

Table B-1A.

U.S. Courts of Appeals—Appeals Commenced, Terminated, and Pending, by Nature of Suit or Offense, in Appeals Arising From the U.S. District Courts During the Twelve-Month Period Ended September 30, 1997

| Circuit and Nature of Proceeding | Cases Pending Oct. 1, 1996 | Cases Commenced | | | Cases Terminated | | | | | | | | Cases Pending Sept. 30, 1997 |
|----------------------------------|----------------------------|-----------------|---------------|--------------|------------------|------------------------------------|-------------------------|--------------|---------------|----------------------------|--------------------|----------------------------|------------------------------|
| | | | | | Total | Cases Disposed of by Consolidation | Procedural Terminations | | | Terminations on the Merits | | | |
| | | Total | Original | Reinstated* | | | Total | By Judge | By Staff | Total | After Oral Hearing | After Submission on Briefs | |
| TOTAL CASES | 34,676 | 45,935 | 44,792 | 1,143 | 45,256 | 2,421 | 19,908 | 7,781 | 12,127 | 22,927 | 9,293 | 13,634 | 35,355 |
| TOTAL CRIMINAL CASES | 10,146 | 10,521 | 10,340 | 181 | 10,466 | 861 | 2,285 | 719 | 1,566 | 7,320 | 2,957 | 4,363 | 10,201 |
| TOTAL CIVIL CASES | 24,530 | 35,414 | 34,452 | 962 | 34,790 | 1,560 | 17,623 | 7,062 | 10,561 | 15,607 | 6,336 | 9,271 | 25,154 |
| U.S. CASES | 6,112 | 8,986 | 8,691 | 295 | 8,649 | 384 | 4,091 | 2,009 | 2,082 | 4,174 | 1,175 | 2,999 | 6,449 |
| U.S. PLAINTIFF | 588 | 557 | 547 | 10 | 697 | 53 | 284 | 69 | 215 | 360 | 201 | 159 | 448 |
| NEGOTIABLE INSTRUMENTS | 14 | 12 | 11 | 1 | 23 | 1 | 13 | 2 | 11 | 9 | 3 | 6 | 3 |
| OTHER CONTRACT ACTIONS | 54 | 43 | 43 | - | 61 | 6 | 22 | 3 | 19 | 33 | 23 | 10 | 36 |
| CONDEMNATION OF LAND | 6 | 4 | 4 | - | 8 | - | 2 | 1 | 1 | 6 | 5 | 1 | 2 |
| OTHER REAL PROP. ACTIONS | 59 | 33 | 33 | - | 54 | 3 | 20 | 9 | 11 | 31 | 14 | 17 | 38 |
| TORT ACTIONS | 10 | 9 | 8 | 1 | 10 | - | 5 | 1 | 4 | 5 | 4 | 1 | 9 |
| CIVIL RIGHTS: | | | | | | | | | | | | | |
| EMPLOYMENT | 30 | 37 | 36 | 1 | 45 | 6 | 16 | 6 | 10 | 23 | 14 | 9 | 22 |
| OTHER CIVIL RIGHTS | 26 | 34 | 34 | - | 39 | 8 | 11 | 1 | 10 | 20 | 12 | 8 | 21 |
| FORFEITURE AND PENALTY | 131 | 98 | 95 | 3 | 138 | 10 | 55 | 15 | 40 | 73 | 29 | 44 | 91 |
| FAIR LABOR STAND. ACT | 6 | 7 | 7 | - | 7 | 1 | 1 | - | 1 | 5 | 4 | 1 | 6 |
| OTHER LABOR | 15 | 16 | 16 | - | 17 | - | 9 | 1 | 8 | 8 | 6 | 2 | 14 |
| SECUR., COMMOD., & EXCHG. | 36 | 22 | 20 | 2 | 33 | 2 | 18 | 6 | 12 | 13 | 9 | 4 | 25 |
| TAX SUITS | 35 | 56 | 56 | - | 62 | 2 | 30 | 3 | 27 | 30 | 15 | 15 | 29 |
| ALL OTHER | 166 | 186 | 184 | 2 | 200 | 14 | 82 | 21 | 61 | 104 | 63 | 41 | 152 |
| U.S. DEFENDANT | 5,524 | 8,429 | 8,144 | 285 | 7,952 | 331 | 3,807 | 1,940 | 1,867 | 3,814 | 974 | 2,840 | 6,001 |
| CONTRACT ACTIONS | 93 | 90 | 87 | 3 | 109 | 4 | 37 | 6 | 31 | 68 | 42 | 26 | 74 |
| REAL PROPERTY ACTIONS | 91 | 64 | 63 | 1 | 87 | 5 | 33 | 6 | 27 | 49 | 24 | 25 | 68 |
| TORT ACTIONS | 372 | 350 | 346 | 4 | 488 | 143 | 143 | 31 | 112 | 202 | 92 | 110 | 234 |
| CIVIL RIGHTS: | | | | | | | | | | | | | |
| EMPLOYMENT | 311 | 453 | 443 | 10 | 431 | 11 | 161 | 58 | 103 | 259 | 74 | 185 | 333 |
| OTHER CIVIL RIGHTS | 346 | 445 | 437 | 8 | 488 | 24 | 177 | 56 | 121 | 287 | 86 | 201 | 303 |
| PRISONER PETITIONS: | | | | | | | | | | | | | |
| MOTIONS TO VACATE SEN. | 2,091 | 3,870 | 3,681 | 189 | 3,158 | 47 | 2,013 | 1,440 | 573 | 1,098 | 120 | 978 | 2,803 |
| HABEAS CORPUS | 271 | 491 | 480 | 11 | 426 | 4 | 221 | 89 | 132 | 201 | 28 | 173 | 336 |
| HABEAS CORPUS - DEATH | 2 | 1 | 1 | - | 2 | 1 | - | - | - | 1 | 1 | - | 1 |

