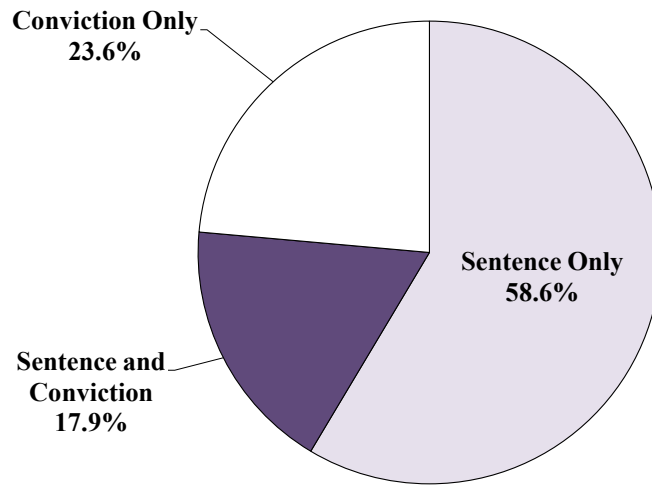


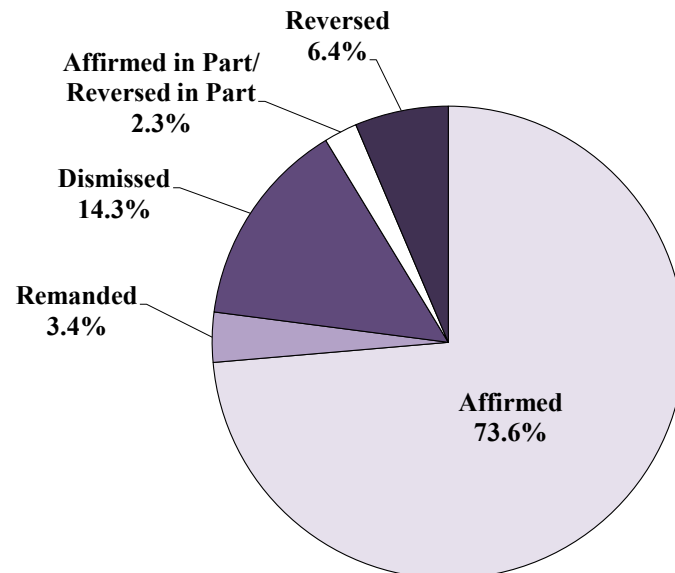
Figure A-1

TYPE AND DISPOSITION OF APPEALS CASES¹
Fiscal Year 2024

TYPE OF APPEAL



DISPOSITION OF SENTENCING APPEALS^{2,3}



¹ Of the 6,099 appeals cases, 537 were excluded because the type of appeal was 'unknown'. Of the remaining cases, 5,532 involved an appeal by the individual sentenced, 22 involved an appeal by the government, and eight involved a cross appeal. Descriptions of variables used in this table are provided in Appendix A.

² Of the 97 cases affirmed in part and reversed in part, 95 (97.9%) cases were remanded to the district court.

³ Of the 272 cases reversed, 272 (100.0%) cases were remanded to the district court.

