

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit
During the 12-Month Period Ending March 31, 2008

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
ALL CIRCUITS	60,439	50.9	30,742	23,690	3,027	2,343	1,021	661	8.3
CRIMINAL	13,836	72.3	10,005	8,159	986	552	285	23	5.5
U. S. PRISONER PETITIONS	4,846	26.4	1,279	978	129	120	34	18	9.4
OTHER U. S. CIVIL	2,836	56.9	1,614	1,240	94	213	59	8	13.2
PRIV. PRISONER PETITIONS	11,125	25.4	2,828	2,017	454	284	63	10	10.0
OTHER PRIVATE CIVIL	11,833	50.6	5,991	4,737	354	726	140	34	12.1
BANKRUPTCY	815	47.0	383	308	22	51	2	-	13.3
ADMINISTRATIVE APPEALS	11,462	50.7	5,808	3,520	919	363	438	568	6.3
ORIGINAL PROCEEDINGS	3,686	76.9	2,834	2,731	69	34	-	-	-
DISTRICT OF COLUMBIA	1,222	43.1	527	414	26	60	23	4	12.4
CRIMINAL	163	43.6	71	58	1	9	3	-	12.7
U. S. PRISONER PETITIONS	163	35.0	57	43	2	1	8	3	1.8
OTHER U. S. CIVIL	233	60.9	142	117	4	18	2	1	12.7
PRIV. PRISONER PETITIONS	25	28.0	7	6	-	1	-	-	-
OTHER PRIVATE CIVIL	165	57.0	94	74	2	14	4	-	14.9
BANKRUPTCY	2	100.0	2	1	-	1	-	-	-
ADMINISTRATIVE APPEALS	403	27.0	109	71	16	16	6	-	14.7
ORIGINAL PROCEEDINGS	68	66.2	45	44	1	-	-	-	-
FIRST CIRCUIT	1,804	53.9	972	868	28	60	16	-	6.4
CRIMINAL	652	57.7	376	335	9	27	5	-	7.2
U. S. PRISONER PETITIONS	110	23.6	26	24	-	2	-	-	7.7
OTHER U. S. CIVIL	102	54.9	56	47	3	5	1	-	8.9
PRIV. PRISONER PETITIONS	139	30.2	42	36	3	2	1	-	4.8
OTHER PRIVATE CIVIL	486	49.8	242	211	6	19	6	-	7.9
BANKRUPTCY	22	54.5	12	10	-	2	-	-	16.7
ADMINISTRATIVE APPEALS	231	71.0	164	156	3	2	3	-	1.2
ORIGINAL PROCEEDINGS	62	87.1	54	49	4	1	-	-	-
SECOND CIRCUIT	6,616	44.1	2,919	2,088	473	205	135	18	7.5
CRIMINAL	909	55.0	500	435	18	23	24	-	4.6
U. S. PRISONER PETITIONS	278	12.2	34	13	15	1	4	1	2.9
OTHER U. S. CIVIL	223	43.5	97	58	28	5	6	-	5.2
PRIV. PRISONER PETITIONS	867	15.6	135	61	56	5	12	1	3.7
OTHER PRIVATE CIVIL	1,279	42.6	545	321	150	41	33	-	7.5
BANKRUPTCY	104	25.0	26	18	5	3	-	-	11.5
ADMINISTRATIVE APPEALS	2,719	51.5	1,401	1,019	184	126	56	16	9.0
ORIGINAL PROCEEDINGS	237	76.4	181	163	17	1	-	-	-

