

Table 6.3. Criminal appeals cases terminated on the merits, by offense, October 1, 2007–September 30, 2008

Most serious offense	Total	Percent of criminal appeals cases terminated on the merits				
		Affirmed	Remanded or reversed	Partially affirmed	Dismissed	Other
All offenses*	10,379	77.1 %	9.5 %	3.8 %	9.2 %	0.4 %
Violent offenses	556	82.7 %	8.5 %	1.6 %	6.7 %	0.5 %
Murder	65	83.1	9.2	1.5	3.1	3.1
Assault	96	87.5	4.2	0.0	8.3	0.0
Robbery	206	82.5	8.7	2.4	6.3	0.0
Sexual abuse	147	81.0	8.8	2.0	7.5	0.7
Kidnapping	37	81.1	10.8	0.0	8.1	0.0
Threats against the President	5	^	^	^	^	^
Property offenses	1,352	75.4 %	11.4 %	1.6 %	7.0 %	0.7 %
Fraudulent	1,102	74.3	11.9	1.5	7.0	0.6
Embezzlement	45	75.6	13.3	0.0	2.2	2.2
Fraud	956	74.5	12.2	2.4	6.6	0.6
Forgery	5	^	^	2.0	^	^
Counterfeiting	96	71.9	8.3	0.0	12.5	0.0
Other	250	80.4	9.2	2.4	7.2	0.8
Burglary	5	^	^	^	^	^
Larceny	128	78.1	11.7	3.1	6.3	0.8
Motor vehicle theft	33	81.8	9.1	0.0	9.1	0.0
Arson and explosives	44	77.3	11.4	4.5	6.8	0.0
Transportation of stolen property	32	84.4	0.0	0.0	12.5	3.1
Other property offenses	8	^	^	^	^	^
Drug offenses	4,102	75.3 %	9.2 %	4.2 %	10.8 %	0.5 %
Public-order offenses	878	75.1 %	11.3 %	6.6 %	6.8 %	0.2 %
Regulatory	99	62.6	14.1	18.2	5.1	0.0
Agriculture	1	^	^	^	^	^
Antitrust	1	^	^	^	^	^
Food and drug	3	^	^	^	^	^
Transportation	16	75.0	6.3	12.5	6.3	0.0
Civil rights	10	^	^	^	^	^
Communications	1	^	^	^	^	^
Custom laws	4	^	^	^	^	^
Postal laws	3	^	^	^	^	^
Other regulatory offenses	60	60.0	10.0	25.0	5.0	0.0
Other	779	76.6	10.9	5.1	7.1	0.3
Tax law violations	89	77.5	13.5	0.0	7.9	1.1
Bribery	21	85.7	0.0	14.3	0.0	0.0
Perjury, contempt, and intimidation	71	76.1	9.9	7.0	7.0	0.0
National defense	37	78.4	2.7	8.1	10.8	0.0
Escape	29	75.9	17.2	0.0	6.9	0.0
Racketeering and extortion	203	76.4	9.9	7.9	5.9	0.0
Gambling	1	^	^	^	^	^
Nonviolent sex offenses	278	75.2	12.9	4.0	7.6	0.4
Obscene material	6	^	^	^	^	^
Traffic offenses	10	^	^	^	^	^
Wildlife	8	^	^	^	^	^
Environmental	0
All other offenses	26	73.1	11.5	7.7	7.7	0.0
Weapon offenses	1,622	80.3 %	9.2 %	3.4 %	6.8 %	0.2 %
Immigration offenses	1,639	78.6 %	8.2 %	1.6 %	11.2 %	0.5 %

Note: In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "All other offenses" includes offenses with unclassifiable offense type.

^ Too few cases to obtain statistically reliable data.

...No cases of this type occurred in the data.

*Total includes 230 appeals for which an offense category could not be determined that were terminated on the merits.

Source: Administrative Office of the U.S. Courts, Court of Appeals.

