

Table 48

TYPE OF APPEAL BY CIRCUIT AND DISTRICT¹
(October 1, 1995, through September 30, 1996)

CIRCUIT District	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	6,480	100.0	2,498	38.5	1,541	23.8	2,441	37.7
D.C. CIRCUIT	133	2.1	36	27.1	23	17.3	74	55.6
District of Columbia	133	2.1	36	27.1	23	17.3	74	55.6
FIRST CIRCUIT	272	4.2	116	42.6	64	23.5	92	33.8
Maine	45	0.7	24	53.3	7	15.6	14	31.1
Massachusetts	73	1.1	30	41.1	18	24.7	25	34.2
New Hampshire	19	0.3	10	52.6	4	21.0	5	26.3
Puerto Rico	93	1.4	32	34.4	26	28.0	35	37.6
Rhode Island	42	0.6	20	47.6	9	21.4	13	31.0
SECOND CIRCUIT	308	4.8	143	46.4	65	21.1	100	32.5
Connecticut	29	0.4	19	65.5	4	13.8	6	20.7
New York								
Eastern	143	2.2	64	44.8	33	23.1	46	32.2
Northern	21	0.3	9	42.9	4	19.0	8	38.1
Southern	82	1.3	31	37.8	17	20.7	34	41.5
Western	14	0.2	6	42.9	4	28.6	4	28.6
Vermont	19	0.3	14	73.7	3	15.8	2	10.5
THIRD CIRCUIT	395	6.1	164	41.5	98	24.8	133	33.7
Delaware	20	0.3	12	60.0	4	20.0	4	20.0
New Jersey	96	1.5	51	53.1	20	20.8	25	26.0
Pennsylvania								
Eastern	159	2.5	60	37.7	43	27.0	56	35.2
Middle	42	0.6	15	35.7	7	16.7	20	47.6
Western	68	1.0	22	32.4	23	33.8	23	33.8
Virgin Islands	10	0.2	4	40.0	1	10.0	5	50.0
FOURTH CIRCUIT	729	11.3	294	40.3	190	26.1	245	33.6
Maryland	103	1.6	28	27.2	30	29.1	45	43.7
North Carolina								
Eastern	64	1.0	31	48.4	19	29.7	14	21.9
Middle	98	1.5	44	44.9	35	35.7	19	19.4
Western	66	1.0	34	51.5	10	15.2	22	33.3
South Carolina	67	1.0	32	47.8	18	26.9	17	25.4
Virginia								
Eastern	168	2.6	39	23.2	40	23.8	89	53.0
Western	69	1.1	27	39.1	19	27.5	23	33.3
West Virginia								
Northern	47	0.7	27	57.4	9	19.2	11	23.4
Southern	47	0.7	32	68.1	10	21.3	5	10.6

Table 48 (cont.)

CIRCUIT District	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	695	10.7	228	32.8	159	22.9	308	44.3
Louisiana								
Eastern	31	0.5	9	29.0	5	16.1	17	54.8
Middle	15	0.2	7	46.7	5	33.3	3	20.0
Western	31	0.5	16	51.6	10	32.3	5	16.1
Mississippi								
Northern	19	0.3	2	10.5	7	36.8	10	52.6
Southern	28	0.4	11	39.3	7	25.0	10	35.7
Texas								
Eastern	74	1.1	32	43.2	12	16.2	30	40.5
Northern	161	2.5	47	29.2	45	28.0	69	42.9
Southern	194	3.0	58	29.9	38	19.6	98	50.5
Western	142	2.2	46	32.4	30	21.1	66	46.5
SIXTH CIRCUIT	671	10.4	248	37.0	180	26.8	243	36.2
Kentucky								
Eastern	53	0.8	17	32.1	13	24.5	23	43.4
Western	50	0.8	17	34.0	12	24.0	21	42.0
Michigan								
Eastern	135	2.1	56	41.5	33	24.4	46	34.1
Western	67	1.0	30	44.8	20	29.8	17	25.4
Ohio								
Northern	87	1.3	25	28.7	32	36.8	30	34.5
Southern	48	0.7	22	45.8	12	25.0	14	29.2
Tennessee								
Eastern	84	1.3	29	34.5	16	19.0	39	46.4
Middle	46	0.7	14	30.4	15	32.6	17	37.0
Western	101	1.6	38	37.6	27	26.7	36	35.6
SEVENTH CIRCUIT	452	7.0	168	37.2	110	24.3	174	38.5
Illinois								
Central	63	1.0	31	49.2	10	15.9	22	34.9
Northern	167	2.6	55	32.9	47	28.2	65	38.9
Southern	56	0.9	17	30.4	11	19.6	28	50.0
Indiana								
Northern	36	0.6	22	61.1	9	25.0	5	13.9
Southern	38	0.6	8	21.0	11	29.0	19	50.0
Wisconsin								
Eastern	59	0.9	21	35.6	14	23.7	24	40.7
Western	33	0.5	14	42.4	8	24.2	11	33.3
EIGHTH CIRCUIT	505	7.8	234	46.3	109	21.6	162	32.1
Arkansas								
Eastern	48	0.7	19	39.6	7	14.6	22	45.8
Western	15	0.2	4	26.7	5	33.3	6	40.0
Iowa								
Northern	25	0.4	8	32.0	8	32.0	9	36.0
Southern	45	0.7	18	40.0	11	24.4	16	35.6
Minnesota	90	1.4	44	48.9	19	21.1	27	30.0
Missouri								
Eastern	110	1.7	52	47.3	25	22.7	33	30.0
Western	82	1.3	41	50.0	17	20.7	24	29.3
Nebraska	44	0.7	28	63.6	7	15.9	9	20.4
North Dakota	6	0.1	2	33.3	4	66.7	0	0.0
South Dakota	40	0.6	18	45.0	6	15.0	16	40.0

