

Table B-1A.
U.S. Courts of Appeals—Appeals Commenced, Terminated, and Pending, by Nature of Suit or Offense, in Appeals Arising From the U.S. District Courts During the 12-Month Period Ending September 30, 2010

Nature of Suit or Offense	Cases Pending Oct. 1, 2009 ¹	Cases Commenced			Cases Terminated									Cases Pending Sept. 30, 2010
		Total	Original	Reopened ²	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		
TOTAL CASES	36,161	43,737	42,473	1,264	45,226	1,896	20,932	10,025	10,907	22,398	7,177	15,221	34,672	
TOTAL CRIMINAL CASES	12,808	12,797	12,543	254	13,512	590	3,080	888	2,192	9,842	2,417	7,425	12,093	
TOTAL CIVIL CASES	23,353	30,940	29,930	1,010	31,714	1,306	17,852	9,137	8,715	12,556	4,760	7,796	22,579	
U.S. CASES	5,442	7,545	7,273	272	8,060	279	4,582	2,500	2,082	3,199	791	2,408	4,927	
U.S. PLAINTIFF	359	393	373	20	436	31	206	50	156	199	105	94	316	
NEGOTIABLE INSTRUMENTS	1	-	-	-	1	-	-	-	-	1	1	-	-	
OTHER CONTRACT ACTIONS	13	21	19	2	19	-	12	2	10	7	2	5	15	
CONDEMNATION OF LAND	3	2	2	-	-	-	-	-	-	-	-	-	5	
OTHER REAL PROP. ACTIONS	12	17	14	3	20	-	12	1	11	8	5	3	9	
TORT ACTIONS	11	5	5	-	11	1	4	1	3	6	5	1	5	
CIVIL RIGHTS														
EMPLOYMENT	31	22	21	1	27	4	9	1	8	14	8	6	26	
OTHER CIVIL RIGHTS	15	26	24	2	27	-	10	1	9	17	14	3	14	
FORFEITURE AND PENALTY	47	44	42	2	54	3	31	8	23	20	6	14	37	
FAIR LABOR STAND. ACT	2	1	1	-	1	-	-	-	-	1	1	-	2	
OTHER LABOR	8	11	9	2	9	1	5	-	5	3	3	-	10	
SECUR., COMMOD., & EXCHG.	47	69	66	3	66	6	31	7	24	29	16	13	50	
TAX SUITS	50	55	55	-	61	-	30	8	22	31	7	24	44	
ALL OTHER	119	120	115	5	140	16	62	21	41	62	37	25	99	
U.S. DEFENDANT	5,083	7,152	6,900	252	7,624	248	4,376	2,450	1,926	3,000	686	2,314	4,611	
CONTRACT ACTIONS	47	74	72	2	56	4	20	5	15	32	18	14	65	
REAL PROPERTY ACTIONS	46	52	51	1	50	4	21	11	10	25	13	12	48	
TORT ACTIONS	151	202	194	8	219	6	102	30	72	111	35	76	134	
CIVIL RIGHTS														
EMPLOYMENT	202	252	242	10	248	2	71	25	46	175	63	112	206	
OTHER CIVIL RIGHTS	319	447	427	20	508	22	242	66	176	244	55	189	258	
PRISONER PETITIONS														
MOTIONS TO VACATE SEN.	1,491	2,647	2,545	102	2,614	10	2,271	1,857	414	333	62	271	1,524	
HABEAS CORPUS—GENERAL	753	1,022	992	30	1,095	122	466	171	295	507	33	474	680	
HABEAS CORPUS—DEATH	6	2	2	-	1	-	-	-	-	1	1	-	7	
PRISONER CIVIL RIGHTS	294	520	510	10	563	3	334	73	261	226	14	212	251	

Table B-1A. (September 30, 2010—Continued)

