

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending March 31, 2011

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	58,349	52.4	30,562	23,970	3,062	2,381	490	659	8.6
CRIMINAL	13,425	73.3	9,837	7,730	1,366	547	138	56	5.6
U.S. PRISONER PETITIONS	4,870	26.8	1,305	941	189	145	21	9	11.1
OTHER U.S. CIVIL	2,810	57.7	1,620	1,273	89	208	46	4	12.8
PRIV. PRISONER PETITIONS	11,344	27.4	3,111	2,285	469	265	34	58	8.5
OTHER PRIVATE CIVIL	12,096	49.9	6,040	4,847	381	720	76	16	11.9
BANKRUPTCY	687	46.7	321	237	30	43	6	5	13.4
ADMINISTRATIVE APPEALS	9,268	56.0	5,190	3,698	393	419	169	511	8.1
ORIGINAL PROCEEDINGS	3,849	81.5	3,138	2,959	145	34	-	-	-
DC	1,280	45.9	587	439	45	87	14	2	15.5
CRIMINAL	111	50.5	56	45	4	5	2	-	8.9
U.S. PRISONER PETITIONS	286	31.8	91	45	24	20	1	1	22.0
OTHER U.S. CIVIL	282	62.8	177	152	3	17	5	-	9.6
PRIV. PRISONER PETITIONS	12	41.7	5	5	-	-	-	-	-
OTHER PRIVATE CIVIL	147	68.7	101	94	2	4	1	-	4.0
BANKRUPTCY	2	100.0	2	2	-	-	-	-	-
ADMINISTRATIVE APPEALS	349	31.5	110	57	9	38	5	1	34.5
ORIGINAL PROCEEDINGS	91	49.5	45	39	3	3	-	-	-
1ST CIRCUIT	1,548	57.6	892	776	42	68	6	-	8.2
CRIMINAL	503	61.6	310	273	15	21	1	-	6.8
U.S. PRISONER PETITIONS	115	37.4	43	36	3	4	-	-	9.3
OTHER U.S. CIVIL	91	51.6	47	38	-	9	-	-	19.1
PRIV. PRISONER PETITIONS	146	42.5	62	49	4	9	-	-	14.5
OTHER PRIVATE CIVIL	421	56.3	237	207	7	22	1	-	9.3
BANKRUPTCY	34	44.1	15	9	5	-	1	-	-
ADMINISTRATIVE APPEALS	176	67.0	118	105	7	3	3	-	2.5
ORIGINAL PROCEEDINGS	62	96.8	60	59	1	-	-	-	-
2ND CIRCUIT	5,487	52.9	2,902	2,225	457	165	55	-	6.0
CRIMINAL	932	65.0	606	483	70	34	19	-	5.6
U.S. PRISONER PETITIONS	243	21.8	53	14	36	1	2	-	1.9
OTHER U.S. CIVIL	187	44.9	84	50	20	12	2	-	14.3
PRIV. PRISONER PETITIONS	805	26.0	209	100	90	13	6	-	6.2
OTHER PRIVATE CIVIL	1,644	47.3	777	543	141	82	11	-	10.6
BANKRUPTCY	81	40.7	33	22	6	5	-	-	15.2
ADMINISTRATIVE APPEALS	1,360	69.6	947	839	77	16	15	-	1.7
ORIGINAL PROCEEDINGS	235	82.1	193	174	17	2	-	-	-

Table B-5. (March 31, 2011—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	
3RD CIRCUIT	4,238	56.7	2,403	2,059	86	192	63	3	8.6
CRIMINAL	810	78.5	636	581	13	30	10	2	4.7
U.S. PRISONER PETITIONS	370	36.8	136	115	15	6	-	-	4.4
OTHER U.S. CIVIL	155	68.4	106	90	6	4	6	-	3.8
PRIV. PRISONER PETITIONS	720	26.9	194	155	5	31	3	-	16.0
OTHER PRIVATE CIVIL	1,167	50.9	594	489	25	72	7	1	12.1
BANKRUPTCY	71	53.5	38	27	3	5	3	-	13.2
ADMINISTRATIVE APPEALS	663	70.9	470	380	16	40	34	-	8.5
ORIGINAL PROCEEDINGS	282	81.2	229	222	3	4	-	-	-
4TH CIRCUIT	4,897	61.2	2,999	2,616	179	152	45	7	5.6
CRIMINAL	1,829	80.9	1,480	1,295	100	63	20	2	4.3
U.S. PRISONER PETITIONS	638	30.1	192	157	12	22	1	-	11.5
OTHER U.S. CIVIL	199	63.3	126	111	3	7	5	-	5.6
PRIV. PRISONER PETITIONS	828	30.0	248	214	18	13	2	1	5.2
OTHER PRIVATE CIVIL	784	62.0	486	420	23	38	5	-	7.8
BANKRUPTCY	33	51.5	17	17	-	-	-	-	-
ADMINISTRATIVE APPEALS	264	60.2	159	120	14	9	12	4	5.7
ORIGINAL PROCEEDINGS	322	90.4	291	282	9	-	-	-	-
5TH CIRCUIT	7,740	49.8	3,852	2,716	779	291	66	-	8.3
CRIMINAL	2,549	75.4	1,922	1,169	631	80	42	-	4.2
U.S. PRISONER PETITIONS	609	17.4	106	68	20	17	1	-	16.0
OTHER U.S. CIVIL	257	48.2	124	95	10	17	2	-	13.7
PRIV. PRISONER PETITIONS	1,815	18.8	342	211	85	43	3	-	12.6
OTHER PRIVATE CIVIL	1,239	53.1	658	545	19	89	5	-	13.5
BANKRUPTCY	78	48.7	38	25	6	7	-	-	18.4
ADMINISTRATIVE APPEALS	611	42.7	261	211	5	32	13	-	12.3
ORIGINAL PROCEEDINGS	582	68.9	401	392	3	6	-	-	-
6TH CIRCUIT	4,440	51.1	2,270	1,954	85	193	37	1	9.5
CRIMINAL	1,206	67.0	808	702	26	68	12	-	8.4
U.S. PRISONER PETITIONS	320	26.6	85	70	6	8	1	-	9.4
OTHER U.S. CIVIL	183	59.6	109	92	1	12	4	-	11.0
PRIV. PRISONER PETITIONS	1,023	33.0	338	285	13	36	3	1	10.7
OTHER PRIVATE CIVIL	975	44.0	429	363	10	52	4	-	12.1
BANKRUPTCY	42	52.4	22	18	-	4	-	-	18.2
ADMINISTRATIVE APPEALS	351	59.5	209	183	3	10	13	-	4.8
ORIGINAL PROCEEDINGS	340	79.4	270	241	26	3	-	-	-

