

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending June 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 | 57,272 | 62.6 | 35,844 | 2,494 | 23,545 | 2,641 | 2,369 | 502 | 71 | 4,222 | 7.2 |
| CRIMINAL | 13,465 | 77.0 | 10,371 | 808 | 7,362 | 1,289 | 671 | 218 | 23 | - | 6.5 |
| U.S. PRISONER PETITIONS | 4,891 | 52.7 | 2,579 | 77 | 958 | 141 | 125 | 20 | 6 | 1,252 | 4.8 |
| OTHER U.S. CIVIL | 2,775 | 62.7 | 1,739 | 155 | 1,265 | 107 | 182 | 27 | 3 | - | 10.5 |
| PRIV. PRISONER PETITIONS | 11,428 | 53.7 | 6,134 | 180 | 2,291 | 364 | 286 | 42 | 1 | 2,970 | 4.7 |
| OTHER PRIVATE CIVIL | 12,532 | 57.7 | 7,225 | 864 | 5,151 | 358 | 764 | 76 | 12 | - | 10.6 |
| BANKRUPTCY | 688 | 54.2 | 373 | 64 | 239 | 29 | 34 | 4 | 3 | - | 9.1 |
| ADMINISTRATIVE APPEALS | 7,547 | 54.7 | 4,128 | 323 | 3,156 | 231 | 280 | 115 | 23 | - | 6.8 |
| ORIGINAL PROCEEDINGS | 3,946 | 83.5 | 3,295 | 23 | 3,123 | 122 | 27 | - | - | - | - |
| DC CIRCUIT | 1,179 | 57.7 | 680 | 197 | 391 | 24 | 59 | 9 | - | - | 9.3 |
| CRIMINAL | 96 | 51.0 | 49 | 7 | 35 | 1 | 4 | 2 | - | - | 8.2 |
| U.S. PRISONER PETITIONS | 94 | 47.9 | 45 | 1 | 36 | 4 | 2 | 2 | - | - | 4.4 |
| OTHER U.S. CIVIL | 239 | 71.1 | 170 | 24 | 122 | 5 | 18 | 1 | - | - | 10.6 |
| PRIV. PRISONER PETITIONS | 11 | 36.4 | 4 | - | 4 | - | - | - | - | - | - |
| OTHER PRIVATE CIVIL | 137 | 67.2 | 92 | 12 | 62 | 2 | 14 | 2 | - | - | 15.2 |
| BANKRUPTCY | 5 | - | - | - | - | - | - | - | - | - | - |
| ADMINISTRATIVE APPEALS | 473 | 55.4 | 262 | 153 | 78 | 9 | 20 | 2 | - | - | 7.6 |
| ORIGINAL PROCEEDINGS | 124 | 46.8 | 58 | - | 54 | 3 | 1 | - | - | - | - |
| 1ST CIRCUIT | 1,558 | 62.6 | 975 | 79 | 745 | 24 | 78 | 8 | - | 41 | 8.4 |
| CRIMINAL | 483 | 67.7 | 327 | 33 | 250 | 7 | 32 | 5 | - | - | 9.8 |
| U.S. PRISONER PETITIONS | 100 | 53.0 | 53 | 1 | 24 | - | - | 1 | - | 27 | - |
| OTHER U.S. CIVIL | 105 | 70.5 | 74 | 6 | 59 | 4 | 5 | - | - | - | 6.8 |
| PRIV. PRISONER PETITIONS | 92 | 57.6 | 53 | - | 38 | - | 1 | - | - | 14 | 1.9 |
| OTHER PRIVATE CIVIL | 505 | 59.0 | 298 | 35 | 224 | 11 | 26 | 2 | - | - | 8.7 |
| BANKRUPTCY | 38 | 42.1 | 16 | 2 | 14 | - | - | - | - | - | - |
| ADMINISTRATIVE APPEALS | 168 | 54.8 | 92 | 2 | 76 | 1 | 13 | - | - | - | 14.1 |
| ORIGINAL PROCEEDINGS | 67 | 92.5 | 62 | - | 60 | 1 | 1 | - | - | - | - |

Table B-5. (June 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 |
| 2ND CIRCUIT | 5,436 | 60.5 | 3,287 | 273 | 1,982 | 563 | 162 | 44 | - | 263 | 5.2 |
