

Table B-5.
U.S. Courts of Appeals—Decisions in Cases Terminated on the Merits, by Circuit and Nature of Proceeding,
During the 12-Month Period Ending March 31, 2017

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
Total	59,040	3,241	63.9	37,710	23,861	3,058	5,215	461	60	5,055	8.0
Criminal	11,088	765	68.2	7,566	5,371	1,481	545	155	14	-	7.2
U.S. Prisoner Petitions	4,023	47	64.3	2,587	668	87	117	31	6	1,678	4.5
Other U.S. Civil	2,636	146	60.9	1,605	1,246	98	214	42	5	-	13.3
Private Prisoner Petitions	9,228	121	60.7	5,602	1,599	309	280	31	6	3,377	5.0
Other Private Civil	12,488	1,470	50.6	6,313	5,066	400	772	65	10	-	12.2
Bankruptcy	774	65	54.1	419	335	42	35	4	3	-	8.4
Administrative Agency Appeals	6,388	339	43.4	2,774	2,198	233	194	133	16	-	7.0
Original Proceedings and Miscellaneous Applications	12,415	288	87.3	10,844	7,378	408	3,058	-	-	-	-
DC	1,190	220	46.1	549	404	31	99	12	2	1	13.5
Criminal	74	17	43.2	32	25	-	7	-	-	-	21.9
U.S. Prisoner Petitions	94	3	35.1	33	29	-	2	-	1	1	6.1
Other U.S. Civil	240	17	65.0	156	134	6	14	2	-	-	9.0
Private Prisoner Petitions	14	-	-	8	8	-	-	-	-	-	-
Other Private Civil	158	22	55.1	87	67	1	15	4	-	-	17.2
Bankruptcy	6	2	-	3	3	-	-	-	-	-	-
Administrative Agency Appeals	449	158	26.5	119	74	17	21	6	1	-	17.6
Original Proceedings and Miscellaneous Applications	155	1	71.6	111	64	7	40	-	-	-	-

Table B-5. (March 31, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
1st	1,488	54	63.2	940	737	50	107	6	-	40	9.2
Criminal	499	20	62.9	314	275	20	15	4	-	-	4.8
U.S. Prisoner Petitions	73	3	60.3	44	23	1	1	-	-	19	2.3
Other U.S. Civil	69	2	68.1	47	39	-	7	1	-	-	14.9
Private Prisoner Petitions	89	5	61.8	55	33	-	1	-	-	21	1.8
Other Private Civil	389	18	50.4	196	159	4	33	-	-	-	16.8
Bankruptcy	28	1	53.6	15	15	-	-	-	-	-	-
Administrative Agency Appeals	125	5	54.4	68	50	6	11	1	-	-	16.2
Original Proceedings and Miscellaneous Applications	216	-	93.1	201	143	19	39	-	-	-	-
2nd	4,382	321	57.0	2,497	1,538	466	233	38	-	222	7.2
Criminal	674	67	70.2	473	318	105	29	21	-	-	6.1
U.S. Prisoner Petitions	169	1	68.6	116	9	17	4	3	-	83	3.4
Other U.S. Civil	252	18	53.2	134	73	43	15	3	-	-	11.2
Private Prisoner Petitions	489	1	60.3	295	50	86	17	3	-	139	5.8
Other Private Civil	1,521	199	46.4	705	483	146	73	3	-	-	10.4
Bankruptcy	63	8	55.6	35	21	14	-	-	-	-	-
Administrative Agency Appeals	759	17	46.4	352	284	50	13	5	-	-	3.7
Original Proceedings and Miscellaneous Applications	455	10	85.1	387	300	5	82	-	-	-	-

