

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending June 30, 2011

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
ALL CIRCUITS	58,146	52.8	30,687	24,133	3,053	2,458	476	567	8.8
CRIMINAL	13,428	73.1	9,816	7,734	1,370	539	130	43	5.5
U.S. PRISONER PETITIONS	4,876	27.2	1,324	956	188	140	27	13	10.6
OTHER U.S. CIVIL	2,730	57.4	1,568	1,219	91	208	47	3	13.3
PRIV. PRISONER PETITIONS	11,354	28.0	3,175	2,267	510	316	28	54	10.0
OTHER PRIVATE CIVIL	12,069	50.1	6,051	4,797	381	766	87	20	12.7
BANKRUPTCY	729	46.5	339	259	30	39	6	5	11.5
ADMINISTRATIVE APPEALS	8,988	57.8	5,194	3,875	322	417	151	429	8.0
ORIGINAL PROCEEDINGS	3,972	81.1	3,220	3,026	161	33	-	-	-
DC	1,277	45.6	582	420	39	107	14	2	19.5
CRIMINAL	109	53.2	58	45	4	8	1	-	13.8
U.S. PRISONER PETITIONS	279	27.6	77	39	15	20	2	1	26.0
OTHER U.S. CIVIL	272	62.1	169	135	3	26	5	-	15.4
PRIV. PRISONER PETITIONS	8	37.5	3	3	-	-	-	-	-
OTHER PRIVATE CIVIL	147	68.7	101	89	2	7	3	-	6.9
BANKRUPTCY	2	100.0	2	2	-	-	-	-	-
ADMINISTRATIVE APPEALS	357	32.8	117	60	11	42	3	1	35.9
ORIGINAL PROCEEDINGS	103	53.4	55	47	4	4	-	-	-
1ST CIRCUIT	1,458	58.6	854	745	32	72	5	-	9.1
CRIMINAL	450	62.2	280	248	8	23	1	-	8.2
U.S. PRISONER PETITIONS	107	37.4	40	34	2	4	-	-	10.0
OTHER U.S. CIVIL	79	50.6	40	31	1	8	-	-	20.0
PRIV. PRISONER PETITIONS	131	49.6	65	53	3	9	-	-	13.8
OTHER PRIVATE CIVIL	406	55.4	225	193	8	23	1	-	10.2
BANKRUPTCY	37	51.4	19	11	4	3	1	-	15.8
ADMINISTRATIVE APPEALS	178	66.3	118	108	6	2	2	-	1.7
ORIGINAL PROCEEDINGS	70	95.7	67	67	-	-	-	-	-
2ND CIRCUIT	5,285	53.1	2,806	2,134	470	148	52	2	5.6
CRIMINAL	895	63.6	569	451	70	33	15	-	5.8
U.S. PRISONER PETITIONS	230	24.8	57	17	36	1	2	1	1.8
OTHER U.S. CIVIL	204	43.1	88	49	27	9	3	-	10.2
PRIV. PRISONER PETITIONS	750	27.6	207	78	107	16	5	1	7.7
OTHER PRIVATE CIVIL	1,579	46.2	729	492	148	70	19	-	9.6
BANKRUPTCY	84	38.1	32	24	7	1	-	-	3.1
ADMINISTRATIVE APPEALS	1,314	70.9	931	841	66	16	8	-	1.7
ORIGINAL PROCEEDINGS	229	84.3	193	182	9	2	-	-	-

Table B-5. (June 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
3RD CIRCUIT	4,353	57.1	2,485	2,144	82	198	59	2	8.5
CRIMINAL	799	80.1	640	589	13	29	8	1	4.5
U.S. PRISONER PETITIONS	409	40.3	165	145	13	7	-	-	4.2
OTHER U.S. CIVIL	163	68.1	111	95	5	7	4	-	6.3
PRIV. PRISONER PETITIONS	764	27.2	208	163	8	36	1	-	17.3
OTHER PRIVATE CIVIL	1,174	53.1	623	521	21	72	8	1	11.6
BANKRUPTCY	70	52.9	37	27	3	4	3	-	10.8
ADMINISTRATIVE APPEALS	672	68.5	460	373	16	36	35	-	7.8
ORIGINAL PROCEEDINGS	302	79.8	241	231	3	7	-	-	-
4TH CIRCUIT	4,971	61.8	3,073	2,695	185	145	38	10	5.2
CRIMINAL	1,827	80.9	1,478	1,300	108	48	20	2	3.2
U.S. PRISONER PETITIONS	668	30.8	206	160	19	24	2	1	11.7
OTHER U.S. CIVIL	186	65.1	121	111	2	7	1	-	5.8
PRIV. PRISONER PETITIONS	835	32.6	272	240	16	14	1	1	5.1
OTHER PRIVATE CIVIL	805	64.0	515	448	21	41	5	-	8.0
BANKRUPTCY	48	56.3	27	27	-	-	-	-	-
ADMINISTRATIVE APPEALS	253	64.4	163	124	13	11	9	6	6.7
ORIGINAL PROCEEDINGS	349	83.4	291	285	6	-	-	-	-
5TH CIRCUIT	7,799	50.2	3,913	2,740	814	288	71	-	8.1
CRIMINAL	2,609	73.5	1,918	1,153	641	80	44	-	4.2
U.S. PRISONER PETITIONS	611	19.3	118	75	25	16	2	-	13.6
OTHER U.S. CIVIL	270	46.3	125	96	14	13	2	-	10.4
PRIV. PRISONER PETITIONS	1,782	19.7	351	218	95	37	1	-	10.5
OTHER PRIVATE CIVIL	1,303	55.6	725	584	23	109	9	-	15.0
BANKRUPTCY	77	51.9	40	28	6	6	-	-	15.0
ADMINISTRATIVE APPEALS	580	42.8	248	205	7	23	13	-	9.3
ORIGINAL PROCEEDINGS	567	68.4	388	381	3	4	-	-	-
6TH CIRCUIT	4,944	51.8	2,560	2,188	124	206	41	1	9.0
CRIMINAL	1,342	68.9	924	799	41	71	13	-	7.7
U.S. PRISONER PETITIONS	403	27.8	112	93	8	10	1	-	8.9
OTHER U.S. CIVIL	183	60.1	110	96	2	8	4	-	7.3
PRIV. PRISONER PETITIONS	1,189	32.4	385	328	16	37	3	1	9.6
OTHER PRIVATE CIVIL	1,035	46.2	478	391	18	64	5	-	13.4
BANKRUPTCY	48	41.7	20	16	-	4	-	-	20.0
ADMINISTRATIVE APPEALS	370	61.6	228	198	5	10	15	-	4.4
ORIGINAL PROCEEDINGS	374	81.0	303	267	34	2	-	-	-

