

Table A-6

**REASONABLENESS ISSUES APPEALED IN CASES WHERE THE
ORIGINAL SENTENCE WAS REVERSED OR REMANDED¹
Fiscal Year 2021**

ISSUE	N	%
REASONABLENESS ISSUES	311	100.0
Procedural: Court improperly calculated guideline range	259	83.3
Procedural: Court did not adequately explain the chosen sentence	21	6.8
Substantive: Unreasonable weighing decision	13	4.2
Procedural: Court failed to address/improperly considered 18 U.S.C. § 3553(a) factors	13	4.2
Procedural: Court selected a sentence based on clearly erroneous facts	4	1.3
Substantive: General	1	0.3

¹ Based on 5,111 appeals where the sentence imposed was at least one of the reasons for appeal. Of these 5,111 cases, 2,547 were appeals of the original sentence. Of these 2,547 appeals of the original sentence, 444 were reversed or remanded. Often more than one reasonableness issue was appealed; consequently, the number of issues may be more than the number of sentencing appeals that were reversed or remanded. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2021 Appeals Datafile, APPFY21.