Table B-1A. (Continued)

| Circuit and Nature of Proceeding | Cases Pending Oct. 1, 1996 | Cases Commenced | | | Cases Terminated | | | | | | | Cases Pending Sept. 30, 1997 | |
|----------------------------------|----------------------------|-----------------|---------------|-------------|------------------|------------------------------------|-------------------------|--------------|--------------|----------------------------|--------------------|------------------------------|----------------------------|
| | | Total | Original | Reinstated* | Total | Cases Disposed of by Consolidation | Procedural Terminations | | | Terminations on the Merits | | | |
| | | | | | | | Total | By Judge | By Staff | Total | After Oral Hearing | | After Submission on Briefs |
| PRISONER CIVIL RIGHTS | 331 | 434 | 419 | 15 | 523 | 14 | 261 | 71 | 190 | 248 | 14 | 234 | 242 |
| PRISON CONDITION ¹ | - | 85 | 85 | - | 26 | - | 19 | 7 | 12 | 7 | - | 7 | 59 |
| OTHER PRIS. PETITIONS | 164 | 302 | 299 | 3 | 314 | 14 | 144 | 42 | 102 | 156 | 13 | 143 | 152 |
| LABOR SUITS | 27 | 58 | 56 | 2 | 44 | 1 | 20 | 5 | 15 | 23 | 12 | 11 | 41 |
| SOCIAL SECURITY LAWS | 578 | 699 | 681 | 18 | 757 | 4 | 151 | 29 | 122 | 602 | 145 | 457 | 520 |
| TAX SUITS | 181 | 248 | 243 | 5 | 243 | 13 | 104 | 19 | 85 | 126 | 65 | 61 | 186 |
| ENVIRONMENTAL MATTERS | 105 | 138 | 136 | 2 | 130 | 6 | 52 | 13 | 39 | 72 | 55 | 17 | 113 |
| FREEDOM OF INFOR. ACT | 73 | 106 | 104 | 2 | 117 | 6 | 39 | 8 | 31 | 72 | 17 | 55 | 62 |
| ALL OTHER | 488 | 595 | 583 | 12 | 609 | 34 | 232 | 60 | 172 | 343 | 186 | 157 | 474 |
| PRIVATE CASES | 18,418 | 26,428 | 25,761 | 667 | 26,141 | 1,176 | 13,532 | 5,053 | 8,479 | 11,433 | 5,161 | 6,272 | 18,705 |
| FEDERAL QUESTION | 14,995 | 22,630 | 22,041 | 589 | 22,300 | 893 | 11,865 | 4,662 | 7,203 | 9,542 | 3,886 | 5,656 | 15,325 |
| MARINE CONTRACT | 103 | 127 | 125 | 2 | 126 | 19 | 53 | 12 | 41 | 54 | 40 | 14 | 104 |
