

Table A-6

**REASONABLENESS ISSUES APPEALED IN CASES WHERE THE
ORIGINAL SENTENCE WAS REVERSED OR REMANDED¹
Fiscal Year 2022**

ISSUE	N	%
REASONABLENESS ISSUES	433	100.0
Procedural: Court improperly calculated guideline range	373	86.1
Procedural: Court did not adequately explain the chosen sentence	33	7.6
Procedural: Court selected a sentence based on clearly erroneous facts	12	2.8
Procedural: Court failed to address/improperly considered 18 U.S.C. § 3553(a) factors	9	2.1
Substantive: Unreasonable weighing decision	3	0.7
Substantive: General	2	0.5
Procedural: General	1	0.2

¹ Based on 4,946 appeals where the sentence imposed was at least one of the reasons for appeal. Of these 4,946 cases, 2,605 were appeals of the original sentence. Of these 2,605 appeals of the original sentence, 421 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, 2022 Appeals Datafile, APPFY22.