

Table 56A

DISPOSITION OF GOVERNMENT SENTENCING APPEALS IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2005

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²			AFFIRMED AND REVERSED ²			DISMISSED		REMANDED	
		n	%	n	%	n	%	n	%	n	%		
TOTAL	127	46	36.2	57	(56)	44.9	8	(8)	6.3	2	1.6	15	11.8
D.C. CIRCUIT	1	0	0.0	1	(1)	100.0	0	(0)	0.0	0	0.0	0	0.0
District of Columbia	1	0	0.0	1 (1)	100.0		0 (0)	0.0		0	0.0	0	0.0
FIRST CIRCUIT	3	2	66.7	1	(1)	33.3	0	(0)	0.0	0	0.0	0	0.0
Maine	1	1	100.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
Massachusetts	1	1	100.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
New Hampshire	1	0	0.0	1 (1)	100.0		0 (0)	0.0		0	0.0	0	0.0
Puerto Rico	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
Rhode Island	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
SECOND CIRCUIT	19	4	21.1	7	(7)	36.8	1	(1)	5.3	0	0.0	7	36.8
Connecticut	2	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	2	100.0
New York													
Eastern	10	4	40.0	5 (5)	50.0		1 (1)	10.0		0	0.0	0	0.0
Northern	4	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	4	100.0
Southern	1	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	1	100.0
Western	2	0	0.0	2 (2)	100.0		0 (0)	0.0		0	0.0	0	0.0
Vermont	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
THIRD CIRCUIT	3	2	66.7	1	(1)	33.3	0	(0)	0.0	0	0.0	0	0.0
Delaware	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
New Jersey	1	0	0.0	1 (1)	100.0		0 (0)	0.0		0	0.0	0	0.0
Pennsylvania													
Eastern	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
Middle	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
Western	2	2	100.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
Virgin Islands	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
FOURTH CIRCUIT	8	3	37.5	5	(5)	62.5	0	(0)	0.0	0	0.0	0	0.0
Maryland	1	0	0.0	1 (1)	100.0		0 (0)	0.0		0	0.0	0	0.0
North Carolina													
Eastern	1	0	0.0	1 (1)	100.0		0 (0)	0.0		0	0.0	0	0.0
Middle	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
Western	1	1	100.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
South Carolina	1	1	100.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
Virginia													
Eastern	3	1	33.3	2 (2)	66.7		0 (0)	0.0		0	0.0	0	0.0
Western	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
West Virginia													
Northern	0	0	0.0	0 (0)	0.0		0 (0)	0.0		0	0.0	0	0.0
Southern	1	0	0.0	1 (1)	100.0		0 (0)	0.0		0	0.0	0	0.0

Table 56A (cont.)

