

**Sourcebook of criminal justice statistics Online**

http://www.albany.edu/sourcebook/pdf/t5672008.pdf

Table 5.67.2008

**Appeals from U.S. District Courts filed in U.S. Courts of Appeals**

By nature of suit or offense, 1980, 1985, 1990-2008

Nature of suit or offense	1980	1985	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Total cases	19,259	28,560	36,609	37,410	41,543	44,236	42,983	44,365	47,026	45,935	48,057	46,931
<b>Total civil cases</b>	<b>14,854</b>	<b>23,571</b>	<b>27,116</b>	<b>27,461</b>	<b>30,328</b>	<b>32,374</b>	<b>32,309</b>	<b>34,203</b>	<b>36,137</b>	<b>35,414</b>	<b>37,522</b>	<b>36,680</b>
U.S. cases	4,654	6,744	6,626	6,663	7,137	7,858	7,533	7,919	8,750	8,986	9,816	9,221
U.S. plaintiff	869	914	935	991	1,012	985	923	809	728	557	638	634
Contract actions	99	99	146	116	165	196	126	95	89	55	50	62
Real property actions	101	111	88	98	81	134	102	62	63	37	43	50
Civil rights	62	68	121	100	89	53	83	78	80	71	98	64
Labor laws	68	68	62	68	59	44	49	37	26	23	25	23
All other <sup>a</sup>	539	568	518	609	618	558	563	537	470	371	422	435
U.S. defendant	3,785	5,830	5,691	5,672	6,125	6,873	6,610	7,110	8,022	8,429	9,178	8,587
Contract actions	179	141	133	159	206	232	180	139	131	90	107	106
Real property actions	63	77	82	107	91	114	99	97	110	64	74	56
Tort actions	324	404	381	384	396	369	376	356	463	350	293	276
Civil rights	454	720	693	744	796	899	873	898	948	898	963	990
Prisoner petitions:												
Motions to vacate sentence	450	551	1,112	1,154	1,467	1,818	1,774	2,215	3,078	3,870	4,066	3,356
Habeas corpus <sup>b</sup>	302	531	488	506	432	421	430	462	451	492	677	1,034
Prisoner civil rights	159	288	408	389	406	416	506	555	624	434	302	303
Prison conditions	NA	NA	NA	NA	NA	NA	NA	NA	NA	85 <sup>c</sup>	152	154
Other prisoner petitions	96	140	253	289	239	247	229	225	293	302	327	364
Social Security laws	627	1,188	926	686	683	846	861	925	815	699	862	904
Tax suits	197	448	313	332	360	320	306	270	219	248	276	243
Environmental matters	NA	102	93	96	99	101	105	110	133	138	113	121
Freedom of Information Act	NA	130	93	98	136	142	98	81	94	106	109	78
All other <sup>d</sup>	934	1,110	716	728	814	948	773	777	663	653	857	602
Private cases	10,200	16,827	20,490	20,798	23,191	24,516	24,776	26,284	27,387	26,428	27,706	27,459
Federal question	7,728	12,910	16,370	16,668	18,795	19,930	20,824	22,496	23,533	22,630	24,250	24,076
Contract actions	252	586	561	628	737	631	768	578	642	553	606	633
Tort actions	497	749	737	742	750	783	744	813	686	687	666	901
Civil rights	2,145	3,648	3,915	3,844	4,339	5,030	5,638	6,001	6,242	6,923	7,405	7,052
Antitrust	343	310	214	190	162	197	197	164	160	166	169	146
Prisoner petitions:												
Habeas corpus <sup>b</sup>	1,020	2,172	3,170	3,391	3,725	3,612	3,642	3,927	4,423	4,475	6,054	6,782
Prisoner civil rights	1,578	2,772	4,413	4,655	5,396	6,044	6,385	7,528	8,053	5,358	3,814	2,925
Prison conditions	NA	NA	NA	NA	NA	NA	NA	NA	NA	1,103 <sup>c</sup>	1,937	2,178
Other prisoner petitions	70	78	53	70	71	104	78	69	70	68	92	93
Labor laws	417	1,009	1,085	1,079	1,195	1,181	1,179	1,276	1,190	1,160	1,303	1,185
Copyright, patent, and trademark	270	275	349	306	377	394	401	443	447	450	491	465
Securities, commodities, exchange	NA	290	417	352	428	323	242	224	242	200	177	196
Constitutionality of State statutes	NA	104	96	100	117	87	106	123	96	133	129	121
All other	1,136	917	1,360	1,311	1,498	1,544	1,444	1,350	1,282	1,354	1,407	1,399
Diversity of citizenship	2,427	3,878	4,099	4,088	4,333	4,551	3,898	3,753	3,833	3,776	3,443	3,366
Contract actions	1,362	2,192	2,413	2,419	2,450	2,398	2,292	2,183	2,235	2,259	2,019	1,958
Tort actions	996	1,538	1,488	1,415	1,663	1,957	1,410	1,414	1,445	1,379	1,296	1,274
All other <sup>e</sup>	69	148	198	254	220	196	196	156	153	138	128	134
General local jurisdiction <sup>e</sup>	45	39	21	42	63	35	54	35	21	22	13	17
<b>Total criminal cases</b>	<b>4,405</b>	<b>4,989</b>	<b>9,493</b>	<b>9,949</b>	<b>11,215</b>	<b>11,862</b>	<b>10,674</b>	<b>10,162</b>	<b>10,889</b>	<b>10,521</b>	<b>10,535</b>	<b>10,251</b>
Homicide	52	49	81	66	79	83	126	114	142	140	119	118
Assault	NA	67	97	86	80	116	103	103	80	89	79	71
Robbery and burglary	310	300	400	463	547	596	528	353	289	305	319	268
Larceny and theft	244	242	267	225	238	262	302	250	278	275	269	221
Embezzlement and fraud	826	912	1,221	1,387	1,522	1,561	1,426	1,294	1,581	1,526	1,403	1,276
Motor vehicle theft	64	55	35	38	49	64	135	92	112	76	94	93
Drug offenses	1,369	2,063	5,658	5,570	5,936	5,900	5,104	4,499	5,099	4,750	4,845	4,513
Extortion, racketeering, and threats	251	263	119	136	167	157	150	122	204	218	163	205
Firearms, weapons <sup>f</sup>	175	229	526	715	1,092	1,237	1,139	1,034	1,183	1,135	982	1,070
Forgery and counterfeiting	214	157	172	128	152	132	127	132	140	143	158	153
Immigration	NA	64	140	144	209	226	263	277	353	417	693	934
All other <sup>g</sup>	900	588	777	991	1,144	1,528	1,271	1,892	1,428	1,447	1,411	1,329

