

**Table B-5A.**

**U.S. Courts of Appeals—Appeals Terminated by Procedural Judgments, by Circuit, During the 12-Month Period Ending September 30, 2002**

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
<b>ALL CIRCUITS</b>	<b>56,586</b>	<b>26,150</b>	<b>43</b>	<b>12,649</b>	<b>3,373</b>	<b>621</b>	<b>78</b>	<b>-</b>	<b>6,940</b>	<b>1,637</b>	<b>13,458</b>	<b>6,481</b>	<b>6,104</b>	<b>873</b>
CRIMINAL	11,695	2,925	2	1,001	470	124	13	-	-	394	1,922	1,288	551	83
U.S. PRISONER PETITIONS	6,399	4,508	-	3,215	319	14	3	-	2,756	123	1,293	256	1,012	25
OTHER U.S. CIVIL	3,393	1,188	2	290	171	41	3	-	-	75	896	504	373	19
PRIV. PRISONER PETITIONS	12,146	8,458	1	5,451	1,026	23	35	-	4,184	183	3,006	534	2,421	51
OTHER PRIVATE CIVIL	14,266	6,051	31	1,406	804	362	18	-	-	222	4,614	3,113	1,408	93
BANKRUPTCY	956	389	1	112	43	23	5	-	-	41	276	190	82	4
ADMINISTRATIVE APPEALS	3,523	1,833	6	897	540	34	1	-	-	322	930	596	257	77
ORIGINAL PROCEEDINGS**	4,208	798	-	277	-	-	-	-	-	277	521	-	-	521
<b>DISTRICT OF COLUMBIA</b>	<b>1,303</b>	<b>566</b>	<b>-</b>	<b>154</b>	<b>68</b>	<b>12</b>	<b>1</b>	<b>-</b>	<b>34</b>	<b>39</b>	<b>412</b>	<b>231</b>	<b>112</b>	<b>69</b>
CRIMINAL	72	23	-	3	-	1	1	-	-	1	20	12	3	5
U.S. PRISONER PETITIONS	153	95	-	32	8	-	-	-	23	1	63	17	45	1
OTHER U.S. CIVIL	268	83	-	8	8	-	-	-	-	-	75	42	28	5
PRIV. PRISONER PETITIONS	42	24	-	13	2	-	-	-	11	-	11	-	11	-
OTHER PRIVATE CIVIL	139	63	-	16	13	2	-	-	-	1	47	27	17	3
BANKRUPTCY	1	1	-	-	-	-	-	-	-	-	1	-	1	-
ADMINISTRATIVE APPEALS	548	247	-	69	37	9	-	-	-	23	178	133	7	38
ORIGINAL PROCEEDINGS**	80	30	-	13	-	-	-	-	-	13	17	-	-	17
<b>FIRST CIRCUIT</b>	<b>1,758</b>	<b>974</b>	<b>-</b>	<b>411</b>	<b>53</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>129</b>	<b>227</b>	<b>563</b>	<b>403</b>	<b>151</b>	<b>9</b>
CRIMINAL	673	391	-	137	10	1	-	-	-	126	254	190	64	-
U.S. PRISONER PETITIONS	199	154	-	126	13	-	-	-	89	24	28	9	17	2
OTHER U.S. CIVIL	97	42	-	15	3	-	-	-	-	12	27	18	8	1
PRIV. PRISONER PETITIONS	144	89	-	57	6	-	1	-	40	10	32	12	20	-
OTHER PRIVATE CIVIL	508	227	-	45	12	-	-	-	-	33	182	141	38	3
BANKRUPTCY	35	20	-	3	-	-	-	-	-	3	17	16	1	-
ADMINISTRATIVE APPEALS	63	42	-	21	9	-	-	-	-	12	21	17	3	1
ORIGINAL PROCEEDINGS**	39	9	-	7	-	-	-	-	-	7	2	-	-	2
<b>SECOND CIRCUIT</b>	<b>4,206</b>	<b>2,019</b>	<b>-</b>	<b>582</b>	<b>29</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>427</b>	<b>121</b>	<b>1,437</b>	<b>646</b>	<b>643</b>	<b>148</b>
CRIMINAL	717	176	-	21	1	-	-	-	-	20	155	89	43	23
U.S. PRISONER PETITIONS	297	238	-	133	9	-	-	-	113	11	105	16	79	10
OTHER U.S. CIVIL	249	101	-	5	1	1	-	-	-	3	96	42	52	2
PRIV. PRISONER PETITIONS	870	612	-	375	14	-	-	-	314	47	237	10	209	18
OTHER PRIVATE CIVIL	1,469	646	-	20	3	3	-	-	-	14	626	374	227	25
BANKRUPTCY	79	47	-	22	1	1	-	-	-	20	25	18	7	-
ADMINISTRATIVE APPEALS	224	147	-	6	-	-	-	-	-	6	141	97	26	18
ORIGINAL PROCEEDINGS**	301	52	-	-	-	-	-	-	-	-	52	-	-	52

