

Table B-5.
U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending September 30, 2006

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
ALL CIRCUITS	67,582	51.2	34,580	26,300	2,999	2,703	1,227	1,351	8.9
CRIMINAL	15,223	72.2	10,990	8,700	940	751	562	37	6.8
U.S. PRISONER PETITIONS	6,035	25.1	1,517	1,199	156	108	34	20	7.1
OTHER U.S. CIVIL	2,876	59.3	1,706	1,362	90	197	48	9	11.5
PRIV. PRISONER PETITIONS	10,367	26.6	2,760	2,059	354	273	54	20	9.9
OTHER PRIVATE CIVIL	12,064	49.4	5,965	4,748	313	769	79	56	12.9
BANKRUPTCY	856	49.4	423	316	35	64	4	4	15.1
ADMINISTRATIVE APPEALS	14,472	44.4	6,432	3,312	967	502	446	1,205	7.8
ORIGINAL PROCEEDINGS	5,689	84.1	4,787	4,604	144	39	-	-	-
DISTRICT OF COLUMBIA	1,195	48.9	584	441	37	72	31	3	13.9
CRIMINAL	125	47.2	59	41	1	8	9	-	13.6
U.S. PRISONER PETITIONS	119	56.3	67	56	1	4	4	2	6.0
OTHER U.S. CIVIL	268	64.2	172	132	5	22	12	1	12.8
PRIV. PRISONER PETITIONS	16	43.8	7	4	-	3	-	-	-
OTHER PRIVATE CIVIL	164	52.4	86	67	2	15	2	-	17.4
BANKRUPTCY	1	-	-	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	394	28.7	113	73	18	18	4	-	15.9
ORIGINAL PROCEEDINGS	108	74.1	80	68	10	2	-	-	-
FIRST CIRCUIT	2,027	55.9	1,133	1,009	26	88	9	1	8.2
CRIMINAL	734	61.7	453	407	7	34	5	-	7.5
U.S. PRISONER PETITIONS	167	19.8	33	27	4	-	1	1	-
OTHER U.S. CIVIL	96	70.8	68	56	3	9	-	-	13.2
PRIV. PRISONER PETITIONS	138	29.7	41	34	3	4	-	-	9.8
OTHER PRIVATE CIVIL	503	54.5	274	236	7	30	1	-	10.9
BANKRUPTCY	30	70.0	21	17	-	4	-	-	19.0
ADMINISTRATIVE APPEALS	267	57.7	154	147	-	5	2	-	3.2
ORIGINAL PROCEEDINGS	92	96.7	89	85	2	2	-	-	-
SECOND CIRCUIT	8,969	42.3	3,794	2,180	409	354	70	781	9.9
CRIMINAL	823	57.2	471	396	29	26	12	8	5.5
U.S. PRISONER PETITIONS	283	15.2	43	15	15	5	3	5	11.6
OTHER U.S. CIVIL	277	45.5	126	81	29	11	2	3	8.7
PRIV. PRISONER PETITIONS	757	21.1	160	101	26	25	6	2	15.6
OTHER PRIVATE CIVIL	1,438	47.9	689	466	122	74	11	16	10.7
BANKRUPTCY	115	34.8	40	29	6	5	-	-	12.5
ADMINISTRATIVE APPEALS	4,932	40.8	2,011	866	157	205	36	747	10.2
ORIGINAL PROCEEDINGS	344	73.8	254	226	25	3	-	-	-

