

Table B-5A.
U.S. Courts of Appeals—Cases Terminated on Procedural Grounds, by Circuit and Nature of Proceeding,
During the 12-Month Period Ending September 30, 2021

| Circuit and Nature of Proceeding | Total Terminated | Terminated on Procedural Grounds | | | | | | | | | | | |
|---|------------------|----------------------------------|------------------|--------------|------------------------|----------------------|-----------|------------------------|------------|---------------|----------------------|--------------|--------------|
| | | Total | By Consolidation | By Judge | | | | | | By Staff | | | |
| | | | | Total | Jurisdictional Defects | FRAP 42 ¹ | Default | Cert. of Appealability | Other | Total | FRAP 42 ¹ | Default | Other |
| Total | 47,748 | 17,148 | 65 | 3,934 | 2,570 | 381 | 66 | 17 | 900 | 13,149 | 4,778 | 6,117 | 2,254 |
| Criminal | 11,056 | 2,895 | 2 | 355 | 233 | 51 | 2 | - | 69 | 2,538 | 1,335 | 1,117 | 86 |
| U.S. Prisoner Petitions | 3,774 | 1,435 | 1 | 250 | 219 | 6 | 5 | 10 | 10 | 1,184 | 335 | 825 | 24 |
| Other U.S. Civil | 2,611 | 836 | 4 | 194 | 146 | 31 | 2 | - | 15 | 638 | 324 | 259 | 55 |
| Private Prisoner Petitions | 7,540 | 3,147 | 2 | 876 | 814 | 12 | 15 | 7 | 28 | 2,269 | 296 | 1,895 | 78 |
| Other Private Civil | 10,865 | 4,449 | 43 | 1,355 | 708 | 126 | 10 | - | 511 | 3,051 | 1,812 | 1,120 | 119 |
| Bankruptcy | 684 | 279 | 1 | 77 | 36 | 13 | 28 | - | - | 201 | 100 | 99 | 2 |
| Administrative Agency Appeals | 7,146 | 3,312 | 11 | 752 | 414 | 142 | 4 | - | 192 | 2,549 | 576 | 802 | 1,171 |
| Original Proceedings and Miscellaneous Applications | 4,072 | 795 | 1 | 75 | - | - | - | - | 75 | 719 | - | - | 719 |
| DC | 1,022 | 419 | 8 | 112 | 37 | 29 | 8 | 8 | 30 | 299 | 193 | 81 | 25 |
| Criminal | 90 | 26 | - | 3 | 1 | 2 | - | - | - | 23 | 18 | 5 | - |
| U.S. Prisoner Petitions | 92 | 60 | - | 17 | 5 | - | 5 | 6 | 1 | 43 | 12 | 30 | 1 |
| Other U.S. Civil | 267 | 80 | 1 | 14 | 6 | 6 | - | - | 2 | 65 | 45 | 20 | - |
