

Table 56

DISPOSITION OF DEFENDANT SENTENCING APPEALS IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2015

| CIRCUIT District | Total | Affirmed | | Reversed | | | Affirmed and Reversed | | | Dismissed | | Remanded | |
|-----------------------|--------------|--------------|-------------|------------|----------------|-------------|-----------------------|----------------|------------|------------|-------------|-----------|------------|
| | | N | % | N | R ² | % | N | R ² | % | N | % | N | % |
| TOTAL | 4,896 | 3,550 | 72.5 | 527 | 527 | 10.8 | 166 | 159 | 3.4 | 596 | 12.2 | 57 | 1.2 |
| D.C. CIRCUIT | 26 | 15 | 57.7 | 6 | 6 | 23.1 | 2 | 2 | 7.7 | 3 | 11.5 | 0 | 0.0 |
| District of Columbia | 26 | 15 | 57.7 | 6 | 6 | 23.1 | 2 | 2 | 7.7 | 3 | 11.5 | 0 | 0.0 |
| FIRST CIRCUIT | 281 | 211 | 75.1 | 36 | 36 | 12.8 | 14 | 14 | 5.0 | 17 | 6.0 | 3 | 1.1 |
| Maine | 34 | 31 | 91.2 | 2 | 2 | 5.9 | 0 | 0 | 0.0 | 1 | 2.9 | 0 | 0.0 |
| Massachusetts | 50 | 40 | 80.0 | 4 | 4 | 8.0 | 5 | 5 | 10.0 | 0 | 0.0 | 1 | 2.0 |
| New Hampshire | 7 | 7 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Puerto Rico | 181 | 125 | 69.1 | 29 | 29 | 16.0 | 9 | 9 | 5.0 | 16 | 8.8 | 2 | 1.1 |
| Rhode Island | 9 | 8 | 88.9 | 1 | 1 | 11.1 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| SECOND CIRCUIT | 299 | 176 | 58.9 | 44 | 44 | 14.7 | 21 | 21 | 7.0 | 57 | 19.1 | 1 | 0.3 |
| Connecticut | 33 | 21 | 63.6 | 6 | 6 | 18.2 | 2 | 2 | 6.1 | 4 | 12.1 | 0 | 0.0 |
| New York | | | | | | | | | | | | | |
| Eastern | 77 | 37 | 48.1 | 15 | 15 | 19.5 | 8 | 8 | 10.4 | 16 | 20.8 | 1 | 1.3 |
| Northern | 35 | 17 | 48.6 | 8 | 8 | 22.9 | 3 | 3 | 8.6 | 7 | 20.0 | 0 | 0.0 |
| Southern | 110 | 74 | 67.3 | 6 | 6 | 5.5 | 8 | 8 | 7.3 | 22 | 20.0 | 0 | 0.0 |
| Western | 31 | 18 | 58.1 | 5 | 5 | 16.1 | 0 | 0 | 0.0 | 8 | 25.8 | 0 | 0.0 |
| Vermont | 13 | 9 | 69.2 | 4 | 4 | 30.8 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| THIRD CIRCUIT | 195 | 153 | 78.5 | 15 | 15 | 7.7 | 3 | 3 | 1.5 | 24 | 12.3 | 0 | 0.0 |
| Delaware | 5 | 5 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| New Jersey | 29 | 20 | 69.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 9 | 31.0 | 0 | 0.0 |
| Pennsylvania | | | | | | | | | | | | | |
| Eastern | 84 | 64 | 76.2 | 10 | 10 | 11.9 | 1 | 1 | 1.2 | 9 | 10.7 | 0 | 0.0 |