Table B-5. (March 31, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
3rd	3,745	593	57.9	2,167	1,379	62	241	44	-	441	7.2
Criminal	435	12	74.5	324	290	5	14	15	-	-	4.3
U.S. Prisoner Petitions	319	1	72.1	230	102	1	12	1	-	114	5.2
Other U.S. Civil	130	4	62.3	81	65	3	12	1	-	-	14.8
Private Prisoner Petitions	676	3	72.9	493	143	6	13	4	-	327	2.6
Other Private Civil	1,376	559	33.0	454	374	11	64	5	-	-	14.1
Bankruptcy	64	6	56.3	36	33	-	3	-	-	-	8.3
Administrative Agency Appeals	253	8	49.4	125	91	8	8	18	-	-	6.4
Original Proceedings and Miscellaneous Applications	492	-	86.2	424	281	28	115	-	-	-	-
4th	6,185	202	79.7	4,930	2,799	220	1,276	48	1	586	6.0
Criminal	1,098	50	79.6	874	709	90	59	16	-	-	6.8
U.S. Prisoner Petitions	605	5	76.9	465	122	14	16	2	-	311	3.4
Other U.S. Civil	249	37	63.5	158	134	10	11	3	-	-	7.0
Private Prisoner Petitions	825	6	65.0	536	207	22	27	5	-	275	5.0
Other Private Civil	839	60	63.8	535	423	63	46	3	-	-	8.6
Bankruptcy	64	5	56.3	36	34	1	1	-	-	-	2.8
Administrative Agency Appeals	232	9	61.2	142	113	4	5	19	1	-	3.5
Original Proceedings and Miscellaneous Applications	2,273	30	96.1	2,184	1,057	16	1,111	-	-	-	-

Table B-5. (March 31, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
5th	8,235	713	57.4	4,730	2,886	959	340	69	-	476	5.9
Criminal	2,753	269	66.5	1,830	868	865	61	36	-	-	3.3
U.S. Prisoner Petitions	487	25	42.5	207	45	19	9	5	-	129	4.3
Other U.S. Civil	199	14	46.2	92	75	6	11	-	-	-	12.0
Private Prisoner Petitions	1,272	87	39.9	507	98	44	16	2	-	347	3.2
Other Private Civil	1,384	223	43.0	595	482	18	87	8	-	-	14.6
Bankruptcy	68	11	51.5	35	31	2	2	-	-	-	5.7
Administrative Agency Appeals	405	33	45.2	183	147	-	18	18	-	-	9.8
Original Proceedings and Miscellaneous Applications	1,667	51	76.8	1,281	1,140	5	136	-	-	-	-
6th	5,195	207	69.4	3,603	2,416	159	510	28	-	490	8.3
Criminal	1,061	97	68.3	725	586	74	58	7	-	-	8.0
U.S. Prisoner Petitions	343	-	67.3	231	70	6	13	5	-	137	5.6
Other U.S. Civil	161	5	65.8	106	90	1	15	-	-	-	14.2
Private Prisoner Petitions	961	4	63.3	608	207	14	33	1	-	353	5.4
Other Private Civil	1,088	63	58.3	634	534	18	78	4	-	-	12.3
Bankruptcy	46	6	65.2	30	27	2	1	-	-	-	3.3
Administrative Agency Appeals	260	15	63.8	166	136	9	10	11	-	-	6.0
Original Proceedings and Miscellaneous Applications	1,275	17	86.5	1,103	766	35	302	-	-	-	-

Table B-5. (March 31, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
7th	3,452	124	63.7	2,199	1,357	160	362	41	28	251	13.4
Criminal	551	39	59.9	330	227	46	48	2	7	-	14.5
U.S. Prisoner Petitions	340	5	59.7	203	56	1	18	2	1	125	8.9
Other U.S. Civil	168	5	65.5	110	71	-	15	21	3	-	13.6
Private Prisoner Petitions	654	6	43.6	285	108	11	31	6	3	126	10.9
Other Private Civil	754	47	52.1	393	310	11	62	2	8	-	15.8
Bankruptcy	36	3	55.6	20	14	1	3	1	1	-	15.0
Administrative Agency Appeals	137	18	53.3	73	47	1	13	7	5	-	17.8
Original Proceedings and Miscellaneous Applications	812	1	96.7	785	524	89	172	-	-	-	-
8th	3,154	123	79.3	2,501	1,786	80	221	27	7	380	4.7
Criminal	781	37	79.8	623	531	53	26	11	2	-	4.2
U.S. Prisoner Petitions	312	1	84.0	262	61	-	6	5	2	188	2.3
Other U.S. Civil	114	3	71.1	81	73	3	3	1	1	-	3.7
Private Prisoner Petitions	513	3	70.4	361	157	-	9	3	-	192	2.5
Other Private Civil	529	55	68.2	361	308	13	35	5	-	-	9.7
Bankruptcy	16	4	-	9	6	-	3	-	-	-	33.3
Administrative Agency Appeals	135	15	55.6	75	65	4	2	2	2	-	2.7
Original Proceedings and Miscellaneous Applications	754	5	96.7	729	585	7	137	-	-	-	-