Table B5-A. (September 30, 2002—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
<b>THIRD CIRCUIT</b>	<b>3,784</b>	<b>1,748</b>	-	<b>876</b>	<b>327</b>	<b>4</b>	<b>2</b>	-	<b>480</b>	<b>63</b>	<b>872</b>	<b>462</b>	<b>344</b>	<b>66</b>
CRIMINAL	609	132	-	57	42	1	2	-	-	12	75	61	10	4
U.S. PRISONER PETITIONS	436	272	-	197	33	-	-	-	152	12	75	16	59	-
OTHER U.S. CIVIL	251	66	-	16	15	-	-	-	-	1	50	26	21	3
PRIV. PRISONER PETITIONS	784	571	-	424	89	-	-	-	328	7	147	24	120	3
OTHER PRIVATE CIVIL	1,135	494	-	89	75	2	-	-	-	12	405	287	105	13
BANKRUPTCY	93	56	-	17	13	1	-	-	-	3	39	31	8	-
ADMINISTRATIVE APPEALS	200	116	-	75	60	-	-	-	-	15	41	17	21	3
ORIGINAL PROCEEDINGS**	276	41	-	1	-	-	-	-	-	1	40	-	-	40
<b>FOURTH CIRCUIT</b>	<b>5,074</b>	<b>2,098</b>	-	<b>1,263</b>	<b>272</b>	<b>9</b>	<b>5</b>	-	<b>937</b>	<b>40</b>	<b>835</b>	<b>484</b>	<b>310</b>	<b>41</b>
CRIMINAL	1,208	202	-	67	51	4	-	-	-	12	135	118	13	4
U.S. PRISONER PETITIONS	1,037	710	-	608	54	1	-	-	549	4	102	28	71	3
OTHER U.S. CIVIL	227	49	-	17	13	1	-	-	-	3	32	19	13	-
PRIV. PRISONER PETITIONS	1,072	704	-	472	71	-	-	-	388	13	232	72	158	2
OTHER PRIVATE CIVIL	973	325	-	66	60	3	-	-	-	3	259	212	44	3
BANKRUPTCY	73	26	-	8	3	-	5	-	-	-	18	12	6	-
ADMINISTRATIVE APPEALS	154	51	-	22	20	-	-	-	-	2	29	23	5	1
ORIGINAL PROCEEDINGS**	330	31	-	3	-	-	-	-	-	3	28	-	-	28
<b>FIFTH CIRCUIT</b>	<b>8,390</b>	<b>4,120</b>	-	<b>1,852</b>	<b>651</b>	<b>32</b>	<b>1</b>	-	<b>1,079</b>	<b>89</b>	<b>2,268</b>	<b>666</b>	<b>1,351</b>	<b>251</b>
CRIMINAL	2,104	538	-	144	101	1	-	-	-	42	394	195	194	5
U.S. PRISONER PETITIONS	737	560	-	309	59	6	-	-	241	3	251	25	226	-
OTHER U.S. CIVIL	327	146	-	38	26	7	-	-	-	5	108	37	68	3
PRIV. PRISONER PETITIONS	2,340	1,823	-	1,109	261	1	1	-	838	8	714	81	629	4
OTHER PRIVATE CIVIL	1,763	618	-	132	104	16	-	-	-	12	486	280	198	8
BANKRUPTCY	133	46	-	9	3	1	-	-	-	5	37	20	14	3
ADMINISTRATIVE APPEALS	299	164	-	109	97	-	-	-	-	12	55	28	22	5
ORIGINAL PROCEEDINGS**	687	225	-	2	-	-	-	-	-	2	223	-	-	223
<b>SIXTH CIRCUIT</b>	<b>4,878</b>	<b>2,118</b>	-	<b>1,170</b>	<b>352</b>	<b>16</b>	<b>26</b>	-	<b>651</b>	<b>125</b>	<b>948</b>	<b>500</b>	<b>341</b>	<b>107</b>
CRIMINAL	812	206	-	67	56	-	-	-	-	11	139	81	27	31
U.S. PRISONER PETITIONS	398	294	-	243	33	-	-	-	205	5	51	8	39	4
OTHER U.S. CIVIL	308	91	-	26	17	2	3	-	-	4	65	23	40	2
PRIV. PRISONER PETITIONS	1,221	754	-	589	118	1	17	-	446	7	165	34	116	15
OTHER PRIVATE CIVIL	1,346	584	-	128	110	7	5	-	-	6	456	324	110	22
BANKRUPTCY	70	24	-	5	4	1	-	-	-	-	19	13	5	1
ADMINISTRATIVE APPEALS	136	54	-	33	14	5	1	-	-	13	21	17	4	-
ORIGINAL PROCEEDINGS**	587	111	-	79	-	-	-	-	-	79	32	-	-	32

