

**Table A-2**

**DISPOSITION OF OFFENDER ORIGINAL SENTENCING APPEALS  
IN EACH CIRCUIT AND DISTRICT<sup>1</sup>  
Fiscal Year 2018**

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R <sup>2</sup>	%	N	R <sup>2</sup>	%	N	%	N	%
<b>TOTAL</b>	<b>3,224</b>	<b>2,300</b>	<b>71.3</b>	<b>349</b>	<b>349</b>	<b>10.8</b>	<b>81</b>	<b>74</b>	<b>2.5</b>	<b>441</b>	<b>13.7</b>	<b>53</b>	<b>1.6</b>
<b>D.C. CIRCUIT</b>	<b>23</b>	<b>8</b>	<b>34.8</b>	<b>12</b>	<b>12</b>	<b>52.2</b>	<b>2</b>	<b>2</b>	<b>8.7</b>	<b>1</b>	<b>4.3</b>	<b>0</b>	<b>0.0</b>
District of Columbia	23	8	34.8	12	12	52.2	2	2	8.7	1	4.3	0	0.0
<b>FIRST CIRCUIT</b>	<b>135</b>	<b>107</b>	<b>79.3</b>	<b>12</b>	<b>12</b>	<b>8.9</b>	<b>1</b>	<b>1</b>	<b>0.7</b>	<b>12</b>	<b>8.9</b>	<b>3</b>	<b>2.2</b>
Maine	23	23	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Massachusetts	27	20	74.1	3	3	11.1	0	0	0.0	3	11.1	1	3.7
New Hampshire	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Puerto Rico	78	58	74.4	9	9	11.5	1	1	1.3	8	10.3	2	2.6
Rhode Island	5	4	80.0	0	0	0.0	0	0	0.0	1	20.0	0	0.0
<b>SECOND CIRCUIT</b>	<b>181</b>	<b>120</b>	<b>66.3</b>	<b>20</b>	<b>20</b>	<b>11.0</b>	<b>8</b>	<b>8</b>	<b>4.4</b>	<b>27</b>	<b>14.9</b>	<b>6</b>	<b>3.3</b>
Connecticut	15	14	93.3	0	0	0.0	0	0	0.0	1	6.7	0	0.0
New York													
Eastern	38	24	63.2	7	7	18.4	1	1	2.6	4	10.5	2	5.3
Northern	27	19	70.4	4	4	14.8	1	1	3.7	2	7.4	1	3.7
Southern	71	43	60.6	7	7	9.9	5	5	7.0	14	19.7	2	2.8
Western	26	17	65.4	2	2	7.7	1	1	3.8	6	23.1	0	0.0
Vermont	4	3	75.0	0	0	0.0	0	0	0.0	0	0.0	1	25.0
<b>THIRD CIRCUIT</b>	<b>122</b>	<b>101</b>	<b>82.8</b>	<b>9</b>	<b>9</b>	<b>7.4</b>	<b>4</b>	<b>4</b>	<b>3.3</b>	<b>7</b>	<b>5.7</b>	<b>1</b>	<b>0.8</b>
Delaware	6	6	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Jersey	19	17	89.5	1	1	5.3	0	0	0.0	1	5.3	0	0.0
Pennsylvania													
Eastern	49	38	77.6	4	4	8.2	4	4	8.2	2	4.1	1	2.0
Middle	28	25	89.3	0	0	0.0	0	0	0.0	3	10.7	0	0.0
Western	15	11	73.3	3	3	20.0	0	0	0.0	1	6.7	0	0.0
Virgin Islands	5	4	80.0	1	1	20.0	0	0	0.0	0	0.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>332</b>	<b>197</b>	<b>59.3</b>	<b>24</b>	<b>24</b>	<b>7.2</b>	<b>2</b>	<b>2</b>	<b>0.6</b>	<b>106</b>	<b>31.9</b>	<b>3</b>	<b>0.9</b>
Maryland	34	15	44.1	3	3	8.8	0	0	0.0	16	47.1	0	0.0
North Carolina													
Eastern	90	52	57.8	7	7	7.8	0	0	0.0	31	34.4	0	0.0
Middle	40	28	70.0	2	2	5.0	0	0	0.0	9	22.5	1	2.5
Western	46	20	43.5	4	4	8.7	1	1	2.2	20	43.5	1	2.2
South Carolina	42	30	71.4	3	3	7.1	1	1	2.4	8	19.0	0	0.0
Virginia													
Eastern	46	32	69.6	0	0	0.0	0	0	0.0	14	30.4	0	0.0
Western	13	7	53.8	3	3	23.1	0	0	0.0	2	15.4	1	7.7
West Virginia													
Northern	10	7	70.0	1	1	10.0	0	0	0.0	2	20.0	0	0.0
Southern	11	6	54.5	1	1	9.1	0	0	0.0	4	36.4	0	0.0