Nature of Suit or Offense	Cases Pending Oct. 1, 2009 ¹	Cases Commenced			Cases Terminated								Cases Pending Sept. 30, 2010
		Total	Original	Reopened ²	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	
U.S. DEFENDANT (CONTINUED)													
PRISON CONDITION	99	239	228	11	239	2	156	30	126	81	2	79	99
OTHER PRIS. PETITIONS	434	280	273	7	557	14	191	72	119	352	19	333	157
LABOR SUITS	25	26	23	3	27	2	10	4	6	15	4	11	24
SOCIAL SECURITY LAWS	488	556	543	13	611	3	155	42	113	453	140	313	433
TAX SUITS	102	138	133	5	128	6	65	11	54	57	24	33	112
ENVIRONMENTAL MATTERS	129	110	106	4	118	11	46	9	37	61	53	8	121
FREEDOM OF INFOR. ACT	43	66	61	5	58	2	29	2	27	27	16	11	51
ALL OTHER	454	519	498	21	532	35	197	42	155	300	134	166	441
TOTAL PRIVATE CASES	17,911	23,395	22,657	738	23,654	1,027	13,270	6,637	6,633	9,357	3,969	5,388	17,652
FEDERAL QUESTION													
MARINE CONTRACT	91	119	113	6	156	17	94	21	73	45	34	11	54
OTHER CONTRACT ACTIONS	537	586	570	16	699	140	348	101	247	211	139	72	424
FEDERAL EMPLOYERS													
LIABILITY ACT	13	17	17	-	16	1	3	-	3	12	10	2	14
MARINE INJURY	57	68	63	5	75	7	32	6	26	36	24	12	50
OTHER TORT ACTIONS	381	630	609	21	537	28	279	70	209	230	94	136	474
ANTITRUST	116	120	104	16	120	12	42	9	33	66	47	19	116
CIVIL RIGHTS													
EMPLOYMENT	1,311	1,576	1,523	53	1,651	64	596	162	434	991	440	551	1,236
OTHER CIVIL RIGHTS	2,556	3,340	3,237	103	3,430	143	1,483	506	977	1,804	758	1,046	2,466
PRISONER PETITIONS													
HABEAS CORPUS—GENERAL	4,912	6,325	6,173	152	6,135	19	5,040	4,309	731	1,076	432	644	5,102
HABEAS CORPUS—DEATH	315	187	161	26	175	14	43	38	5	118	91	27	327
PRISONER CIVIL RIGHTS	1,821	3,148	3,062	86	3,312	20	1,878	565	1,313	1,414	115	1,299	1,657
PRISON CONDITION	742	1,365	1,305	60	1,432	7	889	179	710	536	33	503	675
OTHER PRIS. PETITIONS	37	54	53	1	64	-	39	22	17	25	4	21	27
LABOR MGMT. RELAT. ACT	110	109	105	4	117	3	56	10	46	58	42	16	102
OTHER LABOR	619	786	765	21	762	63	340	77	263	359	250	109	643
CPYRGHT., PATENT, & TRDMRK.	391	376	353	23	418	63	177	32	145	178	131	47	349
SECUR., COMMOD., & EXCHG.	241	193	188	5	178	24	73	12	61	81	70	11	256
CONST. OF STATE STATS.	103	99	93	6	115	11	35	6	29	69	48	21	87
ALL OTHER	1,221	1,590	1,535	55	1,507	93	695	200	495	719	382	337	1,304
DIVERSITY OF CITIZENSHIP	2,337	2,707	2,628	79	2,755	298	1,128	312	816	1,329	825	504	2,289
INSURANCE	571	625	608	17	665	64	275	87	188	326	225	101	531
OTHER CONTRACT ACTIONS	1,001	1,045	1,016	29	1,149	169	473	127	346	507	333	174	897

Table B-1A. (September 30, 2010—Continued)

