

**Table B-5A.**

**U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit, During the 12-Month Period Ending September 30, 1999**

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
<b>ALL CIRCUITS</b>	<b>54,088</b>	<b>24,755</b>	<b>45</b>	<b>10,915</b>	<b>3,293</b>	<b>735</b>	<b>120</b>	<b>197</b>	<b>5,237</b>	<b>1,333</b>	<b>13,795</b>	<b>6,610</b>	<b>6,361</b>	<b>824</b>
CRIMINAL	10,675	2,415	5	821	400	151	13	-	1	256	1,589	1,008	502	79
U.S. PRISONER PETITIONS	5,296	3,575	-	2,459	294	18	11	-	2,031	105	1,116	213	876	27
OTHER U.S. CIVIL	4,179	1,513	4	380	222	71	5	-	-	82	1,129	611	479	39
PRIV. PRISONER PETITIONS	11,499	8,012	-	4,605	988	21	37	197	3,205	157	3,407	601	2,721	85
OTHER PRIVATE CIVIL	15,307	6,656	30	1,607	872	430	40	-	-	265	5,019	3,392	1,510	117
BANKRUPTCY	1,150	534	6	131	68	27	12	-	-	24	397	281	110	6
ADMINISTRATIVE APPEALS	3,122	1,455	-	671	449	17	2	-	-	203	784	504	163	117
ORIGINAL PROCEEDINGS**	2,860	595	-	241	-	-	-	-	-	241	354	-	-	354
<b>DISTRICT OF COLUMBIA</b>	<b>1,655</b>	<b>686</b>	<b>-</b>	<b>269</b>	<b>169</b>	<b>10</b>	<b>9</b>	<b>1</b>	<b>26</b>	<b>54</b>	<b>417</b>	<b>237</b>	<b>101</b>	<b>79</b>
CRIMINAL	138	41	-	8	1	3	1	-	-	3	33	31	1	1
U.S. PRISONER PETITIONS	112	58	-	27	2	-	3	-	19	3	31	7	24	-
OTHER U.S. CIVIL	489	111	-	23	10	1	1	-	-	11	88	57	28	3
PRIV. PRISONER PETITIONS	47	21	-	12	4	-	-	1	7	-	9	1	8	-
OTHER PRIVATE CIVIL	234	87	-	14	9	1	3	-	-	1	73	26	36	11
BANKRUPTCY	6	-	-	-	-	-	-	-	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	529	334	-	173	143	5	1	-	-	24	161	115	4	42
ORIGINAL PROCEEDINGS**	100	34	-	12	-	-	-	-	-	12	22	-	-	22
<b>FIRST CIRCUIT</b>	<b>1,323</b>	<b>686</b>	<b>-</b>	<b>265</b>	<b>28</b>	<b>9</b>	<b>2</b>	<b>4</b>	<b>70</b>	<b>152</b>	<b>421</b>	<b>232</b>	<b>136</b>	<b>53</b>
CRIMINAL	324	121	-	41	7	1	-	-	-	33	80	45	28	7
U.S. PRISONER PETITIONS	141	114	-	64	1	-	1	-	49	13	50	16	31	3
OTHER U.S. CIVIL	107	44	-	13	5	-	-	-	-	8	31	19	5	7
PRIV. PRISONER PETITIONS	86	61	-	44	4	-	-	4	21	15	17	3	11	3
OTHER PRIVATE CIVIL	517	254	-	51	5	6	1	-	-	39	203	134	54	15
BANKRUPTCY	23	16	-	4	3	1	-	-	-	-	12	10	1	1
ADMINISTRATIVE APPEALS	64	44	-	25	3	1	-	-	-	21	19	5	6	8
ORIGINAL PROCEEDINGS**	61	32	-	23	-	-	-	-	-	23	9	-	-	9
<b>SECOND CIRCUIT</b>	<b>4,245</b>	<b>2,107</b>	<b>-</b>	<b>401</b>	<b>120</b>	<b>2</b>	<b>-</b>	<b>5</b>	<b>141</b>	<b>133</b>	<b>1,706</b>	<b>871</b>	<b>694</b>	<b>141</b>
CRIMINAL	778	221	-	33	8	-	-	-	-	25	188	92	67	29
U.S. PRISONER PETITIONS	225	155	-	68	7	2	-	-	53	6	87	7	78	2
OTHER U.S. CIVIL	322	166	-	15	9	-	-	-	-	6	151	63	79	9
PRIV. PRISONER PETITIONS	668	449	-	170	50	-	-	5	88	27	279	10	245	24
OTHER PRIVATE CIVIL	1,660	769	-	75	40	-	-	-	-	35	694	483	191	20
BANKRUPTCY	97	53	-	8	2	-	-	-	-	6	45	28	15	2
ADMINISTRATIVE APPEALS	344	271	-	31	4	-	-	-	-	27	240	188	19	33
ORIGINAL PROCEEDINGS**	151	23	-	1	-	-	-	-	-	1	22	-	-	22

