

**Table 56**

**DISPOSITION OF DEFENDANT SENTENCING APPEALS IN EACH CIRCUIT AND DISTRICT<sup>1</sup>  
Fiscal Year 2014**

CIRCUIT District	AFFIRMED			REVERSED <sup>2</sup>			AFFIRMED AND REVERSED <sup>2</sup>			DISMISSED		REMANDED	
	TOTAL	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>4,900</b>	<b>3,645</b>	<b>74.4</b>	<b>480</b>	<b>(480)</b>	<b>9.8</b>	<b>112</b>	<b>(103)</b>	<b>2.3</b>	<b>601</b>	<b>12.3</b>	<b>62</b>	<b>1.3</b>
<b>D.C. CIRCUIT</b>	<b>40</b>	<b>30</b>	<b>75.0</b>	<b>10</b>	<b>(10)</b>	<b>25.0</b>	<b>0</b>	<b>(0)</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
District of Columbia	40	30	75.0	10	(10)	25.0	0	(0)	0.0	0	0.0	0	0.0
<b>FIRST CIRCUIT</b>	<b>190</b>	<b>154</b>	<b>81.1</b>	<b>16</b>	<b>(16)</b>	<b>8.4</b>	<b>4</b>	<b>(4)</b>	<b>2.1</b>	<b>11</b>	<b>5.8</b>	<b>5</b>	<b>2.6</b>
Maine	27	24	88.9	0	(0)	0.0	0	(0)	0.0	2	7.4	1	3.7
Massachusetts	41	36	87.8	2	(2)	4.9	0	(0)	0.0	3	7.3	0	0.0
New Hampshire	6	6	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Puerto Rico	105	80	76.2	13	(13)	12.4	4	(4)	3.8	5	4.8	3	2.9
Rhode Island	11	8	72.7	1	(1)	9.1	0	(0)	0.0	1	9.1	1	9.1
<b>SECOND CIRCUIT</b>	<b>285</b>	<b>207</b>	<b>72.6</b>	<b>31</b>	<b>(31)</b>	<b>10.9</b>	<b>7</b>	<b>(7)</b>	<b>2.5</b>	<b>26</b>	<b>9.1</b>	<b>14</b>	<b>4.9</b>
Connecticut	38	29	76.3	4	(4)	10.5	2	(2)	5.3	2	5.3	1	2.6
New York													
Eastern	70	51	72.9	7	(7)	10.0	1	(1)	1.4	7	10.0	4	5.7
Northern	52	33	63.5	4	(4)	7.7	3	(3)	5.8	6	11.5	6	11.5
Southern	91	70	76.9	10	(10)	11.0	1	(1)	1.1	8	8.8	2	2.2
Western	19	14	73.7	2	(2)	10.5	0	(0)	0.0	3	15.8	0	0.0
Vermont	15	10	66.7	4	(4)	26.7	0	(0)	0.0	0	0.0	1	6.7
<b>THIRD CIRCUIT</b>	<b>215</b>	<b>179</b>	<b>83.3</b>	<b>16</b>	<b>(16)</b>	<b>7.4</b>	<b>3</b>	<b>(2)</b>	<b>1.4</b>	<b>12</b>	<b>5.6</b>	<b>5</b>	<b>2.3</b>
Delaware	5	4	80.0	1	(1)	20.0	0	(0)	0.0	0	0.0	0	0.0
New Jersey	35	28	80.0	2	(2)	5.7	0	(0)	0.0	5	14.3	0	0.0
Pennsylvania													
Eastern	84	70	83.3	7	(7)	8.3	2	(1)	2.4	2	2.4	3	3.6
Middle	41	35	85.4	2	(2)	4.9	1	(1)	2.4	2	4.9	1	2.4
Western	45	38	84.4	3	(3)	6.7	0	(0)	0.0	3	6.7	1	2.2
Virgin Islands	5	4	80.0	1	(1)	20.0	0	(0)	0.0	0	0.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>611</b>	<b>458</b>	<b>75.0</b>	<b>50</b>	<b>(50)</b>	<b>8.2</b>	<b>8</b>	<b>(6)</b>	<b>1.3</b>	<b>92</b>	<b>15.1</b>	<b>3</b>	<b>0.5</b>
Maryland	73	44	60.3	14	(14)	19.2	2	(2)	2.7	12	16.4	1	1.4
North Carolina													
Eastern	159	127	79.9	11	(11)	6.9	2	(2)	1.3	18	11.3	1	0.6
Middle	91	80	87.9	5	(5)	5.5	1	(0)	1.1	5	5.5	0	0.0
Western	62	36	58.1	7	(7)	11.3	1	(0)	1.6	18	29.0	0	0.0
South Carolina	73	50	68.5	7	(7)	9.6	1	(1)	1.4	15	20.5	0	0.0
Virginia													
Eastern	78	57	73.1	6	(6)	7.7	0	(0)	0.0	14	17.9	1	1.3
Western	33	28	84.8	0	(0)	0.0	1	(1)	3.0	4	12.1	0	0.0
West Virginia													
Northern	12	10	83.3	0	(0)	0.0	0	(0)	0.0	2	16.7	0	0.0
Southern	30	26	86.7	0	(0)	0.0	0	(0)	0.0	4	13.3	0	0.0

