

Table 55

TYPES OF APPEAL IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2013

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
TOTAL	9,169	100.0	4,568	49.8	1,118	12.2	1,849	20.2	1,634	17.8
D.C. CIRCUIT	47	0.5	27	57.4	7	14.9	13	27.7	0	0.0
District of Columbia	47	0.5	27	57.4	7	14.9	13	27.7	0	0.0
FIRST CIRCUIT	334	3.6	165	49.4	44	13.2	75	22.5	50	15.0
Maine	44	0.5	21	47.7	10	22.7	11	25.0	2	4.5
Massachusetts	93	1.0	47	50.5	13	14.0	32	34.4	1	1.1
New Hampshire	13	0.1	8	61.5	1	7.7	3	23.1	1	7.7
Puerto Rico	153	1.7	73	47.7	17	11.1	19	12.4	44	28.8
Rhode Island	31	0.3	16	51.6	3	9.7	10	32.3	2	6.5
SECOND CIRCUIT	630	6.9	273	43.3	91	14.4	153	24.3	113	17.9
Connecticut	68	0.7	37	54.4	9	13.2	7	10.3	15	22.1
New York										
Eastern	154	1.7	62	40.3	19	12.3	40	26.0	33	21.4
Northern	94	1.0	44	46.8	10	10.6	20	21.3	20	21.3
Southern	239	2.6	97	40.6	46	19.2	65	27.2	31	13.0
Western	52	0.6	20	38.5	6	11.5	16	30.8	10	19.2
Vermont	23	0.3	13	56.5	1	4.3	5	21.7	4	17.4
THIRD CIRCUIT	495	5.4	235	47.5	76	15.4	130	26.3	54	10.9
Delaware	17	0.2	10	58.8	1	5.9	4	23.5	2	11.8
New Jersey	92	1.0	49	53.3	14	15.2	18	19.6	11	12.0
Pennsylvania										
Eastern	178	1.9	78	43.8	28	15.7	63	35.4	9	5.1
Middle	91	1.0	38	41.8	15	16.5	14	15.4	24	26.4
Western	97	1.1	59	60.8	15	15.5	17	17.5	6	6.2
Virgin Islands	20	0.2	1	5.0	3	15.0	14	70.0	2	10.0
FOURTH CIRCUIT	1,257	13.7	647	51.5	117	9.3	209	16.6	284	22.6
Maryland	127	1.4	55	43.3	17	13.4	33	26.0	22	17.3
North Carolina										
Eastern	222	2.4	123	55.4	24	10.8	23	10.4	52	23.4
Middle	145	1.6	63	43.4	12	8.3	11	7.6	59	40.7
Western	177	1.9	115	65.0	9	5.1	25	14.1	28	15.8
South Carolina	193	2.1	75	38.9	10	5.2	26	13.5	82	42.5
Virginia										
Eastern	232	2.5	126	54.3	32	13.8	64	27.6	10	4.3
Western	68	0.7	42	61.8	5	7.4	13	19.1	8	11.8
West Virginia										
Northern	55	0.6	31	56.4	4	7.3	4	7.3	16	29.1
Southern	38	0.4	17	44.7	4	10.5	10	26.3	7	18.4

Table 55 (cont.)

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	1,767	19.3	843	47.7	135	7.6	287	16.2	502	28.4
Louisiana										
Eastern	64	0.7	31	48.4	13	20.3	17	26.6	3	4.7
Middle	32	0.3	9	28.1	4	12.5	10	31.3	9	28.1
Western	108	1.2	57	52.8	12	11.1	15	13.9	24	22.2
Mississippi										
Northern	34	0.4	22	64.7	4	11.8	8	23.5	0	0.0
Southern	28	0.3	13	46.4	3	10.7	12	42.9	0	0.0
Texas										
Eastern	79	0.9	26	32.9	6	7.6	23	29.1	24	30.4
Northern	299	3.3	128	42.8	21	7.0	26	8.7	124	41.5
Southern	694	7.6	303	43.7	48	6.9	103	14.8	240	34.6
Western	429	4.7	254	59.2	24	5.6	73	17.0	78	18.2
SIXTH CIRCUIT	919	10.0	504	54.8	160	17.4	142	15.5	113	12.3
Kentucky										
Eastern	76	0.8	47	61.8	6	7.9	17	22.4	6	7.9
Western	76	0.8	50	65.8	4	5.3	9	11.8	13	17.1
Michigan										
Eastern	97	1.1	43	44.3	30	30.9	17	17.5	7	7.2
Western	127	1.4	73	57.5	18	14.2	11	8.7	25	19.7
Ohio										
Northern	166	1.8	102	61.4	26	15.7	23	13.9	15	9.0
Southern	75	0.8	45	60.0	11	14.7	11	14.7	8	10.7
Tennessee										
Eastern	141	1.5	63	44.7	36	25.5	24	17.0	18	12.8
Middle	60	0.7	34	56.7	13	21.7	9	15.0	4	6.7
Western	101	1.1	47	46.5	16	15.8	21	20.8	17	16.8
SEVENTH CIRCUIT	476	5.2	240	50.4	46	9.7	81	17.0	109	22.9
Illinois										
Central	52	0.6	32	61.5	4	7.7	6	11.5	10	19.2
Northern	167	1.8	96	57.5	17	10.2	24	14.4	30	18.0
Southern	56	0.6	29	51.8	3	5.4	9	16.1	15	26.8
Indiana										
Northern	43	0.5	18	41.9	8	18.6	7	16.3	10	23.3
Southern	50	0.5	19	38.0	10	20.0	13	26.0	8	16.0
Wisconsin										
Eastern	58	0.6	24	41.4	2	3.4	13	22.4	19	32.8
Western	50	0.5	22	44.0	2	4.0	9	18.0	17	34.0
EIGHTH CIRCUIT	581	6.3	281	48.4	84	14.5	124	21.3	92	15.8
Arkansas										
Eastern	46	0.5	20	43.5	7	15.2	11	23.9	8	17.4
Western	44	0.5	14	31.8	5	11.4	12	27.3	13	29.5
Iowa										
Northern	64	0.7	29	45.3	9	14.1	9	14.1	17	26.6
Southern	64	0.7	32	50.0	11	17.2	11	17.2	10	15.6
Minnesota	82	0.9	49	59.8	9	11.0	16	19.5	8	9.8
Missouri										
Eastern	62	0.7	38	61.3	9	14.5	8	12.9	7	11.3
Western	105	1.1	54	51.4	13	12.4	16	15.2	22	21.0
Nebraska	61	0.7	26	42.6	11	18.0	19	31.1	5	8.2
North Dakota	14	0.2	4	28.6	2	14.3	7	50.0	1	7.1
South Dakota	39	0.4	15	38.5	8	20.5	15	38.5	1	2.6