**Table B5-A. (September 30, 1999—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
<b>THIRD CIRCUIT</b>	<b>3,199</b>	<b>1,356</b>	-	<b>525</b>	<b>161</b>	<b>5</b>	-	<b>4</b>	<b>253</b>	<b>102</b>	<b>831</b>	<b>494</b>	<b>300</b>	<b>37</b>
CRIMINAL	519	95	-	35	20	1	-	-	1	13	60	53	5	2
U.S. PRISONER PETITIONS	336	212	-	157	25	-	-	-	120	12	55	11	41	3
OTHER U.S. CIVIL	225	73	-	18	11	2	-	-	-	5	55	38	16	1
PRIV. PRISONER PETITIONS	464	325	-	188	40	-	-	4	132	12	137	21	105	11
OTHER PRIVATE CIVIL	1,207	538	-	85	48	2	-	-	-	35	453	324	119	10
BANKRUPTCY	84	37	-	2	1	-	-	-	-	1	35	29	6	-
ADMINISTRATIVE APPEALS	163	68	-	38	16	-	-	-	-	22	30	18	8	4
ORIGINAL PROCEEDINGS**	201	8	-	2	-	-	-	-	-	2	6	-	-	6
<b>FOURTH CIRCUIT</b>	<b>5,149</b>	<b>2,161</b>	-	<b>1,186</b>	<b>251</b>	<b>16</b>	-	<b>3</b>	<b>866</b>	<b>50</b>	<b>975</b>	<b>568</b>	<b>358</b>	<b>49</b>
CRIMINAL	1,063	161	-	54	37	-	-	-	-	17	107	83	21	3
U.S. PRISONER PETITIONS	856	584	-	506	39	-	-	-	465	2	78	28	47	3
OTHER U.S. CIVIL	365	102	-	22	17	2	-	-	-	3	80	55	23	2
PRIV. PRISONER PETITIONS	1,135	763	-	487	72	3	-	3	401	8	276	81	189	6
OTHER PRIVATE CIVIL	1,142	415	-	73	51	9	-	-	-	13	342	279	60	3
BANKRUPTCY	120	36	-	6	5	-	-	-	-	1	30	21	8	1
ADMINISTRATIVE APPEALS	247	72	-	36	30	2	-	-	-	4	36	21	10	5
ORIGINAL PROCEEDINGS**	221	28	-	2	-	-	-	-	-	2	26	-	-	26
<b>FIFTH CIRCUIT</b>	<b>8,593</b>	<b>4,696</b>	-	<b>2,055</b>	<b>683</b>	<b>61</b>	<b>11</b>	<b>36</b>	<b>1,181</b>	<b>83</b>	<b>2,641</b>	<b>686</b>	<b>1,792</b>	<b>163</b>
CRIMINAL	1,665	482	-	126	93	9	1	-	-	23	356	139	215	2
U.S. PRISONER PETITIONS	822	616	-	380	54	2	2	-	317	5	236	19	217	-
OTHER U.S. CIVIL	449	220	-	46	40	3	-	-	-	3	174	51	121	2
PRIV. PRISONER PETITIONS	2,800	2,168	-	1,173	258	2	3	36	864	10	995	116	873	6
OTHER PRIVATE CIVIL	1,868	837	-	185	124	39	4	-	-	18	652	324	318	10
BANKRUPTCY	203	79	-	23	10	4	1	-	-	8	56	24	32	-
ADMINISTRATIVE APPEALS	256	147	-	118	104	2	-	-	-	12	29	13	16	-
ORIGINAL PROCEEDINGS**	530	147	-	4	-	-	-	-	-	4	143	-	-	143
<b>SIXTH CIRCUIT</b>	<b>4,800</b>	<b>2,094</b>	-	<b>968</b>	<b>440</b>	<b>19</b>	<b>6</b>	<b>13</b>	<b>390</b>	<b>100</b>	<b>1,126</b>	<b>576</b>	<b>453</b>	<b>97</b>
CRIMINAL	932	220	-	87	73	2	-	-	-	12	133	79	33	21
U.S. PRISONER PETITIONS	440	250	-	184	61	-	-	-	112	11	66	14	46	6
OTHER U.S. CIVIL	335	126	-	41	33	-	-	-	-	8	85	48	32	5
PRIV. PRISONER PETITIONS	1,070	686	-	429	119	-	3	13	278	16	257	44	201	12
OTHER PRIVATE CIVIL	1,531	644	-	151	125	14	3	-	-	9	493	335	131	27
BANKRUPTCY	82	49	-	11	10	1	-	-	-	-	38	36	2	-
ADMINISTRATIVE APPEALS	193	55	-	27	19	2	-	-	-	6	28	20	8	-
ORIGINAL PROCEEDINGS**	217	64	-	38	-	-	-	-	-	38	26	-	-	26