**Table 56 (cont.)**

CIRCUIT District	TOTAL	AFFIRMED		REVERSED <sup>2</sup>			AFFIRMED AND REVERSED <sup>2</sup>			DISMISSED		REMANDED	
		N	%	N	%		N	%	N	%	N	%	
<b>FIFTH CIRCUIT</b>	<b>867</b>	<b>634</b>	<b>73.1</b>	<b>80</b>	<b>(80)</b>	<b>9.2</b>	<b>17</b>	<b>(16)</b>	<b>2.0</b>	<b>128</b>	<b>14.8</b>	<b>8</b>	<b>0.9</b>
Louisiana													
Eastern	21	14	66.7	3	(3)	14.3	0	(0)	0.0	4	19.0	0	0.0
Middle	13	7	53.8	3	(3)	23.1	1	(1)	7.7	2	15.4	0	0.0
Western	39	35	89.7	4	(4)	10.3	0	(0)	0.0	0	0.0	0	0.0
Mississippi													
Northern	24	16	66.7	1	(1)	4.2	4	(4)	16.7	3	12.5	0	0.0
Southern	19	10	52.6	0	(0)	0.0	0	(0)	0.0	9	47.4	0	0.0
Texas													
Eastern	39	27	69.2	2	(2)	5.1	2	(2)	5.1	7	17.9	1	2.6
Northern	166	120	72.3	10	(10)	6.0	3	(3)	1.8	31	18.7	2	1.2
Southern	282	202	71.6	43	(43)	15.2	7	(6)	2.5	26	9.2	4	1.4
Western	264	203	76.9	14	(14)	5.3	0	(0)	0.0	46	17.4	1	0.4
<b>SIXTH CIRCUIT</b>	<b>534</b>	<b>419</b>	<b>78.5</b>	<b>43</b>	<b>(43)</b>	<b>8.1</b>	<b>14</b>	<b>(13)</b>	<b>2.6</b>	<b>55</b>	<b>10.3</b>	<b>3</b>	<b>0.6</b>
Kentucky													
Eastern	44	38	86.4	3	(3)	6.8	1	(1)	2.3	2	4.5	0	0.0
Western	47	39	83.0	2	(2)	4.3	1	(1)	2.1	5	10.6	0	0.0
Michigan													
Eastern	73	50	68.5	8	(8)	11.0	4	(4)	5.5	11	15.1	0	0.0
Western	64	53	82.8	3	(3)	4.7	1	(1)	1.6	7	10.9	0	0.0
Ohio													
Northern	91	73	80.2	6	(6)	6.6	4	(4)	4.4	7	7.7	1	1.1
Southern	48	37	77.1	5	(5)	10.4	1	(0)	2.1	4	8.3	1	2.1
Tennessee													
Eastern	96	69	71.9	13	(13)	13.5	2	(2)	2.1	11	11.5	1	1.0