Table B-5. (March 31, 2011—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	
7TH CIRCUIT	3,232	45.9	1,484	1,047	157	222	38	20	16.9
CRIMINAL	701	67.2	471	269	127	58	10	7	12.3
U.S. PRISONER PETITIONS	440	25.5	112	81	6	20	5	-	17.9
OTHER U.S. CIVIL	161	61.5	99	74	3	21	1	-	21.2
PRIV. PRISONER PETITIONS	638	17.2	110	77	5	24	2	2	21.8
OTHER PRIVATE CIVIL	846	45.0	381	296	8	69	4	4	18.1
BANKRUPTCY	51	45.1	23	17	2	4	-	-	17.4
ADMINISTRATIVE APPEALS	191	59.7	114	64	2	25	16	7	21.9
ORIGINAL PROCEEDINGS	204	85.3	174	169	4	1	-	-	-
8TH CIRCUIT	3,148	64.6	2,035	1,751	173	88	15	8	4.8
CRIMINAL	926	82.9	768	645	92	26	3	2	3.4
U.S. PRISONER PETITIONS	372	33.6	125	111	2	5	1	6	4.0
OTHER U.S. CIVIL	173	73.4	127	113	3	10	1	-	7.9
PRIV. PRISONER PETITIONS	650	38.6	251	224	21	3	3	-	1.2
OTHER PRIVATE CIVIL	602	65.8	396	333	24	34	5	-	8.6
BANKRUPTCY	18	83.3	15	11	2	2	-	-	13.3
ADMINISTRATIVE APPEALS	135	66.7	90	62	21	5	2	-	5.6
ORIGINAL PROCEEDINGS	272	96.7	263	252	8	3	-	-	-
9TH CIRCUIT	13,730	50.0	6,870	4,988	572	630	78	602	10.1
CRIMINAL	1,662	69.4	1,153	959	69	89	5	31	7.7
U.S. PRISONER PETITIONS	495	30.5	151	115	20	12	3	1	7.9
OTHER U.S. CIVIL	645	55.7	359	259	15	73	8	4	20.3
PRIV. PRISONER PETITIONS	3,127	31.0	970	746	100	67	3	54	6.9
OTHER PRIVATE CIVIL	2,204	46.0	1,013	760	73	162	10	8	16.0
BANKRUPTCY	176	46.0	81	64	5	6	1	5	7.4
ADMINISTRATIVE APPEALS	4,630	52.0	2,406	1,421	227	211	48	499	8.8
ORIGINAL PROCEEDINGS	791	93.2	737	664	63	10	-	-	-
10TH CIRCUIT	2,330	54.1	1,261	944	195	59	62	1	5.0
CRIMINAL	550	73.3	403	283	96	12	12	-	3.0
U.S. PRISONER PETITIONS	300	35.0	105	70	24	5	5	1	4.8
OTHER U.S. CIVIL	142	62.0	88	59	12	7	10	-	8.0
PRIV. PRISONER PETITIONS	438	30.6	134	100	26	2	6	-	1.5
OTHER PRIVATE CIVIL	626	58.0	363	288	28	25	22	-	6.9
BANKRUPTCY	39	35.9	14	9	-	4	1	-	28.6
ADMINISTRATIVE APPEALS	91	65.9	60	44	7	3	6	-	5.0
ORIGINAL PROCEEDINGS	144	65.3	94	91	2	1	-	-	-

Table B-5. (March 31, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							
		Percent of Total Terminations	Total	Affirmed/ Enforced ²	Dismissed	Reversed	Remanded	Other	Percent Reversed ³
11TH CIRCUIT	6,279	47.9	3,007	2,455	292	234	11	15	8.9
CRIMINAL	1,646	74.4	1,224	1,026	123	61	2	12	5.0
U.S. PRISONER PETITIONS	682	15.5	106	59	21	25	1	-	23.6
OTHER U.S. CIVIL	335	51.9	174	140	13	19	2	-	10.9
PRIV. PRISONER PETITIONS	1,142	21.7	248	119	102	24	3	-	9.7
OTHER PRIVATE CIVIL	1,441	42.0	605	509	21	71	1	3	11.7
BANKRUPTCY	62	37.1	23	16	1	6	-	-	26.1
ADMINISTRATIVE APPEALS	447	55.0	246	212	5	27	2	-	11.0
ORIGINAL PROCEEDINGS	524	72.7	381	374	6	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 where the total number of cases terminated on the merits is less than 10. Percentages of cases reversed have not been computed for original proceedings because of their difference from appeals, nor are they included in the percentage of total appeals reversed.