Table A-1

TYPE OF APPEAL IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2024

CIRCUIT	Total	Sentence Only		Sentence and Conviction		Conviction Only	
District	N	N	%	N	%	N	%
TOTAL	5,562	3,257	58.6	994	17.9	1,311	23.6
D.C. CIRCUIT	58	20	34.5	10	17.2	28	48.3
District of Columbia	58	20	34.5	10	17.2	28	48.3
FIRST CIRCUIT	189	119	63.0	29	15.3	41	21.7
Maine	19	12	63.2	4	21.1	3	15.8
Massachusetts	48	21	43.8	6	12.5	21	43.8
New Hampshire	6	3	50.0	3	50.0	0	0.0
Puerto Rico	111	80	72.1	15	13.5	16	14.4
Rhode Island	5	3	60.0	1	20.0	1	20.0
SECOND CIRCUIT	318	162	50.9	74	23.3	82	25.8
Connecticut	24	16	66.7	3	12.5	5	20.8
New York							
Eastern	53	25	47.2	15	28.3	13	24.5
Northern	56	39	69.6	8	14.3	9	16.1
Southern	141	57	40.4	39	27.7	45	31.9
Western	36	21	58.3	9	25.0	6	16.7
Vermont	8	4	50.0	0	0.0	4	50.0
THIRD CIRCUIT	258	139	53.9	49	19.0	70	27.1
Delaware	8	6	75.0	0	0.0	2	25.0
New Jersey	54	23	42.6	14	25.9	17	31.5
Pennsylvania							
Eastern	79	41	51.9	14	17.7	24	30.4
Middle	67	44	65.7	12	17.9	11	16.4
Western	43	24	55.8	7	16.3	12	27.9
Virgin Islands	7	1	14.3	2	28.6	4	57.1
FOURTH CIRCUIT	836	551	65.9	154	18.4	131	15.7
Maryland	64	29	45.3	19	29.7	16	25.0
North Carolina							
Eastern	178	127	71.3	37	20.8	14	7.9
Middle	110	76	69.1	21	19.1	13	11.8
Western	122	92	75.4	20	16.4	10	8.2
South Carolina	91	61	67.0	20	22.0	10	11.0
Virginia							
Eastern	145	81	55.9	18	12.4	46	31.7
Western	25	13	52.0	2	8.0	10	40.0
West Virginia							
Northern	74	54	73.0	12	16.2	8	10.8
Southern	27	18	66.7	5	18.5	4	14.8

Table A-1 (cont.)

CIRCUIT	Total	Sentence Only		Sentence and Conviction		Conviction Only	
District	N	N	%	N	%	N	%
FIFTH CIRCUIT	850	512	60.2	118	13.9	220	25.9
Louisiana							
Eastern	35	10	28.6	12	34.3	13	37.1
Middle	12	4	33.3	1	8.3	7	58.3
Western	86	61	70.9	6	7.0	19	22.1
Mississippi							
Northern	18	12	66.7	2	11.1	4	22.2
Southern	47	36	76.6	3	6.4	8	17.0
Texas							
Eastern	27	11	40.7	7	25.9	9	33.3
Northern	230	115	50.0	41	17.8	74	32.2
Southern	146	90	61.6	16	11.0	40	27.4
Western	249	173	69.5	30	12.0	46	18.5
SIXTH CIRCUIT	623	362	58.1	142	22.8	119	19.1
Kentucky							
Eastern	74	50	67.6	14	18.9	10	13.5
Western	30	13	43.3	10	33.3	7	23.3
Michigan							
Eastern	76	37	48.7	17	22.4	22	28.9
Western	84	59	70.2	16	19.0	9	10.7
Ohio							
Northern	157	98	62.4	25	15.9	34	21.7
Southern	37	17	45.9	13	35.1	7	18.9
Tennessee							
Eastern	83	49	59.0	25	30.1	9	10.8
Middle	22	15	68.2	4	18.2	3	13.6
Western	60	24	40.0	18	30.0	18	30.0
SEVENTH CIRCUIT	305	181	59.3	56	18.4	68	22.3
Illinois							
Central	54	28	51.9	10	18.5	16	29.6
Northern	94	50	53.2	20	21.3	24	25.5
Southern	36	24	66.7	7	19.4	5	13.9
Indiana							
Northern	33	19	57.6	5	15.2	9	27.3
Southern	45	31	68.9	8	17.8	6	13.3
Wisconsin							
Eastern	24	13	54.2	5	20.8	6	25.0
Western	19	16	84.2	1	5.3	2	10.5
EIGHTH CIRCUIT	727	504	69.3	79	10.9	144	19.8
Arkansas							
Eastern	70	40	57.1	13	18.6	17	24.3
Western	33	28	84.8	1	3.0	4	12.1
Iowa							
Northern	120	86	71.7	17	14.2	17	14.2
Southern	142	101	71.1	12	8.5	29	20.4
Minnesota	47	31	66.0	6	12.8	10	21.3
Missouri							
Eastern	75	52	69.3	10	13.3	13	17.3
Western	117	91	77.8	8	6.8	18	15.4
Nebraska	40	24	60.0	8	20.0	8	20.0
North Dakota	36	26	72.2	2	5.6	8	22.2
South Dakota	47	25	53.2	2	4.3	20	42.6

