

**Table 56**

**DISPOSITION OF SENTENCING APPEALS IN EACH CIRCUIT AND DISTRICT<sup>1</sup>**  
**Fiscal Year 1999**

CIRCUIT District	TOTAL	AFFIRMED		REVERSED <sup>2</sup>			AFFIRMED AND REVERSED <sup>2</sup>			DISMISSED	
		n	%	n	%	n	%	n	%		
<b>TOTAL</b>	<b>4,024</b>	<b>3,220</b>	<b>80.0</b>	<b>294</b>	<b>(282)</b>	<b>7.3</b>	<b>305</b>	<b>(280)</b>	<b>7.6</b>	<b>205</b>	<b>5.1</b>
<b>D.C. CIRCUIT</b>	<b>35</b>	<b>27</b>	<b>77.1</b>	<b>3</b>	<b>(3)</b>	<b>8.6</b>	<b>4</b>	<b>(4)</b>	<b>11.4</b>	<b>1</b>	<b>2.9</b>
District of Columbia	35	27	77.1	3	(3)	8.6	4	(4)	11.4	1	2.9
<b>FIRST CIRCUIT</b>	<b>117</b>	<b>91</b>	<b>77.8</b>	<b>17</b>	<b>(17)</b>	<b>14.5</b>	<b>8</b>	<b>(8)</b>	<b>6.8</b>	<b>1</b>	<b>0.9</b>
Maine	20	15	75.0	4	(4)	20.0	1	(1)	5.0	0	0.0
Massachusetts	36	28	77.8	4	(4)	11.1	3	(3)	8.3	1	2.8
New Hampshire	6	5	83.3	1	(1)	16.7	0	(0)	0.0	0	0.0
Puerto Rico	40	31	77.5	5	(5)	12.5	4	(4)	10.0	0	0.0
Rhode Island	15	12	80.0	3	(3)	20.0	0	(0)	0.0	0	0.0
<b>SECOND CIRCUIT</b>	<b>155</b>	<b>126</b>	<b>81.3</b>	<b>6</b>	<b>(6)</b>	<b>3.9</b>	<b>10</b>	<b>(9)</b>	<b>6.5</b>	<b>13</b>	<b>8.4</b>
Connecticut	22	20	90.9	1	(1)	4.5	0	(0)	0.0	1	4.5
New York											
Eastern	59	49	83.1	0	(0)	0.0	5	(4)	8.5	5	8.5
Northern	16	13	81.3	2	(2)	12.5	0	(0)	0.0	1	6.3
Southern	45	34	75.6	3	(3)	6.7	5	(5)	11.1	3	6.7
Western	9	7	77.8	0	(0)	0.0	0	(0)	0.0	2	22.2
Vermont	4	3	75.0	0	(0)	0.0	0	(0)	0.0	1	25.0
<b>THIRD CIRCUIT</b>	<b>200</b>	<b>169</b>	<b>84.5</b>	<b>13</b>	<b>(13)</b>	<b>6.5</b>	<b>8</b>	<b>(7)</b>	<b>4.0</b>	<b>10</b>	<b>5.0</b>
Delaware	10	10	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
New Jersey	63	52	82.5	4	(4)	6.3	2	(2)	3.2	5	7.9
Pennsylvania											
Eastern	89	76	85.4	7	(7)	7.9	3	(2)	3.4	3	3.4
Middle	25	20	80.0	2	(2)	8.0	1	(1)	4.0	2	8.0
Western	6	5	83.3	0	(0)	0.0	1	(1)	16.7	0	0.0
Virgin Islands	7	6	85.7	0	(0)	0.0	1	(1)	14.3	0	0.0
<b>FOURTH CIRCUIT</b>	<b>597</b>	<b>494</b>	<b>82.7</b>	<b>39</b>	<b>(37)</b>	<b>6.5</b>	<b>43</b>	<b>(36)</b>	<b>7.2</b>	<b>21</b>	<b>3.5</b>
Maryland	55	42	76.4	8	(6)	14.5	4	(4)	7.3	1	1.8
North Carolina											
Eastern	49	35	71.4	5	(5)	10.2	4	(3)	8.2	5	10.2
Middle	76	71	93.4	0	(0)	0.0	1	(1)	1.3	4	5.3
Western	56	49	87.5	4	(4)	7.1	2	(2)	3.6	1	1.8
South Carolina	130	108	83.1	10	(10)	7.7	10	(10)	7.7	2	1.5
Virginia											
Eastern	84	70	83.3	4	(4)	4.8	8	(7)	9.5	2	2.4
Western	68	57	83.8	6	(6)	8.8	3	(3)	4.4	2	2.9
West Virginia											
Northern	28	22	78.6	2	(2)	7.1	1	(1)	3.6	3	10.7
Southern	51	40	78.4	0	(0)	0.0	10	(5)	19.6	1	2.0

