

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 September 30, 2004

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
TOTAL CASES	45,581	824	1,468	3,862	3,008	4,086	7,152	3,972	2,787	2,569	7,716	2,274	5,863
TOTAL CRIMINAL CASES	12,506	162	566	861	611	1,026	2,556	1,039	564	891	1,906	630	1,694
TOTAL CIVIL CASES	33,075	662	902	3,001	2,397	3,060	4,596	2,933	2,223	1,678	5,810	1,644	4,169
U.S. CASES	8,231	450	244	523	648	1,051	928	618	564	450	1,147	452	1,156
U.S. PLAINTIFF	414	7	16	51	27	24	34	38	25	33	86	21	52
NEGOTIABLE INSTRUMENTS	1	-	-	-	-	-	1	-	-	-	-	-	-
OTHER CONTRACT ACTIONS	19	-	4	4	2	-	2	2	1	-	2	-	2
CONDEMNATION OF LAND	8	-	-	-	-	1	1	1	-	1	3	1	-
OTHER REAL PROP. ACTIONS	12	-	-	1	1	-	3	-	1	-	2	3	1
TORT ACTIONS	5	-	-	-	-	-	-	-	-	2	-	-	3
CIVIL RIGHTS:													
EMPLOYMENT	42	-	-	4	3	3	1	6	3	6	8	2	6
OTHER CIVIL RIGHTS	13	-	-	-	-	-	1	3	-	3	2	-	4
FORFEITURE AND PENALTY	75	2	7	4	4	4	4	9	7	1	22	2	9
FAIR LABOR STAND. ACT	3	-	-	1	-	1	-	-	-	-	1	-	-
OTHER LABOR	10	-	-	4	-	-	-	1	2	-	1	1	1
SECUR., COMMOD., & EXCHG.	64	1	2	14	-	2	3	7	4	-	12	2	17
TAX SUITS	42	-	-	4	7	2	3	4	3	4	8	6	1
ALL OTHER	120	4	3	15	10	11	15	5	4	16	25	4	8
U.S. DEFENDANT	7,817	443	228	472	621	1,027	894	580	539	417	1,061	431	1,104
CONTRACT ACTIONS	53	8	-	1	3	6	2	4	2	3	11	2	11
REAL PROPERTY ACTIONS	49	-	3	3	2	2	4	2	2	7	13	9	2
TORT ACTIONS	233	24	10	7	17	9	26	19	17	13	60	5	26
CIVIL RIGHTS:													
EMPLOYMENT	369	66	8	18	16	44	33	23	27	18	41	17	58
OTHER CIVIL RIGHTS	465	49	18	60	30	24	59	35	21	19	96	21	33

