

Table B-4.

U.S. Courts of Appeals—Median Time Intervals in Cases Terminated After Hearing or Submission, by Circuit, During the 12-Month Period Ending September 30, 2004

Circuit	Total Cases	From Filing of Notice of Appeal to Filing Last Brief		From Filing of Last Brief to Hearing or Submission		From Hearing to Final Disposition		From Submission to Final Disposition		From Filing of Notice of Appeal to Final Disposition		From Filing in Lower Court to Final Disposition in Appellate Court	
		Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months
ALL CASES													
TOTAL	27,438	15,246	5.3	18,324	3.7	8,645	2.1	18,793	.5	20,434	10.5	20,434	25.9
DISTRICT OF COLUMBIA	492	179	7.3	305	3.2	262	2.0	230	.7	304	10.5	304	28.6
FIRST	683	520	5.7	584	2.0	380	2.7	303	1.9	555	11.2	555	30.4
SECOND	1,777	1,142	6.4	1,205	2.7	1,047	.7	730	.2	1,449	11.0	1,449	32.0
THIRD	2,047	1,260	5.5	1,507	3.4	503	3.3	1,544	2.0	1,600	11.6	1,600	29.8
FOURTH	2,424	873	4.6	1,080	2.7	413	2.5	2,011	.6	1,852	7.5	1,852	20.2
FIFTH	4,018	2,149	5.5	2,324	2.8	752	2.0	3,266	.3	3,376	8.5	3,376	18.9
SIXTH	2,490	1,698	6.3	1,896	8.0	1,050	2.3	1,440	1.2	2,009	16.8	2,009	31.8
SEVENTH	1,411	911	4.8	1,009	2.9	738	2.8	673	.3	1,159	10.3	1,159	25.7
EIGHTH	1,860	1,024	3.5	1,142	4.7	649	3.6	1,211	.3	1,473	9.8	1,473	23.9
NINTH	5,783	2,332	6.2	3,884	5.4	1,805	1.2	3,978	.2	3,021	14.0	3,021	30.5
TENTH	1,349	1,046	5.1	1,113	3.9	390	3.9	959	1.5	1,159	11.7	1,159	25.9
ELEVENTH	3,104	2,112	4.3	2,275	2.4	656	2.0	2,448	.9	2,477	8.8	2,477	24.2
PRISONER PETITIONS													
TOTAL	4,520	2,383	6.2	2,383	3.6	872	1.9	3,648	.7	4,520	9.1	4,520	24.0
DISTRICT OF COLUMBIA	63	13	11.9	13	2.4	10	1.0	53	.7	63	7.5	63	17.6
FIRST	56	44	5.7	44	1.3	17	2.6	39	2.6	56	10.3	56	26.9
SECOND	249	164	8.6	164	3.0	116	.7	133	.2	249	12.1	249	35.2
THIRD	412	182	7.0	182	3.2	55	3.0	357	1.1	412	9.7	412	24.4
FOURTH	566	43	5.2	43	2.4	35	2.3	531	.4	566	4.9	566	16.3
FIFTH	647	286	5.0	286	3.1	51	2.0	596	.6	647	7.4	647	17.9
SIXTH	464	286	6.7	286	6.0	101	2.7	363	1.2	464	11.8	464	24.6
SEVENTH	293	188	7.7	188	2.9	69	3.2	224	.3	293	9.8	293	24.3
EIGHTH	287	106	5.1	106	5.1	35	4.1	252	.3	287	7.3	287	20.4
NINTH	775	608	7.6	608	4.8	299	1.0	476	.3	775	14.5	775	36.3
TENTH	285	204	4.1	204	3.2	31	4.2	254	1.6	285	9.1	285	21.4
ELEVENTH	423	259	5.4	259	2.3	53	2.2	370	.9	423	8.1	423	21.0

Table B-4. (September 30, 2004—Continued)