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		Total	Original	Reopened ²	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	
DIVERSITY OF CITIZENSHIP (CONTINUED)													
REAL PROPERTY ACTIONS	78	125	122	3	109	11	49	18	31	49	21	28	94
PERSONAL INJURY/PROD. LIABILITY	142	217	213	4	153	13	57	9	48	83	60	23	206
OTHER PERSONAL INJURY	333	369	354	15	409	21	155	37	118	233	120	113	293
PERSONAL PROP. DAMAGE	150	215	206	9	177	16	80	22	58	81	52	29	188
ALL OTHER	62	111	109	2	93	4	39	12	27	50	14	36	80
GENERAL LOCAL JURISDICTION													
CONTRACT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
REAL PROPERTY ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
TORT ACTIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
PRISONER PETITIONS	-	-	-	-	-	-	-	-	-	-	-	-	-
ALL OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL CRIMINAL CASES	12,808	12,797	12,543	254	13,512	590	3,080	888	2,192	9,842	2,417	7,425	12,093
VIOLENT OFFENSES													
HOMICIDE	86	46	44	2	56	3	9	3	6	44	19	25	76
ROBBERY	247	247	244	3	259	19	46	11	35	194	51	143	235
ASSAULT	97	106	104	2	104	7	26	10	16	71	26	45	99
KIDNAPPING	51	30	27	3	40	2	7	1	6	31	18	13	41
RACKETEERING—VIOLENT CRIME	166	123	121	2	155	16	36	14	22	103	44	59	134
CARJACKING	39	23	23	-	41	2	5	-	5	34	10	24	21
TERRORISM	16	12	10	2	10	-	4	2	2	6	3	3	18
OTHER VIOLENT OFFENSES	34	20	20	-	34	-	7	1	6	27	13	14	20
PROPERTY OFFENSES													
BURGLARY	3	-	-	-	3	-	-	-	-	3	-	3	-
LARCENY & THEFT, TOTAL	97	98	97	1	96	4	20	5	15	72	24	48	99
BANK	9	7	7	-	10	-	3	1	2	7	1	6	6
POSTAL	18	22	22	-	20	2	6	-	6	12	3	9	20
THEFT, U.S. PROPERTY TRANSPORT, ETC. OF STOLEN PROPERTY	40	39	38	1	35	1	4	1	3	30	15	15	44
OTHER LARCENY AND THEFT OFFENSES	24	22	22	-	24	1	6	3	3	17	5	12	22
EMBEZZLEMENT	6	8	8	-	7	-	1	-	1	6	-	6	7
FRAUD, TOTAL	48	54	51	3	45	-	11	4	7	34	20	14	57
FRAUD, TOTAL	1,234	1,409	1,372	37	1,330	81	378	107	271	871	355	516	1,313

Table B-1A. (September 30, 2010—Continued)

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		Total	Original	Reopened ²	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		
PROPERTY OFFENSES (CONTINUED)														
TAX	85	109	106	3	105	5	31	7	24	69	40	29	89	
FINANCIAL INSTITUTIONS	143	126	125	1	140	9	36	6	30	95	34	61	129	
SECURITIES AND EXCHANGE	40	52	43	9	31	-	9	2	7	22	13	9	61	
MAIL	125	121	116	5	104	5	21	4	17	78	33	45	142	
WIRE, RADIO, OR TELEVISION	132	123	122	1	134	12	33	12	21	89	41	48	121	
SOCIAL SECURITY	32	29	29	-	34	2	9	5	4	23	6	17	27	
CITIZENSHIP AND														
NATURALIZATION	19	13	13	-	20	2	5	-	5	13	4	9	12	
PASSPORT	12	21	20	1	17	-	6	2	4	11	3	8	16	
IDENTIFICATION														
DOCUMENTS & INFO.	81	113	112	1	105	4	34	10	24	67	18	49	89	
FALSE CLAIMS AND														
SERVICES, GOV'T.	31	46	45	1	44	1	14	3	11	29	9	20	33	
FALSE STATEMENTS	66	60	59	1	66	4	18	5	13	44	19	25	60	
CONSPIRACY TO														
DEFAUD THE U.S.	194	224	217	7	203	20	62	16	46	121	55	66	215	
UNAUTHORIZED														
ACCESS DEVICES	80	105	105	-	91	-	24	5	19	67	19	48	94	
HEALTH CARE	67	80	74	6	84	6	22	6	16	56	23	33	63	
OTHER FRAUD OFFENSES	127	187	186	1	152	11	54	24	30	87	38	49	162	
FORGERY AND COUNTERFEITING	69	91	91	-	83	1	24	7	17	58	11	47	77	
OTHER PROPERTY OFFENSES	8	13	13	-	9	1	2	-	2	6	4	2	12	
DRUG OFFENSES	5,346	4,837	4,740	97	5,560	244	1,284	384	900	4,032	782	3,250	4,623	
MARIJUANA, TOTAL	309	381	370	11	366	10	103	24	79	253	57	196	324	
SELL, DISTRIBUTE,														
OR DISPENSE	234	292	282	10	279	6	82	19	63	191	42	149	247	
IMPORT/EXPORT	41	48	47	1	46	-	13	3	10	33	6	27	43	
MANUFACTURE	30	35	35	-	34	2	5	-	5	27	8	19	31	
POSSESSION	4	6	6	-	7	2	3	2	1	2	1	1	3	
ALL OTHER DRUGS, TOTAL	4,890	4,355	4,277	78	5,062	214	1,157	356	801	3,691	694	2,997	4,183	
SELL, DISTRIBUTE,														
OR DISPENSE	4,636	4,112	4,039	73	4,803	203	1,086	331	755	3,514	648	2,866	3,945	
IMPORT/EXPORT	126	129	126	3	122	4	40	15	25	78	20	58	133	
MANUFACTURE	117	104	102	2	119	7	27	10	17	85	22	63	102	
POSSESSION	11	10	10	-	18	-	4	-	4	14	4	10	3	
OTHER DRUG OFFENSES	147	101	93	8	132	20	24	4	20	88	31	57	116	

