

Table 55

**TYPES OF APPEAL IN EACH CIRCUIT AND DISTRICT<sup>1</sup>**  
**Fiscal Year 2016**

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>7,902</b>	<b>100.0</b>	<b>4,168</b>	<b>52.7</b>	<b>1,054</b>	<b>13.3</b>	<b>1,525</b>	<b>19.3</b>	<b>1,155</b>	<b>14.6</b>
<b>D.C. CIRCUIT</b>	<b>68</b>	<b>0.9</b>	<b>19</b>	<b>27.9</b>	<b>13</b>	<b>19.1</b>	<b>36</b>	<b>52.9</b>	<b>0</b>	<b>0.0</b>
District of Columbia	68	0.9	19	27.9	13	19.1	36	52.9	0	0.0
<b>FIRST CIRCUIT</b>	<b>315</b>	<b>4.0</b>	<b>200</b>	<b>63.5</b>	<b>42</b>	<b>13.3</b>	<b>56</b>	<b>17.8</b>	<b>17</b>	<b>5.4</b>
Maine	37	0.5	19	51.4	8	21.6	10	27.0	0	0.0
Massachusetts	69	0.9	38	55.1	12	17.4	16	23.2	3	4.3
New Hampshire	12	0.2	6	50.0	2	16.7	2	16.7	2	16.7
Puerto Rico	186	2.4	130	69.9	18	9.7	26	14.0	12	6.5
Rhode Island	11	0.1	7	63.6	2	18.2	2	18.2	0	0.0
<b>SECOND CIRCUIT</b>	<b>524</b>	<b>6.6</b>	<b>210</b>	<b>40.1</b>	<b>108</b>	<b>20.6</b>	<b>163</b>	<b>31.1</b>	<b>43</b>	<b>8.2</b>
Connecticut	70	0.9	34	48.6	8	11.4	20	28.6	8	11.4
New York										
Eastern	104	1.3	43	41.3	14	13.5	40	38.5	7	6.7
Northern	64	0.8	35	54.7	9	14.1	13	20.3	7	10.9
Southern	211	2.7	72	34.1	61	28.9	63	29.9	15	7.1
Western	57	0.7	22	38.6	15	26.3	17	29.8	3	5.3
Vermont	18	0.2	4	22.2	1	5.6	10	55.6	3	16.7
<b>THIRD CIRCUIT</b>	<b>307</b>	<b>3.9</b>	<b>146</b>	<b>47.6</b>	<b>65</b>	<b>21.2</b>	<b>75</b>	<b>24.4</b>	<b>21</b>	<b>6.8</b>
Delaware	14	0.2	4	28.6	2	14.3	7	50.0	1	7.1
New Jersey	53	0.7	28	52.8	11	20.8	13	24.5	1	1.9
Pennsylvania										
Eastern	115	1.5	57	49.6	30	26.1	24	20.9	4	3.5
Middle	51	0.6	27	52.9	5	9.8	8	15.7	11	21.6
Western	62	0.8	29	46.8	15	24.2	14	22.6	4	6.5
Virgin Islands	12	0.2	1	8.3	2	16.7	9	75.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>893</b>	<b>11.3</b>	<b>515</b>	<b>57.7</b>	<b>95</b>	<b>10.6</b>	<b>158</b>	<b>17.7</b>	<b>125</b>	<b>14.0</b>
Maryland	84	1.1	32	38.1	21	25.0	24	28.6	7	8.3
North Carolina										
Eastern	149	1.9	113	75.8	11	7.4	21	14.1	4	2.7
Middle	124	1.6	57	46.0	12	9.7	13	10.5	42	33.9
Western	134	1.7	66	49.3	18	13.4	27	20.1	23	17.2
South Carolina	126	1.6	70	55.6	13	10.3	16	12.7	27	21.4
Virginia										
Eastern	151	1.9	100	66.2	11	7.3	31	20.5	9	6.0
Western	53	0.7	36	67.9	4	7.5	12	22.6	1	1.9
West Virginia										
Northern	39	0.5	19	48.7	3	7.7	7	17.9	10	25.6
Southern	33	0.4	22	66.7	2	6.1	7	21.2	2	6.1