Middle	12	10	83.3	0	(0)	0.0	0	(0)	0.0	2	16.7	0	0.0
Western	59	50	84.7	3	(3)	5.1	0	(0)	0.0	6	10.2	0	0.0
<b>SEVENTH CIRCUIT</b>	<b>261</b>	<b>178</b>	<b>68.2</b>	<b>48</b>	<b>(48)</b>	<b>18.4</b>	<b>11</b>	<b>(11)</b>	<b>4.2</b>	<b>18</b>	<b>6.9</b>	<b>6</b>	<b>2.3</b>
Illinois													
Central	40	24	60.0	12	(12)	30.0	2	(2)	5.0	1	2.5	1	2.5
Northern	118	89	75.4	16	(16)	13.6	6	(6)	5.1	6	5.1	1	0.8
Southern	31	20	64.5	2	(2)	6.5	1	(1)	3.2	6	19.4	2	6.5
Indiana													
Northern	16	7	43.8	6	(6)	37.5	1	(1)	6.3	1	6.3	1	6.3
Southern	26	16	61.5	6	(6)	23.1	1	(1)	3.8	2	7.7	1	3.8
Wisconsin													
Eastern	21	16	76.2	4	(4)	19.0	0	(0)	0.0	1	4.8	0	0.0
Western	9	6	66.7	2	(2)	22.2	0	(0)	0.0	1	11.1	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>296</b>	<b>232</b>	<b>78.4</b>	<b>17</b>	<b>(17)</b>	<b>5.7</b>	<b>4</b>	<b>(4)</b>	<b>1.4</b>	<b>35</b>	<b>11.8</b>	<b>8</b>	<b>2.7</b>
Arkansas													
Eastern	33	26	78.8	2	(2)	6.1	0	(0)	0.0	3	9.1	2	6.1
Western	12	8	66.7	1	(1)	8.3	1	(1)	8.3	2	16.7	0	0.0
Iowa													
Northern	35	31	88.6	1	(1)	2.9	0	(0)	0.0	2	5.7	1	2.9
Southern	41	36	87.8	3	(3)	7.3	2	(2)	4.9	0	0.0	0	0.0
Minnesota	37	28	75.7	3	(3)	8.1	0	(0)	0.0	6	16.2	0	0.0
Missouri													
Eastern	34	26	76.5	3	(3)	8.8	0	(0)	0.0	5	14.7	0	0.0
Western	53	42	79.2	1	(1)	1.9	0	(0)	0.0	8	15.1	2	3.8
Nebraska	25	20	80.0	2	(2)	8.0	0	(0)	0.0	2	8.0	1	4.0
North Dakota	6	2	33.3	0	(0)	0.0	0	(0)	0.0	4	66.7	0	0.0
South Dakota	20	13	65.0	1	(1)	5.0	1	(1)	5.0	3	15.0	2	10.0

