

**Table B-5.**  
**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit**  
**During the 12-Month Period Ending September 30, 1999**

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>54,088</b>	<b>49.4</b>	<b>26,727</b>	<b>21,301</b>	<b>1,908</b>	<b>2,296</b>	<b>780</b>	<b>442</b>	<b>9.2</b>
CRIMINAL	10,675	69.2	7,386	6,231	501	398	189	67	5.4
U.S. PRISONER PETITIONS	5,296	30.8	1,632	1,252	123	185	53	19	11.3
OTHER U. S. CIVIL	4,179	56.1	2,344	1,892	84	277	73	18	11.8
PRIV. PRISONER PETITIONS	11,499	29.2	3,363	2,378	478	340	127	40	10.1
OTHER PRIVATE CIVIL	15,307	50.6	7,746	6,306	239	881	246	74	11.4
BANKRUPTCY	1,150	48.5	558	439	33	74	9	3	13.3
ADMINISTRATIVE APPEALS	3,122	46.5	1,453	756	297	96	83	221	6.6
ORIGINAL PROCEEDINGS <sup>3</sup>	2,860	78.5	2,245	2,047	153	45	-	-	-
<b>DISTRICT OF COLUMBIA</b>	<b>1,655</b>	<b>40.4</b>	<b>669</b>	<b>536</b>	<b>24</b>	<b>81</b>	<b>21</b>	<b>7</b>	<b>13.4</b>
CRIMINAL	138	59.4	82	59	5	10	6	2	12.2
U.S. PRISONER PETITIONS	112	44.6	50	48	-	1	-	1	2.0
OTHER U.S. CIVIL	489	40.5	198	159	4	30	3	2	15.2
PRIV. PRISONER PETITIONS	47	48.9	23	18	-	4	1	-	17.4
OTHER PRIVATE CIVIL	234	51.7	121	101	2	14	4	-	11.6
BANKRUPTCY	6	66.7	4	3	1	-	-	-	-
ADMINISTRATIVE APPEALS	529	23.6	125	88	6	22	7	2	17.6
ORIGINAL PROCEEDINGS <sup>3</sup>	100	66.0	66	60	6	-	-	-	-
<b>FIRST CIRCUIT</b>	<b>1,323</b>	<b>46.1</b>	<b>610</b>	<b>484</b>	<b>19</b>	<b>37</b>	<b>62</b>	<b>8</b>	<b>6.2</b>
CRIMINAL	324	59.3	192	157	3	4	23	5	2.1
U.S. PRISONER PETITIONS	141	17.7	25	20	3	1	1	-	4.0
OTHER U.S. CIVIL	107	57.9	62	49	1	5	7	-	8.1
PRIV. PRISONER PETITIONS	86	29.1	25	20	-	2	3	-	8.0
OTHER PRIVATE CIVIL	517	48.5	251	198	6	22	25	-	8.8
BANKRUPTCY	23	26.1	6	4	-	2	-	-	-
ADMINISTRATIVE APPEALS	64	31.3	20	12	2	-	3	3	-
ORIGINAL PROCEEDINGS <sup>3</sup>	61	47.5	29	24	4	1	-	-	-
<b>SECOND CIRCUIT</b>	<b>4,245</b>	<b>43.9</b>	<b>1,863</b>	<b>1,316</b>	<b>197</b>	<b>32</b>	<b>223</b>	<b>95</b>	<b>1.8</b>
CRIMINAL	778	56.9	443	345	26	3	49	20	0.7
U.S. PRISONER PETITIONS	225	28.0	63	40	9	2	8	4	3.2
OTHER U.S. CIVIL	322	43.5	140	97	8	4	20	11	2.9
PRIV. PRISONER PETITIONS	668	31.6	211	116	32	3	49	11	1.4
OTHER PRIVATE CIVIL	1,660	46.6	774	579	43	18	93	41	2.3
BANKRUPTCY	97	43.3	42	35	3	1	3	-	2.4
ADMINISTRATIVE APPEALS	344	18.3	63	42	11	1	1	8	1.6
ORIGINAL PROCEEDINGS <sup>3</sup>	151	84.1	127	62	65	-	-	-	-