| CRIMINAL | 777 | 73.2 | 569 | 65 | 354 | 98 | 43 | 9 | - | - | 7.6 |
| U.S. PRISONER PETITIONS | 252 | 56.7 | 143 | 4 | 24 | 47 | 7 | 1 | - | 60 | 4.9 |
| OTHER U.S. CIVIL | 240 | 56.7 | 136 | 11 | 75 | 41 | 6 | 3 | - | - | 4.4 |
| PRIV. PRISONER PETITIONS | 802 | 58.2 | 467 | 21 | 95 | 115 | 23 | 10 | - | 203 | 4.9 |
| OTHER PRIVATE CIVIL | 1,639 | 53.7 | 880 | 133 | 514 | 164 | 60 | 9 | - | - | 6.8 |
| BANKRUPTCY | 94 | 41.5 | 39 | 17 | 17 | 4 | 1 | - | - | - | 2.6 |
| ADMINISTRATIVE APPEALS | 1,406 | 61.2 | 860 | 21 | 719 | 86 | 22 | 12 | - | - | 2.6 |
| ORIGINAL PROCEEDINGS | 226 | 85.4 | 193 | 1 | 184 | 8 | - | - | - | - | - |
| 3RD CIRCUIT | 3,897 | 66.5 | 2,593 | 70 | 1,922 | 85 | 194 | 71 | 2 | 249 | 8.3 |
| CRIMINAL | 756 | 81.9 | 619 | 13 | 536 | 10 | 35 | 24 | 1 | - | 5.7 |
| U.S. PRISONER PETITIONS | 390 | 66.2 | 258 | - | 138 | 8 | 10 | 3 | - | 99 | 3.9 |
| OTHER U.S. CIVIL | 157 | 63.1 | 99 | 2 | 85 | 4 | 7 | 1 | - | - | 7.1 |
| PRIV. PRISONER PETITIONS | 681 | 52.3 | 356 | 5 | 160 | 17 | 19 | 5 | - | 150 | 5.3 |
| OTHER PRIVATE CIVIL | 967 | 60.3 | 583 | 38 | 462 | 13 | 61 | 9 | - | - | 10.5 |
| BANKRUPTCY | 58 | 55.2 | 32 | - | 19 | 5 | 7 | 1 | - | - | 21.9 |
| ADMINISTRATIVE APPEALS | 539 | 67.7 | 365 | 12 | 253 | 17 | 54 | 28 | 1 | - | 14.8 |
| ORIGINAL PROCEEDINGS | 349 | 80.5 | 281 | - | 269 | 11 | 1 | - | - | - | - |
| 4TH CIRCUIT | 5,280 | 74.2 | 3,920 | 208 | 2,773 | 187 | 226 | 86 | 7 | 433 | 6.3 |
| CRIMINAL | 1,974 | 86.8 | 1,713 | 113 | 1,293 | 93 | 146 | 66 | 2 | - | 8.5 |
| U.S. PRISONER PETITIONS | 663 | 62.1 | 412 | 4 | 153 | 23 | 12 | 2 | - | 218 | 2.9 |
| OTHER U.S. CIVIL | 216 | 73.6 | 159 | 9 | 129 | 8 | 11 | 2 | - | - | 6.9 |
| PRIV. PRISONER PETITIONS | 864 | 58.0 | 501 | 14 | 241 | 20 | 8 | 3 | - | 215 | 1.6 |
| OTHER PRIVATE CIVIL | 883 | 68.9 | 608 | 44 | 491 | 27 | 38 | 7 | 1 | - | 6.3 |
| BANKRUPTCY | 52 | 69.2 | 36 | 7 | 25 | 1 | 3 | - | - | - | 8.3 |
| ADMINISTRATIVE APPEALS | 260 | 59.2 | 154 | 6 | 121 | 11 | 6 | 6 | 4 | - | 3.9 |
| ORIGINAL PROCEEDINGS | 368 | 91.6 | 337 | 11 | 320 | 4 | 2 | - | - | - | - |

Table B-5. (June 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 |
| 5TH CIRCUIT | 7,339 | 60.6 | 4,446 | 514 | 2,430 | 708 | 244 | 57 | - | 493 | 5.8 |
| CRIMINAL | 2,536 | 73.3 | 1,860 | 219 | 988 | 569 | 52 | 32 | - | - | 2.8 |
| U.S. PRISONER PETITIONS | 681 | 47.9 | 326 | 32 | 107 | 23 | 11 | 2 | - | 151 | 3.4 |
| OTHER U.S. CIVIL | 224 | 56.3 | 126 | 19 | 83 | 10 | 13 | 1 | - | - | 10.3 |