| OTHER CONTRACT ACTIONS | 415 | 426 | 417 | 9 | 466 | 47 | 192 | 47 | 145 | 227 | 147 | 80 | 375 |
| EMPLOYERS LIABILITY ACT | 42 | 55 | 53 | 2 | 55 | 7 | 25 | 2 | 23 | 23 | 18 | 5 | 42 |
| MARINE INJURY | 113 | 133 | 130 | 3 | 143 | 6 | 65 | 12 | 53 | 72 | 47 | 25 | 103 |
| OTHER TORT ACTIONS | 380 | 499 | 488 | 11 | 524 | 34 | 220 | 69 | 151 | 270 | 153 | 117 | 355 |
| ANTITRUST | 149 | 166 | 164 | 2 | 153 | 17 | 53 | 15 | 38 | 83 | 63 | 20 | 162 |
| CIVIL RIGHTS: | | | | | | | | | | | | | |
| EMPLOYMENT | 1,976 | 3,091 | 3,024 | 67 | 2,763 | 134 | 1,120 | 279 | 841 | 1,509 | 777 | 732 | 2,304 |
| OTHER CIVIL RIGHTS | 2,686 | 3,832 | 3,741 | 91 | 3,809 | 237 | 1,543 | 513 | 1,030 | 2,029 | 954 | 1,075 | 2,709 |
| PRISONER PETITIONS: | | | | | | | | | | | | | |
| HABEAS CORPUS | 2,405 | 4,309 | 4,174 | 135 | 3,991 | 25 | 2,957 | 2,409 | 548 | 1,009 | 290 | 719 | 2,723 |
| HABEAS CORPUS - DEATH | 119 | 166 | 166 | - | 118 | 14 | 19 | 18 | 1 | 85 | 68 | 17 | 167 |
| PRISONER CIVIL RIGHTS | 3,924 | 5,358 | 5,187 | 171 | 6,407 | 82 | 3,885 | 947 | 2,938 | 2,440 | 215 | 2,225 | 2,875 |
| PRISON CONDITION ¹ | - | 1,103 | 1,096 | 7 | 434 | 4 | 344 | 34 | 310 | 86 | - | 86 | 669 |
| OTHER PRIS. PETITIONS | 36 | 68 | 68 | - | 67 | 1 | 46 | 8 | 38 | 20 | 2 | 18 | 37 |
| LABOR MGMT. RELAT. ACT | 180 | 231 | 222 | 9 | 206 | 13 | 73 | 7 | 66 | 120 | 87 | 33 | 205 |
| OTHER LABOR | 773 | 929 | 905 | 24 | 940 | 73 | 358 | 55 | 303 | 509 | 361 | 148 | 762 |
| CPYRGHT., PATENT, & TRDMRK. | 336 | 450 | 435 | 15 | 449 | 48 | 225 | 46 | 179 | 176 | 138 | 38 | 337 |
| SECUR., COMMOD., & EXCHG. | 200 | 200 | 193 | 7 | 216 | 22 | 89 | 20 | 69 | 105 | 90 | 15 | 184 |
| CONST. OF STATE STATS. | 79 | 133 | 132 | 1 | 92 | 7 | 33 | 13 | 20 | 52 | 27 | 25 | 120 |
| ALL OTHER | 1,079 | 1,354 | 1,321 | 33 | 1,341 | 103 | 565 | 156 | 409 | 673 | 409 | 264 | 1,092 |

