

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 12-Month Period Ending September 30, 2012

Nature of Suit or Offense	Cases Pending Oct. 1, 2011 ¹	Cases Commenced			Cases Terminated									Cases Pending Sept. 30, 2012
					Total Terminations	Procedural Terminations			Terminations on the Merits					
		Total	Original	Re-opened ²		Total Procedural Terminations	Cases Disposed of by Consolidation	By Judge	By Staff	Total Merit Terminations	Cases Disposed of by Consolidation	After Oral Hearing	After Submission on Briefs	
TOTAL CASES	32,853	44,034	42,620	1,414	44,858	15,324	133	4,570	10,621	29,534	2,244	6,364	20,926	32,029
TOTAL CRIMINAL CASES	10,908	13,675	13,395	280	13,624	3,075	7	647	2,421	10,549	931	1,997	7,621	10,959
TOTAL CIVIL CASES	21,945	30,359	29,225	1,134	31,234	12,249	126	3,923	8,200	18,985	1,313	4,367	13,305	21,070
U.S. CASES	4,705	7,392	7,130	262	7,505	2,782	15	914	1,853	4,723	232	720	3,771	4,592
U.S. PLAINTIFF	344	324	311	13	365	157	5	42	110	208	15	94	99	303
NEGOTIABLE INSTRUMENTS	1	1	1	-	1	-	-	-	-	1	-	1	-	1
OTHER CONTRACT ACTIONS	17	23	22	1	21	14	-	4	10	7	1	2	4	19
CONDEMNATION OF LAND	7	1	1	-	7	1	-	-	1	6	3	3	-	1
OTHER REAL PROP. ACTIONS	11	7	7	-	12	7	1	1	5	5	-	2	3	6
TORT ACTIONS	6	4	4	-	4	2	2	-	2	-	1	1	-	6
CIVIL RIGHTS														
EMPLOYMENT	23	17	15	2	25	9	2	2	5	16	1	11	4	15
OTHER CIVIL RIGHTS	15	14	14	-	18	6	-	4	2	12	-	6	6	11
FORFEITURE AND PENALTY	51	44	42	2	59	26	-	8	18	33	1	15	17	36
FAIR LABOR STAND. ACT	4	2	2	-	4	1	-	-	1	3	-	-	3	2
OTHER LABOR	13	12	12	-	16	8	-	-	8	8	1	5	2	9
SECUR., COMMOD., & EXCHG.	46	38	37	1	43	19	-	6	13	24	1	11	12	41
TAX SUITS	52	53	48	5	61	28	1	6	21	33	4	5	24	44
ALL OTHER	98	108	106	2	94	36	1	9	26	58	3	32	23	112
U.S. DEFENDANT	4,361	7,068	6,819	249	7,140	2,625	10	872	1,743	4,515	217	626	3,672	4,289
CONTRACT ACTIONS	48	62	61	1	45	15	-	6	9	30	6	13	11	65
REAL PROPERTY ACTIONS	35	45	43	2	44	17	-	1	16	27	-	12	15	36
TORT ACTIONS	141	223	213	10	229	98	5	19	74	131	16	43	72	135
CIVIL RIGHTS														
EMPLOYMENT	199	224	207	17	268	81	-	19	62	187	11	50	126	155
OTHER CIVIL RIGHTS	256	486	471	15	439	222	-	77	145	217	19	53	145	303
PRISONER PETITIONS														
MOTIONS TO VACATE SEN.	1,504	2,978	2,861	117	2,912	924	-	501	423	1,988	47	67	1,874	1,570

Table B-1A. (September 30, 2012—Continued)

