

Table B-7.

**U.S. Courts of Appeals—Nature of Suit or Offense in Cases Arising From the U.S. District Courts, by Circuit, During the 12-Month Period Ending June 30, 2009**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>TOTAL CASES</b>	<b>45,490</b>	<b>794</b>	<b>1,395</b>	<b>3,728</b>	<b>3,015</b>	<b>4,953</b>	<b>6,362</b>	<b>3,903</b>	<b>3,002</b>	<b>2,772</b>	<b>7,510</b>	<b>2,039</b>	<b>6,017</b>
<b>TOTAL CRIMINAL CASES</b>	<b>14,259</b>	<b>112</b>	<b>582</b>	<b>929</b>	<b>874</b>	<b>1,221</b>	<b>2,649</b>	<b>1,260</b>	<b>673</b>	<b>1,207</b>	<b>1,707</b>	<b>607</b>	<b>2,438</b>
<b>TOTAL CIVIL CASES</b>	<b>31,231</b>	<b>682</b>	<b>813</b>	<b>2,799</b>	<b>2,141</b>	<b>3,732</b>	<b>3,713</b>	<b>2,643</b>	<b>2,329</b>	<b>1,565</b>	<b>5,803</b>	<b>1,432</b>	<b>3,579</b>
<b>U.S. CASES</b>	<b>8,536</b>	<b>542</b>	<b>195</b>	<b>414</b>	<b>489</b>	<b>1,895</b>	<b>837</b>	<b>489</b>	<b>780</b>	<b>441</b>	<b>1,087</b>	<b>435</b>	<b>932</b>
<b>U.S. PLAINTIFF</b>	<b>382</b>	<b>5</b>	<b>17</b>	<b>54</b>	<b>19</b>	<b>26</b>	<b>64</b>	<b>40</b>	<b>17</b>	<b>17</b>	<b>59</b>	<b>9</b>	<b>55</b>
NEGOTIABLE INSTRUMENTS	1	-	-	-	-	-	-	1	-	-	-	-	-
OTHER CONTRACT ACTIONS	18	-	1	4	1	2	3	2	-	-	3	-	2
CONDEMNATION OF LAND	7	-	1	-	-	-	4	2	-	-	-	-	-
OTHER REAL PROP. ACTIONS	11	-	-	-	1	1	2	-	3	1	1	1	1
TORT ACTIONS	9	-	1	2	-	-	2	-	-	2	1	-	1
CIVIL RIGHTS													
EMPLOYMENT	28	-	-	6	-	5	-	6	-	4	3	2	2
OTHER CIVIL RIGHTS	14	-	-	3	1	2	5	1	1	-	1	-	-
FORFEITURE AND PENALTY	68	-	3	6	-	6	10	14	4	2	11	2	10
FAIR LABOR STAND. ACT	2	-	-	1	-	-	1	-	-	-	-	-	-
OTHER LABOR	12	-	-	3	2	1	-	2	-	-	2	-	2
SECUR., COMMOD., & EXCHG.	41	-	1	18	-	1	3	-	3	-	5	1	9
TAX SUITS	68	-	1	-	4	3	27	5	1	1	10	-	16
ALL OTHER	103	5	9	11	10	5	7	7	5	7	22	3	12
<b>U.S. DEFENDANT</b>	<b>8,154</b>	<b>537</b>	<b>178</b>	<b>360</b>	<b>470</b>	<b>1,869</b>	<b>773</b>	<b>449</b>	<b>763</b>	<b>424</b>	<b>1,028</b>	<b>426</b>	<b>877</b>
CONTRACT ACTIONS	49	7	-	4	3	3	15	2	1	1	11	-	2
REAL PROPERTY ACTIONS	40	1	1	5	1	1	9	1	4	2	9	3	3
TORT ACTIONS	158	10	7	5	15	18	21	14	4	13	30	7	14
CIVIL RIGHTS													
EMPLOYMENT	273	47	13	14	13	34	39	20	17	9	29	11	27
OTHER CIVIL RIGHTS	472	50	14	50	37	44	47	27	20	17	87	21	58
PRISONER PETITIONS													
MOTIONS TO VACATE SEN.	2,455	11	79	140	141	397	338	155	175	195	242	121	461
HABEAS CORPUS	1,032	190	15	21	108	106	102	73	65	45	157	76	74
HABEAS CORPUS—DEATH	2	-	-	-	-	-	-	1	-	-	1	-	-
PRISONER CIVIL RIGHTS	506	78	14	10	37	120	70	23	2	12	74	20	46

