

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending September 30, 2012

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
ALL CIRCUITS	57,570	65.7	37,806	2,711	23,891	2,615	2,372	507	70	5,640	6.8
CRIMINAL	13,624	77.4	10,549	931	7,360	1,289	736	213	20	-	7.0
U.S. PRISONER PETITIONS	4,742	62.6	2,968	84	896	133	109	18	5	1,723	3.7
OTHER U.S. CIVIL	2,763	63.5	1,755	148	1,295	102	184	22	4	-	10.5
PRIV. PRISONER PETITIONS	11,174	62.7	7,003	190	2,256	338	266	35	1	3,917	3.8
OTHER PRIVATE CIVIL	12,555	57.8	7,259	891	5,158	356	755	86	13	-	10.4
BANKRUPTCY	681	54.5	371	49	254	26	37	3	2	-	10.0
ADMINISTRATIVE APPEALS	7,934	56.4	4,473	393	3,409	263	253	130	25	-	5.7
ORIGINAL PROCEEDINGS	4,097	83.7	3,428	25	3,263	108	32	-	-	-	-
DC CIRCUIT	1,189	59.9	712	224	395	21	59	6	-	7	8.9
CRIMINAL	84	48.8	41	2	33	1	4	1	-	-	9.8
U.S. PRISONER PETITIONS	94	55.3	52	3	38	1	2	1	-	7	3.8
OTHER U.S. CIVIL	239	72.4	173	24	124	6	19	-	-	-	11.0
PRIV. PRISONER PETITIONS	8	37.5	3	-	3	-	-	-	-	-	-
OTHER PRIVATE CIVIL	129	62.0	80	10	54	1	13	2	-	-	16.3
BANKRUPTCY	6	-	-	-	-	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	495	59.2	293	185	76	11	19	2	-	-	6.5
ORIGINAL PROCEEDINGS	134	52.2	70	-	67	1	2	-	-	-	-
1ST CIRCUIT	1,612	65.3	1,052	80	804	28	74	6	-	60	7.3
CRIMINAL	530	69.2	367	44	284	6	29	4	-	-	7.9
U.S. PRISONER PETITIONS	105	65.7	69	3	25	-	-	1	-	40	-
OTHER U.S. CIVIL	103	69.9	72	4	58	5	5	-	-	-	6.9
PRIV. PRISONER PETITIONS	93	62.4	58	-	37	-	1	-	-	20	1.7
OTHER PRIVATE CIVIL	483	59.2	286	23	226	12	24	1	-	-	8.4
BANKRUPTCY	33	45.5	15	2	12	-	1	-	-	-	6.7
ADMINISTRATIVE APPEALS	194	61.3	119	4	100	3	12	-	-	-	10.1
ORIGINAL PROCEEDINGS	71	93.0	66	-	62	2	2	-	-	-	-
2ND CIRCUIT	5,715	65.2	3,729	281	2,292	597	176	44	-	339	5.0
CRIMINAL	752	74.9	563	54	360	88	52	9	-	-	9.2
U.S. PRISONER PETITIONS	242	68.2	165	5	22	47	5	-	-	86	3.0
OTHER U.S. CIVIL	245	59.2	145	15	82	42	6	-	-	-	4.1
PRIV. PRISONER PETITIONS	779	68.3	532	24	103	122	23	7	-	253	4.3
OTHER PRIVATE CIVIL	1,658	56.2	932	131	566	164	62	9	-	-	6.7
BANKRUPTCY	74	44.6	33	5	19	7	2	-	-	-	6.1
ADMINISTRATIVE APPEALS	1,726	66.7	1,151	46	940	120	26	19	-	-	2.3
ORIGINAL PROCEEDINGS	239	87.0	208	1	200	7	-	-	-	-	-