Nature of Suit or Offense	Cases Pending Oct. 1, 2011 ¹	Cases Commenced			Cases Terminated									Cases Pending Sept. 30, 2012	
					Total Terminations	Procedural Terminations			Terminations on the Merits						
		Total	Original	Re-opened ²		Total Procedural Terminations	Cases Disposed of by Consolidation	By Judge	By Staff	Total Merit Terminations	Cases Disposed of by Consolidation	After Oral Hearing	After Submission on Briefs		
U.S. DEFENDANT (CONTINUED)															
HABEAS CORPUS—GENERAL	580	950	922	28	999	402	-	78	324	597	19	32	546	531	
HABEAS CORPUS—DEATH	7	-	-	-	2	1	-	-	1	1	-	1	-	5	
PRISONER CIVIL RIGHTS	206	421	412	9	419	224	-	42	182	195	11	9	175	208	
PRISON CONDITION	76	182	178	4	180	108	-	12	96	72	2	5	65	78	
OTHER PRIS. PETITIONS	139	206	201	5	230	115	1	30	84	115	5	15	95	115	
LABOR SUITS	18	34	33	1	24	8	-	2	6	16	-	7	9	28	
SOCIAL SECURITY LAWS	459	512	504	8	573	145	-	32	113	428	2	105	321	398	
TAX SUITS	91	93	92	1	108	44	-	5	39	64	6	27	31	76	
ENVIRONMENTAL MATTERS	142	123	117	6	131	47	4	4	39	84	19	54	11	134	
FREEDOM OF INFOR. ACT	38	55	55	-	51	21	-	2	19	30	4	13	13	42	
ALL OTHER	422	474	449	25	486	153	-	42	111	333	50	120	163	410	
TOTAL PRIVATE CASES	17,240	22,967	22,095	872	23,729	9,467	111	3,009	6,347	14,262	1,081	3,647	9,534	16,478	
FEDERAL QUESTION															
MARINE CONTRACT	54	48	46	2	56	29	1	7	21	27	3	16	8	46	
OTHER CONTRACT ACTIONS	456	510	490	20	525	221	7	54	160	304	73	132	99	441	
FEDERAL EMPLOYERS															
LIABILITY ACT	16	17	17	-	20	11	-	2	9	9	-	7	2	13	
MARINE INJURY	62	71	69	2	76	25	2	4	19	51	14	15	22	57	
OTHER TORT ACTIONS	419	538	528	10	542	262	4	96	162	280	31	100	149	415	
ANTITRUST	125	95	91	4	124	37	-	8	29	87	10	57	20	96	
CIVIL RIGHTS															
EMPLOYMENT	1,188	1,483	1,424	59	1,583	601	7	167	427	982	46	345	591	1,088	
OTHER CIVIL RIGHTS	2,650	3,580	3,447	133	3,661	1,546	24	450	1,072	2,115	148	762	1,205	2,569	
PRISONER PETITIONS															
HABEAS CORPUS—GENERAL	4,621	5,708	5,554	154	6,464	1,572	1	959	612	4,892	95	386	4,411	3,865	
HABEAS CORPUS—DEATH	311	143	124	19	195	27	-	22	5	168	14	106	48	259	
PRISONER CIVIL RIGHTS	1,611	2,957	2,830	127	3,071	1,701	2	450	1,249	1,370	70	95	1,205	1,497	
PRISON CONDITION	680	1,425	1,381	44	1,380	840	-	183	657	540	11	33	496	725	
OTHER PRIS. PETITIONS	36	50	48	2	64	31	-	-4	27	33	-	2	31	22	
LABOR MGMT. RELAT. ACT	90	110	108	2	92	38	3	8	27	54	4	29	21	108	
OTHER LABOR	562	676	648	28	601	262	10	42	210	339	39	191	109	637	
COPYRIGHT, PATENT, & TRDMRK.	341	398	389	9	380	173	7	32	134	207	48	92	67	359	