See notes at end of table.

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**Appeals from U.S. District Courts filed in U.S. Courts of Appeals**

By nature of suit or offense, 1980, 1985, 1990-2008--Continued

Nature of suit or offense	2000	2001	2002	2003	2004	2005	2006	2007	2008
Total cases	46,487	47,327	47,068	46,358	45,581	48,878	47,237	43,408	45,121
<b>Total civil cases</b>	<b>35,780</b>	<b>36,046</b>	<b>35,499</b>	<b>34,390</b>	<b>33,075</b>	<b>32,818</b>	<b>31,991</b>	<b>30,241</b>	<b>31,454</b>
U.S. cases	8,695	9,705	9,424	8,589	8,231	9,229	8,527	7,412	8,100
U.S. plaintiff	608	495	466	377	414	348	381	377	403
Contract actions	108	62	45	27	20	17	19	13	15
Real property actions	29	26	19	23	20	23	17	21	21
Civil rights	62	49	57	48	55	36	58	49	48
Labor laws	22	25	27	11	13	13	10	7	16
All other <sup>a</sup>	387	333	318	268	306	259	277	287	303
U.S. defendant	8,087	9,210	8,958	8,212	7,817	8,881	8,146	7,035	7,697
Contract actions	73	58	68	65	53	68	49	66	49
Real property actions	72	57	61	44	49	33	39	51	42
Tort actions	273	472	243	256	233	224	190	194	251
Civil rights	895	848	876	874	834	817	772	821	738
Prisoner petitions:									
Motions to vacate sentence	2,671	3,470	3,368	2,907	2,630	3,709	3,427	2,621	2,350
Habeas corpus <sup>b</sup>	1,398	1,612	1,621	1,328	1,304	1,464	1,127	889	1,131
Prisoner civil rights	336	358	384	384	421	430	415	404	611
Prison conditions	169	189	186	189	170	168	203	234	178
Other prisoner petitions	381	509	506	542	467	487	423	333	916
Social Security laws	845	710	777	714	800	621	602	624	556
Tax suits	189	139	131	167	133	160	164	128	121
Environmental matters	116	127	144	126	138	150	118	158	124
Freedom of Information Act	78	76	65	58	66	79	77	70	68
All other <sup>d</sup>	591	585	528	558	519	471	488	442	562
Private cases	27,085	26,341	26,075	25,801	24,844	23,589	23,464	22,829	23,354
Federal question	23,885	23,122	23,003	22,640	21,774	20,666	20,793	20,165	20,672
Contract actions	513	564	445	453	484	436	442	490	520
Tort actions	589	641	638	600	560	583	581	568	528
Civil rights	6,995	6,393	6,515	5,843	6,020	5,735	5,497	5,034	4,846
Antitrust	106	121	102	117	124	120	127	164	122
Prisoner petitions:									
Habeas corpus <sup>b</sup>	7,234	7,145	7,115	7,304	6,939	6,362	6,540	6,632	6,602
Prisoner civil rights	2,681	2,585	2,729	2,761	2,494	2,653	2,800	2,713	3,590
Prison conditions	2,295	2,366	2,269	2,180	2,040	1,692	1,722	1,578	1,380
Other prisoner petitions	87	109	94	96	96	69	67	68	94
Labor laws	1,108	1,043	969	1,039	1,019	993	1,055	873	908
Copyright, patent, and trademark	504	497	485	492	460	440	404	396	454
Securities, commodities, exchange	223	212	197	216	205	170	218	190	158
Constitutionality of State statutes	133	99	110	98	120	95	114	84	87
All other	1,417	1,347	1,335	1,441	1,213	1,318	1,226	1,375	1,383
Diversity of citizenship	3,190	3,210	3,055	3,153	3,067	2,922	2,669	2,659	2,681
Contract actions	1,969	1,974	1,997	2,060	1,981	1,877	1,693	1,725	1,777
Tort actions	1,099	1,111	937	944	949	919	831	819	765
All other <sup>e</sup>	122	125	121	149	137	126	145	115	139
General local jurisdiction <sup>e</sup>	10	9	17	8	3	1	2	5	1
<b>Total criminal cases</b>	<b>10,707</b>	<b>11,281</b>	<b>11,569</b>	<b>11,968</b>	<b>12,506</b>	<b>16,060</b>	<b>15,246</b>	<b>13,167</b>	<b>13,667</b>
Homicide	97	90	121	79	108	56	61	63	40
Assault	60	49	61	79	82	118	119	104	106
Robbery and burglary	312	318	295	269	287	361	313	284	267
Larceny and theft	237	241	211	235	239	169	101	122	137
Embezzlement and fraud	1,339	1,292	1,331	1,418	1,472	1,611	1,468	1,358	1,358
Motor vehicle theft	70	58	54	54	48	NA	NA	NA	NA
Drug offenses	4,450	4,529	4,688	4,562	4,660	6,099	5,858	5,001	6,048
Extortion, racketeering, and threats	201	149	158	167	138	244	315	275	247
Firearms, weapons <sup>f</sup>	1,035	1,266	1,386	1,681	2,021	2,505	2,370	1,984	1,978
Forgery and counterfeiting	130	117	164	147	157	160	126	113	119
Immigration	1,357	1,654	1,679	1,821	1,855	2,896	2,723	2,007	1,592
All other <sup>g</sup>	1,419	1,518	1,421	1,456	1,439	1,841	1,792	1,856	1,775

