

Table A-2

**DISPOSITION OF OFFENDER ORIGINAL SENTENCING APPEALS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2021**

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
TOTAL	2,525	1,770	70.1	269	269	10.7	122	120	4.8	332	13.1	32	1.3
D.C. CIRCUIT	24	14	58.3	7	7	29.2	0	0	0.0	2	8.3	1	4.2
District of Columbia	24	14	58.3	7	7	29.2	0	0	0.0	2	8.3	1	4.2
FIRST CIRCUIT	105	81	77.1	11	11	10.5	1	1	1.0	7	6.7	5	4.8
Maine	9	7	77.8	1	1	11.1	0	0	0.0	0	0.0	1	11.1
Massachusetts	33	27	81.8	1	1	3.0	0	0	0.0	1	3.0	4	12.1
New Hampshire	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Puerto Rico	57	42	73.7	8	8	14.0	1	1	1.8	6	10.5	0	0.0
Rhode Island	4	3	75.0	1	1	25.0	0	0	0.0	0	0.0	0	0.0
SECOND CIRCUIT	171	114	66.7	13	13	7.6	18	18	10.5	21	12.3	5	2.9
Connecticut	15	11	73.3	1	1	6.7	1	1	6.7	2	13.3	0	0.0
New York													
Eastern	27	20	74.1	3	3	11.1	2	2	7.4	1	3.7	1	3.7
Northern	37	27	73.0	2	2	5.4	4	4	10.8	2	5.4	2	5.4
Southern	61	36	59.0	3	3	4.9	8	8	13.1	12	19.7	2	3.3
Western	29	18	62.1	4	4	13.8	3	3	10.3	4	13.8	0	0.0
Vermont	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	100	61	61.0	25	25	25.0	5	5	5.0	7	7.0	2	2.0
Delaware	4	3	75.0	0	0	0.0	1	1	25.0	0	0.0	0	0.0
New Jersey	17	8	47.1	5	5	29.4	2	2	11.8	1	5.9	1	5.9
Pennsylvania													
Eastern	40	28	70.0	11	11	27.5	0	0	0.0	1	2.5	0	0.0
Middle	25	14	56.0	6	6	24.0	2	2	8.0	3	12.0	0	0.0
Western	13	8	61.5	3	3	23.1	0	0	0.0	1	7.7	1	7.7
Virgin Islands	1	0	0.0	0	0	0.0	0	0	0.0	1	100.0	0	0.0
FOURTH CIRCUIT	301	150	49.8	82	82	27.2	12	12	4.0	52	17.3	5	1.7
Maryland	18	9	50.0	7	7	38.9	0	0	0.0	2	11.1	0	0.0
North Carolina													
Eastern	115	41	35.7	54	54	47.0	3	3	2.6	14	12.2	3	2.6
Middle	40	29	72.5	6	6	15.0	1	1	2.5	4	10.0	0	0.0
Western	37	16	43.2	4	4	10.8	2	2	5.4	15	40.5	0	0.0
South Carolina	25	12	48.0	5	5	20.0	2	2	8.0	5	20.0	1	4.0
Virginia													
Eastern	28	17	60.7	3	3	10.7	1	1	3.6	6	21.4	1	3.6
Western	13	10	76.9	1	1	7.7	1	1	7.7	1	7.7	0	0.0
West Virginia													
Northern	9	6	66.7	0	0	0.0	1	1	11.1	2	22.2	0	0.0
Southern	16	10	62.5	2	2	12.5	1	1	6.3	3	18.8	0	0.0

Table A-2 (cont.)

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
FIFTH CIRCUIT	545	436	80.0	26	26	4.8	21	21	3.9	57	10.5	5	0.9
Louisiana													
Eastern	8	7	87.5	1	1	12.5	0	0	0.0	0	0.0	0	0.0
Middle	5	4	80.0	1	1	20.0	0	0	0.0	0	0.0	0	0.0
Western	30	25	83.3	2	2	6.7	0	0	0.0	3	10.0	0	0.0
Mississippi													
Northern	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	24	10	41.7	0	0	0.0	0	0	0.0	14	58.3	0	0.0
Texas													
Eastern	23	18	78.3	0	0	0.0	3	3	13.0	2	8.7	0	0.0
Northern	191	156	81.7	5	5	2.6	6	6	3.1	23	12.0	1	0.5
Southern	88	66	75.0	6	6	6.8	9	9	10.2	6	6.8	1	1.1
Western	175	149	85.1	11	11	6.3	3	3	1.7	9	5.1	3	1.7
SIXTH CIRCUIT	275	213	77.5	24	24	8.7	6	6	2.2	30	10.9	2	0.7
Kentucky													
Eastern	48	36	75.0	4	4	8.3	0	0	0.0	8	16.7	0	0.0
Western	10	9	90.0	0	0	0.0	1	1	10.0	0	0.0	0	0.0
Michigan													
Eastern	34	28	82.4	0	0	0.0	1	1	2.9	4	11.8	1	2.9
Western	45	38	84.4	3	3	6.7	0	0	0.0	3	6.7	1	2.2
Ohio													
Northern	59	43	72.9	7	7	11.9	3	3	5.1	6	10.2	0	0.0
Southern	13	7	53.8	2	2	15.4	1	1	7.7	3	23.1	0	0.0
Tennessee													
Eastern	32	28	87.5	2	2	6.3	0	0	0.0	2	6.3	0	0.0
Middle	11	8	72.7	3	3	27.3	0	0	0.0	0	0.0	0	0.0
Western	23	16	69.6	3	3	13.0	0	0	0.0	4	17.4	0	0.0
SEVENTH CIRCUIT	98	72	73.5	14	14	14.3	6	5	6.1	5	5.1	1	1.0
Illinois													
Central	10	7	70.0	2	2	20.0	1	1	10.0	0	0.0	0	0.0
Northern	35	28	80.0	3	3	8.6	2	1	5.7	1	2.9	1	2.9
Southern	9	7	77.8	0	0	0.0	0	0	0.0	2	22.2	0	0.0
Indiana													
Northern	12	8	66.7	2	2	16.7	1	1	8.3	1	8.3	0	0.0
Southern	20	15	75.0	3	3	15.0	1	1	5.0	1	5.0	0	0.0
Wisconsin													
Eastern	4	3	75.0	0	0	0.0	1	1	25.0	0	0.0	0	0.0
Western	8	4	50.0	4	4	50.0	0	0	0.0	0	0.0	0	0.0
EIGHTH CIRCUIT	188	142	75.5	7	7	3.7	5	4	2.7	33	17.6	1	0.5
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	38	30	78.9	2	2	5.3	2	1	5.3	4	10.5	0	0.0
Southern	58	51	87.9	1	1	1.7	2	2	3.4	3	5.2	1	1.7
Minnesota	33	26	78.8	2	2	6.1	1	1	3.0	4	12.1	0	0.0
Missouri													
Eastern	13	10	76.9	0	0	0.0	0	0	0.0	3	23.1	0	0.0
Western	11	3	27.3	1	1	9.1	0	0	0.0	7	63.6	0	0.0
Nebraska	10	6	60.0	1	1	10.0	0	0	0.0	3	30.0	0	0.0
North Dakota	8	5	62.5	0	0	0.0	0	0	0.0	3	37.5	0	0.0
South Dakota	17	11	64.7	0	0	0.0	0	0	0.0	6	35.3	0	0.0

