

Table B-1A.

U.S. Courts of Appeals—Appeals Commenced, Terminated, and Pending, by Nature of Suit or Offense, in Appeals Arising From the U.S. District Courts During the 12-Month Period Ending September 30, 2009

Nature of Suit or Offense	Cases Pending Oct. 1, 2008 ¹	Cases Commenced			Cases Terminated								Cases Pending Sept. 30, 2009
					Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
		Original	Reopened ²	Total			By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs		
TOTAL CASES	37,059	44,677	43,420	1,257	45,141	1,768	21,347	10,022	11,325	22,026	7,427	14,599	36,595
TOTAL CRIMINAL CASES	13,102	13,710	13,389	321	13,974	723	3,507	1,006	2,501	9,744	2,363	7,381	12,838
TOTAL CIVIL CASES	23,957	30,967	30,031	936	31,167	1,045	17,840	9,016	8,824	12,282	5,064	7,218	23,757
U.S. CASES	5,751	8,410	8,137	273	8,552	226	4,875	2,555	2,320	3,451	877	2,574	5,609
U.S. PLAINTIFF	368	412	386	26	416	32	182	44	138	202	126	76	364
NEGOTIABLE INSTRUMENTS	-	1	1	-	-	-	-	-	-	-	-	-	1
OTHER CONTRACT ACTIONS	15	22	21	1	23	1	15	3	12	7	4	3	14
CONDEMNATION OF LAND	6	5	5	-	8	-	6	5	1	2	2	-	3
OTHER REAL PROP. ACTIONS	15	12	11	1	12	-	4	2	2	8	5	3	15
TORT ACTIONS	7	13	13	-	9	1	2	-	2	6	4	2	11
CIVIL RIGHTS													
EMPLOYMENT	37	31	29	2	37	5	10	1	9	22	19	3	31
OTHER CIVIL RIGHTS	8	15	15	-	8	1	4	-	4	3	1	2	15
FORFEITURE AND PENALTY	60	55	49	6	68	7	33	4	29	28	18	10	47
FAIR LABOR STAND. ACT	6	1	1	-	5	-	1	-	1	4	2	2	2
OTHER LABOR	6	10	10	-	8	2	2	-	2	4	2	2	8
SECUR., COMMOD., & EXCHG.	49	50	48	2	53	2	27	5	22	24	20	4	46
TAX SUITS	48	73	65	8	71	3	31	7	24	37	11	26	50
ALL OTHER	111	124	118	6	114	10	47	17	30	57	38	19	121
U.S. DEFENDANT	5,383	7,998	7,751	247	8,136	194	4,693	2,511	2,182	3,249	751	2,498	5,245
CONTRACT ACTIONS	39	56	55	1	48	3	24	7	17	21	12	9	47
REAL PROPERTY ACTIONS	49	47	45	2	48	4	21	7	14	23	12	11	48
TORT ACTIONS	217	169	165	4	231	5	100	50	50	126	48	78	155
CIVIL RIGHTS													
EMPLOYMENT	243	268	259	9	308	6	104	18	86	198	67	131	203
OTHER CIVIL RIGHTS	356	486	465	21	524	15	253	91	162	256	73	183	318
PRISONER PETITIONS													
MOTIONS TO VACATE SEN.	1,322	2,554	2,457	97	2,381	6	2,089	1,713	376	286	71	215	1,495
HABEAS CORPUS	757	914	889	25	900	25	509	207	302	366	32	334	771
HABEAS CORPUS—DEATH	6	1	1	-	1	-	-	-	-	1	-	1	6
PRISONER CIVIL RIGHTS	313	507	493	14	526	4	324	81	243	198	14	184	294

Table B-1A. (September 30, 2009—Continued)

