

Table B-5A.

**U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit,
During the 12-Month Period Ending September 30, 2012**

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations											
		Total	Cross Appeals	By Judges						By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
ALL CIRCUITS	57,570	19,764	154	5,940	3,796	484	82	895	683	13,670	5,574	6,864	1,232
CRIMINAL	13,624	3,075	7	647	402	96	12	-	137	2,421	1,499	793	129
U.S. PRISONER PETITIONS	4,742	1,774	1	663	269	5	6	355	28	1,110	191	884	35
OTHER U.S. CIVIL	2,763	1,008	14	251	205	25	1	-	20	743	324	396	23
PRIV. PRISONER PETITIONS	11,174	4,171	3	1,618	974	10	37	540	57	2,550	330	2,138	82
OTHER PRIVATE CIVIL	12,555	5,296	108	1,391	1,005	278	15	-	93	3,797	2,132	1,560	105
BANKRUPTCY	681	310	2	79	46	16	7	-	10	229	132	91	6
ADMINISTRATIVE APPEALS	7,934	3,461	19	1,155	895	54	4	-	202	2,287	966	1,002	319
ORIGINAL PROCEEDINGS	4,097	669	-	136	-	-	-	-	136	533	-	-	533
DC CIRCUIT	1,189	477	9	142	71	13	7	12	39	326	183	61	82
CRIMINAL	84	43	-	3	1	1	1	-	-	40	34	6	-
U.S. PRISONER PETITIONS	94	42	-	14	2	-	-	10	2	28	10	18	-
OTHER U.S. CIVIL	239	66	1	16	10	-	-	-	6	49	30	19	-
PRIV. PRISONER PETITIONS	8	5	-	2	-	-	-	2	-	3	-	3	-
OTHER PRIVATE CIVIL	129	49	-	8	4	1	1	-	2	41	32	6	3
BANKRUPTCY	6	6	-	5	-	-	5	-	-	1	1	-	-
ADMINISTRATIVE APPEALS	495	202	8	70	54	11	-	-	5	124	76	9	39
ORIGINAL PROCEEDINGS	134	64	-	24	-	-	-	-	24	40	-	-	40
1ST CIRCUIT	1,612	560	11	126	75	3	2	27	19	423	296	123	4
CRIMINAL	530	163	1	18	15	-	-	-	3	144	130	13	1
U.S. PRISONER PETITIONS	105	36	-	22	2	-	-	17	3	14	4	10	-
OTHER U.S. CIVIL	103	31	1	4	3	1	-	-	-	26	16	10	-
PRIV. PRISONER PETITIONS	93	35	-	17	6	-	-	10	1	18	4	14	-
OTHER PRIVATE CIVIL	483	197	9	38	35	1	1	-	1	150	108	42	-
BANKRUPTCY	33	18	-	3	2	-	-	-	1	15	8	7	-
ADMINISTRATIVE APPEALS	194	75	-	21	12	1	1	-	7	54	26	27	1
ORIGINAL PROCEEDINGS	71	5	-	3	-	-	-	-	3	2	-	-	2