| Middle | 31 | 27 | 87.1 | 2 | 2 | 6.5 | 2 | 2 | 6.5 | 0 | 0.0 | 0 | 0.0 |
| Western | 35 | 27 | 77.1 | 2 | 2 | 5.7 | 0 | 0 | 0.0 | 6 | 17.1 | 0 | 0.0 |
| Virgin Islands | 11 | 10 | 90.9 | 1 | 1 | 9.1 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| FOURTH CIRCUIT | 547 | 409 | 74.8 | 44 | 44 | 8.0 | 7 | 7 | 1.3 | 82 | 15.0 | 5 | 0.9 |
| Maryland | 43 | 21 | 48.8 | 4 | 4 | 9.3 | 2 | 2 | 4.7 | 14 | 32.6 | 2 | 4.7 |
| North Carolina | | | | | | | | | | | | | |
| Eastern | 130 | 97 | 74.6 | 13 | 13 | 10.0 | 0 | 0 | 0.0 | 19 | 14.6 | 1 | 0.8 |
| Middle | 75 | 61 | 81.3 | 2 | 2 | 2.7 | 1 | 1 | 1.3 | 9 | 12.0 | 2 | 2.7 |
| Western | 62 | 39 | 62.9 | 8 | 8 | 12.9 | 1 | 1 | 1.6 | 14 | 22.6 | 0 | 0.0 |
| South Carolina | 57 | 46 | 80.7 | 4 | 4 | 7.0 | 2 | 2 | 3.5 | 5 | 8.8 | 0 | 0.0 |
| Virginia | | | | | | | | | | | | | |
| Eastern | 87 | 68 | 78.2 | 8 | 8 | 9.2 | 0 | 0 | 0.0 | 11 | 12.6 | 0 | 0.0 |
| Western | 45 | 40 | 88.9 | 2 | 2 | 4.4 | 0 | 0 | 0.0 | 3 | 6.7 | 0 | 0.0 |
| West Virginia | | | | | | | | | | | | | |
| Northern | 23 | 16 | 69.6 | 3 | 3 | 13.0 | 0 | 0 | 0.0 | 4 | 17.4 | 0 | 0.0 |
| Southern | 25 | 21 | 84.0 | 0 | 0 | 0.0 | 1 | 1 | 4.0 | 3 | 12.0 | 0 | 0.0 |

Table 56 (cont.)

| CIRCUIT District | Total | Affirmed | | Reversed | | | Affirmed and Reversed | | | Dismissed | | Remanded | |
|------------------------|------------|------------|-------------|-----------|----------------|-------------|-----------------------|----------------|------------|------------|-------------|-----------|------------|
| | | N | % | N | R ² | % | N | R ² | % | N | % | N | % |
| FIFTH CIRCUIT | 967 | 733 | 75.8 | 72 | 72 | 7.4 | 16 | 13 | 1.7 | 128 | 13.2 | 18 | 1.9 |
| Louisiana | | | | | | | | | | | | | |
| Eastern | 21 | 10 | 47.6 | 3 | 3 | 14.3 | 1 | 1 | 4.8 | 7 | 33.3 | 0 | 0.0 |
| Middle | 9 | 7 | 77.8 | 0 | 0 | 0.0 | 1 | 1 | 11.1 | 1 | 11.1 | 0 | 0.0 |
| Western | 39 | 34 | 87.2 | 3 | 3 | 7.7 | 1 | 1 | 2.6 | 1 | 2.6 | 0 | 0.0 |
| Mississippi | | | | | | | | | | | | | |
| Northern | 19 | 15 | 78.9 | 2 | 2 | 10.5 | 1 | 1 | 5.3 | 1 | 5.3 | 0 | 0.0 |
| Southern | 23 | 13 | 56.5 | 1 | 1 | 4.3 | 0 | 0 | 0.0 | 8 | 34.8 | 1 | 4.3 |
| Texas | | | | | | | | | | | | | |
| Eastern | 25 | 13 | 52.0 | 3 | 3 | 12.0 | 0 | 0 | 0.0 | 7 | 28.0 | 2 | 8.0 |