Table 55 (cont.)

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	1,115	12.2	481	43.1	185	16.6	308	27.6	141	12.6
Alaska	30	0.3	14	46.7	3	10.0	12	40.0	1	3.3
Arizona	217	2.4	75	34.6	30	13.8	44	20.3	68	31.3
California										
Central	252	2.7	117	46.4	33	13.1	74	29.4	28	11.1
Eastern	63	0.7	28	44.4	12	19.0	18	28.6	5	7.9
Northern	43	0.5	13	30.2	11	25.6	16	37.2	3	7.0
Southern	168	1.8	78	46.4	29	17.3	53	31.5	8	4.8
Guam	5	0.1	2	40.0	1	20.0	2	40.0	0	0.0
Hawaii	12	0.1	7	58.3	1	8.3	2	16.7	2	16.7
Idaho	28	0.3	16	57.1	4	14.3	6	21.4	2	7.1
Montana	65	0.7	32	49.2	13	20.0	19	29.2	1	1.5
Nevada	75	0.8	40	53.3	13	17.3	15	20.0	7	9.3
Northern Mariana Islands	6	0.1	0	0.0	2	33.3	3	50.0	1	16.7
Oregon	30	0.3	14	46.7	7	23.3	7	23.3	2	6.7
Washington										
Eastern	45	0.5	15	33.3	8	17.8	16	35.6	6	13.3
Western	76	0.8	30	39.5	18	23.7	21	27.6	7	9.2
TENTH CIRCUIT	352	3.8	172	48.9	38	10.8	104	29.5	38	10.8
Colorado	62	0.7	38	61.3	4	6.5	16	25.8	4	6.5
Kansas	81	0.9	35	43.2	12	14.8	26	32.1	8	9.9
New Mexico	64	0.7	25	39.1	7	10.9	19	29.7	13	20.3
Oklahoma										
Eastern	7	0.1	4	57.1	0	0.0	2	28.6	1	14.3
Northern	35	0.4	15	42.9	5	14.3	9	25.7	6	17.1
Western	51	0.6	27	52.9	6	11.8	16	31.4	2	3.9
Utah	38	0.4	24	63.2	3	7.9	10	26.3	1	2.6
Wyoming	14	0.2	4	28.6	1	7.1	6	42.9	3	21.4
ELEVENTH CIRCUIT	1,196	13.0	700	58.5	135	11.3	223	18.6	138	11.5
Alabama										
Middle	29	0.3	14	48.3	6	20.7	6	20.7	3	10.3
Northern	61	0.7	30	49.2	4	6.6	14	23.0	13	21.3
Southern	46	0.5	17	37.0	4	8.7	11	23.9	14	30.4
Florida										
Middle	360	3.9	231	64.2	24	6.7	60	16.7	45	12.5
Northern	120	1.3	66	55.0	9	7.5	28	23.3	17	14.2
Southern	330	3.6	179	54.2	54	16.4	68	20.6	29	8.8
Georgia										
Middle	57	0.6	42	73.7	8	14.0	6	10.5	1	1.8
Northern	125	1.4	75	60.0	17	13.6	23	18.4	10	8.0
Southern	68	0.7	46	67.6	9	13.2	7	10.3	6	8.8

¹ Of the 9,258 appeals cases, 89 were excluded because the type of appeal was “unknown.” Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2013 Appeals Datafile, APPFY13.