**Table 56 (cont.)**

CIRCUIT District	AFFIRMED			REVERSED <sup>2</sup>			AFFIRMED AND REVERSED <sup>2</sup>			DISMISSED		REMANDED	
	TOTAL	N	%	N	%	N	%	N	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>762</b>	<b>504</b>	<b>66.1</b>	<b>122</b>	<b>(122)</b>	<b>16.0</b>	<b>28</b>	<b>(27)</b>	<b>3.7</b>	<b>101</b>	<b>13.3</b>	<b>7</b>	<b>0.9</b>
Alaska	10	7	70.0	0	(0)	0.0	2	(2)	20.0	1	10.0	0	0.0
Arizona	173	81	46.8	56	(56)	32.4	10	(10)	5.8	26	15.0	0	0.0
California													
Central	164	116	70.7	18	(18)	11.0	5	(5)	3.0	24	14.6	1	0.6
Eastern	43	28	65.1	7	(7)	16.3	2	(2)	4.7	4	9.3	2	4.7
Northern	33	23	69.7	3	(3)	9.1	3	(3)	9.1	2	6.1	2	6.1
Southern	140	111	79.3	13	(13)	9.3	3	(3)	2.1	12	8.6	1	0.7
Guam	3	3	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Hawaii	6	5	83.3	0	(0)	0.0	0	(0)	0.0	1	16.7	0	0.0
Idaho	23	12	52.2	2	(2)	8.7	0	(0)	0.0	9	39.1	0	0.0
Montana	42	31	73.8	8	(8)	19.0	1	(0)	2.4	2	4.8	0	0.0
Nevada	57	38	66.7	8	(8)	14.0	2	(2)	3.5	8	14.0	1	1.8
Northern Mariana Islands	1	1	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0	0	0.0
Oregon	21	12	57.1	2	(2)	9.5	0	(0)	0.0	7	33.3	0	0.0
Washington													
Eastern	26	20	76.9	4	(4)	15.4	0	(0)	0.0	2	7.7	0	0.0
Western	20	16	80.0	1	(1)	5.0	0	(0)	0.0	3	15.0	0	0.0
<b>TENTH CIRCUIT</b>	<b>159</b>	<b>112</b>	<b>70.4</b>	<b>18</b>	<b>(18)</b>	<b>11.3</b>	<b>1</b>	<b>(1)</b>	<b>0.6</b>	<b>28</b>	<b>17.6</b>	<b>0</b>	<b>0.0</b>
Colorado	36	27	75.0	4	(4)	11.1	0	(0)	0.0	5	13.9	0	0.0
Kansas	43	27	62.8	8	(8)	18.6	0	(0)	0.0	8	18.6	0	0.0
New Mexico	21	14	66.7	2	(2)	9.5	1	(1)	4.8	4	19.0	0	0.0
Oklahoma													
Eastern	12	11	91.7	1	(1)	8.3	0	(0)	0.0	0	0.0	0	0.0
Northern	10	6	60.0	1	(1)	10.0	0	(0)	0.0	3	30.0	0	0.0
Western	23	17	73.9	0	(0)	0.0	0	(0)	0.0	6	26.1	0	0.0
Utah	9	6	66.7	1	(1)	11.1	0	(0)	0.0	2	22.2	0	0.0
Wyoming	5	4	80.0	1	(1)	20.0	0	(0)	0.0	0	0.0	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>680</b>	<b>538</b>	<b>79.1</b>	<b>29</b>	<b>(29)</b>	<b>4.3</b>	<b>15</b>	<b>(12)</b>	<b>2.2</b>	<b>95</b>	<b>14.0</b>	<b>3</b>	<b>0.4</b>
Alabama													
Middle	20	15	75.0	3	(3)	15.0	1	(0)	5.0	1	5.0	0	0.0
Northern	24	18	75.0	0	(0)	0.0	0	(0)	0.0	6	25.0	0	0.0
Southern	18	13	72.2	2	(2)	11.1	0	(0)	0.0	3	16.7	0	0.0
Florida													
Middle	122	99	81.1	6	(6)	4.9	3	(3)	2.5	12	9.8	2	1.6
Northern	45	42	93.3	1	(1)	2.2	1	(1)	2.2	1	2.2	0	0.0
Southern	268	218	81.3	12	(12)	4.5	6	(4)	2.2	31	11.6	1	0.4
Georgia													
Middle	59	41	69.5	2	(2)	3.4	2	(2)	3.4	14	23.7	0	0.0
Northern	80	62	77.5	2	(2)	2.5	2	(2)	2.5	14	17.5	0	0.0
Southern	44	30	68.2	1	(1)	2.3	0	(0)	0.0	13	29.5	0	0.0

<sup>1</sup> Of the 8,607 appeals cases, 3,677 were excluded due to one of the following reasons: type of appeal was “conviction only” (1,843), “Anders Brief” (1,646), or “unknown” (188). Of the 4,930 remaining cases, 30 were excluded as the appeal was by the government only. Descriptions of variables used in this table are provided in Appendix A.

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

SOURCE: U.S. Sentencing Commission, 2014 Appeals Datafile, APPFY14.