	2	2	8	-	10
TAX SUITS	62	-	-	5	4	2	9	4	6	3	17	4	8
ALL OTHER	193	5	2	35	18	13	28	18	5	17	24	9	19
<b>U.S. DEFENDANT</b>	<b>9,178</b>	<b>607</b>	<b>227</b>	<b>606</b>	<b>631</b>	<b>1,086</b>	<b>1,175</b>	<b>789</b>	<b>602</b>	<b>598</b>	<b>1,302</b>	<b>530</b>	<b>1,025</b>
CONTRACT ACTIONS	107	28	6	7	3	5	9	6	5	7	13	7	11
REAL PROPERTY ACTIONS	74	1	2	2	3	3	8	5	4	7	33	3	3
TORT ACTIONS	293	16	11	14	23	30	37	13	11	11	73	11	43
CIVIL RIGHTS:													
EMPLOYMENT	443	52	7	28	18	50	49	60	14	22	59	24	60
OTHER CIVIL RIGHTS	520	61	11	45	34	50	54	40	37	22	93	29	44

**Table B-7. (September 30, 1998—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>U.S. DEFENDANT (Continued)</b>													
PRISONER PETITIONS:													
MOTIONS TO VACATE SEN.	4,066	36	108	301	277	560	643	403	284	288	481	156	529
HABEAS CORPUS	675	11	11	19	88	19	109	63	67	41	81	58	108
HABEAS CORPUS—DEATH	2	-	-	-	-	-	1	-	1	-	-	-	-
PRISONER CIVIL RIGHTS	302	42	6	28	27	6	52	27	1	9	26	49	29
PRISON CONDITION <sup>1</sup>	152	1	-	1	10	37	24	6	40	1	3	1	28
OTHER PRIS. PETITIONS	327	7	2	10	5	195	6	1	42	7	25	24	3
LABOR SUITS	57	8	2	4	7	5	3	4	5	2	9	5	3
SOCIAL SECURITY LAWS	862	1	23	64	68	60	90	80	39	110	123	107	97
TAX SUITS	276	8	12	29	17	19	23	30	11	25	76	11	15
ENVIRONMENTAL MATTERS	113	12	7	4	9	4	14	4	5	4	35	12	3
FREEDOM OF INFOR. ACT	109	64	-	4	3	5	4	1	2	1	12	6	7
ALL OTHER	800	259	19	46	39	38	49	46	34	41	160	27	42
<b>PRIVATE CASES</b>													
<b>TOTAL</b>	<b>27,706</b>	<b>263</b>	<b>640</b>	<b>2,696</b>	<b>1,980</b>	<b>2,368</b>	<b>4,727</b>	<b>2,625</b>	<b>1,859</b>	<b>1,854</b>	<b>4,237</b>	<b>1,319</b>	<b>3,138</b>
<b>FEDERAL QUESTION</b>	<b>24,250</b>	<b>217</b>	<b>489</b>	<b>2,289</b>	<b>1,641</b>	<b>2,015</b>	<b>4,199</b>	<b>2,311</b>	<b>1,712</b>	<b>1,624</b>	<b>3,859</b>	<b>1,125</b>	<b>2,769</b>
MARINE CONTRACT	131	-	6	14	5	7	44	1	1	-	20	-	33
OTHER CONTRACT ACTIONS	475	14	16	55	25	26	59	25	18	25	129	42	41
EMPLOYERS LIABILITY ACT	45	2	-	3	7	5	1	7	4	5	4	4	3
MARINE INJURY	132	1	5	9	4	10	56	4	4	3	26	-	10
OTHER TORT ACTIONS	489	7	9	33	18	31	56	34	103	19	94	25	60
ANTITRUST	169	2	6	22	23	5	31	8	8	21	24	3	16
CIVIL RIGHTS:													
EMPLOYMENT	3,345	46	82	336	213	282	401	308	292	253	357	237	538
OTHER CIVIL RIGHTS	4,060	45	145	426	375	237	380	475	272	289	667	189	560
PRISONER PETITIONS:													
HABEAS CORPUS	5,878	9	40	552	341	528	1,375	549	315	436	827	332	574
HABEAS CORPUS—DEATH	176	-	-	-	11	31	48	8	9	15	40	1	13
PRISONER CIVIL RIGHTS	3,814	47	44	355	234	7	1,191	450	5	264	770	179	268
PRISON CONDITION <sup>1</sup>	1,937	2	1	14	103	601	212	82	384	87	80	2	369
OTHER PRIS. PETITIONS	92	-	3	3	3	15	19	2	6	14	17	4	6
LABOR MGMT. RELAT. ACT	272	4	6	31	32	22	17	41	36	11	53	6	13
OTHER LABOR	1,031	9	41	95	69	76	117	119	106	60	214	44	81
CPYRGHT., PATENT, & TRDMRK.	491	1	16	104	26	22	34	29	23	15	155	5	61
SECUR., COMMOD., & EXCHG.	177	-	2	42	12	13	16	18	11	11	35	9	8
CONST. OF STATE STATS.	129	-	11	14	6	3	19	12	12	15	30	2	5
ALL OTHER	1,407	28	56	181	134	94	123	139	103	81	317	41	110