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²		AFFIRMED AND REVERSED ²		DISMISSED		REMANDED			
		n	%	n	%	n	%	n	%	n	%		
FIFTH CIRCUIT	4	2	50.0	1	(0)	25.0	0	(0)	0.0	1	25.0	0	0.0
Louisiana													
Eastern	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Middle	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Western	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Mississippi													
Northern	1	0	0.0	1 (0)		100.0	0 (0)		0.0	0	0.0	0	0.0
Southern	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Texas													
Eastern	1	0	0.0	0 (0)		0.0	0 (0)		0.0	1	0.0	0	0.0
Northern	2	2	100.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Southern	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Western	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
SIXTH CIRCUIT	15	6	40.0	8	(8)	53.3	1	(1)	6.7	0	0.0	0	0.0
Kentucky													
Eastern	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Western	2	0	0.0	1 (1)		50.0	1 (1)		50.0	0	0.0	0	0.0
Michigan													
Eastern	3	0	0.0	3 (3)		100.0	0 (0)		0.0	0	0.0	0	0.0
Western	1	0	0.0	1 (1)		100.0	0 (0)		0.0	0	0.0	0	0.0
Ohio													
Northern	2	1	50.0	1 (1)		50.0	0 (0)		0.0	0	0.0	0	0.0
Southern	2	2	100.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Tennessee													
Eastern	4	3	75.0	1 (1)		25.0	0 (0)		0.0	0	0.0	0	0.0
Middle	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Western	1	0	0.0	1 (1)		100.0	0 (0)		0.0	0	0.0	0	0.0
SEVENTH CIRCUIT	8	1	12.5	5	(5)	62.5	1	(1)	12.5	0	0.0	1	12.5
Illinois													
Central	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Northern	5	0	0.0	4 (4)		80.0	1 (1)		20.0	0	0.0	0	0.0
Southern	3	1	33.3	1 (1)		33.3	0 (0)		0.0	0	0.0	1	33.3
Indiana													
Northern	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Southern	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Wisconsin													
Eastern	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Western	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
EIGHTH CIRCUIT	17	6	35.3	7	(7)	41.2	2	(2)	11.8	0	0.0	2	11.8
Arkansas													
Eastern	2	2	100.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Western	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Iowa													
Northern	4	0	0.0	2 (2)		50.0	0 (0)		0.0	0	0.0	2	50.0
Southern	4	1	25.0	2 (2)		50.0	1 (1)		25.0	0	0.0	0	0.0
Minnesota	1	1	100.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Missouri													
Eastern	1	1	100.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
Western	2	0	0.0	1 (1)		50.0	1 (1)		50.0	0	0.0	0	0.0
Nebraska	2	0	0.0	2 (2)		100.0	0 (0)		0.0	0	0.0	0	0.0
North Dakota	0	0	0.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0
South Dakota	1	1	100.0	0 (0)		0.0	0 (0)		0.0	0	0.0	0	0.0

Table 56A (cont.)

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²		AFFIRMED AND REVERSED ²		DISMISSED		REMANDED			
		n	%	n	%	n	%	n	%	n	%		
NINTH CIRCUIT	24	11	45.8	8	(8)	33.3	2	(2)	8.3	0	0.0	3	12.5
Alaska	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0
Arizona	4	2	50.0	1 (1)	25.0	1 (1)	25.0	0	0.0	0	0.0	0	0.0
California													
Central	10	2	20.0	5 (5)	50.0	0 (0)	0.0	0	0.0	0	0.0	3	30.0
Eastern	1	0	0.0	1 (1)	100.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Southern	2	1	50.0	1 (1)	50.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Guam	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Hawaii	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Idaho	1	1	100.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Montana	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Nevada	2	1	50.0	0 (0)	0.0	1 (1)	50.0	0	0.0	0	0.0	0	0.0
Northern Mariana Islands	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Oregon	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Washington													
Eastern	4	4	100.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
TENTH CIRCUIT	8	2	25.0	3	(3)	37.5	1	(1)	12.5	1	12.5	1	12.5
Colorado	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Kansas	4	0	0.0	2 (2)	50.0	0 (0)	0.0	1	25.0	1	25.0	1	25.0
New Mexico	2	2	100.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Oklahoma													
Eastern	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Northern	1	0	0.0	1 (1)	100.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Utah	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Wyoming	1	0	0.0	0 (0)	0.0	1 (1)	100.0	0	0.0	0	0.0	0	0.0
ELEVENTH CIRCUIT	18	7	38.9	10	(10)	55.6	0	(0)	0.0	0	0.0	1	5.6
Alabama													
Middle	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Northern	2	0	0.0	2 (2)	100.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Southern	1	1	100.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Florida													
Middle	2	0	0.0	1 (1)	50.0	0 (0)	0.0	0	0.0	0	0.0	1	50.0
Northern	1	0	0.0	1 (1)	100.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Southern	7	2	28.6	5 (5)	71.4	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Georgia													
Middle	0	0	0.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Northern	3	2	66.7	1 (1)	33.3	0 (0)	0.0	0	0.0	0	0.0	0	0.0
Southern	2	2	100.0	0 (0)	0.0	0 (0)	0.0	0	0.0	0	0.0	0	0.0

¹Of the 7,813 appeals cases, 1,434 were excluded because the type of appeal was “conviction only.” Of the 6,379 remaining cases, 171 were excluded due to missing type of appeal. Of the 6,208 cases, 6,081 were excluded as the appeal was by the defendant only. Of the remaining 127 cases, none were excluded due to missing district information. Descriptions of variables used in this table are provided in Appendix A.

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