Table B-1A. (Continued)

| Circuit and Nature of Proceeding | Cases Pending Oct. 1, 1996 | Cases Commenced | | | Cases Terminated | | | | | | | | Cases Pending Sept. 30, 1997 |
|---|----------------------------|-----------------|---------------|------------|------------------|------------|--------------|------------|------------------------------------|-------------------------|----------------------------|--------------|------------------------------|
| | | | | | Total | Original | Reinstated* | Total | Cases Disposed of by Consolidation | Procedural Terminations | | | |
| | | By Judge | By Staff | Total | | | | | | After Oral Hearing | After Submission on Briefs | | |
| DIVERSITY OF CITIZENSHIP | 3,414 | 3,776 | 3,700 | 76 | 3,826 | 283 | 1,658 | 386 | 1,272 | 1,885 | 1,270 | 615 | 3,364 |
| INSURANCE | 695 | 824 | 811 | 13 | 775 | 71 | 280 | 59 | 221 | 424 | 295 | 129 | 744 |
| OTHER CONTRACT ACTIONS | 1,099 | 1,435 | 1,403 | 32 | 1,437 | 117 | 644 | 111 | 533 | 676 | 464 | 212 | 1,097 |
| REAL PROPERTY ACTIONS | 97 | 100 | 97 | 3 | 126 | 10 | 64 | 14 | 50 | 52 | 29 | 23 | 71 |
| PERSONAL INJURY/PROD. LIABILITY | 680 | 425 | 418 | 7 | 440 | 26 | 241 | 120 | 121 | 173 | 132 | 41 | 665 |
| OTHER PERSONAL INJURY | 604 | 709 | 694 | 15 | 761 | 36 | 291 | 53 | 238 | 434 | 262 | 172 | 552 |
| PERSONAL PROP. DAMAGE | 215 | 245 | 243 | 2 | 253 | 22 | 114 | 23 | 91 | 117 | 82 | 35 | 207 |
| ALL OTHER | 24 | 38 | 34 | 4 | 34 | 1 | 24 | 6 | 18 | 9 | 6 | 3 | 28 |
| GENERAL LOCAL JURISDICTION | 9 | 22 | 20 | 2 | 15 | - | 9 | 5 | 4 | 6 | 5 | 1 | 16 |
| CONTRACT ACTIONS | 2 | 7 | 7 | - | 2 | - | 2 | - | 2 | - | - | - | 7 |
| REAL PROPERTY ACTIONS | - | 6 | 5 | 1 | 2 | - | 2 | 1 | 1 | - | - | - | 4 |
| TORT ACTIONS | 1 | 4 | 4 | - | 3 | - | 2 | 1 | 1 | 1 | 1 | - | 2 |
| PRISONER PETITIONS | 2 | 1 | 1 | - | 2 | - | - | - | - | 2 | 1 | 1 | 1 |
| ALL OTHER | 4 | 4 | 3 | 1 | 6 | - | 3 | 3 | - | 3 | 3 | - | 2 |
| TOTAL CRIMINAL CASES | 10,146 | 10,521 | 10,340 | 181 | 10,466 | 861 | 2,285 | 719 | 1,566 | 7,320 | 2,957 | 4,363 | 10,201 |
| GENERAL OFFENSES | | | | | | | | | | | | | |
| HOMICIDE, TOTAL | 156 | 140 | 137 | 3 | 146 | 18 | 30 | 9 | 21 | 98 | 46 | 52 | 150 |
| MURDER, FIRST DEGREE | 135 | 124 | 121 | 3 | 123 | 17 | 23 | 8 | 15 | 83 | 37 | 46 | 136 |
| OTHER HOMICIDE | 21 | 16 | 16 | - | 23 | 1 | 7 | 1 | 6 | 15 | 9 | 6 | 14 |
| ROBBERY, TOTAL | 291 | 299 | 298 | 1 | 313 | 21 | 63 | 18 | 45 | 229 | 76 | 153 | 277 |
| BANK | 258 | 287 | 286 | 1 | 287 | 19 | 59 | 16 | 43 | 209 | 70 | 139 | 258 |
| OTHER ROBBERY | 33 | 12 | 12 | - | 26 | 2 | 4 | 2 | 2 | 20 | 6 | 14 | 19 |
| ASSAULT | 66 | 89 | 87 | 2 | 83 | 4 | 14 | 4 | 10 | 65 | 28 | 37 | 72 |
| BURGLARY | 9 | 6 | 6 | - | 10 | 1 | 1 | - | 1 | 8 | 4 | 4 | 5 |
| LARCENY AND THEFT, TOTAL | 209 | 275 | 272 | 3 | 247 | 18 | 60 | 20 | 40 | 169 | 69 | 100 | 237 |
| INTERSTATE COMMERCE TRANSPORTATION, ETC. OF | 51 | 57 | 57 | - | 44 | 3 | 11 | 4 | 7 | 30 | 13 | 17 | 64 |
| STOLEN PROPERTY | 95 | 99 | 97 | 2 | 106 | 12 | 28 | 14 | 14 | 66 | 34 | 32 | 88 |
| POSTAL | 23 | 43 | 43 | - | 34 | 1 | 10 | 1 | 9 | 23 | 4 | 19 | 32 |
| OTHER LARCENY AND THEFT | 40 | 76 | 75 | 1 | 63 | 2 | 11 | 1 | 10 | 50 | 18 | 32 | 53 |
| EMBEZZLEMENT | 107 | 107 | 106 | 1 | 119 | 9 | 28 | 2 | 26 | 82 | 48 | 34 | 95 |
| FRAUD, TOTAL | 1,235 | 1,419 | 1,396 | 23 | 1,349 | 106 | 345 | 104 | 241 | 898 | 442 | 456 | 1,305 |
| INCOME TAX | 118 | 142 | 140 | 2 | 139 | 15 | 41 | 12 | 29 | 83 | 46 | 37 | 121 |