| Private Prisoner Petitions | 16 | 14 | - | 7 | 3 | - | 2 | 2 | - | 7 | - | 7 | - |
| Other Private Civil | 113 | 34 | - | 7 | 4 | 2 | - | - | 1 | 27 | 18 | 9 | - |
| Bankruptcy | | | - | - | - | - | - | - | - | - | - | - | - |
| Administrative Agency Appeals | 375 | 183 | 7 | 62 | 18 | 19 | 1 | - | 24 | 114 | 100 | 10 | 4 |
| Original Proceedings and Miscellaneous Applications | 69 | 22 | - | 2 | - | - | - | - | 2 | 20 | - | - | 20 |
| 1st | 1,207 | 299 | 1 | 20 | 10 | 9 | - | - | 1 | 278 | 184 | 93 | 1 |
| Criminal | 420 | 106 | - | 3 | - | 3 | - | - | - | 103 | 68 | 35 | - |
| U.S. Prisoner Petitions | 89 | 16 | - | - | - | - | - | - | - | 16 | 10 | 6 | - |
| Other U.S. Civil | 83 | 26 | - | 3 | 1 | 2 | - | - | - | 23 | 15 | 8 | - |
| Private Prisoner Petitions | 64 | 16 | - | - | - | - | - | - | - | 16 | 11 | 5 | - |
| Other Private Civil | 356 | 106 | 1 | 10 | 7 | 3 | - | - | - | 95 | 65 | 30 | - |
| Bankruptcy | 46 | 12 | - | 2 | 1 | 1 | - | - | - | 10 | 9 | 1 | - |
| Administrative Agency Appeals | 86 | 16 | - | 1 | 1 | - | - | - | - | 15 | 6 | 8 | 1 |
| Original Proceedings and Miscellaneous Applications | 63 | 1 | - | 1 | - | - | - | - | 1 | - | - | - | - |
| 2nd | 4,585 | 2,050 | 7 | 764 | 182 | 99 | 1 | - | 482 | 1,279 | 550 | 630 | 99 |
| Criminal | 668 | 199 | 1 | 10 | 3 | 5 | 1 | - | 1 | 188 | 111 | 54 | 23 |
| U.S. Prisoner Petitions | 275 | 157 | 1 | 9 | 8 | - | - | - | 1 | 147 | 73 | 70 | 4 |
| Other U.S. Civil | 205 | 83 | - | 16 | 15 | 1 | - | - | - | 67 | 29 | 37 | 1 |
| Private Prisoner Petitions | 406 | 204 | - | 33 | 32 | - | - | - | 1 | 171 | 13 | 153 | 5 |
| Other Private Civil | 1,942 | 970 | 4 | 541 | 73 | 5 | - | - | 463 | 425 | 197 | 216 | 12 |
| Bankruptcy | 51 | 18 | - | 7 | 5 | 2 | - | - | - | 11 | 3 | 8 | - |
| Administrative Agency Appeals | 732 | 372 | 1 | 148 | 46 | 86 | - | - | 16 | 223 | 124 | 92 | 7 |
| Original Proceedings and Miscellaneous Applications | 306 | 47 | - | - | - | - | - | - | - | 47 | - | - | 47 |

