

Table B-7.

**U.S. Courts of Appeals—Nature of Suit or Offense in Cases Arising From the U.S. District Courts, by Circuit, During the 12-Month Period Ending December 31, 2009**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>TOTAL CASES</b>	<b>44,479</b>	<b>713</b>	<b>1,448</b>	<b>3,696</b>	<b>2,835</b>	<b>4,481</b>	<b>6,217</b>	<b>3,967</b>	<b>2,855</b>	<b>2,642</b>	<b>7,772</b>	<b>2,076</b>	<b>5,777</b>
<b>TOTAL CRIMINAL CASES</b>	<b>13,362</b>	<b>125</b>	<b>562</b>	<b>941</b>	<b>777</b>	<b>1,251</b>	<b>2,451</b>	<b>1,215</b>	<b>648</b>	<b>1,043</b>	<b>1,670</b>	<b>610</b>	<b>2,069</b>
<b>TOTAL CIVIL CASES</b>	<b>31,117</b>	<b>588</b>	<b>886</b>	<b>2,755</b>	<b>2,058</b>	<b>3,230</b>	<b>3,766</b>	<b>2,752</b>	<b>2,207</b>	<b>1,599</b>	<b>6,102</b>	<b>1,466</b>	<b>3,708</b>
<b>U.S. CASES</b>	<b>8,298</b>	<b>423</b>	<b>232</b>	<b>428</b>	<b>453</b>	<b>1,608</b>	<b>844</b>	<b>555</b>	<b>661</b>	<b>460</b>	<b>1,172</b>	<b>449</b>	<b>1,013</b>
<b>U.S. PLAINTIFF</b>	<b>416</b>	<b>8</b>	<b>25</b>	<b>43</b>	<b>30</b>	<b>26</b>	<b>60</b>	<b>42</b>	<b>17</b>	<b>22</b>	<b>77</b>	<b>13</b>	<b>53</b>
NEGOTIABLE INSTRUMENTS	1	-	-	-	-	-	-	1	-	-	-	-	-
OTHER CONTRACT ACTIONS	24	-	1	5	-	1	2	3	-	1	6	-	5
CONDEMNATION OF LAND	6	-	-	-	-	-	3	2	-	-	1	-	-
OTHER REAL PROP. ACTIONS	17	-	2	-	2	1	5	-	3	1	1	1	1
TORT ACTIONS	13	-	1	2	-	1	-	-	1	3	3	1	1
CIVIL RIGHTS													
EMPLOYMENT	25	-	-	-	1	3	2	5	1	3	7	3	-
OTHER CIVIL RIGHTS	13	-	-	1	2	2	4	2	1	-	1	-	-
FORFEITURE AND PENALTY	53	-	5	3	1	4	5	10	-	3	10	4	8
FAIR LABOR STAND. ACT	1	-	-	-	-	-	-	1	-	-	-	-	-
OTHER LABOR	8	-	-	-	1	2	1	3	-	-	-	-	1
SECUR., COMMOD., & EXCHG.	63	2	1	20	-	-	9	1	4	-	13	3	10
TAX SUITS	68	-	2	1	9	2	14	8	1	1	11	1	18
ALL OTHER	124	6	13	11	14	10	15	6	6	10	24	-	9
<b>U.S. DEFENDANT</b>	<b>7,882</b>	<b>415</b>	<b>207</b>	<b>385</b>	<b>423</b>	<b>1,582</b>	<b>784</b>	<b>513</b>	<b>644</b>	<b>438</b>	<b>1,095</b>	<b>436</b>	<b>960</b>
CONTRACT ACTIONS	62	9	-	5	3	5	9	8	-	1	15	2	5
REAL PROPERTY ACTIONS	55	1	-	6	1	1	19	2	1	4	12	3	5
TORT ACTIONS	186	13	16	10	9	12	23	11	8	15	43	6	20
CIVIL RIGHTS													
EMPLOYMENT	240	44	8	12	12	32	33	11	10	8	30	14	26
OTHER CIVIL RIGHTS	470	48	24	39	28	25	45	30	26	9	89	24	83
PRISONER PETITIONS:													
MOTIONS TO VACATE SENTENCE	2,610	14	88	156	127	393	362	205	188	218	244	118	497
HABEAS CORPUS	925	52	19	26	103	98	112	80	67	57	141	87	83
HABEAS CORPUS—DEATH	-	-	-	-	-	-	-	-	-	-	-	-	-
PRISONER CIVIL RIGHTS	525	83	22	12	44	90	60	33	1	12	104	24	40