| Northern | 208 | 144 | 69.2 | 18 | 18 | 8.7 | 2 | 2 | 1.0 | 41 | 19.7 | 3 | 1.4 |
| Southern | 353 | 281 | 79.6 | 30 | 30 | 8.5 | 5 | 4 | 1.4 | 30 | 8.5 | 7 | 2.0 |
| Western | 270 | 216 | 80.0 | 12 | 12 | 4.4 | 5 | 3 | 1.9 | 32 | 11.9 | 5 | 1.9 |
| SIXTH CIRCUIT | 467 | 366 | 78.4 | 38 | 38 | 8.1 | 10 | 10 | 2.1 | 44 | 9.4 | 9 | 1.9 |
| Kentucky | | | | | | | | | | | | | |
| Eastern | 73 | 52 | 71.2 | 11 | 11 | 15.1 | 3 | 3 | 4.1 | 6 | 8.2 | 1 | 1.4 |
| Western | 23 | 17 | 73.9 | 2 | 2 | 8.7 | 0 | 0 | 0.0 | 4 | 17.4 | 0 | 0.0 |
| Michigan | | | | | | | | | | | | | |
| Eastern | 54 | 38 | 70.4 | 6 | 6 | 11.1 | 2 | 2 | 3.7 | 6 | 11.1 | 2 | 3.7 |
| Western | 68 | 65 | 95.6 | 1 | 1 | 1.5 | 0 | 0 | 0.0 | 2 | 2.9 | 0 | 0.0 |
| Ohio | | | | | | | | | | | | | |
| Northern | 82 | 63 | 76.8 | 8 | 8 | 9.8 | 2 | 2 | 2.4 | 8 | 9.8 | 1 | 1.2 |
| Southern | 37 | 31 | 83.8 | 1 | 1 | 2.7 | 1 | 1 | 2.7 | 4 | 10.8 | 0 | 0.0 |
| Tennessee | | | | | | | | | | | | | |
| Eastern | 52 | 38 | 73.1 | 1 | 1 | 1.9 | 0 | 0 | 0.0 | 8 | 15.4 | 5 | 9.6 |
| Middle | 25 | 19 | 76.0 | 2 | 2 | 8.0 | 1 | 1 | 4.0 | 3 | 12.0 | 0 | 0.0 |
| Western | 53 | 43 | 81.1 | 6 | 6 | 11.3 | 1 | 1 | 1.9 | 3 | 5.7 | 0 | 0.0 |
| SEVENTH CIRCUIT | 217 | 102 | 47.0 | 80 | 80 | 36.9 | 20 | 20 | 9.2 | 11 | 5.1 | 4 | 1.8 |
| Illinois | | | | | | | | | | | | | |
| Central | 26 | 10 | 38.5 | 9 | 9 | 34.6 | 5 | 5 | 19.2 | 2 | 7.7 | 0 | 0.0 |
| Northern | 93 | 49 | 52.7 | 36 | 36 | 38.7 | 2 | 2 | 2.2 | 3 | 3.2 | 3 | 3.2 |
| Southern | 30 | 13 | 43.3 | 10 | 10 | 33.3 | 4 | 4 | 13.3 | 3 | 10.0 | 0 | 0.0 |
| Indiana | | | | | | | | | | | | | |
| Northern | 15 | 6 | 40.0 | 5 | 5 | 33.3 | 4 | 4 | 26.7 | 0 | 0.0 | 0 | 0.0 |
| Southern | 15 | 8 | 53.3 | 4 | 4 | 26.7 | 2 | 2 | 13.3 | 0 | 0.0 | 1 | 6.7 |
| Wisconsin | | | | | | | | | | | | | |
| Eastern | 27 | 10 | 37.0 | 12 | 12 | 44.4 | 3 | 3 | 11.1 | 2 | 7.4 | 0 | 0.0 |
| Western | 11 | 6 | 54.5 | 4 | 4 | 36.4 | 0 | 0 | 0.0 | 1 | 9.1 | 0 | 0.0 |
| EIGHTH CIRCUIT | 435 | 364 | 83.7 | 25 | 25 | 5.7 | 9 | 8 | 2.1 | 33 | 7.6 | 4 | 0.9 |
| Arkansas | | | | | | | | | | | | | |
| Eastern | 28 | 18 | 64.3 | 5 | 5 | 17.9 | 0 | 0 | 0.0 | 4 | 14.3 | 1 | 3.6 |
| Western | 47 | 44 | 93.6 | 0 | 0 | 0.0 | 1 | 1 | 2.1 | 2 | 4.3 | 0 | 0.0 |
