

Table B-1.

U.S. Courts of Appeals—Appeals Commenced, Terminated, and Pending, by Circuit, During the 12-Month Period Ending December 31, 2004

Circuit and Nature of Proceeding	Cases Pending Jan. 1, 2004 ¹	Cases Commenced			Cases Terminated							Cases Pending Dec. 31, 2004	
		Total	Original	Reinstated	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing		After Submission on Briefs
ALL CIRCUITS	45,744	63,634	62,297	1,337	56,984	2,136	27,285	12,002	15,283	27,563	8,526	19,037	52,394
CRIMINAL	10,353	13,065	12,912	153	10,885	598	2,866	936	1,930	7,421	2,293	5,128	12,533
U.S. PRISONER PETITIONS	2,658	5,083	4,882	201	4,898	68	3,378	2,169	1,209	1,452	203	1,249	2,843
OTHER U.S. CIVIL	2,488	3,175	3,101	74	3,054	151	1,113	246	867	1,790	709	1,081	2,609
PRIV. PRISONER PETITIONS	6,365	11,392	11,072	320	11,420	104	8,351	5,227	3,124	2,965	658	2,307	6,337
OTHER PRIVATE CIVIL	10,934	13,190	12,923	267	12,673	826	5,737	1,336	4,401	6,110	3,535	2,575	11,451
BANKRUPTCY	756	854	835	19	804	51	364	71	293	389	214	175	806
ADMINISTRATIVE APPEALS	11,417	12,681	12,441	240	9,332	298	4,678	1,751	2,927	4,356	897	3,459	14,766
ORIGINAL PROCEEDINGS ²	773	4,194	4,131	63	3,918	40	798	266	532	3,080	17	3,063	1,049
DISTRICT OF COLUMBIA	1,122	1,314	1,302	12	1,182	187	449	101	348	546	267	279	1,254
CRIMINAL	133	149	149	-	122	6	56	4	52	60	45	15	160
U.S. PRISONER PETITIONS	86	119	116	3	129	2	70	28	42	57	5	52	76
OTHER U.S. CIVIL	164	320	316	4	236	28	78	7	71	130	51	79	248
PRIV. PRISONER PETITIONS	27	16	15	1	25	2	9	2	7	14	4	10	18
OTHER PRIVATE CIVIL	117	188	187	1	164	7	68	11	57	89	41	48	141
BANKRUPTCY	3	5	5	-	4	-	2	2	-	2	1	1	4
ADMINISTRATIVE APPEALS	570	421	418	3	419	137	141	44	97	141	116	25	572
ORIGINAL PROCEEDINGS ²	22	96	96	-	83	5	25	3	22	53	4	49	35
FIRST CIRCUIT	1,521	1,737	1,731	6	1,661	93	796	321	475	772	383	389	1,597
CRIMINAL	688	554	553	1	542	35	274	113	161	233	111	122	700
U.S. PRISONER PETITIONS	81	146	143	3	111	-	95	61	34	16	5	11	116
OTHER U.S. CIVIL	69	111	111	-	116	8	44	9	35	64	25	39	64
PRIV. PRISONER PETITIONS	97	115	115	-	125	6	80	52	28	39	11	28	87
OTHER PRIVATE CIVIL	381	548	546	2	521	36	226	52	174	259	178	81	408
BANKRUPTCY	36	21	21	-	28	1	10	5	5	17	16	1	29
ADMINISTRATIVE APPEALS	139	178	178	-	157	7	62	28	34	88	35	53	160
ORIGINAL PROCEEDINGS ²	30	64	64	-	61	-	5	1	4	56	2	54	33

Table B-1. (December 31, 2004—Continued)