**Table B-7. (December 31, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>U.S. DEFENDANT (CONTINUED)</b>													
PRISON CONDITION	242	2	-	4	7	31	7	13	72	11	18	52	25
OTHER PRIS. PETITIONS	1,072	15	1	6	6	807	10	5	188	5	14	3	12
LABOR SUITS	24	1	-	-	4	6	4	2	2	1	3	-	1
SOCIAL SECURITY LAWS	588	2	13	51	37	12	33	64	45	52	152	54	73
TAX SUITS	120	5	1	8	5	5	18	7	6	12	32	7	14
ENVIRONMENTAL MATTERS	126	21	-	-	2	4	1	6	2	4	66	12	8
FREEDOM OF INFOR. ACT	69	29	-	9	4	-	5	2	2	1	11	2	4
ALL OTHER	568	76	15	41	31	61	43	34	26	28	121	28	64
<b>PRIVATE CASES</b>	<b>22,819</b>	<b>165</b>	<b>654</b>	<b>2,327</b>	<b>1,605</b>	<b>1,622</b>	<b>2,922</b>	<b>2,197</b>	<b>1,546</b>	<b>1,139</b>	<b>4,930</b>	<b>1,017</b>	<b>2,695</b>
<b>TOTAL</b>													
<b>FEDERAL QUESTION</b>	<b>20,206</b>	<b>146</b>	<b>527</b>	<b>2,035</b>	<b>1,382</b>	<b>1,454</b>	<b>2,552</b>	<b>1,972</b>	<b>1,402</b>	<b>998</b>	<b>4,541</b>	<b>831</b>	<b>2,366</b>
MARINE CONTRACT	148	-	3	82	6	4	22	2	1	1	10	-	17
OTHER CONTRACT ACTIONS	501	9	10	102	53	42	69	35	23	27	77	17	37
FEDERAL EMPLOYERS													
LIABILITY ACT	20	-	2	2	-	2	3	8	2	1	-	-	-
MARINE INJURY	68	-	4	4	3	1	36	1	3	3	9	-	4
OTHER TORT ACTIONS	538	11	25	48	30	50	67	57	50	30	99	9	62
ANTITRUST	97	2	3	23	18	2	8	5	2	6	15	1	12
CIVIL RIGHTS													
EMPLOYMENT	1,628	18	50	259	131	118	146	160	139	113	153	85	256
OTHER CIVIL RIGHTS	3,184	48	114	433	274	202	251	327	272	159	553	173	378
PRISONER PETITIONS													
HABEAS CORPUS	6,410	4	106	394	358	423	1,005	646	317	208	1,954	240	755
HABEAS CORPUS—DEATH	188	-	-	1	5	4	39	28	3	8	37	4	59
PRISONER CIVIL RIGHTS	2,958	12	65	282	177	292	577	259	13	216	707	91	267
PRISON CONDITION	1,352	-	3	13	118	126	79	187	339	91	103	81	212
OTHER PRIS. PETITIONS	59	5	-	6	2	11	9	3	3	2	3	1	14
LABOR MGMT. RELAT. ACT	102	-	4	8	12	4	5	18	9	10	25	3	4
OTHER LABOR	780	3	22	76	55	44	54	91	69	47	195	28	96
COPYRIGHT, PATENT, & TRDMRK.	381	4	22	62	12	27	36	26	29	10	107	6	40
SECUR., COMMOD., & EXCHG.	276	3	4	66	13	2	17	15	11	19	109	5	12
CONST. OF STATE STATS.	102	2	9	13	7	4	12	3	4	1	38	7	2
ALL OTHER	1,414	25	81	161	108	96	117	101	113	46	347	80	139

**Table B-7. (December 31, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>DIVERSITY OF CITIZENSHIP</b>	<b>2,613</b>	<b>19</b>	<b>127</b>	<b>292</b>	<b>223</b>	<b>168</b>	<b>370</b>	<b>225</b>	<b>144</b>	<b>141</b>	<b>389</b>	<b>186</b>	<b>329</b>
INSURANCE	667	-	18	45	44	26	102	45	93	25	105	51	113
OTHER CONTRACT ACTIONS	1,013	6	50	149	89	75	114	85	51	52	176	59	107
