

Table B-5A.

U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit, During the 12-Month Period Ending September 30, 2000

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
ALL CIRCUITS	56,512	26,281	25	12,330	3,304	796	99	102	6,550	1,479	13,926	6,642	6,354	930
CRIMINAL	10,580	2,584	1	799	328	177	13	-	-	281	1,784	1,193	483	108
U.S. PRISONER PETITIONS	5,361	3,628	-	2,509	279	11	7	-	2,119	93	1,119	273	821	25
OTHER U.S. CIVIL	3,917	1,465	2	359	214	43	13	-	-	89	1,104	580	482	42
PRIV. PRISONER PETITIONS	12,887	9,073	1	5,732	1,004	23	35	102	4,431	137	3,340	598	2,651	91
OTHER PRIVATE CIVIL	15,171	6,373	20	1,470	770	483	20	-	-	197	4,883	3,183	1,611	89
BANKRUPTCY	1,111	475	1	104	54	23	4	-	-	23	370	257	106	7
ADMINISTRATIVE APPEALS	3,764	1,959	-	1,106	655	36	7	-	-	408	853	558	200	95
ORIGINAL PROCEEDINGS**	3,721	724	-	251	-	-	-	-	-	251	473	-	-	473
DISTRICT OF COLUMBIA	1,582	673	-	206	105	13	4	-	26	58	467	295	108	64
CRIMINAL	88	24	-	1	-	-	-	-	-	1	23	22	-	1
U.S. PRISONER PETITIONS	142	71	-	28	4	-	2	-	19	3	43	9	34	-
OTHER U.S. CIVIL	311	118	-	25	17	4	1	-	-	3	93	67	17	9
PRIV. PRISONER PETITIONS	40	27	-	11	4	-	-	-	7	-	16	2	14	-
OTHER PRIVATE CIVIL	277	129	-	39	38	-	1	-	-	-	90	54	34	2
BANKRUPTCY	5	2	-	-	-	-	-	-	-	-	2	1	1	-
ADMINISTRATIVE APPEALS	628	274	-	93	42	9	-	-	-	42	181	140	8	33
ORIGINAL PROCEEDINGS**	91	28	-	9	-	-	-	-	-	9	19	-	-	19
FIRST CIRCUIT	1,365	477	-	62	5	3	-	-	15	39	415	243	153	19
CRIMINAL	381	116	-	9	-	-	-	-	-	9	107	65	37	5
U.S. PRISONER PETITIONS	127	57	-	15	1	-	-	-	11	3	42	16	25	1
OTHER U.S. CIVIL	109	33	-	3	-	-	-	-	-	3	30	18	11	1
PRIV. PRISONER PETITIONS	102	39	-	7	-	-	-	-	4	3	32	9	21	2
OTHER PRIVATE CIVIL	470	183	-	9	1	3	-	-	-	5	174	118	53	3
BANKRUPTCY	40	18	-	-	-	-	-	-	-	-	18	11	5	2
ADMINISTRATIVE APPEALS	63	18	-	9	3	-	-	-	-	6	9	6	1	2
ORIGINAL PROCEEDINGS**	73	13	-	10	-	-	-	-	-	10	3	-	-	3
SECOND CIRCUIT	4,829	2,586	-	920	138	1	-	10	648	123	1,666	750	738	178
CRIMINAL	829	221	-	49	6	-	-	-	-	43	172	102	28	42
U.S. PRISONER PETITIONS	378	316	-	192	9	-	-	-	179	4	124	27	90	7
OTHER U.S. CIVIL	404	237	-	40	31	-	-	-	-	9	197	59	126	12
PRIV. PRISONER PETITIONS	1,056	825	-	545	43	-	-	10	469	23	280	12	245	23
OTHER PRIVATE CIVIL	1,573	727	-	62	37	1	-	-	-	24	665	413	221	31
BANKRUPTCY	89	41	-	12	4	-	-	-	-	8	29	21	5	3
ADMINISTRATIVE APPEALS	275	182	-	17	8	-	-	-	-	9	165	116	23	26
ORIGINAL PROCEEDINGS**	225	37	-	3	-	-	-	-	-	3	34	-	-	34

