

Table B-5A.

**U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit,
During the 12-Month Period Ending September 30, 2011**

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
ALL CIRCUITS	57,357	25,161	148	11,887	3,765	506	59	-	6,354	1,203	13,126	5,912	6,089	1,125
CRIMINAL	13,317	3,063	10	866	428	138	7	-	-	293	2,187	1,480	593	114
U.S. PRISONER PETITIONS	4,867	3,419	2	2,404	301	11	3	-	2,039	50	1,013	183	801	29
OTHER U.S. CIVIL	2,728	1,054	21	244	166	36	5	-	-	37	789	422	343	24
PRIV. PRISONER PETITIONS	11,440	8,184	2	5,574	1,091	14	27	-	4,315	127	2,608	527	2,027	54
OTHER PRIVATE CIVIL	12,046	5,148	93	1,350	967	255	13	-	-	115	3,705	2,186	1,425	94
BANKRUPTCY	692	297	10	85	56	12	1	-	-	16	202	115	75	12
ADMINISTRATIVE APPEALS	8,240	3,283	10	1,218	756	40	3	-	-	419	2,055	999	825	231
ORIGINAL PROCEEDINGS	4,027	713	-	146	-	-	-	-	-	146	567	-	-	567
DC	1,113	407	9	91	36	6	2	-	18	29	307	185	73	49
CRIMINAL	108	42	-	3	1	-	-	-	-	2	39	30	9	-
U.S. PRISONER PETITIONS	178	63	1	27	7	-	1	-	17	2	35	12	22	1
OTHER U.S. CIVIL	265	89	2	18	10	4	1	-	-	3	69	40	27	2
PRIV. PRISONER PETITIONS	10	4	-	1	-	-	-	-	1	-	3	-	3	-
OTHER PRIVATE CIVIL	156	35	-	5	3	-	-	-	-	2	30	18	11	1
BANKRUPTCY	1	-	-	-	-	-	-	-	-	-	-	-	-	-
ADMINISTRATIVE APPEALS	288	121	6	25	15	2	-	-	-	8	90	85	1	4
ORIGINAL PROCEEDINGS	107	53	-	12	-	-	-	-	-	12	41	-	-	41
1ST CIRCUIT	1,437	549	7	182	77	10	1	-	89	5	360	265	92	3
CRIMINAL	420	133	-	18	14	2	-	-	-	2	115	93	21	1
U.S. PRISONER PETITIONS	99	60	-	52	4	-	-	-	48	-	8	3	5	-
OTHER U.S. CIVIL	79	30	1	7	5	2	-	-	-	-	22	17	5	-
PRIV. PRISONER PETITIONS	120	68	-	45	4	-	-	-	41	-	23	13	10	-
OTHER PRIVATE CIVIL	458	177	5	38	32	5	-	-	-	1	134	110	24	-
BANKRUPTCY	35	17	1	4	3	1	-	-	-	-	12	8	4	-
ADMINISTRATIVE APPEALS	156	62	-	18	15	-	1	-	-	2	44	21	23	-
ORIGINAL PROCEEDINGS	70	2	-	-	-	-	-	-	-	-	2	-	-	2