| Iowa | | | | | | | | | | | | | |
| Northern | 97 | 88 | 90.7 | 3 | 3 | 3.1 | 1 | 1 | 1.0 | 5 | 5.2 | 0 | 0.0 |
| Southern | 47 | 45 | 95.7 | 1 | 1 | 2.1 | 0 | 0 | 0.0 | 1 | 2.1 | 0 | 0.0 |
| Minnesota | 63 | 48 | 76.2 | 7 | 7 | 11.1 | 2 | 2 | 3.2 | 3 | 4.8 | 3 | 4.8 |
| Missouri | | | | | | | | | | | | | |
| Eastern | 42 | 33 | 78.6 | 2 | 2 | 4.8 | 1 | 1 | 2.4 | 6 | 14.3 | 0 | 0.0 |
| Western | 54 | 42 | 77.8 | 6 | 6 | 11.1 | 2 | 2 | 3.7 | 4 | 7.4 | 0 | 0.0 |
| Nebraska | 29 | 25 | 86.2 | 1 | 1 | 3.4 | 0 | 0 | 0.0 | 3 | 10.3 | 0 | 0.0 |
| North Dakota | 11 | 6 | 54.5 | 0 | 0 | 0.0 | 1 | 1 | 9.1 | 4 | 36.4 | 0 | 0.0 |
| South Dakota | 17 | 15 | 88.2 | 0 | 0 | 0.0 | 1 | 0 | 5.9 | 1 | 5.9 | 0 | 0.0 |

Table 56 (cont.)

| CIRCUIT District | Total | Affirmed | | Reversed | | | Affirmed and Reversed | | | Dismissed | | Remanded | |
|--------------------------|------------|------------|-------------|------------|----------------|-------------|-----------------------|----------------|------------|-----------|-------------|----------|------------|
| | | N | % | N | R ² | % | N | R ² | % | N | % | N | % |
| NINTH CIRCUIT | 666 | 458 | 68.8 | 101 | 101 | 15.2 | 35 | 33 | 5.3 | 67 | 10.1 | 5 | 0.8 |
| Alaska | 3 | 2 | 66.7 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 1 | 33.3 | 0 | 0.0 |
| Arizona | 127 | 80 | 63.0 | 27 | 27 | 21.3 | 1 | 1 | 0.8 | 18 | 14.2 | 1 | 0.8 |
| California | | | | | | | | | | | | | |
| Central | 127 | 82 | 64.6 | 23 | 23 | 18.1 | 12 | 11 | 9.4 | 10 | 7.9 | 0 | 0.0 |
| Eastern | 42 | 30 | 71.4 | 4 | 4 | 9.5 | 4 | 4 | 9.5 | 4 | 9.5 | 0 | 0.0 |
| Northern | 21 | 14 | 66.7 | 3 | 3 | 14.3 | 2 | 2 | 9.5 | 2 | 9.5 | 0 | 0.0 |
| Southern | 167 | 134 | 80.2 | 16 | 16 | 9.6 | 5 | 4 | 3.0 | 11 | 6.6 | 1 | 0.6 |
| Guam | 1 | 0 | 0.0 | 1 | 1 | 100.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Hawaii | 8 | 3 | 37.5 | 3 | 3 | 37.5 | 0 | 0 | 0.0 | 1 | 12.5 | 1 | 12.5 |
| Idaho | 17 | 8 | 47.1 | 4 | 4 | 23.5 | 2 | 2 | 11.8 | 3 | 17.6 | 0 | 0.0 |
| Montana | 52 | 35 | 67.3 | 6 | 6 | 11.5 | 3 | 3 | 5.8 | 6 | 11.5 | 2 | 3.8 |
| Nevada | 53 | 39 | 73.6 | 4 | 4 | 7.5 | 5 | 5 | 9.4 | 5 | 9.4 | 0 | 0.0 |
| Northern Mariana Islands | 2 | 2 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Oregon | 18 | 11 | 61.1 | 4 | 4 | 22.2 | 0 | 0 | 0.0 | 3 | 16.7 | 0 | 0.0 |
