

Table A-2

**DISPOSITION OF OFFENDER ORIGINAL SENTENCING APPEALS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2019**

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
TOTAL	3,347	2,267	67.7	325	325	9.7	125	115	3.7	557	16.6	73	2.2
D.C. CIRCUIT	17	9	52.9	5	5	29.4	0	0	0.0	2	11.8	1	5.9
District of Columbia	17	9	52.9	5	5	29.4	0	0	0.0	2	11.8	1	5.9
FIRST CIRCUIT	112	87	77.7	7	7	6.3	1	1	0.9	12	10.7	5	4.5
Maine	17	16	94.1	0	0	0.0	0	0	0.0	1	5.9	0	0.0
Massachusetts	28	23	82.1	0	0	0.0	1	1	3.6	3	10.7	1	3.6
New Hampshire	4	3	75.0	0	0	0.0	0	0	0.0	1	25.0	0	0.0
Puerto Rico	61	43	70.5	7	7	11.5	0	0	0.0	7	11.5	4	6.6
Rhode Island	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
SECOND CIRCUIT	239	139	58.2	23	23	9.6	23	22	9.6	38	15.9	16	6.7
Connecticut	21	12	57.1	2	2	9.5	3	3	14.3	4	19.0	0	0.0
New York													
Eastern	54	28	51.9	8	8	14.8	5	4	9.3	8	14.8	5	9.3
Northern	45	28	62.2	3	3	6.7	5	5	11.1	3	6.7	6	13.3
Southern	90	53	58.9	8	8	8.9	7	7	7.8	18	20.0	4	4.4
Western	22	12	54.5	2	2	9.1	2	2	9.1	5	22.7	1	4.5
Vermont	7	6	85.7	0	0	0.0	1	1	14.3	0	0.0	0	0.0
THIRD CIRCUIT	129	104	80.6	14	14	10.9	0	0	0.0	9	7.0	2	1.6
Delaware	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Jersey	21	18	85.7	1	1	4.8	0	0	0.0	2	9.5	0	0.0
Pennsylvania													
Eastern	47	35	74.5	8	8	17.0	0	0	0.0	4	8.5	0	0.0
Middle	39	29	74.4	5	5	12.8	0	0	0.0	3	7.7	2	5.1
Western	14	14	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Virgin Islands	7	7	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
FOURTH CIRCUIT	371	232	62.5	22	22	5.9	3	3	0.8	114	30.7	0	0.0
Maryland	45	22	48.9	2	2	4.4	0	0	0.0	21	46.7	0	0.0
North Carolina													
Eastern	94	61	64.9	4	4	4.3	0	0	0.0	29	30.9	0	0.0
Middle	37	26	70.3	3	3	8.1	1	1	2.7	7	18.9	0	0.0
Western	37	26	70.3	2	2	5.4	1	1	2.7	8	21.6	0	0.0
South Carolina	58	36	62.1	5	5	8.6	0	0	0.0	17	29.3	0	0.0
Virginia													
Eastern	45	26	57.8	2	2	4.4	0	0	0.0	17	37.8	0	0.0
Western	11	9	81.8	1	1	9.1	0	0	0.0	1	9.1	0	0.0
West Virginia													
Northern	20	17	85.0	1	1	5.0	0	0	0.0	2	10.0	0	0.0
Southern	24	9	37.5	2	2	8.3	1	1	4.2	12	50.0	0	0.0

Table A-2 (cont.)

