

Table B-5.

**U.S. Courts of Appeals—Appeals Terminated on the Merits, by Circuit,
During the 12-Month Period Ending December 31, 2005**

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	63,024	48.9	30,849	22,813	2,613	2,740	1,767	916	10.0
CRIMINAL	13,934	66.5	9,273	6,334	835	1,012	989	103	10.9
U.S. PRISONER PETITIONS	5,590	26.7	1,490	1,174	139	129	26	22	8.7
OTHER U.S. CIVIL	2,962	59.0	1,748	1,434	63	186	53	12	10.6
PRIV. PRISONER PETITIONS	10,153	28.0	2,839	2,050	376	246	145	22	8.7
OTHER PRIVATE CIVIL	12,893	49.6	6,392	5,081	308	769	192	42	12.0
BANKRUPTCY	851	48.3	411	309	25	62	9	6	15.1
ADMINISTRATIVE APPEALS	11,749	40.4	4,750	2,628	761	299	353	709	6.3
ORIGINAL PROCEEDINGS	4,892	80.7	3,946	3,803	106	37	-	-	-
DISTRICT OF COLUMBIA	1,149	42.1	484	374	31	62	13	4	14.8
CRIMINAL	117	34.2	40	30	-	4	4	2	10.0
U.S. PRISONER PETITIONS	98	48.0	47	44	-	2	1	-	4.3
OTHER U.S. CIVIL	265	55.1	146	117	4	19	6	-	13.0
PRIV. PRISONER PETITIONS	21	28.6	6	5	-	1	-	-	-
OTHER PRIVATE CIVIL	149	43.6	65	52	5	8	-	-	12.3
BANKRUPTCY	6	16.7	1	1	-	-	-	-	-
ADMINISTRATIVE APPEALS	395	27.3	108	62	15	27	2	2	25.0
ORIGINAL PROCEEDINGS	98	72.4	71	63	7	1	-	-	-
FIRST CIRCUIT	1,987	53.3	1,059	900	39	102	16	2	10.5
CRIMINAL	685	56.5	387	327	5	46	9	-	11.9
U.S. PRISONER PETITIONS	165	23.0	38	28	6	3	-	1	7.9
OTHER U.S. CIVIL	84	67.9	57	53	-	4	-	-	7.0
PRIV. PRISONER PETITIONS	130	34.6	45	35	9	1	-	-	2.2
OTHER PRIVATE CIVIL	572	52.4	300	249	11	35	5	-	11.7
BANKRUPTCY	23	52.2	12	8	-	4	-	-	33.3
ADMINISTRATIVE APPEALS	221	55.7	123	109	3	8	2	1	6.5
ORIGINAL PROCEEDINGS	107	90.7	97	91	5	1	-	-	-
SECOND CIRCUIT	7,180	34.7	2,488	1,462	315	34	333	344	1.3
CRIMINAL	900	39.3	354	175	22	3	107	47	0.8
U.S. PRISONER PETITIONS	291	21.6	63	41	9	1	6	6	1.6
OTHER U.S. CIVIL	274	43.4	119	76	24	4	12	3	3.4
PRIV. PRISONER PETITIONS	901	25.6	231	125	46	6	51	3	2.6
OTHER PRIVATE CIVIL	1,549	45.8	710	470	116	15	97	12	2.1
BANKRUPTCY	105	37.1	39	27	8	-	3	1	-
ADMINISTRATIVE APPEALS	2,834	25.2	714	319	65	1	57	272	0.1
ORIGINAL PROCEEDINGS	326	79.1	258	229	25	4	-	-	-

Table B-5. (December 31, 2005—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	4,350	54.4	2,367	1,779	148	390	49	1	18.1
CRIMINAL	723	71.9	520	341	13	144	21	1	27.7
U.S. PRISONER PETITIONS	524	44.3	232	184	21	26	1	-	11.2
OTHER U.S. CIVIL	207	72.0	149	127	6	15	1	-	10.1
PRIV. PRISONER PETITIONS	782	24.9	195	112	50	30	3	-	15.4
OTHER PRIVATE CIVIL	1,150	54.9	631	474	39	114	4	-	18.1
BANKRUPTCY	81	54.3	44	32	-	12	-	-	27.3
ADMINISTRATIVE APPEALS	623	59.4	370	294	11	46	19	-	12.4
ORIGINAL PROCEEDINGS	260	86.9	226	215	8	3	-	-	-
FOURTH CIRCUIT	4,957	55.9	2,769	2,376	183	163	44	3	7.1
CRIMINAL	1,147	70.8	812	638	104	47	23	-	5.8
U.S. PRISONER PETITIONS	889	27.6	245	208	19	17	1	-	6.9
OTHER U.S. CIVIL	191	68.6	131	121	4	5	1	-	3.8
PRIV. PRISONER PETITIONS	930	31.8	296	254	20	18	4	-	6.1
OTHER PRIVATE CIVIL	749	59.7	447	370	17	52	8	-	11.6
BANKRUPTCY	71	50.7	36	23	2	10	-	1	27.8
ADMINISTRATIVE APPEALS	433	65.6	284	257	8	10	7	2	3.5
ORIGINAL PROCEEDINGS	547	94.7	518	505	9	4	-	-	-
FIFTH CIRCUIT	6,976	51.1	3,565	2,766	320	409	67	3	12.9
CRIMINAL	2,538	71.2	1,808	1,367	168	242	29	2	13.4
U.S. PRISONER PETITIONS	446	22.6	101	70	18	12	1	-	11.9
OTHER U.S. CIVIL	229	62.9	144	123	4	16	1	-	11.1
PRIV. PRISONER PETITIONS	1,405	17.4	245	124	88	27	5	1	11.0
OTHER PRIVATE CIVIL	1,153	49.2	567	458	23	82	4	-	14.5
BANKRUPTCY	77	51.9	40	29	-	10	1	-	25.0
ADMINISTRATIVE APPEALS	465	45.6	212	165	7	14	26	-	6.6
ORIGINAL PROCEEDINGS	663	67.6	448	430	12	6	-	-	-
SIXTH CIRCUIT	5,310	56.4	2,997	2,392	67	183	337	18	6.7
CRIMINAL	1,249	66.5	830	483	26	48	271	2	5.8
U.S. PRISONER PETITIONS	401	29.9	120	109	2	5	3	1	4.2
OTHER U.S. CIVIL	253	64.0	162	147	1	9	3	2	5.6
PRIV. PRISONER PETITIONS	930	41.0	381	336	2	23	19	1	6.0
OTHER PRIVATE CIVIL	1,487	54.3	807	688	13	75	23	8	9.3
BANKRUPTCY	82	57.3	47	39	2	4	1	1	8.5
ADMINISTRATIVE APPEALS	485	68.2	331	295	1	15	17	3	4.5
ORIGINAL PROCEEDINGS	423	75.4	319	295	20	4	-	-	-