Table B-5A. (September 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
2ND CIRCUIT	5,101	2,177	20	749	267	21	2	-	368	91	1,408	703	607	98
CRIMINAL	854	242	3	29	7	5	-	-	-	17	210	117	64	29
U.S. PRISONER PETITIONS	223	161	-	119	15	-	-	-	100	4	42	7	32	3
OTHER U.S. CIVIL	218	99	2	17	12	2	-	-	-	3	80	46	33	1
PRIV. PRISONER PETITIONS	760	533	-	349	69	3	-	-	268	9	184	18	160	6
OTHER PRIVATE CIVIL	1,547	716	13	117	97	7	1	-	-	12	586	348	218	20
BANKRUPTCY	94	44	2	2	2	-	-	-	-	-	40	21	17	2
ADMINISTRATIVE APPEALS	1,191	350	-	104	65	4	1	-	-	34	246	146	83	17
ORIGINAL PROCEEDINGS	214	32	-	12	-	-	-	-	-	12	20	-	-	20
3RD CIRCUIT	4,326	1,794	8	909	361	14	4	-	481	49	877	385	407	85
CRIMINAL	755	132	-	27	15	2	1	-	-	9	105	97	6	2
U.S. PRISONER PETITIONS	444	251	-	192	30	-	-	-	157	5	59	10	47	2
OTHER U.S. CIVIL	164	51	-	16	14	1	-	-	-	1	35	18	17	-
PRIV. PRISONER PETITIONS	835	594	-	413	84	1	1	-	324	3	181	25	154	2
OTHER PRIVATE CIVIL	1,128	492	6	173	160	7	2	-	-	4	313	203	107	3
BANKRUPTCY	55	22	-	13	6	-	-	-	-	7	9	6	3	-
ADMINISTRATIVE APPEALS	630	188	2	70	52	3	-	-	-	15	116	26	73	17
ORIGINAL PROCEEDINGS	315	64	-	5	-	-	-	-	-	5	59	-	-	59
4TH CIRCUIT	5,069	1,738	4	951	244	11	2	-	643	51	783	393	324	66
CRIMINAL	1,878	259	1	68	47	4	-	-	-	17	190	128	56	6
U.S. PRISONER PETITIONS	703	481	-	394	26	-	1	-	365	2	87	29	55	3
OTHER U.S. CIVIL	201	68	1	24	20	2	-	-	-	2	43	29	13	1
PRIV. PRISONER PETITIONS	822	544	-	345	62	-	1	-	278	4	199	57	138	4
OTHER PRIVATE CIVIL	835	235	2	61	55	4	-	-	-	2	172	121	42	9
BANKRUPTCY	44	13	-	4	3	-	-	-	-	1	9	6	3	-
ADMINISTRATIVE APPEALS	237	76	-	36	31	1	-	-	-	4	40	23	17	-
ORIGINAL PROCEEDINGS	349	62	-	19	-	-	-	-	-	19	43	-	-	43

Table B-5A. (September 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
5TH CIRCUIT	7,695	3,691	13	1,563	607	27	-	-	786	143	2,115	573	1,377	165
CRIMINAL	2,681	694	-	182	93	9	-	-	-	80	512	320	188	4
U.S. PRISONER PETITIONS	618	505	-	267	64	3	-	-	196	4	238	11	225	2
OTHER U.S. CIVIL	267	139	3	41	31	5	-	-	-	5	95	33	61	1
PRIV. PRISONER PETITIONS	1,760	1,398	-	781	189	-	-	-	590	2	617	52	563	2
OTHER PRIVATE CIVIL	1,266	512	9	130	110	7	-	-	-	13	373	126	233	14
BANKRUPTCY	81	35	1	13	8	1	-	-	-	4	21	10	8	3
ADMINISTRATIVE APPEALS	497	271	-	145	112	2	-	-	-	31	126	21	99	6
ORIGINAL PROCEEDINGS	525	137	-	4	-	-	-	-	-	4	133	-	-	133
6TH CIRCUIT	5,163	2,215	12	1,116	448	19	18	-	609	22	1,087	451	492	144
CRIMINAL	1,383	327	-	112	106	4	-	-	-	2	215	124	49	42
U.S. PRISONER PETITIONS	422	279	-	202	34	-	-	-	167	1	77	7	63	7
OTHER U.S. CIVIL	189	75	-	13	8	1	4	-	-	-	62	29	32	1
PRIV. PRISONER PETITIONS	1,247	816	-	608	155	1	8	-	442	2	208	18	179	11
OTHER PRIVATE CIVIL	1,075	505	10	122	95	12	6	-	-	9	373	217	142	14
BANKRUPTCY	46	21	-	3	3	-	-	-	-	-	18	10	4	4
ADMINISTRATIVE APPEALS	376	127	2	55	47	1	-	-	-	7	70	46	23	1
ORIGINAL PROCEEDINGS	425	65	-	1	-	-	-	-	-	1	64	-	-	64
7TH CIRCUIT	3,064	1,475	15	516	142	9	8	-	261	96	944	451	478	15
CRIMINAL	677	164	-	47	18	4	1	-	-	24	117	106	10	1
U.S. PRISONER PETITIONS	371	273	-	154	19	-	1	-	125	9	119	20	97	2
OTHER U.S. CIVIL	144	48	-	13	10	-	-	-	-	3	35	22	12	1
PRIV. PRISONER PETITIONS	596	468	-	181	31	2	4	-	136	8	287	25	262	-
OTHER PRIVATE CIVIL	912	423	11	72	51	2	1	-	-	18	340	252	83	5
BANKRUPTCY	52	20	4	3	1	-	-	-	-	2	13	8	5	-
ADMINISTRATIVE APPEALS	147	58	-	31	12	1	1	-	-	17	27	18	9	-
ORIGINAL PROCEEDINGS	165	21	-	15	-	-	-	-	-	15	6	-	-	6

