

**Table B-5.**  
**U.S. Courts of Appeals—Decisions in Cases Terminated on the Merits, by Circuit and Nature of Proceeding,**  
**During the 12-Month Period Ending September 30, 2016**

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced <sup>1</sup>	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed <sup>2</sup>
<b>Total</b>	<b>57,744</b>	<b>2,705</b>	<b>63.3</b>	<b>36,547</b>	<b>23,354</b>	<b>2,778</b>	<b>4,954</b>	<b>528</b>	<b>57</b>	<b>4,876</b>	<b>8.2</b>
Criminal	11,379	794	66.8	7,598	5,504	1,364	559	155	16	-	7.4
U.S. Prisoner Petitions	3,791	58	65.9	2,498	716	78	122	29	4	1,549	4.9
Other U.S. Civil	2,604	131	61.3	1,596	1,203	101	241	45	6	-	15.1
Private Prisoner Petitions	9,143	123	60.3	5,512	1,597	279	270	37	2	3,327	4.9
Other Private Civil	11,554	877	51.2	5,921	4,744	344	756	66	11	-	12.8
Bankruptcy	703	55	50.6	356	277	42	29	4	4	-	8.1
Administrative Agency Appeals	7,288	392	44.3	3,232	2,585	216	225	192	14	-	7.0
Original Proceedings and Miscellaneous Applications	11,282	275	87.2	9,834	6,728	354	2,752	-	-	-	-
<b>DC</b>	<b>1,173</b>	<b>216</b>	<b>48.6</b>	<b>570</b>	<b>425</b>	<b>32</b>	<b>100</b>	<b>10</b>	<b>2</b>	<b>1</b>	<b>12.5</b>
Criminal	93	28	44.1	41	28	1	10	2	-	-	24.4
U.S. Prisoner Petitions	90	6	40.0	36	31	-	4	-	-	1	11.1
Other U.S. Civil	219	8	69.4	152	127	4	19	1	1	-	12.5
Private Prisoner Petitions	12	-	-	6	6	-	-	-	-	-	-
Other Private Civil	161	14	56.5	91	76	1	12	2	-	-	13.2
Bankruptcy	4	2	-	1	1	-	-	-	-	-	-
Administrative Agency Appeals	426	156	28.4	121	89	15	11	5	1	-	9.1
Original Proceedings and Miscellaneous Applications	168	2	72.6	122	67	11	44	-	-	-	-
<b>1st</b>	<b>1,472</b>	<b>57</b>	<b>63.9</b>	<b>941</b>	<b>719</b>	<b>41</b>	<b>129</b>	<b>4</b>	<b>-</b>	<b>48</b>	<b>10.4</b>
Criminal	485	22	60.8	295	262	13	18	2	-	-	6.1
U.S. Prisoner Petitions	83	3	63.9	53	28	-	2	-	-	23	3.8
Other U.S. Civil	65	1	69.2	45	40	1	4	-	-	-	8.9
Private Prisoner Petitions	89	2	68.5	61	33	1	2	-	-	25	3.3
Other Private Civil	372	24	53.5	199	161	5	33	-	-	-	16.6
Bankruptcy	31	-	41.9	13	12	-	1	-	-	-	7.7
Administrative Agency Appeals	138	5	58.7	81	55	6	18	2	-	-	22.2
Original Proceedings and Miscellaneous Applications	209	-	92.8	194	128	15	51	-	-	-	-

