

**Table B-5A.
U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit,
During the 12-Month Period Ending September 30, 2001**

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	57,422	25,818	33	11,761	3,267	674	83	5	6,141	1,591	14,024	6,786	6,303	935
CRIMINAL	11,165	2,588	2	809	433	116	15	-	-	245	1,777	1,164	540	73
U.S. PRISONER PETITIONS	5,587	3,911	-	2,500	302	51	8	-	1,931	208	1,411	500	892	19
OTHER U.S. CIVIL	3,772	1,301	-	325	183	52	5	-	-	85	976	521	430	25
PRIV. PRISONER PETITIONS	12,377	8,568	-	5,422	1,012	13	20	5	4,210	162	3,146	602	2,480	64
OTHER PRIVATE CIVIL	14,812	6,369	28	1,419	789	392	25	-	-	213	4,922	3,226	1,619	77
BANKRUPTCY	948	410	-	91	50	22	6	-	-	13	319	222	96	1
ADMINISTRATIVE APPEALS	3,245	1,664	3	811	498	28	4	-	-	281	850	551	246	53
ORIGINAL PROCEEDINGS**	5,516	1,007	-	384	-	-	-	-	-	384	623	-	-	623
DISTRICT OF COLUMBIA	1,391	603	-	167	82	16	10	-	25	34	436	273	126	37
CRIMINAL	84	25	-	1	1	-	-	-	-	-	24	19	5	-
U.S. PRISONER PETITIONS	139	77	-	34	7	3	1	-	21	2	43	11	32	-
OTHER U.S. CIVIL	277	110	-	22	9	1	2	-	-	10	88	52	32	4
PRIV. PRISONER PETITIONS	54	30	-	5	1	-	-	-	4	-	25	4	21	-
OTHER PRIVATE CIVIL	185	79	-	27	17	-	7	-	-	3	52	23	27	2
BANKRUPTCY	2	2	-	1	1	-	-	-	-	-	1	1	-	-
ADMINISTRATIVE APPEALS	544	254	-	71	46	12	-	-	-	13	183	163	9	11
ORIGINAL PROCEEDINGS**	106	26	-	6	-	-	-	-	-	6	20	-	-	20
FIRST CIRCUIT	1,515	476	-	9	1	1	2	-	-	5	467	277	176	14
CRIMINAL	431	147	-	-	-	-	-	-	-	-	147	89	55	3
U.S. PRISONER PETITIONS	144	45	-	2	-	-	-	-	-	2	43	18	22	3
OTHER U.S. CIVIL	123	34	-	3	-	1	-	-	-	2	31	27	4	-
PRIV. PRISONER PETITIONS	129	41	-	-	-	-	-	-	-	-	41	14	27	-
OTHER PRIVATE CIVIL	490	171	-	3	1	-	2	-	-	-	168	111	56	1
BANKRUPTCY	29	10	-	-	-	-	-	-	-	-	10	8	2	-
ADMINISTRATIVE APPEALS	75	23	-	1	-	-	-	-	-	1	22	10	10	2
ORIGINAL PROCEEDINGS**	94	5	-	-	-	-	-	-	-	-	5	-	-	5
SECOND CIRCUIT	4,175	1,878	-	463	53	4	1	-	315	90	1,415	622	661	132
CRIMINAL	684	163	-	14	4	-	-	-	-	10	149	87	30	32
U.S. PRISONER PETITIONS	291	188	-	103	7	-	-	-	85	11	85	10	72	3
OTHER U.S. CIVIL	306	146	-	12	2	-	-	-	-	10	134	44	78	12
PRIV. PRISONER PETITIONS	845	519	-	284	33	-	-	-	230	21	235	9	210	16
OTHER PRIVATE CIVIL	1,519	690	-	42	6	4	-	-	-	32	648	387	241	20
BANKRUPTCY	56	25	-	3	1	-	-	-	-	2	22	10	12	-
ADMINISTRATIVE APPEALS	186	108	-	4	-	-	1	-	-	3	104	75	18	11
ORIGINAL PROCEEDINGS**	288	39	-	1	-	-	-	-	-	1	38	-	-	38

