

Table B-1.

U.S. Courts of Appeals—Appeals Commenced, Terminated, and Pending, by Circuit, During the 12-Month Period Ending September 30, 2004

Circuit and Nature of Proceeding	Cases Pending Oct. 1, 2003 ¹	Cases Commenced			Cases Terminated								Cases Pending Sept. 30, 2004
					Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
		Original	Reinstated	Total			By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs		
ALL CIRCUITS	44,690	62,762	61,459	1,303	56,381	2,108	26,835	12,047	14,788	27,438	8,645	18,793	51,071
CRIMINAL	10,217	12,506	12,341	165	11,076	584	2,933	946	1,987	7,559	2,344	5,215	11,647
U.S. PRISONER PETITIONS	2,789	4,992	4,806	186	4,918	57	3,375	2,215	1,160	1,486	210	1,276	2,863
OTHER U.S. CIVIL	2,427	3,239	3,162	77	3,049	133	1,105	247	858	1,811	727	1,084	2,617
PRIV. PRISONER PETITIONS	6,360	11,569	11,264	305	11,485	107	8,344	5,313	3,031	3,034	662	2,372	6,444
OTHER PRIVATE CIVIL	10,862	13,275	13,003	272	12,722	856	5,703	1,387	4,316	6,163	3,597	2,566	11,415
BANKRUPTCY	744	862	837	25	799	48	370	81	289	381	211	170	807
ADMINISTRATIVE APPEALS	10,449	12,255	12,037	218	8,507	273	4,277	1,631	2,646	3,957	877	3,080	14,197
ORIGINAL PROCEEDINGS ²	842	4,064	4,009	55	3,825	50	728	227	501	3,047	17	3,030	1,081
DISTRICT OF COLUMBIA	1,031	1,390	1,368	22	1,155	156	507	122	385	492	262	230	1,266
CRIMINAL	115	162	162	-	120	5	57	5	52	58	43	15	157
U.S. PRISONER PETITIONS	87	126	123	3	129	2	77	34	43	50	6	44	84
OTHER U.S. CIVIL	157	324	318	6	231	20	95	12	83	116	52	64	250
PRIV. PRISONER PETITIONS	22	19	18	1	23	2	8	2	6	13	4	9	18
OTHER PRIVATE CIVIL	98	193	191	2	141	5	71	16	55	65	37	28	150
BANKRUPTCY	1	7	7	-	3	-	1	1	-	2	1	1	5
ADMINISTRATIVE APPEALS	528	474	464	10	428	117	174	47	127	137	115	22	574
ORIGINAL PROCEEDINGS ²	23	85	85	-	80	5	24	5	19	51	4	47	28
FIRST CIRCUIT	1,521	1,723	1,716	7	1,643	90	870	382	488	683	380	303	1,601
CRIMINAL	678	566	564	2	516	38	305	138	167	173	114	59	728
U.S. PRISONER PETITIONS	85	141	138	3	125	-	113	72	41	12	4	8	101
OTHER U.S. CIVIL	64	103	102	1	92	5	38	11	27	49	21	28	75
PRIV. PRISONER PETITIONS	90	131	131	-	134	3	87	57	30	44	13	31	87
OTHER PRIVATE CIVIL	410	527	526	1	540	39	241	61	180	260	184	76	397
BANKRUPTCY	41	19	19	-	33	2	14	5	9	17	16	1	27
ADMINISTRATIVE APPEALS	126	164	164	-	137	3	68	38	30	66	28	38	153
ORIGINAL PROCEEDINGS ²	27	72	72	-	66	-	4	-	4	62	-	62	33

Table B-1. (September 30, 2004—Continued)