Table B-5. (March 31, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
9th	12,032	318	60.2	7,247	4,470	440	1,001	52	10	1,274	10.2
Criminal	1,483	92	66.4	984	709	110	154	11	-	-	15.7
U.S. Prisoner Petitions	408	2	69.6	284	63	10	12	4	-	195	4.2
Other U.S. Civil	657	30	62.6	411	301	21	86	2	1	-	20.9
Private Prisoner Petitions	2,310	4	71.6	1,655	427	50	97	-	2	1,079	5.9
Other Private Civil	2,477	104	56.1	1,389	1,103	90	190	4	2	-	13.7
Bankruptcy	262	15	55.3	145	113	14	17	1	-	-	11.7
Administrative Agency Appeals	3,294	53	39.9	1,313	1,077	129	72	30	5	-	5.5
Original Proceedings and Miscellaneous Applications	1,141	18	93.4	1,066	677	16	373	-	-	-	-
10th	2,296	22	69.0	1,585	969	83	265	86	1	181	7.1
Criminal	436	8	69.7	304	189	54	29	32	-	-	9.5
U.S. Prisoner Petitions	238	1	62.6	149	43	3	7	2	1	93	4.7
Other U.S. Civil	141	1	71.6	101	78	3	12	8	-	-	11.9
Private Prisoner Petitions	300	-	60.3	181	75	3	9	6	-	88	5.0
Other Private Civil	636	12	61.6	392	334	11	22	25	-	-	5.6
Bankruptcy	34	-	55.9	19	12	5	-	2	-	-	-
Administrative Agency Appeals	76	-	64.5	49	30	2	6	11	-	-	12.2
Original Proceedings and Miscellaneous Applications	435	-	89.7	390	208	2	180	-	-	-	-

Table B-5. (March 31, 2017—Continued)

Circuit and Nature of Proceeding	Total Appeals Terminated	Terminated on the Merits									
		By Consolidation	Percent of Total Terminated	Total	Affirmed/ Enforced ¹	Dismissed	Reversed	Remanded	Other	Certificate of Appealability	Percent Reversed ²
11th	7,686	344	62.0	4,762	3,120	348	560	10	11	713	7.3
Criminal	1,243	57	60.6	753	644	59	45	-	5	-	6.0
U.S. Prisoner Petitions	635	-	57.2	363	45	15	17	2	1	283	4.7
Other U.S. Civil	256	10	50.0	128	113	2	13	-	-	-	10.2
Private Prisoner Petitions	1,125	2	54.9	618	86	73	27	1	1	430	4.4
Other Private Civil	1,337	108	42.8	572	489	14	67	2	-	-	11.7
Bankruptcy	87	4	41.4	36	26	3	5	-	2	-	13.9
Administrative Agency Appeals	263	8	41.4	109	84	3	15	5	2	-	13.8
Original Proceedings and Miscellaneous Applications	2,740	155	79.7	2,183	1,633	179	371	-	-	-	-

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit. Beginning in March 2014, data include miscellaneous cases not included previously.

Totals for cases terminated on the merits in the Third Circuit and in the nation have been revised following resolution of a technical issue affecting the data.

¹ Affirmed includes appeals affirmed in part and reversed in part.

² Percent not shown where the total number of appeals terminated on the merits is less than 10. Percent reversed not computed for original proceedings because of their difference from appeals, nor are original proceedings included in the percentage of total appeals reversed.