Nature of Suit or Offense	Cases Pending Oct. 1, 2008 ¹	Cases Commenced			Cases Terminated							Cases Pending Sept. 30, 2009	
		Total	Original	Reopened ²	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing		After Submission on Briefs
U.S. DEFENDANT (CONTINUED)													
PRISON CONDITION	134	273	263	10	302	-	226	32	194	76	6	70	105
OTHER PRIS. PETITIONS	621	1,218	1,198	20	1,295	27	444	136	308	824	25	799	544
LABOR SUITS	22	38	36	2	36	3	20	4	16	13	8	5	24
SOCIAL SECURITY LAWS	504	606	592	14	620	22	174	51	123	424	143	281	490
TAX SUITS	124	116	114	2	136	13	48	8	40	75	30	45	104
ENVIRONMENTAL MATTERS	155	134	129	5	149	20	55	11	44	74	62	12	140
FREEDOM OF INFOR. ACT	61	58	56	2	75	2	29	8	21	44	24	20	44
ALL OTHER	460	553	534	19	556	39	273	87	186	244	124	120	457
PRIVATE CASES	18,206	22,557	21,894	663	22,615	819	12,965	6,461	6,504	8,831	4,187	4,644	18,148
FEDERAL QUESTION													
MARINE CONTRACT	83	124	123	1	119	10	63	6	57	46	33	13	88
OTHER CONTRACT ACTIONS	399	571	558	13	419	20	214	60	154	185	113	72	551
FEDERAL EMPLOYERS													
LIABILITY ACT	15	21	20	1	23	2	9	-	9	12	8	4	13
MARINE INJURY	71	63	60	3	76	6	25	4	21	45	32	13	58
OTHER TORT ACTIONS	346	477	461	16	449	39	210	68	142	200	90	110	374
ANTITRUST	169	82	79	3	133	9	38	4	34	86	65	21	118
CIVIL RIGHTS													
EMPLOYMENT	1,472	1,566	1,522	44	1,706	55	698	209	489	953	470	483	1,332
OTHER CIVIL RIGHTS	2,727	3,210	3,106	104	3,347	125	1,496	475	1,021	1,726	759	967	2,590
PRISONER PETITIONS													
HABEAS CORPUS	4,403	6,302	6,130	172	5,740	20	4,845	4,098	747	875	396	479	4,965
HABEAS CORPUS—DEATH	338	188	175	13	203	19	62	55	7	122	98	24	323
PRISONER CIVIL RIGHTS	1,965	2,903	2,810	93	3,026	9	1,928	571	1,357	1,089	88	1,001	1,842
PRISON CONDITION	713	1,331	1,304	27	1,298	8	786	191	595	504	39	465	746
OTHER PRIS. PETITIONS	56	57	56	1	75	2	52	31	21	21	2	19	38
LABOR MGMT. RELAT. ACT	127	99	97	2	115	9	44	6	38	62	40	22	111
OTHER LABOR	786	766	747	19	915	85	381	103	278	449	306	143	637
CPYRGHT, PATENT, & TRDMRK.	445	396	385	11	445	43	234	53	181	168	110	58	396
SECUR., COMMOD., & EXCHG.	190	269	263	6	215	24	87	22	65	104	93	11	244
CONST. OF STATE STATS.	92	110	105	5	97	7	41	8	33	49	39	10	105
ALL OTHER	1,339	1,392	1,335	57	1,471	99	657	202	455	715	446	269	1,260

Table B-1A. (September 30, 2009—Continued)

Nature of Suit or Offense	Cases Pending Oct. 1, 2008 ¹	Cases Commenced			Cases Terminated									Cases Pending Sept. 30, 2009
		Total	Original	Reopened ²	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits				
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs		
DIVERSITY OF CITIZENSHIP	2,468	2,630	2,558	72	2,741	228	1,094	295	799	1,419	959	460	2,357	
INSURANCE	592	648	632	16	663	54	258	73	185	351	255	96	577	
OTHER CONTRACT ACTIONS	1,088	1,076	1,046	30	1,150	119	451	107	344	580	393	187	1,014	
REAL PROPERTY ACTIONS	81	97	89	8	101	7	42	13	29	52	29	23	77	
PERSONAL INJURY/PRODUCT LIABILITY	131	147	143	4	138	6	55	15	40	77	51	26	140	
OTHER PERSONAL INJURY	371	405	397	8	443	21	176	47	129	246	153	93	333	
PERSONAL PROP. DAMAGE	162	175	172	3	183	17	77	24	53	89	64	25	154	
ALL OTHER	43	82	79	3	63	4	35	16	19	24	14	10	62	
GENERAL LOCAL JURISDICTION	2	-	-	-	2	-	1	-	1	1	1	-	-	
CONTRACT ACTIONS	1	-	-	-	1	-	1	-	1	-	-	-	-	
REAL PROPERTY ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-	
TORT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-	
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-	
ALL OTHER	1	-	-	-	1	-	-	-	-	1	1	-	-	
TOTAL CRIMINAL CASES	13,102	13,710	13,389	321	13,974	723	3,507	1,006	2,501	9,744	2,363	7,381	12,838	
VIOLENT OFFENSES	705	710	697	13	662	41	157	47	110	464	150	314	753	
HOMICIDE	61	71	71	-	40	2	7	3	4	31	13	18	92	
ROBBERY	260	280	276	4	290	10	81	23	58	199	48	151	250	
ASSAULT	104	108	107	1	114	3	27	7	20	84	31	53	98	
KIDNAPPING	53	38	32	6	39	6	6	3	3	27	8	19	52	
RACKETEERING—VIOLENT CRIME	166	135	134	1	132	12	30	10	20	90	37	53	169	
CARJACKING	22	36	35	1	19	1	4	1	3	14	5	9	39	
TERRORISM	24	11	11	-	18	6	-	-	-	12	6	6	17	
OTHER VIOLENT OFFENSES	15	31	31	-	10	1	2	-	2	7	2	5	36	
PROPERTY OFFENSES	1,589	1,496	1,467	29	1,588	109	426	135	291	1,053	332	721	1,497	
BURGLARY	6	4	4	-	6	-	1	-	1	5	1	4	4	
LARCENY & THEFT, TOTAL	125	103	100	3	125	4	25	7	18	96	20	76	103	
BANK	7	10	10	-	7	-	1	-	1	6	1	5	10	
POSTAL	38	17	17	-	35	1	4	2	2	30	4	26	20	
THEFT, U.S. PROPERTY TRANSPORT, ETC. OF	42	51	49	2	51	-	10	2	8	41	9	32	42	
STOLEN PROPERTY	29	18	17	1	23	1	9	3	6	13	4	9	24	
OTHER LARCENY AND THEFT OFFENSES	9	7	7	-	9	2	1	-	1	6	2	4	7	