| PRIV. PRISONER PETITIONS | 1,564 | 44.8 | 700 | 87 | 172 | 63 | 33 | 3 | - | 342 | 4.7 |
| OTHER PRIVATE CIVIL | 1,314 | 61.1 | 803 | 125 | 537 | 31 | 108 | 2 | - | - | 13.4 |
| BANKRUPTCY | 81 | 61.7 | 50 | 4 | 37 | - | 8 | 1 | - | - | 16.0 |
| ADMINISTRATIVE APPEALS | 445 | 44.7 | 199 | 27 | 135 | 10 | 11 | 16 | - | - | 5.5 |
| ORIGINAL PROCEEDINGS | 494 | 77.3 | 382 | 1 | 371 | 2 | 8 | - | - | - | - |
| 6TH CIRCUIT | 5,418 | 62.5 | 3,387 | 209 | 2,733 | 135 | 258 | 51 | 1 | - | 8.3 |
| CRIMINAL | 1,533 | 79.6 | 1,220 | 72 | 967 | 67 | 90 | 24 | - | - | 7.4 |
| U.S. PRISONER PETITIONS | 379 | 36.4 | 138 | 5 | 118 | 2 | 11 | 2 | - | - | 8.0 |
| OTHER U.S. CIVIL | 214 | 63.1 | 135 | 7 | 109 | 2 | 16 | 1 | - | - | 11.9 |
| PRIV. PRISONER PETITIONS | 1,191 | 40.3 | 480 | 17 | 415 | 3 | 41 | 4 | - | - | 8.5 |
| OTHER PRIVATE CIVIL | 1,241 | 61.6 | 764 | 84 | 569 | 15 | 93 | 3 | - | - | 12.2 |
| BANKRUPTCY | 51 | 47.1 | 24 | 2 | 21 | - | 1 | - | - | - | 4.2 |
| ADMINISTRATIVE APPEALS | 438 | 74.0 | 324 | 18 | 268 | 15 | 5 | 17 | 1 | - | 1.5 |
| ORIGINAL PROCEEDINGS | 371 | 81.4 | 302 | 4 | 266 | 31 | 1 | - | - | - | - |
| 7TH CIRCUIT | 3,039 | 52.2 | 1,587 | 165 | 1,052 | 130 | 156 | 14 | 29 | 41 | 11.2 |
| CRIMINAL | 640 | 70.9 | 454 | 65 | 250 | 102 | 28 | 4 | 5 | - | 6.2 |
| U.S. PRISONER PETITIONS | 375 | 29.9 | 112 | 3 | 66 | 2 | 14 | 1 | 4 | 22 | 12.5 |
| OTHER U.S. CIVIL | 128 | 53.1 | 68 | 3 | 48 | 3 | 14 | - | - | - | 20.6 |
| PRIV. PRISONER PETITIONS | 533 | 24.2 | 129 | 11 | 83 | 3 | 12 | 1 | - | 19 | 9.3 |
| OTHER PRIVATE CIVIL | 922 | 53.6 | 494 | 63 | 341 | 11 | 68 | 1 | 10 | - | 13.8 |
| BANKRUPTCY | 50 | 62.0 | 31 | 7 | 16 | 1 | 3 | 1 | 3 | - | 9.7 |
| ADMINISTRATIVE APPEALS | 147 | 59.2 | 87 | 12 | 46 | 1 | 15 | 6 | 7 | - | 17.2 |
| ORIGINAL PROCEEDINGS | 244 | 86.9 | 212 | 1 | 202 | 7 | 2 | - | - | - | - |

Table B-5. (June 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 |
| 8TH CIRCUIT | 2,966 | 74.7 | 2,217 | 115 | 1,645 | 114 | 91 | 15 | 3 | 234 | 4.5 |
| CRIMINAL | 922 | 83.8 | 773 | 39 | 647 | 57 | 22 | 7 | 1 | - | 2.8 |
| U.S. PRISONER PETITIONS | 326 | 71.2 | 232 | 5 | 90 | 5 | 6 | 3 | - | 123 | 2.6 |
| OTHER U.S. CIVIL | 131 | 66.4 | 87 | 5 | 69 | 2 | 11 | - | - | - | 12.6 |
| PRIV. PRISONER PETITIONS | 567 | 59.8 | 339 | 6 | 203 | 10 | 9 | - | - | 111 | 2.7 |
| OTHER PRIVATE CIVIL | 619 | 73.5 | 455 | 53 | 349 | 11 | 39 | 2 | 1 | - | 8.6 |
| BANKRUPTCY | 21 | 76.2 | 16 | 1 | 12 | 3 | - | - | - | - | - |
