

Table A-2

**DISPOSITION OF OFFENDER ORIGINAL SENTENCING APPEALS  
IN EACH CIRCUIT AND DISTRICT<sup>1</sup>  
Fiscal Year 2022**

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>2,585</b>	<b>1,816</b>	<b>70.3</b>	<b>255</b>	<b>255</b>	<b>9.9</b>	<b>85</b>	<b>81</b>	<b>3.3</b>	<b>361</b>	<b>14.0</b>	<b>68</b>	<b>2.6</b>
<b>D.C. CIRCUIT</b>	<b>12</b>	<b>9</b>	<b>75.0</b>	<b>2</b>	<b>2</b>	<b>16.7</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>1</b>	<b>8.3</b>	<b>0</b>	<b>0.0</b>
District of Columbia	12	9	75.0	2	2	16.7	0	0	0.0	1	8.3	0	0.0
<b>FIRST CIRCUIT</b>	<b>88</b>	<b>62</b>	<b>70.5</b>	<b>12</b>	<b>12</b>	<b>13.6</b>	<b>1</b>	<b>1</b>	<b>1.1</b>	<b>11</b>	<b>12.5</b>	<b>2</b>	<b>2.3</b>
Maine	15	15	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Massachusetts	17	14	82.4	1	1	5.9	0	0	0.0	1	5.9	1	5.9
New Hampshire	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Puerto Rico	51	28	54.9	11	11	21.6	1	1	2.0	10	19.6	1	2.0
Rhode Island	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
<b>SECOND CIRCUIT</b>	<b>142</b>	<b>82</b>	<b>57.7</b>	<b>13</b>	<b>13</b>	<b>9.2</b>	<b>10</b>	<b>10</b>	<b>7.0</b>	<b>31</b>	<b>21.8</b>	<b>6</b>	<b>4.2</b>
Connecticut	23	15	65.2	1	1	4.3	2	2	8.7	5	21.7	0	0.0
New York													
Eastern	30	18	60.0	3	3	10.0	3	3	10.0	3	10.0	3	10.0
Northern	23	8	34.8	7	7	30.4	2	2	8.7	5	21.7	1	4.3
Southern	44	25	56.8	2	2	4.5	2	2	4.5	13	29.5	2	4.5
Western	21	15	71.4	0	0	0.0	1	1	4.8	5	23.8	0	0.0
Vermont	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
<b>THIRD CIRCUIT</b>	<b>77</b>	<b>53</b>	<b>68.8</b>	<b>10</b>	<b>10</b>	<b>13.0</b>	<b>6</b>	<b>5</b>	<b>7.8</b>	<b>5</b>	<b>6.5</b>	<b>3</b>	<b>3.9</b>
Delaware	6	1	16.7	2	2	33.3	1	0	16.7	0	0.0	2	33.3
New Jersey	14	11	78.6	2	2	14.3	0	0	0.0	1	7.1	0	0.0
Pennsylvania													
Eastern	22	13	59.1	4	4	18.2	4	4	18.2	0	0.0	1	4.5
Middle	17	13	76.5	2	2	11.8	1	1	5.9	1	5.9	0	0.0
Western	14	12	85.7	0	0	0.0	0	0	0.0	2	14.3	0	0.0
Virgin Islands	4	3	75.0	0	0	0.0	0	0	0.0	1	25.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>366</b>	<b>196</b>	<b>53.6</b>	<b>74</b>	<b>74</b>	<b>20.2</b>	<b>10</b>	<b>10</b>	<b>2.7</b>	<b>80</b>	<b>21.9</b>	<b>6</b>	<b>1.6</b>
Maryland	27	13	48.1	6	6	22.2	1	1	3.7	7	25.9	0	0.0
North Carolina													
Eastern	126	53	42.1	35	35	27.8	4	4	3.2	33	26.2	1	0.8
Middle	57	40	70.2	9	9	15.8	1	1	1.8	7	12.3	0	0.0
Western	45	26	57.8	4	4	8.9	1	1	2.2	12	26.7	2	4.4
South Carolina	40	26	65.0	9	9	22.5	0	0	0.0	5	12.5	0	0.0
Virginia													
Eastern	27	14	51.9	4	4	14.8	2	2	7.4	6	22.2	1	3.7
Western	15	13	86.7	0	0	0.0	0	0	0.0	2	13.3	0	0.0
West Virginia													
Northern	14	5	35.7	5	5	35.7	1	1	7.1	3	21.4	0	0.0
Southern	15	6	40.0	2	2	13.3	0	0	0.0	5	33.3	2	13.3