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Nature of Suit or Offense	Cases Pending Oct. 1, 2011 ¹	Cases Commenced			Cases Terminated										Cases Pending Sept. 30, 2012
					Total Terminations	Procedural Terminations				Terminations on the Merits					
		Total	Original	Re-opened ²		Total Procedural Terminations	Cases Disposed of by Consolidation	By Judge	By Staff	Total Merit Terminations	Cases Disposed of by Consolidation	After Oral Hearing	After Submission on Briefs		
FEDERAL QUESTION (CONTINUED)															
SECUR., COMMOD., & EXCHG.	163	275	182	93	279	86	1	31	54	193	107	71	15	159	
CONST. OF STATE STATS.	116	152	144	8	126	32	1	4	27	94	15	52	27	142	
ALL OTHER	1,173	1,583	1,509	74	1,425	693	5	200	488	732	91	333	308	1,331	
DIVERSITY OF CITIZENSHIP	2,565	3,146	3,064	82	3,062	1,280	36	286	958	1,782	260	822	700	2,649	
INSURANCE	598	674	658	16	692	237	12	45	180	455	76	233	146	580	
OTHER CONTRACT ACTIONS	940	1,088	1,063	25	1,112	484	15	109	360	628	99	308	221	916	
REAL PROPERTY ACTIONS	156	357	349	8	234	123	1	33	89	111	8	38	65	279	
PERSONAL INJURY/PRODUCT LIABILITY	188	206	201	5	160	64	-	12	52	96	19	47	30	234	
OTHER PERSONAL INJURY	351	414	398	16	450	189	6	44	139	261	30	99	132	315	
PERSONAL PROP. DAMAGE	177	225	215	10	218	105	2	22	81	113	14	54	45	184	
ALL OTHER	155	182	180	2	196	78	-	21	57	118	14	43	61	141	
GENERAL LOCAL JURISDICTION	1	2	2	-	3	-	-	-	-	3	2	1	-	-	
CONTRACT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
REAL PROPERTY ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
TORT ACTIONS	1	2	2	-	3	-	-	-	-	3	2	1	-	-	
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ALL OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
TOTAL CRIMINAL CASES	10,908	13,675	13,395	280	13,624	3,075	7	647	2,421	10,549	931	1,997	7,621	10,959	
VIOLENT OFFENSES	632	583	575	8	646	130	1	34	95	516	56	127	333	569	
HOMICIDE	59	39	36	3	36	4	-	-	4	32	2	21	9	62	
ROBBERY	194	214	214	-	242	48	-	14	34	194	17	36	141	166	
ASSAULT	108	95	95	-	116	18	-	4	14	98	19	26	53	87	
KIDNAPPING	44	44	44	-	34	5	1	3	1	29	3	7	19	54	
RACKETEERING—VIOLENT CRIME	144	134	130	4	148	40	-	8	32	108	7	21	80	130	
CARJACKING	30	20	19	1	30	5	-	1	4	25	3	5	17	20	
TERRORISM	34	15	15	-	22	5	-	1	4	17	5	7	5	27	
OTHER VIOLENT OFFENSES	19	22	22	-	18	5	-	3	2	13	-	4	9	23	

Table B-1A. (September 30, 2012—Continued)