Table B-1A. (Continued)

| Circuit and Nature of Proceeding | Cases Pending Oct. 1, 1996 | Cases Commenced | | | Cases Terminated | | | | | | | | Cases Pending Sept. 30, 1997 | |
|---|----------------------------|-----------------|--------------|-------------|------------------|------------------------------------|-------------------------|-----------|------------|----------------------------|--------------------|----------------------------|------------------------------|--|
| | | Total | Original | Reinstated* | Total | Cases Disposed of by Consolidation | Procedural Terminations | | | Terminations on the Merits | | | | |
| | | | | | | | Total | By Judge | By Staff | Total | After Oral Hearing | After Submission on Briefs | | |
| POSTAL AND INTERSTATE | | | | | | | | | | | | | | |
| WIRE, RADIO, ETC. | 344 | 368 | 362 | 6 | 375 | 37 | 84 | 23 | 61 | 254 | 132 | 122 | 337 | |
| LENDING AND CREDIT | 235 | 270 | 264 | 6 | 270 | 24 | 68 | 23 | 45 | 178 | 82 | 96 | 235 | |
| FALSE CLAIMS & STATMNTS. | 127 | 118 | 118 | - | 128 | 8 | 36 | 10 | 26 | 84 | 45 | 39 | 117 | |
| OTHER FRAUD | 411 | 521 | 512 | 9 | 437 | 22 | 116 | 36 | 80 | 299 | 137 | 162 | 495 | |
| AUTO THEFT | 107 | 76 | 74 | 2 | 97 | 1 | 14 | 5 | 9 | 82 | 26 | 56 | 86 | |
| FORGERY AND COUNTERFEITING | 121 | 143 | 142 | 1 | 142 | 13 | 35 | 7 | 28 | 94 | 32 | 62 | 122 | |
| SEX OFFENSES | 104 | 153 | 152 | 1 | 120 | 11 | 25 | 2 | 23 | 84 | 47 | 37 | 137 | |
| DRUGS | 5,075 | 4,750 | 4,657 | 93 | 4,859 | 454 | 1,017 | 352 | 665 | 3,388 | 1,253 | 2,135 | 4,966 | |
| MISC. GENERAL OFFENSES | | | | | | | | | | | | | | |
| TOTAL | 1,584 | 1,788 | 1,757 | 31 | 1,746 | 109 | 310 | 93 | 217 | 1,327 | 572 | 755 | 1,626 | |
| BRIBERY | 35 | 42 | 40 | 2 | 41 | 3 | 16 | 5 | 11 | 22 | 16 | 6 | 36 | |
| EXTORTION, RACKETEERING, AND THREATS | 162 | 218 | 215 | 3 | 184 | 14 | 58 | 19 | 39 | 112 | 60 | 52 | 196 | |