Table B-1A. (September 30, 2009—Continued)

Nature of Suit or Offense	Cases Pending Oct. 1, 2008 ¹	Cases Commenced			Cases Terminated								Cases Pending Sept. 30, 2009
		Total	Original	Reopened ²	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
PROPERTY OFFENSES (CONTINUED)													
EMBEZZLEMENT	56	46	46	-	54	2	18	6	12	34	12	22	48
FRAUD, TOTAL	1,290	1,240	1,215	25	1,270	96	350	110	240	824	276	548	1,260
TAX	98	94	93	1	106	6	36	13	23	64	29	35	86
FINANCIAL INSTITUTIONS	146	134	131	3	139	8	40	13	27	91	17	74	141
SECURITIES AND EXCHANGE	43	49	48	1	50	8	13	6	7	29	19	10	42
MAIL	188	199	193	6	183	8	54	18	36	121	48	73	204
WIRE, RADIO, OR TELEVISION	140	124	124	-	124	17	23	5	18	84	26	58	140
SOCIAL SECURITY	42	34	32	2	43	1	9	3	6	33	6	27	33
CITIZENSHIP AND NATURALIZATION	10	20	20	-	10	-	1	-	1	9	4	5	20
PASSPORT	12	13	13	-	12	1	4	-	4	7	-	7	13
IDENTIFICATION DOCUMENTS & INFO.	74	111	110	1	99	2	27	7	20	70	9	61	86
FALSE CLAIMS AND SERVICES, GOV'T.	36	37	35	2	42	2	15	8	7	25	9	16	31
FALSE STATEMENTS	71	70	70	-	72	5	20	4	16	47	21	26	69
CONSPIRACY TO DEFRAUD THE U.S.	241	160	158	2	200	24	44	11	33	132	47	85	201
UNAUTHORIZED ACCESS DEVICES	64	94	93	1	78	4	22	5	17	52	10	42	80
HEALTH CARE	62	64	61	3	57	4	23	8	15	30	14	16	69
OTHER FRAUD OFFENSES	63	37	34	3	55	6	19	9	10	30	17	13	45
FORGERY AND COUNTERFEITING	99	87	87	-	114	6	25	8	17	83	18	65	72
OTHER PROPERTY OFFENSES	13	16	15	1	19	1	7	4	3	11	5	6	10
DRUG OFFENSES													
MARIJUANA, TOTAL	5,739	5,898	5,743	155	6,261	368	1,609	476	1,133	4,284	799	3,485	5,376
SELL, DISTRIBUTE, OR DISPENSE	405	352	345	7	440	33	109	24	85	298	72	226	317
IMPORT/EXPORT	311	271	267	4	346	29	81	17	64	236	60	176	236
MANUFACTURE	55	52	51	1	62	4	21	7	14	37	5	32	45
POSSESSION	35	26	24	2	29	-	6	-	6	23	7	16	32
ALL OTHER DRUGS, TOTAL	5,194	5,429	5,281	148	5,711	332	1,473	443	1,030	3,906	708	3,198	4,912
SELL, DISTRIBUTE, OR DISPENSE	4,948	5,141	4,995	146	5,437	314	1,403	420	983	3,720	668	3,052	4,652
IMPORT/EXPORT	137	135	134	1	147	10	43	12	31	94	24	70	125
MANUFACTURE	100	132	131	1	112	8	26	11	15	78	15	63	120
POSSESSION	9	21	21	-	15	-	1	-	1	14	1	13	15
OTHER DRUG OFFENSES	140	117	117	-	110	3	27	9	18	80	19	61	147