Table A-1 (cont.)

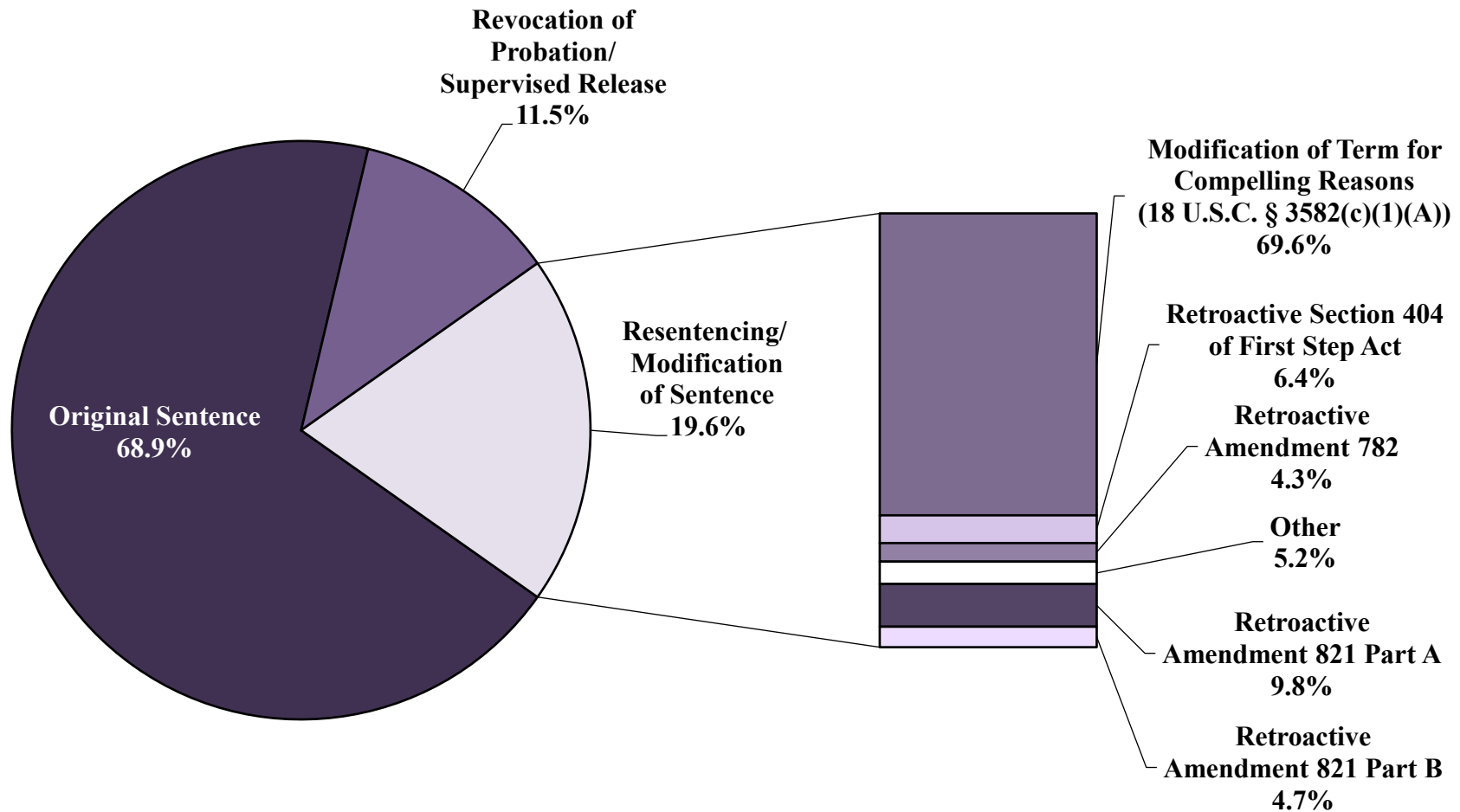
CIRCUIT	Total	Sentence Only		Sentence and Conviction		Conviction Only	
District	N	N	%	N	%	N	%
NINTH CIRCUIT	443	189	42.7	100	22.6	154	34.8
Alaska	11	2	18.2	3	27.3	6	54.5
Arizona	45	15	33.3	17	37.8	13	28.9
California							
Central	115	55	47.8	14	12.2	46	40.0
Eastern	33	17	51.5	8	24.2	8	24.2
Northern	23	7	30.4	4	17.4	12	52.2
Southern	60	29	48.3	10	16.7	21	35.0
Guam	4	2	50.0	2	50.0	0	0.0
Hawaii	20	13	65.0	4	20.0	3	15.0
Idaho	19	5	26.3	7	36.8	7	36.8
Montana	30	12	40.0	8	26.7	10	33.3
Nevada	25	11	44.0	10	40.0	4	16.0
Northern Mariana Islands	4	1	25.0	0	0.0	3	75.0
Oregon	20	4	20.0	5	25.0	11	55.0
Washington							
Eastern	14	5	35.7	4	28.6	5	35.7
Western	20	11	55.0	4	20.0	5	25.0
TENTH CIRCUIT	295	144	48.8	56	19.0	95	32.2
Colorado	43	28	65.1	3	7.0	12	27.9
Kansas	29	14	48.3	4	13.8	11	37.9
New Mexico	74	37	50.0	15	20.3	22	29.7
Oklahoma							
Eastern	23	6	26.1	4	17.4	13	56.5
Northern	40	14	35.0	11	27.5	15	37.5
Western	51	29	56.9	10	19.6	12	23.5
Utah	10	6	60.0	1	10.0	3	30.0
Wyoming	25	10	40.0	8	32.0	7	28.0
ELEVENTH CIRCUIT	660	374	56.7	127	19.2	159	24.1
Alabama							
Middle	27	14	51.9	8	29.6	5	18.5
Northern	32	17	53.1	5	15.6	10	31.3
Southern	34	16	47.1	11	32.4	7	20.6
Florida							
Middle	173	104	60.1	33	19.1	36	20.8
Northern	68	40	58.8	10	14.7	18	26.5
Southern	177	102	57.6	27	15.3	48	27.1
Georgia							
Middle	61	43	70.5	10	16.4	8	13.1
Northern	65	28	43.1	16	24.6	21	32.3
Southern	23	10	43.5	7	30.4	6	26.1

