

Table A-1

TYPE OF APPEAL IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2023

CIRCUIT District	Total		Sentence and Conviction		Conviction Only		<i>Anders Brief</i>			
	N	%	N	%	N	%	N	%		
TOTAL	6,371		3,490	54.8	759	11.9	1,131	17.8	991	15.6
D.C. CIRCUIT	20		11	55.0	3	15.0	6	30.0	0	0.0
District of Columbia	20		11	55.0	3	15.0	6	30.0	0	0.0
FIRST CIRCUIT	196		112	57.1	24	12.2	38	19.4	22	11.2
Maine	26		18	69.2	4	15.4	3	11.5	1	3.8
Massachusetts	41		17	41.5	6	14.6	14	34.1	4	9.8
New Hampshire	12		3	25.0	2	16.7	7	58.3	0	0.0
Puerto Rico	108		66	61.1	11	10.2	14	13.0	17	15.7
Rhode Island	9		8	88.9	1	11.1	0	0.0	0	0.0
SECOND CIRCUIT	340		193	56.8	52	15.3	83	24.4	12	3.5
Connecticut	30		16	53.3	5	16.7	6	20.0	3	10.0
New York										
Eastern	69		39	56.5	11	15.9	18	26.1	1	1.4
Northern	38		29	76.3	6	15.8	2	5.3	1	2.6
Southern	155		80	51.6	24	15.5	44	28.4	7	4.5
Western	40		24	60.0	6	15.0	10	25.0	0	0.0
Vermont	8		5	62.5	0	0.0	3	37.5	0	0.0
THIRD CIRCUIT	284		172	60.6	54	19.0	48	16.9	10	3.5
Delaware	13		8	61.5	2	15.4	3	23.1	0	0.0
New Jersey	48		33	68.8	8	16.7	5	10.4	2	4.2
Pennsylvania										
Eastern	96		57	59.4	24	25.0	15	15.6	0	0.0
Middle	81		50	61.7	7	8.6	16	19.8	8	9.9
Western	31		22	71.0	6	19.4	3	9.7	0	0.0
Virgin Islands	15		2	13.3	7	46.7	6	40.0	0	0.0
FOURTH CIRCUIT	901		587	65.1	108	12.0	115	12.8	91	10.1
Maryland	64		41	64.1	8	12.5	13	20.3	2	3.1
North Carolina										
Eastern	241		161	66.8	43	17.8	21	8.7	16	6.6
Middle	112		70	62.5	8	7.1	11	9.8	23	20.5
Western	119		74	62.2	15	12.6	15	12.6	15	12.6
South Carolina	106		76	71.7	9	8.5	9	8.5	12	11.3
Virginia										
Eastern	139		97	69.8	15	10.8	24	17.3	3	2.2
Western	32		23	71.9	2	6.3	6	18.8	1	3.1
West Virginia										
Northern	52		23	44.2	3	5.8	9	17.3	17	32.7
Southern	36		22	61.1	5	13.9	7	19.4	2	5.6

Table A-1 (cont.)

CIRCUIT District	Total	Sentence Only		Sentence and Conviction		Conviction Only		Anders Brief	
	N	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	1,515	678	44.8	113	7.5	187	12.3	537	35.4
Louisiana									
Eastern	42	26	61.9	7	16.7	4	9.5	5	11.9
Middle	18	5	27.8	1	5.6	2	11.1	10	55.6
Western	66	32	48.5	10	15.2	16	24.2	8	12.1
Mississippi									
Northern	15	7	46.7	2	13.3	6	40.0	0	0.0
Southern	50	37	74.0	6	12.0	6	12.0	1	2.0
Texas									
Eastern	56	18	32.1	3	5.4	13	23.2	22	39.3
Northern	478	135	28.2	28	5.9	52	10.9	263	55.0
Southern	297	108	36.4	15	5.1	38	12.8	136	45.8
Western	493	310	62.9	41	8.3	50	10.1	92	18.7
SIXTH CIRCUIT	652	391	60.0	89	13.7	120	18.4	52	8.0
Kentucky									
Eastern	115	56	48.7	21	18.3	27	23.5	11	9.6
Western	21	15	71.4	4	19.0	1	4.8	1	4.8
Michigan									
Eastern	72	49	68.1	8	11.1	9	12.5	6	8.3
Western	81	47	58.0	13	16.0	18	22.2	3	3.7
Ohio									
Northern	184	113	61.4	22	12.0	34	18.5	15	8.2
Southern	38	20	52.6	1	2.6	11	28.9	6	15.8
Tennessee									
Eastern	69	47	68.1	9	13.0	9	13.0	4	5.8
Middle	28	19	67.9	3	10.7	4	14.3	2	7.1
Western	44	25	56.8	8	18.2	7	15.9	4	9.1
SEVENTH CIRCUIT	289	141	48.8	35	12.1	63	21.8	50	17.3
Illinois									
Central	43	24	55.8	3	7.0	14	32.6	2	4.7
Northern	73	43	58.9	7	9.6	12	16.4	11	15.1
Southern	34	14	41.2	1	2.9	10	29.4	9	26.5
Indiana									
Northern	30	13	43.3	6	20.0	6	20.0	5	16.7
Southern	69	25	36.2	18	26.1	14	20.3	12	17.4
Wisconsin									
Eastern	22	10	45.5	0	0.0	3	13.6	9	40.9
Western	18	12	66.7	0	0.0	4	22.2	2	11.1
EIGHTH CIRCUIT	769	437	56.8	85	11.1	148	19.2	99	12.9
Arkansas									
Eastern	53	32	60.4	7	13.2	13	24.5	1	1.9
Western	39	19	48.7	5	12.8	5	12.8	10	25.6
Iowa									
Northern	97	59	60.8	11	11.3	9	9.3	18	18.6
Southern	152	87	57.2	14	9.2	25	16.4	26	17.1
Minnesota	73	46	63.0	10	13.7	13	17.8	4	5.5
Missouri									
Eastern	99	50	50.5	10	10.1	20	20.2	19	19.2
Western	109	73	67.0	12	11.0	12	11.0	12	11.0
Nebraska	55	25	45.5	5	9.1	21	38.2	4	7.3
North Dakota	34	23	67.6	2	5.9	6	17.6	3	8.8
South Dakota	58	23	39.7	9	15.5	24	41.4	2	3.4