Table 48 (cont.)

CIRCUIT District	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	1,186	18.3	377	31.8	216	18.2	593	50.0
Alaska	36	0.6	10	27.8	7	19.4	19	52.8
Arizona	105	1.6	31	29.5	14	13.3	60	57.1
California								
Central	316	4.9	119	37.7	59	18.7	138	43.7
Eastern	88	1.4	22	25.0	21	23.4	45	51.1
Northern	102	1.6	25	24.5	9	8.8	68	66.7
Southern	106	1.6	43	40.6	21	19.8	42	39.6
Guam	16	0.2	3	18.8	3	18.8	10	62.5
Hawaii	37	0.6	11	29.7	5	13.5	21	56.8
Idaho	22	0.3	8	36.4	4	18.2	10	45.4
Montana	49	0.8	10	20.4	18	36.7	21	42.9
Nevada	80	1.2	15	18.8	24	30.0	41	51.2
Northern Mariana Islands	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	91	1.4	30	33.0	17	18.7	44	48.4
Washington								
Eastern	61	0.9	22	36.1	7	11.5	32	52.5
Western	77	1.2	28	36.4	7	9.1	42	54.6
TENTH CIRCUIT	435	6.7	162	37.2	116	26.7	157	36.1
Colorado	58	0.9	28	48.3	13	22.4	17	29.3
Kansas	106	1.6	39	36.8	41	38.7	26	24.5
New Mexico	58	0.9	17	29.3	7	12.1	34	58.6
Oklahoma								
Eastern	20	0.3	7	35.0	3	15.0	10	50.0
Northern	51	0.8	15	29.4	19	37.2	17	33.3
Western	67	1.0	34	50.8	17	25.4	16	23.9
Utah	51	0.8	16	31.4	8	15.7	27	52.9
Wyoming	24	0.4	6	25.0	8	33.3	10	41.7
ELEVENTH CIRCUIT	699	10.8	328	46.9	211	30.2	160	22.9
Alabama								
Middle	12	0.2	7	58.3	1	8.3	4	33.3
Northern	24	0.4	12	50.0	8	33.3	4	16.7
Southern	32	0.5	20	62.5	9	28.1	3	9.4
Florida								
Middle	137	2.1	56	40.9	46	33.6	35	25.6
Northern	79	1.2	25	31.6	31	39.2	23	29.1
Southern	255	3.9	123	48.2	71	27.8	61	23.9
Georgia								
Middle	31	0.5	18	58.1	10	32.3	3	9.7
Northern	90	1.4	47	52.2	25	27.8	18	20.0
Southern	39	0.6	20	51.3	10	25.6	9	23.1

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¹Of the 6,710 appeals cases, 230 were excluded due to one or both of the following reasons: missing district information (10) or missing type of appeal information (223). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1996 Appeals Datafile, APPFY96.