

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 December 31, 2016**

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
Total	58,039	2,620	64.0	37,172	23,727	2,905	5,093	494	63	4,890	8.1
Criminal	11,270	780	68.1	7,677	5,437	1,484	582	155	19	-	7.6
U.S. Prisoner Petitions	3,780	46	64.8	2,448	686	74	109	28	7	1,544	4.5
Other U.S. Civil	2,611	133	61.3	1,601	1,229	98	228	42	4	-	14.2
Private Prisoner Petitions	9,088	107	60.5	5,494	1,581	267	269	29	2	3,346	4.9
Other Private Civil	11,754	852	52.1	6,120	4,951	344	745	70	10	-	12.2
Bankruptcy	759	59	51.9	394	311	40	35	4	4	-	8.9
Administrative Agency Appeals	6,811	359	43.9	2,993	2,392	211	207	166	17	-	6.9
Original Proceedings and Miscellaneous Applications	11,966	284	87.3	10,445	7,140	387	2,918	-	-	-	-
DC	1,154	200	47.1	544	399	31	101	10	2	1	14.1
Criminal	84	23	40.5	34	26	-	7	1	-	-	20.6
U.S. Prisoner Petitions	93	6	37.6	35	31	-	2	-	1	1	5.7
Other U.S. Civil	206	11	69.4	143	117	5	20	1	-	-	14.0
Private Prisoner Petitions	12	-	-	5	5	-	-	-	-	-	-
Other Private Civil	150	15	58.7	88	68	2	15	3	-	-	17.0
Bankruptcy	5	2	-	2	2	-	-	-	-	-	-
Administrative Agency Appeals	435	142	27.4	119	82	15	16	5	1	-	13.4
Original Proceedings and Miscellaneous Applications	169	1	69.8	118	68	9	41	-	-	-	-
1st	1,443	54	64.6	932	729	47	113	3	-	40	9.5
Criminal	467	17	62.7	293	259	17	15	2	-	-	5.1
U.S. Prisoner Petitions	80	3	58.8	47	25	1	2	-	-	19	4.3
Other U.S. Civil	63	2	73.0	46	40	1	5	-	-	-	10.9
Private Prisoner Petitions	85	2	64.7	55	32	1	1	-	-	21	1.8
Other Private Civil	385	25	55.1	212	174	4	34	-	-	-	16.0
Bankruptcy	37	-	51.4	19	18	-	1	-	-	-	5.3
Administrative Agency Appeals	128	5	60.9	78	58	6	13	1	-	-	16.7
Original Proceedings and Miscellaneous Applications	198	-	91.9	182	123	17	42	-	-	-	-

Table B-5. (December 31, 2016—Continued)

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appeal-ability	Percent Reversed ²
2nd	4,576	335	55.6	2,543	1,577	450	252	38	1	225	7.6
Criminal	684	76	70.8	484	320	108	32	23	1	-	6.6
U.S. Prisoner Petitions	192	3	65.6	126	8	17	6	3	-	92	4.8
Other U.S. Civil	257	11	52.5	135	73	43	17	2	-	-	12.6
Private Prisoner Petitions	476	1	59.7	284	53	77	19	2	-	133	6.7
Other Private Civil	1,628	204	44.2	720	507	132	77	4	-	-	10.7
Bankruptcy	61	6	59.0	36	23	13	-	-	-	-	-
Administrative Agency Appeals	855	25	46.5	398	323	56	15	4	-	-	3.8
Original Proceedings and Miscellaneous Applications	423	9	85.1	360	270	4	86	-	-	-	-
3rd	3,289	81	67.0	2,205	1,413	59	243	51	2	437	7.0
Criminal	449	19	74.6	335	301	4	16	14	-	-	4.8
U.S. Prisoner Petitions	331	2	72.5	240	106	4	14	1	2	113	5.8
Other U.S. Civil	127	4	66.9	85	70	3	11	1	-	-	12.9
Private Prisoner Petitions	656	4	72.9	478	128	9	13	4	-	324	2.7
Other Private Civil	894	38	51.8	463	389	9	59	6	-	-	12.7
Bankruptcy	60	4	53.3	32	30	-	2	-	-	-	6.3
Administrative Agency Appeals	276	9	53.3	147	106	7	9	25	-	-	6.1
Original Proceedings and Miscellaneous Applications	496	1	85.7	425	283	23	119	-	-	-	-
4th	6,240	237	78.9	4,926	2,813	200	1,282	52	1	578	6.3
Criminal	1,108	56	80.3	890	730	76	67	17	-	-	7.5
U.S. Prisoner Petitions	610	4	77.4	472	132	11	15	3	-	311	3.2
Other U.S. Civil	237	35	64.1	152	118	18	14	2	-	-	9.2
Private Prisoner Petitions	834	5	62.8	524	207	18	27	5	-	267	5.2
Other Private Civil	874	88	60.8	531	427	57	45	2	-	-	8.5
Bankruptcy	63	5	42.9	27	26	1	-	-	-	-	-
Administrative Agency Appeals	232	7	60.3	140	110	3	3	23	1	-	2.1
Original Proceedings and Miscellaneous Applications	2,282	37	96.0	2,190	1,063	16	1,111	-	-	-	-

Table B-5. (December 31, 2016—Continued)

