

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending June 30, 2004

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	Percent Reversed ²
ALL CIRCUITS	56,072	49.0	27,475	21,522	2,465	2,145	779	564	8.5
CRIMINAL	11,517	69.1	7,962	6,698	660	398	188	18	5.0
U.S. PRISONER PETITIONS	4,910	30.4	1,495	1,183	128	132	46	6	8.8
OTHER U.S. CIVIL	3,167	60.0	1,901	1,487	101	248	53	12	13.0
PRIV. PRISONER PETITIONS	11,496	27.5	3,159	2,289	468	273	101	28	8.6
OTHER PRIVATE CIVIL	12,934	48.5	6,277	4,951	270	803	174	79	12.8
BANKRUPTCY	842	50.0	421	290	45	72	10	4	17.1
ADMINISTRATIVE APPEALS	7,637	44.7	3,414	1,896	724	170	207	417	5.0
ORIGINAL PROCEEDINGS ³	3,569	79.7	2,846	2,728	69	49	-	-	-
DISTRICT OF COLUMBIA	1,148	43.0	494	393	25	62	12	2	13.8
CRIMINAL	111	50.5	56	45	2	4	4	1	7.1
U.S. PRISONER PETITIONS	115	42.6	49	46	-	2	1	-	4.1
OTHER U.S. CIVIL	253	51.8	131	104	6	17	4	-	13.0
PRIV. PRISONER PETITIONS	25	52.0	13	12	-	1	-	-	7.7
OTHER PRIVATE CIVIL	141	44.7	63	54	2	7	-	-	11.1
BANKRUPTCY	3	66.7	2	-	-	2	-	-	-
ADMINISTRATIVE APPEALS	428	30.1	129	85	12	28	3	1	21.7
ORIGINAL PROCEEDINGS ³	72	70.8	51	47	3	1	-	-	-
FIRST CIRCUIT	1,663	39.4	655	550	16	83	5	1	13.9
CRIMINAL	539	31.0	167	136	4	24	3	-	14.4
U.S. PRISONER PETITIONS	140	12.1	17	13	-	4	-	-	23.5
OTHER U.S. CIVIL	105	55.2	58	51	-	7	-	-	12.1
PRIV. PRISONER PETITIONS	130	34.6	45	40	3	2	-	-	4.4
OTHER PRIVATE CIVIL	537	45.6	245	201	5	38	1	-	15.5
BANKRUPTCY	33	51.5	17	11	-	6	-	-	35.3
ADMINISTRATIVE APPEALS	117	41.9	49	44	1	2	1	1	4.1
ORIGINAL PROCEEDINGS ³	62	91.9	57	54	3	-	-	-	-
SECOND CIRCUIT	3,964	46.0	1,825	1,234	241	20	229	101	1.2
CRIMINAL	796	60.8	484	382	36	6	55	5	1.2
U.S. PRISONER PETITIONS	216	26.4	57	34	12	-	10	1	-
OTHER U.S. CIVIL	236	58.1	137	84	27	4	17	5	2.9
PRIV. PRISONER PETITIONS	728	24.2	176	105	30	1	30	10	0.6
OTHER PRIVATE CIVIL	1,212	51.2	621	383	84	8	103	43	1.3
BANKRUPTCY	80	46.3	37	24	8	-	4	1	-
ADMINISTRATIVE APPEALS	488	26.4	129	46	37	-	10	36	-
ORIGINAL PROCEEDINGS ³	208	88.5	184	176	7	1	-	-	-