**Table B5-A. (September 30, 1999—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
<b>SEVENTH CIRCUIT</b>	<b>3,444</b>	<b>1,726</b>	-	<b>535</b>	<b>175</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>270</b>	<b>69</b>	<b>1,191</b>	<b>570</b>	<b>573</b>	<b>48</b>
CRIMINAL	560	117	-	40	26	1	1	-	-	12	77	68	6	3
U.S. PRISONER PETITIONS	369	253	-	115	17	-	1	-	87	10	138	27	107	4
OTHER U.S. CIVIL	187	70	-	14	9	1	1	-	-	3	56	35	21	-
PRIV. PRISONER PETITIONS	839	662	-	242	35	-	5	7	183	12	420	60	349	11
OTHER PRIVATE CIVIL	1,132	521	-	88	64	4	-	-	-	20	433	345	81	7
BANKRUPTCY	43	19	-	4	4	-	-	-	-	-	15	14	1	-
ADMINISTRATIVE APPEALS	129	54	-	24	20	-	-	-	-	4	30	21	8	1
ORIGINAL PROCEEDINGS**	185	30	-	8	-	-	-	-	-	8	22	-	-	22
<b>EIGHTH CIRCUIT</b>	<b>3,280</b>	<b>1,246</b>	-	<b>821</b>	<b>125</b>	<b>65</b>	<b>13</b>	-	<b>581</b>	<b>37</b>	<b>425</b>	<b>271</b>	<b>137</b>	<b>17</b>
CRIMINAL	600	121	-	48	18	22	3	-	-	5	73	65	6	2
U.S. PRISONER PETITIONS	347	251	-	238	13	1	-	-	222	2	13	5	8	-
OTHER U.S. CIVIL	237	39	-	11	1	6	-	-	-	4	28	19	8	1
PRIV. PRISONER PETITIONS	858	523	-	428	41	4	8	-	359	16	95	13	80	2
OTHER PRIVATE CIVIL	931	270	-	84	45	30	2	-	-	7	186	154	31	1
BANKRUPTCY	36	10	-	1	-	-	-	-	-	1	9	7	2	-
ADMINISTRATIVE APPEALS	79	22	-	10	7	2	-	-	-	1	12	8	2	2
ORIGINAL PROCEEDINGS**	192	10	-	1	-	-	-	-	-	1	9	-	-	9
<b>NINTH CIRCUIT</b>	<b>8,402</b>	<b>3,598</b>	-	<b>1,587</b>	<b>519</b>	<b>37</b>	<b>14</b>	<b>25</b>	<b>695</b>	<b>297</b>	<b>2,011</b>	<b>1,397</b>	<b>555</b>	<b>59</b>
CRIMINAL	1,580	337	-	110	11	6	2	-	-	91	227	217	4	6
U.S. PRISONER PETITIONS	469	307	-	245	12	-	1	-	220	12	62	29	30	3
OTHER U.S. CIVIL	717	297	-	73	43	5	2	-	-	23	224	148	69	7
PRIV. PRISONER PETITIONS	1,641	1,066	-	709	178	3	2	25	475	26	357	174	180	3
OTHER PRIVATE CIVIL	2,345	1,117	-	260	181	17	5	-	-	57	857	665	187	5
BANKRUPTCY	274	131	-	22	12	3	1	-	-	6	109	86	21	2
ADMINISTRATIVE APPEALS	921	320	-	156	82	3	1	-	-	70	164	78	64	22
ORIGINAL PROCEEDINGS**	455	23	-	12	-	-	-	-	-	12	11	-	-	11
<b>TENTH CIRCUIT</b>	<b>2,754</b>	<b>1,046</b>	-	<b>464</b>	<b>102</b>	<b>18</b>	<b>17</b>	<b>8</b>	<b>232</b>	<b>87</b>	<b>582</b>	<b>395</b>	<b>150</b>	<b>37</b>
CRIMINAL	527	77	-	31	24	3	-	-	-	4	46	41	4	1
U.S. PRISONER PETITIONS	281	138	-	90	6	1	1	-	71	11	48	22	26	-
OTHER U.S. CIVIL	295	88	-	17	12	2	1	-	-	2	71	53	17	1
PRIV. PRISONER PETITIONS	567	326	-	218	25	1	14	8	161	9	108	32	73	3
OTHER PRIVATE CIVIL	787	300	-	53	23	10	1	-	-	19	247	219	24	4
BANKRUPTCY	43	27	-	7	5	1	-	-	-	1	20	16	4	-
ADMINISTRATIVE APPEALS	79	27	-	13	7	-	-	-	-	6	14	12	2	-
ORIGINAL PROCEEDINGS**	175	63	-	35	-	-	-	-	-	35	28	-	-	28