Table B-5. (September 30, 2012—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
3RD CIRCUIT	3,767	68.5	2,581	88	1,870	76	146	66	1	334	6.4
CRIMINAL	748	82.1	614	18	539	7	35	15	-	-	5.7
U.S. PRISONER PETITIONS	344	72.4	249	-	104	5	8	3	-	129	3.2
OTHER U.S. CIVIL	165	62.4	103	5	87	3	7	1	-	-	6.8
PRIV. PRISONER PETITIONS	631	60.9	384	6	140	17	13	3	-	205	3.4
OTHER PRIVATE CIVIL	938	60.3	566	48	443	14	50	11	-	-	8.8
BANKRUPTCY	61	52.5	32	-	26	2	3	1	-	-	9.4
ADMINISTRATIVE APPEALS	509	65.4	333	11	243	17	29	32	1	-	8.7
ORIGINAL PROCEEDINGS	371	80.9	300	-	288	11	1	-	-	-	-
4TH CIRCUIT	5,219	77.0	4,020	212	2,828	178	181	80	7	534	5.0
CRIMINAL	1,939	86.3	1,674	114	1,308	86	109	55	2	-	6.5
U.S. PRISONER PETITIONS	621	75.0	466	6	148	24	9	2	-	277	1.9
OTHER U.S. CIVIL	214	73.8	158	2	131	9	13	3	-	-	8.2
PRIV. PRISONER PETITIONS	831	64.0	532	15	232	16	8	4	-	257	1.5
OTHER PRIVATE CIVIL	852	68.0	579	49	464	26	32	7	1	-	5.5
BANKRUPTCY	58	72.4	42	9	29	1	3	-	-	-	7.1
ADMINISTRATIVE APPEALS	277	59.2	164	8	128	10	5	9	4	-	3.0
ORIGINAL PROCEEDINGS	427	94.8	405	9	388	6	2	-	-	-	-
5TH CIRCUIT	7,316	63.3	4,630	603	2,358	707	235	65	-	662	5.4
CRIMINAL	2,525	73.7	1,862	259	914	585	64	40	-	-	3.4
U.S. PRISONER PETITIONS	672	59.8	402	42	113	23	13	2	-	209	3.2
OTHER U.S. CIVIL	209	57.9	121	18	85	7	10	1	-	-	8.3
PRIV. PRISONER PETITIONS	1,506	52.9	796	96	163	51	30	3	-	453	3.8
OTHER PRIVATE CIVIL	1,310	59.3	777	143	510	30	91	3	-	-	11.7
BANKRUPTCY	81	60.5	49	5	36	-	8	-	-	-	16.3
ADMINISTRATIVE APPEALS	451	45.0	203	34	133	9	11	16	-	-	5.4
ORIGINAL PROCEEDINGS	562	74.7	420	6	404	2	8	-	-	-	-
6TH CIRCUIT	5,417	65.2	3,532	235	2,746	124	299	53	1	74	9.2
CRIMINAL	1,497	80.3	1,202	79	927	67	103	26	-	-	8.6
U.S. PRISONER PETITIONS	359	39.3	141	6	100	4	10	2	-	19	7.1
OTHER U.S. CIVIL	216	66.7	144	6	120	1	16	1	-	-	11.1
PRIV. PRISONER PETITIONS	1,152	45.4	523	20	401	4	39	4	-	55	7.5
OTHER PRIVATE CIVIL	1,347	65.8	886	100	647	12	122	5	-	-	13.8
BANKRUPTCY	55	60.0	33	5	27	-	1	-	-	-	3.0
ADMINISTRATIVE APPEALS	425	73.4	312	17	258	13	8	15	1	-	2.6
ORIGINAL PROCEEDINGS	366	79.5	291	2	266	23	-	-	-	-	-