CIRCUIT	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
FIFTH CIRCUIT	660	466	70.6	75	75	11.4	14	7	2.1	86	13.0	19	2.9
Louisiana													
Eastern	12	6	50.0	2	2	16.7	0	0	0.0	4	33.3	0	0.0
Middle	12	8	66.7	3	3	25.0	0	0	0.0	1	8.3	0	0.0
Western	31	26	83.9	2	2	6.5	1	1	3.2	1	3.2	1	3.2
Mississippi													
Northern	8	6	75.0	0	0	0.0	1	1	12.5	1	12.5	0	0.0
Southern	33	20	60.6	1	1	3.0	1	1	3.0	11	33.3	0	0.0
Texas													
Eastern	37	20	54.1	4	4	10.8	0	0	0.0	11	29.7	2	5.4
Northern	233	184	79.0	17	17	7.3	4	0	1.7	25	10.7	3	1.3
Southern	166	120	72.3	16	16	9.6	5	2	3.0	14	8.4	11	6.6
Western	128	76	59.4	30	30	23.4	2	2	1.6	18	14.1	2	1.6
SIXTH CIRCUIT	331	241	72.8	38	38	11.5	7	7	2.1	43	13.0	2	0.6
Kentucky													
Eastern	56	43	76.8	7	7	12.5	0	0	0.0	6	10.7	0	0.0
Western	4	3	75.0	0	0	0.0	0	0	0.0	1	25.0	0	0.0
Michigan													
Eastern	36	25	69.4	0	0	0.0	0	0	0.0	11	30.6	0	0.0
Western	43	37	86.0	2	2	4.7	0	0	0.0	4	9.3	0	0.0
Ohio													
Northern	83	58	69.9	16	16	19.3	3	3	3.6	5	6.0	1	1.2
Southern	18	11	61.1	2	2	11.1	1	1	5.6	4	22.2	0	0.0
Tennessee													
Eastern	35	31	88.6	3	3	8.6	0	0	0.0	1	2.9	0	0.0
Middle	17	12	70.6	3	3	17.6	1	1	5.9	1	5.9	0	0.0
Western	39	21	53.8	5	5	12.8	2	2	5.1	10	25.6	1	2.6
SEVENTH CIRCUIT	145	96	66.2	20	20	13.8	6	6	4.1	16	11.0	7	4.8
Illinois													
Central	14	13	92.9	1	1	7.1	0	0	0.0	0	0.0	0	0.0
Northern	50	34	68.0	4	4	8.0	3	3	6.0	5	10.0	4	8.0
Southern	15	10	66.7	3	3	20.0	1	1	6.7	1	6.7	0	0.0
Indiana													
Northern	20	14	70.0	2	2	10.0	0	0	0.0	4	20.0	0	0.0
Southern	18	7	38.9	5	5	27.8	0	0	0.0	5	27.8	1	5.6
Wisconsin													
Eastern	9	7	77.8	0	0	0.0	1	1	11.1	0	0.0	1	11.1
Western	19	11	57.9	5	5	26.3	1	1	5.3	1	5.3	1	5.3
EIGHTH CIRCUIT	361	270	74.8	17	17	4.7	4	3	1.1	67	18.6	3	0.8
Arkansas													
Eastern	39	28	71.8	4	4	10.3	2	2	5.1	5	12.8	0	0.0
Western	26	19	73.1	0	0	0.0	1	1	3.8	6	23.1	0	0.0
Iowa													
Northern	33	27	81.8	1	1	3.0	0	0	0.0	5	15.2	0	0.0
Southern	41	39	95.1	2	2	4.9	0	0	0.0	0	0.0	0	0.0
Minnesota	58	52	89.7	4	4	6.9	0	0	0.0	2	3.4	0	0.0
Missouri													
Eastern	35	28	80.0	1	1	2.9	0	0	0.0	5	14.3	1	2.9
Western	79	44	55.7	4	4	5.1	1	0	1.3	28	35.4	2	2.5
Nebraska	11	11	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
North Dakota	8	3	37.5	0	0	0.0	0	0	0.0	5	62.5	0	0.0
South Dakota	31	19	61.3	1	1	3.2	0	0	0.0	11	35.5	0	0.0

Table A-2 (cont.)