**Table B-7. (September 30, 1998—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>PRIVATE CASES (Continued)</b>													
<b>DIVERSITY OF CITIZENSHIP</b>	<b>3,443</b>	<b>46</b>	<b>151</b>	<b>407</b>	<b>326</b>	<b>353</b>	<b>528</b>	<b>314</b>	<b>147</b>	<b>230</b>	<b>378</b>	<b>194</b>	<b>369</b>
INSURANCE	692	4	28	54	64	49	101	63	39	63	106	28	93
OTHER CONTRACT ACTIONS	1,327	21	64	184	119	145	158	117	105	71	159	61	123
REAL PROPERTY ACTIONS	106	-	5	13	15	11	12	13	1	4	14	9	9
PERSONAL INJURY/PROD.													
LIABILITY	318	1	11	39	32	40	62	41	-	25	18	15	34
OTHER PERSONAL INJURY	734	13	40	87	71	90	151	64	1	48	49	62	58
PERSONAL PROP. DAMAGE	244	7	2	26	24	17	41	13	1	19	27	18	49
ALL OTHER	22	-	1	4	1	1	3	3	-	-	5	1	3
<b>GENERAL LOCAL JURISDICTION</b>	<b>13</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>13</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
CONTRACT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS	3	-	-	-	3	-	-	-	-	-	-	-	-
TORT ACTIONS	6	-	-	-	6	-	-	-	-	-	-	-	-
PRISONER PETITIONS	1	-	-	-	1	-	-	-	-	-	-	-	-
ALL OTHER	3	-	-	-	3	-	-	-	-	-	-	-	-
<b>CRIMINAL CASES</b>													
<b>TOTAL</b>	<b>10,535</b>	<b>137</b>	<b>388</b>	<b>826</b>	<b>569</b>	<b>968</b>	<b>1,559</b>	<b>929</b>	<b>595</b>	<b>649</b>	<b>1,674</b>	<b>513</b>	<b>1,728</b>
<b>GENERAL OFFENSES</b>													
<b>HOMICIDE, TOTAL</b>	<b>119</b>	<b>2</b>	<b>3</b>	<b>8</b>	<b>13</b>	<b>23</b>	<b>8</b>	<b>3</b>	<b>3</b>	<b>12</b>	<b>20</b>	<b>17</b>	<b>7</b>
MURDER, FIRST DEGREE	96	2	3	3	13	21	7	3	3	9	15	11	6
OTHER HOMICIDE	23	-	-	5	-	2	1	-	-	3	5	6	1
<b>ROBBERY, TOTAL</b>	<b>307</b>	<b>3</b>	<b>9</b>	<b>9</b>	<b>14</b>	<b>21</b>	<b>23</b>	<b>45</b>	<b>22</b>	<b>11</b>	<b>87</b>	<b>9</b>	<b>54</b>
BANK	294	2	9	8	14	21	23	44	22	11	81	5	54
OTHER ROBBERY	13	1	-	1	-	-	-	1	-	-	6	4	-

