

**Table B-5.**

**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit, During the Twelve-Month Period Ended September 30, 1997**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	Percent Reversed <sup>2</sup>
<b>ALL CIRCUITS</b>	<b>51,194</b>	<b>50.5</b>	<b>25,840</b>	<b>20,785</b>	<b>1,909</b>	<b>2,293</b>	<b>649</b>	<b>204</b>	<b>9.0</b>
CRIMINAL	10,466	69.9	7,320	6,324	369	397	197	33	5.4
U.S. PRISONER PETITIONS	4,449	38.5	1,711	1,412	125	116	49	9	6.8
OTHER U.S. CIVIL	4,200	58.6	2,463	2,014	85	299	54	11	12.1
PRIV. PRISONER PETITIONS	11,019	33.1	3,642	2,708	575	244	93	22	6.7
OTHER PRIVATE CIVIL	15,122	51.5	7,791	6,300	297	988	154	52	12.7
BANKRUPTCY	1,269	53.1	674	517	43	98	9	7	14.5
ADMINISTRATIVE APPEALS	3,944	42.6	1,682	1,005	383	131	93	70	7.8
ORIGINAL PROCEEDINGS	725	76.8	557	505	32	20	-	-	-
<b>DISTRICT OF COLUMBIA</b>	<b>1,833</b>	<b>39.9</b>	<b>732</b>	<b>612</b>	<b>4</b>	<b>78</b>	<b>23</b>	<b>15</b>	<b>10.9</b>
CRIMINAL	194	56.2	109	96	2	7	4	-	6.4
U.S. PRISONER PETITIONS	113	51.3	58	55	1	-	2	-	-
OTHER U.S. CIVIL	374	58.0	217	172	1	30	10	4	13.8
PRIV. PRISONER PETITIONS	69	36.2	25	25	-	-	-	-	-
OTHER PRIVATE CIVIL	245	54.7	134	112	-	17	2	3	12.7
BANKRUPTCY	8	62.5	5	4	-	1	-	-	-
ADMINISTRATIVE APPEALS	791	20.1	159	124	-	22	5	8	13.8
ORIGINAL PROCEEDINGS	39	64.1	25	24	-	1	-	-	-
<b>FIRST CIRCUIT</b>	<b>1,371</b>	<b>50.8</b>	<b>696</b>	<b>589</b>	<b>14</b>	<b>36</b>	<b>49</b>	<b>8</b>	<b>5.2</b>
CRIMINAL	354	61.9	219	182	1	12	24	-	5.5
U.S. PRISONER PETITIONS	89	25.8	23	18	-	2	2	1	8.7
OTHER U.S. CIVIL	113	51.3	58	55	-	1	2	-	1.7
PRIV. PRISONER PETITIONS	127	33.9	43	41	-	1	1	-	2.3
OTHER PRIVATE CIVIL	556	51.8	288	242	9	18	17	2	6.3
BANKRUPTCY	44	59.1	26	22	1	1	2	-	3.8
ADMINISTRATIVE APPEALS	78	39.7	31	21	3	1	1	5	3.2
ORIGINAL PROCEEDINGS	10	80.0	8	8	-	-	-	-	-
<b>SECOND CIRCUIT</b>	<b>4,378</b>	<b>38.6</b>	<b>1,688</b>	<b>1,196</b>	<b>288</b>	<b>85</b>	<b>110</b>	<b>9</b>	<b>5.2</b>
CRIMINAL	784	56.1	440	375	22	16	25	2	3.6
U.S. PRISONER PETITIONS	275	20.7	57	26	26	2	3	-	3.5
OTHER U.S. CIVIL	343	37.9	130	101	20	4	5	-	3.1
PRIV. PRISONER PETITIONS	756	32.5	246	112	109	7	16	2	2.8
OTHER PRIVATE CIVIL	1,766	37.1	655	472	75	48	57	3	7.3
BANKRUPTCY	127	33.1	42	28	9	4	1	-	9.5
ADMINISTRATIVE APPEALS	257	23.7	61	33	20	3	3	2	4.9
ORIGINAL PROCEEDINGS	70	81.4	57	49	7	1	-	-	-