**Table 56 (cont.)**

CIRCUIT District	TOTAL	AFFIRMED		REVERSED <sup>2</sup>		AFFIRMED AND REVERSED <sup>2</sup>		DISMISSED			
		n	%	n	%	n	%	n	%		
<b>FIFTH CIRCUIT</b>	<b>528</b>	<b>414</b>	<b>78.4</b>	<b>45</b>	<b>(45)</b>	<b>8.5</b>	<b>33</b>	<b>(31)</b>	<b>6.3</b>	<b>36</b>	<b>6.8</b>
Louisiana											
Eastern	25	18	72.0	1	(1)	4.0	3	(2)	12.0	3	12.0
Middle	7	7	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Western	31	26	83.9	1	(1)	3.2	2	(2)	6.5	2	6.5
Mississippi											
Northern	9	6	66.7	2	(2)	22.2	1	(1)	11.1	0	0.0
Southern	6	3	50.0	1	(1)	16.7	2	(2)	33.3	0	0.0
Texas											
Eastern	57	50	87.7	2	(2)	3.5	1	(1)	1.8	4	7.0
Northern	98	75	76.5	9	(9)	9.2	12	(11)	12.2	2	2.0
Southern	164	129	78.7	10	(10)	6.1	10	(10)	6.1	15	9.1
Western	131	100	76.3	19	(19)	14.5	2	(2)	1.5	10	7.6
<b>SIXTH CIRCUIT</b>	<b>492</b>	<b>385</b>	<b>78.3</b>	<b>45</b>	<b>(40)</b>	<b>9.1</b>	<b>55</b>	<b>(52)</b>	<b>11.2</b>	<b>7</b>	<b>1.4</b>
Kentucky											
Eastern	28	22	78.6	1	(1)	3.6	5	(5)	17.9	0	0.0
Western	37	32	86.5	1	(1)	2.7	4	(3)	10.8	0	0.0
Michigan											
Eastern	119	97	81.5	11	(10)	9.2	9	(9)	7.6	2	1.7
Western	32	25	78.1	2	(2)	6.3	5	(5)	15.6	0	0.0
Ohio											
Northern	42	32	76.2	4	(1)	9.5	6	(5)	14.3	0	0.0
Southern	60	47	78.3	7	(7)	11.7	6	(6)	10.0	0	0.0
Tennessee											
Eastern	54	37	68.5	8	(8)	14.8	7	(6)	13.0	2	3.7
Middle	38	29	76.3	2	(1)	5.3	7	(7)	18.4	0	0.0
Western	82	64	78.0	9	(9)	11.0	6	(6)	7.3	3	3.7
<b>SEVENTH CIRCUIT</b>	<b>233</b>	<b>153</b>	<b>65.7</b>	<b>19</b>	<b>(19)</b>	<b>8.2</b>	<b>19</b>	<b>(18)</b>	<b>8.2</b>	<b>42</b>	<b>18.0</b>
Illinois											
Central	29	22	75.9	1	(1)	3.4	3	(3)	10.3	3	10.3
Northern	57	33	57.9	6	(6)	10.5	6	(5)	10.5	12	21.1
Southern	35	23	65.7	1	(1)	2.9	2	(2)	5.7	9	25.7
Indiana											
Northern	22	13	59.1	2	(2)	9.1	4	(4)	18.2	3	13.6
Southern	15	11	73.3	0	(0)	0.0	1	(1)	6.7	3	20.0
Wisconsin											
Eastern	37	25	67.6	3	(3)	8.1	1	(1)	2.7	8	21.6
Western	38	26	68.4	6	(6)	15.8	2	(2)	5.3	4	10.5
<b>EIGHTH CIRCUIT</b>	<b>305</b>	<b>271</b>	<b>88.9</b>	<b>13</b>	<b>(13)</b>	<b>4.3</b>	<b>17</b>	<b>(15)</b>	<b>5.6</b>	<b>4</b>	<b>1.3</b>
Arkansas											
Eastern	24	22	91.7	1	(1)	4.2	1	(1)	4.2	0	0.0
Western	10	10	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Iowa											
Northern	34	27	79.4	6	(6)	17.6	1	(1)	2.9	0	0.0
Southern	15	14	93.3	0	(0)	0.0	1	(1)	6.7	0	0.0
Minnesota	54	44	81.5	3	(3)	5.6	5	(4)	9.3	2	3.7
Missouri											
Eastern	45	41	91.1	1	(1)	2.2	2	(1)	4.4	1	2.2

Western	<b>61</b>	56	91.8	0 (0)	0.0	4 (4)	6.6	1	1.6
Nebraska	<b>42</b>	40	95.2	1 (1)	2.4	1 (1)	2.4	0	0.0
North Dakota	<b>5</b>	4	80.0	1 (1)	20.0	0 (0)	0.0	0	0.0
South Dakota	<b>15</b>	13	86.7	0 (0)	0.0	2 (2)	13.3	0	0.0

