

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending September 30, 2011

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/ Enforced ²	Dismissed	Reversed	Remanded	Other	
ALL CIRCUITS	57,357	52.8	30,290	23,998	3,019	2,438	446	389	8.9
CRIMINAL	13,317	72.9	9,702	7,552	1,399	567	150	34	5.8
U.S. PRISONER PETITIONS	4,867	28.1	1,367	1,016	175	133	30	13	9.7
OTHER U.S. CIVIL	2,728	57.6	1,571	1,216	105	205	43	2	13.0
PRIV. PRISONER PETITIONS	11,440	27.8	3,186	2,290	516	315	31	34	9.9
OTHER PRIVATE CIVIL	12,046	50.9	6,133	4,871	388	779	75	20	12.7
BANKRUPTCY	692	47.5	329	259	24	36	4	6	10.9
ADMINISTRATIVE APPEALS	8,240	57.0	4,700	3,664	272	371	113	280	7.9
ORIGINAL PROCEEDINGS	4,027	82.0	3,302	3,130	140	32	-	-	-
DC	1,113	49.1	546	417	35	77	15	2	15.0
CRIMINAL	108	49.1	53	42	2	8	1	-	15.1
U.S. PRISONER PETITIONS	178	41.0	73	39	15	15	3	1	20.5
OTHER U.S. CIVIL	265	59.6	158	125	2	26	5	-	16.5
PRIV. PRISONER PETITIONS	10	50.0	5	5	-	-	-	-	-
OTHER PRIVATE CIVIL	156	70.5	110	99	1	6	4	-	5.5
BANKRUPTCY	1	100.0	1	1	-	-	-	-	-
ADMINISTRATIVE APPEALS	288	31.9	92	61	9	19	2	1	20.7
ORIGINAL PROCEEDINGS	107	50.5	54	45	6	3	-	-	-
1ST CIRCUIT	1,437	57.0	819	727	21	68	3	-	9.1
CRIMINAL	420	63.3	266	233	7	25	1	-	9.4
U.S. PRISONER PETITIONS	99	39.4	39	35	1	3	-	-	7.7
OTHER U.S. CIVIL	79	51.9	41	35	1	5	-	-	12.2
PRIV. PRISONER PETITIONS	120	42.5	51	49	-	2	-	-	3.9
OTHER PRIVATE CIVIL	458	53.3	244	208	8	26	2	-	10.7
BANKRUPTCY	35	51.4	18	13	2	3	-	-	16.7
ADMINISTRATIVE APPEALS	156	59.0	92	86	2	4	-	-	4.3
ORIGINAL PROCEEDINGS	70	97.1	68	68	-	-	-	-	-

Table B-5. (September 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
2ND CIRCUIT	5,101	51.6	2,634	1,926	509	143	54	2	5.7
CRIMINAL	854	61.2	523	387	88	34	14	-	6.5
U.S. PRISONER PETITIONS	223	26.0	58	22	30	2	3	1	3.4
OTHER U.S. CIVIL	218	48.2	105	54	39	7	5	-	6.7
PRIV. PRISONER PETITIONS	760	28.7	218	79	115	17	6	1	7.8
OTHER PRIVATE CIVIL	1,547	45.8	708	468	162	62	16	-	8.8
BANKRUPTCY	94	30.9	29	23	6	-	-	-	-
ADMINISTRATIVE APPEALS	1,191	68.2	812	720	63	19	10	-	2.3
ORIGINAL PROCEEDINGS	214	84.6	181	173	6	2	-	-	-
3RD CIRCUIT	4,326	57.4	2,484	2,124	90	215	52	3	9.4
CRIMINAL	755	81.5	615	551	14	31	17	2	5.0
U.S. PRISONER PETITIONS	444	43.2	192	171	12	8	1	-	4.2
OTHER U.S. CIVIL	164	68.3	112	97	4	8	3	-	7.1
PRIV. PRISONER PETITIONS	835	28.7	240	188	15	32	5	-	13.3
OTHER PRIVATE CIVIL	1,128	53.6	605	510	20	70	4	1	11.6
BANKRUPTCY	55	58.2	32	21	4	6	1	-	18.8
ADMINISTRATIVE APPEALS	630	69.4	437	348	14	54	21	-	12.4
ORIGINAL PROCEEDINGS	315	79.7	251	238	7	6	-	-	-
4TH CIRCUIT	5,069	62.7	3,177	2,744	192	177	57	7	6.1
CRIMINAL	1,878	81.6	1,533	1,298	112	84	39	-	5.5
U.S. PRISONER PETITIONS	703	30.3	213	167	21	21	3	1	9.9
OTHER U.S. CIVIL	201	60.2	121	111	1	7	2	-	5.8
PRIV. PRISONER PETITIONS	822	33.2	273	242	18	11	2	-	4.0
OTHER PRIVATE CIVIL	835	67.8	566	494	23	44	5	-	7.8
BANKRUPTCY	44	65.9	29	29	-	-	-	-	-
ADMINISTRATIVE APPEALS	237	66.2	157	124	11	10	6	6	6.4
ORIGINAL PROCEEDINGS	349	81.7	285	279	6	-	-	-	-

