

Table S-1.
U.S. Courts of Appeals—Appeals Terminated on the Merits After Oral Hearings or Submission on Briefs
During the 12-Month Period Ending September 30, 2008

| Circuit | Total | After Oral Hearing | | | After Submission on Briefs | | | | |
|--------------|---------------|--------------------|------------------|-----------|----------------------------|---------------|------------------|----------|---------------|
| | | Total | Percent of Total | En Banc | Panel | Total | Percent of Total | En Banc | Panel |
| TOTAL | 29,608 | 8,983 | 30.3 | 34 | 8,949 | 20,625 | 69.7 | 7 | 20,618 |
| DC | 557 | 270 | 48.5 | 1 | 269 | 287 | 51.5 | - | 287 |
| FIRST | 1,020 | 337 | 33.0 | - | 337 | 683 | 67.0 | - | 683 |
| SECOND | 2,859 | 1,111 | 38.9 | - | 1,111 | 1,748 | 61.1 | - | 1,748 |
| THIRD | 2,300 | 389 | 16.9 | 2 | 387 | 1,911 | 83.1 | 1 | 1,910 |
| FOURTH | 2,581 | 395 | 15.3 | 1 | 394 | 2,186 | 84.7 | - | 2,186 |
| FIFTH | 4,121 | 1,066 | 25.9 | - | 1,066 | 3,055 | 74.1 | 1 | 3,054 |
| SIXTH | 2,569 | 909 | 35.4 | 5 | 904 | 1,660 | 64.6 | - | 1,660 |
| SEVENTH | 1,338 | 787 | 58.8 | 2 | 785 | 551 | 41.2 | - | 551 |
| EIGHTH | 1,922 | 576 | 30.0 | 5 | 571 | 1,346 | 70.0 | 3 | 1,343 |
| NINTH | 5,800 | 2,036 | 35.1 | 12 | 2,024 | 3,764 | 64.9 | 2 | 3,762 |
| TENTH | 1,473 | 468 | 31.8 | 1 | 467 | 1,005 | 68.2 | - | 1,005 |
| ELEVENTH | 3,068 | 639 | 20.8 | 5 | 634 | 2,429 | 79.2 | - | 2,429 |

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