

Table B-1.
U.S. Courts of Appeals—Appeals Commenced, Terminated, and Pending, by Circuit,
During the 12-Month Period Ending September 30, 2008

Circuit and Nature of Proceeding	Cases Pending Oct. 1, 2007 ¹	Cases Commenced			Cases Terminated							Cases Pending Sept. 30, 2008	
		Total	Original	Reopened ²	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	51,063	61,104	59,127	1,977	59,096	2,327	27,161	11,929	15,232	29,608	8,983	20,625	53,071
CRIMINAL	13,172	13,667	13,428	239	13,720	667	3,322	908	2,414	9,731	2,861	6,870	13,119
U.S. PRISONER PETITIONS	2,620	5,186	5,024	162	4,767	80	3,416	2,126	1,290	1,271	147	1,124	3,039
OTHER U.S. CIVIL	2,587	2,914	2,811	103	2,926	104	1,119	286	833	1,703	701	1,002	2,575
PRIV. PRISONER PETITIONS	6,756	11,667	11,352	315	10,843	57	8,032	4,883	3,149	2,754	602	2,152	7,580
OTHER PRIVATE CIVIL	10,859	11,687	11,337	350	11,841	861	4,992	1,285	3,707	5,988	3,392	2,596	10,705
BANKRUPTCY	840	773	742	31	827	74	348	95	253	405	225	180	786
ADMINISTRATIVE APPEALS	13,326	11,583	10,851	732	10,512	468	4,677	1,629	3,048	5,367	1,034	4,333	14,397
ORIGINAL PROCEEDINGS	903	3,627	3,582	45	3,660	16	1,255	717	538	2,389	21	2,368	870
DISTRICT OF COLUMBIA	1,550	1,307	1,283	24	1,285	218	510	155	355	557	270	287	1,572
CRIMINAL	220	115	109	6	147	15	65	6	59	67	47	20	188
U.S. PRISONER PETITIONS	158	279	272	7	168	28	81	44	37	59	8	51	269
OTHER U.S. CIVIL	243	236	231	5	247	20	72	16	56	155	72	83	232
PRIV. PRISONER PETITIONS	16	14	13	1	24	1	18	4	14	5	4	1	6
OTHER PRIVATE CIVIL	154	125	123	2	169	14	57	15	42	98	48	50	110
BANKRUPTCY	1	4	4	-	1	-	-	-	-	1	1	-	4
ADMINISTRATIVE APPEALS	726	456	455	1	437	140	189	59	130	108	89	19	745
ORIGINAL PROCEEDINGS	32	78	76	2	92	-	28	11	17	64	1	63	18
FIRST CIRCUIT	1,609	1,631	1,624	7	1,776	51	705	197	508	1,020	337	683	1,464
CRIMINAL	702	545	543	2	611	24	168	12	156	419	140	279	636
U.S. PRISONER PETITIONS	100	103	102	1	120	3	83	52	31	34	6	28	83
OTHER U.S. CIVIL	74	100	100	-	91	3	41	6	35	47	19	28	83
PRIV. PRISONER PETITIONS	120	170	170	-	167	-	116	64	52	51	12	39	123
OTHER PRIVATE CIVIL	353	435	432	3	477	13	221	32	189	243	142	101	311
BANKRUPTCY	29	31	31	-	26	1	9	5	4	16	5	11	34
ADMINISTRATIVE APPEALS	201	191	190	1	224	7	61	22	39	156	13	143	168
ORIGINAL PROCEEDINGS	30	56	56	-	60	-	6	4	2	54	-	54	26

Table B-1. (September 30, 2008—Continued)