**Table 56 (cont.)**

CIRCUIT District	TOTAL	AFFIRMED		REVERSED <sup>2</sup>		AFFIRMED AND REVERSED <sup>2</sup>		DISMISSED			
		n	%	n	%	n	%	n	%		
<b>NINTH CIRCUIT</b>	<b>560</b>	<b>413</b>	<b>73.8</b>	<b>48</b>	<b>(45)</b>	<b>8.6</b>	<b>49</b>	<b>(47)</b>	<b>8.8</b>	<b>50</b>	<b>8.9</b>
Alaska	13	11	84.6	0	(0)	0.0	2	(2)	15.4	0	0.0
Arizona	53	36	67.9	7	(5)	13.2	3	(2)	5.7	7	13.2
California											
Central	154	119	77.3	11	(11)	7.1	16	(15)	10.4	8	5.2
Eastern	54	40	74.1	3	(3)	5.6	7	(7)	13.0	4	7.4
Northern	29	20	69.0	2	(2)	6.9	2	(2)	6.9	5	17.2
Southern	79	55	69.6	3	(3)	3.8	11	(11)	13.9	10	12.7
Guam	7	5	71.4	2	(2)	28.6	0	(0)	0.0	0	0.0
Hawaii	13	10	76.9	0	(0)	0.0	1	(1)	7.7	2	15.4
Idaho	14	10	71.4	2	(2)	14.3	1	(1)	7.1	1	7.1
Montana	23	17	73.9	5	(4)	21.7	0	(0)	0.0	1	4.3
Nevada	41	31	75.6	5	(5)	12.2	1	(1)	2.4	4	9.8
Northern Mariana Islands	1	1	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Oregon	34	25	73.5	4	(4)	11.8	2	(2)	5.9	3	8.8
Washington											
Eastern	14	6	42.9	1	(1)	7.1	2	(2)	14.3	5	35.7
Western	31	27	87.1	3	(3)	9.7	1	(1)	3.2	0	0.0
<b>TENTH CIRCUIT</b>	<b>260</b>	<b>211</b>	<b>81.2</b>	<b>20</b>	<b>(19)</b>	<b>7.7</b>	<b>14</b>	<b>(10)</b>	<b>5.4</b>	<b>15</b>	<b>5.8</b>
Colorado	30	21	70.0	3	(2)	10.0	1	(1)	3.3	5	16.7
Kansas	44	35	79.5	3	(3)	6.8	5	(5)	11.4	1	2.3
New Mexico	40	36	90.0	3	(3)	7.5	1	(1)	2.5	0	0.0
Oklahoma											
Eastern	17	15	88.2	1	(1)	5.9	0	(0)	0.0	1	5.9
Northern	25	18	72.0	2	(2)	8.0	3	(1)	12.0	2	8.0
Western	48	39	81.3	5	(5)	10.4	2	(0)	4.2	2	4.2
Utah	43	35	81.4	3	(3)	7.0	2	(2)	4.7	3	7.0
Wyoming	13	12	92.3	0	(0)	0.0	0	(0)	0.0	1	7.7
<b>ELEVENTH CIRCUIT</b>	<b>542</b>	<b>466</b>	<b>86.0</b>	<b>26</b>	<b>(25)</b>	<b>4.8</b>	<b>45</b>	<b>(43)</b>	<b>8.3</b>	<b>5</b>	<b>0.9</b>
Alabama											
Middle	22	21	95.5	1	(1)	4.5	0	(0)	0.0	0	0.0
Northern	24	23	95.8	0	(0)	0.0	1	(1)	4.2	0	0.0
Southern	20	18	90.0	1	(1)	5.0	1	(1)	5.0	0	0.0
Florida											
Middle	74	64	86.5	7	(7)	9.5	3	(3)	4.1	0	0.0
Northern	41	32	78.0	3	(3)	7.3	6	(6)	14.6	0	0.0
Southern	255	218	85.5	11	(10)	4.3	24	(22)	9.4	2	0.8
Georgia											
Middle	33	28	84.8	2	(2)	6.1	3	(3)	9.1	0	0.0
Northern	50	41	82.0	0	(0)	0.0	6	(6)	12.0	3	6.0
Southern	23	21	91.3	1	(1)	4.3	1	(1)	4.3	0	0.0

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<sup>1</sup>Of the 7,034 appeals cases, 2,670 were excluded because the type of appeal was “conviction only.” Of the 4,364 remaining cases, 340 were excluded due to one or both of the following reasons: missing district information (135) or missing type of appeal information (296). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup>This category (in parentheses) includes cases that were remanded for sentencing purposes.