**Table B5-A. (September 30, 2002—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
<b>SEVENTH CIRCUIT</b>	<b>3,293</b>	<b>1,602</b>	-	<b>535</b>	<b>142</b>	<b>7</b>	<b>13</b>	-	<b>235</b>	<b>138</b>	<b>1,067</b>	<b>568</b>	<b>474</b>	<b>25</b>
CRIMINAL	541	132	-	42	14	1	2	-	-	25	90	85	2	3
U.S. PRISONER PETITIONS	379	260	-	153	16	-	1	-	118	18	107	21	85	1
OTHER U.S. CIVIL	170	63	-	11	6	-	-	-	-	5	52	33	19	-
PRIV. PRISONER PETITIONS	730	495	-	170	35	1	1	-	117	16	325	41	280	4
OTHER PRIVATE CIVIL	1,112	540	-	101	53	2	9	-	-	37	439	354	81	4
BANKRUPTCY	42	18	-	5	3	2	-	-	-	-	13	12	1	-
ADMINISTRATIVE APPEALS	130	64	-	35	15	1	-	-	-	19	29	22	6	1
ORIGINAL PROCEEDINGS**	189	30	-	18	-	-	-	-	-	18	12	-	-	12
<b>EIGHTH CIRCUIT</b>	<b>3,180</b>	<b>1,102</b>	-	<b>728</b>	<b>150</b>	<b>43</b>	<b>18</b>	-	<b>486</b>	<b>31</b>	<b>374</b>	<b>212</b>	<b>146</b>	<b>16</b>
CRIMINAL	612	93	-	36	24	5	2	-	-	5	57	49	7	1
U.S. PRISONER PETITIONS	433	266	-	250	11	1	1	-	231	6	16	5	11	-
OTHER U.S. CIVIL	172	42	-	9	6	3	-	-	-	-	33	24	8	1
PRIV. PRISONER PETITIONS	673	413	-	324	49	3	13	-	255	4	89	12	76	1
OTHER PRIVATE CIVIL	780	235	-	85	50	26	2	-	-	7	150	112	36	2
BANKRUPTCY	54	8	-	-	-	-	-	-	-	-	8	6	2	-
ADMINISTRATIVE APPEALS	121	27	-	17	10	5	-	-	-	2	10	4	6	-
ORIGINAL PROCEEDINGS**	335	18	-	7	-	-	-	-	-	7	11	-	-	11
<b>NINTH CIRCUIT</b>	<b>10,042</b>	<b>4,382</b>	-	<b>2,190</b>	<b>718</b>	<b>32</b>	<b>8</b>	-	<b>939</b>	<b>493</b>	<b>2,192</b>	<b>1,668</b>	<b>486</b>	<b>38</b>
CRIMINAL	1,917	471	-	177	57	6	4	-	-	110	294	285	5	4
U.S. PRISONER PETITIONS	703	446	-	330	18	1	1	-	286	24	116	75	39	2
OTHER U.S. CIVIL	754	297	-	65	45	1	-	-	-	19	232	193	39	-
PRIV. PRISONER PETITIONS	1,776	1,194	-	874	170	2	2	-	653	47	320	167	152	1