Circuit and Nature of Proceeding	Cases Pending Oct. 1, 2003 ¹	Cases Commenced			Cases Terminated								Cases Pending Sept. 30, 2004
		Total	Original	Reinstated	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
SECOND CIRCUIT	6,843	7,008	6,875	133	4,611	253	2,581	660	1,921	1,777	1,047	730	9,240
CRIMINAL	1,094	861	833	28	793	97	229	30	199	467	292	175	1,162
U.S. PRISONER PETITIONS	346	273	259	14	297	3	227	95	132	67	28	39	322
OTHER U.S. CIVIL	281	250	246	4	238	16	97	20	77	125	88	37	293
PRIV. PRISONER PETITIONS	985	1,024	998	26	1,044	5	857	417	440	182	88	94	965
OTHER PRIVATE CIVIL	1,373	1,454	1,425	29	1,284	114	594	43	551	576	475	101	1,543
BANKRUPTCY	87	81	75	6	77	2	43	7	36	32	25	7	91
ADMINISTRATIVE APPEALS	2,501	2,747	2,724	23	601	16	486	42	444	99	48	51	4,647
ORIGINAL PROCEEDINGS ²	176	318	315	3	277	-	48	6	42	229	3	226	217
THIRD CIRCUIT	3,248	3,871	3,829	42	3,787	45	1,695	771	924	2,047	503	1,544	3,332
CRIMINAL	574	611	610	1	533	4	152	69	83	377	101	276	652
U.S. PRISONER PETITIONS	304	410	406	4	437	-	236	159	77	201	16	185	277
OTHER U.S. CIVIL	225	238	235	3	285	5	77	12	65	203	49	154	178
PRIV. PRISONER PETITIONS	530	647	641	6	700	5	484	362	122	211	39	172	477
OTHER PRIVATE CIVIL	1,029	1,102	1,088	14	1,085	29	482	89	393	574	231	343	1,046
BANKRUPTCY	71	90	89	1	71	-	37	3	34	34	15	19	90
ADMINISTRATIVE APPEALS	467	586	573	13	497	2	206	74	132	289	49	240	556
ORIGINAL PROCEEDINGS ²	48	187	187	-	179	-	21	3	18	158	3	155	56
FOURTH CIRCUIT	2,522	4,957	4,927	30	4,713	296	1,993	1,131	862	2,424	413	2,011	2,766
CRIMINAL	746	1,026	1,025	1	875	72	161	59	102	642	103	539	897
U.S. PRISONER PETITIONS	332	854	844	10	801	23	536	433	103	242	9	233	385
OTHER U.S. CIVIL	129	197	196	1	206	16	54	16	38	136	38	98	120
PRIV. PRISONER PETITIONS	353	1,151	1,144	7	1,106	34	748	505	243	324	26	298	398
OTHER PRIVATE CIVIL	572	858	852	6	855	98	286	59	227	471	192	279	575
BANKRUPTCY	44	58	58	-	60	4	19	2	17	37	15	22	42
ADMINISTRATIVE APPEALS	268	443	438	5	427	11	160	57	103	256	28	228	284
ORIGINAL PROCEEDINGS*	78	370	370	-	383	38	29	-	29	316	2	314	65
FIFTH CIRCUIT	4,445	8,509	8,161	348	8,100	178	3,904	1,661	2,243	4,018	752	3,266	4,854
CRIMINAL	1,629	2,556	2,485	71	2,330	60	511	118	393	1,759	181	1,578	1,855
U.S. PRISONER PETITIONS	281	635	594	41	606	1	426	239	187	179	15	164	310
OTHER U.S. CIVIL	178	293	281	12	298	12	118	20	98	168	49	119	173
PRIV. PRISONER PETITIONS	916	2,193	2,081	112	2,162	5	1,689	965	724	468	36	432	947
OTHER PRIVATE CIVIL	1,013	1,475	1,420	55	1,472	84	640	141	499	748	404	344	1,016
BANKRUPTCY	69	116	112	4	110	9	47	7	40	54	33	21	75
ADMINISTRATIVE APPEALS	263	577	567	10	471	6	264	171	93	201	33	168	369
ORIGINAL PROCEEDINGS ²	96	664	621	43	651	1	209	-	209	441	1	440	109

Table B-1. (September 30, 2004—Continued)

Circuit and Nature of Proceeding	Cases Pending Oct. 1, 2003 ¹	Cases Commenced			Cases Terminated								Cases Pending Sept. 30, 2004
		Total	Original	Reinstated	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
SIXTH CIRCUIT	4,348	4,841	4,803	38	4,655	169	1,996	938	1,058	2,490	1,050	1,440	4,534
CRIMINAL	995	1,039	1,025	14	933	37	260	85	175	636	290	346	1,101
U.S. PRISONER PETITIONS	230	333	330	3	292	2	202	148	54	88	16	72	271
OTHER U.S. CIVIL	260	285	284	1	278	8	93	27	66	177	76	101	267
PRIV. PRISONER PETITIONS	782	958	946	12	1,012	11	625	461	164	376	85	291	728
OTHER PRIVATE CIVIL	1,396	1,357	1,354	3	1,365	88	585	128	457	692	500	192	1,388
BANKRUPTCY	69	81	81	-	74	6	28	6	22	40	28	12	76
ADMINISTRATIVE APPEALS	462	421	418	3	341	16	110	56	54	215	55	160	542
ORIGINAL PROCEEDINGS ²	154	367	365	2	360	1	93	27	66	266	-	266	161
SEVENTH CIRCUIT	2,292	3,377	3,341	36	3,294	218	1,665	568	1,097	1,411	738	673	2,375
CRIMINAL	518	564	563	1	496	65	148	36	112	283	177	106	586
U.S. PRISONER PETITIONS	150	402	387	15	359	7	248	119	129	104	18	86	193
OTHER U.S. CIVIL	120	162	161	1	164	6	60	17	43	98	63	35	118
PRIV. PRISONER PETITIONS	384	693	675	18	712	17	506	189	317	189	51	138	365
OTHER PRIVATE CIVIL	776	966	965	1	984	92	431	76	355	461	326	135	758
BANKRUPTCY	51	48	48	-	58	11	23	6	17	24	17	7	41
ADMINISTRATIVE APPEALS	273	314	314	-	300	20	172	64	108	108	85	23	287
ORIGINAL PROCEEDINGS ²	20	228	228	-	221	-	77	61	16	144	1	143	27
EIGHTH CIRCUIT	1,808	3,101	3,093	8	2,916	185	871	466	405	1,860	649	1,211	1,993
CRIMINAL	540	891	889	2	722	61	104	45	59	557	220	337	709
U.S. PRISONER PETITIONS	122	232	231	1	258	4	153	140	13	101	9	92	96
OTHER U.S. CIVIL	150	218	216	2	224	9	46	10	36	169	66	103	144
PRIV. PRISONER PETITIONS	203	538	537	1	493	12	295	193	102	186	26	160	248
OTHER PRIVATE CIVIL	540	690	688	2	719	76	201	53	148	442	263	179	511
BANKRUPTCY	26	24	24	-	34	3	13	3	10	18	9	9	16
ADMINISTRATIVE APPEALS	189	204	204	-	213	17	48	18	30	148	55	93	180
ORIGINAL PROCEEDINGS ²	38	304	304	-	253	3	11	4	7	239	1	238	89

