

Table B-1A.

U.S. Courts of Appeals—Civil and Criminal Cases Commenced, Terminated, and Pending, by Nature of Suit or Offense, in Appeals Arising From the U.S. District Courts During the 12-Month Period Ending September 30, 2016

Nature of Suit or Offense	Pending Oct. 1, 2015 ¹	Commenced			Terminated									Pending Sept. 30, 2016
					On Procedural Grounds			On the Merits						
		Total	Original	Re-opened ²	Total	Total	By Consolidation	By Judge	By Staff	Total	By Consolidation	After Oral Argument	After Submission on Briefs	
Total	30,121	39,373	38,298	1,075	38,471	13,363	115	3,509	9,739	25,108	1,983	5,624	17,501	31,023
Total Criminal Appeals	9,665	11,536	11,353	183	11,379	2,987	4	706	2,277	8,392	794	1,555	6,043	9,822
Total Civil Appeals	20,456	27,837	26,945	892	27,092	10,376	111	2,803	7,462	16,716	1,189	4,069	11,458	21,201
U.S. Appeals	4,559	6,764	6,534	230	6,395	2,112	9	484	1,619	4,283	189	732	3,362	4,928
U.S. Plaintiff	343	301	282	19	337	136	3	32	101	201	28	106	67	307
Negotiable Instruments	1	2	2	-	0	-	-	-	-	-	-	-	-	3
Other Contract Actions	16	14	13	1	16	8	1	2	5	8	1	4	3	14
Condemnation of Land	1	0	-	-	1	-	-	-	-	1	-	1	-	0
Other Real Property Actions	9	4	4	-	8	3	1	1	1	5	-	4	1	5
Tort Actions	9	2	2	-	7	3	-	1	2	4	-	2	2	4
Civil Rights	24	35	34	1	29	9	-	5	4	20	2	14	4	30
Employment	17	15	15	-	18	7	-	5	2	11	1	7	3	14
Other Civil Rights	7	20	19	1	11	2	-	-	2	9	1	7	1	16
Forfeiture And Penalty	35	29	25	4	30	15	-	4	11	15	2	7	6	34
Fair Labor Standards Act	1	3	3	-	1	-	-	-	-	1	-	1	-	3
Other Labor	19	11	11	-	24	10	1	-	9	14	2	8	4	6
Securities, Commodities, and Exchanges	67	50	42	8	67	23	-	7	16	44	13	16	15	50
Tax Suits	42	40	39	1	41	16	-	4	12	25	2	10	13	41
All Other	119	111	107	4	113	49	-	8	41	64	6	39	19	117
U.S. Defendant	4,216	6,463	6,252	211	6,058	1,976	6	452	1,518	4,082	161	626	3,295	4,621
Contract Actions	50	54	54	-	52	24	-	4	20	28	1	12	15	52
Real Property Actions	47	46	43	3	62	30	-	7	23	32	2	11	19	31
Tort Actions	156	154	148	6	172	69	-	13	56	103	5	35	63	138
Civil Rights	475	680	655	25	687	269	-	79	190	418	52	90	276	468
Employment	151	190	185	5	183	51	-	22	29	132	5	31	96	158
Other Civil Rights	324	490	470	20	504	218	-	57	161	286	47	59	180	310
Prisoner Petitions	2,203	4,249	4,104	145	3,791	1,235	1	282	952	2,556	58	117	2,381	2,661
Motions to Vacate Sentence	1,382	2,855	2,759	96	2,389	593	-	164	429	1,796	40	67	1,689	1,848