Table B5-A. (September 30, 2001—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	3,594	1,606	-	723	253	5	-	-	417	48	883	490	354	39
CRIMINAL	525	141	-	55	43	1	-	-	-	11	86	76	8	2
U.S. PRISONER PETITIONS	299	187	-	136	26	1	-	-	105	4	51	4	46	1
OTHER U.S. CIVIL	442	74	-	16	12	-	-	-	-	4	58	23	35	-
PRIV. PRISONER PETITIONS	694	524	-	380	64	-	-	-	312	4	144	22	119	3
OTHER PRIVATE CIVIL	1,089	519	-	72	59	3	-	-	-	10	447	324	119	4
BANKRUPTCY	72	36	-	-	-	-	-	-	-	-	36	26	10	-
ADMINISTRATIVE APPEALS	164	95	-	63	49	-	-	-	-	14	32	15	17	-
ORIGINAL PROCEEDINGS**	309	30	-	1	-	-	-	-	-	1	29	-	-	29
FOURTH CIRCUIT	5,078	1,980	-	1,015	211	14	2	-	743	45	965	531	394	40
CRIMINAL	923	142	-	35	28	3	-	-	-	4	107	83	23	1
U.S. PRISONER PETITIONS	758	526	-	432	49	2	1	-	376	4	94	35	55	4
OTHER U.S. CIVIL	282	76	-	12	9	-	1	-	-	2	64	45	19	-
PRIV. PRISONER PETITIONS	1,104	764	-	454	72	1	-	-	367	14	310	92	214	4
OTHER PRIVATE CIVIL	1,061	362	-	49	36	5	-	-	-	8	313	242	68	3
BANKRUPTCY	83	30	-	5	3	2	-	-	-	-	25	19	6	-
ADMINISTRATIVE APPEALS	173	49	-	24	14	1	-	-	-	9	25	15	9	1
ORIGINAL PROCEEDINGS**	694	31	-	4	-	-	-	-	-	4	27	-	-	27
FIFTH CIRCUIT	8,784	4,401	-	1,967	721	58	8	1	1,084	95	2,434	598	1,497	339
CRIMINAL	2,153	503	-	124	93	-	-	-	-	31	379	160	214	5
U.S. PRISONER PETITIONS	762	594	-	345	64	30	1	-	242	8	249	20	228	1
OTHER U.S. CIVIL	348	136	-	33	23	-	-	-	-	10	103	29	73	1
PRIV. PRISONER PETITIONS	2,451	1,839	-	1,119	269	1	1	1	842	5	720	80	636	4
OTHER PRIVATE CIVIL	1,692	719	-	152	112	21	-	-	-	19	567	274	292	1
BANKRUPTCY	127	55	-	23	10	2	6	-	-	5	32	12	19	1
ADMINISTRATIVE APPEALS	300	227	-	167	150	4	-	-	-	13	60	23	35	2
ORIGINAL PROCEEDINGS**	951	328	-	4	-	-	-	-	-	4	324	-	-	324
SIXTH CIRCUIT	4,691	2,087	-	942	356	26	4	-	418	138	1,145	626	408	111
CRIMINAL	933	231	-	67	56	2	-	-	-	9	164	107	36	21
U.S. PRISONER PETITIONS	348	199	-	135	35	-	-	-	93	7	64	15	47	2
OTHER U.S. CIVIL	305	89	-	27	16	-	-	-	-	11	62	33	26	3
PRIV. PRISONER PETITIONS	1,094	657	-	450	119	-	1	-	325	5	207	35	151	21
OTHER PRIVATE CIVIL	1,394	679	-	131	100	23	3	-	-	5	548	392	135	21
BANKRUPTCY	68	40	-	13	12	-	-	-	-	1	27	23	4	-
ADMINISTRATIVE APPEALS	138	54	-	24	18	1	-	-	-	5	30	21	9	-
ORIGINAL PROCEEDINGS**	411	138	-	95	-	-	-	-	-	95	43	-	-	43