Table B-7. (September 30, 2004—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
U.S. DEFENDANT (CONTINUED)													
PRISONER PETITIONS:													
MOTIONS TO VACATE SEN.	2,630	18	91	153	143	456	374	198	233	150	140	96	578
HABEAS CORPUS—GEN.	1,300	28	34	87	196	15	185	97	80	47	322	77	132
HABEAS CORPUS—DEATH	4	-	-	-	4	-	-	-	-	-	-	-	-
PRISONER CIVIL RIGHTS	421	71	12	17	54	2	55	25	-	19	26	73	67
PRISON CONDITION*	170	2	-	4	10	55	15	4	34	5	3	-	38
OTHER PRIS. PETITIONS	467	7	4	12	3	326	6	9	55	11	11	15	8
LABOR SUITS	28	2	2	2	1	1	4	1	1	-	10	-	4
SOCIAL SECURITY LAWS	800	4	23	45	91	46	82	97	31	82	135	59	105
TAX SUITS	133	1	5	9	11	9	16	21	4	7	35	4	11
ENVIRONMENTAL MATTERS	138	30	3	4	2	5	2	2	3	11	56	19	1
FREEDOM OF INFOR. ACT	66	26	4	4	4	2	1	4	2	-	13	5	1
ALL OTHER	491	107	11	46	34	25	30	39	27	25	89	29	29
PRIVATE CASES													
TOTAL	24,844	212	658	2,478	1,749	2,009	3,668	2,315	1,659	1,228	4,663	1,192	3,013
FEDERAL QUESTION	21,774	177	521	2,172	1,425	1,792	3,256	1,992	1,520	1,103	4,135	1,028	2,653
MARINE CONTRACT	76	-	4	19	3	-	24	1	1	-	10	2	12
OTHER CONTRACT ACTIONS	408	4	10	56	27	33	59	31	8	26	64	29	61
FEDERAL EMPLOYERS													
LIABILITY ACT	30	-	-	4	1	-	1	1	9	2	8	4	-
MARINE INJURY	88	-	2	5	6	-	50	1	-	1	14	-	9
OTHER TORT ACTIONS	442	8	9	31	20	26	47	35	84	36	96	11	39
ANTITRUST	124	5	2	26	6	10	12	12	12	6	16	8	9
CIVIL RIGHTS:													
EMPLOYMENT	2,487	34	72	256	156	154	282	259	254	159	328	125	408
OTHER CIVIL RIGHTS	3,533	59	158	335	334	235	333	382	231	183	644	180	459
PRISONER PETITIONS:													
HABEAS CORPUS—GEN.	6,774	5	76	679	364	549	1,318	537	345	232	1,654	295	720
HABEAS CORPUS—DEATH	165	-	-	-	15	20	57	24	7	10	7	7	18
PRISONER CIVIL RIGHTS	2,494	10	50	310	143	20	576	243	4	141	484	249	264
PRISON CONDITION*	2,040	3	4	30	123	554	229	151	330	116	180	1	319
OTHER PRIS. PETITIONS	96	1	1	5	2	8	13	3	7	39	10	4	3
LABOR MGMT. RELAT. ACT	175	-	7	26	12	7	9	45	14	13	28	3	11
OTHER LABOR	844	14	43	76	73	60	79	117	65	46	140	33	98
COPYRIGHT, PATENT, AND TRADEMARK	460	6	19	86	21	24	41	31	22	15	128	24	43

Table B-7. (September 30, 2004—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
PRIVATE CASES (CONTINUED)													
SECUR., COMMOD., & EXCHG.	205	3	4	51	15	11	13	14	15	9	33	2	35
CONST. OF STATE STATS	120	2	7	12	2	6	5	8	9	13	37	5	14
ALL OTHER	1,213	23	53	165	102	75	108	97	103	56	254	46	131
DIVERSITY OF CITIZENSHIP	3,067	35	137	306	321	217	412	323	139	125	528	164	360
INSURANCE	721	1	20	54	91	47	104	76	37	27	140	47	77
OTHER CONTRACT ACTIONS	1,260	13	60	144	139	89	160	119	96	47	190	65	138
REAL PROPERTY ACTIONS	87	-	6	4	7	13	15	7	4	2	9	6	14
PERSONAL INJURY/PRODUCT LIABILITY	258	1	9	11	34	15	37	45	-	9	65	5	27
OTHER PERSONAL INJURY	484	19	26	59	25	44	67	55	1	28	79	26	55
PERSONAL PROP. DAMAGE	207	1	9	25	22	9	23	20	1	11	40	14	32
ALL OTHER	50	-	7	9	3	-	6	1	-	1	5	1	17
GENERAL LOCAL JURISDICTION	3	-	-	-	3	-	-	-	-	-	-	-	-
CONTRACT ACTIONS	1	-	-	-	1	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS	1	-	-	-	1	-	-	-	-	-	-	-	-
TORT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
ALL OTHER	1	-	-	-	1	-	-	-	-	-	-	-	-
CRIMINAL CASES													
TOTAL	12,506	162	566	861	611	1,026	2,556	1,039	564	891	1,906	630	1,694
GENERAL OFFENSES													
HOMICIDE, TOTAL	108	1	1	8	10	21	5	6	4	9	19	16	8
MURDER, FIRST DEGREE	87	1	1	6	7	17	4	6	4	7	13	13	8
OTHER HOMICIDE	21	-	-	2	3	4	1	-	-	2	6	3	-
ROBBERY, TOTAL	277	-	12	12	22	44	26	35	23	15	40	16	32
BANK	272	-	12	9	20	44	26	35	23	15	40	16	32
OTHER ROBBERY	5	-	-	3	2	-	-	-	-	-	-	-	-