**Table B-7. (June 30, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>U.S. DEFENDANT (CONTINUED)</b>													
PRISON CONDITION	296	3	-	2	7	88	12	17	60	13	16	53	25
OTHER PRIS. PETITIONS	1,379	12	-	6	8	971	9	4	331	6	14	4	14
LABOR SUITS	39	5	-	1	9	5	2	7	3	-	4	1	2
SOCIAL SECURITY LAWS	601	2	16	43	48	21	43	52	35	60	161	50	70
TAX SUITS	122	2	4	6	4	4	23	11	7	11	29	10	11
ENVIRONMENTAL MATTERS	135	14	4	-	1	2	4	8	4	5	67	14	12
FREEDOM OF INFOR. ACT	57	20	1	7	4	1	6	1	1	1	9	1	5
ALL OTHER	538	85	10	46	34	54	33	33	34	34	88	34	53
<b>TOTAL PRIVATE CASES</b>	<b>22,695</b>	<b>140</b>	<b>618</b>	<b>2,385</b>	<b>1,652</b>	<b>1,837</b>	<b>2,876</b>	<b>2,154</b>	<b>1,549</b>	<b>1,124</b>	<b>4,716</b>	<b>997</b>	<b>2,647</b>
<b>FEDERAL QUESTION</b>													
MARINE CONTRACT	120	-	4	58	6	3	18	1	1	-	12	-	17
OTHER CONTRACT ACTIONS	543	4	19	144	45	37	46	42	52	20	77	13	44
FEDERAL EMPLOYERS													
LIABILITY ACT	20	-	2	3	-	3	2	5	4	1	-	-	-
MARINE INJURY	67	-	1	5	1	1	40	3	3	3	5	-	5
OTHER TORT ACTIONS	430	10	22	45	32	41	50	37	50	23	77	10	33
ANTITRUST	96	1	6	10	20	3	6	9	2	5	23	2	9
CIVIL RIGHTS													
EMPLOYMENT	1,598	14	43	244	151	103	138	154	126	97	192	68	268
OTHER CIVIL RIGHTS	3,221	49	111	397	298	250	262	355	302	154	539	171	333
PRISONER PETITIONS													
HABEAS CORPUS	6,218	-	101	408	360	394	995	604	340	236	1,808	247	725
HABEAS CORPUS—DEATH	187	-	-	1	4	11	48	28	-	7	40	2	46
PRISONER CIVIL RIGHTS	3,110	13	61	281	184	440	579	254	17	209	692	94	286
PRISON CONDITION	1,353	1	2	31	106	200	80	176	294	90	99	71	203
OTHER PRIS. PETITIONS	58	4	1	5	2	13	7	4	2	2	4	2	12
LABOR MGMT. RELAT. ACT	102	1	6	11	13	7	4	18	7	8	21	1	5
OTHER LABOR	780	6	25	74	57	41	53	114	56	43	183	26	102
COPYRIGHT, PATENT, & TRDMRK.	409	-	20	70	12	23	34	20	28	5	134	15	48
SECUR., COMMOD., & EXCHG.	246	1	6	70	9	2	12	7	7	4	114	5	9
CONST. OF STATE STATS.	102	2	7	15	4	8	11	7	6	2	29	8	3
ALL OTHER	1,384	20	62	166	115	93	123	106	95	49	303	73	179