Table B5-A. (September 30, 2000—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
THIRD CIRCUIT	3,162	1,366	-	607	269	3	1	1	272	61	759	454	264	41
CRIMINAL	494	102	-	29	22	2	-	-	-	5	73	71	2	-
U.S. PRISONER PETITIONS	278	162	-	119	26	-	-	-	86	7	43	17	26	-
OTHER U.S. CIVIL	235	74	-	20	14	1	-	-	-	5	54	30	23	1
PRIV. PRISONER PETITIONS	564	409	-	265	69	-	-	1	186	9	144	17	112	15
OTHER PRIVATE CIVIL	1,103	438	-	102	86	-	-	-	-	16	336	252	77	7
BANKRUPTCY	91	45	-	3	2	-	-	-	-	1	42	36	6	-
ADMINISTRATIVE APPEALS	173	116	-	67	50	-	1	-	-	16	49	31	18	-
ORIGINAL PROCEEDINGS**	224	20	-	2	-	-	-	-	-	2	18	-	-	18
FOURTH CIRCUIT	4,710	1,980	-	992	236	26	-	-	689	41	988	589	367	32
CRIMINAL	964	175	-	41	24	7	-	-	-	10	134	114	15	5
U.S. PRISONER PETITIONS	671	472	-	390	51	-	-	-	335	4	82	30	51	1
OTHER U.S. CIVIL	307	83	-	18	16	2	-	-	-	-	65	41	18	6
PRIV. PRISONER PETITIONS	1,085	733	-	440	77	2	-	-	354	7	293	93	197	3
OTHER PRIVATE CIVIL	1,114	387	-	51	31	12	-	-	-	8	336	269	66	1
BANKRUPTCY	68	31	-	8	4	2	-	-	-	2	23	15	8	-
ADMINISTRATIVE APPEALS	194	85	-	44	33	1	-	-	-	10	41	27	12	2
ORIGINAL PROCEEDINGS**	307	14	-	-	-	-	-	-	-	-	14	-	-	14
FIFTH CIRCUIT	8,535	4,440	-	2,081	714	47	8	17	1,215	80	2,359	670	1,419	270
CRIMINAL	1,579	462	-	108	77	9	1	-	-	21	354	166	184	4
U.S. PRISONER PETITIONS	678	477	-	307	52	-	-	-	249	6	170	22	145	3
OTHER U.S. CIVIL	410	160	-	36	25	1	-	-	-	10	124	42	80	2
PRIV. PRISONER PETITIONS	2,744	2,055	-	1,283	284	1	3	17	966	12	772	96	665	11
OTHER PRIVATE CIVIL	1,889	724	-	149	97	31	2	-	-	19	575	285	283	7
BANKRUPTCY	187	68	-	10	7	-	2	-	-	1	58	24	32	2
ADMINISTRATIVE APPEALS	360	255	-	187	172	5	-	-	-	10	68	35	30	3
ORIGINAL PROCEEDINGS**	688	239	-	1	-	-	-	-	-	1	238	-	-	238
SIXTH CIRCUIT	5,090	2,282	-	1,116	337	30	9	3	660	77	1,166	608	422	136
CRIMINAL	879	240	-	51	34	3	-	-	-	14	189	111	42	36
U.S. PRISONER PETITIONS	396	257	-	205	27	-	-	-	176	2	52	14	36	2
OTHER U.S. CIVIL	334	114	-	30	19	2	5	-	-	4	84	55	25	4
PRIV. PRISONER PETITIONS	1,356	867	-	630	134	-	2	3	484	7	237	30	187	20
OTHER PRIVATE CIVIL	1,510	635	-	130	99	21	1	-	-	9	505	361	121	23
BANKRUPTCY	74	33	-	9	7	2	-	-	-	-	24	18	6	-
ADMINISTRATIVE APPEALS	148	53	-	26	17	2	1	-	-	6	27	19	5	3
ORIGINAL PROCEEDINGS**	393	83	-	35	-	-	-	-	-	35	48	-	-	48