Table B-5A. (September 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appeal-ability	Other	Total	FRAP 42 ¹	Default	Other
8TH CIRCUIT	2,967	1,035	4	616	121	14	11	-	437	33	415	193	197	25
CRIMINAL	871	129	-	42	20	6	1	-	-	15	87	74	10	3
U.S. PRISONER PETITIONS	359	243	1	220	17	-	-	-	201	2	22	3	19	-
OTHER U.S. CIVIL	143	34	-	2	1	1	-	-	-	-	32	18	11	3
PRIV. PRISONER PETITIONS	612	415	-	296	46	-	10	-	236	4	119	1	116	2
OTHER PRIVATE CIVIL	557	149	3	49	35	7	-	-	-	7	97	72	23	2
BANKRUPTCY	25	6	-	-	-	-	-	-	-	-	6	5	1	-
ADMINISTRATIVE APPEALS	123	49	-	3	2	-	-	-	-	1	46	20	17	9
ORIGINAL PROCEEDINGS	277	10	-	4	-	-	-	-	-	4	6	-	-	6
9TH CIRCUIT	13,025	6,062	35	3,118	871	28	7	-	1,687	525	2,909	1,850	744	315
CRIMINAL	1,598	424	3	111	20	2	3	-	-	86	310	271	15	24
U.S. PRISONER PETITIONS	503	366	-	290	29	1	-	-	249	11	76	38	30	8
OTHER U.S. CIVIL	608	232	11	46	26	2	-	-	-	8	175	135	28	12
PRIV. PRISONER PETITIONS	3,202	2,251	2	1,823	301	2	-	-	1,438	82	426	275	129	22
OTHER PRIVATE CIVIL	2,135	922	18	201	148	13	3	-	-	37	703	550	137	16
BANKRUPTCY	149	63	1	22	19	-	1	-	-	2	40	25	12	3
ADMINISTRATIVE APPEALS	4,033	1,743	-	618	328	8	-	-	-	282	1,125	556	393	176
ORIGINAL PROCEEDINGS	797	61	-	7	-	-	-	-	-	7	54	-	-	54
10TH CIRCUIT	2,209	952	8	466	105	14	3	-	243	101	478	281	160	37
CRIMINAL	534	133	-	66	30	3	-	-	-	33	67	54	12	1
U.S. PRISONER PETITIONS	281	181	-	116	12	1	-	-	93	10	65	22	43	-
OTHER U.S. CIVIL	137	48	1	4	3	-	-	-	-	1	43	27	14	2
PRIV. PRISONER PETITIONS	387	263	-	191	25	1	3	-	150	12	72	22	46	4
OTHER PRIVATE CIVIL	568	221	7	45	33	5	-	-	-	7	169	123	40	6
BANKRUPTCY	34	17	-	4	1	3	-	-	-	-	13	12	1	-
ADMINISTRATIVE APPEALS	107	41	-	15	1	1	-	-	-	13	26	21	4	1
ORIGINAL PROCEEDINGS	161	48	-	25	-	-	-	-	-	25	23	-	-	23

Table B-5A. (September 30, 2011—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Procedural Terminations												
		Total	Cross Appeals	By Judges							By Staff			
				Total	Juris. Defects	FRAP 42 ¹	Default	CPC Denial	Cert. Appealability	Other	Total	FRAP 42 ¹	Default	Other
11TH CIRCUIT	6,188	3,066	13	1,610	486	333	1	-	732	58	1,443	182	1,138	123
CRIMINAL	1,558	384	3	161	57	97	1	-	-	6	220	66	153	1
U.S. PRISONER PETITIONS	666	556	-	371	44	6	-	-	321	-	185	21	163	1
OTHER U.S. CIVIL	313	141	-	43	26	16	-	-	-	1	98	8	90	-
PRIV. PRISONER PETITIONS	1,089	830	-	541	125	4	-	-	411	1	289	21	267	1
OTHER PRIVATE CIVIL	1,409	761	9	337	148	186	-	-	-	3	415	46	365	4
BANKRUPTCY	76	39	1	17	10	7	-	-	-	-	21	4	17	-
ADMINISTRATIVE APPEALS	455	197	-	98	76	17	-	-	-	5	99	16	83	-
ORIGINAL PROCEEDINGS	622	158	-	42	-	-	-	-	-	42	116	-	-	116

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.

¹ Voluntary dismissal under Rule 42(b), Federal Rules of Appellate Procedure.