

**Table B-5A.**  
**U.S. Courts of Appeals—Cases Terminated on Procedural Grounds, by Circuit and Nature of Proceeding,**  
**During the 12-Month Period Ending September 30, 2017**

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42 <sup>1</sup>	Default	Cert. of Appealability	Other	Total	FRAP 42 <sup>1</sup>	Default	Other
<b>Total</b>	<b>54,347</b>	<b>17,355</b>	<b>125</b>	<b>4,512</b>	<b>3,331</b>	<b>340</b>	<b>69</b>	<b>57</b>	<b>715</b>	<b>12,718</b>	<b>4,951</b>	<b>6,408</b>	<b>1,359</b>
Criminal	10,921	2,506	4	548	346	26	6	-	170	1,954	1,281	581	92
U.S. Prisoner Petitions	4,748	1,539	1	375	298	10	2	32	33	1,163	254	887	22
Other U.S. Civil	2,670	918	18	237	195	20	4	-	18	663	293	356	14
Private Prisoner Petitions	9,548	3,434	6	1,165	997	23	45	25	75	2,263	344	1,869	50
Other Private Civil	12,690	4,814	77	1,169	915	160	10	-	84	3,568	2,044	1,472	52
Bankruptcy	843	312	4	78	68	6	-	-	4	230	127	99	4
Administrative Agency Appeals	5,850	2,873	15	759	512	95	2	-	150	2,099	608	1,144	347
Original Proceedings and Miscellaneous Applications	7,077	959	-	181	-	-	-	-	181	778	-	-	778
<b>DC</b>	<b>1,050</b>	<b>388</b>	<b>13</b>	<b>96</b>	<b>44</b>	<b>10</b>	<b>3</b>	<b>17</b>	<b>22</b>	<b>279</b>	<b>141</b>	<b>95</b>	<b>43</b>
Criminal	71	29	-	1	1	-	-	-	-	28	19	8	1
U.S. Prisoner Petitions	90	57	1	22	2	-	-	17	3	34	3	31	-
Other U.S. Civil	255	81	1	23	15	4	2	-	2	57	26	31	-
Private Prisoner Petitions	16	4	-	1	1	-	-	-	-	3	-	3	-
Other Private Civil	147	43	-	12	8	2	1	-	1	31	16	15	-
Bankruptcy	4	1	-	-	-	-	-	-	-	1	1	-	-
Administrative Agency Appeals	380	136	11	26	17	4	-	-	5	99	76	7	16
Original Proceedings and Miscellaneous Applications	87	37	-	11	-	-	-	-	11	26	-	-	26
<b>1st</b>	<b>1,472</b>	<b>507</b>	<b>5</b>	<b>144</b>	<b>97</b>	<b>18</b>	<b>4</b>	<b>1</b>	<b>24</b>	<b>358</b>	<b>238</b>	<b>111</b>	<b>9</b>
Criminal	556	178	2	36	30	2	1	-	3	140	104	36	-
U.S. Prisoner Petitions	79	27	-	11	6	2	-	1	2	16	10	6	-
Other U.S. Civil	79	27	1	8	7	1	-	-	-	18	10	8	-
Private Prisoner Petitions	80	35	-	9	7	-	1	-	1	26	4	22	-
Other Private Civil	363	159	2	42	28	11	2	-	1	115	91	24	-
Bankruptcy	30	10	-	2	2	-	-	-	-	8	6	2	-
Administrative Agency Appeals	103	55	-	29	17	2	-	-	10	26	13	13	-
Original Proceedings and Miscellaneous Applications	182	16	-	7	-	-	-	-	7	9	-	-	9
<b>2nd</b>	<b>4,125</b>	<b>1,477</b>	<b>15</b>	<b>310</b>	<b>200</b>	<b>75</b>	<b>3</b>	<b>1</b>	<b>31</b>	<b>1,152</b>	<b>463</b>	<b>601</b>	<b>88</b>
Criminal	642	113	1	17	12	2	1	-	2	95	72	11	12
U.S. Prisoner Petitions	155	51	-	9	7	1	-	-	1	42	12	30	-
Other U.S. Civil	258	95	-	20	17	2	-	-	1	75	21	54	-
Private Prisoner Petitions	449	186	-	32	26	-	2	1	3	154	11	138	5
Other Private Civil	1,429	652	14	84	75	6	-	-	3	554	258	288	8
Bankruptcy	82	24	-	5	5	-	-	-	-	19	10	8	1
Administrative Agency Appeals	662	298	-	140	58	64	-	-	18	158	79	72	7
Original Proceedings and Miscellaneous Applications	448	58	-	3	-	-	-	-	3	55	-	-	55