Nature of Suit or Offense	Cases Pending Oct. 1, 2011 ¹	Cases Commenced			Cases Terminated									Cases Pending Sept. 30, 2012
					Total Terminations	Procedural Terminations				Terminations on the Merits				
		Total	Original	Re-opened ²		Total Procedural Terminations	Cases Disposed of by Consolidation	By Judge	By Staff	Total Merit Terminations	Cases Disposed of by Consolidation	After Oral Hearing	After Submission on Briefs	
PROPERTY OFFENSES	1,545	1,688	1,655	33	1,685	405	2	95	308	1,280	152	378	750	1,548
BURGLARY	6	1	1	-	7	-	-	-	-	7	2	2	3	-
LARCENY & THEFT, TOTAL	74	97	95	2	86	18	-	5	13	68	1	20	47	85
BANK	3	4	4	-	2	-	-	-	-	2	-	-	2	5
POSTAL	13	10	10	-	17	3	-	1	2	14	-	3	11	6
THEFT, U.S. PROPERTY TRANSPORT, ETC. OF	32	58	56	2	38	8	-	1	7	30	-	10	20	52
STOLEN PROPERTY	19	18	18	-	21	5	-	2	3	16	1	5	10	16
OTHER LARCENY AND THEFT OFFENSES	7	7	7	-	8	2	-	1	1	6	-	2	4	6
EMBEZZLEMENT	56	35	35	-	55	10	-	1	9	45	9	18	18	36
FRAUD, TOTAL	1,331	1,438	1,408	30	1,422	346	2	82	262	1,076	131	319	626	1,347
TAX	103	84	83	1	108	20	3	-	17	88	15	22	51	79
FINANCIAL INSTITUTIONS	122	121	119	2	128	26	-	5	21	102	8	27	67	115
SECURITIES AND EXCHANGE	30	40	39	1	23	9	-	2	7	14	1	8	5	47
MAIL	122	128	128	-	123	30	-	8	22	93	10	35	48	127
WIRE, RADIO, OR TELEVISION	147	176	169	7	159	41	-	6	35	118	12	36	70	164
SOCIAL SECURITY	23	34	33	1	29	8	-	1	7	21	3	5	13	28
CITIZENSHIP AND NATURALIZATION	4	14	14	-	8	1	-	1	-	7	-	1	6	10
PASSPORT	19	24	24	-	24	6	-	-	6	18	2	6	10	19
IDENTIFICATION DOCUMENTS AND INFO.	78	97	97	-	88	23	-	9	14	65	5	22	38	87
FALSE CLAIMS AND SERVICES, GOV'T.	23	44	42	2	25	7	-	2	5	18	3	3	12	42
FALSE STATEMENTS	56	62	60	2	80	21	2	3	16	59	7	20	32	38
CONSPIRACY TO DEFRAUD THE U.S.	204	156	153	3	205	38	-	14	24	167	18	52	97	155
UNAUTHORIZED ACCESS DEVICES	86	79	79	-	93	25	-	7	18	68	9	11	48	72
HEALTH CARE	82	65	62	3	76	19	-	3	16	57	9	14	34	71
OTHER FRAUD OFFENSES	232	314	306	8	253	72	-	18	54	181	29	57	95	293
FORGERY AND COUNTERFEITING	63	101	100	1	93	26	-	6	20	67	4	16	47	71
OTHER PROPERTY OFFENSES	15	16	16	-	22	5	-	1	4	17	5	3	9	9