Table A-1 (cont.)

CIRCUIT	Total		Sentence and Conviction		Conviction Only		Anders Brief			
	N	%	N	%	N	%	N	%		
NINTH CIRCUIT	480		244	50.8	80	16.7	134	27.9	22	4.6
Alaska	11		3	27.3	2	18.2	5	45.5	1	9.1
Arizona	57		22	38.6	11	19.3	15	26.3	9	15.8
California										
Central	111		56	50.5	18	16.2	33	29.7	4	3.6
Eastern	40		26	65.0	4	10.0	9	22.5	1	2.5
Northern	42		22	52.4	4	9.5	15	35.7	1	2.4
Southern	52		30	57.7	6	11.5	16	30.8	0	0.0
Guam	3		1	33.3	0	0.0	2	66.7	0	0.0
Hawaii	24		19	79.2	4	16.7	0	0.0	1	4.2
Idaho	13		6	46.2	3	23.1	3	23.1	1	7.7
Montana	33		17	51.5	6	18.2	6	18.2	4	12.1
Nevada	35		14	40.0	13	37.1	8	22.9	0	0.0
Northern Mariana Islands	0		0	0.0	0	0.0	0	0.0	0	0.0
Oregon	8		7	87.5	1	12.5	0	0.0	0	0.0
Washington										
Eastern	28		9	32.1	4	14.3	15	53.6	0	0.0
Western	23		12	52.2	4	17.4	7	30.4	0	0.0
TENTH CIRCUIT	274		153	55.8	31	11.3	71	25.9	19	6.9
Colorado	42		21	50.0	4	9.5	13	31.0	4	9.5
Kansas	42		31	73.8	1	2.4	7	16.7	3	7.1
New Mexico	56		24	42.9	6	10.7	21	37.5	5	8.9
Oklahoma										
Eastern	14		6	42.9	4	28.6	4	28.6	0	0.0
Northern	39		20	51.3	7	17.9	10	25.6	2	5.1
Western	46		30	65.2	6	13.0	7	15.2	3	6.5
Utah	11		6	54.5	1	9.1	3	27.3	1	9.1
Wyoming	24		15	62.5	2	8.3	6	25.0	1	4.2
ELEVENTH CIRCUIT	651		371	57.0	85	13.1	118	18.1	77	11.8
Alabama										
Middle	24		10	41.7	4	16.7	10	41.7	0	0.0
Northern	39		23	59.0	2	5.1	5	12.8	9	23.1
Southern	47		19	40.4	5	10.6	12	25.5	11	23.4
Florida										
Middle	165		93	56.4	15	9.1	25	15.2	32	19.4
Northern	67		35	52.2	4	6.0	18	26.9	10	14.9
Southern	186		118	63.4	38	20.4	24	12.9	6	3.2
Georgia										
Middle	38		25	65.8	1	2.6	8	21.1	4	10.5
Northern	60		33	55.0	14	23.3	12	20.0	1	1.7
Southern	25		15	60.0	2	8.0	4	16.0	4	16.0

¹ Of the 6,555 appeals cases, 184 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, 2023 Appeals Datafile, APPFY23.