**Table B-5A (September 30, 2017—Continued)**

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42'	Default	Cert. of Appealability	Other	Total	FRAP 42'	Default	Other
<b>3rd</b>	<b>3,729</b>	<b>989</b>	<b>5</b>	<b>268</b>	<b>225</b>	<b>18</b>	<b>1</b>	<b>2</b>	<b>22</b>	<b>716</b>	<b>341</b>	<b>315</b>	<b>60</b>
Criminal	422	106	-	34	25	3	1	-	5	72	67	5	-
U.S. Prisoner Petitions	292	90	-	19	15	1	-	1	2	71	16	55	-
Other U.S. Civil	145	63	1	20	18	1	-	-	1	42	16	26	-
Private Prisoner Petitions	591	162	-	53	49	3	-	1	-	109	24	84	1
Other Private Civil	1,430	344	4	81	70	7	-	-	4	259	180	79	-
Bankruptcy	82	35	-	10	10	-	-	-	-	25	18	7	-
Administrative Agency Appeals	258	130	-	46	38	3	-	-	5	84	20	59	5
Original Proceedings and Miscellaneous Applications	509	59	-	5	-	-	-	-	5	54	-	-	54
<b>4th</b>	<b>4,626</b>	<b>1,082</b>	<b>7</b>	<b>344</b>	<b>315</b>	<b>14</b>	<b>-</b>	<b>-</b>	<b>15</b>	<b>731</b>	<b>337</b>	<b>331</b>	<b>63</b>
Criminal	1,154	206	-	53	51	2	-	-	-	153	126	27	-
U.S. Prisoner Petitions	702	152	-	28	28	-	-	-	-	124	29	92	3
Other U.S. Civil	232	59	2	26	23	-	-	-	3	31	18	12	1
Private Prisoner Petitions	828	247	-	86	85	-	-	-	1	161	37	121	3
Other Private Civil	876	268	4	109	99	8	-	-	2	155	98	52	5
Bankruptcy	62	26	1	7	6	1	-	-	-	18	8	10	-
Administrative Agency Appeals	243	76	-	32	23	3	-	-	6	44	21	17	6
Original Proceedings and Miscellaneous Applications	529	48	-	3	-	-	-	-	3	45	-	-	45
<b>5th</b>	<b>7,942</b>	<b>2,583</b>	<b>11</b>	<b>695</b>	<b>536</b>	<b>16</b>	<b>3</b>	<b>1</b>	<b>139</b>	<b>1,877</b>	<b>479</b>	<b>1,150</b>	<b>248</b>
Criminal	2,727	512	-	140	65	-	2	-	73	372	180	191	1
U.S. Prisoner Petitions	642	295	-	62	57	1	-	-	4	233	15	216	2
Other U.S. Civil	178	84	-	24	20	-	1	-	3	60	22	38	-
Private Prisoner Petitions	1,515	667	-	204	200	2	-	1	1	463	59	402	2
Other Private Civil	1,379	567	10	141	121	9	-	-	11	416	182	227	7
Bankruptcy	61	19	-	6	6	-	-	-	-	13	5	6	2
Administrative Agency Appeals	407	188	1	97	67	4	-	-	26	90	16	70	4
Original Proceedings and Miscellaneous Applications	1,033	251	-	21	-	-	-	-	21	230	-	-	230
<b>6th</b>	<b>5,105</b>	<b>1,363</b>	<b>19</b>	<b>400</b>	<b>323</b>	<b>25</b>	<b>-</b>	<b>3</b>	<b>49</b>	<b>944</b>	<b>370</b>	<b>388</b>	<b>186</b>
Criminal	960	212	-	43	36	3	-	-	4	169	103	29	37
U.S. Prisoner Petitions	487	131	-	62	57	1	-	2	2	69	12	53	4
Other U.S. Civil	173	67	4	18	14	4	-	-	-	45	22	20	3
Private Prisoner Petitions	1,065	364	2	154	134	8	-	1	11	208	15	179	14
Other Private Civil	1,014	364	11	82	68	9	-	-	5	271	180	88	3
Bankruptcy	47	9	-	1	1	-	-	-	-	8	5	3	-
Administrative Agency Appeals	256	70	2	17	13	-	-	-	4	51	33	16	2
Original Proceedings and Miscellaneous Applications	1,103	146	-	23	-	-	-	-	23	123	-	-	123