Circuit	Total Cases	From Filing of Notice of Appeal to Filing Last Brief		From Filing of Last Brief to Hearing or Submission		From Hearing to Final Disposition		From Submission to Final Disposition		From Filing of Notice of Appeal to Final Disposition		From Filing in Lower Court to Final Disposition in Appellate Court	
		Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months
OTHER CIVIL													
TOTAL	7,974	6,840	4.7	6,840	4.0	4,324	2.4	3,650	1.1	7,974	11.4	7,974	30.0
DISTRICT OF COLUMBIA	181	112	6.9	112	2.7	89	1.9	92	.7	181	10.5	181	29.7
FIRST	309	297	5.0	297	2.0	205	2.5	104	2.7	309	10.2	309	29.0
SECOND	701	581	6.0	581	2.7	563	.7	138	.2	701	10.4	701	33.8
THIRD	777	697	4.9	697	3.6	280	3.8	497	2.4	777	11.7	777	32.2
FOURTH	607	335	4.3	335	4.1	230	2.7	377	.6	607	8.5	607	21.4
FIFTH	916	838	4.6	838	3.5	453	2.1	463	1.1	916	9.8	916	27.6
SIXTH	869	830	5.6	830	9.7	576	2.5	293	1.3	869	18.1	869	35.9
SEVENTH	559	508	4.2	508	3.0	389	3.4	170	.1	559	10.5	559	28.7
EIGHTH	611	508	3.6	508	4.8	329	3.8	282	.4	611	10.8	611	27.3
NINTH	1,057	821	5.8	821	6.7	663	1.6	394	.3	1,057	15.6	1,057	33.0
TENTH	484	468	4.5	468	4.8	191	4.3	293	2.3	484	12.7	484	30.9
ELEVENTH	903	845	3.5	845	2.7	356	2.1	547	1.3	903	8.6	903	28.3
CRIMINAL													
TOTAL	7,559	5,697	5.9	5,697	2.9	2,344	1.9	5,215	.6	7,559	10.4	7,559	22.7
DISTRICT OF COLUMBIA	58	53	7.6	53	2.7	43	2.7	15	.6	58	13.2	58	31.1
FIRST	173	162	9.8	162	2.1	114	2.8	59	2.0	173	15.7	173	34.8
SECOND	467	370	7.1	370	2.6	292	.6	175	.2	467	11.7	467	29.7
THIRD	377	350	6.4	350	3.2	101	2.4	276	2.3	377	13.0	377	30.6
FOURTH	642	472	4.8	472	2.4	103	2.3	539	.8	642	9.1	642	20.9
FIFTH	1,759	972	6.5	972	1.8	181	1.4	1,578	.0	1,759	8.3	1,759	16.0
SIXTH	636	545	7.6	545	6.3	290	1.9	346	1.3	636	16.6	636	30.3
SEVENTH	283	193	5.5	193	2.6	177	2.2	106	.0	283	10.0	283	23.0
EIGHTH	557	393	3.3	393	4.4	220	3.1	337	.4	557	9.4	557	21.3
NINTH	1,126	860	5.7	860	4.3	457	1.2	669	.2	1,126	11.6	1,126	25.0
TENTH	359	347	6.1	347	2.4	143	3.2	216	1.0	359	11.3	359	23.0
ELEVENTH	1,122	980	5.1	980	2.3	223	1.9	899	1.1	1,122	9.2	1,122	21.6

Table B-4. (September 30, 2004—Continued)

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		Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months	Cases	Interval in Months
ADMINISTRATIVE AGENCY													
TOTAL	3,957	-	-	3,078	4.6	877	1.7	3,080	.4	-	-	-	-
DISTRICT OF COLUMBIA	137	-	-	126	3.7	115	2.0	22	.8	-	-	-	-
FIRST	66	-	-	64	1.8	28	2.3	38	1.5	-	-	-	-
SECOND	99	-	-	63	2.6	48	.7	51	.2	-	-	-	-
THIRD	289	-	-	247	3.3	49	2.6	240	2.4	-	-	-	-
FOURTH	256	-	-	207	2.2	28	2.5	228	.9	-	-	-	-
FIFTH	201	-	-	175	3.0	33	3.4	168	.9	-	-	-	-
SIXTH	215	-	-	198	7.4	55	2.0	160	1.2	-	-	-	-
SEVENTH	108	-	-	98	3.0	85	2.1	23	.3	-	-	-	-
EIGHTH	148	-	-	118	5.5	55	2.8	93	.6	-	-	-	-
NINTH	2,182	-	-	1,552	6.5	346	1.0	1,836	.3	-	-	-	-
TENTH	71	-	-	67	4.5	18	3.4	53	2.6	-	-	-	-
ELEVENTH	185	-	-	163	2.0	17	.7	168	1.1	-	-	-	-
BANKRUPTCY													
TOTAL	381	326	4.5	326	4.1	211	2.5	170	1.1	381	11.8	381	21.0
DISTRICT OF COLUMBIA	2	1	-	1	-	1	-	1	-	2	6.7	2	21.6
FIRST	17	17	4.2	17	2.6	16	4.1	1	3.0	17	12.1	17	26.8
SECOND	32	27	5.5	27	2.7	25	.4	7	.1	32	10.4	32	18.2
THIRD	34	31	5.0	31	3.7	15	2.9	19	2.1	34	12.4	34	20.6
FOURTH	37	23	3.8	23	4.4	15	2.2	22	.8	37	8.6	37	16.6
FIFTH	54	53	4.2	53	3.6	33	2.5	21	1.4	54	10.1	54	18.5
SIXTH	40	37	6.0	37	9.6	28	2.4	12	1.8	40	18.3	40	28.8
SEVENTH	24	22	3.2	22	2.8	17	3.0	7	.2	24	10.4	24	18.9
EIGHTH	18	17	2.7	17	5.2	9	3.0	9	.3	18	10.5	18	16.5
NINTH	63	43	5.4	43	7.5	38	1.9	25	.3	63	16.1	63	26.2
TENTH	31	27	4.8	27	5.7	7	3.1	24	3.4	31	15.1	31	23.5
ELEVENTH	29	28	2.9	28	2.5	7	1.0	22	1.7	29	8.4	29	15.4

NOTE: THE SUBTOTALS DO NOT ADD UP TO THE NUMBER FOR TOTAL CASES BECAUSE TOTAL CASES INCLUDE ORIGINAL PROCEEDINGS NOT REPORTED SEPARATELY IN THIS TABLE. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT. BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF ORIGINAL PROCEEDINGS PREVIOUSLY NOT PRESENTED IN THIS TABLE.

¹ BEGINNING IN 2002 AND THROUGH 2004, THE COURTS OF APPEALS, PARTICULARLY IN THE SECOND AND NINTH CIRCUITS, EXPERIENCED AN UNPRECEDENTED INCREASE IN FILINGS OF NEW CASES ORIGINATING FROM THE BOARD OF IMMIGRATION APPEALS.