**Table B-7. (June 30, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>DIVERSITY OF CITIZENSHIP</b>	<b>2,651</b>	<b>14</b>	<b>119</b>	<b>347</b>	<b>233</b>	<b>164</b>	<b>368</b>	<b>210</b>	<b>157</b>	<b>166</b>	<b>364</b>	<b>189</b>	<b>320</b>
INSURANCE	652	-	17	42	57	26	96	39	85	34	101	51	104
OTHER CONTRACT ACTIONS	1,108	6	52	184	82	82	133	95	72	62	161	70	109
REAL PROPERTY ACTIONS	86	4	3	6	15	4	14	10	-	3	9	10	8
PERSONAL INJURY/PRODUCT LIABILITY	146	-	5	18	19	6	26	13	-	20	8	9	22
OTHER PERSONAL INJURY	411	2	30	53	30	26	69	37	-	32	46	34	52
PERSONAL PROP. DAMAGE	174	2	8	35	23	7	29	11	-	11	25	7	16
ALL OTHER	74	-	4	9	7	13	1	5	-	4	14	8	9
<b>GENERAL LOCAL JURISDICTION</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
CONTRACT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
TORT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
ALL OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL CRIMINAL CASES</b>	<b>14,259</b>	<b>112</b>	<b>582</b>	<b>929</b>	<b>874</b>	<b>1,221</b>	<b>2,649</b>	<b>1,260</b>	<b>673</b>	<b>1,207</b>	<b>1,707</b>	<b>607</b>	<b>2,438</b>
<b>VIOLENT OFFENSES</b>	<b>653</b>	<b>11</b>	<b>21</b>	<b>43</b>	<b>69</b>	<b>63</b>	<b>82</b>	<b>46</b>	<b>52</b>	<b>42</b>	<b>99</b>	<b>45</b>	<b>80</b>
HOMICIDE	64	-	-	2	13	2	8	1	4	9	15	7	3
ROBBERY	259	2	7	6	23	30	33	21	28	13	36	13	47
ASSAULT	108	1	-	3	10	9	14	4	1	11	35	13	7
KIDNAPPING	35	5	1	4	2	1	8	2	8	1	1	-	2
RACKETEERING—VIOLENT CRIME	119	2	7	24	20	17	8	5	9	3	5	10	9
CARJACKING	36	-	5	1	1	2	11	7	-	2	-	2	5
TERRORISM	9	1	-	2	-	1	-	-	1	-	1	-	3
OTHER VIOLENT OFFENSES	23	-	1	1	-	1	-	6	1	3	6	-	4
<b>PROPERTY OFFENSES</b>	<b>1,526</b>	<b>16</b>	<b>50</b>	<b>148</b>	<b>112</b>	<b>153</b>	<b>233</b>	<b>138</b>	<b>79</b>	<b>93</b>	<b>213</b>	<b>50</b>	<b>241</b>
<b>BURGLARY</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>-</b>
<b>LARCENY &amp; THEFT, TOTAL</b>	<b>112</b>	<b>6</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>13</b>	<b>21</b>	<b>11</b>	<b>2</b>	<b>5</b>	<b>21</b>	<b>6</b>	<b>11</b>
BANK	11	-	-	1	1	3	3	1	-	-	-	2	-
POSTAL	16	-	-	1	-	1	3	-	-	1	8	2	-
THEFT, U.S. PROPERTY TRANSPORT, ETC. OF	57	3	-	3	2	6	13	4	2	4	9	2	9
STOLEN PROPERTY	23	3	2	-	3	3	2	4	-	-	4	-	2
OTHER LARCENY AND THEFT OFFENSES	5	-	3	-	-	-	-	2	-	-	-	-	-