CIRCUIT	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
NINTH CIRCUIT	428	251	58.6	62	62	14.5	53	52	12.4	51	11.9	11	2.6
Alaska	16	8	50.0	4	4	25.0	1	1	6.3	3	18.8	0	0.0
Arizona	44	25	56.8	6	6	13.6	5	5	11.4	6	13.6	2	4.5
California													
Central	108	58	53.7	14	14	13.0	25	24	23.1	7	6.5	4	3.7
Eastern	33	26	78.8	1	1	3.0	2	2	6.1	3	9.1	1	3.0
Northern	24	18	75.0	3	3	12.5	0	0	0.0	3	12.5	0	0.0
Southern	63	39	61.9	10	10	15.9	13	13	20.6	1	1.6	0	0.0
Guam	2	1	50.0	1	1	50.0	0	0	0.0	0	0.0	0	0.0
Hawaii	13	9	69.2	2	2	15.4	0	0	0.0	2	15.4	0	0.0
Idaho	21	9	42.9	2	2	9.5	0	0	0.0	10	47.6	0	0.0
Montana	13	8	61.5	1	1	7.7	0	0	0.0	4	30.8	0	0.0
Nevada	37	20	54.1	8	8	21.6	3	3	8.1	4	10.8	2	5.4
Northern Mariana Islands	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Oregon	8	3	37.5	2	2	25.0	0	0	0.0	3	37.5	0	0.0
Washington													
Eastern	20	11	55.0	4	4	20.0	2	2	10.0	3	15.0	0	0.0
Western	25	15	60.0	4	4	16.0	2	2	8.0	2	8.0	2	8.0
TENTH CIRCUIT	131	63	48.1	17	17	13.0	4	4	3.1	45	34.4	2	1.5
Colorado	44	21	47.7	5	5	11.4	1	1	2.3	17	38.6	0	0.0
Kansas	14	3	21.4	3	3	21.4	1	1	7.1	6	42.9	1	7.1
New Mexico	33	18	54.5	4	4	12.1	2	2	6.1	8	24.2	1	3.0
Oklahoma													
Eastern	5	3	60.0	1	1	20.0	0	0	0.0	1	20.0	0	0.0
Northern	5	3	60.0	2	2	40.0	0	0	0.0	0	0.0	0	0.0
Western	16	8	50.0	1	1	6.3	0	0	0.0	7	43.8	0	0.0
Utah	5	1	20.0	1	1	20.0	0	0	0.0	3	60.0	0	0.0
Wyoming	9	6	66.7	0	0	0.0	0	0	0.0	3	33.3	0	0.0
ELEVENTH CIRCUIT	423	309	73.0	25	25	5.9	10	10	2.4	74	17.5	5	1.2
Alabama													
Middle	18	10	55.6	1	1	5.6	0	0	0.0	6	33.3	1	5.6
Northern	24	19	79.2	1	1	4.2	0	0	0.0	4	16.7	0	0.0
Southern	6	5	83.3	0	0	0.0	0	0	0.0	1	16.7	0	0.0
Florida													
Middle	115	85	73.9	5	5	4.3	3	3	2.6	20	17.4	2	1.7
Northern	26	23	88.5	2	2	7.7	1	1	3.8	0	0.0	0	0.0
Southern	170	127	74.7	12	12	7.1	5	5	2.9	24	14.1	2	1.2
Georgia													
Middle	16	10	62.5	0	0	0.0	0	0	0.0	6	37.5	0	0.0
Northern	34	21	61.8	3	3	8.8	1	1	2.9	9	26.5	0	0.0
Southern	14	9	64.3	1	1	7.1	0	0	0.0	4	28.6	0	0.0

¹ Of the 6,830 appeals cases, 3,347 involved an appeal of the original sentence by the offender. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,471), 'Anders Brief' (1,187), 'unknown' (37), the appeal was by the government only (47), the appeal was of an issue related to a post sentencing matter (317), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (428). Descriptions of variables used in this table are provided in Appendix A.

² 'Remanded' includes cases that were remanded for sentencing purposes.

SOURCE: U.S. Sentencing Commission, 2019 Appeals Datafile, APPFY19.