REAL PROPERTY ACTIONS	99	5	4	6	11	7	13	11	-	4	8	12	18
PERSONAL INJURY/PRODUCT LIABILITY	147	-	5	13	21	3	36	13	-	15	12	8	21
OTHER PERSONAL INJURY	401	2	34	41	36	34	67	45	-	28	36	32	46
PERSONAL PROP. DAMAGE	188	2	9	30	14	14	29	19	-	11	32	10	18
ALL OTHER	98	4	7	8	8	9	9	7	-	6	20	14	6
<b>GENERAL LOCAL JURISDICTION</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
CONTRACT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
TORT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
ALL OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL CRIMINAL CASES</b>	<b>13,362</b>	<b>125</b>	<b>562</b>	<b>941</b>	<b>777</b>	<b>1,251</b>	<b>2,451</b>	<b>1,215</b>	<b>648</b>	<b>1,043</b>	<b>1,670</b>	<b>610</b>	<b>2,069</b>
<b>VIOLENT OFFENSES</b>	<b>666</b>	<b>13</b>	<b>30</b>	<b>51</b>	<b>61</b>	<b>65</b>	<b>83</b>	<b>54</b>	<b>47</b>	<b>49</b>	<b>89</b>	<b>42</b>	<b>82</b>
HOMICIDE	55	-	1	1	12	2	9	1	3	8	11	3	4
ROBBERY	272	4	12	8	24	28	25	28	27	19	43	16	38
ASSAULT	97	1	-	2	7	10	15	6	2	13	22	10	9
KIDNAPPING	30	6	2	-	1	2	9	2	5	-	-	-	3
RACKETEERING—VIOLENT CRIME	138	1	8	34	14	21	12	6	9	2	5	8	18
CARJACKING	32	-	5	-	2	2	11	4	-	1	1	2	4
TERRORISM	14	1	-	4	1	-	1	-	-	1	1	2	3
OTHER VIOLENT OFFENSES	28	-	2	2	-	-	1	7	1	5	6	1	3
<b>PROPERTY OFFENSES</b>	<b>1,542</b>	<b>22</b>	<b>46</b>	<b>165</b>	<b>99</b>	<b>157</b>	<b>226</b>	<b>153</b>	<b>74</b>	<b>91</b>	<b>211</b>	<b>48</b>	<b>250</b>
<b>BURGLARY</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>-</b>
<b>LARCENY &amp; THEFT, TOTAL</b>	<b>105</b>	<b>5</b>	<b>7</b>	<b>3</b>	<b>5</b>	<b>11</b>	<b>20</b>	<b>17</b>	<b>4</b>	<b>4</b>	<b>17</b>	<b>5</b>	<b>7</b>
BANK	9	-	-	1	-	4	-	1	-	-	1	1	1
POSTAL	17	-	-	2	-	1	6	-	-	1	5	2	-
THEFT, U.S. PROPERTY TRANSPORT, ETC. OF	52	3	3	-	2	5	12	8	3	3	8	2	3
STOLEN PROPERTY	19	2	2	-	3	-	1	4	1	-	3	-	3
OTHER LARCENY AND THEFT OFFENSES	8	-	2	-	-	1	1	4	-	-	-	-	-

**Table B-7. (December 31, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>PROPERTY OFFENSES (CONTINUED)</b>													
EMBEZZLEMENT	50	-	1	2	2	3	6	9	4	4	8	4	7
<b>FRAUD, TOTAL</b>	<b>1,291</b>	<b>17</b>	<b>36</b>	<b>155</b>	<b>87</b>	<b>138</b>	<b>186</b>	<b>111</b>	<b>61</b>	<b>78</b>	<b>172</b>	<b>34</b>	<b>216</b>
TAX	92	3	4	14	1	9	19	10	2	8	17	1	4
FINANCIAL INSTITUTIONS	124	-	6	13	7	12	17	18	7	8	19	4	13
SECURITIES AND EXCHANGE	46	-	-	25	-	1	7	3	-	1	5	1	3
MAIL	222	5	4	24	21	28	27	14	12	12	19	5	51
WIRE, RADIO, OR TELEVISION	116	1	1	18	11	10	6	12	14	8	21	1	13
SOCIAL SECURITY	39	-	1	-	1	11	7	1	3	6	1	1	7