**Table B5-A. (September 30, 1999—Continued)**

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appealability	Other	Total	FRAP 42*	Default	Other
<b>ELEVENTH CIRCUIT</b>	<b>7,244</b>	<b>3,353</b>	<b>45</b>	<b>1,839</b>	<b>520</b>	<b>487</b>	<b>40</b>	<b>91</b>	<b>532</b>	<b>169</b>	<b>1,469</b>	<b>313</b>	<b>1,112</b>	<b>44</b>
CRIMINAL	1,989	422	5	208	82	103	5	-	-	18	209	95	112	2
U.S. PRISONER PETITIONS	898	637	-	385	57	12	2	-	296	18	252	28	221	3
OTHER U.S. CIVIL	451	177	4	87	32	49	-	-	-	6	86	25	60	1
PRIV. PRISONER PETITIONS	1,324	962	-	505	162	8	2	91	236	6	457	46	407	4
OTHER PRIVATE CIVIL	1,953	904	30	488	157	298	21	-	-	12	386	104	278	4
BANKRUPTCY	139	77	6	43	16	17	10	-	-	-	28	10	18	-
ADMINISTRATIVE APPEALS	118	41	-	20	14	-	-	-	-	6	21	5	16	-
ORIGINAL PROCEEDINGS**	372	133	-	103	-	-	-	-	-	103	30	-	-	30

NOTE: TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS. JURIS DEFECTS = JURISDICTIONAL DEFECTS. CPC = CERTIFICATE OF PROBABLE CAUSE. CERT. APPEALABILITY = CERTIFICATE OF APPEALABILITY. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

\* VOLUNTARY DISMISSAL UNDER RULE 42(B), FEDERAL RULES OF APPELLATE PROCEDURE.

\*\* BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF ORIGINAL PROCEEDINGS PREVIOUSLY NOT INCLUDED IN THIS TABLE.