Table B-7. (September 30, 2004—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
GENERAL OFFENSES (CONTINUED)													
ASSAULT	82	-	3	4	2	8	16	4	4	13	21	3	4
BURGLARY	10	-	-	-	-	-	-	-	-	-	8	1	1
LARCENY AND THEFT, TOTAL	239	-	18	17	33	13	28	15	13	11	52	5	34
INTERSTATE COMMERCE TRANSPORTATION, ETC. OF	72	-	5	5	21	1	5	1	6	2	7	-	19
STOLEN PROPERTY	40	-	4	6	3	4	3	4	3	3	1	-	9
POSTAL	62	-	8	-	6	3	13	3	3	2	24	-	-
OTHER LARCENY AND THEFT	65	-	1	6	3	5	7	7	1	4	20	5	6
EMBEZZLEMENT	65	2	-	9	4	4	12	9	5	1	7	5	7
FRAUD, TOTAL	1,407	18	53	169	100	98	171	130	85	72	248	53	210
INCOME TAX	116	-	7	15	7	3	12	18	3	5	26	5	15
POSTAL AND INTERSTATE WIRE, RADIO, ETC.	299	5	4	33	16	26	46	18	38	11	41	6	55
LENDING AND CREDIT	216	2	12	15	17	23	19	23	11	17	44	12	21
FALSE CLAIMS & STATEMENTS	159	1	7	19	14	7	23	17	11	9	27	4	20
OTHER FRAUD	617	10	23	87	46	39	71	54	22	30	110	26	99
AUTO THEFT	48	-	7	1	7	2	8	7	-	2	4	2	8
FORGERY AND COUNTERFEITING	157	1	5	8	11	11	23	29	4	7	24	9	25
SEX OFFENSES	265	-	11	28	12	17	18	23	12	29	56	21	38
DRUGS	4,660	55	268	315	219	391	853	378	220	443	548	215	755
MISC. GENERAL OFFENSES													
TOTAL	2,467	62	112	164	122	315	300	315	114	200	305	157	301
BRIBERY	32	4	-	-	7	3	4	-	1	-	1	-	12
EXTORTION, RACKETEERING, AND THREATS	138	1	7	24	9	16	18	8	6	12	18	9	10
GAMBLING, LOTTERY	6	-	1	-	-	-	-	-	-	1	1	-	3
KIDNAPPING	55	-	2	1	-	7	12	15	3	4	9	1	1

Table B-7. (September 30, 2004—Continued)

Nature of Suit or Offense	Circuit												
	Total	D.C.	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth	Eleventh
MISCELLANEOUS GENERAL OFFENSES (CONTINUED)													
FIREARMS, WEAPONS	2,021	55	94	106	95	271	244	273	90	176	237	135	245
ESCAPE	54	-	-	7	3	8	13	4	1	1	9	3	5
PERJURY	8	-	1	1	2	-	-	-	-	1	2	1	-
DRUNK DRIVING/TRAFFIC	10	-	-	-	-	4	1	-	-	-	2	-	3
OTHER MISCELLANEOUS GENERAL OFFENSES	143	2	7	25	6	6	8	15	13	5	26	8	22
SPECIAL OFFENSES													
IMMIGRATION LAWS	1,855	6	34	59	28	30	986	29	38	36	439	88	82
FEDERAL STATUTES, TOTAL	866	17	42	67	41	72	110	59	42	53	135	39	189
AGRICULTURAL ACTS	12	-	-	-	-	1	-	1	1	1	5	2	1
ANTITRUST VIOLATIONS	2	-	-	-	-	-	2	-	-	-	-	-	-
NATIONAL DEFENSE LAWS	8	1	-	-	-	-	-	1	3	1	2	-	-
CIVIL RIGHTS	30	-	3	-	3	1	5	5	-	1	1	4	7
WITNESS INTIMIDATION	61	1	4	7	6	5	5	4	4	2	9	1	13
EXPLOSIVES/NONVESSEL	41	2	2	1	2	5	7	1	6	2	6	2	5
OTHER	712	13	33	59	30	60	91	47	28	46	112	30	163

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.

* COLLECTION OF DATA FOR THIS CATEGORY BEGAN ON JANUARY 1, 1997.