

Table A-6

**REASONABLENESS ISSUES APPEALED IN CASES WHERE THE
ORIGINAL SENTENCE WAS REVERSED OR REMANDED¹
Fiscal Year 2019**

| ISSUE | N | % |
|---|------------|--------------|
| REASONABLENESS ISSUES | 357 | 100.0 |
| Procedural: Court improperly calculated guidelines range | 308 | 86.3 |
| Procedural: Court did not adequately explain the chosen sentence | 15 | 4.2 |
| Procedural: Court failed to address/improperly considered 18 U.S.C. § 3553(a) factors | 13 | 3.6 |
| Procedural: Court selected a sentence based on clearly erroneous facts | 12 | 3.4 |
| Substantive: Unreasonable weighing decision | 6 | 1.7 |
| Procedural: Court did not treat the guidelines as advisory | 3 | 0.8 |

¹ Based on 4,135 appeals where the sentence imposed was at least one of the reasons for appeal. Of these 4,135 cases, 3,390 were appeals of the original sentence. Of these 3,390 appeals of the original sentence, 562 were reversed or remanded. Often more than one reasonableness issue was appealed; consequently, the number of issues may be more than the number of sentencing appeals that were reversed or remanded. Descriptions of variables used in this table are provided in Appendix A.

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