Table B-5. (September 30, 2012—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits									
		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
7TH CIRCUIT	2,979	54.1	1,613	143	998	137	207	15	27	86	14.8
CRIMINAL	702	71.9	505	60	246	111	80	5	3	-	15.8
U.S. PRISONER PETITIONS	344	36.6	126	2	61	2	15	2	4	40	11.9
OTHER U.S. CIVIL	126	50.8	64	2	44	2	16	-	-	-	25.0
PRIV. PRISONER PETITIONS	509	28.5	145	4	77	2	14	1	1	46	9.7
OTHER PRIVATE CIVIL	860	52.4	451	59	303	9	70	-	10	-	15.5
BANKRUPTCY	45	55.6	25	4	15	1	3	-	2	-	12.0
ADMINISTRATIVE APPEALS	132	60.6	80	8	48	2	8	7	7	-	10.0
ORIGINAL PROCEEDINGS	261	83.1	217	4	204	8	1	-	-	-	-
8TH CIRCUIT	2,957	78.0	2,306	131	1,629	103	92	22	5	324	4.4
CRIMINAL	929	85.1	791	46	654	54	24	12	1	-	3.0
U.S. PRISONER PETITIONS	314	85.0	267	5	90	3	4	3	-	162	1.5
OTHER U.S. CIVIL	122	66.4	81	5	67	2	7	-	-	-	8.6
PRIV. PRISONER PETITIONS	556	67.4	375	6	190	8	8	1	-	162	2.1
OTHER PRIVATE CIVIL	628	73.1	459	59	340	14	43	2	1	-	9.4
BANKRUPTCY	26	69.2	18	-	14	2	2	-	-	-	11.1
ADMINISTRATIVE APPEALS	137	62.8	86	8	56	12	3	4	3	-	3.5
ORIGINAL PROCEEDINGS	245	93.5	229	2	218	8	1	-	-	-	-
9TH CIRCUIT	12,735	65.7	8,372	434	4,649	306	609	57	9	2,308	7.7
CRIMINAL	1,705	79.0	1,347	91	947	127	165	17	-	-	12.2
U.S. PRISONER PETITIONS	628	73.4	461	6	66	6	14	-	1	368	3.0
OTHER U.S. CIVIL	649	63.8	414	51	288	13	62	-	-	-	15.0
PRIV. PRISONER PETITIONS	3,601	77.1	2,775	9	690	27	104	5	-	1,940	3.7
OTHER PRIVATE CIVIL	2,196	54.4	1,195	205	803	38	138	11	-	-	11.5
BANKRUPTCY	164	52.4	86	18	50	10	8	-	-	-	9.3
ADMINISTRATIVE APPEALS	3,092	46.6	1,440	53	1,194	56	105	24	8	-	7.3
ORIGINAL PROCEEDINGS	700	93.4	654	1	611	29	13	-	-	-	-
10TH CIRCUIT	2,181	61.9	1,351	36	978	112	47	68	1	109	3.8
CRIMINAL	492	80.7	397	11	289	69	5	22	1	-	1.3
U.S. PRISONER PETITIONS	277	41.9	116	1	63	9	3	1	-	39	2.6
OTHER U.S. CIVIL	149	73.2	109	6	79	5	10	9	-	-	9.2
PRIV. PRISONER PETITIONS	410	43.7	179	2	91	6	5	5	-	70	2.8
OTHER PRIVATE CIVIL	593	59.5	353	12	281	12	21	27	-	-	5.9
BANKRUPTCY	14	78.6	11	-	6	2	1	2	-	-	9.1
ADMINISTRATIVE APPEALS	96	69.8	67	4	52	7	2	2	-	-	3.0
ORIGINAL PROCEEDINGS	150	79.3	119	-	117	2	-	-	-	-	-

Table B-5. (September 30, 2012—Continued)

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		Percent of Total Terminations	Total	Disposed of by Consolidation	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	Cert. Appeal-ability	Percent Reversed ³
11TH CIRCUIT	6,483	60.3	3,908	244	2,344	226	247	25	19	803	7.1
CRIMINAL	1,721	68.9	1,186	153	859	88	66	7	13	-	5.6
U.S. PRISONER PETITIONS	742	61.2	454	5	66	9	26	1	-	347	5.7
OTHER U.S. CIVIL	326	52.5	171	10	130	7	13	7	4	-	7.6
PRIV. PRISONER PETITIONS	1,098	63.8	701	8	129	85	21	2	-	456	3.0
OTHER PRIVATE CIVIL	1,561	44.5	695	52	521	24	89	8	1	-	12.8
BANKRUPTCY	64	42.2	27	1	20	1	5	-	-	-	18.5
ADMINISTRATIVE APPEALS	400	56.3	225	15	181	3	25	-	1	-	11.1
ORIGINAL PROCEEDINGS	571	78.6	449	-	438	9	2	-	-	-	-

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit.

¹ Totals include reopened and remanded appeals as well as original appeals.

² Affirmed includes merit terminations affirmed in part and reversed in part.

³ Percent not shown where the total number of cases terminated on the merits is less than 10. Percentages of cases reversed have not been computed for original proceedings because of their difference from appeals, nor are they included in the percentage of total appeals reversed.