**Table B-5. (Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>THIRD CIRCUIT</b>	<b>3,479</b>	<b>53.8</b>	<b>1,873</b>	<b>1,501</b>	<b>139</b>	<b>166</b>	<b>59</b>	<b>8</b>	<b>9.1</b>
CRIMINAL	598	81.4	487	427	15	26	16	3	5.3
U.S. PRISONER PETITIONS	355	33.5	119	83	17	7	11	1	5.9
OTHER U.S. CIVIL	208	59.6	124	105	7	11	1	-	8.9
PRIV. PRISONER PETITIONS	738	35.1	259	164	55	25	14	1	9.7
OTHER PRIVATE CIVIL	1,272	54.3	691	561	39	80	11	-	11.6
BANKRUPTCY	100	51.0	51	42	4	5	-	-	9.8
ADMINISTRATIVE APPEALS	152	60.5	92	69	2	12	6	3	13.0
ORIGINAL PROCEEDINGS	56	89.3	50	50	-	-	-	-	-
<b>FOURTH CIRCUIT</b>	<b>4,629</b>	<b>51.6</b>	<b>2,387</b>	<b>2,054</b>	<b>122</b>	<b>186</b>	<b>21</b>	<b>4</b>	<b>7.7</b>
CRIMINAL	939	66.5	624	563	20	37	3	1	5.9
U.S. PRISONER PETITIONS	629	33.2	209	182	10	12	5	-	5.7
OTHER U.S. CIVIL	333	66.1	220	198	3	15	4	-	6.8
PRIV. PRISONER PETITIONS	1,220	36.5	445	362	66	14	2	1	3.1
OTHER PRIVATE CIVIL	1,115	58.3	650	558	20	69	3	-	10.6
BANKRUPTCY	106	55.7	59	47	-	11	-	1	18.6
ADMINISTRATIVE APPEALS	266	61.7	164	131	3	25	4	1	15.2
ORIGINAL PROCEEDINGS	21	76.2	16	13	-	3	-	-	-
<b>FIFTH CIRCUIT</b>	<b>7,301</b>	<b>47.1</b>	<b>3,438</b>	<b>2,518</b>	<b>491</b>	<b>388</b>	<b>40</b>	<b>1</b>	<b>11.4</b>
CRIMINAL	1,605	72.8	1,169	941	151	65	12	-	5.6
U.S. PRISONER PETITIONS	544	33.1	180	117	39	20	3	1	11.1
OTHER U.S. CIVIL	406	57.6	234	180	17	36	1	-	15.4
PRIV. PRISONER PETITIONS	2,338	23.7	554	276	220	54	4	-	9.7
OTHER PRIVATE CIVIL	1,744	55.8	974	745	51	169	9	-	17.4
BANKRUPTCY	186	49.5	92	72	3	17	-	-	18.5
ADMINISTRATIVE APPEALS	385	37.9	146	109	4	22	11	-	15.1
ORIGINAL PROCEEDINGS	93	95.7	89	78	6	5	-	-	-
<b>SIXTH CIRCUIT</b>	<b>4,626</b>	<b>45.7</b>	<b>2,116</b>	<b>1,843</b>	<b>35</b>	<b>220</b>	<b>18</b>	<b>-</b>	<b>10.5</b>
CRIMINAL	796	70.4	560	510	3	37	10	-	6.6
U.S. PRISONER PETITIONS	434	27.4	119	107	2	10	-	-	8.4
OTHER U.S. CIVIL	344	64.8	223	189	3	30	1	-	13.5
PRIV. PRISONER PETITIONS	1,117	24.2	270	249	-	20	1	-	7.4
OTHER PRIVATE CIVIL	1,560	46.9	732	620	11	96	5	-	13.1
BANKRUPTCY	94	48.9	46	32	6	8	-	-	17.4
ADMINISTRATIVE APPEALS	240	56.3	135	113	3	18	1	-	13.3
ORIGINAL PROCEEDINGS	41	75.6	31	23	7	1	-	-	-