| Washington | | | | | | | | | | | | | |
| Eastern | 9 | 6 | 66.7 | 2 | 2 | 22.2 | 1 | 1 | 11.1 | 0 | 0.0 | 0 | 0.0 |
| Western | 19 | 12 | 63.2 | 4 | 4 | 21.1 | 0 | 0 | 0.0 | 3 | 15.8 | 0 | 0.0 |
| TENTH CIRCUIT | 210 | 115 | 54.8 | 32 | 32 | 15.2 | 10 | 10 | 4.8 | 49 | 23.3 | 4 | 1.9 |
| Colorado | 53 | 34 | 64.2 | 7 | 7 | 13.2 | 2 | 2 | 3.8 | 10 | 18.9 | 0 | 0.0 |
| Kansas | 44 | 25 | 56.8 | 5 | 5 | 11.4 | 1 | 1 | 2.3 | 13 | 29.5 | 0 | 0.0 |
| New Mexico | 32 | 13 | 40.6 | 7 | 7 | 21.9 | 1 | 1 | 3.1 | 10 | 31.3 | 1 | 3.1 |
| Oklahoma | | | | | | | | | | | | | |
| Eastern | 13 | 8 | 61.5 | 2 | 2 | 15.4 | 1 | 1 | 7.7 | 2 | 15.4 | 0 | 0.0 |
| Northern | 18 | 12 | 66.7 | 2 | 2 | 11.1 | 1 | 1 | 5.6 | 1 | 5.6 | 2 | 11.1 |
| Western | 28 | 13 | 46.4 | 3 | 3 | 10.7 | 3 | 3 | 10.7 | 9 | 32.1 | 0 | 0.0 |
| Utah | 10 | 3 | 30.0 | 4 | 4 | 40.0 | 1 | 1 | 10.0 | 1 | 10.0 | 1 | 10.0 |
| Wyoming | 12 | 7 | 58.3 | 2 | 2 | 16.7 | 0 | 0 | 0.0 | 3 | 25.0 | 0 | 0.0 |
| ELEVENTH CIRCUIT | 586 | 448 | 76.5 | 34 | 34 | 5.8 | 19 | 18 | 3.2 | 81 | 13.8 | 4 | 0.7 |
| Alabama | | | | | | | | | | | | | |
| Middle | 28 | 21 | 75.0 | 1 | 1 | 3.6 | 0 | 0 | 0.0 | 6 | 21.4 | 0 | 0.0 |
| Northern | 17 | 10 | 58.8 | 3 | 3 | 17.6 | 1 | 1 | 5.9 | 3 | 17.6 | 0 | 0.0 |
| Southern | 13 | 10 | 76.9 | 2 | 2 | 15.4 | 0 | 0 | 0.0 | 1 | 7.7 | 0 | 0.0 |
| Florida | | | | | | | | | | | | | |
| Middle | 110 | 74 | 67.3 | 11 | 11 | 10.0 | 4 | 4 | 3.6 | 20 | 18.2 | 1 | 0.9 |
| Northern | 31 | 28 | 90.3 | 0 | 0 | 0.0 | 1 | 1 | 3.2 | 2 | 6.5 | 0 | 0.0 |
| Southern | 246 | 198 | 80.5 | 13 | 13 | 5.3 | 10 | 9 | 4.1 | 23 | 9.3 | 2 | 0.8 |
| Georgia | | | | | | | | | | | | | |
| Middle | 27 | 19 | 70.4 | 1 | 1 | 3.7 | 2 | 2 | 7.4 | 4 | 14.8 | 1 | 3.7 |
| Northern | 78 | 61 | 78.2 | 2 | 2 | 2.6 | 1 | 1 | 1.3 | 14 | 17.9 | 0 | 0.0 |
| Southern | 36 | 27 | 75.0 | 1 | 1 | 2.8 | 0 | 0 | 0.0 | 8 | 22.2 | 0 | 0.0 |

¹ Of the 8,306 appeals cases, 3,404 were excluded due to one of the following reasons: type of appeal was "conviction only" (1,759), "Anders Brief" (1,498), or "unknown" (147). Of the 4,902 remaining cases, six were excluded as the appeal was by the government only. 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, 2015 Appeals Datafile, APPFY15.