Table B-5A (September 30, 2021—Continued)

| Circuit and Nature of Proceeding | Total Terminated | Terminated on Procedural Grounds | | | | | | | | | | | |
|---|------------------|----------------------------------|------------------|------------|------------------------|-----------|----------|------------------------|-----------|--------------|------------|--------------|------------|
| | | Total | By Consolidation | By Judge | | | | | | By Staff | | | |
| | | | | Total | Jurisdictional Defects | FRAP 42' | Default | Cert. of Appealability | Other | Total | FRAP 42' | Default | Other |
| 3rd | 2,701 | 920 | 1 | 237 | 201 | 19 | - | - | 17 | 682 | 298 | 299 | 85 |
| Criminal | 489 | 125 | - | 33 | 27 | 3 | - | - | 3 | 92 | 65 | 27 | - |
| U.S. Prisoner Petitions | 244 | 97 | - | 19 | 17 | 1 | - | - | 1 | 78 | 37 | 39 | 2 |
| Other U.S. Civil | 94 | 36 | - | 10 | 7 | 2 | - | - | 1 | 26 | 14 | 12 | - |
| Private Prisoner Petitions | 475 | 161 | - | 57 | 57 | - | - | - | - | 104 | 13 | 89 | 2 |
| Other Private Civil | 725 | 280 | 1 | 72 | 61 | 9 | - | - | 2 | 207 | 135 | 71 | 1 |
| Bankruptcy | 56 | 19 | - | 2 | 1 | 1 | - | - | - | 17 | 13 | 4 | - |
| Administrative Agency Appeals | 361 | 119 | - | 38 | 31 | 3 | - | - | 4 | 81 | 21 | 57 | 3 |
| Original Proceedings and Miscellaneous Applications | 257 | 83 | - | 6 | - | - | - | - | 6 | 77 | - | - | 77 |
| 4th | 4,259 | 1,248 | 6 | 251 | 216 | 19 | - | - | 16 | 991 | 367 | 511 | 113 |
| Criminal | 1,411 | 342 | - | 36 | 31 | 2 | - | - | 3 | 306 | 140 | 166 | - |
| U.S. Prisoner Petitions | 546 | 182 | - | 31 | 28 | 2 | - | - | 1 | 151 | 39 | 111 | 1 |
| Other U.S. Civil | 191 | 50 | 1 | 19 | 15 | 2 | - | - | 2 | 30 | 17 | 11 | 2 |
| Private Prisoner Petitions | 594 | 255 | - | 66 | 63 | 2 | - | - | 1 | 189 | 28 | 156 | 5 |
| Other Private Civil | 653 | 251 | 5 | 74 | 63 | 11 | - | - | - | 172 | 119 | 51 | 2 |
| Bankruptcy | 44 | 7 | - | 2 | 2 | - | - | - | - | 5 | 2 | 3 | - |
| Administrative Agency Appeals | 239 | 55 | - | 15 | 14 | - | - | - | 1 | 40 | 22 | 13 | 5 |
| Original Proceedings and Miscellaneous Applications | 581 | 106 | - | 8 | - | - | - | - | 8 | 98 | - | - | 98 |
| 5th | 6,754 | 2,580 | 5 | 510 | 370 | 52 | 1 | - | 87 | 2,065 | 442 | 1,399 | 224 |
| Criminal | 2,099 | 480 | - | 31 | 14 | 13 | - | - | 4 | 449 | 140 | 305 | 4 |
| U.S. Prisoner Petitions | 608 | 278 | - | 29 | 29 | - | - | - | - | 249 | 22 | 226 | 1 |
| Other U.S. Civil | 184 | 89 | - | 15 | 11 | 2 | - | - | 2 | 74 | 17 | 57 | - |
| Private Prisoner Petitions | 1,235 | 607 | - | 103 | 100 | 3 | - | - | - | 504 | 62 | 437 | 5 |
| Other Private Civil | 1,180 | 488 | 2 | 127 | 110 | 16 | - | - | 1 | 359 | 136 | 220 | 3 |
| Bankruptcy | 67 | 33 | 1 | 7 | 7 | - | - | - | - | 25 | 13 | 12 | - |
| Administrative Agency Appeals | 768 | 389 | 1 | 191 | 99 | 18 | 1 | - | 73 | 197 | 52 | 142 | 3 |
| Original Proceedings and Miscellaneous Applications | 613 | 216 | 1 | 7 | - | - | - | - | 7 | 208 | - | - | 208 |
| 6th | 4,028 | 1,153 | 9 | 293 | 257 | 16 | 1 | 2 | 17 | 851 | 315 | 367 | 169 |
| Criminal | 1,229 | 302 | - | 66 | 62 | 3 | - | - | 1 | 236 | 111 | 96 | 29 |
| U.S. Prisoner Petitions | 276 | 86 | - | 23 | 21 | - | - | 2 | - | 63 | 7 | 50 | 6 |
| Other U.S. Civil | 222 | 62 | 1 | 15 | 14 | 1 | - | - | - | 46 | 24 | 20 | 2 |
| Private Prisoner Petitions | 630 | 240 | - | 94 | 92 | - | - | - | 2 | 146 | 14 | 117 | 15 |
| Other Private Civil | 771 | 279 | 7 | 64 | 48 | 10 | 1 | - | 5 | 208 | 135 | 69 | 4 |
| Bankruptcy | 56 | 20 | - | 9 | 9 | - | - | - | - | 11 | 9 | 2 | - |
| Administrative Agency Appeals | 291 | 44 | 1 | 15 | 11 | 2 | - | - | 2 | 28 | 15 | 13 | - |
| Original Proceedings and Miscellaneous Applications | 553 | 120 | - | 7 | - | - | - | - | 7 | 113 | - | - | 113 |