¹ Of the 6,099 appeals cases, 537 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, 2024 Appeals Datafile, APPFY24.

Figure A-2

SENTENCE TYPE APPEALED AND ISSUE IN RESENTENCING OR MODIFICATION OF SENTENCE APPEALS¹
Fiscal Year 2024



¹ Of the 6,099 appeals, 833 involved an appeal of a resentencing or modification of sentence issue.

Table A-2

**DISPOSITION OF ORIGINAL SENTENCE APPEALS BY SENTENCED INDIVIDUALS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2024**

CIRCUIT	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
District		N	%	N	R ²	%	N	R ²	%	N	%	N	%
TOTAL	2,913	1,996	68.5	203	203	7.0	86	85	3.0	537	18.4	91	3.1
D.C. CIRCUIT	25	18	72.0	3	3	12.0	1	1	4.0	2	8.0	1	4.0
District of Columbia	25	18	72.0	3	3	12.0	1	1	4.0	2	8.0	1	4.0
FIRST CIRCUIT	91	63	69.2	9	9	9.9	1	1	1.1	13	14.3	5	5.5
Maine	8	7	87.5	0	0	0.0	0	0	0.0	0	0.0	1	12.5
Massachusetts	21	16	76.2	2	2	9.5	1	1	4.8	2	9.5	0	0.0
New Hampshire	4	3	75.0	0	0	0.0	0	0	0.0	1	25.0	0	0.0
Puerto Rico	57	36	63.2	7	7	12.3	0	0	0.0	10	17.5	4	7.0
Rhode Island	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
SECOND CIRCUIT	165	105	63.6	11	11	6.7	14	14	8.5	22	13.3	13	7.9
Connecticut	12	9	75.0	0	0	0.0	1	1	8.3	1	8.3	1	8.3
New York													
Eastern	27	17	63.0	3	3	11.1	4	4	14.8	2	7.4	1	3.7
Northern	28	13	46.4	3	3	10.7	5	5	17.9	4	14.3	3	10.7
Southern	74	51	68.9	4	4	5.4	4	4	5.4	11	14.9	4	5.4
Western	22	13	59.1	1	1	4.5	0	0	0.0	4	18.2	4	18.2
Vermont	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	115	96	83.5	12	12	10.4	1	1	0.9	5	4.3	1	0.9
Delaware	4	4	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Jersey	30	28	93.3	1	1	3.3	0	0	0.0	1	3.3	0	0.0
Pennsylvania													
Eastern	33	26	78.8	6	6	18.2	0	0	0.0	1	3.0	0	0.0
Middle	26	21	80.8	2	2	7.7	0	0	0.0	2	7.7	1	3.8
Western	19	17	89.5	1	1	5.3	1	1	5.3	0	0.0	0	0.0
Virgin Islands	3	0	0.0	2	2	66.7	0	0	0.0	1	33.3	0	0.0
FOURTH CIRCUIT	429	236	55.0	44	44	10.3	3	3	0.7	133	31.0	13	3.0
Maryland	28	18	64.3	2	2	7.1	1	1	3.6	6	21.4	1	3.6
North Carolina													
Eastern	121	52	43.0	17	17	14.0	2	2	1.7	44	36.4	6	5.0
Middle	67	47	70.1	2	2	3.0	0	0	0.0	18	26.9	0	0.0
Western	60	38	63.3	4	4	6.7	0	0	0.0	18	30.0	0	0.0
South Carolina	48	25	52.1	9	9	18.8	0	0	0.0	11	22.9	3	6.3
Virginia													
Eastern	41	19	46.3	5	5	12.2	0	0	0.0	15	36.6	2	4.9
Western	6	3	50.0	1	1	16.7	0	0	0.0	2	33.3	0	0.0
West Virginia													
Northern	45	25	55.6	2	2	4.4	0	0	0.0	17	37.8	1	2.2
Southern	13	9	69.2	2	2	15.4	0	0	0.0	2	15.4	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	482	379	78.6	27	27	5.6	7	6	1.5	49	10.2	20	4.1
Louisiana													