See notes at end of table.

Table 5.67.2008

Appeals from U.S. District Courts filed in U.S. Courts of Appeals

By nature of suit or offense, 1980, 1985, 1990-2008--Continued

Note: These data exclude bankruptcy appeals, appeals from administrative agencies, and original proceedings, and therefore will differ from figures presented in table 5.66.2008. "Private cases" brought in U.S. District Courts include suits wherein litigation is between States and/or private citizens. "Prisoner petitions" included in this category are those filed by State prisoners naming a State or its representative(s) as the defendant(s). "Diversity of citizenship" refers to lawsuits between residents of different States. Since 1987, totals include reopened, remanded, and reinstated appeals as well as original appeals. Data for 1980 and 1985-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

<sup>a</sup>Includes tort actions; forfeiture and penalty; securities, commodities, and exchange; and tax suits.

<sup>b</sup>Includes death sentence cases.

<sup>c</sup>Collection of data for this category began on Jan. 1, 1997; therefore reported data are for 9 months.

<sup>d</sup>Includes labor suits.

<sup>e</sup>Includes real property actions.

<sup>f</sup>Beginning in 2005, category was renamed "firearms, explosives offenses."

<sup>g</sup>Includes sex offenses, bribery, gambling, lottery, kidnaping, escape, perjury, drunk driving/traffic, other miscellaneous general offenses, other property crimes, regulatory offenses, and Federal statutes such as agricultural acts and antitrust violations. Beginning in 2005, also includes other violent offenses such as terrorism and carjacking, money laundering, and justice system offenses such as obstruction and failure to appear.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1980, pp. 366-369; 1985, p. 118; 1995, pp. 122-126; 1998, pp. 126-130; 1999, pp. 120-124 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1990, pp. 130-132; 1991, pp. 183, 184; 1992, pp. 166-170; 1993, pp. A1-38--A1-42; 1994, Table B-7; 1996, pp. 119-123; 1997, pp. 112-116 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director*, pp. 114-118; 2001 *Annual Report of the Director*, pp. 110-114; 2002 *Annual Report of the Director*, pp. 109-113; 2003 *Annual Report of the Director*, pp. 106-110; 2004 *Annual Report of the Director*, pp. 112-116; 2005 *Annual Report of the Director*, pp. 138-142; 2006 *Annual Report of the Director*, pp. 142-146; 2007 *Annual Report of the Director*, pp. 125-129; 2008 *Annual Report of the Director*, pp. 123-127 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.