| ADMINISTRATIVE APPEALS | 129 | 62.0 | 80 | 5 | 53 | 15 | 3 | 3 | 1 | - | 3.8 |
| ORIGINAL PROCEEDINGS | 251 | 93.6 | 235 | 1 | 222 | 11 | 1 | - | - | - | - |
| 9TH CIRCUIT | 12,656 | 62.0 | 7,852 | 452 | 4,573 | 304 | 626 | 56 | 9 | 1,832 | 8.6 |
| CRIMINAL | 1,660 | 77.4 | 1,285 | 85 | 902 | 126 | 155 | 17 | - | - | 12.1 |
| U.S. PRISONER PETITIONS | 629 | 63.3 | 398 | 15 | 74 | 9 | 20 | - | 2 | 278 | 5.0 |
| OTHER U.S. CIVIL | 625 | 65.0 | 406 | 55 | 277 | 11 | 63 | - | - | - | 15.5 |
| PRIV. PRISONER PETITIONS | 3,627 | 65.5 | 2,374 | 9 | 658 | 32 | 114 | 7 | - | 1,554 | 4.8 |
| OTHER PRIVATE CIVIL | 2,163 | 55.0 | 1,190 | 211 | 782 | 33 | 155 | 9 | - | - | 13.0 |
| BANKRUPTCY | 163 | 57.1 | 93 | 21 | 55 | 12 | 5 | - | - | - | 5.4 |
| ADMINISTRATIVE APPEALS | 3,048 | 46.7 | 1,423 | 53 | 1,178 | 55 | 107 | 23 | 7 | - | 7.5 |
| ORIGINAL PROCEEDINGS | 741 | 92.2 | 683 | 3 | 647 | 26 | 7 | - | - | - | - |
| 10TH CIRCUIT | 2,169 | 59.8 | 1,297 | 35 | 955 | 125 | 48 | 68 | 4 | 62 | 4.0 |
| CRIMINAL | 502 | 81.1 | 407 | 7 | 293 | 73 | 9 | 23 | 2 | - | 2.2 |
| U.S. PRISONER PETITIONS | 278 | 36.0 | 100 | 2 | 63 | 10 | 2 | 1 | - | 22 | 2.0 |
| OTHER U.S. CIVIL | 148 | 71.6 | 106 | 6 | 73 | 7 | 9 | 11 | - | - | 8.5 |
| PRIV. PRISONER PETITIONS | 407 | 36.9 | 150 | 2 | 86 | 8 | 5 | 8 | 1 | 40 | 3.3 |
| OTHER PRIVATE CIVIL | 578 | 61.6 | 356 | 14 | 285 | 15 | 20 | 22 | - | - | 5.6 |
| BANKRUPTCY | 12 | 58.3 | 7 | - | 4 | 1 | 1 | 1 | - | - | - |
| ADMINISTRATIVE APPEALS | 100 | 63.0 | 63 | 4 | 45 | 9 | 2 | 2 | 1 | - | 3.2 |
| ORIGINAL PROCEEDINGS | 144 | 75.0 | 108 | - | 106 | 2 | - | - | - | - | - |

Table B-5. (June 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 |
| 11TH CIRCUIT | 6,335 | 56.9 | 3,603 | 177 | 2,344 | 242 | 227 | 23 | 16 | 574 | 7.1 |
| CRIMINAL | 1,586 | 69.0 | 1,095 | 90 | 847 | 86 | 55 | 5 | 12 | - | 5.0 |
| U.S. PRISONER PETITIONS | 724 | 50.0 | 362 | 5 | 65 | 8 | 30 | 2 | - | 252 | 8.3 |
| OTHER U.S. CIVIL | 348 | 49.7 | 173 | 8 | 136 | 10 | 9 | 7 | 3 | - | 5.2 |
| PRIV. PRISONER PETITIONS | 1,089 | 53.4 | 581 | 8 | 136 | 93 | 21 | 1 | - | 322 | 3.6 |
| OTHER PRIVATE CIVIL | 1,564 | 44.9 | 702 | 52 | 535 | 25 | 82 | 8 | - | - | 11.7 |
| BANKRUPTCY | 63 | 46.0 | 29 | 3 | 19 | 2 | 5 | - | - | - | 17.2 |
| ADMINISTRATIVE APPEALS | 394 | 55.6 | 219 | 10 | 184 | 2 | 22 | - | 1 | - | 10.0 |
| ORIGINAL PROCEEDINGS | 567 | 78.0 | 442 | 1 | 422 | 16 | 3 | - | - | - | - |

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.