Table B-5A (September 30, 2021—Continued)

| Circuit and Nature of Proceeding | Total Terminated | Terminated on Procedural Grounds | | | | | | | | | | | |
|---|------------------|----------------------------------|------------------|------------|------------------------|-----------|-----------|------------------------|-----------|--------------|--------------|------------|--------------|
| | | Total | By Consolidation | By Judge | | | | | | By Staff | | | |
| | | | | Total | Jurisdictional Defects | FRAP 42' | Default | Cert. of Appealability | Other | Total | FRAP 42' | Default | Other |
| 7th | 2,622 | 1,104 | 3 | 236 | 156 | 18 | 16 | - | 46 | 865 | 410 | 440 | 15 |
| Criminal | 635 | 279 | - | 49 | 38 | 3 | - | - | 8 | 230 | 149 | 80 | 1 |
| U.S. Prisoner Petitions | 311 | 116 | - | 14 | 10 | - | - | - | 4 | 102 | 31 | 71 | - |
| Other U.S. Civil | 145 | 46 | - | 10 | 5 | 3 | 1 | - | 1 | 36 | 26 | 10 | - |
| Private Prisoner Petitions | 635 | 328 | - | 55 | 37 | 3 | 8 | - | 7 | 273 | 33 | 229 | 11 |
| Other Private Civil | 614 | 275 | 2 | 79 | 60 | 8 | 4 | - | 7 | 194 | 150 | 44 | - |
| Bankruptcy | 14 | 5 | - | 1 | - | - | 1 | - | - | 4 | 2 | 1 | 1 |
| Administrative Agency Appeals | 105 | 45 | 1 | 20 | 6 | 1 | 2 | - | 11 | 24 | 19 | 5 | - |
| Original Proceedings and Miscellaneous Applications | 163 | 10 | - | 8 | - | - | - | - | 8 | 2 | - | - | 2 |
| 8th | 3,129 | 608 | 1 | 196 | 137 | 16 | 5 | - | 38 | 411 | 203 | 153 | 55 |
| Criminal | 1,135 | 129 | - | 47 | 10 | 4 | 1 | - | 32 | 82 | 75 | 2 | 5 |
| U.S. Prisoner Petitions | 257 | 48 | - | 16 | 15 | - | - | - | 1 | 32 | 15 | 17 | - |
| Other U.S. Civil | 146 | 46 | - | 8 | 8 | - | - | - | - | 38 | 9 | 8 | 21 |
| Private Prisoner Petitions | 572 | 173 | - | 70 | 65 | - | 3 | - | 2 | 103 | 8 | 94 | 1 |
| Other Private Civil | 593 | 144 | 1 | 47 | 35 | 11 | 1 | - | - | 96 | 66 | 28 | 2 |
| Bankruptcy | 17 | 3 | - | 1 | - | 1 | - | - | - | 2 | 1 | - | 1 |
| Administrative Agency Appeals | 151 | 60 | - | 6 | 4 | - | - | - | 2 | 54 | 29 | 4 | 21 |
| Original Proceedings and Miscellaneous Applications | 258 | 5 | - | 1 | - | - | - | - | 1 | 4 | - | - | 4 |
| 9th | 10,872 | 4,235 | 18 | 816 | 631 | 55 | 34 | - | 96 | 3,401 | 1,198 | 862 | 1,341 |
| Criminal | 1,152 | 354 | 1 | 17 | 6 | 3 | - | - | 8 | 336 | 261 | 54 | 21 |
| U.S. Prisoner Petitions | 471 | 154 | - | 37 | 36 | 1 | - | - | - | 117 | 61 | 51 | 5 |
| Other U.S. Civil | 738 | 206 | 1 | 61 | 46 | 7 | 1 | - | 7 | 144 | 85 | 30 | 29 |
| Private Prisoner Petitions | 1,764 | 571 | 2 | 271 | 259 | 2 | 2 | - | 8 | 298 | 77 | 194 | 27 |
| Other Private Civil | 2,335 | 949 | 14 | 190 | 138 | 26 | 4 | - | 22 | 745 | 526 | 127 | 92 |
| Bankruptcy | 248 | 128 | - | 38 | 4 | 7 | 27 | - | - | 90 | 33 | 57 | - |
| Administrative Agency Appeals | 3,528 | 1,829 | - | 198 | 142 | 9 | - | - | 47 | 1,631 | 155 | 349 | 1,127 |
| Original Proceedings and Miscellaneous Applications | 636 | 44 | - | 4 | - | - | - | - | 4 | 40 | - | - | 40 |
| 10th | 1,697 | 585 | - | 128 | 86 | 10 | - | 7 | 25 | 457 | 243 | 188 | 26 |
| Criminal | 402 | 100 | - | 18 | 7 | 5 | - | - | 6 | 82 | 59 | 20 | 3 |
| U.S. Prisoner Petitions | 143 | 61 | - | 28 | 25 | 1 | - | 2 | - | 33 | 14 | 16 | 3 |
| Other U.S. Civil | 115 | 37 | - | 8 | 7 | 1 | - | - | - | 29 | 23 | 6 | - |
| Private Prisoner Petitions | 293 | 138 | - | 27 | 17 | - | - | 5 | 5 | 111 | 21 | 88 | 2 |
| Other Private Civil | 474 | 183 | - | 34 | 24 | 3 | - | - | 7 | 149 | 104 | 43 | 2 |
| Bankruptcy | 23 | 9 | - | 3 | 3 | - | - | - | - | 6 | 6 | - | - |
| Administrative Agency Appeals | 150 | 39 | - | 8 | 3 | - | - | - | 5 | 31 | 16 | 15 | - |
| Original Proceedings and Miscellaneous Applications | 97 | 18 | - | 2 | - | - | - | - | 2 | 16 | - | - | 16 |

