

Table 55

TYPES OF APPEAL IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2017

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
TOTAL	7,808	100.0	4,006	51.3	901	11.5	1,441	18.5	1,460	18.7
D.C. CIRCUIT	40	0.5	14	35.0	8	20.0	18	45.0	0	0.0
District of Columbia	40	0.5	14	35.0	8	20.0	18	45.0	0	0.0
FIRST CIRCUIT	386	4.9	226	58.5	58	15.0	67	17.4	35	9.1
Maine	45	0.6	29	64.4	5	11.1	10	22.2	1	2.2
Massachusetts	97	1.2	37	38.1	26	26.8	27	27.8	7	7.2
New Hampshire	17	0.2	10	58.8	1	5.9	3	17.6	3	17.6
Puerto Rico	215	2.8	142	66.0	24	11.2	25	11.6	24	11.2
Rhode Island	12	0.2	8	66.7	2	16.7	2	16.7	0	0.0
SECOND CIRCUIT	469	6.0	221	47.1	72	15.4	112	23.9	64	13.6
Connecticut	45	0.6	26	57.8	9	20.0	3	6.7	7	15.6
New York										
Eastern	120	1.5	55	45.8	19	15.8	35	29.2	11	9.2
Northern	64	0.8	32	50.0	12	18.8	9	14.1	11	17.2
Southern	174	2.2	74	42.5	20	11.5	52	29.9	28	16.1
Western	54	0.7	26	48.1	12	22.2	9	16.7	7	13.0
Vermont	12	0.2	8	66.7	0	0.0	4	33.3	0	0.0
THIRD CIRCUIT	264	3.4	122	46.2	37	14.0	85	32.2	20	7.6
Delaware	5	0.1	1	20.0	0	0.0	4	80.0	0	0.0
New Jersey	67	0.9	28	41.8	12	17.9	22	32.8	5	7.5
Pennsylvania										
Eastern	77	1.0	38	49.4	14	18.2	23	29.9	2	2.6
Middle	58	0.7	34	58.6	4	6.9	10	17.2	10	17.2
Western	38	0.5	17	44.7	4	10.5	15	39.5	2	5.3
Virgin Islands	19	0.2	4	21.1	3	15.8	11	57.9	1	5.3
FOURTH CIRCUIT	911	11.7	492	54.0	96	10.5	144	15.8	179	19.6
Maryland	123	1.6	56	45.5	20	16.3	29	23.6	18	14.6
North Carolina										
Eastern	197	2.5	143	72.6	19	9.6	10	5.1	25	12.7
Middle	114	1.5	61	53.5	8	7.0	7	6.1	38	33.3
Western	129	1.7	62	48.1	12	9.3	21	16.3	34	26.4
South Carolina	96	1.2	53	55.2	7	7.3	7	7.3	29	30.2
Virginia										
Eastern	138	1.8	63	45.7	20	14.5	44	31.9	11	8.0
Western	43	0.6	26	60.5	3	7.0	8	18.6	6	14.0
West Virginia										
Northern	48	0.6	16	33.3	3	6.3	15	31.3	14	29.2
Southern	23	0.3	12	52.2	4	17.4	3	13.0	4	17.4

Table 55 (cont.)

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	1,999	25.6	934	46.7	98	4.9	188	9.4	779	39.0
Louisiana										
Eastern	43	0.6	20	46.5	11	25.6	9	20.9	3	7.0
Middle	17	0.2	7	41.2	2	11.8	7	41.2	1	5.9
Western	54	0.7	36	66.7	5	9.3	7	13.0	6	11.1
Mississippi										
Northern	14	0.2	12	85.7	1	7.1	1	7.1	0	0.0
Southern	24	0.3	18	75.0	1	4.2	4	16.7	1	4.2
Texas										
Eastern	85	1.1	27	31.8	8	9.4	15	17.6	35	41.2
Northern	472	6.0	261	55.3	17	3.6	30	6.4	164	34.7
Southern	849	10.9	329	38.8	36	4.2	79	9.3	405	47.7
Western	441	5.6	224	50.8	17	3.9	36	8.2	164	37.2
SIXTH CIRCUIT	701	9.0	401	57.2	99	14.1	130	18.5	71	10.1
Kentucky										
Eastern	108	1.4	59	54.6	16	14.8	22	20.4	11	10.2
Western	17	0.2	9	52.9	1	5.9	4	23.5	3	17.6
Michigan										
Eastern	98	1.3	47	48.0	18	18.4	29	29.6	4	4.1
Western	100	1.3	59	59.0	12	12.0	11	11.0	18	18.0
Ohio										
Northern	124	1.6	79	63.7	20	16.1	15	12.1	10	8.1
Southern	54	0.7	30	55.6	8	14.8	11	20.4	5	9.3
Tennessee										
Eastern	87	1.1	56	64.4	7	8.0	12	13.8	12	13.8
Middle	34	0.4	19	55.9	7	20.6	7	20.6	1	2.9
Western	79	1.0	43	54.4	10	12.7	19	24.1	7	8.9
SEVENTH CIRCUIT	317	4.1	137	43.2	55	17.4	88	27.8	37	11.7
Illinois										
Central	35	0.4	14	40.0	8	22.9	11	31.4	2	5.7
Northern	125	1.6	54	43.2	22	17.6	36	28.8	13	10.4
Southern	40	0.5	14	35.0	7	17.5	10	25.0	9	22.5
Indiana										
Northern	26	0.3	13	50.0	3	11.5	7	26.9	3	11.5
Southern	32	0.4	14	43.8	7	21.9	9	28.1	2	6.3
Wisconsin										
Eastern	27	0.3	14	51.9	2	7.4	9	33.3	2	7.4
Western	32	0.4	14	43.8	6	18.8	6	18.8	6	18.8
EIGHTH CIRCUIT	604	7.7	316	52.3	54	8.9	123	20.4	111	18.4
Arkansas										
Eastern	26	0.3	15	57.7	2	7.7	4	15.4	5	19.2
Western	26	0.3	8	30.8	4	15.4	2	7.7	12	46.2
Iowa										
Northern	82	1.1	56	68.3	7	8.5	9	11.0	10	12.2
Southern	73	0.9	33	45.2	1	1.4	22	30.1	17	23.3
Minnesota	102	1.3	54	52.9	19	18.6	19	18.6	10	9.8
Missouri										
Eastern	51	0.7	33	64.7	2	3.9	9	17.6	7	13.7
Western	138	1.8	70	50.7	11	8.0	23	16.7	34	24.6
Nebraska	38	0.5	15	39.5	2	5.3	16	42.1	5	13.2
North Dakota	26	0.3	11	42.3	1	3.8	11	42.3	3	11.5
South Dakota	42	0.5	21	50.0	5	11.9	8	19.0	8	19.0