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appeal-ability	Percent Reversed ²
5th	8,092	566	58.2	4,710	2,871	948	352	72	-	467	6.3
Criminal	2,777	255	65.2	1,811	850	863	63	35	-	-	3.5
U.S. Prisoner Petitions	467	21	44.3	207	49	14	10	4	-	130	4.8
Other U.S. Civil	192	15	46.4	89	71	4	13	1	-	-	14.6
Private Prisoner Petitions	1,228	70	39.7	488	91	44	14	2	-	337	2.9
Other Private Civil	1,281	106	48.1	616	494	16	97	9	-	-	15.7
Bankruptcy	73	12	52.1	38	30	4	3	1	-	-	7.9
Administrative Agency Appeals	417	38	45.3	189	152	1	16	20	-	-	8.5
Original Proceedings and Miscellaneous Applications	1,657	49	76.8	1,272	1,134	2	136	-	-	-	-
6th	5,088	193	69.0	3,513	2,358	175	482	38	-	460	7.8
Criminal	1,115	96	68.3	762	605	83	65	9	-	-	8.5
U.S. Prisoner Petitions	307	-	68.4	210	73	6	7	5	-	119	3.3
Other U.S. Civil	169	4	66.9	113	97	-	15	1	-	-	13.3
Private Prisoner Petitions	931	5	62.6	583	199	14	29	-	-	341	5.0
Other Private Civil	1,062	54	57.9	615	526	14	68	7	-	-	11.1
Bankruptcy	42	5	64.3	27	25	2	-	-	-	-	-
Administrative Agency Appeals	268	12	66.0	177	142	10	9	16	-	-	5.1
Original Proceedings and Miscellaneous Applications	1,194	17	85.9	1,026	691	46	289	-	-	-	-
7th	3,361	119	63.5	2,134	1,353	163	364	40	32	182	13.4
Criminal	587	42	59.6	350	236	45	54	3	12	-	15.4
U.S. Prisoner Petitions	283	4	56.2	159	54	1	12	1	1	90	7.5
Other U.S. Civil	183	2	68.3	125	81	1	18	22	3	-	14.4
Private Prisoner Petitions	580	3	40.3	234	95	11	30	5	1	92	12.8
Other Private Civil	733	47	51.6	378	305	11	53	2	7	-	14.0
Bankruptcy	30	1	76.7	23	16	1	4	-	2	-	17.4
Administrative Agency Appeals	142	18	50.7	72	48	2	9	7	6	-	12.5
Original Proceedings and Miscellaneous Applications	823	2	96.4	793	518	91	184	-	-	-	-

Table B-5. (December 31, 2016—Continued)

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appeal-ability	Percent Reversed ²
8th	3,121	135	78.8	2,459	1,758	87	226	30	4	354	4.7
Criminal	809	35	81.3	658	568	51	26	12	1	-	4.0
U.S. Prisoner Petitions	275	1	86.5	238	66	-	5	5	1	161	2.1
Other U.S. Civil	133	3	74.4	99	92	2	3	2	-	-	3.0
Private Prisoner Petitions	553	7	70.2	388	179	3	9	4	-	193	2.3
Other Private Civil	526	55	67.9	357	295	21	37	4	-	-	10.4
Bankruptcy	17	4	-	10	7	-	3	-	-	-	30.0
Administrative Agency Appeals	163	27	53.4	87	76	3	3	3	2	-	3.4
Original Proceedings and Miscellaneous Applications	645	3	96.4	622	475	7	140	-	-	-	-
9th	11,866	325	58.1	6,896	4,333	314	865	66	8	1,310	10.6
Criminal	1,460	87	66.1	965	684	112	159	10	-	-	16.5
U.S. Prisoner Petitions	395	2	66.3	262	55	5	12	3	-	187	4.6
Other U.S. Civil	650	29	60.3	392	285	13	89	4	1	-	22.7
Private Prisoner Petitions	2,307	5	71.0	1,638	416	9	90	-	-	1,123	5.5
Other Private Civil	2,329	109	52.6	1,225	991	53	172	7	2	-	14.0
Bankruptcy	250	17	51.6	129	99	11	17	2	-	-	13.2
Administrative Agency Appeals	3,549	66	40.0	1,419	1,171	102	101	40	5	-	7.1
Original Proceedings and Miscellaneous Applications	926	10	93.5	866	632	9	225	-	-	-	-
10th	2,256	23	70.3	1,586	985	89	252	82	1	177	6.3
Criminal	448	9	68.8	308	198	56	25	29	-	-	8.1
U.S. Prisoner Petitions	206	-	68.4	141	43	1	7	2	1	87	5.0
Other U.S. Civil	147	2	74.8	110	89	5	10	6	-	-	9.1
Private Prisoner Petitions	308	-	61.0	188	80	3	9	6	-	90	4.8
Other Private Civil	609	12	62.4	380	321	13	21	25	-	-	5.5
Bankruptcy	32	-	53.1	17	11	5	-	1	-	-	-
Administrative Agency Appeals	85	-	65.9	56	36	4	3	13	-	-	5.4
Original Proceedings and Miscellaneous Applications	421	-	91.7	386	207	2	177	-	-	-	-

Table B-5. (December 31, 2016—Continued)

Circuit and Nature of Proceeding	Total Cases Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appeal-ability	Percent Reversed ²
11th	7,553	352	62.5	4,724	3,138	342	561	12	12	659	7.7
Criminal	1,282	65	61.4	787	660	69	53	-	5	-	6.7
U.S. Prisoner Petitions	541	-	57.5	311	44	14	17	1	1	234	5.5
Other U.S. Civil	247	15	45.3	112	96	3	13	-	-	-	11.6
Private Prisoner Petitions	1,118	5	56.3	629	96	78	28	1	1	425	4.5
Other Private Civil	1,283	99	41.7	535	454	12	67	1	1	-	12.5
Bankruptcy	89	3	38.2	34	24	3	5	-	2	-	14.7
Administrative Agency Appeals	261	10	42.5	111	88	2	10	9	2	-	9.0
Original Proceedings and Miscellaneous Applications	2,732	155	80.7	2,205	1,676	161	368	-	-	-	-

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.

¹ Affirmed includes appeals affirmed in part and reversed in part.

² 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.