CITIZENSHIP AND													
NATURALIZATION	19	-	1	2	2	1	3	2	-	1	3	-	4
PASSPORT	15	-	1	2	3	-	-	-	1	-	2	-	6
IDENTIFICATION													
DOCUMENTS & INFO.	105	-	3	5	8	13	12	4	5	3	16	2	34
FALSE CLAIMS AND													
SERVICES, GOV'T	48	-	-	6	3	6	9	1	3	1	4	2	13
FALSE STATEMENTS	77	4	4	6	6	10	5	10	2	4	15	3	8
CONSPIRACY TO													
DEFRAUD THE U.S.	167	3	6	15	14	17	23	19	5	14	25	6	20
UNAUTHORIZED													
ACCESS DEVICES	105	1	2	19	9	10	16	10	1	10	11	3	13
HEALTH CARE	74	-	3	5	-	4	27	3	4	1	7	2	18
OTHER FRAUD OFFENSES	42	-	-	1	1	6	8	4	2	1	7	3	9
<b>FORGERY AND COUNTERFEITING</b>	<b>81</b>	<b>-</b>	<b>1</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>13</b>	<b>14</b>	<b>3</b>	<b>3</b>	<b>12</b>	<b>3</b>	<b>20</b>
<b>OTHER PROPERTY OFFENSES</b>	<b>12</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>-</b>
<b>DRUG OFFENSES</b>	<b>5,523</b>	<b>56</b>	<b>298</b>	<b>404</b>	<b>304</b>	<b>523</b>	<b>845</b>	<b>566</b>	<b>289</b>	<b>546</b>	<b>456</b>	<b>243</b>	<b>993</b>
<b>MARIJUANA, TOTAL</b>	<b>362</b>	<b>-</b>	<b>6</b>	<b>10</b>	<b>5</b>	<b>13</b>	<b>154</b>	<b>25</b>	<b>17</b>	<b>19</b>	<b>56</b>	<b>25</b>	<b>32</b>
SELL, DISTRIBUTE,													
OR DISPENSE	274	-	5	8	5	13	126	20	14	14	27	21	21
IMPORT/EXPORT	52	-	-	1	-	-	26	-	-	-	21	1	3
MANUFACTURE	31	-	1	1	-	-	-	5	3	5	7	1	8
POSSESSION	5	-	-	-	-	-	2	-	-	-	1	2	-
<b>ALL OTHER DRUGS, TOTAL</b>	<b>5,056</b>	<b>56</b>	<b>277</b>	<b>380</b>	<b>291</b>	<b>506</b>	<b>672</b>	<b>530</b>	<b>270</b>	<b>521</b>	<b>394</b>	<b>208</b>	<b>951</b>
SELL, DISTRIBUTE,													
OR DISPENSE	4,780	52	269	348	283	481	642	515	261	491	345	201	892
IMPORT/EXPORT	139	2	4	31	5	3	5	6	4	-	36	-	43
MANUFACTURE	115	1	3	-	3	17	24	5	4	27	12	7	12
POSSESSION	22	1	1	1	-	5	1	4	1	3	1	-	4
<b>OTHER DRUG OFFENSES</b>	<b>105</b>	<b>-</b>	<b>15</b>	<b>14</b>	<b>8</b>	<b>4</b>	<b>19</b>	<b>11</b>	<b>2</b>	<b>6</b>	<b>6</b>	<b>10</b>	<b>10</b>

**Table B-7. (December 31, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>FIREARMS, EXPLOSIVES OFFENSES</b>	<b>2,016</b>	<b>10</b>	<b>87</b>	<b>98</b>	<b>151</b>	<b>332</b>	<b>232</b>	<b>247</b>	<b>109</b>	<b>177</b>	<b>163</b>	<b>127</b>	<b>283</b>
<b>FIREARMS, TOTAL</b>	<b>1,962</b>	<b>10</b>	<b>78</b>	<b>88</b>	<b>149</b>	<b>331</b>	<b>231</b>	<b>239</b>	<b>101</b>	<b>175</b>	<b>160</b>	<b>125</b>	<b>275</b>
POSSESSION BY													
PROHIBITED PERSONS	1,188	4	39	52	90	172	138	128	63	132	117	78	175
FURTHERANCE OF VIOLENT/ DRUG-TRAFFICKING CRIMES	383	3	18	22	35	55	48	42	22	18	21	26	73