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

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations											
		Total	Cross Appeals	By Judges						By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
2ND CIRCUIT	5,715	1,986	22	409	300	27	1	10	71	1,555	804	669	82
CRIMINAL	752	189	2	13	5	4	-	-	4	174	101	58	15
U.S. PRISONER PETITIONS	242	77	-	17	13	-	-	2	2	60	9	49	2
OTHER U.S. CIVIL	245	100	-	24	22	2	-	-	-	76	27	46	3
PRIV. PRISONER PETITIONS	779	247	1	62	46	2	-	8	6	184	13	168	3
OTHER PRIVATE CIVIL	1,658	726	15	120	104	3	1	-	12	591	300	270	21
BANKRUPTCY	74	41	2	4	-	2	-	-	2	35	22	13	-
ADMINISTRATIVE APPEALS	1,726	575	2	161	110	14	-	-	37	412	332	65	15
ORIGINAL PROCEEDINGS	239	31	-	8	-	-	-	-	8	23	-	-	23
3RD CIRCUIT	3,767	1,186	9	298	242	14	2	5	35	879	365	396	118
CRIMINAL	748	134	1	34	22	3	-	-	9	99	84	11	4
U.S. PRISONER PETITIONS	344	95	-	17	13	-	-	2	2	78	14	55	9
OTHER U.S. CIVIL	165	62	1	19	17	-	-	-	2	42	15	27	-
PRIV. PRISONER PETITIONS	631	247	-	71	62	1	1	3	4	176	17	144	15
OTHER PRIVATE CIVIL	938	372	6	86	70	9	1	-	6	280	181	90	9
BANKRUPTCY	61	29	-	9	8	-	-	-	1	20	14	6	-
ADMINISTRATIVE APPEALS	509	176	1	57	50	1	-	-	6	118	40	63	15
ORIGINAL PROCEEDINGS	371	71	-	5	-	-	-	-	5	66	-	-	66
4TH CIRCUIT	5,219	1,199	13	333	244	12	-	65	12	853	395	403	55
CRIMINAL	1,939	265	1	39	35	1	-	-	3	225	122	98	5
U.S. PRISONER PETITIONS	621	155	-	73	34	-	-	38	1	82	21	57	4
OTHER U.S. CIVIL	214	56	2	13	12	-	-	-	1	41	29	12	-
PRIV. PRISONER PETITIONS	831	299	-	93	65	-	-	27	1	206	45	155	6
OTHER PRIVATE CIVIL	852	273	8	68	61	7	-	-	-	197	134	51	12
BANKRUPTCY	58	16	-	4	3	1	-	-	-	12	6	4	2
ADMINISTRATIVE APPEALS	277	113	2	41	34	3	-	-	4	70	38	26	6
ORIGINAL PROCEEDINGS	427	22	-	2	-	-	-	-	2	20	-	-	20

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

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations											
		Total	Cross Appeals	By Judges						By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
5TH CIRCUIT	7,316	2,686	7	675	542	18	1	14	100	2,004	564	1,265	175
CRIMINAL	2,525	663	1	164	109	7	-	-	48	498	295	198	5
U.S. PRISONER PETITIONS	672	270	-	39	34	2	-	-	3	231	13	217	1
OTHER U.S. CIVIL	209	88	-	19	15	-	-	-	4	69	16	53	-
PRIV. PRISONER PETITIONS	1,506	710	-	152	136	1	-	14	1	558	62	492	4
OTHER PRIVATE CIVIL	1,310	533	6	180	156	5	-	-	19	347	139	192	16
BANKRUPTCY	81	32	-	10	5	1	-	-	4	22	10	11	1
ADMINISTRATIVE APPEALS	451	248	-	110	87	2	1	-	20	138	29	102	7
ORIGINAL PROCEEDINGS	562	142	-	1	-	-	-	-	1	141	-	-	141
6TH CIRCUIT	5,417	1,885	9	899	393	40	26	414	26	977	444	365	168
CRIMINAL	1,497	295	1	81	69	8	-	-	4	213	117	38	58
U.S. PRISONER PETITIONS	359	218	-	161	40	-	5	114	2	57	12	40	5
OTHER U.S. CIVIL	216	72	-	24	20	3	1	-	-	48	27	19	2
PRIV. PRISONER PETITIONS	1,152	629	-	462	140	1	16	300	5	167	18	131	18
OTHER PRIVATE CIVIL	1,347	461	8	120	87	22	4	-	7	333	216	108	9
BANKRUPTCY	55	22	-	6	3	3	-	-	-	16	13	2	1
ADMINISTRATIVE APPEALS	425	113	-	41	34	3	-	-	4	72	41	27	4
ORIGINAL PROCEEDINGS	366	75	-	4	-	-	-	-	4	71	-	-	71
7TH CIRCUIT	2,979	1,366	11	400	140	10	12	143	95	955	465	456	34
CRIMINAL	702	197	-	46	34	1	2	-	9	151	127	23	1
U.S. PRISONER PETITIONS	344	218	-	103	13	-	-	82	8	115	20	95	-
OTHER U.S. CIVIL	126	62	-	16	10	-	-	-	6	46	21	23	2
PRIV. PRISONER PETITIONS	509	364	-	99	21	2	2	61	13	265	25	236	4
OTHER PRIVATE CIVIL	860	409	8	92	58	5	5	-	24	309	236	71	2
BANKRUPTCY	45	20	-	5	1	-	2	-	2	15	11	4	-
ADMINISTRATIVE APPEALS	132	52	3	19	3	2	1	-	13	30	25	4	1
ORIGINAL PROCEEDINGS	261	44	-	20	-	-	-	-	20	24	-	-	24

