

Table B-5A.

U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit, During the 12-Month Period Ending September 30, 2007

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 *	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 *	Default	Other
ALL CIRCUITS	62,846	28,820	65	12,412	3,768	572	51	-	6,618	1,403	16,343	7,553	7,284	1,506
CRIMINAL	14,320	3,241	15	871	419	149	9	-	-	294	2,355	1,578	591	186
U.S. PRISONER PETITIONS	5,139	3,738	-	2,585	284	10	8	-	2,181	102	1,153	201	921	31
OTHER U.S. CIVIL	2,835	1,114	7	273	188	31	3	-	-	51	834	437	367	30
PRIV. PRISONER PETITIONS	11,231	8,430	1	5,587	980	20	12	-	4,437	138	2,842	527	2,276	39
OTHER PRIVATE CIVIL	11,962	5,195	38	1,245	789	272	16	-	-	168	3,912	2,513	1,309	90
BANKRUPTCY	830	348	2	69	40	16	2	-	-	11	277	168	94	15
ADMINISTRATIVE APPEALS	12,701	6,059	2	1,560	1,068	74	1	-	-	417	4,497	2,129	1,726	642
ORIGINAL PROCEEDINGS	3,828	695	-	222	-	-	-	-	-	222	473	-	-	473
DISTRICT OF COLUMBIA	1,309	561	-	163	78	15	8	-	11	51	398	229	91	78
CRIMINAL	168	83	-	5	1	1	-	-	-	3	78	65	9	4
U.S. PRISONER PETITIONS	183	101	-	63	21	1	5	-	11	25	38	4	32	2
OTHER U.S. CIVIL	241	77	-	18	10	4	1	-	-	3	59	31	23	5
PRIV. PRISONER PETITIONS	21	13	-	5	3	-	1	-	-	1	8	2	6	-
OTHER PRIVATE CIVIL	195	75	-	27	17	6	-	-	-	4	48	25	19	4
BANKRUPTCY	3	1	-	-	-	-	-	-	-	-	1	1	-	-
ADMINISTRATIVE APPEALS	430	190	-	39	26	3	1	-	-	9	151	101	2	48
ORIGINAL PROCEEDINGS	68	21	-	6	-	-	-	-	-	6	15	-	-	15
FIRST CIRCUIT	1,752	657	-	195	62	6	4	-	91	32	462	337	107	18
CRIMINAL	680	222	-	18	10	4	1	-	-	3	204	172	31	1
U.S. PRISONER PETITIONS	91	62	-	47	2	1	-	-	44	-	15	8	7	-
OTHER U.S. CIVIL	77	21	-	-	-	-	-	-	-	-	21	10	10	1
PRIV. PRISONER PETITIONS	129	83	-	59	9	-	-	-	47	3	24	6	18	-
OTHER PRIVATE CIVIL	462	175	-	34	28	-	2	-	-	4	141	116	23	2
BANKRUPTCY	28	9	-	5	4	-	1	-	-	-	4	4	-	-
ADMINISTRATIVE APPEALS	223	75	-	28	9	1	-	-	-	18	47	21	18	8
ORIGINAL PROCEEDINGS	62	10	-	4	-	-	-	-	-	4	6	-	-	6
SECOND CIRCUIT	7,228	3,978	38	689	-	27	1	-	321	340	3,251	1,503	1,473	275
CRIMINAL	861	382	9	49	-	-	-	-	-	49	324	83	163	78
U.S. PRISONER PETITIONS	278	234	-	104	-	1	-	-	90	13	130	9	118	3
OTHER U.S. CIVIL	220	115	2	12	-	-	-	-	-	12	101	33	62	6
PRIV. PRISONER PETITIONS	763	621	-	267	-	-	-	-	231	36	354	2	340	12
OTHER PRIVATE CIVIL	1,306	668	25	69	-	5	1	-	-	63	574	272	280	22
BANKRUPTCY	65	33	-	1	-	-	-	-	-	1	32	15	11	6
ADMINISTRATIVE APPEALS	3,473	1,871	2	180	-	21	-	-	-	159	1,689	1,089	499	101
ORIGINAL PROCEEDINGS	262	54	-	7	-	-	-	-	-	7	47	-	-	47

