

Table B-5A.
U.S. Courts of Appeals—Cases Terminated on Procedural Grounds, by Circuit and Nature of Proceeding,
During the 12-Month Period Ending September 30, 2018

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42 ¹	Default	Cert. of Appealability	Other	Total	FRAP 42 ¹	Default	Other
Total	50,428	16,756	117	4,142	3,189	248	40	35	630	12,497	5,021	6,259	1,217
Criminal	9,682	2,029	3	386	226	25	1	-	134	1,640	1,154	429	57
U.S. Prisoner Petitions	4,876	1,534	-	327	261	8	9	27	22	1,207	234	944	29
Other U.S. Civil	2,628	876	12	198	149	33	5	-	11	666	304	346	16
Private Prisoner Petitions	9,130	3,453	3	1,174	1,101	21	13	8	31	2,276	347	1,869	60
Other Private Civil	12,023	4,995	77	1,056	850	122	5	-	79	3,862	2,308	1,474	80
Bankruptcy	731	282	9	58	40	2	2	-	14	215	111	91	13
Administrative Agency Appeals	6,220	2,771	13	772	562	37	5	-	168	1,986	563	1,106	317
Original Proceedings and Miscellaneous Applications	5,138	816	-	171	-	-	-	-	171	645	-	-	645
DC	1,138	396	8	101	42	16	6	15	22	287	133	100	54
Criminal	78	21	-	1	-	1	-	-	-	20	12	7	1
U.S. Prisoner Petitions	92	50	-	16	3	-	-	13	-	34	5	27	2
Other U.S. Civil	245	77	1	21	6	8	3	-	4	55	32	22	1
Private Prisoner Petitions	9	7	-	2	-	-	-	2	-	5	1	4	-
Other Private Civil	180	67	1	15	11	1	2	-	1	51	23	28	-
Bankruptcy	3	3	-	-	-	-	-	-	-	3	-	3	-
Administrative Agency Appeals	442	135	6	34	22	6	1	-	5	95	60	9	26
Original Proceedings and Miscellaneous Applications	89	36	-	12	-	-	-	-	12	24	-	-	24
1st	1,232	420	1	105	73	11	1	-	20	314	209	100	5
Criminal	411	113	-	28	21	2	-	-	5	85	72	13	-
U.S. Prisoner Petitions	90	26	-	2	1	-	1	-	-	24	11	13	-
Other U.S. Civil	62	23	-	2	1	1	-	-	-	21	12	9	-
Private Prisoner Petitions	111	45	-	15	15	-	-	-	-	30	14	16	-
Other Private Civil	328	161	1	35	22	8	-	-	5	125	87	38	-
Bankruptcy	28	3	-	-	-	-	-	-	-	3	-	3	-
Administrative Agency Appeals	91	40	-	18	13	-	-	-	5	22	13	8	1
Original Proceedings and Miscellaneous Applications	111	9	-	5	-	-	-	-	5	4	-	-	4
2nd	3,879	1,427	9	278	230	26	-	1	21	1,140	513	571	56
Criminal	580	133	-	20	14	4	-	-	2	113	98	12	3
U.S. Prisoner Petitions	217	75	-	16	14	-	-	1	1	59	17	40	2
Other U.S. Civil	229	91	-	11	10	1	-	-	-	80	18	62	-
Private Prisoner Petitions	498	221	-	58	57	1	-	-	-	163	16	143	4
Other Private Civil	1,345	588	6	76	68	8	-	-	-	506	276	228	2
Bankruptcy	82	33	2	6	5	-	-	-	1	25	8	17	-
Administrative Agency Appeals	641	238	1	88	62	12	-	-	14	149	80	69	-
Original Proceedings and Miscellaneous Applications	287	48	-	3	-	-	-	-	3	45	-	-	45