Circuit and Nature of Proceeding	Cases Pending Oct. 1, 2007 ¹	Cases Commenced			Cases Terminated								Cases Pending Sept. 30, 2008
		Total	Original	Reopened ²	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	5,511	6,904	6,390	514	6,434	392	3,183	1,176	2,007	2,859	1,111	1,748	5,981
CRIMINAL	1,299	925	896	29	1,182	161	332	105	227	689	401	288	1,042
U.S. PRISONER PETITIONS	161	226	201	25	259	2	216	127	89	41	18	23	128
OTHER U.S. CIVIL	213	228	218	10	220	9	120	34	86	91	63	28	221
PRIV. PRISONER PETITIONS	531	775	742	33	797	4	674	435	239	119	37	82	509
OTHER PRIVATE CIVIL	1,344	1,464	1,429	35	1,244	121	613	141	472	510	360	150	1,564
BANKRUPTCY	129	78	75	3	118	28	63	19	44	27	20	7	89
ADMINISTRATIVE APPEALS	1,786	2,988	2,610	378	2,384	63	1,105	297	808	1,216	210	1,006	2,390
ORIGINAL PROCEEDINGS	48	220	219	1	230	4	60	18	42	166	2	164	38
THIRD CIRCUIT	3,707	4,054	4,006	48	3,990	38	1,652	706	946	2,300	389	1,911	3,771
CRIMINAL	993	870	866	4	772	10	162	57	105	600	92	508	1,091
U.S. PRISONER PETITIONS	230	344	341	3	340	-	179	114	65	161	6	155	234
OTHER U.S. CIVIL	149	177	171	6	166	-	50	20	30	116	21	95	160
PRIV. PRISONER PETITIONS	459	752	744	8	758	4	574	337	237	180	33	147	453
OTHER PRIVATE CIVIL	956	1,036	1,026	10	936	22	389	84	305	525	177	348	1,056
BANKRUPTCY	90	76	74	2	83	-	44	11	33	39	16	23	83
ADMINISTRATIVE APPEALS	786	601	588	13	740	2	217	81	136	521	44	477	647
ORIGINAL PROCEEDINGS	44	198	196	2	195	-	37	2	35	158	-	158	47
FOURTH CIRCUIT	2,796	5,185	5,158	27	4,671	174	1,916	824	1,092	2,581	395	2,186	3,310
CRIMINAL	1,096	1,209	1,202	7	1,230	81	232	47	185	917	133	784	1,075
U.S. PRISONER PETITIONS	329	1,129	1,126	3	820	7	511	350	161	302	8	294	638
OTHER U.S. CIVIL	126	230	229	1	197	6	55	8	47	136	28	108	159
PRIV. PRISONER PETITIONS	379	1,272	1,269	3	1,090	4	747	333	414	339	30	309	561
OTHER PRIVATE CIVIL	537	704	692	12	686	55	244	43	201	387	153	234	555
BANKRUPTCY	38	36	36	-	45	4	14	3	11	27	11	16	29
ADMINISTRATIVE APPEALS	250	318	317	1	311	16	73	32	41	222	31	191	257
ORIGINAL PROCEEDINGS	41	287	287	-	292	1	40	8	32	251	1	250	36
FIFTH CIRCUIT	5,470	7,667	7,226	441	8,086	102	3,863	1,696	2,167	4,121	1,066	3,055	5,051
CRIMINAL	2,073	2,535	2,448	87	2,609	35	594	94	500	1,980	347	1,633	1,999
U.S. PRISONER PETITIONS	367	514	473	41	571	1	437	253	184	133	13	120	310
OTHER U.S. CIVIL	214	312	285	27	338	2	140	47	93	196	59	137	188
PRIV. PRISONER PETITIONS	1,285	1,816	1,693	123	2,015	5	1,622	1,005	617	388	66	322	1,086
OTHER PRIVATE CIVIL	1,013	1,295	1,208	87	1,400	48	545	118	427	807	486	321	908
BANKRUPTCY	93	104	92	12	122	4	48	6	42	70	49	21	75
ADMINISTRATIVE APPEALS	344	642	606	36	578	7	332	170	162	239	43	196	408
ORIGINAL PROCEEDINGS	81	449	421	28	453	-	145	3	142	308	3	305	77

Table B-1. (September 30, 2008—Continued)

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							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
SIXTH CIRCUIT	4,373	4,853	4,772	81	4,781	216	1,996	956	1,040	2,569	909	1,660	4,445
CRIMINAL	1,411	1,168	1,156	12	1,161	64	332	127	205	765	290	475	1,418
U.S. PRISONER PETITIONS	259	272	265	7	337	3	230	172	58	104	11	93	194
OTHER U.S. CIVIL	175	251	246	5	205	5	74	18	56	126	45	81	221
PRIV. PRISONER PETITIONS	736	1,085	1,060	25	967	12	659	495	164	296	84	212	854
OTHER PRIVATE CIVIL	1,083	1,229	1,216	13	1,200	103	466	96	370	631	388	243	1,112
BANKRUPTCY	68	58	57	1	61	7	18	4	14	36	21	15	65
ADMINISTRATIVE APPEALS	445	424	411	13	449	21	137	43	94	291	69	222	420
ORIGINAL PROCEEDINGS	196	366	361	5	401	1	80	1	79	320	1	319	161
SEVENTH CIRCUIT	2,247	3,307	3,246	61	3,281	257	1,686	627	1,059	1,338	787	551	2,273
CRIMINAL	662	735	730	5	734	107	194	57	137	433	291	142	663
U.S. PRISONER PETITIONS	155	585	562	23	461	6	365	175	190	90	17	73	279
OTHER U.S. CIVIL	131	139	138	1	166	5	74	18	56	87	53	34	104
PRIV. PRISONER PETITIONS	340	567	550	17	610	9	472	190	282	129	38	91	297
OTHER PRIVATE CIVIL	737	804	791	13	875	94	405	85	320	376	287	89	666
BANKRUPTCY	37	58	58	-	45	11	16	4	12	18	13	5	50
ADMINISTRATIVE APPEALS	169	252	250	2	223	24	81	36	45	118	88	30	198
ORIGINAL PROCEEDINGS	16	167	167	-	167	1	79	62	17	87	-	87	16
EIGHTH CIRCUIT	2,044	3,022	2,993	29	3,103	160	1,021	587	434	1,922	576	1,346	1,963
CRIMINAL	705	1,036	1,029	7	1,006	47	163	56	107	796	246	550	735
U.S. PRISONER PETITIONS	116	259	257	2	258	4	177	160	17	77	11	66	117
OTHER U.S. CIVIL	123	164	162	2	155	4	49	7	42	102	42	60	132
PRIV. PRISONER PETITIONS	315	559	553	6	570	6	341	266	75	223	28	195	304
OTHER PRIVATE CIVIL	546	593	583	10	681	78	222	74	148	381	206	175	458
BANKRUPTCY	40	36	36	-	40	7	10	6	4	23	16	7	36
ADMINISTRATIVE APPEALS	142	157	156	1	163	11	41	8	33	111	27	84	136
ORIGINAL PROCEEDINGS	57	218	217	1	230	3	18	10	8	209	-	209	45