Circuit and Nature of Proceeding	Cases Pending Jan. 1, 2004 ¹	Cases Commenced			Cases Terminated								Cases Pending Dec. 31, 2004
		Total	Original	Reinstated	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
SECOND CIRCUIT	7,635	6,835	6,686	149	4,993	282	2,962	695	2,267	1,749	1,041	708	9,477
CRIMINAL	1,103	842	823	19	790	111	220	33	187	459	306	153	1,155
U.S. PRISONER PETITIONS	368	262	243	19	316	5	235	91	144	76	32	44	314
OTHER U.S. CIVIL	282	253	249	4	243	15	116	27	89	112	76	36	292
PRIV. PRISONER PETITIONS	1,168	903	857	46	1,146	2	930	417	513	214	98	116	925
OTHER PRIVATE CIVIL	1,460	1,454	1,423	31	1,359	130	670	56	614	559	461	98	1,555
BANKRUPTCY	82	79	77	2	70	3	38	7	31	29	22	7	91
ADMINISTRATIVE APPEALS	3,009	2,718	2,694	24	803	16	699	54	645	88	46	42	4,924
ORIGINAL PROCEEDINGS ²	163	324	320	4	266	-	54	10	44	212	-	212	221
THIRD CIRCUIT	3,252	3,874	3,826	48	3,801	41	1,697	767	930	2,063	498	1,565	3,325
CRIMINAL	587	617	616	1	498	2	158	79	79	338	86	252	706
U.S. PRISONER PETITIONS	288	392	386	6	409	-	227	151	76	182	13	169	271
OTHER U.S. CIVIL	211	245	242	3	275	4	84	15	69	187	43	144	181
PRIV. PRISONER PETITIONS	485	697	690	7	697	6	483	353	130	208	38	170	485
OTHER PRIVATE CIVIL	1,043	1,053	1,039	14	1,081	28	455	86	369	598	233	365	1,015
BANKRUPTCY	88	90	89	1	89	-	40	3	37	49	26	23	89
ADMINISTRATIVE APPEALS	510	589	574	15	575	1	228	79	149	346	56	290	524
ORIGINAL PROCEEDINGS ²	40	191	190	1	177	-	22	1	21	155	3	152	54
FOURTH CIRCUIT	2,576	5,066	5,036	30	4,796	280	2,085	1,209	876	2,431	420	2,011	2,846
CRIMINAL	731	1,147	1,146	1	813	64	165	59	106	584	99	485	1,065
U.S. PRISONER PETITIONS	347	886	877	9	861	30	568	463	105	263	12	251	372
OTHER U.S. CIVIL	130	203	202	1	215	16	60	13	47	139	42	97	118
PRIV. PRISONER PETITIONS	422	1,115	1,109	6	1,153	32	790	552	238	331	24	307	384
OTHER PRIVATE CIVIL	553	866	860	6	889	99	295	59	236	495	198	297	530
BANKRUPTCY	52	54	54	-	63	5	21	3	18	37	14	23	43
ADMINISTRATIVE APPEALS	279	428	422	6	419	8	160	60	100	251	29	222	288
ORIGINAL PROCEEDINGS ²	62	367	366	1	383	26	26	-	26	331	2	329	46
FIFTH CIRCUIT	4,325	8,678	8,325	353	8,090	183	3,897	1,625	2,272	4,010	793	3,217	4,913
CRIMINAL	1,604	2,728	2,652	76	2,391	74	491	112	379	1,826	169	1,657	1,941
U.S. PRISONER PETITIONS	248	680	634	46	589	1	426	236	190	162	17	145	339
OTHER U.S. CIVIL	182	275	264	11	293	13	112	21	91	168	57	111	164
PRIV. PRISONER PETITIONS	855	2,166	2,059	107	2,078	5	1,661	907	754	412	40	372	943
OTHER PRIVATE CIVIL	1,010	1,476	1,426	50	1,478	69	637	141	496	772	444	328	1,008
BANKRUPTCY	70	104	101	3	112	10	48	5	43	54	31	23	62
ADMINISTRATIVE APPEALS	280	588	577	11	509	10	315	203	112	184	34	150	359
ORIGINAL PROCEEDINGS ²	76	661	612	49	640	1	207	-	207	432	1	431	97

Table B-1. (December 31, 2004—Continued)

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		Total	Original	Reinstated	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
SIXTH CIRCUIT	4,386	4,686	4,652	34	4,615	182	1,920	873	1,047	2,513	1,058	1,455	4,457
CRIMINAL	1,018	1,080	1,067	13	883	43	248	81	167	592	287	305	1,215
U.S. PRISONER PETITIONS	226	306	302	4	278	1	199	154	45	78	11	67	254
OTHER U.S. CIVIL	296	224	223	1	288	8	90	22	68	190	83	107	232
PRIV. PRISONER PETITIONS	96	929	920	9	928	10	567	418	149	351	82	269	697
OTHER PRIVATE CIVIL	1,446	1,308	1,306	2	1,422	93	592	121	471	737	521	216	1,332
BANKRUPTCY	71	76	76	-	67	7	25	5	20	35	22	13	80
ADMINISTRATIVE APPEALS	513	388	384	4	403	19	108	55	53	276	52	224	498
ORIGINAL PROCEEDINGS ²	120	375	374	1	346	1	91	17	74	254	-	254	149
SEVENTH CIRCUIT	2,292	3,399	3,363	36	3,349	219	1,734	622	1,112	1,396	732	664	2,342
CRIMINAL	521	547	546	1	460	61	148	41	107	251	164	87	608
U.S. PRISONER PETITIONS	141	448	431	17	379	5	260	121	139	114	17	97	210
OTHER U.S. CIVIL	135	137	136	1	168	6	60	19	41	102	61	41	104
PRIV. PRISONER PETITIONS	386	692	676	16	723	18	522	182	340	183	53	130	355
OTHER PRIVATE CIVIL	773	972	971	1	1,012	90	448	83	365	474	331	143	733
BANKRUPTCY	49	59	59	-	61	13	26	8	18	22	18	4	47
ADMINISTRATIVE APPEALS	268	294	294	-	295	26	163	80	83	106	86	20	267
ORIGINAL PROCEEDINGS ²	19	250	250	-	251	-	107	88	19	144	2	142	18
EIGHTH CIRCUIT	1,813	3,247	3,237	10	2,816	164	848	437	411	1,804	619	1,185	2,244
CRIMINAL	578	1,012	1,009	3	701	64	102	44	58	535	203	332	889
U.S. PRISONER PETITIONS	82	245	244	1	216	1	134	120	14	81	9	72	111
OTHER U.S. CIVIL	150	210	209	1	211	8	47	7	40	156	58	98	149
PRIV. PRISONER PETITIONS	203	540	538	2	495	10	290	184	106	195	31	164	248
OTHER PRIVATE CIVIL	543	702	699	3	687	69	202	53	149	416	254	162	558
BANKRUPTCY	18	21	21	-	24	-	10	3	7	14	8	6	15
ADMINISTRATIVE APPEALS	200	183	183	-	215	8	48	20	28	159	55	104	168
ORIGINAL PROCEEDINGS ²	39	334	334	-	267	4	15	6	9	248	1	247	106

