

Table B-5A.
U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit,
During the 12-Month Period Ending September 30, 2005

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	61,975	29,822	77	12,409	3,934	643	54	14	5,691	2,073	17,336	8,256	7,680	1,400
CRIMINAL	13,097	3,786	15	1,351	496	190	3	-	-	662	2,420	1,704	489	227
U.S. PRISONER PETITIONS	5,392	3,850	-	2,469	334	14	7	-	2,035	79	1,381	294	1,053	34
OTHER U.S. CIVIL	3,043	1,103	4	231	133	29	4	-	-	65	868	487	362	19
PRIV. PRISONER PETITIONS	10,690	7,631	-	4,672	836	12	13	14	3,656	141	2,959	512	2,376	71
OTHER PRIVATE CIVIL	13,204	5,905	51	1,475	835	341	23	-	-	276	4,379	2,903	1,396	80
BANKRUPTCY	849	389	4	67	36	12	-	-	-	19	318	220	85	13
ADMINISTRATIVE APPEALS	10,960	6,222	3	1,801	1,264	45	4	-	-	488	4,418	2,136	1,919	363
ORIGINAL PROCEEDINGS	4,740	936	-	343	-	-	-	-	-	343	593	-	-	593
DISTRICT OF COLUMBIA	1,158	491	-	129	55	9	9	-	11	45	362	231	85	46
CRIMINAL	125	70	-	6	-	1	-	-	-	5	64	45	3	16
U.S. PRISONER PETITIONS	98	50	-	16	4	1	4	-	7	-	34	7	27	-
OTHER U.S. CIVIL	279	81	-	21	5	2	2	-	-	12	60	41	18	1
PRIV. PRISONER PETITIONS	23	14	-	5	1	-	-	-	4	-	9	3	6	-
OTHER PRIVATE CIVIL	169	74	-	9	6	1	1	-	-	1	65	39	24	2
BANKRUPTCY	6	5	-	4	-	2	-	-	-	2	1	1	-	-
ADMINISTRATIVE APPEALS	370	177	-	64	39	2	2	-	-	21	113	95	7	11
ORIGINAL PROCEEDINGS	88	20	-	4	-	-	-	-	-	4	16	-	-	16
FIRST CIRCUIT	1,888	784	-	263	80	3	8	-	107	65	521	357	146	18
CRIMINAL	639	227	-	49	13	1	-	-	-	35	178	145	30	3
U.S. PRISONER PETITIONS	152	110	-	80	5	-	-	-	70	5	30	10	19	1
OTHER U.S. CIVIL	102	34	-	9	7	-	-	-	-	2	25	18	6	1
PRIV. PRISONER PETITIONS	123	80	-	51	12	-	-	-	37	2	29	14	15	-
OTHER PRIVATE CIVIL	550	231	-	39	25	2	7	-	-	5	192	135	55	2
BANKRUPTCY	23	12	-	2	2	-	-	-	-	-	10	10	-	-
ADMINISTRATIVE APPEALS	204	80	-	30	16	-	1	-	-	13	50	25	21	4
ORIGINAL PROCEEDINGS	95	10	-	3	-	-	-	-	-	3	7	-	-	7
SECOND CIRCUIT	6,501	4,102	56	896	-	12	-	-	356	528	3,150	1,601	1,245	304
CRIMINAL	943	437	11	214	-	-	-	-	-	214	212	77	31	104
U.S. PRISONER PETITIONS	311	240	-	94	-	2	-	-	78	14	146	11	124	11
OTHER U.S. CIVIL	272	147	2	19	-	-	-	-	-	19	126	41	77	8
PRIV. PRISONER PETITIONS	991	751	-	340	-	-	-	-	278	62	411	8	380	23
OTHER PRIVATE CIVIL	1,550	788	37	125	-	7	-	-	-	118	626	328	264	34
BANKRUPTCY	104	63	4	8	-	-	-	-	-	8	51	39	7	5
ADMINISTRATIVE APPEALS	2,005	1,620	2	85	-	3	-	-	-	82	1,533	1,097	362	74
ORIGINAL PROCEEDINGS	325	56	-	11	-	-	-	-	-	11	45	-	-	45

