

Table 56

DISPOSITION OF SENTENCING APPEALS IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2000

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²		AFFIRMED AND REVERSED ²		DISMISSED			
		n	%	n	%	n	%	n	%		
TOTAL	3,762	2,964	78.8	296	(290)	7.9	221	(174)	5.9	281	7.5
D.C. CIRCUIT	31	24	77.4	3	(3)	9.7	4	(2)	12.9	0	0.0
District of Columbia	31	24	77.4	3	(3)	9.7	4	(2)	12.9	0	0.0
FIRST CIRCUIT	117	90	76.9	11	(11)	9.4	14	(8)	12.0	2	1.7
Maine	8	7	87.5	0	(0)	0.0	1	(0)	12.5	0	0.0
Massachusetts	42	36	85.7	5	(4)	11.9	1	(1)	2.4	0	0.0
New Hampshire	9	9	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Puerto Rico	42	24	57.1	4	(4)	9.5	12	(7)	28.6	2	4.8
Rhode Island	16	14	87.5	2	(2)	12.5	0	(0)	0.0	0	0.0
SECOND CIRCUIT	152	130	85.5	3	(3)	2.0	7	(6)	4.6	12	7.9
Connecticut	10	10	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
New York											
Eastern	55	45	81.8	1	(1)	1.8	2	(2)	3.6	7	12.7
Northern	21	18	85.7	1	(1)	4.8	1	(0)	4.8	1	4.8
Southern	55	48	87.3	1	(1)	1.8	4	(4)	7.3	2	3.6
Western	6	6	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Vermont	5	3	60.0	0	(0)	0.0	0	(0)	0.0	2	40.0
THIRD CIRCUIT	166	138	83.1	13	(13)	7.8	2	(1)	1.2	13	7.8
Delaware	3	3	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
New Jersey	47	38	80.9	4	(4)	8.5	0	(0)	0.0	5	10.6
Pennsylvania											
Eastern	73	62	84.9	3	(3)	4.1	1	(0)	1.4	7	9.6
Middle	26	23	88.5	2	(2)	7.7	0	(0)	0.0	1	3.8
Western	10	7	70.0	2	(2)	20.0	1	(1)	10.0	0	0.0
Virgin Islands	7	5	71.4	2	(2)	28.6	0	(0)	0.0	0	0.0
FOURTH CIRCUIT	491	404	82.3	31	(30)	6.3	40	(31)	8.1	16	3.3
Maryland	38	30	78.9	3	(3)	7.9	4	(3)	10.5	1	2.6
North Carolina											
Eastern	55	42	76.4	5	(5)	9.1	7	(3)	12.7	1	1.8
Middle	87	76	87.4	0	(0)	0.0	4	(4)	4.6	7	8.0
Western	40	30	75.0	5	(5)	12.5	3	(3)	7.5	2	5.0
South Carolina	90	83	92.2	4	(3)	4.4	3	(2)	3.3	0	0.0
Virginia											
Eastern	75	59	78.7	5	(5)	6.7	10	(7)	13.3	1	1.3
Western	47	36	76.6	1	(1)	2.1	8	(8)	17.0	2	4.3
West Virginia											
Northern	26	22	84.6	4	(4)	15.4	0	(0)	0.0	0	0.0
Southern	33	26	78.8	4	(4)	12.1	1	(1)	3.0	2	6.1

Table 56 (cont.)

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²		AFFIRMED AND REVERSED ²		DISMISSED			
		n	%	n	%	n	%	n	%		
FIFTH CIRCUIT	417	318	76.3	41	(41)	9.8	11	(10)	2.6	47	11.3
Louisiana											
Eastern	14	12	85.7	1	(1)	7.1	0	(0)	0.0	1	7.1
Middle	9	5	55.6	0	(0)	0.0	1	(1)	11.1	3	33.3
Western	22	18	81.8	2	(2)	9.1	1	(1)	4.5	1	4.5
Mississippi											
Northern	7	5	71.4	0	(0)	0.0	2	(1)	28.6	0	0.0
Southern	10	10	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Texas											
Eastern	45	38	84.4	2	(2)	4.4	0	(0)	0.0	5	11.1
Northern	63	38	60.3	10	(10)	15.9	0	(0)	0.0	15	23.8
Southern	152	117	77.0	17	(17)	11.2	2	(2)	1.3	16	10.5
Western	95	75	78.9	9	(9)	9.5	5	(5)	5.3	6	6.3
SIXTH CIRCUIT	300	222	74.0	49	(47)	16.3	24	(14)	8.0	5	1.7
Kentucky											
Eastern	19	16	84.2	1	(1)	5.3	1	(1)	5.3	1	5.3
Western	24	24	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Michigan											
Eastern	50	34	68.0	6	(6)	12.0	9	(2)	18.0	1	2.0
Western	32	19	59.4	11	(11)	34.4	2	(1)	6.3	0	0.0
Ohio											
Northern	37	25	67.6	7	(7)	18.9	4	(4)	10.8	1	2.7
Southern	37	31	83.8	6	(6)	16.2	0	(0)	0.0	0	0.0
Tennessee											
Eastern	36	22	61.1	12	(10)	33.3	2	(2)	5.6	0	0.0
Middle	15	12	80.0	0	(0)	0.0	1	(1)	6.7	2	13.3
Western	50	39	78.0	6	(6)	12.0	5	(3)	10.0	0	0.0
SEVENTH CIRCUIT	265	177	66.8	15	(15)	5.7	23	(18)	8.7	50	18.9
Illinois											
Central	37	27	73.0	0	(0)	0.0	2	(2)	5.4	8	21.6
Northern	60	47	78.3	3	(3)	5.0	3	(2)	5.0	7	11.7
Southern	48	28	58.3	2	(2)	4.2	10	(10)	20.8	8	16.7
Indiana											
Northern	42	25	59.5	6	(6)	14.3	7	(3)	16.7	4	9.5
Southern	13	10	76.9	0	(0)	0.0	0	(0)	0.0	3	23.1
Wisconsin											
Eastern	47	24	51.1	3	(3)	6.4	1	(1)	2.1	19	40.4
Western	18	16	88.9	1	(1)	5.6	0	(0)	0.0	1	5.6
EIGHTH CIRCUIT	219	207	94.5	8	(8)	3.7	1	(1)	0.5	3	1.4
Arkansas											
Eastern	14	13	92.9	1	(1)	7.1	0	(0)	0.0	0	0.0
Western	11	11	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Iowa											
Northern	20	20	100.0	0	(0)	0.0	0	(0)	0.0	0	0.0
Southern	18	17	94.4	1	(1)	5.6	0	(0)	0.0	0	0.0
Minnesota	39	36	92.3	2	(2)	5.1	0	(0)	0.0	1	2.6
Missouri											
Eastern	20	17	85.0	1	(1)	5.0	0	(0)	0.0	2	10.0