Table B5-A. (September 30, 2000—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42*	Default	Other
SEVENTH CIRCUIT	3,601	1,693	2	628	173	17	12	-	279	147	1,063	578	454	31
CRIMINAL	622	146	-	51	21	4	2	-	-	24	95	91	2	2
U.S. PRISONER PETITIONS	388	244	-	142	23	2	2	-	103	12	102	21	80	1
OTHER U.S. CIVIL	174	71	-	14	9	-	-	-	-	5	57	39	17	1
PRIV. PRISONER PETITIONS	803	580	-	230	36	5	1	-	176	12	350	61	284	5
OTHER PRIVATE CIVIL	1,172	501	2	97	60	5	6	-	-	26	402	335	64	3
BANKRUPTCY	45	20	-	9	7	-	1	-	-	1	11	9	2	-
ADMINISTRATIVE APPEALS	135	60	-	32	17	1	-	-	-	14	28	22	5	1
ORIGINAL PROCEEDINGS**	262	71	-	53	-	-	-	-	-	53	18	-	-	18
EIGHTH CIRCUIT	3,280	1,192	-	807	144	64	26	-	517	56	385	242	130	13
CRIMINAL	622	112	-	56	21	14	2	-	-	19	56	52	4	-
U.S. PRISONER PETITIONS	363	224	-	202	15	2	2	-	179	4	22	5	15	2
OTHER U.S. CIVIL	228	65	-	26	14	5	2	-	-	5	39	30	5	4
PRIV. PRISONER PETITIONS	780	491	-	415	42	5	18	-	338	12	76	10	65	1
OTHER PRIVATE CIVIL	875	254	-	88	44	32	1	-	-	11	166	129	35	2
BANKRUPTCY	31	7	-	1	-	1	-	-	-	-	6	6	-	-
ADMINISTRATIVE APPEALS	103	36	-	16	8	5	1	-	-	2	20	10	6	4
ORIGINAL PROCEEDINGS**	278	3	-	3	-	-	-	-	-	3	-	-	-	-
NINTH CIRCUIT	9,216	4,083	-	2,013	647	47	8	13	715	583	2,070	1,526	487	57
CRIMINAL	1,762	426	-	161	38	6	3	-	-	114	265	249	4	12
U.S. PRISONER PETITIONS	591	359	-	255	7	-	-	-	216	32	104	69	31	4
OTHER U.S. CIVIL	702	278	-	60	29	2	1	-	-	28	218	157	60	1
PRIV. PRISONER PETITIONS	1,634	1,044	-	715	159	2	3	13	499	39	329	179	144	6
OTHER PRIVATE CIVIL	2,266	1,045	-	229	137	30	1	-	-	61	816	638	171	7
BANKRUPTCY	304	130	-	18	10	1	-	-	-	7	112	100	12	-
ADMINISTRATIVE APPEALS	1,434	775	-	557	267	6	-	-	-	284	218	134	65	19
ORIGINAL PROCEEDINGS**	523	26	-	18	-	-	-	-	-	18	8	-	-	8
TENTH CIRCUIT	2,737	1,029	-	494	161	11	9	5	241	67	535	359	144	32
CRIMINAL	491	93	-	35	28	2	1	-	-	4	58	53	4	1
U.S. PRISONER PETITIONS	241	115	-	68	14	-	-	-	46	8	47	17	28	2
OTHER U.S. CIVIL	249	68	-	24	22	-	1	-	-	1	44	29	14	1
PRIV. PRISONER PETITIONS	600	362	-	257	44	2	5	5	195	6	105	36	67	2
OTHER PRIVATE CIVIL	817	290	-	54	40	7	-	-	-	7	236	207	27	2
BANKRUPTCY	38	16	-	5	3	-	-	-	-	2	11	9	2	-
ADMINISTRATIVE APPEALS	113	29	-	18	10	-	2	-	-	6	11	8	2	1
ORIGINAL PROCEEDINGS**	188	56	-	33	-	-	-	-	-	33	23	-	-	23

Table B5-A. (September 30, 2000—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total Proc. Terms.	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42*	Default	CPC Denial	Cert. Appealability	Other	Total	FRAP 42*	Default	Other
ELEVENTH CIRCUIT	8,405	4,480	23	2,404	375	534	22	53	1,273	147	2,053	328	1,668	57
CRIMINAL	1,869	467	1	208	57	130	4	-	-	17	258	97	161	-
U.S. PRISONER PETITIONS	1,108	874	-	586	50	7	1	-	520	8	288	26	260	2
OTHER U.S. CIVIL	454	164	2	63	18	26	3	-	-	16	99	13	86	-
PRIV. PRISONER PETITIONS	2,123	1,641	1	934	112	6	3	53	753	7	706	53	650	3
OTHER PRIVATE CIVIL	2,105	1,060	18	460	100	341	8	-	-	11	582	122	459	1
BANKRUPTCY	139	64	1	29	10	17	1	-	-	1	34	7	27	-
ADMINISTRATIVE APPEALS	138	76	-	40	28	7	2	-	-	3	36	10	25	1
ORIGINAL PROCEEDINGS**	469	134	-	84	-	-	-	-	-	84	50	-	-	50

NOTE: TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS. JURIS DEFECTS = JURISDICTIONAL DEFECTS. CPC = CERTIFICATE OF PROBABLE CAUSE. CERT. APPEALABILITY = CERTIFICATE OF APPEALABILITY. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

* VOLUNTARY DISMISSAL UNDER RULE 42(B), FEDERAL RULES OF APPELLATE PROCEDURE.

** BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF ORIGINAL PROCEEDINGS PREVIOUSLY NOT INCLUDED IN THIS TABLE.