Table B-1A. (September 30, 2016—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2015 ¹	Cases Commenced			Terminated									Pending Sept. 30, 2016
					Total	Original	Re-opened ²	On Procedural Grounds			On the Merits			
		Total	Total	By Consolidation				By Judge	By Staff	Total	By Consolidation	After Oral Argument	After Submission on Briefs	
U.S. Defendant (Continued)														
Habeas Corpus—General	493	723	694	29	748	283	-	60	223	465	7	26	432	468
Habeas Corpus—Death Penalty	2	2	2	-	4	-	-	-	-	4	-	2	2	0
Prisoner Civil Rights	182	401	388	13	385	212	-	40	172	173	7	7	159	198
Prison Condition	70	151	146	5	152	98	-	9	89	54	1	3	50	69
Other Prisoner Petitions	74	117	115	2	113	49	1	9	39	64	3	12	49	78
Labor Suits	12	24	23	1	17	11	-	2	9	6	-	1	5	19
Social Security Laws	634	601	590	11	640	137	-	27	110	503	3	132	368	595
Tax Suits	72	62	60	2	66	23	-	3	20	43	4	19	20	68
Environmental Matters	109	74	73	1	72	26	2	3	21	46	9	34	3	111
Freedom of Information Act	61	71	69	2	70	22	-	5	17	48	2	25	21	62
All Other	397	448	433	15	429	130	3	27	100	299	25	150	124	416
Total Private Appeals	15,897	21,073	20,411	662	20,697	8,264	102	2,319	5,843	12,433	1,000	3,337	8,096	16,273
Federal Question														
Marine Contract	34	50	47	3	52	26	3	4	19	26	9	12	5	32
Other Contract Actions	316	436	421	15	433	193	6	73	114	240	59	98	83	319
Federal Employers Liability Act	3	9	9	-	4	3	-	-	3	1	-	1	-	8
Marine Injury	35	61	61	-	41	23	2	6	15	18	2	13	3	55
Other Tort Actions	370	531	524	7	439	179	1	58	120	260	49	93	118	462
Antitrust	181	121	114	7	158	37	-	10	27	121	63	46	12	144
Civil Rights	3,578	4,584	4,434	150	4,577	1,810	24	482	1,304	2,767	219	1,036	1,512	3,585
Employment	892	1,053	1,012	41	1,086	381	6	103	272	705	23	265	417	859
Other Civil Rights	2,686	3,531	3,422	109	3,491	1,429	18	379	1,032	2,062	196	771	1,095	2,726
Prisoner Petitions	5,584	9,302	9,006	296	9,143	3,508	2	1,116	2,390	5,635	123	464	5,048	5,743
Habeas Corpus—General	3,100	5,021	4,887	134	5,018	1,043	-	472	571	3,975	73	284	3,618	3,103
Habeas Corpus—Death Penalty	282	137	130	7	127	12	-	9	3	115	11	53	51	292
Prisoner Civil Rights	1,419	2,689	2,582	107	2,557	1,566	2	430	1,134	991	34	90	867	1,551
Prison Condition	763	1,403	1,355	48	1,394	860	-	201	659	534	4	37	493	772
Other Prisoner Petitions	20	52	52	-	47	27	-	4	23	20	1	-	19	25
Labor Management Relations Act	77	79	76	3	91	28	1	6	21	63	11	33	19	65

Table B-1A. (September 30, 2016—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2015 ¹	Cases Commenced			Terminated									Pending Sept. 30, 2016
					On Procedural Grounds				On the Merits					
		Total	Original	Re-opened ²	Total	Total	By Consolidation	By Judge	By Staff	Total Merit Terminations	By Consolidation	After Oral Argument	After Submission on Briefs	
Federal Question (Continued)														
Other Labor	625	746	729	17	676	257	5	43	209	419	48	240	131	695
Copyright, Patent, and Trademark	339	333	317	16	334	148	7	34	107	186	25	108	53	338
Securities, Commodities, and Exchanges	153	109	106	3	134	50	1	4	45	84	14	57	13	128
Constitutionality of State Statutes	134	119	118	1	133	38	1	14	23	95	12	50	33	120
All Other	1,339	1,641	1,601	40	1,524	697	10	180	507	827	112	344	371	1,456
Diversity of Citizenship	3,129	2,951	2,847	104	2,958	1,267	39	289	939	1,691	254	742	695	3,122
Insurance	553	547	539	8	573	232	9	54	169	341	44	191	106	527
Other Contract Actions	856	968	938	30	941	412	20	89	303	529	67	251	211	883
Real Property Actions	303	357	332	25	338	174	-	43	131	164	9	50	105	322
Personal Injury/Product Liability	724	181	177	4	225	75	4	16	55	150	65	47	38	680
Other Personal Injury	295	401	383	18	397	159	-	43	116	238	37	89	112	299
Personal Property Damage	205	236	225	11	214	96	1	20	75	118	10	59	49	227
All Other	193	261	253	8	270	119	5	24	90	151	22	55	74	184
General Location Jurisdiction	0	1	1	-	0	-	-	-	-	-	-	-	-	1
Tort Actions	0	1	1	-	0	-	-	-	-	-	-	-	-	1
Total Criminal Appeals	9,665	11,536	11,353	183	11,379	2,987	4	706	2,277	8,392	794	1,555	6,043	9,822
Violent Offenses	486	492	491	1	499	107	-	38	69	392	67	96	229	479
Homicide	69	47	47	-	62	9	-	3	6	53	12	21	20	54
Robbery	90	132	131	1	119	27	-	6	21	92	8	13	71	103
Assault	79	78	78	-	78	17	-	5	12	61	2	19	40	79
Kidnapping	40	37	37	-	36	8	-	3	5	28	3	12	13	41
Racketeering—Violent Crime	116	99	99	-	102	22	-	8	14	80	23	21	36	113
Carjacking	55	53	53	-	54	12	-	6	6	42	5	7	30	54
Terrorism	16	11	11	-	11	-	-	-	-	11	3	3	5	16
Other Violent Offenses	21	35	35	-	37	12	-	7	5	25	11	-	14	19