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							Total	By Judge	By Staff	Total	After Oral Hearing	After Submission on Briefs		
FIREARMS, EXPLOSIVES OFFENSES	1,832	1,862	1,845	17	1,922	50	390	123	267	1,482	415	1,067	1,772	
FIREARMS, TOTAL	1,803	1,808	1,791	17	1,889	50	377	121	256	1,462	405	1,057	1,722	
POSSESSION BY PROHIBITED PERSONS	1,092	1,122	1,110	12	1,185	14	222	71	151	949	272	677	1,029	
FURTHERANCE OF VIOLENT/ DRUG-TRAFFICKING CRIMES	405	414	412	2	412	23	95	37	58	294	76	218	407	
OTHER FIREARMS OFFENSES	306	272	269	3	292	13	60	13	47	219	57	162	286	
EXPLOSIVES	29	54	54	-	33	-	13	2	11	20	10	10	50	
SEX OFFENSES	732	709	699	10	717	17	146	37	109	554	192	362	724	
SEXUAL ABUSE OF ADULTS	22	18	18	-	18	-	1	-	1	17	6	11	22	
SEXUAL ABUSE OF MINORS	156	148	145	3	133	8	24	5	19	101	42	59	171	
SEXUALLY EXPLICIT MATERIAL	355	395	391	4	388	7	91	21	70	290	93	197	362	
OTHER SEX OFFENSES	199	148	145	3	178	2	30	11	19	146	51	95	169	
JUSTICE SYSTEM OFFENSES	154	132	130	2	154	10	43	14	29	101	40	61	132	
OBSTRUCTION OF JUSTICE	86	70	68	2	79	4	21	9	12	54	25	29	77	
ESCAPE FROM CUSTODY	26	25	25	-	26	3	7	3	4	16	4	12	25	
FAILURE TO APPEAR	8	13	13	-	10	2	4	2	2	4	-	4	11	
OTHER JUSTICE SYSTEM OFFENSES	34	24	24	-	39	1	11	-	11	27	11	16	19	
IMMIGRATION OFFENSES	1,454	1,753	1,730	23	1,693	35	335	81	254	1,323	184	1,139	1,514	
ALIEN SMUGGLING	188	162	158	4	201	5	39	6	33	157	55	102	149	
IMPROPER ENTRY BY ALIEN	21	25	25	-	24	5	5	1	4	14	5	9	22	
IMPROPER REENTRY BY ALIEN	1,227	1,531	1,513	18	1,439	25	282	70	212	1,132	120	1,012	1,319	
OTHER IMMIGRATION OFFENSES	18	35	34	1	29	-	9	4	5	20	4	16	24	
GENERAL OFFENSES	530	403	375	28	463	53	131	39	92	279	121	158	470	
MONEY LAUNDERING	289	252	229	23	273	28	88	19	69	157	65	92	268	
RICO ³	106	58	54	4	50	3	14	5	9	33	13	20	114	
EXTORTION AND THREATS	47	38	37	1	50	6	15	9	6	29	10	19	35	
OTHER GENERAL OFFENSES	88	55	55	-	90	16	14	6	8	60	33	27	53	
REGULATORY OFFENSES	140	128	126	2	121	13	38	9	29	70	34	36	147	
TRAFFIC OFFENSES	9	4	4	-	7	-	-	-	-	7	1	6	6	
UNCLASSIFIED OFFENSES	416	697	677	20	610	32	138	36	102	440	50	390	503	

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. Beginning in 2005, categories for criminal offenses were modified. Therefore, offense data for 2005 and thereafter are not comparable to offense data published in previous years.

¹ Revised.

² Beginning in 2007, the category entitled "reopened," which includes all reopened appeals, has replaced the category entitled "reinstated." Therefore, data on reopened cases for 2007 and thereafter are not comparable to data published previously on reinstated cases.

³ RICO = Racketeer Influenced and Corrupt Organizations Act.