Western	41	38	92.7	2 (2)	4.9	1 (1)	2.4	0	0.0
Nebraska	46	46	100.0	0 (0)	0.0	0 (0)	0.0	0	0.0
North Dakota	3	3	100.0	0 (0)	0.0	0 (0)	0.0	0	0.0
South Dakota	7	6	85.7	1 (1)	14.3	0 (0)	0.0	0	0.0

Table 56 (cont.)

CIRCUIT District	TOTAL	AFFIRMED		REVERSED ²		AFFIRMED AND REVERSED ²		DISMISSED			
		n	%	n	%	n	%	n	%		
NINTH CIRCUIT	755	551	73.0	72	(69)	9.5	36	(29)	4.8	96	12.7
Alaska	22	16	72.7	0	(0)	0.0	3	(3)	13.6	3	13.6
Arizona	63	38	60.3	7	(7)	11.1	1	(1)	1.6	17	27.0
California											
Central	195	143	73.3	25	(24)	12.8	7	(6)	3.6	20	10.3
Eastern	63	52	82.5	3	(3)	4.8	2	(1)	3.2	6	9.5
Northern	32	24	75.0	1	(1)	3.1	2	(2)	6.3	5	15.6
Southern	148	111	75.0	11	(10)	7.4	8	(6)	5.4	18	12.2
Guam	8	7	87.5	0	(0)	0.0	0	(0)	0.0	1	12.5
Hawaii	13	9	69.2	2	(2)	15.4	0	(0)	0.0	2	15.4
Idaho	21	20	95.2	0	(0)	0.0	1	(1)	4.8	0	0.0
Montana	28	24	85.7	2	(2)	7.1	0	(0)	0.0	2	7.1
Nevada	46	28	60.9	5	(5)	10.9	4	(2)	8.7	9	19.6
Northern Mariana Islands	1	1		0	(0)	0.0	0	(0)	0.0	0	0.0
			100.0								
Oregon	30	12	40.0	9	(8)	30.0	5	(5)	16.7	4	13.3
Washington											
Eastern	23	17	73.9	3	(3)	13.0	1	(1)	4.3	2	8.7
Western	62	49	79.0	4	(4)	6.5	2	(1)	3.2	7	11.3
TENTH CIRCUIT	267	210	78.7	12	(11)	4.5	12	(10)	4.5	33	12.4
Colorado	43	34	79.1	3	(3)	7.0	2	(2)	4.7	4	9.3
Kansas	62	52	83.9	0	(0)	0.0	5	(5)	8.1	5	8.1
New Mexico	31	23	74.2	2	(1)	6.5	0	(0)	0.0	6	19.4
Oklahoma											
Eastern	6	4	66.7	0	(0)	0.0	0	(0)	0.0	2	33.3
Northern	22	16	72.7	3	(3)	13.6	1	(1)	4.5	2	9.1
Western	47	35	74.5	2	(2)	4.3	1	(0)	2.1	9	19.1
Utah	41	36	87.8	1	(1)	2.4	1	(1)	2.4	3	7.3
Wyoming	15	10	66.7	1	(1)	6.7	2	(1)	13.3	2	13.3
ELEVENTH CIRCUIT	582	493	84.7	38	(38)	6.5	47	(43)	8.1	4	0.7
Alabama											
Middle	26	20	76.9	1	(1)	3.8	4	(4)	15.4	1	3.8
Northern	27	21	77.8	2	(2)	7.4	3	(3)	11.1	1	3.7
Southern	41	38	92.7	1	(1)	2.4	2	(2)	4.9	0	0.0
Florida											
Middle	83	71	85.5	7	(7)	8.4	5	(4)	6.0	0	0.0
Northern	63	57	90.5	2	(2)	3.2	4	(3)	6.3	0	0.0
Southern	215	178	82.8	12	(12)	5.6	25	(23)	11.6	0	0.0
Georgia											
Middle	37	31	83.8	4	(4)	10.8	2	(2)	5.4	0	0.0
Northern	64	60	93.8	2	(2)	3.1	1	(1)	1.6	1	1.6
Southern	26	17	65.4	7	(7)	26.9	1	(1)	3.8	1	3.8

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¹Of the 6,381 appeals cases, 2,341 were excluded because the type of appeal was “conviction only.” Of the 4,040 remaining cases, 278 were excluded due to one or both of the following reasons: missing district information (75) or missing type of appeal information (240). Descriptions of variables used in this table are provided in Appendix A.

²This category (in parentheses) includes cases that were remanded for sentencing purposes.

SOURCE: U.S. Sentencing Commission, 2000 Appeals Datafile, APPFY00.