Table B-1. (September 30, 2004—Continued)

Circuit and Nature of Proceeding	Cases Pending Oct. 1, 2003 ¹	Cases Commenced			Cases Terminated								Cases Pending Sept. 30, 2004
		Total	Original	Reinstated	Total	Cases Disposed of by Consolidation	Procedural Terminations			Terminations on the Merits			
							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs	
NINTH CIRCUIT	11,294	14,274	14,032	242	12,151	323	6,045	2,907	3,138	5,783	1,805	3,978	13,417
CRIMINAL	1,690	1,906	1,901	5	1,678	89	463	113	350	1,126	457	669	1,918
U.S. PRISONER PETITIONS	391	502	489	13	522	11	323	239	84	188	68	120	371
OTHER U.S. CIVIL	515	645	629	16	502	22	234	54	180	246	139	107	658
PRIV. PRISONER PETITIONS	1,310	2,335	2,297	38	2,186	6	1,593	1,270	323	587	231	356	1,459
OTHER PRIVATE CIVIL	2,065	2,328	2,285	43	1,946	135	1,000	235	765	811	524	287	2,447
BANKRUPTCY	209	217	210	7	167	10	94	20	74	63	38	25	259
ADMINISTRATIVE APPEALS	4,998	5,655	5,536	119	4,542	50	2,310	968	1,342	2,182	346	1,836	6,111
ORIGINAL PROCEEDINGS ²	116	686	685	1	608	-	28	8	20	580	2	578	194
TENTH CIRCUIT	1,953	2,646	2,639	7	2,448	52	1,047	429	618	1,349	390	959	2,151
CRIMINAL	442	630	630	-	469	9	101	37	64	359	143	216	603
U.S. PRISONER PETITIONS	169	261	259	2	254	2	141	81	60	111	8	103	176
OTHER U.S. CIVIL	195	191	190	1	215	9	54	12	42	152	44	108	171
PRIV. PRISONER PETITIONS	327	556	555	1	530	3	353	224	129	174	23	151	353
OTHER PRIVATE CIVIL	620	636	634	2	619	27	260	33	227	332	147	185	637
BANKRUPTCY	46	42	41	1	51	-	20	4	16	31	7	24	37
ADMINISTRATIVE APPEALS	129	132	132	-	135	2	62	12	50	71	18	53	126
ORIGINAL PROCEEDINGS ²	25	198	198	-	175	-	56	26	30	119	-	119	48
ELEVENTH CIRCUIT	3,385	7,065	6,675	390	6,908	143	3,661	2,012	1,649	3,104	656	2,448	3,542
CRIMINAL	1,196	1,694	1,654	40	1,611	47	442	211	231	1,122	223	899	1,279
U.S. PRISONER PETITIONS	292	823	746	77	838	2	693	456	237	143	13	130	277
OTHER U.S. CIVIL	153	333	304	29	316	5	139	36	103	172	42	130	170
PRIV. PRISONER PETITIONS	458	1,324	1,241	83	1,383	4	1,099	668	431	280	40	240	399
OTHER PRIVATE CIVIL	970	1,689	1,575	114	1,712	69	912	453	459	731	314	417	947
BANKRUPTCY	30	79	73	6	61	1	31	17	14	29	7	22	48
ADMINISTRATIVE APPEALS	245	538	503	35	415	13	217	84	133	185	17	168	368
ORIGINAL PROCEEDINGS ²	41	585	579	6	572	2	128	87	41	442	-	442	54

NOTE: THIS TABLE INCLUDES APPEALS REOPENED, REMANDED, AND REINSTATED (AFTER BEING TERMINATED DUE TO PROCEDURAL DEFAULTS) AS WELL AS ORIGINAL APPEALS. THIS TABLE DOES NOT INCLUDE DATA FOR THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT.

¹ REVISED.

² BEGINNING OCTOBER 1, 1998, DATA ARE REPORTED FOR TYPES OF PROCEEDINGS PREVIOUSLY NOT PRESENTED IN THIS TABLE.