Table B-5. (March 31, 2008—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
THIRD CIRCUIT	4,103	56.8	2,330	1,878	185	209	55	3	9.7
CRIMINAL	719	79.8	574	513	5	44	10	2	7.7
U. S. PRISONER PETITIONS	402	48.0	193	150	28	13	2	-	6.7
OTHER U. S. CIVIL	201	70.1	141	97	16	23	5	-	16.3
PRIV. PRISONER PETITIONS	899	23.1	208	111	61	31	5	-	14.9
OTHER PRIVATE CIVIL	929	59.1	549	429	47	68	5	-	12.4
BANKRUPTCY	89	50.6	45	39	3	2	1	-	4.4
ADMINISTRATIVE APPEALS	651	67.1	437	361	20	28	27	1	6.4
ORIGINAL PROCEEDINGS	213	85.9	183	178	5	-	-	-	-
FOURTH CIRCUIT	4,807	55.9	2,687	2,348	149	136	49	5	5.6
CRIMINAL	1,370	74.3	1,018	890	54	46	25	3	4.5
U. S. PRISONER PETITIONS	868	33.3	289	252	23	14	-	-	4.8
OTHER U. S. CIVIL	180	67.8	122	105	6	8	3	-	6.6
PRIV. PRISONER PETITIONS	972	31.3	304	260	35	8	1	-	2.6
OTHER PRIVATE CIVIL	727	56.4	410	346	19	42	3	-	10.2
BANKRUPTCY	55	54.5	30	23	1	6	-	-	20.0
ADMINISTRATIVE APPEALS	307	72.0	221	183	8	11	17	2	5.0
ORIGINAL PROCEEDINGS	328	89.3	293	289	3	1	-	-	-
FIFTH CIRCUIT	9,072	51.6	4,681	3,603	648	300	130	-	6.8
CRIMINAL	3,058	81.0	2,476	1,899	443	82	52	-	3.3
U. S. PRISONER PETITIONS	671	21.5	144	94	24	25	1	-	17.4
OTHER U. S. CIVIL	354	48.9	173	146	9	18	-	-	10.4
PRIV. PRISONER PETITIONS	2,251	18.1	408	215	133	52	8	-	12.7
OTHER PRIVATE CIVIL	1,494	53.3	797	661	32	98	6	-	12.3
BANKRUPTCY	128	47.7	61	54	2	5	-	-	8.2
ADMINISTRATIVE APPEALS	624	46.5	290	208	4	15	63	-	5.2
ORIGINAL PROCEEDINGS	492	67.5	332	326	1	5	-	-	-
SIXTH CIRCUIT	4,890	54.4	2,660	2,296	51	262	49	2	10.8
CRIMINAL	1,276	68.7	877	771	15	74	17	-	8.4
U. S. PRISONER PETITIONS	353	28.9	102	93	2	6	-	1	5.9
OTHER U. S. CIVIL	180	61.1	110	94	1	14	1	-	12.7
PRIV. PRISONER PETITIONS	983	32.1	316	256	2	55	3	-	17.4
OTHER PRIVATE CIVIL	1,217	51.0	621	523	12	82	4	-	13.2
BANKRUPTCY	53	54.7	29	23	-	6	-	-	20.7
ADMINISTRATIVE APPEALS	445	65.6	292	250	1	16	24	1	5.5
ORIGINAL PROCEEDINGS	383	81.7	313	286	18	9	-	-	-