Table B-5A (September 30, 2021—Continued)

| Circuit and Nature of Proceeding | Total Terminated | Terminated on Procedural Grounds | | | | | | | | | | | |
|---|------------------|----------------------------------|------------------|------------|------------------------|----------------------|---------|------------------------|-----------|--------------|----------------------|--------------|------------|
| | | Total | By Consolidation | By Judge | | | | | | By Staff | | | |
| | | | | Total | Jurisdictional Defects | FRAP 42 ¹ | Default | Cert. of Appealability | Other | Total | FRAP 42 ¹ | Default | Other |
| 11th | 4,872 | 1,947 | 6 | 371 | 287 | 39 | - | - | 45 | 1,570 | 375 | 1,094 | 101 |
| Criminal | 1,326 | 453 | - | 42 | 34 | 5 | - | - | 3 | 411 | 138 | 273 | - |
| U.S. Prisoner Petitions | 462 | 180 | - | 27 | 25 | 1 | - | - | 1 | 153 | 14 | 138 | 1 |
| Other U.S. Civil | 221 | 75 | - | 15 | 11 | 4 | - | - | - | 60 | 20 | 40 | - |
| Private Prisoner Petitions | 856 | 440 | - | 93 | 89 | 2 | - | - | 2 | 347 | 16 | 326 | 5 |
| Other Private Civil | 1,109 | 490 | 6 | 110 | 85 | 22 | - | - | 3 | 374 | 161 | 212 | 1 |
| Bankruptcy | 62 | 25 | - | 5 | 4 | 1 | - | - | - | 20 | 9 | 11 | - |
| Administrative Agency Appeals | 360 | 161 | - | 50 | 39 | 4 | - | - | 7 | 111 | 17 | 94 | - |
| Original Proceedings and Miscellaneous Applications | 476 | 123 | - | 29 | - | - | - | - | 29 | 94 | - | - | 94 |

NOTE: This table does not include data for the U.S. Courts of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously. Cert. of Appealability = Certificate of Appealability.
¹ Voluntary Dismissal Under Rule 42(B), Federal Rules of Appellate Procedure.