

**Table 55**

**TYPES OF APPEAL IN EACH CIRCUIT AND DISTRICT<sup>1</sup>  
Fiscal Year 2000**

CIRCUIT District	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>TOTAL</b>	<b>6,078</b>	<b>100.0</b>	<b>2,485</b>	<b>40.9</b>	<b>1,277</b>	<b>21.0</b>	<b>2,316</b>	<b>38.1</b>
<b>D.C. CIRCUIT</b>	<b>70</b>	<b>1.2</b>	<b>21</b>	<b>30.0</b>	<b>10</b>	<b>14.3</b>	<b>39</b>	<b>55.7</b>
District of Columbia	69	1.1	21	30.4	10	14.5	38	55.1
<b>FIRST CIRCUIT</b>	<b>203</b>	<b>3.3</b>	<b>52</b>	<b>25.6</b>	<b>65</b>	<b>32.0</b>	<b>86</b>	<b>42.4</b>
Maine	19	0.3	5	26.3	3	15.8	11	57.9
Massachusetts	63	1.0	25	39.7	17	27.0	21	33.3
New Hampshire	17	0.3	2	11.8	7	41.2	8	47.1
Puerto Rico	80	1.3	10	12.5	32	40.0	38	47.5
Rhode Island	24	0.4	10	41.7	6	25.0	8	33.3
<b>SECOND CIRCUIT</b>	<b>217</b>	<b>3.6</b>	<b>95</b>	<b>43.8</b>	<b>57</b>	<b>26.3</b>	<b>65</b>	<b>30.0</b>
Connecticut	14	0.2	7	50.0	3	21.4	4	28.6
New York								
Eastern	76	1.3	38	50.0	17	22.4	21	27.6
Northern	25	0.4	9	36.0	12	48.0	4	16.0
Southern	85	1.4	32	37.6	23	27.1	30	35.3
Western	10	0.2	5	50.0	1	10.0	4	40.0
Vermont	7	0.1	4	57.1	1	14.3	2	28.6
<b>THIRD CIRCUIT</b>	<b>238</b>	<b>3.9</b>	<b>109</b>	<b>45.8</b>	<b>57</b>	<b>24.0</b>	<b>72</b>	<b>30.3</b>
Delaware	5	0.1	2	40.0	1	20.0	2	40.0
New Jersey	61	1.0	33	54.1	14	23.0	14	23.0
Pennsylvania								
Eastern	107	1.8	46	43.0	27	25.2	34	31.8
Middle	37	0.6	17	45.9	9	24.3	11	29.7
Western	17	0.3	7	41.2	3	17.6	7	41.2
Virgin Islands	11	0.2	4	36.4	3	27.3	4	36.4
<b>FOURTH CIRCUIT</b>	<b>796</b>	<b>13.1</b>	<b>272</b>	<b>34.2</b>	<b>219</b>	<b>27.5</b>	<b>305</b>	<b>38.3</b>
Maryland	91	1.5	17	18.7	21	23.1	53	58.2
North Carolina								
Eastern	78	1.3	26	33.3	29	37.2	23	29.5
Middle	107	1.8	55	51.4	31	29.0	21	19.6
Western	73	1.2	18	24.7	22	30.1	33	45.2
South Carolina	122	2.0	57	46.7	34	27.9	31	25.4
Virginia								
Eastern	167	2.7	28	16.8	47	28.1	92	55.1
Western	81	1.3	26	32.1	21	25.9	34	42.0
West Virginia								
Northern	35	0.6	16	45.7	10	28.6	9	25.7
Southern	42	0.7	29	69.0	4	9.5	9	21.4