Table B-5. (March 31, 2008—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/Enforced ²	Dismissed	Reversed	Remanded	Other	
SEVENTH CIRCUIT	3,076	39.8	1,224	886	93	189	13	43	16.1
CRIMINAL	650	62.2	404	271	81	46	4	2	11.4
U. S. PRISONER PETITIONS	407	19.4	79	56	-	21	-	2	26.6
OTHER U. S. CIVIL	149	53.0	79	58	-	17	-	4	21.5
PRIV. PRISONER PETITIONS	610	17.4	106	85	-	17	-	4	16.0
OTHER PRIVATE CIVIL	803	45.3	364	290	1	54	1	18	14.8
BANKRUPTCY	48	43.8	21	16	-	5	-	-	23.8
ADMINISTRATIVE APPEALS	221	51.6	114	65	-	28	8	13	24.6
ORIGINAL PROCEEDINGS	188	30.3	57	45	11	1	-	-	-
EIGHTH CIRCUIT	3,025	61.6	1,862	1,562	121	154	23	2	9.3
CRIMINAL	903	76.5	691	566	58	61	5	1	8.8
U. S. PRISONER PETITIONS	291	33.7	98	82	5	5	5	1	5.1
OTHER U. S. CIVIL	145	61.4	89	69	8	8	4	-	9.0
PRIV. PRISONER PETITIONS	586	38.9	228	196	11	21	-	-	9.2
OTHER PRIVATE CIVIL	662	61.3	406	337	18	45	6	-	11.1
BANKRUPTCY	27	59.3	16	8	3	5	-	-	31.3
ADMINISTRATIVE APPEALS	159	64.8	103	78	16	6	3	-	5.8
ORIGINAL PROCEEDINGS	252	91.7	231	226	2	3	-	-	-
NINTH CIRCUIT	13,101	49.0	6,422	4,248	796	390	421	567	6.7
CRIMINAL	1,860	69.1	1,286	1,021	90	58	111	6	4.5
U. S. PRISONER PETITIONS	379	20.8	79	50	7	5	7	10	6.3
OTHER U. S. CIVIL	650	55.1	358	254	8	74	19	3	20.7
PRIV. PRISONER PETITIONS	2,096	29.0	608	535	11	41	20	1	6.7
OTHER PRIVATE CIVIL	2,021	48.5	981	782	19	131	36	13	13.4
BANKRUPTCY	167	47.3	79	64	7	7	1	-	8.9
ADMINISTRATIVE APPEALS	5,088	45.9	2,333	859	648	65	227	534	2.8
ORIGINAL PROCEEDINGS	840	83.1	698	683	6	9	-	-	-
TENTH CIRCUIT	2,446	60.1	1,469	1,058	189	116	104	2	8.2
CRIMINAL	634	80.4	510	354	103	24	29	-	4.7
U. S. PRISONER PETITIONS	219	35.6	78	50	12	9	7	-	11.5
OTHER U. S. CIVIL	183	68.3	125	92	2	14	17	-	11.2
PRIV. PRISONER PETITIONS	423	39.7	168	106	33	15	13	1	8.9
OTHER PRIVATE CIVIL	673	58.1	391	292	22	43	34	-	11.0
BANKRUPTCY	49	55.1	27	23	-	4	-	-	14.8
ADMINISTRATIVE APPEALS	95	73.7	70	45	17	3	4	1	4.3
ORIGINAL PROCEEDINGS	170	58.8	100	96	-	4	-	-	-

Table B-5. (March 31, 2008—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ³
		Percent of Total Terminations	Total	Affirmed/ Enforced ²	Dismissed	Reversed	Remanded	Other	
ELEVENTH CIRCUIT	6,277	47.6	2,989	2,441	268	262	3	15	9.9
CRIMINAL	1,642	74.4	1,222	1,046	109	58	-	9	4.7
U. S. PRISONER PETITIONS	705	14.2	100	71	11	18	-	-	18.0
OTHER U. S. CIVIL	236	51.7	122	103	9	9	1	-	7.4
PRIV. PRISONER PETITIONS	1,274	23.4	298	150	109	36	-	3	12.1
OTHER PRIVATE CIVIL	1,377	42.9	591	471	26	89	2	3	15.1
BANKRUPTCY	71	49.3	35	29	1	5	-	-	14.3
ADMINISTRATIVE APPEALS	519	52.8	274	225	2	47	-	-	17.2
ORIGINAL PROCEEDINGS	453	76.6	347	346	1	-	-	-	-

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

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

² AFFIRMED INCLUDES MERIT TERMINATIONS AFFIRMED IN PART AND REVERSED IN PART.

³ PERCENT NOT SHOWN WHEN THE TOTAL NUMBER OF CASES TERMINATED ON THE MERITS IS LESS THAN 10. NO PERCENTAGES OF CASES REVERSED HAVE BEEN COMPUTED FOR ORIGINAL PROCEEDINGS BECAUSE OF THEIR DIFFERENCE FROM APPEALS, NOR HAVE THEY BEEN INCLUDED IN THE PERCENTAGE OF TOTAL APPEALS REVERSED.