Table B-5A (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42'	Default	Cert. of Appealability	Other	Total	FRAP 42'	Default	Other
3rd	2,742	903	2	265	228	19	1	-	17	636	304	255	77
Criminal	361	76	-	8	7	-	1	-	-	68	66	2	-
U.S. Prisoner Petitions	253	92	-	14	14	-	-	-	-	78	27	51	-
Other U.S. Civil	131	53	-	19	19	-	-	-	-	34	21	13	-
Private Prisoner Petitions	521	160	-	66	61	3	-	-	2	94	17	77	-
Other Private Civil	744	297	2	82	71	10	-	-	1	213	151	61	1
Bankruptcy	42	9	-	3	3	-	-	-	-	6	5	1	-
Administrative Agency Appeals	277	131	-	62	53	6	-	-	3	69	17	50	2
Original Proceedings and Miscellaneous Applications	413	85	-	11	-	-	-	-	11	74	-	-	74
4th	4,294	1,042	12	306	272	12	4	-	18	724	301	362	61
Criminal	1,008	140	1	27	24	1	-	-	2	112	75	36	1
U.S. Prisoner Petitions	681	139	-	42	37	2	3	-	-	97	27	67	3
Other U.S. Civil	208	65	-	18	15	3	-	-	-	47	21	25	1
Private Prisoner Petitions	740	281	-	86	86	-	-	-	-	195	43	150	2
Other Private Civil	855	275	10	90	79	6	-	-	5	175	109	62	4
Bankruptcy	46	10	-	1	1	-	-	-	-	9	5	4	-
Administrative Agency Appeals	244	81	1	34	30	-	1	-	3	46	21	18	7
Original Proceedings and Miscellaneous Applications	512	51	-	8	-	-	-	-	8	43	-	-	43
5th	7,584	2,857	14	704	545	22	1	-	136	2,139	688	1,247	204
Criminal	2,263	405	-	87	35	6	-	-	46	318	181	135	2
U.S. Prisoner Petitions	718	322	-	51	45	1	-	-	5	271	18	252	1
Other U.S. Civil	188	90	1	26	23	1	-	-	2	63	18	43	2
Private Prisoner Petitions	1,558	726	2	217	210	4	-	-	3	507	60	445	2
Other Private Civil	1,565	835	9	169	152	9	-	-	8	657	387	266	4
Bankruptcy	72	34	2	8	3	1	1	-	3	24	9	12	3
Administrative Agency Appeals	474	236	-	120	77	-	-	-	43	116	15	94	7
Original Proceedings and Miscellaneous Applications	746	209	-	26	-	-	-	-	26	183	-	-	183
6th	4,525	1,269	15	431	347	15	-	9	60	823	307	392	124
Criminal	869	164	-	36	29	-	-	-	7	128	74	24	30
U.S. Prisoner Petitions	563	120	-	49	40	-	-	8	1	71	8	56	7
Other U.S. Civil	174	52	1	14	10	4	-	-	-	37	16	21	-
Private Prisoner Petitions	1,010	340	-	144	138	4	-	1	1	196	17	168	11
Other Private Civil	969	367	8	86	76	4	-	-	6	273	161	104	8
Bankruptcy	29	13	3	3	2	-	-	-	1	7	3	4	-
Administrative Agency Appeals	266	104	3	58	52	3	-	-	3	43	28	15	-
Original Proceedings and Miscellaneous Applications	645	109	-	41	-	-	-	-	41	68	-	-	68