**Table 55 (cont.)**

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>1,814</b>	<b>23.0</b>	<b>817</b>	<b>45.0</b>	<b>125</b>	<b>6.9</b>	<b>233</b>	<b>12.8</b>	<b>639</b>	<b>35.2</b>
Louisiana										
Eastern	53	0.7	29	54.7	7	13.2	12	22.6	5	9.4
Middle	17	0.2	9	52.9	2	11.8	4	23.5	2	11.8
Western	48	0.6	27	56.3	5	10.4	7	14.6	9	18.8
Mississippi										
Northern	15	0.2	9	60.0	1	6.7	4	26.7	1	6.7
Southern	44	0.6	22	50.0	10	22.7	11	25.0	1	2.3
Texas										
Eastern	122	1.5	23	18.9	15	12.3	17	13.9	67	54.9
Northern	362	4.6	164	45.3	24	6.6	43	11.9	131	36.2
Southern	773	9.8	309	40.0	40	5.2	90	11.6	334	43.2
Western	380	4.8	225	59.2	21	5.5	45	11.8	89	23.4
<b>SIXTH CIRCUIT</b>	<b>800</b>	<b>10.1</b>	<b>471</b>	<b>58.9</b>	<b>144</b>	<b>18.0</b>	<b>132</b>	<b>16.5</b>	<b>53</b>	<b>6.6</b>
Kentucky										
Eastern	142	1.8	107	75.4	17	12.0	17	12.0	1	0.7
Western	30	0.4	20	66.7	4	13.3	6	20.0	0	0.0
Michigan										
Eastern	92	1.2	32	34.8	31	33.7	24	26.1	5	5.4
Western	119	1.5	67	56.3	20	16.8	5	4.2	27	22.7
Ohio										
Northern	171	2.2	106	62.0	30	17.5	30	17.5	5	2.9
Southern	61	0.8	44	72.1	5	8.2	8	13.1	4	6.6
Tennessee										
Eastern	97	1.2	56	57.7	22	22.7	12	12.4	7	7.2
Middle	30	0.4	13	43.3	3	10.0	14	46.7	0	0.0
Western	58	0.7	26	44.8	12	20.7	16	27.6	4	6.9
<b>SEVENTH CIRCUIT</b>	<b>373</b>	<b>4.7</b>	<b>209</b>	<b>56.0</b>	<b>50</b>	<b>13.4</b>	<b>75</b>	<b>20.1</b>	<b>39</b>	<b>10.5</b>
Illinois										
Central	52	0.7	29	55.8	11	21.2	8	15.4	4	7.7
Northern	134	1.7	71	53.0	21	15.7	31	23.1	11	8.2
Southern	47	0.6	24	51.1	2	4.3	5	10.6	16	34.0
Indiana										
Northern	33	0.4	22	66.7	6	18.2	5	15.2	0	0.0
Southern	37	0.5	23	62.2	5	13.5	8	21.6	1	2.7
Wisconsin										
Eastern	31	0.4	15	48.4	3	9.7	11	35.5	2	6.5
Western	39	0.5	25	64.1	2	5.1	7	17.9	5	12.8
<b>EIGHTH CIRCUIT</b>	<b>655</b>	<b>8.3</b>	<b>407</b>	<b>62.1</b>	<b>83</b>	<b>12.7</b>	<b>114</b>	<b>17.4</b>	<b>51</b>	<b>7.8</b>
Arkansas										
Eastern	53	0.7	30	56.6	5	9.4	17	32.1	1	1.9
Western	40	0.5	17	42.5	1	2.5	9	22.5	13	32.5
Iowa										
Northern	114	1.4	78	68.4	14	12.3	10	8.8	12	10.5
Southern	77	1.0	59	76.6	10	13.0	4	5.2	4	5.2
Minnesota	85	1.1	55	64.7	12	14.1	15	17.6	3	3.5
Missouri										
Eastern	67	0.8	42	62.7	8	11.9	14	20.9	3	4.5
Western	119	1.5	71	59.7	19	16.0	17	14.3	12	10.1
Nebraska	46	0.6	31	67.4	6	13.0	8	17.4	1	2.2
North Dakota	25	0.3	12	48.0	3	12.0	10	40.0	0	0.0
South Dakota	29	0.4	12	41.4	5	17.2	10	34.5	2	6.9