**Table B-5. (September 30, 1999—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>3,199</b>	<b>53.4</b>	<b>1,707</b>	<b>1,357</b>	<b>125</b>	<b>151</b>	<b>59</b>	<b>15</b>	<b>9.8</b>
CRIMINAL	519	74.2	385	337	9	24	10	5	6.2
U.S. PRISONER PETITIONS	336	34.5	116	79	16	9	9	3	7.8
OTHER U.S. CIVIL	225	66.2	149	117	7	15	9	1	10.1
PRIV. PRISONER PETITIONS	464	28.9	134	65	46	12	9	2	9.0
OTHER PRIVATE CIVIL	1,207	49.9	602	474	25	78	21	4	13.0
BANKRUPTCY	84	54.8	46	37	4	4	1	-	8.7
ADMINISTRATIVE APPEALS	163	51.5	84	69	8	7	-	-	8.3
ORIGINAL PROCEEDINGS <sup>3</sup>	201	95.0	191	179	10	2	-	-	-
<b>FOURTH CIRCUIT</b>	<b>5,149</b>	<b>51.3</b>	<b>2,644</b>	<b>2,324</b>	<b>108</b>	<b>178</b>	<b>30</b>	<b>4</b>	<b>7.2</b>
CRIMINAL	1,063	68.0	723	654	29	31	8	1	4.3
U.S. PRISONER PETITIONS	856	29.2	250	211	8	27	4	-	10.8
OTHER U.S. CIVIL	365	64.9	237	214	6	14	3	-	5.9
PRIV. PRISONER PETITIONS	1,135	31.4	356	291	42	19	3	1	5.3
OTHER PRIVATE CIVIL	1,142	57.2	653	565	13	68	7	-	10.4
BANKRUPTCY	120	60.8	73	61	4	8	-	-	11.0
ADMINISTRATIVE APPEALS	247	65.6	162	141	4	10	5	2	6.2
ORIGINAL PROCEEDINGS <sup>3</sup>	221	86.0	190	187	2	1	-	-	-
<b>FIFTH CIRCUIT</b>	<b>8,593</b>	<b>43.4</b>	<b>3,730</b>	<b>2,765</b>	<b>535</b>	<b>380</b>	<b>50</b>	<b>-</b>	<b>11.0</b>
CRIMINAL	1,665	68.3	1,137	850	227	53	7	-	4.7
U.S. PRISONER PETITIONS	822	24.6	202	130	33	35	4	-	17.3
OTHER U.S. CIVIL	449	48.6	218	168	24	24	2	-	11.0
PRIV. PRISONER PETITIONS	2,800	22.4	626	330	184	104	8	-	16.6
OTHER PRIVATE CIVIL	1,868	51.3	958	761	51	128	18	-	13.4
BANKRUPTCY	203	52.7	107	76	8	21	2	-	19.6
ADMINISTRATIVE APPEALS	256	39.5	101	88	1	3	9	-	3.0
ORIGINAL PROCEEDINGS <sup>3</sup>	530	71.9	381	362	7	12	-	-	-
<b>SIXTH CIRCUIT</b>	<b>4,800</b>	<b>52.6</b>	<b>2,524</b>	<b>2,241</b>	<b>35</b>	<b>236</b>	<b>12</b>	<b>-</b>	<b>9.9</b>
CRIMINAL	932	71.6	667	606	-	55	6	-	8.2
U.S. PRISONER PETITIONS	440	42.0	185	165	-	19	1	-	10.3
OTHER U.S. CIVIL	335	59.4	199	175	-	24	-	-	12.1
PRIV. PRISONER PETITIONS	1,070	34.2	366	341	2	23	-	-	6.3
OTHER PRIVATE CIVIL	1,531	53.0	811	712	5	90	4	-	11.1
BANKRUPTCY	82	40.2	33	28	1	4	-	-	12.1
ADMINISTRATIVE APPEALS	193	58.5	113	90	1	21	1	-	18.6
ORIGINAL PROCEEDINGS <sup>3</sup>	217	69.1	150	124	26	-	-	-	-