**Table A-2 (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>FIFTH CIRCUIT</b>	<b>649</b>	<b>496</b>	<b>76.4</b>	<b>43</b>	<b>43</b>	<b>6.6</b>	<b>18</b>	<b>17</b>	<b>2.8</b>	<b>60</b>	<b>9.2</b>	<b>32</b>	<b>4.9</b>
Louisiana													
Eastern	8	3	37.5	0	0	0.0	2	2	25.0	3	37.5	0	0.0
Middle	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	37	32	86.5	3	3	8.1	0	0	0.0	1	2.7	1	2.7
Mississippi													
Northern	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	21	7	33.3	1	1	4.8	0	0	0.0	13	61.9	0	0.0
Texas													
Eastern	22	13	59.1	0	0	0.0	0	0	0.0	6	27.3	3	13.6
Northern	154	108	70.1	9	9	5.8	1	1	0.6	29	18.8	7	4.5
Southern	106	71	67.0	13	13	12.3	6	6	5.7	5	4.7	11	10.4
Western	296	257	86.8	17	17	5.7	9	8	3.0	3	1.0	10	3.4
<b>SIXTH CIRCUIT</b>	<b>242</b>	<b>194</b>	<b>80.2</b>	<b>16</b>	<b>16</b>	<b>6.6</b>	<b>5</b>	<b>5</b>	<b>2.1</b>	<b>26</b>	<b>10.7</b>	<b>1</b>	<b>0.4</b>
Kentucky													
Eastern	38	33	86.8	3	3	7.9	0	0	0.0	2	5.3	0	0.0
Western	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Michigan													
Eastern	15	11	73.3	1	1	6.7	0	0	0.0	3	20.0	0	0.0
Western	46	41	89.1	2	2	4.3	0	0	0.0	2	4.3	1	2.2
Ohio													
Northern	57	42	73.7	2	2	3.5	5	5	8.8	8	14.0	0	0.0
Southern	7	5	71.4	0	0	0.0	0	0	0.0	2	28.6	0	0.0
Tennessee													
Eastern	40	32	80.0	5	5	12.5	0	0	0.0	3	7.5	0	0.0
Middle	11	11	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	25	16	64.0	3	3	12.0	0	0	0.0	6	24.0	0	0.0
<b>SEVENTH CIRCUIT</b>	<b>112</b>	<b>78</b>	<b>69.6</b>	<b>20</b>	<b>20</b>	<b>17.9</b>	<b>2</b>	<b>1</b>	<b>1.8</b>	<b>10</b>	<b>8.9</b>	<b>2</b>	<b>1.8</b>
Illinois													
Central	18	12	66.7	3	3	16.7	0	0	0.0	3	16.7	0	0.0
Northern	35	27	77.1	7	7	20.0	1	1	2.9	0	0.0	0	0.0
Southern	12	9	75.0	0	0	0.0	0	0	0.0	2	16.7	1	8.3
Indiana													
Northern	12	7	58.3	3	3	25.0	0	0	0.0	1	8.3	1	8.3
Southern	22	13	59.1	5	5	22.7	1	0	4.5	3	13.6	0	0.0
Wisconsin													
Eastern	2	1	50.0	0	0	0.0	0	0	0.0	1	50.0	0	0.0
Western	11	9	81.8	2	2	18.2	0	0	0.0	0	0.0	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>322</b>	<b>257</b>	<b>79.8</b>	<b>11</b>	<b>11</b>	<b>3.4</b>	<b>4</b>	<b>3</b>	<b>1.2</b>	<b>44</b>	<b>13.7</b>	<b>6</b>	<b>1.9</b>
Arkansas													
Eastern	31	14	45.2	3	3	9.7	0	0	0.0	12	38.7	2	6.5
Western	27	23	85.2	1	1	3.7	1	0	3.7	2	7.4	0	0.0
Iowa													
Northern	34	30	88.2	0	0	0.0	1	1	2.9	3	8.8	0	0.0
Southern	92	82	89.1	4	4	4.3	1	1	1.1	3	3.3	2	2.2
Minnesota	31	25	80.6	0	0	0.0	0	0	0.0	6	19.4	0	0.0
Missouri													
Eastern	23	19	82.6	0	0	0.0	0	0	0.0	4	17.4	0	0.0
Western	33	24	72.7	1	1	3.0	1	1	3.0	6	18.2	1	3.0
Nebraska	18	15	83.3	1	1	5.6	0	0	0.0	1	5.6	1	5.6
North Dakota	15	10	66.7	1	1	6.7	0	0	0.0	4	26.7	0	0.0
South Dakota	18	15	83.3	0	0	0.0	0	0	0.0	3	16.7	0	0.0