Table B-1A. (September 30, 2009—Continued)

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		Total	Original	Reopened ²	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits				
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs		
FIREARMS, EXPLOSIVES OFFENSES	1,917	2,003	1,943	60	2,050	55	443	117	326	1,552	460	1,092	1,870	
FIREARMS, TOTAL	1,865	1,967	1,907	60	1,992	55	429	112	317	1,508	440	1,068	1,840	
POSESSION BY														
PROHIBITED PERSONS	1,169	1,204	1,159	45	1,277	26	244	61	183	1,007	301	706	1,096	
FURTHERANCE OF VIOLENT/ DRUG-TRAFFICKING CRIMES	412	385	379	6	401	13	94	31	63	294	89	205	396	
OTHER FIREARMS OFFENSES	284	378	369	9	314	16	91	20	71	207	50	157	348	
EXPLOSIVES	52	36	36	-	58	-	14	5	9	44	20	24	30	
SEX OFFENSES	559	679	666	13	592	13	133	36	97	446	190	256	646	
SEXUAL ABUSE OF ADULTS	26	24	24	-	28	1	1	-	1	26	12	14	22	
SEXUAL ABUSE OF MINORS	133	160	156	4	132	5	18	7	11	109	61	48	161	
SEXUALLY EXPLICIT MATERIAL	298	395	387	8	336	6	86	20	66	244	96	148	357	
OTHER SEX OFFENSES	102	100	99	1	96	1	28	9	19	67	21	46	106	
JUSTICE SYSTEM OFFENSES	173	163	161	2	179	12	58	21	37	109	32	77	157	
OBSTRUCTION OF JUSTICE	69	77	76	1	60	2	22	6	16	36	16	20	86	
ESCAPE FROM CUSTODY	41	35	35	-	51	3	16	8	8	32	3	29	25	
FAILURE TO APPEAR	16	11	10	1	18	5	7	2	5	6	3	3	9	
OTHER JUSTICE SYSTEM OFFENSES	47	40	40	-	50	2	13	5	8	35	10	25	37	
IMMIGRATION OFFENSES	1,347	1,690	1,671	19	1,531	23	345	62	283	1,163	166	997	1,506	
ALIEN SMUGGLING	160	199	197	2	172	5	49	12	37	118	30	88	187	
IMPROPER ENTRY BY ALIEN	21	27	27	-	21	-	8	3	5	13	2	11	27	
IMPROPER REENTRY BY ALIEN	1,144	1,438	1,423	15	1,311	15	282	44	238	1,014	127	887	1,271	
OTHER IMMIGRATION OFFENSES	22	26	24	2	27	3	6	3	3	18	7	11	21	
GENERAL OFFENSES	566	426	414	12	457	48	139	62	77	270	132	138	535	
MONEY LAUNDERING	346	232	221	11	282	29	83	37	46	170	92	78	296	
RICO ³	102	67	66	1	64	12	21	8	13	31	17	14	105	
EXTORTION AND THREATS	47	53	53	-	50	4	18	13	5	28	8	20	50	
OTHER GENERAL OFFENSES	71	74	74	-	61	3	17	4	13	41	15	26	84	
REGULATORY OFFENSES	139	142	136	6	149	24	34	8	26	91	50	41	132	
TRAFFIC OFFENSES	12	14	14	-	17	-	5	2	3	12	2	10	9	
UNCLASSIFIED OFFENSES	356	489	477	12	488	30	158	40	118	300	50	250	357	

NOTE: This table includes appeals reopened, remanded, and reinstated (after being terminated due to procedural defaults) 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.

¹ Revised.

² Beginning in 2007, the category entitled "reopened," which includes all reopened appeals, has replaced the category entitled "reinstated." Therefore, data on reopened cases for 2007 and thereafter are not comparable to data published previously on reinstated cases.

³ RICO = Racketeer Influenced and Corrupt Organizations Act.