**Table B-5. (September 30, 2016—Continued)**

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced <sup>1</sup>	Dismissed	Reversed	Remanded	Other	Certificate of Appeal-ability	Percent Reversed <sup>2</sup>
<b>2nd</b>	<b>4,661</b>	<b>331</b>	<b>56.3</b>	<b>2,622</b>	<b>1,622</b>	<b>476</b>	<b>250</b>	<b>34</b>	<b>2</b>	<b>238</b>	<b>7.5</b>
Criminal	712	80	68.4	487	328	113	28	17	1	-	5.7
U.S. Prisoner Petitions	198	4	67.2	133	11	20	5	3	-	94	3.8
Other U.S. Civil	251	9	53.4	134	65	47	19	2	1	-	14.2
Private Prisoner Petitions	518	2	60.6	314	59	90	19	2	-	144	6.1
Other Private Civil	1,627	199	46.3	754	531	133	83	7	-	-	11.0
Bankruptcy	59	6	57.6	34	22	11	1	-	-	-	2.9
Administrative Agency Appeals	894	27	47.8	427	346	61	17	3	-	-	4.0
Original Proceedings and Miscellaneous Applications	402	4	84.3	339	260	1	78	-	-	-	-
<b>3rd</b>	<b>3,344</b>	<b>77</b>	<b>67.2</b>	<b>2,246</b>	<b>1,427</b>	<b>62</b>	<b>223</b>	<b>55</b>	<b>2</b>	<b>477</b>	<b>6.0</b>
Criminal	455	16	72.7	331	301	4	14	12	-	-	4.2
U.S. Prisoner Petitions	354	2	75.7	268	113	3	13	1	2	136	4.9
Other U.S. Civil	121	3	64.5	78	65	3	9	1	-	-	11.5
Private Prisoner Petitions	685	2	71.7	491	123	10	13	4	-	341	2.6
Other Private Civil	870	42	52.5	457	390	10	51	6	-	-	11.2
Bankruptcy	61	1	54.1	33	31	1	1	-	-	-	3.0
Administrative Agency Appeals	307	10	56.7	174	128	6	9	31	-	-	5.2
Original Proceedings and Miscellaneous Applications	491	1	84.3	414	276	25	113	-	-	-	-
<b>4th</b>	<b>6,234</b>	<b>301</b>	<b>78.2</b>	<b>4,874</b>	<b>2,774</b>	<b>212</b>	<b>1,273</b>	<b>58</b>	<b>2</b>	<b>555</b>	<b>6.3</b>
Criminal	1,125	55	79.8	898	729	80	72	17	-	-	8.0
U.S. Prisoner Petitions	632	7	76.3	482	147	11	21	6	-	297	4.4
Other U.S. Civil	226	39	58.8	133	100	18	14	1	-	-	10.5
Private Prisoner Petitions	804	15	61.8	497	188	25	21	5	-	258	4.2
Other Private Civil	864	111	57.5	497	403	57	35	2	-	-	7.0
Bankruptcy	50	5	48.0	24	21	2	1	-	-	-	4.2
Administrative Agency Appeals	245	13	65.3	160	120	5	6	27	2	-	3.8
Original Proceedings and Miscellaneous Applications	2,288	56	95.4	2,183	1,066	14	1,103	-	-	-	-

**Table B-5. (September 30, 2016—Continued)**

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced <sup>1</sup>	Dismissed	Reversed	Remanded	Other	Certificate of Appeal-ability	Percent Reversed <sup>2</sup>
<b>5th</b>	<b>7,899</b>	<b>544</b>	<b>56.8</b>	<b>4,484</b>	<b>2,715</b>	<b>852</b>	<b>357</b>	<b>74</b>	-	<b>486</b>	<b>6.5</b>
Criminal	2,711	247	62.7	1,701	850	752	62	37	-	-	3.6
U.S. Prisoner Petitions	516	27	44.0	227	57	19	12	3	-	136	5.3
Other U.S. Civil	177	12	49.7	88	67	7	13	1	-	-	14.8
Private Prisoner Petitions	1,261	71	40.9	516	96	47	18	5	-	350	3.5
Other Private Civil	1,267	100	49.9	632	503	20	102	7	-	-	16.1
Bankruptcy	70	11	51.4	36	29	4	2	1	-	-	5.6
Administrative Agency Appeals	434	38	42.6	185	152	1	12	20	-	-	6.5
Original Proceedings and Miscellaneous Applications	1,463	38	75.1	1,099	961	2	136	-	-	-	-
<b>6th</b>	<b>4,857</b>	<b>198</b>	<b>66.9</b>	<b>3,250</b>	<b>2,201</b>	<b>153</b>	<b>378</b>	<b>37</b>	-	<b>481</b>	<b>8.1</b>
Criminal	1,122	102	66.7	748	599	76	65	8	-	-	8.7
U.S. Prisoner Petitions	314	1	71.3	224	74	3	7	5	-	135	3.1
Other U.S. Civil	195	10	64.6	126	109	-	16	1	-	-	12.7
Private Prisoner Petitions	957	5	62.8	601	212	10	33	-	-	346	5.5
Other Private Civil	1,082	58	57.9	626	530	10	78	8	-	-	12.5
Bankruptcy	30	3	60.0	18	17	1	-	-	-	-	-
Administrative Agency Appeals	304	12	63.2	192	159	11	7	15	-	-	3.6
Original Proceedings and Miscellaneous Applications	853	7	83.8	715	501	42	172	-	-	-	-
<b>7th</b>	<b>3,360</b>	<b>116</b>	<b>62.4</b>	<b>2,098</b>	<b>1,327</b>	<b>156</b>	<b>403</b>	<b>46</b>	<b>30</b>	<b>136</b>	<b>15.6</b>
Criminal	572	40	59.8	342	226	46	56	2	12	-	16.4
U.S. Prisoner Petitions	263	4	53.2	140	54	1	11	-	1	73	7.9
Other U.S. Civil	182	2	67.6	123	74	2	18	26	3	-	14.6
Private Prisoner Petitions	573	2	36.8	211	93	11	36	7	1	63	17.1
Other Private Civil	719	46	49.0	352	277	7	60	1	7	-	17.0
Bankruptcy	31	-	77.4	24	16	1	5	-	2	-	20.8
Administrative Agency Appeals	160	19	50.0	80	51	3	12	10	4	-	15.0
Original Proceedings and Miscellaneous Applications	860	3	96.0	826	536	85	205	-	-	-	-