**Table B-5. (September 30, 1999—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>3,444</b>	<b>43.1</b>	<b>1,484</b>	<b>1,150</b>	<b>57</b>	<b>200</b>	<b>32</b>	<b>45</b>	<b>14.7</b>
CRIMINAL	560	60.0	336	243	47	33	3	10	9.8
U.S. PRISONER PETITIONS	369	29.8	110	83	-	21	3	3	19.1
OTHER U.S. CIVIL	187	58.3	109	86	-	17	4	2	15.6
PRIV. PRISONER PETITIONS	839	20.3	170	110	1	37	11	11	21.8
OTHER PRIVATE CIVIL	1,132	46.2	523	431	-	67	10	15	12.8
BANKRUPTCY	43	46.5	20	11	-	7	1	1	35.0
ADMINISTRATIVE APPEALS	129	48.8	63	46	-	14	-	3	22.2
ORIGINAL PROCEEDINGS <sup>3</sup>	185	82.7	153	140	9	4	-	-	-
<b>EIGHTH CIRCUIT</b>	<b>3,280</b>	<b>55.3</b>	<b>1,815</b>	<b>1,562</b>	<b>48</b>	<b>154</b>	<b>34</b>	<b>17</b>	<b>9.1</b>
CRIMINAL	600	68.3	410	379	9	16	5	1	3.9
U.S. PRISONER PETITIONS	347	24.5	85	69	1	10	4	1	11.8
OTHER U.S. CIVIL	237	80.6	191	162	3	23	3	-	12.0
PRIV. PRISONER PETITIONS	858	36.7	315	259	14	26	10	6	8.3
OTHER PRIVATE CIVIL	931	61.5	573	478	14	69	10	2	12.0
BANKRUPTCY	36	63.9	23	18	-	5	-	-	21.7
ADMINISTRATIVE APPEALS	79	49.4	39	28	2	-	2	7	-
ORIGINAL PROCEEDINGS <sup>3</sup>	192	93.2	179	169	5	5	-	-	-
<b>NINTH CIRCUIT</b>	<b>8,402</b>	<b>53.3</b>	<b>4,479</b>	<b>3,249</b>	<b>448</b>	<b>351</b>	<b>194</b>	<b>237</b>	<b>8.4</b>
CRIMINAL	1,580	73.0	1,154	932	88	59	53	22	5.1
U.S. PRISONER PETITIONS	469	33.0	155	118	5	18	9	5	11.6
OTHER U.S. CIVIL	717	54.4	390	297	18	59	14	2	15.1
PRIV. PRISONER PETITIONS	1,641	33.5	550	445	22	47	29	7	8.5
OTHER PRIVATE CIVIL	2,345	46.9	1,100	889	40	134	34	3	12.2
BANKRUPTCY	274	46.4	127	101	8	14	2	2	11.0
ADMINISTRATIVE APPEALS	921	62.3	574	55	259	11	53	196	1.9
ORIGINAL PROCEEDINGS <sup>3</sup>	455	94.3	429	412	8	9	-	-	-
<b>TENTH CIRCUIT</b>	<b>2,754</b>	<b>58.4</b>	<b>1,608</b>	<b>1,279</b>	<b>129</b>	<b>157</b>	<b>39</b>	<b>4</b>	<b>10.2</b>
CRIMINAL	527	80.5	424	372	11	27	13	1	6.4
U.S. PRISONER PETITIONS	281	48.0	135	87	29	11	7	1	8.1
OTHER U.S. CIVIL	295	68.8	203	158	8	32	5	-	15.8
PRIV. PRISONER PETITIONS	567	41.6	236	153	56	21	4	2	8.9
OTHER PRIVATE CIVIL	787	55.4	436	354	15	59	8	-	13.5
BANKRUPTCY	43	37.2	16	15	1	-	-	-	-
ADMINISTRATIVE APPEALS	79	59.5	47	41	1	3	2	-	6.4
ORIGINAL PROCEEDINGS <sup>3</sup>	175	63.4	111	99	8	4	-	-	-

**Table B-5. (September 30, 1999—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>7,244</b>	<b>49.6</b>	<b>3,594</b>	<b>3,038</b>	<b>183</b>	<b>339</b>	<b>24</b>	<b>10</b>	<b>9.9</b>
CRIMINAL	1,989	72.0	1,433	1,297	47	83	6	-	5.8
U. S. PRISONER PETITIONS	898	28.5	256	202	19	31	3	1	12.1
OTHER U. S. CIVIL	451	55.0	248	210	5	30	3	-	12.1
PRIV. PRISONER PETITIONS	1,324	26.5	351	230	79	42	-	-	12.0
OTHER PRIVATE CIVIL	1,953	48.3	944	764	25	134	12	9	14.2
BANKRUPTCY	139	43.9	61	50	3	8	-	-	13.1
ADMINISTRATIVE APPEALS	118	52.5	62	56	2	4	-	-	6.5
ORIGINAL PROCEEDINGS <sup>3</sup>	372	64.2	239	229	3	7	-	-	-

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.

<sup>3</sup> BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF ORIGINAL PROCEEDINGS PREVIOUSLY NOT INCLUDED IN THIS TABLE.