Table B-5A. (September 30, 2007—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 *	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 *	Default	Other
THIRD CIRCUIT	4,066	1,770	-	936	295	3	3	-	595	40	834	417	341	76
CRIMINAL	673	117	-	43	28	-	2	-	-	13	74	65	4	5
U.S. PRISONER PETITIONS	394	218	-	156	28	-	-	-	126	2	62	11	47	4
OTHER U.S. CIVIL	213	70	-	21	21	-	-	-	-	-	49	25	17	7
PRIV. PRISONER PETITIONS	868	676	-	553	81	-	-	-	469	3	123	18	100	5
OTHER PRIVATE CIVIL	930	377	-	73	64	2	1	-	-	6	304	231	67	6
BANKRUPTCY	113	39	-	8	4	1	-	-	-	3	31	24	6	1
ADMINISTRATIVE APPEALS	652	244	-	80	69	-	-	-	-	11	164	43	100	21
ORIGINAL PROCEEDINGS	223	29	-	2	-	-	-	-	-	2	27	-	-	27
FOURTH CIRCUIT	4,900	1,916	-	1,118	218	21	2	-	835	42	798	417	340	41
CRIMINAL	1,333	201	-	53	36	3	-	-	-	14	148	140	5	3
U.S. PRISONER PETITIONS	934	609	-	482	44	2	-	-	431	5	127	27	95	5
OTHER U.S. CIVIL	186	42	-	6	4	1	-	-	-	1	36	24	12	-
PRIV. PRISONER PETITIONS	1,017	717	-	484	63	2	1	-	404	14	233	58	173	2
OTHER PRIVATE CIVIL	677	231	-	57	48	4	1	-	-	4	174	142	29	3
BANKRUPTCY	57	20	-	3	3	-	-	-	-	-	17	10	7	-
ADMINISTRATIVE APPEALS	360	71	-	33	20	9	-	-	-	4	38	16	19	3
ORIGINAL PROCEEDINGS	336	25	-	-	-	-	-	-	-	-	25	-	-	25
FIFTH CIRCUIT	9,578	4,448	-	2,020	761	22	4	-	1,129	104	2,428	653	1,563	212
CRIMINAL	3,429	593	-	157	97	7	-	-	-	53	436	236	194	6
U.S. PRISONER PETITIONS	769	614	-	355	49	-	2	-	302	2	259	26	230	3
OTHER U.S. CIVIL	357	183	-	60	55	2	-	-	-	3	123	32	89	2
PRIV. PRISONER PETITIONS	2,139	1,769	-	1,072	239	-	-	-	827	6	697	61	632	4
OTHER PRIVATE CIVIL	1,535	723	-	176	147	9	2	-	-	18	547	243	288	16
BANKRUPTCY	133	63	-	11	8	1	-	-	-	2	52	18	31	3
ADMINISTRATIVE APPEALS	690	334	-	189	166	3	-	-	-	20	145	37	99	9
ORIGINAL PROCEEDINGS	526	169	-	-	-	-	-	-	-	-	169	-	-	169
SIXTH CIRCUIT	4,962	2,011	2	980	346	40	3	-	568	23	1,029	521	363	145
CRIMINAL	1,208	308	-	87	70	10	-	-	-	7	221	143	42	36
U.S. PRISONER PETITIONS	350	248	-	190	29	-	-	-	159	2	58	12	42	4
OTHER U.S. CIVIL	192	60	-	21	15	1	-	-	-	5	39	21	17	1
PRIV. PRISONER PETITIONS	1,011	676	-	528	111	4	1	-	409	3	148	30	107	11
OTHER PRIVATE CIVIL	1,260	498	1	109	83	20	2	-	-	4	388	268	106	14
BANKRUPTCY	57	26	1	3	1	2	-	-	-	-	22	14	7	1
ADMINISTRATIVE APPEALS	438	117	-	41	37	3	-	-	-	1	76	33	42	1
ORIGINAL PROCEEDINGS	446	78	-	1	-	-	-	-	-	1	77	-	-	77