**Table B-5A (September 30, 2017—Continued)**

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42'	Default	Cert. of Appealability	Other	Total	FRAP 42'	Default	Other
<b>7th</b>	<b>2,947</b>	<b>1,123</b>	<b>11</b>	<b>246</b>	<b>132</b>	<b>55</b>	<b>2</b>	<b>2</b>	<b>55</b>	<b>866</b>	<b>438</b>	<b>410</b>	<b>18</b>
Criminal	497	166	1	34	24	4	-	-	6	131	106	22	3
U.S. Prisoner Petitions	355	113	-	15	11	-	-	1	3	98	38	59	1
Other U.S. Civil	147	55	-	15	13	1	-	-	1	40	22	18	-
Private Prisoner Petitions	693	360	-	55	33	4	-	1	17	305	58	240	7
Other Private Civil	791	365	7	105	50	44	2	-	9	253	191	62	-
Bankruptcy	49	17	2	3	1	-	-	-	2	12	10	2	-
Administrative Agency Appeals	113	33	1	12	-	2	-	-	10	20	13	7	-
Original Proceedings and Miscellaneous Applications	302	14	-	7	-	-	-	-	7	7	-	-	7
<b>8th</b>	<b>3,170</b>	<b>574</b>	<b>3</b>	<b>205</b>	<b>123</b>	<b>8</b>	<b>46</b>	<b>-</b>	<b>28</b>	<b>366</b>	<b>192</b>	<b>129</b>	<b>45</b>
Criminal	750	119	-	23	9	1	1	-	12	96	80	5	11
U.S. Prisoner Petitions	370	69	-	27	24	-	1	-	2	42	20	17	5
Other U.S. Civil	100	28	-	13	12	-	1	-	-	15	12	2	1
Private Prisoner Petitions	527	157	-	85	40	-	39	-	6	72	9	63	-
Other Private Civil	548	138	3	43	32	5	4	-	2	92	57	30	5
Bankruptcy	15	3	-	2	-	2	-	-	-	1	1	-	-
Administrative Agency Appeals	152	41	-	8	6	-	-	-	2	33	13	12	8
Original Proceedings and Miscellaneous Applications	708	19	-	4	-	-	-	-	4	15	-	-	15
<b>9th</b>	<b>11,867</b>	<b>4,054</b>	<b>24</b>	<b>956</b>	<b>756</b>	<b>58</b>	<b>4</b>	<b>11</b>	<b>127</b>	<b>3,074</b>	<b>1,277</b>	<b>1,376</b>	<b>421</b>
Criminal	1,381	343	-	50	19	2	-	-	29	293	237	37	19
U.S. Prisoner Petitions	454	116	-	32	29	-	-	1	2	84	53	27	4
Other U.S. Civil	696	200	8	42	38	3	-	-	1	150	86	56	8
Private Prisoner Petitions	2,257	579	3	294	261	6	1	10	16	282	95	172	15
Other Private Civil	2,706	977	12	238	178	34	1	-	25	727	449	255	23
Bankruptcy	316	118	1	20	18	1	-	-	1	97	51	45	1
Administrative Agency Appeals	2,919	1,663	-	275	213	12	2	-	48	1,388	306	784	298
Original Proceedings and Miscellaneous Applications	1,138	58	-	5	-	-	-	-	5	53	-	-	53
<b>10th</b>	<b>1,959</b>	<b>639</b>	<b>10</b>	<b>173</b>	<b>59</b>	<b>9</b>	<b>3</b>	<b>19</b>	<b>83</b>	<b>456</b>	<b>259</b>	<b>178</b>	<b>19</b>
Criminal	377	102	-	26	5	1	-	-	20	76	67	8	1
U.S. Prisoner Petitions	261	104	-	25	6	2	1	9	7	79	21	56	2
Other U.S. Civil	162	47	1	13	4	3	-	-	6	33	21	12	-
Private Prisoner Petitions	295	113	1	42	23	-	2	10	7	70	14	55	1
Other Private Civil	596	208	8	32	19	2	-	-	11	168	126	41	1
Bankruptcy	23	8	-	2	1	1	-	-	-	6	5	1	-
Administrative Agency Appeals	61	22	-	12	1	-	-	-	11	10	5	5	-
Original Proceedings and Miscellaneous Applications	184	35	-	21	-	-	-	-	21	14	-	-	14

Table B-5A (September 30, 2017—Continued)

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42 <sup>1</sup>	Default	Cert. of Appealability	Other	Total	FRAP 42 <sup>1</sup>	Default	Other
<b>11th</b>	<b>6,355</b>	<b>2,576</b>	<b>2</b>	<b>675</b>	<b>521</b>	<b>34</b>	-	-	<b>120</b>	<b>1,899</b>	<b>416</b>	<b>1,324</b>	<b>159</b>
Criminal	1,384	420	-	91	69	6	-	-	16	329	120	202	7
U.S. Prisoner Petitions	861	334	-	63	56	2	-	-	5	271	25	245	1
Other U.S. Civil	245	112	-	15	14	1	-	-	-	97	17	79	1
Private Prisoner Petitions	1,232	560	-	150	138	-	-	-	12	410	18	390	2
Other Private Civil	1,411	729	2	200	167	23	-	-	10	527	216	311	-
Bankruptcy	72	42	-	20	18	1	-	-	1	22	7	15	-
Administrative Agency Appeals	296	161	-	65	59	1	-	-	5	96	13	82	1
Original Proceedings and Miscellaneous Applications	854	218	-	71	-	-	-	-	71	147	-	-	147

NOTE: This table does not include data for the U.S. Courts of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously. Cert. of Appealability = Certificate of Appealability.  
<sup>1</sup> Voluntary Dismissal Under Rule 42(B), Federal Rules of Appellate Procedure.