Table B5-A. (September 30, 2001—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	3,616	1,854	-	720	154	18	20	-	363	165	1,134	603	487	44
CRIMINAL	529	121	-	33	13	3	2	-	-	15	88	84	3	1
U.S. PRISONER PETITIONS	401	255	-	168	20	-	1	-	138	9	87	29	58	-
OTHER U.S. CIVIL	173	70	-	22	16	-	2	-	-	4	48	32	15	1
PRIV. PRISONER PETITIONS	886	636	-	268	27	1	4	-	225	11	368	48	311	9
OTHER PRIVATE CIVIL	1,149	597	-	130	65	14	9	-	-	42	467	368	91	8
BANKRUPTCY	32	15	-	1	-	-	-	-	-	1	14	12	2	-
ADMINISTRATIVE APPEALS	135	68	-	28	13	-	2	-	-	13	40	30	7	3
ORIGINAL PROCEEDINGS**	311	92	-	70	-	-	-	-	-	70	22	-	-	22
EIGHTH CIRCUIT	3,414	1,026	-	625	117	46	10	-	402	50	401	224	156	21
CRIMINAL	651	101	-	46	24	8	1	-	-	13	55	53	2	-
U.S. PRISONER PETITIONS	315	184	-	165	12	1	-	-	150	2	19	5	14	-
OTHER U.S. CIVIL	226	39	-	20	8	9	-	-	-	3	19	12	7	-
PRIV. PRISONER PETITIONS	760	420	-	308	33	3	9	-	252	11	112	13	99	-
OTHER PRIVATE CIVIL	898	224	-	66	32	23	-	-	-	11	158	122	33	3
BANKRUPTCY	38	8	-	3	1	1	-	-	-	1	5	5	-	-
ADMINISTRATIVE APPEALS	87	29	-	13	7	1	-	-	-	5	16	14	1	1
ORIGINAL PROCEEDINGS**	439	21	-	4	-	-	-	-	-	4	17	-	-	17
NINTH CIRCUIT	10,372	4,878	-	2,437	654	39	12	3	1,217	512	2,441	1,896	487	58
CRIMINAL	1,862	453	-	176	28	11	10	-	-	127	277	264	7	6
U.S. PRISONER PETITIONS	904	750	-	391	21	4	-	-	329	37	359	303	54	2
OTHER U.S. CIVIL	699	295	-	78	55	1	-	-	-	22	217	167	48	2
PRIV. PRISONER PETITIONS	2,026	1,473	-	1,133	189	4	1	3	888	48	340	210	128	2
OTHER PRIVATE CIVIL	2,483	1,080	-	255	170	17	-	-	-	68	825	689	129	7
BANKRUPTCY	321	140	-	16	12	1	-	-	-	3	124	99	25	-
ADMINISTRATIVE APPEALS	1,240	655	-	374	179	1	1	-	-	193	281	164	96	21
ORIGINAL PROCEEDINGS**	837	32	-	14	-	-	-	-	-	14	18	-	-	18
TENTH CIRCUIT	2,792	1,292	-	696	125	16	6	-	257	292	596	388	155	53
CRIMINAL	452	94	-	38	24	3	-	-	-	11	56	49	6	1
U.S. PRISONER PETITIONS	402	287	-	208	12	5	3	-	68	120	79	38	38	3
OTHER U.S. CIVIL	185	58	-	10	4	2	-	-	-	4	48	39	7	2
PRIV. PRISONER PETITIONS	591	392	-	279	48	-	3	-	189	39	113	40	71	2
OTHER PRIVATE CIVIL	768	290	-	52	35	6	-	-	-	11	238	203	29	6
BANKRUPTCY	26	8	-	1	1	-	-	-	-	-	7	6	1	-
ADMINISTRATIVE APPEALS	66	21	-	4	1	-	-	-	-	3	17	13	3	1
ORIGINAL PROCEEDINGS**	302	142	-	104	-	-	-	-	-	104	38	-	-	38

Table B5-A. (September 30, 2001—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	8,000	3,737	33	1,997	540	431	8	1	900	117	1,707	258	1,402	47
CRIMINAL	1,938	467	2	220	119	85	2	-	-	14	245	93	151	1
U.S. PRISONER PETITIONS	824	619	-	381	49	5	1	-	324	2	238	12	226	-
OTHER U.S. CIVIL	406	174	-	70	29	38	-	-	-	3	104	18	86	-
PRIV. PRISONER PETITIONS	1,743	1,273	-	742	157	3	1	1	576	4	531	35	493	3
OTHER PRIVATE CIVIL	2,084	959	28	440	156	276	4	-	-	4	491	91	399	1
BANKRUPTCY	94	41	-	25	9	16	-	-	-	-	16	1	15	-
ADMINISTRATIVE APPEALS	137	81	3	38	21	8	-	-	-	9	40	8	32	-
ORIGINAL PROCEEDINGS**	774	123	-	81	-	-	-	-	-	81	42	-	-	42

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.