**Table A-2 (cont.)**

CIRCUIT	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R <sup>2</sup>	%	N	R <sup>2</sup>	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>658</b>	<b>487</b>	<b>74.0</b>	<b>74</b>	<b>74</b>	<b>11.2</b>	<b>15</b>	<b>12</b>	<b>2.3</b>	<b>61</b>	<b>9.3</b>	<b>21</b>	<b>3.2</b>
Louisiana													
Eastern	15	10	66.7	4	4	26.7	0	0	0.0	0	0.0	1	6.7
Middle	5	4	80.0	1	1	20.0	0	0	0.0	0	0.0	0	0.0
Western	34	29	85.3	3	3	8.8	1	1	2.9	1	2.9	0	0.0
Mississippi													
Northern	9	9	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	21	7	33.3	0	0	0.0	0	0	0.0	13	61.9	1	4.8
Texas													
Eastern	23	14	60.9	1	1	4.3	1	1	4.3	7	30.4	0	0.0
Northern	220	185	84.1	17	17	7.7	0	0	0.0	15	6.8	3	1.4
Southern	204	134	65.7	37	37	18.1	8	5	3.9	11	5.4	14	6.9
Western	127	95	74.8	11	11	8.7	5	5	3.9	14	11.0	2	1.6
<b>SIXTH CIRCUIT</b>	<b>349</b>	<b>260</b>	<b>74.5</b>	<b>29</b>	<b>29</b>	<b>8.3</b>	<b>12</b>	<b>12</b>	<b>3.4</b>	<b>46</b>	<b>13.2</b>	<b>2</b>	<b>0.6</b>
Kentucky													
Eastern	56	50	89.3	3	3	5.4	1	1	1.8	2	3.6	0	0.0
Western	9	7	77.8	1	1	11.1	0	0	0.0	1	11.1	0	0.0
Michigan													
Eastern	52	36	69.2	9	9	17.3	2	2	3.8	5	9.6	0	0.0
Western	47	40	85.1	1	1	2.1	2	2	4.3	4	8.5	0	0.0
Ohio													
Northern	86	64	74.4	4	4	4.7	2	2	2.3	16	18.6	0	0.0
Southern	14	9	64.3	1	1	7.1	2	2	14.3	2	14.3	0	0.0
Tennessee													
Eastern	46	26	56.5	6	6	13.0	1	1	2.2	11	23.9	2	4.3
Middle	11	8	72.7	3	3	27.3	0	0	0.0	0	0.0	0	0.0
Western	28	20	71.4	1	1	3.6	2	2	7.1	5	17.9	0	0.0
<b>SEVENTH CIRCUIT</b>	<b>123</b>	<b>80</b>	<b>65.0</b>	<b>22</b>	<b>22</b>	<b>17.9</b>	<b>5</b>	<b>4</b>	<b>4.1</b>	<b>12</b>	<b>9.8</b>	<b>4</b>	<b>3.3</b>
Illinois													
Central	7	3	42.9	3	3	42.9	0	0	0.0	1	14.3	0	0.0
Northern	53	37	69.8	9	9	17.0	4	3	7.5	2	3.8	1	1.9
Southern	15	10	66.7	2	2	13.3	0	0	0.0	3	20.0	0	0.0
Indiana													
Northern	15	8	53.3	1	1	6.7	0	0	0.0	4	26.7	2	13.3
Southern	14	7	50.0	4	4	28.6	0	0	0.0	2	14.3	1	7.1
Wisconsin													
Eastern	11	7	63.6	3	3	27.3	1	1	9.1	0	0.0	0	0.0
Western	8	8	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>280</b>	<b>210</b>	<b>75.0</b>	<b>23</b>	<b>23</b>	<b>8.2</b>	<b>5</b>	<b>3</b>	<b>1.8</b>	<b>39</b>	<b>13.9</b>	<b>3</b>	<b>1.1</b>
Arkansas													
Eastern	17	11	64.7	0	0	0.0	0	0	0.0	6	35.3	0	0.0
Western	11	11	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Iowa													
Northern	50	44	88.0	3	3	6.0	1	1	2.0	1	2.0	1	2.0
Southern	40	36	90.0	1	1	2.5	1	1	2.5	1	2.5	1	2.5
Minnesota	51	33	64.7	6	6	11.8	2	0	3.9	10	19.6	0	0.0
Missouri													
Eastern	31	21	67.7	5	5	16.1	0	0	0.0	5	16.1	0	0.0
Western	39	26	66.7	4	4	10.3	1	1	2.6	8	20.5	0	0.0
Nebraska	18	14	77.8	1	1	5.6	0	0	0.0	3	16.7	0	0.0
North Dakota	10	5	50.0	2	2	20.0	0	0	0.0	2	20.0	1	10.0
South Dakota	13	9	69.2	1	1	7.7	0	0	0.0	3	23.1	0	0.0