Table B-5. (December 31, 2005—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	3,750	39.8	1,493	1,069	61	282	30	51	20.7
CRIMINAL	653	58.5	382	216	55	80	14	17	20.9
U.S. PRISONER PETITIONS	592	21.3	126	97	-	23	2	4	18.3
OTHER U.S. CIVIL	140	56.4	79	60	-	15	1	3	19.0
PRIV. PRISONER PETITIONS	726	20.5	149	117	1	25	3	3	16.8
OTHER PRIVATE CIVIL	978	44.1	431	334	1	82	1	13	19.0
BANKRUPTCY	51	52.9	27	19	1	5	-	2	18.5
ADMINISTRATIVE APPEALS	317	48.9	155	88	-	49	9	9	31.6
ORIGINAL PROCEEDINGS	293	49.1	144	138	3	3	-	-	-
EIGHTH CIRCUIT	3,493	63.6	2,222	1,834	137	171	76	4	8.9
CRIMINAL	1,156	75.6	874	681	62	75	55	1	8.6
U.S. PRISONER PETITIONS	370	34.9	129	111	10	4	2	2	3.1
OTHER U.S. CIVIL	179	69.3	124	99	3	17	5	-	13.7
PRIV. PRISONER PETITIONS	514	36.0	185	150	20	10	4	1	5.4
OTHER PRIVATE CIVIL	727	61.8	449	368	20	57	4	-	12.7
BANKRUPTCY	23	69.6	16	14	1	1	-	-	6.3
ADMINISTRATIVE APPEALS	185	66.5	123	97	14	6	6	-	4.9
ORIGINAL PROCEEDINGS	339	95.0	322	314	7	1	-	-	-
NINTH CIRCUIT	13,363	45.9	6,140	3,780	803	435	660	462	8.0
CRIMINAL	1,987	61.3	1,219	651	122	72	359	15	5.9
U.S. PRISONER PETITIONS	592	25.3	150	118	11	10	4	7	6.7
OTHER U.S. CIVIL	661	53.3	352	290	6	43	10	3	12.2
PRIV. PRISONER PETITIONS	2,008	32.9	660	522	16	65	47	10	9.8
OTHER PRIVATE CIVIL	2,106	45.7	963	775	25	125	32	6	13.0
BANKRUPTCY	205	45.4	93	75	6	9	2	1	9.7
ADMINISTRATIVE APPEALS	4,965	38.4	1,907	562	616	103	206	420	5.4
ORIGINAL PROCEEDINGS	839	94.9	796	787	1	8	-	-	-
TENTH CIRCUIT	2,815	57.2	1,610	1,194	155	122	135	4	8.4
CRIMINAL	777	72.7	565	378	52	39	95	1	6.9
U.S. PRISONER PETITIONS	264	40.5	107	69	26	6	5	1	5.6
OTHER U.S. CIVIL	169	66.3	112	79	4	17	12	-	15.2
PRIV. PRISONER PETITIONS	502	39.2	197	140	32	15	8	2	7.6
OTHER PRIVATE CIVIL	651	52.1	339	274	14	39	12	-	11.5
BANKRUPTCY	36	52.8	19	13	3	2	1	-	10.5
ADMINISTRATIVE APPEALS	141	64.5	91	72	15	2	2	-	2.2
ORIGINAL PROCEEDINGS	275	65.5	180	169	9	2	-	-	-

Table B-5. (December 31, 2005—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	7,694	47.5	3,655	2,887	354	387	7	20	12.5
CRIMINAL	2,002	74.0	1,482	1,047	206	212	2	15	14.3
U.S. PRISONER PETITIONS	958	13.8	132	95	17	20	-	-	15.2
OTHER U.S. CIVIL	310	55.8	173	142	7	22	1	1	12.7
PRIV. PRISONER PETITIONS	1,304	19.1	249	130	92	25	1	1	10.0
OTHER PRIVATE CIVIL	1,622	42.1	683	569	24	85	2	3	12.4
BANKRUPTCY	91	40.7	37	29	2	5	1	-	13.5
ADMINISTRATIVE APPEALS	685	48.5	332	308	6	18	-	-	5.4
ORIGINAL PROCEEDINGS	722	78.5	567	567	-	-	-	-	-

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.