Table B-5. (June 30, 2004—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
THIRD CIRCUIT	3,774	53.7	2,028	1,629	128	232	35	4	11.9
CRIMINAL	542	74.4	403	364	4	32	2	1	7.9
U.S. PRISONER PETITIONS	453	43.5	197	157	19	18	3	-	9.1
OTHER U.S. CIVIL	266	71.4	190	153	6	22	9	-	11.6
PRIV. PRISONER PETITIONS	693	30.6	212	116	64	30	1	1	14.2
OTHER PRIVATE CIVIL	1,095	52.1	570	455	22	90	3	-	15.8
BANKRUPTCY	71	50.7	36	28	2	6	-	-	16.7
ADMINISTRATIVE APPEALS	469	54.4	255	204	8	24	17	2	9.4
ORIGINAL PROCEEDINGS ³	185	89.2	165	152	3	10	-	-	-
FOURTH CIRCUIT	4,470	51.9	2,321	2,051	132	120	16	2	5.8
CRIMINAL	946	72.7	688	622	35	26	5	-	3.8
U.S. PRISONER PETITIONS	722	32.0	231	197	19	12	2	1	5.2
OTHER U.S. CIVIL	205	61.5	126	106	5	14	-	1	11.1
PRIV. PRISONER PETITIONS	975	30.7	299	254	35	5	5	-	1.7
OTHER PRIVATE CIVIL	814	51.7	421	354	20	47	-	-	11.2
BANKRUPTCY	61	68.9	42	27	4	9	2	-	21.4
ADMINISTRATIVE APPEALS	410	58.3	239	225	6	6	2	-	2.5
ORIGINAL PROCEEDINGS ³	337	81.6	275	266	8	1	-	-	-
FIFTH CIRCUIT	8,384	49.7	4,170	3,336	529	266	39	-	6.8
CRIMINAL	2,382	76.4	1,819	1,529	229	52	9	-	2.9
U.S. PRISONER PETITIONS	654	27.1	177	122	35	18	2	-	10.2
OTHER U.S. CIVIL	312	60.6	189	136	34	18	1	-	9.5
PRIV. PRISONER PETITIONS	2,245	21.7	487	277	152	47	11	-	9.7
OTHER PRIVATE CIVIL	1,528	50.7	774	624	46	100	4	-	12.9
BANKRUPTCY	138	56.5	78	43	20	13	2	-	16.7
ADMINISTRATIVE APPEALS	485	44.7	217	196	5	6	10	-	2.8
ORIGINAL PROCEEDINGS ³	640	67.0	429	409	8	12	-	-	-
SIXTH CIRCUIT	4,658	52.0	2,422	2,173	36	206	6	1	9.4
CRIMINAL	921	70.1	646	613	3	29	1	-	4.5
U.S. PRISONER PETITIONS	311	32.5	101	92	1	8	-	-	7.9
OTHER U.S. CIVIL	261	61.3	160	142	1	17	-	-	10.6
PRIV. PRISONER PETITIONS	1,048	36.7	385	344	2	37	2	-	9.6
OTHER PRIVATE CIVIL	1,412	48.7	688	589	2	94	2	1	13.7
BANKRUPTCY	79	55.7	44	37	-	7	-	-	15.9
ADMINISTRATIVE APPEALS	314	57.0	179	162	2	14	1	-	7.8
ORIGINAL PROCEEDINGS ³	312	70.2	219	194	25	-	-	-	-