**Table A-2 (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>201</b>	<b>123</b>	<b>61.2</b>	<b>25</b>	<b>25</b>	<b>12.4</b>	<b>22</b>	<b>22</b>	<b>10.9</b>	<b>25</b>	<b>12.4</b>	<b>6</b>	<b>3.0</b>
Alaska	5	3	60.0	0	0	0.0	0	0	0.0	2	40.0	0	0.0
Arizona	18	11	61.1	2	2	11.1	3	3	16.7	1	5.6	1	5.6
California													
Central	36	22	61.1	6	6	16.7	2	2	5.6	5	13.9	1	2.8
Eastern	19	14	73.7	2	2	10.5	2	2	10.5	1	5.3	0	0.0
Northern	16	9	56.3	5	5	31.3	2	2	12.5	0	0.0	0	0.0
Southern	37	23	62.2	6	6	16.2	5	5	13.5	2	5.4	1	2.7
Guam	2	1	50.0	0	0	0.0	1	1	50.0	0	0.0	0	0.0
Hawaii	8	6	75.0	0	0	0.0	1	1	12.5	1	12.5	0	0.0
Idaho	14	6	42.9	0	0	0.0	0	0	0.0	7	50.0	1	7.1
Montana	6	4	66.7	0	0	0.0	1	1	16.7	1	16.7	0	0.0
Nevada	21	13	61.9	2	2	9.5	2	2	9.5	3	14.3	1	4.8
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Oregon	4	3	75.0	1	1	25.0	0	0	0.0	0	0.0	0	0.0
Washington													
Eastern	12	7	58.3	0	0	0.0	2	2	16.7	2	16.7	1	8.3
Western	3	1	33.3	1	1	33.3	1	1	33.3	0	0.0	0	0.0
<b>TENTH CIRCUIT</b>	<b>104</b>	<b>55</b>	<b>52.9</b>	<b>16</b>	<b>16</b>	<b>15.4</b>	<b>3</b>	<b>3</b>	<b>2.9</b>	<b>29</b>	<b>27.9</b>	<b>1</b>	<b>1.0</b>
Colorado	16	7	43.8	0	0	0.0	1	1	6.3	7	43.8	1	6.3
Kansas	12	4	33.3	5	5	41.7	0	0	0.0	3	25.0	0	0.0
New Mexico	24	12	50.0	2	2	8.3	1	1	4.2	9	37.5	0	0.0
Oklahoma													
Eastern	6	4	66.7	2	2	33.3	0	0	0.0	0	0.0	0	0.0
Northern	14	8	57.1	1	1	7.1	0	0	0.0	5	35.7	0	0.0
Western	23	16	69.6	3	3	13.0	1	1	4.3	3	13.0	0	0.0
Utah	4	1	25.0	1	1	25.0	0	0	0.0	2	50.0	0	0.0
Wyoming	5	3	60.0	2	2	40.0	0	0	0.0	0	0.0	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>270</b>	<b>211</b>	<b>78.1</b>	<b>13</b>	<b>13</b>	<b>4.8</b>	<b>4</b>	<b>4</b>	<b>1.5</b>	<b>39</b>	<b>14.4</b>	<b>3</b>	<b>1.1</b>
Alabama													
Middle	8	5	62.5	0	0	0.0	0	0	0.0	3	37.5	0	0.0
Northern	12	9	75.0	0	0	0.0	1	1	8.3	2	16.7	0	0.0
Southern	12	9	75.0	0	0	0.0	1	1	8.3	2	16.7	0	0.0
Florida													
Middle	90	65	72.2	8	8	8.9	1	1	1.1	15	16.7	1	1.1
Northern	38	36	94.7	1	1	2.6	1	1	2.6	0	0.0	0	0.0
Southern	54	45	83.3	3	3	5.6	0	0	0.0	6	11.1	0	0.0
Georgia													
Middle	17	14	82.4	0	0	0.0	0	0	0.0	3	17.6	0	0.0
Northern	24	15	62.5	1	1	4.2	0	0	0.0	6	25.0	2	8.3
Southern	15	13	86.7	0	0	0.0	0	0	0.0	2	13.3	0	0.0

<sup>1</sup> Of the 7,208 appeals cases, 2,585 involved an appeal of the original sentence by the offender. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,049), 'Anders' Brief' (1,045), 'unknown' (168), the appeal was by the government only (26), the appeal was of an issue related to a post sentencing matter (1,921), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (420). 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, 2022 Appeals Datafile, APPFY22.