Table B-5. (September 30, 2006—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
THIRD CIRCUIT	4,157	55.4	2,305	1,801	127	310	64	3	15.0
CRIMINAL	737	71.8	529	414	11	99	4	1	18.7
U.S. PRISONER PETITIONS	457	42.9	196	166	17	13	-	-	6.6
OTHER U.S. CIVIL	192	70.3	135	109	6	17	3	-	12.6
PRIV. PRISONER PETITIONS	696	25.6	178	117	31	29	-	1	16.3
OTHER PRIVATE CIVIL	921	53.7	495	392	17	84	2	-	17.0
BANKRUPTCY	93	59.1	55	37	8	10	-	-	18.2
ADMINISTRATIVE APPEALS	772	62.3	481	343	24	58	55	1	12.1
ORIGINAL PROCEEDINGS	289	81.7	236	223	13	-	-	-	-
FOURTH CIRCUIT	5,628	57.0	3,206	2,802	192	165	45	2	6.3
CRIMINAL	1,496	77.8	1,164	951	108	82	23	-	7.0
U.S. PRISONER PETITIONS	1,132	26.6	301	261	20	19	1	-	6.3
OTHER U.S. CIVIL	168	61.9	104	96	6	2	-	-	1.9
PRIV. PRISONER PETITIONS	988	27.4	271	240	19	12	-	-	4.4
OTHER PRIVATE CIVIL	718	58.2	418	368	15	32	3	-	7.7
BANKRUPTCY	59	57.6	34	22	7	5	-	-	14.7
ADMINISTRATIVE APPEALS	391	70.8	277	238	8	11	18	2	4.0
ORIGINAL PROCEEDINGS	676	94.2	637	626	9	2	-	-	-
FIFTH CIRCUIT	8,881	52.8	4,688	3,791	472	339	85	1	8.0
CRIMINAL	3,163	78.0	2,468	2,053	246	158	11	-	6.4
U.S. PRISONER PETITIONS	767	19.6	150	104	34	10	2	-	6.7
OTHER U.S. CIVIL	308	55.2	170	145	15	9	1	-	5.3
PRIV. PRISONER PETITIONS	1,815	17.6	320	154	124	33	8	1	10.3
OTHER PRIVATE CIVIL	1,228	49.4	607	478	34	88	7	-	14.5
BANKRUPTCY	111	51.4	57	43	3	10	1	-	17.5
ADMINISTRATIVE APPEALS	785	47.6	374	288	6	25	55	-	6.7
ORIGINAL PROCEEDINGS	704	77.0	542	526	10	6	-	-	-
SIXTH CIRCUIT	5,172	55.8	2,886	2,430	107	198	144	7	8.1
CRIMINAL	1,162	68.6	797	612	39	30	114	2	3.8
U.S. PRISONER PETITIONS	420	30.7	129	117	2	8	2	-	6.2
OTHER U.S. CIVIL	244	63.9	156	133	2	20	1	-	12.8
PRIV. PRISONER PETITIONS	939	36.2	340	306	8	25	1	-	7.4
OTHER PRIVATE CIVIL	1,307	51.1	668	558	14	90	2	4	13.5
BANKRUPTCY	62	59.7	37	30	-	6	1	-	16.2
ADMINISTRATIVE APPEALS	458	63.5	291	243	7	17	23	1	5.8
ORIGINAL PROCEEDINGS	580	80.7	468	431	35	2	-	-	-