Table B-1A. (September 30, 2016—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2015 ¹	Commenced			Terminated									Pending Sept. 30, 2016
					On Procedural Grounds				On the Merits					
		Total	Original	Re-opened ²	Total	Total	By Consolidation	By Judge	By Staff	Total	By Consolidation	After Oral Argument	After Submission on Briefs	
Property Offenses	1,363	1,361	1,339	22	1,384	343	2	93	248	1,041	150	276	615	1,340
Burglary	4	3	3	-	5	-	-	-	-	5	-	2	3	2
Larceny and Theft, Total	120	117	114	3	131	36	-	6	30	95	12	22	61	106
Bank	2	3	3	-	2	1	-	-	1	1	-	-	1	3
Postal	20	19	19	-	21	4	-	-	4	17	3	3	11	18
Theft, U.S. Property	71	77	75	2	83	20	-	5	15	63	3	15	45	65
Transportation of Stolen Property	24	14	13	1	21	9	-	1	8	12	6	2	4	17
Other Larceny and Theft Offenses	3	4	4	-	4	2	-	-	2	2	-	2	-	3
Embezzlement	26	35	35	-	32	9	-	2	7	23	3	5	15	29
Fraud, Total	1,175	1,120	1,102	18	1,143	270	2	74	194	873	132	235	506	1,152
Tax	49	61	60	1	52	13	1	4	8	39	2	11	26	58
Financial Institutions	38	44	44	-	43	11	-	2	9	32	-	10	22	39
Securities and Exchange	52	16	16	-	40	13	-	2	11	27	7	14	6	28
Mail	62	66	66	-	65	13	-	3	10	52	7	15	30	63
Wire, Radio, or Television	71	97	95	2	77	17	-	1	16	60	7	15	38	91
Social Security	18	13	12	1	18	5	-	-	5	13	1	2	10	13
Citizenship and Naturalization	6	7	7	-	6	-	-	-	-	6	-	3	3	7
Passport	7	11	11	-	8	4	-	2	2	4	-	1	3	10
Identification Documents and Information	51	59	59	-	62	26	-	7	19	36	-	6	30	48
False Claims and Services, Government	53	42	42	-	54	9	-	3	6	45	7	10	28	41
False Statements	33	52	51	1	47	14	-	7	7	33	3	10	20	38
Conspiracy to Defraud the U.S.	78	67	67	-	69	22	-	9	13	47	10	11	26	76
Unauthorized Access Devices	108	101	98	3	120	34	-	12	22	86	5	17	64	89
Health Care	107	99	99	-	88	10	-	2	8	78	20	31	27	118
Other Fraud Offenses	442	385	375	10	394	79	1	20	58	315	63	79	173	433
Forgery and Counterfeiting	34	75	74	1	65	25	-	10	15	40	3	10	27	44
Other Property Offenses	4	11	11	-	8	3	-	1	2	5	-	2	3	7