Table B-1. (September 30, 2008—Continued)

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							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
NINTH CIRCUIT	16,505	13,577	13,189	388	12,373	505	6,068	2,776	3,292	5,800	2,036	3,764	17,709
CRIMINAL	2,117	1,657	1,627	30	1,806	71	473	103	370	1,262	468	794	1,968
U.S. PRISONER PETITIONS	333	513	510	3	402	21	295	179	116	86	37	49	444
OTHER U.S. CIVIL	854	646	623	23	702	42	267	58	209	393	228	165	798
PRIV. PRISONER PETITIONS	1,840	2,768	2,733	35	1,895	5	1,345	960	385	545	199	346	2,713
OTHER PRIVATE CIVIL	2,737	2,019	1,966	53	2,123	195	890	194	696	1,038	670	368	2,633
BANKRUPTCY	235	174	169	5	157	9	67	12	55	81	43	38	252
ADMINISTRATIVE APPEALS	8,114	4,861	4,626	235	4,391	159	2,160	779	1,381	2,072	379	1,693	8,584
ORIGINAL PROCEEDINGS	275	939	935	4	897	3	571	491	80	323	12	311	317
TENTH CIRCUIT	1,857	2,226	2,204	22	2,385	42	870	389	481	1,473	468	1,005	1,698
CRIMINAL	603	583	578	5	662	6	111	33	78	545	207	338	524
U.S. PRISONER PETITIONS	117	214	212	2	207	-	128	90	38	79	7	72	124
OTHER U.S. CIVIL	141	150	149	1	163	-	49	15	34	114	32	82	128
PRIV. PRISONER PETITIONS	232	410	403	7	420	1	261	166	95	158	15	143	222
OTHER PRIVATE CIVIL	584	550	544	6	590	34	203	32	171	353	187	166	544
BANKRUPTCY	39	38	38	-	52	-	24	7	17	28	13	15	25
ADMINISTRATIVE APPEALS	85	96	96	-	94	1	28	9	19	65	7	58	87
ORIGINAL PROCEEDINGS	56	185	184	1	197	-	66	37	29	131	-	131	44
ELEVENTH CIRCUIT	3,394	7,371	7,036	335	6,931	172	3,691	1,840	1,851	3,068	639	2,429	3,834
CRIMINAL	1,291	2,289	2,244	45	1,800	46	496	211	285	1,258	199	1,059	1,780
U.S. PRISONER PETITIONS	295	748	703	45	824	5	714	410	304	105	5	100	219
OTHER U.S. CIVIL	144	281	259	22	276	8	128	39	89	140	39	101	149
PRIV. PRISONER PETITIONS	503	1,479	1,422	57	1,530	6	1,203	628	575	321	56	265	452
OTHER PRIVATE CIVIL	815	1,433	1,327	106	1,460	84	737	371	366	639	288	351	788
BANKRUPTCY	41	80	72	8	77	3	35	18	17	39	17	22	44
ADMINISTRATIVE APPEALS	278	597	546	51	518	17	253	93	160	248	34	214	357
ORIGINAL PROCEEDINGS	27	464	463	1	446	3	125	70	55	318	1	317	45

NOTE: THIS TABLE INCLUDES APPEALS REOPENED AND REMANDED 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 IN 2007, THE CATEGORY ENTITLED "REOPENED," WHICH INCLUDES ALL REOPENED APPEALS, HAS REPLACED THE CATEGORY ENTITLED "REINSTATED." THEREFORE, DATA ON REOPENED CASES FOR 2007 AND THEREAFTER ARE NOT COMPARABLE TO DATA PUBLISHED PREVIOUSLY ON REINSTATED CASES.