Table B-5. (June 30, 2004—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
SEVENTH CIRCUIT	3,229	41.8	1,350	1,012	84	198	14	42	16.1
CRIMINAL	525	56.6	297	186	81	26	2	2	8.8
U.S. PRISONER PETITIONS	336	25.6	86	65	-	18	3	-	20.9
OTHER U.S. CIVIL	161	63.4	102	75	-	20	1	6	19.6
PRIV. PRISONER PETITIONS	736	26.1	192	153	1	30	-	8	15.6
OTHER PRIVATE CIVIL	975	44.8	437	329	-	81	5	22	18.5
BANKRUPTCY	59	42.4	25	16	-	9	-	-	36.0
ADMINISTRATIVE APPEALS	269	32.0	86	66	-	13	3	4	15.1
ORIGINAL PROCEEDINGS ³	168	74.4	125	122	2	1	-	-	-
EIGHTH CIRCUIT	2,985	62.0	1,852	1,559	108	160	18	7	9.6
CRIMINAL	733	78.4	575	487	34	50	4	-	8.7
U.S. PRISONER PETITIONS	300	42.3	127	106	6	8	4	3	6.3
OTHER U.S. CIVIL	225	72.9	164	140	4	19	1	-	11.6
PRIV. PRISONER PETITIONS	523	36.5	191	160	15	13	3	-	6.8
OTHER PRIVATE CIVIL	736	58.7	432	348	18	61	3	2	14.1
BANKRUPTCY	32	50.0	16	12	2	2	-	-	12.5
ADMINISTRATIVE APPEALS	206	59.7	123	91	24	3	3	2	2.4
ORIGINAL PROCEEDINGS ³	230	97.4	224	215	5	4	-	-	-
NINTH CIRCUIT	12,222	47.4	5,798	3,867	802	402	339	388	7.5
CRIMINAL	1,848	66.5	1,229	971	108	63	84	3	5.1
U.S. PRISONER PETITIONS	569	34.6	197	153	7	21	15	1	10.7
OTHER U.S. CIVIL	584	52.9	309	239	11	47	12	-	15.2
PRIV. PRISONER PETITIONS	2,407	28.1	677	535	25	71	41	5	10.5
OTHER PRIVATE CIVIL	2,054	44.4	911	731	23	115	33	9	12.6
BANKRUPTCY	171	36.8	63	49	3	8	2	1	12.7
ADMINISTRATIVE APPEALS	3,930	45.4	1,784	576	622	65	152	369	3.6
ORIGINAL PROCEEDINGS ³	659	95.3	628	613	3	12	-	-	-
TENTH CIRCUIT	2,529	56.2	1,422	1,110	121	125	61	5	9.4
CRIMINAL	496	81.9	406	324	42	21	18	1	5.2
U.S. PRISONER PETITIONS	255	41.2	105	79	15	7	4	-	6.7
OTHER U.S. CIVIL	221	72.4	160	118	2	32	8	-	20.0
PRIV. PRISONER PETITIONS	574	33.3	191	135	35	10	7	4	5.2
OTHER PRIVATE CIVIL	656	55.3	363	285	15	44	19	-	12.1
BANKRUPTCY	46	65.2	30	20	5	5	-	-	16.7
ADMINISTRATIVE APPEALS	119	48.7	58	44	5	4	5	-	6.9
ORIGINAL PROCEEDINGS ³	162	67.3	109	105	2	2	-	-	-

Table B-5. (June 30, 2004—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
ELEVENTH CIRCUIT	7,046	44.5	3,138	2,608	243	271	5	11	9.6
CRIMINAL	1,678	71.0	1,192	1,039	82	65	1	5	5.5
U.S. PRISONER PETITIONS	839	18.0	151	119	14	16	2	-	10.6
OTHER U.S. CIVIL	338	51.8	175	139	5	31	-	-	17.7
PRIV. PRISONER PETITIONS	1,412	20.6	291	158	106	26	1	-	8.9
OTHER PRIVATE CIVIL	1,774	42.4	752	598	33	118	1	2	15.7
BANKRUPTCY	69	44.9	31	23	1	5	-	2	16.1
ADMINISTRATIVE APPEALS	402	41.3	166	157	2	5	-	2	3.0
ORIGINAL PROCEEDINGS ³	534	71.2	380	375	-	5	-	-	-

NOTE: THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

¹ TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS.

² PERCENT NOT SHOWN WHERE THE TOTAL NUMBER OF CASES TERMINATED ON THE MERITS IS LESS THAN 10. NO PERCENTAGES OF CASES REVERSED OR DENIED HAVE BEEN COMPUTED FOR ORIGINAL PROCEEDINGS BECAUSE OF THEIR DIFFERENCE FROM APPEALS, NOR HAVE THEY BEEN INCLUDED IN THE PERCENTAGE OF TOTAL APPEALS REVERSED.

³ BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF PROCEEDINGS PREVIOUSLY NOT PRESENTED IN THIS TABLE.