

**Table A-3**

**DISPOSITION OF GOVERNMENT ORIGINAL SENTENCING APPEALS  
IN EACH CIRCUIT AND DISTRICT<sup>1</sup>  
Fiscal Year 2019**

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R <sup>2</sup>	%	N	R <sup>2</sup>	%	N	%	N	%
<b>TOTAL</b>	<b>62</b>	<b>7</b>	<b>11.3</b>	<b>47</b>	<b>47</b>	<b>75.8</b>	<b>3</b>	<b>3</b>	<b>4.8</b>	<b>1</b>	<b>1.6</b>	<b>4</b>	<b>6.5</b>
<b>D.C. CIRCUIT</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</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	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
<b>FIRST CIRCUIT</b>	<b>2</b>	<b>1</b>	<b>50.0</b>	<b>1</b>	<b>1</b>	<b>50.0</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>
Maine	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Massachusetts	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Hampshire	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Puerto Rico	1	1	100.0	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
<b>SECOND CIRCUIT</b>	<b>6</b>	<b>1</b>	<b>16.7</b>	<b>3</b>	<b>3</b>	<b>50.0</b>	<b>1</b>	<b>1</b>	<b>16.7</b>	<b>0</b>	<b>0.0</b>	<b>1</b>	<b>16.7</b>
Connecticut	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New York													
Eastern	3	1	33.3	2	2	66.7	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
Southern	2	0	0.0	0	0	0.0	1	1	50.0	0	0.0	1	50.0
Western	0	0	0.0	0	0	0.0	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
<b>THIRD CIRCUIT</b>	<b>2</b>	<b>1</b>	<b>50.0</b>	<b>1</b>	<b>1</b>	<b>50.0</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>
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	1	1	100.0	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
Virgin Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>3</b>	<b>0</b>	<b>0.0</b>	<b>3</b>	<b>3</b>	<b>100.0</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>
Maryland	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
North Carolina													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Middle	1	0	0.0	1	1	100.0	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
South Carolina	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Virginia													
Eastern	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
West Virginia													
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

**Table A-3 (cont.)**

CIRCUIT	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R <sup>2</sup>	%	N	R <sup>2</sup>	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>6</b>	<b>1</b>	<b>16.7</b>	<b>4</b>	<b>4</b>	<b>66.7</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>1</b>	<b>16.7</b>	<b>0</b>	<b>0.0</b>
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	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
Texas													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	3	1	33.3	1	1	33.3	0	0	0.0	1	33.3	0	0.0
Southern	2	0	0.0	2	2	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
<b>SIXTH CIRCUIT</b>	<b>28</b>	<b>0</b>	<b>0.0</b>	<b>27</b>	<b>27</b>	<b>96.4</b>	<b>1</b>	<b>1</b>	<b>3.6</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
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	2	2	100.0	0	0	0.0	0	0.0	0	0.0
Michigan													
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
Ohio													
Northern	2	0	0.0	1	1	50.0	1	1	50.0	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
Tennessee													
Eastern	3	0	0.0	3	3	100.0	0	0	0.0	0	0.0	0	0.0
Middle	7	0	0.0	7	7	100.0	0	0	0.0	0	0.0	0	0.0
Western	13	0	0.0	13	13	100.0	0	0	0.0	0	0.0	0	0.0
<b>SEVENTH CIRCUIT</b>	<b>1</b>	<b>1</b>	<b>100.0</b>	<b>0</b>	<b>0</b>	<b>0.0</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>
Illinois													
Central	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	1	1	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
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
<b>EIGHTH CIRCUIT</b>	<b>1</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>1</b>	<b>100.0</b>
Arkansas													
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
Iowa													
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
Minnesota	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Missouri													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	1	0	0.0	0	0	0.0	0	0	0.0	0	0.0	1	100.0
Nebraska	0	0	0.0	0	0	0.0	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	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0

**Table A-3 (cont.)**

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R <sup>2</sup>	%	N	R <sup>2</sup>	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>5</b>	<b>0</b>	<b>0.0</b>	<b>3</b>	<b>3</b>	<b>60.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>2</b>	<b>40.0</b>
Alaska	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Arizona	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
California													
Central	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Eastern	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
Southern	0	0	0.0	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
Hawaii	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Idaho	1	0	0.0	1	1	100.0	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
Nevada	0	0	0.0	0	0	0.0	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
Oregon	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Washington													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	2	0	0.0	0	0	0.0	0	0	0.0	0	0.0	2	100.0
<b>TENTH CIRCUIT</b>	<b>7</b>	<b>2</b>	<b>28.6</b>	<b>4</b>	<b>4</b>	<b>57.1</b>	<b>1</b>	<b>1</b>	<b>14.3</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Colorado	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Kansas	2	0	0.0	1	1	50.0	1	1	50.0	0	0.0	0	0.0
New Mexico	1	0	0.0	1	1	100.0	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
Northern	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
Utah	3	1	33.3	2	2	66.7	0	0	0.0	0	0.0	0	0.0
Wyoming	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>1</b>	<b>0</b>	<b>0.0</b>	<b>1</b>	<b>1</b>	<b>100.0</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>
Alabama													
Middle	0	0	0.0	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
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Florida													
Middle	0	0	0.0	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
Southern	1	0	0.0	1	1	100.0	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
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

<sup>1</sup> Of the 6,830 appeals cases, 62 involved an appeal of the original sentence by the government. 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 offender only (4,069), 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.

<sup>2</sup> 'Remanded' includes cases that were remanded for sentencing purposes.

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