Table B-1A. (September 30, 2016—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2015 ¹	Cases Commenced			Terminated									Pending Sept. 30, 2016
					On Procedural Grounds				On the Merits					
		Total	Original	Re-opened ²	Total	Total	By Consolidation	By Judge	By Staff	Total	By Consolidation	After Oral Argument	After Submission on Briefs	
Drug Offenses	3,588	4,529	4,422	107	4,524	1,418	-	292	1,126	3,106	278	438	2,390	3,593
Marijuana, Total	334	373	363	10	408	126	-	23	103	282	37	41	204	299
Sell, Distribute, or Dispense	305	330	322	8	369	106	-	20	86	263	35	36	192	266
Import/Export	11	24	23	1	15	8	-	1	7	7	1	-	6	20
Manufacture	16	17	16	1	20	9	-	2	7	11	1	5	5	13
Possession	2	2	2	-	4	3	-	-	3	1	-	-	1	0
All Other Drugs, Total	3,200	4,076	3,980	96	4,054	1,271	-	266	1,005	2,783	239	390	2,154	3,222
Sell, Distribute, or Dispense	2,951	3,792	3,711	81	3,802	1,209	-	252	957	2,593	220	363	2,010	2,941
Import/Export	160	182	169	13	133	31	-	8	23	102	6	23	73	209
Manufacture	89	95	93	2	118	30	-	6	24	88	13	4	71	66
Possession	0	7	7	-	1	1	-	-	1	-	-	-	-	6
Other Drug Offenses	54	80	79	1	62	21	-	3	18	41	2	7	32	72
Firearms and Explosives														
Offenses	1,370	1,829	1,813	16	1,609	409	2	88	319	1,200	68	275	857	1,590
Firearms, Total	1,329	1,787	1,773	14	1,568	398	2	86	310	1,170	66	264	840	1,548
Possession by Prohibited Persons	641	928	923	5	799	194	1	42	151	605	27	142	436	770
Furtherance of Violent/ Drug-Trafficking Crimes	486	627	622	5	553	156	-	37	119	397	30	73	294	560
Other Firearms Offenses	202	232	228	4	216	48	1	7	40	168	9	49	110	218
Explosives	41	42	40	2	41	11	-	2	9	30	2	11	17	42
Sex Offenses	629	768	762	6	727	176	-	55	121	551	25	158	368	670
Sexual Abuse of Adults	23	23	23	-	24	3	-	1	2	21	-	12	9	22
Sexual Abuse of Minors	234	286	286	-	254	64	-	26	38	190	10	58	122	266
Sexually Explicit Material	257	311	305	6	308	77	-	16	61	231	10	55	166	260
Other Sex Offenses	115	148	148	-	141	32	-	12	20	109	5	33	71	122

Table B-1A. (September 30, 2016—Continued)

Nature of Suit or Offense	Pending Oct. 1, 2015 ¹	Commenced			Terminated									Pending Sept. 30, 2016
					On Procedural Grounds				On the Merits					
		Total	Original	Re-opened ²	Total	Total	By Consolidation	By Judge	By Staff	Total	By Consolidation	After Oral Argument	After Submission on Briefs	
Justice System Offenses	145	127	127	-	141	29	-	9	20	112	35	32	45	131
Obstruction of Justice	97	62	62	-	84	19	-	7	12	65	22	22	21	75
Escape from Custody	20	16	16	-	18	1	-	-	1	17	5	-	12	18
Failure to Appear	10	23	23	-	14	5	-	1	4	9	3	3	3	19
Other Justice System Offenses	18	26	26	-	25	4	-	1	3	21	5	7	9	19
Immigration Offenses	1,131	1,260	1,247	13	1,335	232	-	68	164	1,103	73	116	914	1,056
Alien Smuggling	121	104	99	5	138	26	-	8	18	112	13	18	81	87
Improper Entry by Alien	19	10	10	-	16	2	-	-	2	14	5	1	8	13
Improper Reentry by Alien	967	1,132	1,124	8	1,154	202	-	59	143	952	54	92	806	945
Other Immigration Offenses	24	14	14	-	27	2	-	1	1	25	1	5	19	11
General Offenses	282	258	252	6	268	60	-	16	44	208	23	67	118	272
Money Laundering	177	172	169	3	167	39	-	12	27	128	12	43	73	182
RICO (Racketeer Influenced and Corrupt Organizations)	44	23	21	2	36	6	-	-	6	30	5	11	14	31
Extortion and Threats	35	25	24	1	33	7	-	3	4	26	3	4	19	27
Other General Offenses	26	38	38	-	32	8	-	1	7	24	3	9	12	32
Regulatory Offenses	128	115	115	-	139	36	-	11	25	103	19	30	54	104
Traffic Offenses	0	2	2	-	1	-	-	-	-	1	-	-	1	1
Unclassified Offenses	543	795	783	12	752	177	-	36	141	575	56	67	452	586

NOTE: This table includes appeals reopened and remanded as well as original appeals. This table does not include data for the U.S. Court of Appeals for the Federal Circuit. In 2005, categories for criminal offenses were modified. Therefore, offense data for 2005 and thereafter are not comparable to offense data published in previous years.

¹ Revised.

² In 2007, the category entitled "Reopened," which includes all reopened appeals, replaced the category entitled "Reinstated." Therefore, data on reopened cases for 2007 and thereafter are not comparable to data published previously on reinstated cases.