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

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations											
		By Judges							By Staff				
		Total	Cross Appeals	Total	Juris. Defects	FRAP 42 ¹	Default	Cert. Appealability	Other	Total	FRAP 42 ¹	Default	Other
8TH CIRCUIT	2,957	651	7	220	141	11	21	9	38	424	210	176	38
CRIMINAL	929	138	-	40	19	3	2	-	16	98	82	6	10
U.S. PRISONER PETITIONS	314	47	-	22	14	-	-	4	4	25	7	18	-
OTHER U.S. CIVIL	122	41	1	7	6	1	-	-	-	33	11	18	4
PRIV. PRISONER PETITIONS	556	181	-	81	54	-	17	5	5	100	13	86	1
OTHER PRIVATE CIVIL	628	169	6	52	38	7	1	-	6	111	79	29	3
BANKRUPTCY	26	8	-	2	2	-	-	-	-	6	5	1	-
ADMINISTRATIVE APPEALS	137	51	-	10	8	-	1	-	1	41	13	18	10
ORIGINAL PROCEEDINGS	245	16	-	6	-	-	-	-	6	10	-	-	10
9TH CIRCUIT	12,735	4,363	28	1,266	1,062	25	8	29	142	3,069	1,341	1,400	328
CRIMINAL	1,705	358	-	46	16	2	7	-	21	312	267	23	22
U.S. PRISONER PETITIONS	628	167	1	46	41	-	-	5	-	120	38	73	9
OTHER U.S. CIVIL	649	235	4	47	44	2	-	-	1	184	102	76	6
PRIV. PRISONER PETITIONS	3,601	826	2	365	331	1	1	24	8	459	78	361	20
OTHER PRIVATE CIVIL	2,196	1,001	20	206	188	11	-	-	7	775	487	270	18
BANKRUPTCY	164	78	-	13	11	2	-	-	-	65	40	24	1
ADMINISTRATIVE APPEALS	3,092	1,652	1	532	431	7	-	-	94	1,119	329	573	217
ORIGINAL PROCEEDINGS	700	46	-	11	-	-	-	-	11	35	-	-	35
10TH CIRCUIT	2,181	830	17	308	71	9	1	166	61	505	294	180	31
CRIMINAL	492	95	-	35	14	3	-	-	18	60	45	14	1
U.S. PRISONER PETITIONS	277	161	-	91	8	-	1	81	1	70	29	40	1
OTHER U.S. CIVIL	149	40	2	5	5	-	-	-	-	33	24	7	2
PRIV. PRISONER PETITIONS	410	231	-	122	23	1	-	85	13	109	37	66	6
OTHER PRIVATE CIVIL	593	240	15	31	19	3	-	-	9	194	150	42	2
BANKRUPTCY	14	3	-	1	1	-	-	-	-	2	-	2	-
ADMINISTRATIVE APPEALS	96	29	-	7	1	2	-	-	4	22	9	9	4
ORIGINAL PROCEEDINGS	150	31	-	16	-	-	-	-	16	15	-	-	15

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

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations											
		Total	Cross Appeals	By Judges						By Staff			
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11TH CIRCUIT	6,483	2,575	11	864	515	302	1	1	45	1,700	213	1,370	117
CRIMINAL	1,721	535	-	128	63	63	-	-	2	407	95	305	7
U.S. PRISONER PETITIONS	742	288	-	58	55	3	-	-	-	230	14	212	4
OTHER U.S. CIVIL	326	155	2	57	41	16	-	-	-	96	6	86	4
PRIV. PRISONER PETITIONS	1,098	397	-	92	90	1	-	1	-	305	18	282	5
OTHER PRIVATE CIVIL	1,561	866	7	390	185	204	1	-	-	469	70	389	10
BANKRUPTCY	64	37	-	17	10	7	-	-	-	20	2	17	1
ADMINISTRATIVE APPEALS	400	175	2	86	71	8	-	-	7	87	8	79	-
ORIGINAL PROCEEDINGS	571	122	-	36	-	-	-	-	36	86	-	-	86

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.

¹ Voluntary dismissal under Rule 42(b), Federal Rules of Appellate Procedure.