

Table A-2

**DISPOSITION OF ORIGINAL SENTENCING APPEALS BY THE SENTENCED INDIVIDUAL
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2023**

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
TOTAL	2,662	1,847	69.4	266	266	10.0	109	105	4.1	408	15.3	32	1.2
D.C. CIRCUIT	7	5	71.4	0	0	0.0	2	2	28.6	0	0.0	0	0.0
District of Columbia	7	5	71.4	0	0	0.0	2	2	28.6	0	0.0	0	0.0
FIRST CIRCUIT	81	64	79.0	7	7	8.6	3	2	3.7	7	8.6	0	0.0
Maine	17	14	82.4	0	0	0.0	2	2	11.8	1	5.9	0	0.0
Massachusetts	19	17	89.5	2	2	10.5	0	0	0.0	0	0.0	0	0.0
New Hampshire	4	4	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Puerto Rico	36	29	80.6	5	5	13.9	1	0	2.8	1	2.8	0	0.0
Rhode Island	5	0	0.0	0	0	0.0	0	0	0.0	5	100.0	0	0.0
SECOND CIRCUIT	168	98	58.3	19	19	11.3	8	8	4.8	41	24.4	2	1.2
Connecticut	19	13	68.4	1	1	5.3	0	0	0.0	4	21.1	1	5.3
New York													
Eastern	39	22	56.4	6	6	15.4	4	4	10.3	7	17.9	0	0.0
Northern	22	15	68.2	3	3	13.6	0	0	0.0	4	18.2	0	0.0
Southern	68	34	50.0	8	8	11.8	4	4	5.9	22	32.4	0	0.0
Western	17	11	64.7	1	1	5.9	0	0	0.0	4	23.5	1	5.9
Vermont	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	125	93	74.4	18	18	14.4	6	6	4.8	8	6.4	0	0.0
Delaware	8	6	75.0	1	1	12.5	0	0	0.0	1	12.5	0	0.0
New Jersey	21	17	81.0	2	2	9.5	0	0	0.0	2	9.5	0	0.0
Pennsylvania													
Eastern	47	33	70.2	11	11	23.4	3	3	6.4	0	0.0	0	0.0
Middle	24	17	70.8	2	2	8.3	1	1	4.2	4	16.7	0	0.0
Western	17	14	82.4	2	2	11.8	1	1	5.9	0	0.0	0	0.0
Virgin Islands	8	6	75.0	0	0	0.0	1	1	12.5	1	12.5	0	0.0
FOURTH CIRCUIT	385	206	53.5	48	48	12.5	26	26	6.8	102	26.5	3	0.8
Maryland	26	13	50.0	5	5	19.2	2	2	7.7	6	23.1	0	0.0
North Carolina													
Eastern	141	70	49.6	21	21	14.9	13	13	9.2	34	24.1	3	2.1
Middle	48	29	60.4	1	1	2.1	1	1	2.1	17	35.4	0	0.0
Western	50	30	60.0	4	4	8.0	4	4	8.0	12	24.0	0	0.0
South Carolina	42	21	50.0	8	8	19.0	2	2	4.8	11	26.2	0	0.0
Virginia													
Eastern	34	16	47.1	5	5	14.7	2	2	5.9	11	32.4	0	0.0
Western	9	7	77.8	1	1	11.1	0	0	0.0	1	11.1	0	0.0
West Virginia													
Northern	16	7	43.8	0	0	0.0	1	1	6.3	8	50.0	0	0.0
Southern	19	13	68.4	3	3	15.8	1	1	5.3	2	10.5	0	0.0

Table A-2 (cont.)