CIRCUIT	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>FIFTH CIRCUIT</b>	<b>851</b>	<b>14.0</b>	<b>284</b>	<b>33.4</b>	<b>134</b>	<b>15.7</b>	<b>434</b>	<b>51.0</b>
Louisiana								
Eastern	24	0.4	8	33.3	6	25.0	10	41.7
Middle	23	0.4	8	34.8	1	4.3	14	60.9
Western	36	0.6	15	41.7	7	19.4	14	38.9
Mississippi								
Northern	15	0.2	5	33.3	2	13.3	8	53.3
Southern	47	0.8	2	4.3	8	17.0	37	78.7
Texas								
Eastern	78	1.3	32	41.0	13	16.7	33	42.3
Northern	114	1.9	42	36.8	21	18.4	51	44.7
Southern	323	5.3	111	34.4	41	12.7	171	52.9
Western	191	88.0	61	31.9	34	18.3	96	50.3
<b>SIXTH CIRCUIT</b>	<b>479</b>	<b>7.9</b>	<b>182</b>	<b>38.0</b>	<b>118</b>	<b>24.6</b>	<b>179</b>	<b>37.4</b>
Kentucky								
Eastern	36	0.6	8	22.2	11	30.6	17	47.2
Western	44	0.7	14	31.8	10	22.7	20	45.5
Michigan								
Eastern	90	1.5	26	28.9	24	26.7	40	44.4
Western	40	0.7	18	45.0	14	35.0	8	20.0
Ohio								
Northern	56	0.9	19	33.9	18	32.1	19	33.9
Southern	47	0.8	30	63.8	7	14.9	10	21.3
Tennessee								
Eastern	49	0.8	22	44.9	14	28.6	13	26.5
Middle	29	0.5	11	37.9	4	13.8	14	48.3
Western	88	1.4	34	38.6	16	18.2	38	43.2
<b>SEVENTH CIRCUIT</b>	<b>466</b>	<b>7.7</b>	<b>153</b>	<b>32.8</b>	<b>112</b>	<b>24.0</b>	<b>201</b>	<b>43.1</b>
Illinois								
Central	61	1.0	17	27.9	20	32.8	24	39.3
Northern	136	2.2	30	22.1	30	22.1	76	55.9
Southern	72	1.2	28	38.9	20	27.8	24	33.3
Indiana								
Northern	61	1.0	28	45.9	14	23.0	19	31.1
Southern	37	0.6	9	24.3	4	10.8	24	64.9
Wisconsin								
Eastern	70	1.2	27	38.6	20	28.6	23	32.9
Western	29	0.5	14	48.3	4	13.8	11	37.9
<b>EIGHTH CIRCUIT</b>	<b>313</b>	<b>5.2</b>	<b>177</b>	<b>56.6</b>	<b>42</b>	<b>13.4</b>	<b>94</b>	<b>30.0</b>
Arkansas								
Eastern	22	0.4	11	50.0	3	13.6	8	36.4
Western	14	0.2	8	57.1	3	21.4	3	21.4
Iowa								
Northern	27	0.4	16	59.3	4	14.8	7	25.9
Southern	29	0.5	11	37.9	7	24.1	11	37.9
Minnesota	58	1.0	29	50.0	10	17.2	19	32.8
Missouri								
Eastern	29	0.5	18	62.1	2	6.9	9	31.0
Western	52	0.9	36	69.2	5	9.6	11	21.2
Nebraska	63	1.0	40	63.5	6	9.5	17	27.0
North Dakota	5	0.1	3	60.0	0	0.0	2	40.0
South Dakota	14	0.2	5	35.7	2	14.3	7	50.0

CIRCUIT District	Total		Sentencing Only		Sentencing and Conviction		Conviction Only	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>NINTH CIRCUIT</b>	<b>1,284</b>	<b>21.1</b>	<b>546</b>	<b>42.5</b>	<b>209</b>	<b>16.3</b>	<b>529</b>	<b>41.2</b>
Alaska	39	0.6	13	33.3	9	23.1	17	43.6
Arizona	121	2.0	48	39.7	15	12.4	58	47.9
California								
Central	309	5.1	142	46.0	53	17.2	114	36.9
Eastern	106	1.7	34	32.1	29	27.4	43	40.6
Northern	69	1.1	24	34.8	8	11.6	37	53.6
Southern	240	3.9	109	45.4	39	16.3	92	38.3
Guam	21	0.3	5	23.8	3	14.3	13	61.9
Hawaii	25	0.4	10	40.0	3	12.0	12	48.0
Idaho	40	0.7	11	27.5	10	25.0	19	47.5
Montana	51	0.8	22	43.1	6	11.8	23	45.1
Nevada	77	1.3	34	44.2	12	15.6	31	40.3
Northern Mariana Islands	4	0.1	0	0.0	1	25.0	3	75.0
Oregon	58	1.0	21	36.2	9	15.5	28	48.3
Washington								
Eastern	40	0.7	23	57.5	0	0.0	17	42.5
Western	84	1.4	50	59.5	12	14.3	22	26.2
<b>TENTH CIRCUIT</b>	<b>480</b>	<b>7.9</b>	<b>177</b>	<b>36.9</b>	<b>90</b>	<b>18.8</b>	<b>213</b>	<b>44.4</b>
Colorado	69	1.1	32	46.4	11	15.9	26	37.7
Kansas	92	1.5	36	39.1	26	28.3	30	32.6
New Mexico	78	1.3	21	26.9	10	12.8	47	60.3
Oklahoma								
Eastern	24	0.4	6	25.0	0	0.0	18	75.0
Northern	45	0.7	15	33.3	7	15.6	23	51.1
Western	69	1.1	27	39.1	20	29.0	22	31.9
Utah	78	1.3	31	39.7	10	12.8	37	47.4
Wyoming	25	0.4	9	36.0	6	24.0	10	40.0
<b>ELEVENTH CIRCUIT</b>	<b>681</b>	<b>11.2</b>	<b>417</b>	<b>61.2</b>	<b>165</b>	<b>24.2</b>	<b>99</b>	<b>14.5</b>
Alabama								
Middle	31	0.5	17	54.8	9	29.0	5	16.1
Northern	34	0.6	18	52.9	9	26.5	7	20.6
Southern	46	0.8	29	63.0	12	26.1	5	10.9
Florida								
Middle	102	1.7	53	52.0	30	29.4	19	18.6
Northern	77	1.3	45	58.4	18	23.4	14	18.2
Southern	252	4.1	166	65.9	49	19.4	37	14.7
Georgia								
Middle	43	0.7	20	46.5	17	39.5	6	14.0
Northern	68	1.1	50	73.5	14	20.6	4	5.9
Southern	28	0.5	19	67.9	7	25.0	2	7.1

))))))))))

<sup>1</sup>Of the 6,381 appeals cases, 303 were excluded due to one or both of the following reasons: missing district information (75) or missing type of appeal information (240). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2000 Appeals Datafile, APPFY00.