**Table B-5. (September 30, 2016—Continued)**

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced <sup>1</sup>	Dismissed	Reversed	Remanded	Other	Certificate of Appeal-ability	Percent Reversed <sup>2</sup>
<b>8th</b>	<b>3,088</b>	<b>132</b>	<b>78.3</b>	<b>2,419</b>	<b>1,736</b>	<b>91</b>	<b>230</b>	<b>26</b>	<b>3</b>	<b>333</b>	<b>4.8</b>
Criminal	808	35	81.7	660	581	46	21	12	-	-	3.2
U.S. Prisoner Petitions	260	1	86.5	225	70	-	6	3	1	145	2.7
Other U.S. Civil	145	4	74.5	108	98	1	7	2	-	-	6.5
Private Prisoner Petitions	579	8	68.7	398	193	3	10	4	-	188	2.5
Other Private Civil	535	58	68.8	368	297	27	41	3	-	-	11.1
Bankruptcy	21	4	66.7	14	11	1	2	-	-	-	14.3
Administrative Agency Appeals	156	21	55.8	87	78	3	2	2	2	-	2.3
Original Proceedings and Miscellaneous Applications	584	1	95.7	559	408	10	141	-	-	-	-
<b>9th</b>	<b>11,798</b>	<b>347</b>	<b>56.9</b>	<b>6,709</b>	<b>4,239</b>	<b>310</b>	<b>783</b>	<b>83</b>	<b>5</b>	<b>1,289</b>	<b>10.4</b>
Criminal	1,439	94	65.0	936	679	119	126	12	-	-	13.5
U.S. Prisoner Petitions	389	3	69.9	272	49	3	19	2	-	199	7.0
Other U.S. Civil	632	28	61.1	386	271	11	99	4	1	-	25.6
Private Prisoner Petitions	2,266	8	70.8	1,605	421	12	79	3	-	1,090	4.9
Other Private Civil	2,152	106	48.4	1,042	823	50	163	5	1	-	15.6
Bankruptcy	220	19	47.3	104	80	13	9	2	-	-	8.7
Administrative Agency Appeals	3,825	79	40.1	1,535	1,266	96	115	55	3	-	7.5
Original Proceedings and Miscellaneous Applications	875	10	94.7	829	650	6	173	-	-	-	-
<b>10th</b>	<b>2,228</b>	<b>33</b>	<b>70.5</b>	<b>1,571</b>	<b>965</b>	<b>92</b>	<b>257</b>	<b>85</b>	<b>-</b>	<b>172</b>	<b>6.9</b>
Criminal	463	10	68.7	318	209	51	25	33	-	-	7.9
U.S. Prisoner Petitions	186	-	72.0	134	36	2	7	3	-	86	5.2
Other U.S. Civil	134	2	75.4	101	82	4	9	6	-	-	8.9
Private Prisoner Petitions	288	1	63.5	183	75	4	12	6	-	86	6.6
Other Private Civil	617	17	60.3	372	305	15	29	23	-	-	7.8
Bankruptcy	30	-	56.7	17	12	5	-	-	-	-	-
Administrative Agency Appeals	104	3	67.3	70	48	7	1	14	-	-	1.4
Original Proceedings and Miscellaneous Applications	406	-	92.6	376	198	4	174	-	-	-	-

**Table B-5. (September 30, 2016—Continued)**

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced <sup>1</sup>	Dismissed	Reversed	Remanded	Other	Certificate of Appeal-ability	Percent Reversed <sup>2</sup>
<b>11th</b>	<b>7,630</b>	<b>353</b>	<b>62.4</b>	<b>4,763</b>	<b>3,204</b>	<b>301</b>	<b>571</b>	<b>16</b>	<b>11</b>	<b>660</b>	<b>8.1</b>
Criminal	1,394	65	60.3	841	712	63	62	1	3	-	7.4
U.S. Prisoner Petitions	506	-	60.1	304	46	16	15	3	-	224	4.9
Other U.S. Civil	257	13	47.5	122	105	3	14	-	-	-	11.5
Private Prisoner Petitions	1,111	7	56.6	629	98	66	27	1	1	436	4.3
Other Private Civil	1,288	102	41.2	531	448	9	69	2	3	-	13.0
Bankruptcy	96	4	39.6	38	25	3	7	1	2	-	18.4
Administrative Agency Appeals	295	9	40.7	120	93	2	15	8	2	-	12.5
Original Proceedings and Miscellaneous Applications	2,683	153	81.2	2,178	1,677	139	362	-	-	-	-

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously.

<sup>1</sup> Affirmed includes appeals affirmed in part and reversed in part.

<sup>2</sup> Percent not shown where the total number of appeals terminated on the merits is less than 10. Percent reversed not computed for original proceedings and miscellaneous applications because of their difference from appeals, nor are original proceedings and miscellaneous applications included in the percentage of total appeals reversed.