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
FIFTH CIRCUIT	572	442	77.3	38	38	6.6	21	20	3.7	58	10.1	13	2.3
Louisiana													
Eastern	23	13	56.5	5	5	21.7	0	0	0.0	4	17.4	1	4.3
Middle	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	33	30	90.9	3	3	9.1	0	0	0.0	0	0.0	0	0.0
Mississippi													
Northern	9	9	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	28	11	39.3	0	0	0.0	0	0	0.0	17	60.7	0	0.0
Texas													
Eastern	15	10	66.7	0	0	0.0	1	1	6.7	4	26.7	0	0.0
Northern	124	98	79.0	5	5	4.0	6	5	4.8	15	12.1	0	0.0
Southern	90	64	71.1	11	11	12.2	8	8	8.9	6	6.7	1	1.1
Western	247	204	82.6	14	14	5.7	6	6	2.4	12	4.9	11	4.5
SIXTH CIRCUIT	294	234	79.6	25	25	8.5	8	8	2.7	26	8.8	1	0.3
Kentucky													
Eastern	54	52	96.3	1	1	1.9	0	0	0.0	1	1.9	0	0.0
Western	5	4	80.0	1	1	20.0	0	0	0.0	0	0.0	0	0.0
Michigan													
Eastern	20	14	70.0	2	2	10.0	2	2	10.0	2	10.0	0	0.0
Western	45	39	86.7	5	5	11.1	1	1	2.2	0	0.0	0	0.0
Ohio													
Northern	97	72	74.2	9	9	9.3	2	2	2.1	14	14.4	0	0.0
Southern	9	5	55.6	2	2	22.2	0	0	0.0	2	22.2	0	0.0
Tennessee													
Eastern	26	22	84.6	2	2	7.7	2	2	7.7	0	0.0	0	0.0
Middle	16	12	75.0	1	1	6.3	1	1	6.3	1	6.3	1	6.3
Western	22	14	63.6	2	2	9.1	0	0	0.0	6	27.3	0	0.0
SEVENTH CIRCUIT	105	79	75.2	11	11	10.5	5	4	4.8	6	5.7	4	3.8
Illinois													
Central	10	8	80.0	1	1	10.0	1	1	10.0	0	0.0	0	0.0
Northern	34	27	79.4	3	3	8.8	2	2	5.9	2	5.9	0	0.0
Southern	5	5	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Indiana													
Northern	13	8	61.5	0	0	0.0	0	0	0.0	1	7.7	4	30.8
Southern	32	24	75.0	5	5	15.6	2	1	6.3	1	3.1	0	0.0
Wisconsin													
Eastern	6	3	50.0	1	1	16.7	0	0	0.0	2	33.3	0	0.0
Western	5	4	80.0	1	1	20.0	0	0	0.0	0	0.0	0	0.0
EIGHTH CIRCUIT	302	221	73.2	19	19	6.3	7	7	2.3	54	17.9	1	0.3
Arkansas													
Eastern	29	15	51.7	1	1	3.4	1	1	3.4	11	37.9	1	3.4
Western	14	11	78.6	0	0	0.0	1	1	7.1	2	14.3	0	0.0
Iowa													
Northern	39	35	89.7	0	0	0.0	0	0	0.0	4	10.3	0	0.0
Southern	61	50	82.0	5	5	8.2	3	3	4.9	3	4.9	0	0.0
Minnesota	26	19	73.1	0	0	0.0	1	1	3.8	6	23.1	0	0.0
Missouri													
Eastern	43	34	79.1	2	2	4.7	1	1	2.3	6	14.0	0	0.0
Western	43	23	53.5	6	6	14.0	0	0	0.0	14	32.6	0	0.0
Nebraska	15	14	93.3	0	0	0.0	0	0	0.0	1	6.7	0	0.0
North Dakota	12	6	50.0	2	2	16.7	0	0	0.0	4	33.3	0	0.0
South Dakota	20	14	70.0	3	3	15.0	0	0	0.0	3	15.0	0	0.0

Table A-2 (cont.)