Table 55 (cont.)

CIRCUIT District	Total		Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	957	12.3	528	55.2	162	16.9	216	22.6	51	5.3
Alaska	15	0.2	9	60.0	0	0.0	6	40.0	0	0.0
Arizona	163	2.1	76	46.6	24	14.7	39	23.9	24	14.7
California										
Central	159	2.0	68	42.8	49	30.8	36	22.6	6	3.8
Eastern	50	0.6	21	42.0	13	26.0	13	26.0	3	6.0
Northern	49	0.6	20	40.8	7	14.3	22	44.9	0	0.0
Southern	212	2.7	161	75.9	23	10.8	24	11.3	4	1.9
Guam	2	0.0	1	50.0	0	0.0	1	50.0	0	0.0
Hawaii	25	0.3	17	68.0	2	8.0	5	20.0	1	4.0
Idaho	22	0.3	8	36.4	8	36.4	4	18.2	2	9.1
Montana	78	1.0	41	52.6	8	10.3	22	28.2	7	9.0
Nevada	64	0.8	39	60.9	13	20.3	10	15.6	2	3.1
Northern Mariana Islands	4	0.1	1	25.0	2	50.0	1	25.0	0	0.0
Oregon	26	0.3	19	73.1	0	0.0	6	23.1	1	3.8
Washington										
Eastern	37	0.5	22	59.5	5	13.5	10	27.0	0	0.0
Western	51	0.7	25	49.0	8	15.7	17	33.3	1	2.0
TENTH CIRCUIT	252	3.2	143	56.7	31	12.3	62	24.6	16	6.3
Colorado	53	0.7	34	64.2	6	11.3	13	24.5	0	0.0
Kansas	61	0.8	32	52.5	14	23.0	14	23.0	1	1.6
New Mexico	41	0.5	21	51.2	3	7.3	10	24.4	7	17.1
Oklahoma										
Eastern	16	0.2	5	31.3	2	12.5	4	25.0	5	31.3
Northern	19	0.2	10	52.6	3	15.8	6	31.6	0	0.0
Western	34	0.4	24	70.6	1	2.9	7	20.6	2	5.9
Utah	17	0.2	10	58.8	2	11.8	4	23.5	1	5.9
Wyoming	11	0.1	7	63.6	0	0.0	4	36.4	0	0.0
ELEVENTH CIRCUIT	908	11.6	472	52.0	131	14.4	208	22.9	97	10.7
Alabama										
Middle	24	0.3	12	50.0	4	16.7	6	25.0	2	8.3
Northern	29	0.4	10	34.5	3	10.3	13	44.8	3	10.3
Southern	36	0.5	15	41.7	2	5.6	13	36.1	6	16.7
Florida										
Middle	252	3.2	132	52.4	38	15.1	35	13.9	47	18.7
Northern	77	1.0	34	44.2	9	11.7	23	29.9	11	14.3
Southern	334	4.3	188	56.3	53	15.9	82	24.6	11	3.3
Georgia										
Middle	33	0.4	14	42.4	8	24.2	5	15.2	6	18.2
Northern	86	1.1	53	61.6	9	10.5	22	25.6	2	2.3
Southern	37	0.5	14	37.8	5	13.5	9	24.3	9	24.3

¹ Of the 7,868 appeals cases, 60 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, 2017 Appeals Datafile, APPFY17.