Table B5-A. (September 30, 2005—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	4,268	1,900	-	909	353	1	-	-	474	81	991	447	454	90
CRIMINAL	667	179	-	79	44	-	-	-	-	35	100	86	10	4
U.S. PRISONER PETITIONS	499	283	-	196	41	-	-	-	148	7	87	16	67	4
OTHER U.S. CIVIL	218	67	-	15	14	-	-	-	-	1	52	28	22	2
PRIV. PRISONER PETITIONS	780	572	-	397	68	-	-	-	326	3	175	20	141	14
OTHER PRIVATE CIVIL	1,171	488	-	143	132	-	-	-	-	11	345	228	109	8
BANKRUPTCY	87	34	-	4	-	1	-	-	-	3	30	22	5	3
ADMINISTRATIVE APPEALS	590	245	-	74	54	-	-	-	-	20	171	47	100	24
ORIGINAL PROCEEDINGS	256	32	-	1	-	-	-	-	-	1	31	-	-	31
FOURTH CIRCUIT	4,754	1,971	-	1,070	272	15	1	-	744	38	901	541	319	41
CRIMINAL	952	266	-	66	42	3	-	-	-	21	200	187	10	3
U.S. PRISONER PETITIONS	802	539	-	424	62	1	-	-	359	2	115	38	75	2
OTHER U.S. CIVIL	202	56	-	8	7	-	-	-	-	1	48	26	21	1
PRIV. PRISONER PETITIONS	966	652	-	447	60	-	1	-	385	1	205	62	141	2
OTHER PRIVATE CIVIL	809	269	-	60	48	7	-	-	-	5	209	173	34	2
BANKRUPTCY	67	27	-	4	2	1	-	-	-	1	23	16	7	-
ADMINISTRATIVE APPEALS	424	135	-	61	51	3	-	-	-	7	74	39	31	4
ORIGINAL PROCEEDINGS	532	27	-	-	-	-	-	-	-	-	27	-	-	27
FIFTH CIRCUIT	7,496	3,752	-	1,470	574	29	2	-	679	186	2,282	687	1,332	263
CRIMINAL	2,502	681	-	233	93	8	-	-	-	132	448	244	199	5
U.S. PRISONER PETITIONS	509	406	-	189	41	-	-	-	142	6	217	20	193	4
OTHER U.S. CIVIL	245	97	-	11	6	-	-	-	-	5	86	30	56	-
PRIV. PRISONER PETITIONS	1,670	1,373	-	719	178	1	-	-	537	3	654	76	568	10
OTHER PRIVATE CIVIL	1,335	641	-	141	102	15	2	-	-	22	500	272	218	10
BANKRUPTCY	101	43	-	6	3	1	-	-	-	2	37	24	11	2
ADMINISTRATIVE APPEALS	465	283	-	169	151	4	-	-	-	14	114	21	87	6
ORIGINAL PROCEEDINGS	669	228	-	2	-	-	-	-	-	2	226	-	-	226
SIXTH CIRCUIT	5,232	2,045	-	893	342	38	7	-	460	46	1,152	600	373	179
CRIMINAL	1,142	291	-	75	55	6	-	-	-	14	216	123	47	46
U.S. PRISONER PETITIONS	378	280	-	203	35	2	-	-	164	2	77	32	42	3
OTHER U.S. CIVIL	268	77	-	19	13	3	1	-	-	2	58	30	26	2
PRIV. PRISONER PETITIONS	941	549	-	410	104	-	2	-	296	8	139	21	104	14
OTHER PRIVATE CIVIL	1,534	586	-	139	99	26	4	-	-	10	447	342	95	10
BANKRUPTCY	80	29	-	7	7	-	-	-	-	-	22	11	10	1
ADMINISTRATIVE APPEALS	514	127	-	37	29	1	-	-	-	7	90	41	49	-
ORIGINAL PROCEEDINGS	375	106	-	3	-	-	-	-	-	3	103	-	-	103