Table B-5. (September 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
5TH CIRCUIT	7,695	50.4	3,881	2,732	817	285	47	-	8.0
CRIMINAL	2,681	72.2	1,937	1,198	643	70	26	-	3.6
U.S. PRISONER PETITIONS	618	18.3	113	75	25	11	2	-	9.7
OTHER U.S. CIVIL	267	46.1	123	92	14	16	1	-	13.0
PRIV. PRISONER PETITIONS	1,760	20.1	353	215	101	36	1	-	10.2
OTHER PRIVATE CIVIL	1,266	55.4	701	545	24	125	7	-	17.8
BANKRUPTCY	81	53.1	43	32	2	8	1	-	18.6
ADMINISTRATIVE APPEALS	497	44.9	223	195	6	13	9	-	5.8
ORIGINAL PROCEEDINGS	525	73.9	388	380	2	6	-	-	-
6TH CIRCUIT	5,163	53.7	2,775	2,373	144	225	32	1	9.2
CRIMINAL	1,383	70.6	977	833	56	75	13	-	7.7
U.S. PRISONER PETITIONS	422	33.2	140	119	8	12	1	-	8.6
OTHER U.S. CIVIL	189	57.7	109	92	2	14	1	-	12.8
PRIV. PRISONER PETITIONS	1,247	33.3	415	356	15	41	2	1	9.9
OTHER PRIVATE CIVIL	1,075	48.3	519	425	21	70	3	-	13.5
BANKRUPTCY	46	39.1	18	16	-	2	-	-	11.1
ADMINISTRATIVE APPEALS	376	63.8	240	213	7	8	12	-	3.3
ORIGINAL PROCEEDINGS	425	84.0	357	319	35	3	-	-	-
7TH CIRCUIT	3,064	45.6	1,396	1,027	140	180	24	25	14.3
CRIMINAL	677	64.8	439	283	112	36	6	2	8.2
U.S. PRISONER PETITIONS	371	25.6	95	72	4	16	2	1	16.8
OTHER U.S. CIVIL	144	61.8	89	66	2	20	1	-	22.5
PRIV. PRISONER PETITIONS	596	19.0	113	82	5	23	2	1	20.4
OTHER PRIVATE CIVIL	912	45.0	410	312	12	71	4	11	17.3
BANKRUPTCY	52	44.2	23	19	-	1	1	2	4.3
ADMINISTRATIVE APPEALS	147	56.5	83	54	1	12	8	8	14.5
ORIGINAL PROCEEDINGS	165	87.3	144	139	4	1	-	-	-

Table B-5. (September 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
8TH CIRCUIT	2,967	62.3	1,848	1,586	139	100	16	7	6.3
CRIMINAL	871	81.4	709	608	64	31	4	2	4.4
U.S. PRISONER PETITIONS	359	32.0	115	97	4	5	4	5	4.3
OTHER U.S. CIVIL	143	74.1	106	90	3	11	2	-	10.4
PRIV. PRISONER PETITIONS	612	31.9	195	175	10	9	1	-	4.6
OTHER PRIVATE CIVIL	557	66.6	371	307	21	41	2	-	11.1
BANKRUPTCY	25	68.0	17	14	2	1	-	-	5.9
ADMINISTRATIVE APPEALS	123	56.1	69	39	25	2	3	-	2.9
ORIGINAL PROCEEDINGS	277	96.0	266	256	10	-	-	-	-
9TH CIRCUIT	13,025	50.0	6,517	4,980	454	691	64	328	11.8
CRIMINAL	1,598	70.0	1,119	891	105	95	7	21	8.5
U.S. PRISONER PETITIONS	503	25.0	126	87	17	17	4	1	13.5
OTHER U.S. CIVIL	608	58.2	354	257	15	75	5	2	21.2
PRIV. PRISONER PETITIONS	3,202	29.4	940	693	93	120	4	30	12.8
OTHER PRIVATE CIVIL	2,135	46.7	997	756	57	168	10	6	16.9
BANKRUPTCY	149	47.7	71	55	6	6	-	4	8.5
ADMINISTRATIVE APPEALS	4,033	54.0	2,178	1,556	121	203	34	264	9.3
ORIGINAL PROCEEDINGS	797	91.8	732	685	40	7	-	-	-
10TH CIRCUIT	2,209	54.6	1,207	912	167	59	64	5	5.2
CRIMINAL	534	73.4	392	275	84	12	20	1	3.1
U.S. PRISONER PETITIONS	281	35.2	99	72	19	2	4	2	2.0
OTHER U.S. CIVIL	137	62.8	86	57	8	9	12	-	10.5
PRIV. PRISONER PETITIONS	387	32.0	124	87	27	3	6	1	2.4
OTHER PRIVATE CIVIL	568	55.5	315	259	16	25	15	-	7.9
BANKRUPTCY	34	47.1	16	12	-	3	1	-	18.8
ADMINISTRATIVE APPEALS	107	57.9	62	43	9	3	6	1	4.8
ORIGINAL PROCEEDINGS	161	70.2	113	107	4	2	-	-	-

Table B-5. (September 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
11TH CIRCUIT	6,188	48.6	3,006	2,450	311	218	18	9	8.5
CRIMINAL	1,558	73.1	1,139	953	112	66	2	6	5.8
U.S. PRISONER PETITIONS	666	15.6	104	60	19	21	3	1	20.2
OTHER U.S. CIVIL	313	53.4	167	140	14	7	6	-	4.2
PRIV. PRISONER PETITIONS	1,089	23.8	259	119	117	21	2	-	8.1
OTHER PRIVATE CIVIL	1,409	41.7	587	488	23	71	3	2	12.1
BANKRUPTCY	76	42.1	32	24	2	6	-	-	18.8
ADMINISTRATIVE APPEALS	455	56.0	255	225	4	24	2	-	9.4
ORIGINAL PROCEEDINGS	622	74.4	463	441	20	2	-	-	-

Note: This table does not include data for the U.S. Court of Appeals for the Federal Circuit.

¹ Totals include reopened and remanded appeals as well as original appeals.

² Affirmed includes merit terminations affirmed in part and reversed in part.

³ Percent not shown where the total number of cases terminated on the merits is less than 10. Percentages of cases reversed have not been computed for original proceedings because of their difference from appeals, nor are they included in the percentage of total appeals reversed.