Table B-5A. (September 30, 2007—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 *	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 *	Default	Other
SEVENTH CIRCUIT	3,280	1,638	-	643	152	5	9	-	298	179	995	476	490	29
CRIMINAL	729	147	-	36	21	1	1	-	-	13	111	105	5	1
U.S. PRISONER PETITIONS	406	328	-	184	20	1	1	-	146	16	144	34	108	2
OTHER U.S. CIVIL	136	54	-	6	3	-	1	-	-	2	48	27	19	2
PRIV. PRISONER PETITIONS	644	518	-	219	47	-	1	-	152	19	299	27	270	2
OTHER PRIVATE CIVIL	835	382	-	69	42	2	5	-	-	20	313	241	67	5
BANKRUPTCY	47	20	-	-	-	-	-	-	-	-	20	14	4	2
ADMINISTRATIVE APPEALS	278	84	-	39	19	1	-	-	-	19	45	28	17	-
ORIGINAL PROCEEDINGS	205	105	-	90	-	-	-	-	-	90	15	-	-	15
EIGHTH CIRCUIT	2,988	989	5	617	140	46	10	-	387	34	367	222	122	23
CRIMINAL	912	178	2	60	44	10	1	-	-	5	116	100	11	5
U.S. PRISONER PETITIONS	322	222	-	209	16	1	-	-	189	3	13	3	10	-
OTHER U.S. CIVIL	165	41	1	15	5	1	1	-	-	8	25	12	10	3
PRIV. PRISONER PETITIONS	541	321	-	254	34	7	6	-	198	9	67	13	54	-
OTHER PRIVATE CIVIL	628	159	2	57	38	17	1	-	-	1	100	70	28	2
BANKRUPTCY	32	10	-	1	-	-	1	-	-	-	9	7	2	-
ADMINISTRATIVE APPEALS	160	50	-	16	3	10	-	-	-	3	34	17	7	10
ORIGINAL PROCEEDINGS	228	8	-	5	-	-	-	-	-	5	3	-	-	3
NINTH CIRCUIT	13,600	6,643	-	2,800	1,107	28	5	-	1,311	349	3,843	2,109	1,221	513
CRIMINAL	1,971	515	-	127	28	5	4	-	-	90	388	331	22	35
U.S. PRISONER PETITIONS	433	331	-	276	15	-	-	-	249	12	55	30	23	2
OTHER U.S. CIVIL	631	275	-	66	49	5	-	-	-	12	209	167	39	3
PRIV. PRISONER PETITIONS	2,354	1,757	-	1,314	228	2	1	-	1,062	21	443	240	201	2
OTHER PRIVATE CIVIL	1,960	911	-	178	142	8	-	-	-	28	733	600	121	12
BANKRUPTCY	183	79	-	14	9	1	-	-	-	4	65	47	16	2
ADMINISTRATIVE APPEALS	5,248	2,731	-	800	636	7	-	-	-	157	1,931	694	799	438
ORIGINAL PROCEEDINGS	820	44	-	25	-	-	-	-	-	25	19	-	-	19
TENTH CIRCUIT	2,680	1,038	-	469	86	5	1	-	262	115	569	446	59	64
CRIMINAL	714	124	-	50	13	-	-	-	-	37	74	59	3	12
U.S. PRISONER PETITIONS	260	162	-	119	18	1	-	-	86	14	43	25	14	4
OTHER U.S. CIVIL	183	62	-	14	7	2	-	-	-	5	48	44	4	-
PRIV. PRISONER PETITIONS	478	306	-	225	31	-	1	-	176	17	81	49	31	1
OTHER PRIVATE CIVIL	743	278	-	28	14	2	-	-	-	12	250	240	7	3
BANKRUPTCY	35	14	-	3	2	-	-	-	-	1	11	11	-	-
ADMINISTRATIVE APPEALS	112	28	-	9	1	-	-	-	-	8	19	18	-	1
ORIGINAL PROCEEDINGS	155	64	-	21	-	-	-	-	-	21	43	-	-	43

Table B-5A. (September 30, 2007—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 *	Default	CPC Denial	Cert. Appealability	Other	Total	FRAP 42 *	Default	Other
ELEVENTH CIRCUIT	6,503	3,171	20	1,782	523	354	1	-	810	94	1,369	223	1,114	32
CRIMINAL	1,642	371	4	186	71	108	-	-	-	7	181	79	102	-
U.S. PRISONER PETITIONS	719	609	-	400	42	2	-	-	348	8	209	12	195	2
OTHER U.S. CIVIL	234	114	4	34	19	15	-	-	-	-	76	11	65	-
PRIV. PRISONER PETITIONS	1,266	973	1	607	134	5	-	-	462	6	365	21	344	-
OTHER PRIVATE CIVIL	1,431	718	10	368	166	197	1	-	-	4	340	65	274	1
BANKRUPTCY	77	34	1	20	9	11	-	-	-	-	13	3	10	-
ADMINISTRATIVE APPEALS	637	264	-	106	82	16	-	-	-	8	158	32	124	2
ORIGINAL PROCEEDINGS	497	88	-	61	-	-	-	-	-	61	27	-	-	27

NOTE: TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS. JURIS. DEFECTS = JURISDICTIONAL DEFECTS. CPC = CERTIFICATE OF PROBABLE CAUSE. CERT. APPEALABILITY = CERTIFICATE OF APPEALABILITY. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

* VOLUNTARY DISMISSAL UNDER RULE 42(B), FEDERAL RULES OF APPELLATE PROCEDURE.