Table B-1. (December 31, 2004—Continued)

Circuit and Nature of Proceeding	Cases Pending Jan. 1, 2004 ¹	Cases Commenced			Cases Terminated								Cases Pending Dec. 31, 2004
		Total	Original	Reinstated	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
NINTH CIRCUIT	11,602	14,876	14,627	249	12,462	320	6,196	2,945	3,251	5,946	1,718	4,228	14,016
CRIMINAL	1,769	1,873	1,869	4	1,658	87	476	118	358	1,095	469	626	1,984
U.S. PRISONER PETITIONS	366	492	483	9	497	18	314	232	82	165	56	109	361
OTHER U.S. CIVIL	547	674	658	16	501	28	242	59	183	231	132	99	720
PRIV. PRISONER PETITIONS	1,264	2,388	2,351	37	2,200	9	1,602	1,277	325	589	217	372	1,452
OTHER PRIVATE CIVIL	2,061	2,296	2,257	39	1,815	118	989	197	792	708	451	257	2,542
BANKRUPTCY	218	213	207	6	170	11	90	14	76	69	39	30	261
ADMINISTRATIVE APPEALS	5,251	6,214	6,077	137	4,956	49	2,451	1,039	1,412	2,456	352	2,104	6,509
ORIGINAL PROCEEDINGS ²	126	726	725	1	665	-	32	9	23	633	2	631	187
TENTH CIRCUIT	1,956	2,746	2,736	10	2,461	44	1,082	448	634	1,335	418	917	2,241
CRIMINAL	464	698	693	5	463	5	103	37	66	355	147	208	699
U.S. PRISONER PETITIONS	160	265	263	2	261	1	149	83	66	111	11	100	164
OTHER U.S. CIVIL	185	193	193	-	205	12	55	11	44	138	45	93	173
PRIV. PRISONER PETITIONS	322	563	562	1	531	2	358	234	124	171	29	142	354
OTHER PRIVATE CIVIL	626	651	650	1	633	23	273	41	232	337	159	178	644
BANKRUPTCY	42	45	44	1	54	-	25	3	22	29	7	22	33
ADMINISTRATIVE APPEALS	128	122	122	-	131	1	57	9	48	73	20	53	119
ORIGINAL PROCEEDINGS ²	29	209	209	-	183	-	62	30	32	121	-	121	55
ELEVENTH CIRCUIT	3,264	7,176	6,776	400	6,758	141	3,619	1,959	1,660	2,998	579	2,419	3,682
CRIMINAL	1,157	1,818	1,789	29	1,564	46	425	215	210	1,093	207	886	1,411
U.S. PRISONER PETITIONS	265	842	760	82	852	4	701	429	272	147	15	132	255
OTHER U.S. CIVIL	137	330	298	32	303	5	125	36	89	173	36	137	164
PRIV. PRISONER PETITIONS	440	1,268	1,180	88	1,319	2	1,059	649	410	258	31	227	389
OTHER PRIVATE CIVIL	921	1,676	1,559	117	1,612	64	882	436	446	666	264	402	985
BANKRUPTCY	27	87	81	6	62	1	29	13	16	32	10	22	52
ADMINISTRATIVE APPEALS	270	558	518	40	450	16	246	80	166	188	16	172	378
ORIGINAL PROCEEDINGS ²	47	597	591	6	596	3	152	101	51	441	-	441	48

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.

¹ REVISED.

² BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF PROCEEDINGS PREVIOUSLY NOT PRESENTED IN THIS TABLE.