Table B5-A. (September 30, 2005—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	3,706	1,992	-	834	174	10	9	-	340	301	1,158	601	527	30
CRIMINAL	567	188	-	50	22	1	-	-	-	27	138	132	5	1
U.S. PRISONER PETITIONS	566	399	-	237	37	-	1	-	182	17	162	45	116	1
OTHER U.S. CIVIL	145	48	-	14	4	1	1	-	-	8	34	20	14	-
PRIV. PRISONER PETITIONS	722	551	-	222	43	1	2	-	158	18	329	42	284	3
OTHER PRIVATE CIVIL	1,042	496	-	119	54	5	4	-	-	56	377	288	86	3
BANKRUPTCY	52	21	-	5	2	1	-	-	-	2	16	14	1	1
ADMINISTRATIVE APPEALS	312	141	-	60	12	1	1	-	-	46	81	60	21	-
ORIGINAL PROCEEDINGS	300	148	-	127	-	-	-	-	-	127	21	-	-	21
EIGHTH CIRCUIT	3,287	1,023	-	558	137	47	16	-	332	26	465	295	142	28
CRIMINAL	1,037	154	-	51	31	11	3	-	-	6	103	95	7	1
U.S. PRISONER PETITIONS	309	202	-	178	12	1	2	-	162	1	24	4	17	3
OTHER U.S. CIVIL	183	45	-	14	6	7	-	-	-	1	31	25	6	-
PRIV. PRISONER PETITIONS	517	320	-	226	43	2	7	-	170	4	94	16	78	-
OTHER PRIVATE CIVIL	701	227	-	59	40	14	4	-	-	1	168	146	22	-
BANKRUPTCY	17	2	-	1	-	1	-	-	-	-	1	1	-	-
ADMINISTRATIVE APPEALS	200	54	-	22	5	11	-	-	-	6	32	8	12	12
ORIGINAL PROCEEDINGS	323	19	-	7	-	-	-	-	-	7	12	-	-	12
NINTH CIRCUIT	13,399	6,812	-	2,807	1,229	41	-	14	1,059	464	4,005	2,272	1,443	290
CRIMINAL	1,888	644	-	166	52	8	-	-	-	106	478	425	17	36
U.S. PRISONER PETITIONS	536	370	-	249	17	-	-	-	216	16	121	82	36	3
OTHER U.S. CIVIL	625	262	-	46	39	-	-	-	-	7	216	169	45	2
PRIV. PRISONER PETITIONS	2,118	1,382	-	1,017	138	3	-	14	843	19	365	195	167	3
OTHER PRIVATE CIVIL	2,062	1,004	-	194	144	20	-	-	-	30	810	678	131	1
BANKRUPTCY	189	94	-	7	6	-	-	-	-	1	87	73	13	1
ADMINISTRATIVE APPEALS	5,134	3,013	-	1,102	833	10	-	-	-	259	1,911	650	1,034	227
ORIGINAL PROCEEDINGS	847	43	-	26	-	-	-	-	-	26	17	-	-	17
TENTH CIRCUIT	2,708	1,146	-	521	127	16	1	-	228	149	625	396	177	52
CRIMINAL	698	180	-	90	27	5	-	-	-	58	90	71	14	5
U.S. PRISONER PETITIONS	260	154	-	101	23	2	-	-	69	7	53	16	35	2
OTHER U.S. CIVIL	186	58	-	8	5	-	-	-	-	3	50	46	2	2
PRIV. PRISONER PETITIONS	529	331	-	210	32	1	-	-	159	18	121	36	83	2
OTHER PRIVATE CIVIL	630	273	-	49	30	8	1	-	-	10	224	192	26	6
BANKRUPTCY	37	21	-	3	3	-	-	-	-	-	18	8	10	-
ADMINISTRATIVE APPEALS	120	45	-	10	7	-	-	-	-	3	35	27	7	1
ORIGINAL PROCEEDINGS	248	84	-	50	-	-	-	-	-	50	34	-	-	34

Table B5-A. (September 30, 2005—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	7,578	3,804	21	2,059	591	422	1	-	901	144	1,724	228	1,437	59
CRIMINAL	1,937	469	4	272	117	146	-	-	-	9	193	74	116	3
U.S. PRISONER PETITIONS	972	817	-	502	57	5	-	-	438	2	315	13	302	-
OTHER U.S. CIVIL	318	131	2	47	27	16	-	-	-	4	82	13	69	-
PRIV. PRISONER PETITIONS	1,310	1,056	-	628	157	4	1	-	463	3	428	19	409	-
OTHER PRIVATE CIVIL	1,651	828	14	398	155	236	-	-	-	7	416	82	332	2
BANKRUPTCY	86	38	-	16	11	5	-	-	-	-	22	1	21	-
ADMINISTRATIVE APPEALS	622	302	1	87	67	10	-	-	-	10	214	26	188	-
ORIGINAL PROCEEDINGS	682	163	-	109	-	-	-	-	-	109	54	-	-	54

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.