CIRCUIT	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
NINTH CIRCUIT	191	108	56.5	41	41	21.5	13	12	6.8	22	11.5	7	3.7
Alaska	3	2	66.7	1	1	33.3	0	0	0.0	0	0.0	0	0.0
Arizona	21	9	42.9	7	7	33.3	2	2	9.5	1	4.8	2	9.5
California													
Central	51	29	56.9	10	10	19.6	1	1	2.0	10	19.6	1	2.0
Eastern	15	10	66.7	3	3	20.0	1	1	6.7	0	0.0	1	6.7
Northern	14	7	50.0	4	4	28.6	2	2	14.3	1	7.1	0	0.0
Southern	24	14	58.3	8	8	33.3	1	1	4.2	1	4.2	0	0.0
Guam	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Hawaii	9	3	33.3	2	2	22.2	1	1	11.1	3	33.3	0	0.0
Idaho	6	5	83.3	1	1	16.7	0	0	0.0	0	0.0	0	0.0
Montana	9	5	55.6	2	2	22.2	0	0	0.0	2	22.2	0	0.0
Nevada	17	9	52.9	1	1	5.9	3	3	17.6	1	5.9	3	17.6
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Oregon	4	2	50.0	1	1	25.0	0	0	0.0	1	25.0	0	0.0
Washington													
Eastern	7	4	57.1	1	1	14.3	1	1	14.3	1	14.3	0	0.0
Western	10	8	80.0	0	0	0.0	1	0	10.0	1	10.0	0	0.0
TENTH CIRCUIT	121	65	53.7	15	15	12.4	6	6	5.0	34	28.1	1	0.8
Colorado	20	6	30.0	2	2	10.0	1	1	5.0	11	55.0	0	0.0
Kansas	12	5	41.7	3	3	25.0	0	0	0.0	4	33.3	0	0.0
New Mexico	26	19	73.1	0	0	0.0	1	1	3.8	6	23.1	0	0.0
Oklahoma													
Eastern	9	7	77.8	1	1	11.1	1	1	11.1	0	0.0	0	0.0
Northern	14	5	35.7	5	5	35.7	0	0	0.0	3	21.4	1	7.1
Western	27	15	55.6	4	4	14.8	2	2	7.4	6	22.2	0	0.0
Utah	4	1	25.0	0	0	0.0	1	1	25.0	2	50.0	0	0.0
Wyoming	9	7	77.8	0	0	0.0	0	0	0.0	2	22.2	0	0.0
ELEVENTH CIRCUIT	311	232	74.6	25	25	8.0	4	4	1.3	50	16.1	0	0.0
Alabama													
Middle	11	5	45.5	2	2	18.2	0	0	0.0	4	36.4	0	0.0
Northern	18	14	77.8	2	2	11.1	0	0	0.0	2	11.1	0	0.0
Southern	11	6	54.5	0	0	0.0	1	1	9.1	4	36.4	0	0.0
Florida													
Middle	77	56	72.7	5	5	6.5	1	1	1.3	15	19.5	0	0.0
Northern	28	27	96.4	1	1	3.6	0	0	0.0	0	0.0	0	0.0
Southern	107	85	79.4	7	7	6.5	2	2	1.9	13	12.1	0	0.0
Georgia													
Middle	16	9	56.3	3	3	18.8	0	0	0.0	4	25.0	0	0.0
Northern	33	22	66.7	4	4	12.1	0	0	0.0	7	21.2	0	0.0
Southern	10	8	80.0	1	1	10.0	0	0	0.0	1	10.0	0	0.0

¹ Of the 6,555 appeals cases, 2,662 involved an appeal of the original sentence by the sentenced individual. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,131), 'Anders Brief' (991), 'unknown' (184), the appeal was by the government only (24), the appeal was of an issue related to a post sentencing matter (1,154), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (415). Descriptions of variables used in this table are provided in Appendix A.

² 'Remanded' includes cases that were remanded for sentencing purposes.

SOURCE: U.S. Sentencing Commission, 2023 Appeals Datafile, APPFY23.