**Table 55 (cont.)**

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>985</b>	<b>12.5</b>	<b>508</b>	<b>51.6</b>	<b>160</b>	<b>16.2</b>	<b>261</b>	<b>26.5</b>	<b>56</b>	<b>5.7</b>
Alaska	11	0.1	4	36.4	1	9.1	6	54.5	0	0.0
Arizona	181	2.3	88	48.6	35	19.3	35	19.3	23	12.7
California										
Central	191	2.4	88	46.1	34	17.8	66	34.6	3	1.6
Eastern	69	0.9	38	55.1	11	15.9	15	21.7	5	7.2
Northern	42	0.5	21	50.0	10	23.8	10	23.8	1	2.4
Southern	177	2.2	95	53.7	20	11.3	55	31.1	7	4.0
Guam	2	0.0	1	50.0	0	0.0	0	0.0	1	50.0
Hawaii	26	0.3	13	50.0	3	11.5	7	26.9	3	11.5
Idaho	17	0.2	12	70.6	1	5.9	4	23.5	0	0.0
Montana	81	1.0	47	58.0	10	12.3	19	23.5	5	6.2
Nevada	68	0.9	40	58.8	13	19.1	13	19.1	2	2.9
Northern Mariana Islands	6	0.1	2	33.3	2	33.3	0	0.0	2	33.3
Oregon	28	0.4	15	53.6	4	14.3	7	25.0	2	7.1
Washington										
Eastern	40	0.5	21	52.5	7	17.5	10	25.0	2	5.0
Western	46	0.6	23	50.0	9	19.6	14	30.4	0	0.0
<b>TENTH CIRCUIT</b>	<b>313</b>	<b>4.0</b>	<b>169</b>	<b>54.0</b>	<b>36</b>	<b>11.5</b>	<b>72</b>	<b>23.0</b>	<b>36</b>	<b>11.5</b>
Colorado	41	0.5	20	48.8	6	14.6	11	26.8	4	9.8
Kansas	63	0.8	40	63.5	8	12.7	14	22.2	1	1.6
New Mexico	62	0.8	26	41.9	6	9.7	13	21.0	17	27.4
Oklahoma										
Eastern	20	0.3	6	30.0	4	20.0	7	35.0	3	15.0
Northern	29	0.4	14	48.3	2	6.9	9	31.0	4	13.8
Western	40	0.5	27	67.5	6	15.0	4	10.0	3	7.5
Utah	31	0.4	18	58.1	1	3.2	10	32.3	2	6.5
Wyoming	27	0.3	18	66.7	3	11.1	4	14.8	2	7.4
<b>ELEVENTH CIRCUIT</b>	<b>855</b>	<b>10.8</b>	<b>497</b>	<b>58.1</b>	<b>133</b>	<b>15.6</b>	<b>150</b>	<b>17.5</b>	<b>75</b>	<b>8.8</b>
Alabama										
Middle	24	0.3	11	45.8	5	20.8	7	29.2	1	4.2
Northern	21	0.3	12	57.1	5	23.8	2	9.5	2	9.5
Southern	27	0.3	18	66.7	2	7.4	3	11.1	4	14.8
Florida										
Middle	192	2.4	101	52.6	25	13.0	41	21.4	25	13.0
Northern	71	0.9	33	46.5	10	14.1	14	19.7	14	19.7
Southern	357	4.5	233	65.3	62	17.4	53	14.8	9	2.5
Georgia										
Middle	35	0.4	15	42.9	4	11.4	11	31.4	5	14.3
Northern	88	1.1	51	58.0	16	18.2	14	15.9	7	8.0
Southern	40	0.5	23	57.5	4	10.0	5	12.5	8	20.0

<sup>1</sup> Of the 7,957 appeals cases, 55 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, 2016 Appeals Datafile, APPFY16.