OTHER PRIVATE CIVIL	2,553	1,090	-	258	170	14	1	-	-	73	832	687	140	5
BANKRUPTCY	259	93	-	23	11	4	-	-	-	8	70	53	17	-
ADMINISTRATIVE APPEALS	1,383	760	-	448	247	4	-	-	-	197	312	208	94	10
ORIGINAL PROCEEDINGS**	697	31	-	15	-	-	-	-	-	15	16	-	-	16
<b>TENTH CIRCUIT</b>	<b>2,543</b>	<b>1,086</b>	-	<b>471</b>	<b>101</b>	<b>24</b>	<b>3</b>	-	<b>236</b>	<b>107</b>	<b>615</b>	<b>405</b>	<b>156</b>	<b>54</b>
CRIMINAL	456	85	-	42	18	5	2	-	-	17	43	32	10	1
U.S. PRISONER PETITIONS	322	168	-	104	7	-	-	-	84	13	64	27	35	2
OTHER U.S. CIVIL	172	50	-	10	7	-	-	-	-	3	40	35	4	1
PRIV. PRISONER PETITIONS	580	335	-	209	36	5	-	-	152	16	126	53	70	3
OTHER PRIVATE CIVIL	688	321	-	56	24	14	1	-	-	17	265	232	28	5
BANKRUPTCY	35	13	-	2	1	-	-	-	-	1	11	8	3	-
ADMINISTRATIVE APPEALS	70	38	-	14	8	-	-	-	-	6	24	18	6	-
ORIGINAL PROCEEDINGS**	220	76	-	34	-	-	-	-	-	34	42	-	-	42

**Table B5-A. (September 30, 2002—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
<b>ELEVENTH CIRCUIT</b>	<b>8,135</b>	<b>4,335</b>	<b>43</b>	<b>2,417</b>	<b>510</b>	<b>436</b>	-	-	<b>1,307</b>	<b>164</b>	<b>1,875</b>	<b>236</b>	<b>1,590</b>	<b>49</b>
CRIMINAL	1,974	476	2	208	96	99	-	-	-	13	266	91	173	2
U.S. PRISONER PETITIONS	1,305	1,045	-	730	58	5	-	-	665	2	315	9	306	-
OTHER U.S. CIVIL	398	158	2	70	24	26	-	-	-	20	86	12	73	1
PRIV. PRISONER PETITIONS	1,914	1,444	1	835	175	10	-	-	642	8	608	28	580	-
OTHER PRIVATE CIVIL	1,800	908	31	410	130	273	-	-	-	7	467	83	384	-
BANKRUPTCY	82	37	1	18	4	13	-	-	-	1	18	1	17	-
ADMINISTRATIVE APPEALS	195	123	6	48	23	10	-	-	-	15	69	12	57	-
ORIGINAL PROCEEDINGS**	467	144	-	98	-	-	-	-	-	98	46	-	-	46

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.