Table B-5. (September 30, 2006—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
SEVENTH CIRCUIT	3,803	45.3	1,721	1,302	89	239	49	42	16.5
CRIMINAL	829	65.0	539	364	86	65	18	6	12.1
U.S. PRISONER PETITIONS	559	15.9	89	73	-	11	2	3	12.4
OTHER U.S. CIVIL	134	58.2	78	59	-	15	2	2	19.2
PRIV. PRISONER PETITIONS	682	23.2	158	125	-	29	2	2	18.4
OTHER PRIVATE CIVIL	885	42.0	372	277	1	77	2	15	20.7
BANKRUPTCY	55	43.6	24	21	-	2	-	1	8.3
ADMINISTRATIVE APPEALS	306	60.1	184	109	-	39	23	13	21.2
ORIGINAL PROCEEDINGS	353	78.5	277	274	2	1	-	-	-
EIGHTH CIRCUIT	3,618	63.8	2,307	1,936	155	181	35	-	9.3
CRIMINAL	1,112	74.6	830	657	83	70	20	-	8.4
U.S. PRISONER PETITIONS	417	30.5	127	109	10	3	5	-	2.4
OTHER U.S. CIVIL	181	69.6	126	104	5	15	2	-	11.9
PRIV. PRISONER PETITIONS	548	35.8	196	169	8	16	3	-	8.2
OTHER PRIVATE CIVIL	764	66.1	505	413	28	62	2	-	12.3
BANKRUPTCY	31	77.4	24	19	2	3	-	-	12.5
ADMINISTRATIVE APPEALS	160	67.5	108	81	14	10	3	-	9.3
ORIGINAL PROCEEDINGS	405	96.5	391	384	5	2	-	-	-
NINTH CIRCUIT	13,424	47.6	6,387	4,019	948	330	601	489	5.6
CRIMINAL	2,407	70.1	1,687	1,142	171	60	304	10	3.6
U.S. PRISONER PETITIONS	511	27.4	140	109	11	7	8	5	5.0
OTHER U.S. CIVIL	534	53.4	285	229	8	33	13	2	11.6
PRIV. PRISONER PETITIONS	1,940	32.0	621	525	15	43	26	12	6.9
OTHER PRIVATE CIVIL	1,883	43.5	820	646	22	101	31	20	12.3
BANKRUPTCY	182	45.6	83	65	5	11	-	2	13.3
ADMINISTRATIVE APPEALS	5,139	38.4	1,974	545	711	61	219	438	3.1
ORIGINAL PROCEEDINGS	828	93.8	777	758	5	14	-	-	-
TENTH CIRCUIT	3,018	57.3	1,730	1,311	180	153	79	7	9.7
CRIMINAL	771	75.1	579	453	58	30	37	1	5.2
U.S. PRISONER PETITIONS	312	41.7	130	84	28	10	5	3	7.7
OTHER U.S. CIVIL	174	76.4	133	93	3	25	12	-	18.8
PRIV. PRISONER PETITIONS	552	38.8	214	146	28	32	7	1	15.0
OTHER PRIVATE CIVIL	708	53.1	376	305	13	46	12	-	12.2
BANKRUPTCY	33	48.5	16	11	3	2	-	-	12.5
ADMINISTRATIVE APPEALS	143	64.3	92	60	20	4	6	2	4.3
ORIGINAL PROCEEDINGS	325	58.5	190	159	27	4	-	-	-

Table B-5. (September 30, 2006—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated ¹	Terminations on the Merits							Percent Reversed ²
		Percent of Total Terminations	Total	Affirmed/Enforced	Dismissed	Reversed	Remanded	Other	
ELEVENTH CIRCUIT	7,690	49.9	3,839	3,278	257	274	15	15	9.1
CRIMINAL	1,864	75.9	1,414	1,210	101	89	5	9	6.3
U.S. PRISONER PETITIONS	891	12.6	112	78	14	18	1	1	16.1
OTHER U.S. CIVIL	300	51.0	153	125	8	19	-	1	12.4
PRIV. PRISONER PETITIONS	1,296	19.6	254	138	92	22	1	1	8.7
OTHER PRIVATE CIVIL	1,545	42.4	655	542	38	70	4	1	10.7
BANKRUPTCY	84	38.1	32	22	1	6	2	1	18.8
ADMINISTRATIVE APPEALS	725	51.4	373	319	2	49	2	1	13.1
ORIGINAL PROCEEDINGS	985	85.9	846	844	1	1	-	-	-

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

¹ TOTALS INCLUDE REOPENED, REMANDED, AND REINSTATED APPEALS AS WELL AS ORIGINAL APPEALS.

² PERCENT NOT SHOWN WHERE THE TOTAL NUMBER OF CASES TERMINATED ON THE MERITS IS LESS THAN 10. NO PERCENTAGES OF CASES REVERSED HAVE BEEN COMPUTED FOR ORIGINAL PROCEEDINGS BECAUSE OF THEIR DIFFERENCE FROM APPEALS, NOR HAVE THEY BEEN INCLUDED IN THE PERCENTAGE OF TOTAL APPEALS REVERSED.