| GAMBLING, LOTTERY | 8 | 11 | 11 | - | 6 | 1 | 4 | 3 | 1 | 1 | - | 1 | 13 | |
| KIDNAPPING | 66 | 52 | 51 | 1 | 65 | 11 | 12 | 3 | 9 | 42 | 22 | 20 | 53 | |
| FIREARMS, WEAPONS | 1,062 | 1,135 | 1,119 | 16 | 1,160 | 51 | 165 | 45 | 120 | 944 | 393 | 551 | 1,037 | |
| ESCAPE | 69 | 85 | 83 | 2 | 84 | 10 | 8 | 1 | 7 | 66 | 13 | 53 | 70 | |
| PERJURY | 22 | 35 | 35 | - | 28 | 2 | 5 | - | 5 | 21 | 9 | 12 | 29 | |
| DRUNK DRIVING/TRAFFIC | 18 | 27 | 27 | - | 24 | 1 | 8 | 4 | 4 | 15 | 2 | 13 | 21 | |
| OTHER MISCELLANEOUS | | | | | | | | | | | | | | |
| GENERAL OFFENSES | 142 | 183 | 176 | 7 | 154 | 16 | 34 | 13 | 21 | 104 | 57 | 47 | 171 | |
| SPECIAL OFFENSES | | | | | | | | | | | | | | |
| IMMIGRATION LAWS | 311 | 417 | 413 | 4 | 376 | 13 | 84 | 24 | 60 | 279 | 78 | 201 | 352 | |
| FEDERAL STATUTES, TOTAL | 771 | 859 | 843 | 16 | 859 | 83 | 259 | 79 | 180 | 517 | 236 | 281 | 771 | |
| AGRICULTURAL ACTS | 16 | 22 | 22 | - | 24 | 1 | 7 | 2 | 5 | 16 | 6 | 10 | 14 | |
| ANTITRUST VIOLATIONS | 2 | 4 | 4 | - | 3 | - | 2 | - | 2 | 1 | 1 | - | 3 | |
| NATIONAL DEFENSE LAWS | 31 | 13 | 13 | - | 14 | 5 | 2 | - | 2 | 7 | 3 | 4 | 30 | |
| CIVIL RIGHTS | 25 | 28 | 28 | - | 25 | 2 | 6 | 2 | 4 | 17 | 12 | 5 | 28 | |
| WITNESS INTIMIDATION | 57 | 60 | 60 | - | 57 | 3 | 12 | 4 | 8 | 42 | 27 | 15 | 60 | |
| EXPLOSIVES/NON-VESSEL | 94 | 83 | 82 | 1 | 81 | 11 | 17 | 3 | 14 | 53 | 30 | 23 | 96 | |
| OTHER | 546 | 649 | 634 | 15 | 655 | 61 | 213 | 68 | 145 | 381 | 157 | 224 | 540 | |

NOTE: THIS TABLE INCLUDES REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

*INCLUDES ONLY APPEALS REINSTATED AFTER BEING TERMINATED DUE TO PROCEDURAL DEFAULTS.

¹ COLLECTION OF DATA FOR THIS CATEGORY BEGAN ON JANUARY 1, 1997; THEREFORE, THIS TABLE REPORTS DATA FOR THIS CATEGORY FOR NINE MONTHS.