**Table B-7. (September 30, 1998—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>GENERAL OFFENSES (Continued)</b>													
ASSAULT	79	-	1	4	7	7	6	4	3	8	24	5	10
BURGLARY	12	-	-	1	-	2	-	-	3	5	-	1	-
<b>LARCENY AND THEFT, TOTAL</b>	<b>269</b>	<b>8</b>	<b>15</b>	<b>19</b>	<b>21</b>	<b>27</b>	<b>37</b>	<b>19</b>	<b>22</b>	<b>11</b>	<b>43</b>	<b>7</b>	<b>40</b>
INTERSTATE COMMERCE TRANSPORTATION, ETC. OF STOLEN PROPERTY	77	-	3	5	1	3	20	9	11	1	4	1	19
POSTAL	67	3	4	9	6	6	7	3	6	4	11	2	6
OTHER LARCENY AND THEFT	43	2	5	3	7	2	2	1	-	2	12	1	6
	82	3	3	2	7	16	8	6	5	4	16	3	9
EMBEZZLEMENT	130	-	7	9	7	10	21	11	13	6	19	3	24
<b>FRAUD, TOTAL</b>	<b>1,273</b>	<b>13</b>	<b>27</b>	<b>153</b>	<b>97</b>	<b>104</b>	<b>157</b>	<b>123</b>	<b>97</b>	<b>71</b>	<b>228</b>	<b>61</b>	<b>142</b>
INCOME TAX	122	1	1	9	13	9	15	18	7	9	26	7	7
POSTAL AND INTERSTATE WIRE, RADIO, ETC.	324	3	9	45	28	29	42	23	35	10	48	13	39
LENDING AND CREDIT	237	2	11	22	14	17	38	29	15	17	38	11	23
FALSE CLAIMS & STATMNTS.	104	2	2	14	4	9	7	9	5	7	27	8	10
OTHER FRAUD	486	5	4	63	38	40	55	44	35	28	89	22	63
AUTOTHEFT	94	-	14	1	3	4	21	12	5	3	7	1	23
FORGERY AND COUNTERFEITING	158	2	3	4	8	13	28	18	5	8	38	6	25
SEX OFFENSES	172	-	7	9	5	12	18	8	7	23	41	24	18
DRUGS	4,845	57	187	316	220	488	736	446	250	329	617	229	970
<b>MISC. GENERAL OFFENSES</b>													
<b>TOTAL</b>	<b>1,541</b>	<b>32</b>	<b>60</b>	<b>166</b>	<b>92</b>	<b>172</b>	<b>163</b>	<b>161</b>	<b>100</b>	<b>101</b>	<b>178</b>	<b>83</b>	<b>233</b>
BRIBERY	30	3	-	3	2	2	5	2	4	2	3	1	3
EXTORTION, RACKETEERING, AND THREATS	163	1	2	26	12	14	15	8	19	2	15	8	41
GAMBLING, LOTTERY	13	-	-	-	-	-	6	5	-	-	-	2	-
KIDNAPPING	63	1	1	11	1	3	3	7	9	8	7	6	6
FIREARMS, WEAPONS	982	21	46	78	49	127	98	119	56	73	116	52	147

**Table B-7. (September 30, 1998—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>MISC. GENERAL OFFENSES (Continued)</b>													
ESCAPE	88	1	-	7	2	6	11	12	7	4	13	6	19
PERJURY	16	1	-	2	3	3	-	1	-	-	2	1	3
DRUNK DRIVING/TRAFFIC	16	-	-	-	-	7	3	-	-	2	1	-	3
OTHER MISCELLANEOUS GENERAL OFFENSES	170	4	11	39	23	10	22	7	5	10	21	7	11
<b>SPECIAL OFFENSES</b>													
<b>IMMIGRATION LAWS</b>	<b>693</b>	<b>2</b>	<b>17</b>	<b>44</b>	<b>14</b>	<b>11</b>	<b>255</b>	<b>14</b>	<b>5</b>	<b>9</b>	<b>238</b>	<b>38</b>	<b>46</b>
<b>FEDERAL STATUTES, TOTAL</b>	<b>843</b>	<b>18</b>	<b>38</b>	<b>83</b>	<b>68</b>	<b>74</b>	<b>86</b>	<b>65</b>	<b>60</b>	<b>52</b>	<b>134</b>	<b>29</b>	<b>136</b>
AGRICULTURAL ACTS	20	-	-	-	1	-	3	3	-	2	9	2	-
ANTITRUST VIOLATIONS	3	-	-	-	2	-	-	-	-	-	1	-	-
NATIONAL DEFENSE LAWS	17	-	-	-	6	3	1	1	-	1	2	-	3
CIVIL RIGHTS	42	-	1	4	12	1	5	5	5	3	6	-	-
WITNESS INTIMIDATION	63	1	4	1	7	3	3	4	2	2	7	2	27
EXPLOSIVES/NONVESSEL	107	-	4	10	8	16	12	4	8	6	19	6	14
OTHER	591	17	29	68	32	51	62	48	45	38	90	19	92

NOTE: TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT. COLLECTION OF DATA FOR THIS CATEGORY BEGAN ON JANUARY 1, 1997.