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					Total Terminations	Procedural Terminations				Terminations on the Merits				
		Total	Original	Re-opened ²		Total Procedural Terminations	Cases Disposed of by Consolidation	By Judge	By Staff	Total Merit Terminations	Cases Disposed of by Consolidation	After Oral Hearing	After Submission on Briefs	
DRUG OFFENSES	3,738	5,917	5,760	157	5,316	1,372	-	286	1,086	3,944	346	547	3,051	4,339
MARIJUANA, TOTAL	295	393	387	6	355	93	-	21	72	262	21	50	191	333
SELL, DISTRIBUTE, OR DISPENSE	247	297	292	5	285	69	-	13	56	216	17	38	161	259
IMPORT/EXPORT	29	44	44	-	42	16	-	5	11	26	1	8	17	31
MANUFACTURE	18	45	44	1	26	8	-	3	5	18	2	4	12	37
POSSESSION	1	7	7	-	2	-	-	-	-	2	1	-	1	6
ALL OTHER DRUGS, TOTAL	3,358	5,448	5,298	150	4,872	1,264	-	262	1,002	3,608	315	484	2,809	3,934
SELL, DISTRIBUTE, OR DISPENSE	3,130	5,186	5,047	139	4,613	1,199	-	245	954	3,414	300	449	2,665	3,703
IMPORT/EXPORT	116	147	142	5	124	34	-	10	24	90	10	21	59	139
MANUFACTURE	104	102	98	4	122	28	-	4	24	94	5	13	76	84
POSSESSION	8	13	11	2	13	3	-	3	-	10	-	1	9	8
OTHER DRUG OFFENSES	85	76	75	1	89	15	-	3	12	74	10	13	51	72
FIREARMS, EXPLOSIVES OFFENSES	1,581	1,722	1,696	26	1,872	351	2	74	275	1,521	109	321	1,091	1,431
FIREARMS, TOTAL	1,534	1,694	1,668	26	1,826	346	2	69	275	1,480	93	306	1,081	1,402
POSSESSION BY PROHIBITED PERSONS	901	968	954	14	1,106	199	2	34	163	907	34	193	680	763
FURTHERANCE OF VIOLENT/ DRUG-TRAFFICKING CRIMES	406	492	481	11	468	107	-	25	82	361	48	63	250	430
OTHER FIREARMS OFFENSES	227	234	233	1	252	40	-	10	30	212	11	50	151	209
EXPLOSIVES	47	28	28	-	46	5	-	5	-	41	16	15	10	29
SEX OFFENSES	667	785	760	25	759	129	-	32	97	630	29	181	420	693
SEXUAL ABUSE OF ADULTS	24	17	16	1	18	1	-	-	1	17	-	3	14	23
SEXUAL ABUSE OF MINORS	164	192	190	2	180	24	-	11	13	156	10	50	96	176
SEXUALLY EXPLICIT MATERIAL	330	369	364	5	374	64	-	13	51	310	13	89	208	325
OTHER SEX OFFENSES	149	207	190	17	187	40	-	8	32	147	6	39	102	169
JUSTICE SYSTEM OFFENSES	143	162	158	4	169	39	-	12	27	130	22	38	70	136
OBSTRUCTION OF JUSTICE	84	81	81	-	89	17	-	5	12	72	14	30	28	76
ESCAPE FROM CUSTODY	16	28	27	1	24	9	-	5	4	15	2	1	12	20
FAILURE TO APPEAR	21	20	20	-	24	7	-	2	5	17	5	2	10	17
OTHER JUSTICE SYSTEM OFFENSES	22	33	30	3	32	6	-	-	6	26	1	5	20	23

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		Total	Original	Re-opened ²		Total Procedural Terminations	Cases Disposed of by Consolidation	By Judge	By Staff	Total Merit Terminations	Cases Disposed of by Consolidation	After Oral Hearing	After Submission on Briefs	
IMMIGRATION OFFENSES	1,381	1,616	1,606	10	1,753	362	-	68	294	1,391	63	189	1,139	1,244
ALIEN SMUGGLING	104	99	98	1	115	24	-	4	20	91	7	30	54	88
IMPROPER ENTRY BY ALIEN	13	20	20	-	17	8	-	3	5	9	-	2	7	16
IMPROPER REENTRY BY ALIEN	1,215	1,449	1,440	9	1,562	314	-	57	257	1,248	52	151	1,045	1,102
OTHER IMMIGRATION OFFENSES	49	48	48	-	59	16	-	4	12	43	4	6	33	38
GENERAL OFFENSES	442	355	347	8	430	90	1	18	71	340	83	97	160	367
MONEY LAUNDERING	247	201	195	6	222	46	1	11	34	176	44	47	85	226
RICO ³	93	63	62	1	93	16	-	2	14	77	31	22	24	63
EXTORTION AND THREATS	37	44	43	1	51	19	-	5	14	32	2	11	19	30
OTHER GENERAL OFFENSES	65	47	47	-	64	9	-	-	9	55	6	17	32	48
REGULATORY OFFENSES	175	117	115	2	167	39	1	6	32	128	28	50	50	125
TRAFFIC OFFENSES	2	7	7	-	5	1	-	-	1	4	-	2	2	4
UNCLASSIFIED OFFENSES	602	723	716	7	822	157	22	-	135	665	43	67	555	503

NOTE: This table includes appeals reopened, remanded, and reinstated (after being terminated due to procedural defaults) as well as original appeals. This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning 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.

³ RICO = Racketeer Influenced and Corrupt Organizations Act.