**Table B-7. (June 30, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>PROPERTY OFFENSES (CONTINUED)</b>													
<b>EMBEZZLEMENT</b>	<b>40</b>	-	-	<b>3</b>	-	<b>2</b>	<b>7</b>	<b>6</b>	<b>3</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>7</b>
<b>FRAUD, TOTAL</b>	<b>1,270</b>	<b>10</b>	<b>42</b>	<b>137</b>	<b>98</b>	<b>128</b>	<b>180</b>	<b>111</b>	<b>68</b>	<b>78</b>	<b>177</b>	<b>35</b>	<b>206</b>
TAX	92	1	4	12	4	6	13	15	1	11	17	6	2
FINANCIAL INSTITUTIONS	142	1	6	13	9	14	25	19	9	8	17	4	17
SECURITIES AND EXCHANGE	50	-	1	22	-	2	-	1	-	2	16	2	4
MAIL	212	4	2	14	19	13	27	23	22	9	21	3	55
WIRE, RADIO, OR TELEVISION	135	-	1	15	16	15	12	7	17	13	16	7	16
SOCIAL SECURITY	37	-	1	-	1	9	5	2	3	5	4	-	7
CITIZENSHIP AND													
NATURALIZATION	12	-	1	1	-	-	1	2	-	-	4	-	3
PASSPORT	12	-	1	2	1	-	-	-	1	-	1	1	5
IDENTIFICATION													
DOCUMENTS & INFO.	119	-	1	8	7	21	18	7	3	4	18	1	31
FALSE CLAIMS AND													
SERVICES, GOV'T.	28	-	1	5	4	3	6	1	1	1	3	-	3
FALSE STATEMENTS	70	3	10	5	7	8	6	10	1	1	17	-	2
CONSPIRACY TO													
DEFRAUD THE U.S.	172	1	9	18	23	16	25	13	5	10	17	4	31
UNAUTHORIZED													
ACCESS DEVICES	91	-	1	18	5	10	17	5	3	10	9	2	11
HEALTH CARE	60	-	3	-	1	7	17	5	2	3	6	2	14
OTHER FRAUD OFFENSES	38	-	-	4	1	4	8	1	-	1	11	3	5
<b>FORGERY AND COUNTERFEITING</b>	<b>84</b>	-	<b>2</b>	<b>3</b>	<b>6</b>	<b>7</b>	<b>23</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>8</b>	<b>5</b>	<b>16</b>
<b>OTHER PROPERTY OFFENSES</b>	<b>17</b>	-	<b>1</b>	-	<b>2</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>
<b>DRUG OFFENSES</b>													
<b>MARIJUANA, TOTAL</b>	<b>389</b>	-	<b>3</b>	<b>10</b>	<b>4</b>	<b>14</b>	<b>180</b>	<b>23</b>	<b>13</b>	<b>23</b>	<b>50</b>	<b>19</b>	<b>50</b>
SELL, DISTRIBUTE,													
OR DISPENSE	298	-	2	8	4	12	142	19	13	18	29	18	33
IMPORT/EXPORT	58	-	-	1	-	-	34	-	-	-	13	1	9
MANUFACTURE	30	-	-	1	-	1	3	4	-	5	8	-	8
POSSESSION	3	-	1	-	-	1	1	-	-	-	-	-	-
<b>ALL OTHER DRUGS, TOTAL</b>	<b>6,000</b>	<b>63</b>	<b>318</b>	<b>388</b>	<b>354</b>	<b>512</b>	<b>845</b>	<b>576</b>	<b>323</b>	<b>659</b>	<b>428</b>	<b>223</b>	<b>1,311</b>
SELL, DISTRIBUTE,													
OR DISPENSE	5,714	59	308	360	343	492	808	557	316	634	376	219	1,242
IMPORT/EXPORT	134	2	4	26	6	3	4	6	1	-	34	-	48
MANUFACTURE	133	1	4	1	5	13	32	11	6	22	17	3	18
POSSESSION	19	1	2	1	-	4	1	2	-	3	1	1	3
<b>OTHER DRUG OFFENSES</b>	<b>130</b>	<b>1</b>	<b>21</b>	<b>12</b>	<b>13</b>	<b>3</b>	<b>20</b>	<b>14</b>	<b>1</b>	<b>11</b>	<b>10</b>	<b>9</b>	<b>15</b>