**Table A-2 (cont.)**

CIRCUIT	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R <sup>2</sup>	%	N	R <sup>2</sup>	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>443</b>	<b>291</b>	<b>65.7</b>	<b>76</b>	<b>76</b>	<b>17.2</b>	<b>17</b>	<b>16</b>	<b>3.8</b>	<b>51</b>	<b>11.5</b>	<b>8</b>	<b>1.8</b>
Alaska	8	7	87.5	0	0	0.0	0	0	0.0	1	12.5	0	0.0
Arizona	63	39	61.9	12	12	19.0	3	3	4.8	9	14.3	0	0.0
California													
Central	76	43	56.6	14	14	18.4	4	3	5.3	10	13.2	5	6.6
Eastern	34	25	73.5	4	4	11.8	2	2	5.9	3	8.8	0	0.0
Northern	29	17	58.6	6	6	20.7	2	2	6.9	3	10.3	1	3.4
Southern	87	72	82.8	10	10	11.5	1	1	1.1	3	3.4	1	1.1
Guam	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Hawaii	12	8	66.7	2	2	16.7	0	0	0.0	2	16.7	0	0.0
Idaho	16	12	75.0	2	2	12.5	0	0	0.0	2	12.5	0	0.0
Montana	24	16	66.7	4	4	16.7	0	0	0.0	4	16.7	0	0.0
Nevada	32	14	43.8	9	9	28.1	3	3	9.4	6	18.8	0	0.0
Northern Mariana Islands	4	1	25.0	1	1	25.0	1	1	25.0	0	0.0	1	25.0
Oregon	16	12	75.0	3	3	18.8	0	0	0.0	1	6.3	0	0.0
Washington													
Eastern	18	13	72.2	3	3	16.7	0	0	0.0	2	11.1	0	0.0
Western	23	11	47.8	6	6	26.1	1	1	4.3	5	21.7	0	0.0
<b>TENTH CIRCUIT</b>	<b>131</b>	<b>74</b>	<b>56.5</b>	<b>22</b>	<b>22</b>	<b>16.8</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>34</b>	<b>26.0</b>	<b>1</b>	<b>0.8</b>
Colorado	32	16	50.0	6	6	18.8	0	0	0.0	10	31.3	0	0.0
Kansas	29	18	62.1	5	5	17.2	0	0	0.0	6	20.7	0	0.0
New Mexico	26	10	38.5	7	7	26.9	0	0	0.0	9	34.6	0	0.0
Oklahoma													
Eastern	4	4	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	3	1	33.3	1	1	33.3	0	0	0.0	1	33.3	0	0.0
Western	17	13	76.5	0	0	0.0	0	0	0.0	4	23.5	0	0.0
Utah	13	6	46.2	3	3	23.1	0	0	0.0	4	30.8	0	0.0
Wyoming	7	6	85.7	0	0	0.0	0	0	0.0	0	0.0	1	14.3
<b>ELEVENTH CIRCUIT</b>	<b>447</b>	<b>365</b>	<b>81.7</b>	<b>26</b>	<b>26</b>	<b>5.8</b>	<b>10</b>	<b>10</b>	<b>2.2</b>	<b>45</b>	<b>10.1</b>	<b>1</b>	<b>0.2</b>
Alabama													
Middle	16	15	93.8	1	1	6.3	0	0	0.0	0	0.0	0	0.0
Northern	13	11	84.6	1	1	7.7	0	0	0.0	1	7.7	0	0.0
Southern	9	5	55.6	1	1	11.1	0	0	0.0	3	33.3	0	0.0
Florida													
Middle	110	84	76.4	7	7	6.4	2	2	1.8	17	15.5	0	0.0
Northern	27	26	96.3	0	0	0.0	1	1	3.7	0	0.0	0	0.0
Southern	168	138	82.1	13	13	7.7	5	5	3.0	11	6.5	1	0.6
Georgia													
Middle	30	25	83.3	1	1	3.3	0	0	0.0	4	13.3	0	0.0
Northern	58	47	81.0	2	2	3.4	2	2	3.4	7	12.1	0	0.0
Southern	16	14	87.5	0	0	0.0	0	0	0.0	2	12.5	0	0.0

<sup>1</sup> Of the 7,038 appeals cases, 3,224 involved an appeal of the original sentence by the offender. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,421), *Anders* Brief (1,345), 'unknown' (137), the appeal was by the government only (13), the appeal was of an issue related to a post sentencing matter (451), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (447). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> 'Remanded' includes cases that were remanded for sentencing purposes.

SOURCE: U.S. Sentencing Commission, 2018 Appeals Datafile, APPFY18.