Table B-5. (June 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
7TH CIRCUIT	3,112	46.6	1,450	1,024	153	218	34	21	16.8
CRIMINAL	681	67.7	461	280	124	53	4	-	11.5
U.S. PRISONER PETITIONS	369	25.5	94	68	5	18	3	-	19.1
OTHER U.S. CIVIL	154	59.1	91	63	3	23	2	-	25.3
PRIV. PRISONER PETITIONS	603	18.4	111	78	4	24	3	2	21.6
OTHER PRIVATE CIVIL	878	44.9	394	294	10	75	5	10	19.0
BANKRUPTCY	54	44.4	24	19	1	3	-	1	12.5
ADMINISTRATIVE APPEALS	187	60.4	113	65	2	21	17	8	18.6
ORIGINAL PROCEEDINGS	186	87.1	162	157	4	1	-	-	-
8TH CIRCUIT	3,057	62.4	1,909	1,643	145	95	18	8	5.7
CRIMINAL	908	82.2	746	633	77	30	4	2	4.0
U.S. PRISONER PETITIONS	357	31.1	111	95	-	6	4	6	5.4
OTHER U.S. CIVIL	158	77.2	122	104	4	12	2	-	9.8
PRIV. PRISONER PETITIONS	641	33.9	217	194	14	6	3	-	2.8
OTHER PRIVATE CIVIL	577	63.1	364	306	20	35	3	-	9.6
BANKRUPTCY	24	66.7	16	13	2	1	-	-	6.3
ADMINISTRATIVE APPEALS	125	60.0	75	47	22	4	2	-	5.3
ORIGINAL PROCEEDINGS	267	96.6	258	251	6	1	-	-	-
9TH CIRCUIT	13,322	51.3	6,830	5,031	534	690	70	505	11.1
CRIMINAL	1,660	70.7	1,174	961	85	96	5	27	8.2
U.S. PRISONER PETITIONS	466	30.7	143	103	21	14	4	1	9.8
OTHER U.S. CIVIL	609	57.1	348	249	14	73	9	3	21.0
PRIV. PRISONER PETITIONS	3,137	31.7	993	730	102	109	3	49	11.0
OTHER PRIVATE CIVIL	2,109	45.9	968	719	70	164	8	7	16.9
BANKRUPTCY	173	42.8	74	58	6	5	1	4	6.8
ADMINISTRATIVE APPEALS	4,402	55.0	2,423	1,588	161	220	40	414	9.1
ORIGINAL PROCEEDINGS	766	92.3	707	623	75	9	-	-	-
10TH CIRCUIT	2,249	52.9	1,190	899	171	61	57	2	5.5
CRIMINAL	541	69.7	377	270	85	9	13	-	2.4
U.S. PRISONER PETITIONS	296	35.8	106	73	23	3	5	2	2.8
OTHER U.S. CIVIL	127	59.8	76	52	6	7	11	-	9.2
PRIV. PRISONER PETITIONS	381	29.4	112	79	27	3	3	-	2.7
OTHER PRIVATE CIVIL	617	54.3	335	269	19	28	19	-	8.4
BANKRUPTCY	44	43.2	19	12	-	6	1	-	31.6
ADMINISTRATIVE APPEALS	87	64.4	56	40	8	3	5	-	5.4
ORIGINAL PROCEEDINGS	156	69.9	109	104	3	2	-	-	-

Table B-5. (June 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/ Enforced ²	Dismissed	Reversed	Remanded	Other	
11TH CIRCUIT	6,319	48.0	3,035	2,470	304	230	17	14	8.8
CRIMINAL	1,607	74.1	1,191	1,005	114	59	2	11	5.0
U.S. PRISONER PETITIONS	681	14.0	95	54	21	17	2	1	17.9
OTHER U.S. CIVIL	325	51.4	167	138	10	15	4	-	9.0
PRIV. PRISONER PETITIONS	1,133	22.2	251	103	118	25	5	-	10.0
OTHER PRIVATE CIVIL	1,439	41.3	594	491	21	78	2	2	13.1
BANKRUPTCY	68	42.6	29	22	1	6	-	-	20.7
ADMINISTRATIVE APPEALS	463	56.6	262	226	5	29	2	-	11.1
ORIGINAL PROCEEDINGS	603	74.0	446	431	14	1	-	-	-

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.