Table B-5A (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42'	Default	Cert. of Appealability	Other	Total	FRAP 42'	Default	Other
7th	2,643	1,130	6	200	140	17	-	2	41	924	427	449	48
Criminal	420	147	-	43	35	1	-	-	7	104	97	7	-
U.S. Prisoner Petitions	228	112	-	15	9	1	-	1	4	97	22	73	2
Other U.S. Civil	193	67	-	13	9	4	-	-	-	54	30	24	-
Private Prisoner Petitions	623	381	-	44	40	1	-	1	2	337	53	260	24
Other Private Civil	785	348	4	56	37	9	-	-	10	288	206	78	4
Bankruptcy	38	21	-	5	5	-	-	-	-	16	14	2	-
Administrative Agency Appeals	91	30	2	17	5	1	-	-	11	11	5	5	1
Original Proceedings and Miscellaneous Applications	265	24	-	7	-	-	-	-	7	17	-	-	17
8th	2,914	551	1	210	133	17	18	1	41	340	187	116	37
Criminal	771	107	-	30	6	6	-	-	18	77	66	4	7
U.S. Prisoner Petitions	389	57	-	31	23	1	3	1	3	26	11	10	5
Other U.S. Civil	135	32	-	14	9	4	1	-	-	18	10	6	2
Private Prisoner Petitions	520	141	-	75	57	1	11	-	6	66	7	59	-
Other Private Civil	493	137	1	32	25	4	2	-	1	104	73	28	3
Bankruptcy	20	8	-	1	1	-	-	-	-	7	6	1	-
Administrative Agency Appeals	158	53	-	20	12	1	1	-	6	33	14	8	11
Original Proceedings and Miscellaneous Applications	428	16	-	7	-	-	-	-	7	9	-	-	9
9th	11,753	3,907	33	927	738	53	6	-	130	2,947	1,294	1,244	409
Criminal	1,375	329	2	46	26	-	-	-	20	281	243	27	11
U.S. Prisoner Petitions	487	126	-	31	28	-	1	-	2	95	44	45	6
Other U.S. Civil	748	198	9	37	33	2	1	-	1	152	88	54	10
Private Prisoner Petitions	2,087	541	1	285	281	1	-	-	3	255	86	156	13
Other Private Civil	2,828	998	19	224	156	44	1	-	23	755	504	198	53
Bankruptcy	291	113	2	23	13	-	1	-	9	88	49	29	10
Administrative Agency Appeals	3,142	1,551	-	275	201	6	2	-	66	1,276	280	735	261
Original Proceedings and Miscellaneous Applications	795	51	-	6	-	-	-	-	6	45	-	-	45
10th	1,813	580	4	160	87	6	3	7	57	416	246	145	25
Criminal	356	86	-	24	7	-	-	-	17	62	58	3	1
U.S. Prisoner Petitions	258	68	-	13	6	1	1	3	2	55	23	32	-
Other U.S. Civil	106	39	-	11	6	1	-	-	4	28	23	5	-
Private Prisoner Petitions	323	123	-	51	39	-	2	4	6	72	10	58	4
Other Private Civil	523	204	4	43	25	4	-	-	14	157	116	40	1
Bankruptcy	21	9	-	1	1	-	-	-	-	8	6	2	-
Administrative Agency Appeals	78	25	-	10	3	-	-	-	7	15	10	5	-
Original Proceedings and Miscellaneous Applications	148	26	-	7	-	-	-	-	7	19	-	-	19

Table B-5A (September 30, 2018—Continued)

Circuit and Nature of Proceeding	Total Terminated	Terminated on Procedural Grounds											
		Total	By Consolidation	By Judge						By Staff			
				Total	Jurisdictional Defects	FRAP 42 ¹	Default	Cert. of Appealability	Other	Total	FRAP 42 ¹	Default	Other
11th	5,911	2,274	12	455	354	34	-	-	67	1,807	412	1,278	117
Criminal	1,190	308	-	36	22	4	-	-	10	272	112	159	1
U.S. Prisoner Petitions	900	347	-	47	41	2	-	-	4	300	21	278	1
Other U.S. Civil	209	89	-	12	8	4	-	-	-	77	15	62	-
Private Prisoner Petitions	1,130	487	-	131	117	6	-	-	8	356	23	333	-
Other Private Civil	1,408	718	12	148	128	15	-	-	5	558	215	343	-
Bankruptcy	59	26	-	7	6	1	-	-	-	19	6	13	-
Administrative Agency Appeals	316	147	-	36	32	2	-	-	2	111	20	90	1
Original Proceedings and Miscellaneous Applications	699	152	-	38	-	-	-	-	38	114	-	-	114

NOTE: This table does not include data for the U.S. Courts of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously. Cert. of Appealability = Certificate of Appealability.
¹ Voluntary Dismissal Under Rule 42(B), Federal Rules of Appellate Procedure.