OTHER FIREARMS OFFENSES	391	3	21	14	24	104	45	69	16	25	22	21	27
<b>EXPLOSIVES</b>	<b>54</b>	<b>-</b>	<b>9</b>	<b>10</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>8</b>
<b>SEX OFFENSES</b>	<b>704</b>	<b>9</b>	<b>19</b>	<b>43</b>	<b>61</b>	<b>47</b>	<b>60</b>	<b>77</b>	<b>44</b>	<b>75</b>	<b>133</b>	<b>28</b>	<b>108</b>
SEXUAL ABUSE OF ADULTS	23	-	-	1	-	1	-	2	-	6	7	6	-
SEXUAL ABUSE OF MINORS	161	1	4	7	12	10	11	19	12	29	37	4	15
SEXUALLY EXPLICIT MATERIAL	429	5	12	32	34	28	44	45	26	34	79	15	75
OTHER SEX OFFENSES	91	3	3	3	15	8	5	11	6	6	10	3	18
<b>JUSTICE SYSTEM OFFENSES</b>	<b>145</b>	<b>1</b>	<b>5</b>	<b>15</b>	<b>17</b>	<b>19</b>	<b>17</b>	<b>10</b>	<b>8</b>	<b>8</b>	<b>17</b>	<b>5</b>	<b>23</b>
OBSTRUCTION OF JUSTICE	70	1	5	8	11	9	9	3	4	3	6	3	8
ESCAPE FROM CUSTODY	29	-	-	-	1	4	5	4	-	-	6	1	8
FAILURE TO APPEAR	13	-	-	4	1	1	-	2	-	1	1	-	3
OTHER JUSTICE SYSTEM OFFENSES	33	-	-	3	4	5	3	1	4	4	4	1	4
<b>IMMIGRATION OFFENSES</b>	<b>1,745</b>	<b>2</b>	<b>29</b>	<b>71</b>	<b>29</b>	<b>44</b>	<b>847</b>	<b>28</b>	<b>30</b>	<b>31</b>	<b>434</b>	<b>60</b>	<b>140</b>
ALIEN SMUGGLING	208	-	3	2	-	1	99	1	3	2	57	1	39
IMPROPER ENTRY BY ALIEN	25	-	-	1	-	-	5	-	-	1	11	-	7
IMPROPER REENTRY BY ALIEN	1,480	2	24	66	26	40	734	25	27	25	363	59	89
OTHER IMMIGRATION OFFENSES	32	-	2	2	3	3	9	2	-	3	3	-	5
<b>GENERAL OFFENSES</b>	<b>428</b>	<b>5</b>	<b>14</b>	<b>45</b>	<b>22</b>	<b>28</b>	<b>68</b>	<b>32</b>	<b>27</b>	<b>27</b>	<b>78</b>	<b>19</b>	<b>63</b>
MONEY LAUNDERING	236	2	9	21	9	11	40	20	10	12	45	13	44
RICO <sup>1</sup>	62	1	-	20	-	1	7	2	10	1	15	-	5
EXTORTION AND THREATS	61	-	4	2	1	10	11	9	6	7	4	4	3
OTHER GENERAL OFFENSES	69	2	1	2	12	6	10	1	1	7	14	2	11
<b>REGULATORY OFFENSES</b>	<b>160</b>	<b>4</b>	<b>14</b>	<b>16</b>	<b>10</b>	<b>6</b>	<b>24</b>	<b>18</b>	<b>4</b>	<b>3</b>	<b>25</b>	<b>8</b>	<b>28</b>
<b>TRAFFIC OFFENSES</b>	<b>12</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>
<b>UNCLASSIFIED OFFENSES</b>	<b>421</b>	<b>3</b>	<b>20</b>	<b>33</b>	<b>23</b>	<b>22</b>	<b>47</b>	<b>30</b>	<b>16</b>	<b>36</b>	<b>63</b>	<b>30</b>	<b>98</b>

NOTE: This table includes appeals reopened and remanded as well as original appeals. This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in 2005, categories for criminal offenses were modified. Therefore, offense data for 2005 and thereafter are not comparable to offense data published in previous years.

<sup>1</sup> RICO = Racketeer Influenced and Corrupt Organizations Act.