Table A-2 (cont.)

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
NINTH CIRCUIT	263	173	65.8	22	22	8.4	30	30	11.4	36	13.7	2	0.8
Alaska	4	4	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Arizona	35	22	62.9	5	5	14.3	4	4	11.4	3	8.6	1	2.9
California													
Central	61	43	70.5	1	1	1.6	13	13	21.3	4	6.6	0	0.0
Eastern	30	18	60.0	4	4	13.3	2	2	6.7	6	20.0	0	0.0
Northern	16	9	56.3	3	3	18.8	1	1	6.3	2	12.5	1	6.3
Southern	36	28	77.8	4	4	11.1	4	4	11.1	0	0.0	0	0.0
Guam	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Hawaii	5	3	60.0	1	1	20.0	0	0	0.0	1	20.0	0	0.0
Idaho	14	8	57.1	1	1	7.1	0	0	0.0	5	35.7	0	0.0
Montana	19	11	57.9	1	1	5.3	1	1	5.3	6	31.6	0	0.0
Nevada	18	8	44.4	0	0	0.0	4	4	22.2	6	33.3	0	0.0
Northern Mariana Islands	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Oregon	5	4	80.0	0	0	0.0	0	0	0.0	1	20.0	0	0.0
Washington													
Eastern	9	5	55.6	2	2	22.2	1	1	11.1	1	11.1	0	0.0
Western	7	6	85.7	0	0	0.0	0	0	0.0	1	14.3	0	0.0
TENTH CIRCUIT	162	96	59.3	15	15	9.3	4	4	2.5	45	27.8	2	1.2
Colorado	30	14	46.7	3	3	10.0	1	1	3.3	11	36.7	1	3.3
Kansas	78	49	62.8	7	7	9.0	2	2	2.6	20	25.6	0	0.0
New Mexico	20	14	70.0	4	4	20.0	0	0	0.0	2	10.0	0	0.0
Oklahoma													
Eastern	5	3	60.0	0	0	0.0	1	1	20.0	1	20.0	0	0.0
Northern	2	1	50.0	0	0	0.0	0	0	0.0	1	50.0	0	0.0
Western	18	11	61.1	1	1	5.6	0	0	0.0	6	33.3	0	0.0
Utah	5	2	40.0	0	0	0.0	0	0	0.0	3	60.0	0	0.0
Wyoming	4	2	50.0	0	0	0.0	0	0	0.0	1	25.0	1	25.0
ELEVENTH CIRCUIT	293	218	74.4	23	23	7.8	14	14	4.8	37	12.6	1	0.3
Alabama													
Middle	10	5	50.0	0	0	0.0	0	0	0.0	5	50.0	0	0.0
Northern	25	15	60.0	2	2	8.0	3	3	12.0	5	20.0	0	0.0
Southern	10	9	90.0	0	0	0.0	0	0	0.0	1	10.0	0	0.0
Florida													
Middle	93	78	83.9	5	5	5.4	3	3	3.2	7	7.5	0	0.0
Northern	20	17	85.0	3	3	15.0	0	0	0.0	0	0.0	0	0.0
Southern	91	71	78.0	8	8	8.8	6	6	6.6	5	5.5	1	1.1
Georgia													
Middle	12	4	33.3	2	2	16.7	0	0	0.0	6	50.0	0	0.0
Northern	19	12	63.2	1	1	5.3	1	1	5.3	5	26.3	0	0.0
Southern	13	7	53.8	2	2	15.4	1	1	7.7	3	23.1	0	0.0

¹ Of the 7,443 appeals cases, 2,525 involved an appeal of the original sentence by the offender. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,202), *Anders* Brief (924), 'unknown' (206), the appeal was by the government only (35), the appeal was of an issue related to a post sentencing matter (2,197), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (367). 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, 2021 Appeals Datafile, APPFY21.