**Table B-5. (Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>SEVENTH CIRCUIT</b>	<b>3,311</b>	<b>47.2</b>	<b>1,564</b>	<b>1,246</b>	<b>46</b>	<b>182</b>	<b>35</b>	<b>55</b>	<b>11.9</b>
CRIMINAL	621	62.6	389	311	36	23	7	12	5.9
U.S. PRISONER PETITIONS	443	36.3	161	132	1	21	7	-	13.0
OTHER U.S. CIVIL	198	56.6	112	84	2	16	7	3	14.3
PRIV. PRISONER PETITIONS	804	32.7	263	224	2	27	7	3	10.3
OTHER PRIVATE CIVIL	976	49.7	485	372	-	84	5	24	17.3
BANKRUPTCY	62	48.4	30	25	-	2	-	3	6.7
ADMINISTRATIVE APPEALS	174	53.4	93	71	1	9	2	10	9.7
ORIGINAL PROCEEDINGS	33	93.9	31	27	4	-	-	-	-
<b>EIGHTH CIRCUIT</b>	<b>3,215</b>	<b>57.0</b>	<b>1,832</b>	<b>1,557</b>	<b>59</b>	<b>178</b>	<b>22</b>	<b>16</b>	<b>9.9</b>
CRIMINAL	648	70.4	456	405	11	33	7	-	7.2
U.S. PRISONER PETITIONS	324	36.4	118	104	4	9	-	1	7.6
OTHER U.S. CIVIL	293	65.9	193	156	6	29	2	-	15.0
PRIV. PRISONER PETITIONS	733	42.8	314	274	13	22	2	3	7.0
OTHER PRIVATE CIVIL	978	63.5	621	525	16	74	5	1	11.9
BANKRUPTCY	74	75.7	56	46	1	7	1	1	12.5
ADMINISTRATIVE APPEALS	131	32.1	42	18	5	4	5	10	9.5
ORIGINAL PROCEEDINGS	34	94.1	32	29	3	-	-	-	-
<b>NINTH CIRCUIT</b>	<b>8,515</b>	<b>56.9</b>	<b>4,841</b>	<b>3,631</b>	<b>528</b>	<b>365</b>	<b>247</b>	<b>70</b>	<b>7.7</b>
CRIMINAL	1,593	73.2	1,166	957	61	55	79	14	4.7
U.S. PRISONER PETITIONS	564	57.3	323	296	4	7	13	3	2.2
OTHER U.S. CIVIL	772	62.4	482	383	18	58	19	4	12.0
PRIV. PRISONER PETITIONS	1,625	39.2	637	511	40	33	44	9	5.2
OTHER PRIVATE CIVIL	2,476	51.6	1,278	1,006	48	178	36	10	13.9
BANKRUPTCY	292	60.6	177	133	16	21	5	2	11.9
ADMINISTRATIVE APPEALS	1,025	60.9	624	197	340	8	51	28	1.3
ORIGINAL PROCEEDINGS	168	91.7	154	148	1	5	-	-	-
<b>TENTH CIRCUIT</b>	<b>2,466</b>	<b>55.9</b>	<b>1,379</b>	<b>1,143</b>	<b>70</b>	<b>150</b>	<b>9</b>	<b>7</b>	<b>11.1</b>
CRIMINAL	370	75.1	278	236	13	26	3	-	9.4
U.S. PRISONER PETITIONS	336	47.9	161	131	18	10	1	1	6.2
OTHER U.S. CIVIL	283	71.4	202	162	2	36	2	-	17.8
PRIV. PRISONER PETITIONS	477	46.8	223	173	29	19	-	2	8.5
OTHER PRIVATE CIVIL	795	50.1	398	342	4	47	2	3	11.8
BANKRUPTCY	54	57.4	31	21	-	10	-	-	32.3
ADMINISTRATIVE APPEALS	103	43.7	45	42	1	-	1	1	-
ORIGINAL PROCEEDINGS	48	85.4	41	36	3	2	-	-	-

**Table B-5. (Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated <sup>1</sup>	Terminations on the Merits							Percent Reversed <sup>2</sup>
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
<b>ELEVENTH CIRCUIT</b>	<b>6,070</b>	<b>54.3</b>	<b>3,294</b>	<b>2,895</b>	<b>113</b>	<b>259</b>	<b>16</b>	<b>11</b>	<b>7.9</b>
CRIMINAL	1,964	72.5	1,423	1,321	34	60	7	1	4.2
U.S. PRISONER PETITIONS	343	53.4	183	161	3	16	2	1	8.7
OTHER U.S. CIVIL	533	50.3	268	229	6	33	-	-	12.3
PRIV. PRISONER PETITIONS	1,015	35.8	363	297	41	22	2	1	6.1
OTHER PRIVATE CIVIL	1,639	54.0	885	745	24	108	2	6	12.2
BANKRUPTCY	122	48.4	59	45	3	11	-	-	18.6
ADMINISTRATIVE APPEALS	342	26.3	90	77	1	7	3	2	7.8
ORIGINAL PROCEEDINGS	112	20.5	23	20	1	2	-	-	-

NOTE: THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

<sup>1</sup> TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS.

<sup>2</sup> 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.