**Table B-7. (June 30, 2009—Continued)**

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
<b>FIREARMS,EXPLOSIVES OFFENSES</b>	<b>1,997</b>	<b>8</b>	<b>87</b>	<b>114</b>	<b>148</b>	<b>303</b>	<b>238</b>	<b>264</b>	<b>105</b>	<b>193</b>	<b>172</b>	<b>100</b>	<b>265</b>
<b>FIREARMS, TOTAL</b>	<b>1,961</b>	<b>8</b>	<b>82</b>	<b>105</b>	<b>146</b>	<b>302</b>	<b>236</b>	<b>261</b>	<b>99</b>	<b>192</b>	<b>171</b>	<b>98</b>	<b>261</b>
POSSESSION BY													
PROHIBITED PERSONS	1,206	3	30	63	87	158	150	146	60	151	120	58	180
FURTHERANCE OF VIOLENT/ DRUG-TRAFFICKING CRIMES	400	4	27	23	39	56	43	55	24	23	24	21	61
OTHER FIREARMS OFFENSES	355	1	25	19	20	88	43	60	15	18	27	19	20
<b>EXPLOSIVES</b>	<b>36</b>	<b>-</b>	<b>5</b>	<b>9</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>4</b>
<b>SEX OFFENSES</b>	<b>657</b>	<b>5</b>	<b>13</b>	<b>42</b>	<b>62</b>	<b>48</b>	<b>53</b>	<b>75</b>	<b>33</b>	<b>73</b>	<b>129</b>	<b>32</b>	<b>92</b>
SEXUAL ABUSE OF ADULTS	27	-	-	1	2	-	-	-	-	7	8	7	2
SEXUAL ABUSE OF MINORS	152	1	4	9	7	9	11	28	5	30	28	4	16
SEXUALLY EXPLICIT MATERIAL	371	1	8	27	34	29	37	32	23	33	77	18	52
OTHER SEX OFFENSES	107	3	1	5	19	10	5	15	5	3	16	3	22
<b>JUSTICE SYSTEM OFFENSES</b>	<b>172</b>	<b>-</b>	<b>4</b>	<b>15</b>	<b>18</b>	<b>17</b>	<b>28</b>	<b>19</b>	<b>5</b>	<b>14</b>	<b>18</b>	<b>9</b>	<b>25</b>
OBSTRUCTION OF JUSTICE	76	-	3	7	11	8	11	6	1	8	6	6	9
ESCAPE FROM CUSTODY	41	-	1	2	3	4	5	6	-	1	6	1	12
FAILURE TO APPEAR	12	-	-	2	-	-	3	2	1	2	1	-	1
OTHER JUSTICE SYSTEM OFFENSES	43	-	-	4	4	5	9	5	3	3	5	2	3
<b>IMMIGRATION OFFENSES</b>	<b>1,644</b>	<b>1</b>	<b>24</b>	<b>56</b>	<b>32</b>	<b>46</b>	<b>815</b>	<b>24</b>	<b>22</b>	<b>29</b>	<b>431</b>	<b>55</b>	<b>109</b>
ALIEN SMUGGLING	197	-	4	2	1	1	82	2	2	5	61	1	36
IMPROPER ENTRY BY ALIEN	30	-	2	1	-	2	2	-	-	2	17	-	4
IMPROPER REENTRY BY ALIEN	1,397	1	16	52	29	42	730	21	20	19	351	54	62
OTHER IMMIGRATION OFFENSES	20	-	2	1	2	1	1	1	-	3	2	-	7
<b>GENERAL OFFENSES</b>	<b>432</b>	<b>4</b>	<b>15</b>	<b>47</b>	<b>26</b>	<b>28</b>	<b>66</b>	<b>36</b>	<b>19</b>	<b>25</b>	<b>79</b>	<b>18</b>	<b>69</b>
MONEY LAUNDERING	240	1	8	18	12	14	38	25	9	13	44	9	49
RICO <sup>1</sup>	66	1	2	18	-	2	11	3	7	1	15	-	6
EXTORTION AND THREATS	52	-	3	7	3	4	10	6	2	6	3	4	4
OTHER GENERAL OFFENSES	74	2	2	4	11	8	7	2	1	5	17	5	10
<b>REGULATORY OFFENSES</b>	<b>130</b>	<b>2</b>	<b>10</b>	<b>21</b>	<b>8</b>	<b>5</b>	<b>18</b>	<b>13</b>	<b>5</b>	<b>4</b>	<b>21</b>	<b>6</b>	<b>17</b>
<b>TRAFFIC OFFENSES</b>	<b>15</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>9</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>2</b>
<b>UNCLASSIFIED OFFENSES</b>	<b>514</b>	<b>1</b>	<b>15</b>	<b>33</b>	<b>28</b>	<b>20</b>	<b>70</b>	<b>32</b>	<b>16</b>	<b>41</b>	<b>55</b>	<b>41</b>	<b>162</b>

NOTE: This table includes appeals reopened and remanded 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.

<sup>1</sup> RICO = Racketeer Influenced and Corrupt Organizations Act.