Eastern	16	11	68.8	4	4	25.0	0	0	0.0	1	6.3	0	0.0
Middle	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	55	50	90.9	3	3	5.5	0	0	0.0	0	0.0	2	3.6
Mississippi													
Northern	12	10	83.3	2	2	16.7	0	0	0.0	0	0.0	0	0.0
Southern	27	8	29.6	1	1	3.7	0	0	0.0	17	63.0	1	3.7
Texas													
Eastern	12	8	66.7	0	0	0.0	0	0	0.0	4	33.3	0	0.0
Northern	119	100	84.0	1	1	0.8	0	0	0.0	15	12.6	3	2.5
Southern	84	61	72.6	4	4	4.8	4	3	4.8	7	8.3	8	9.5
Western	154	128	83.1	12	12	7.8	3	3	1.9	5	3.2	6	3.9
SIXTH CIRCUIT	343	280	81.6	13	13	3.8	13	13	3.8	34	9.9	3	0.9
Kentucky													
Eastern	42	35	83.3	1	1	2.4	3	3	7.1	2	4.8	1	2.4
Western	13	13	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Michigan													
Eastern	30	21	70.0	4	4	13.3	1	1	3.3	3	10.0	1	3.3
Western	60	54	90.0	1	1	1.7	2	2	3.3	3	5.0	0	0.0
Ohio													
Northern	88	70	79.5	3	3	3.4	4	4	4.5	11	12.5	0	0.0
Southern	20	13	65.0	2	2	10.0	2	2	10.0	3	15.0	0	0.0
Tennessee													
Eastern	53	40	75.5	2	2	3.8	1	1	1.9	10	18.9	0	0.0
Middle	8	8	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	29	26	89.7	0	0	0.0	0	0	0.0	2	6.9	1	3.4
SEVENTH CIRCUIT	161	81	50.3	14	14	8.7	4	4	2.5	56	34.8	6	3.7
Illinois													
Central	26	9	34.6	3	3	11.5	3	3	11.5	11	42.3	0	0.0
Northern	53	33	62.3	3	3	5.7	1	1	1.9	14	26.4	2	3.8
Southern	16	7	43.8	1	1	6.3	0	0	0.0	8	50.0	0	0.0
Indiana													
Northern	16	9	56.3	2	2	12.5	0	0	0.0	5	31.3	0	0.0
Southern	30	12	40.0	3	3	10.0	0	0	0.0	13	43.3	2	6.7
Wisconsin													
Eastern	13	5	38.5	2	2	15.4	0	0	0.0	4	30.8	2	15.4
Western	7	6	85.7	0	0	0.0	0	0	0.0	1	14.3	0	0.0
EIGHTH CIRCUIT	348	246	70.7	9	9	2.6	4	4	1.1	81	23.3	8	2.3
Arkansas													
Eastern	36	22	61.1	0	0	0.0	3	3	8.3	9	25.0	2	5.6
Western	17	14	82.4	0	0	0.0	0	0	0.0	3	17.6	0	0.0
Iowa													
Northern	49	43	87.8	1	1	2.0	0	0	0.0	4	8.2	1	2.0
Southern	77	73	94.8	1	1	1.3	0	0	0.0	1	1.3	2	2.6
Minnesota	20	13	65.0	0	0	0.0	0	0	0.0	7	35.0	0	0.0
Missouri													
Eastern	40	24	60.0	3	3	7.5	1	1	2.5	12	30.0	0	0.0
Western	58	26	44.8	1	1	1.7	0	0	0.0	31	53.4	0	0.0
Nebraska	20	14	70.0	1	1	5.0	0	0	0.0	4	20.0	1	5.0
North Dakota	15	8	53.3	0	0	0.0	0	0	0.0	6	40.0	1	6.7
South Dakota	16	9	56.3	2	2	12.5	0	0	0.0	4	25.0	1	6.3

Table A-2 (cont.)

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
NINTH CIRCUIT	207	132	63.8	22	22	10.6	27	27	13.0	15	7.2	11	5.3
Alaska	3	1	33.3	1	1	33.3	1	1	33.3	0	0.0	0	0.0
Arizona	25	14	56.0	2	2	8.0	2	2	8.0	4	16.0	3	12.0
California													
Central	50	32	64.0	8	8	16.0	7	7	14.0	0	0.0	3	6.0
Eastern	16	14	87.5	0	0	0.0	0	0	0.0	1	6.3	1	6.3
Northern	7	6	85.7	0	0	0.0	0	0	0.0	0	0.0	1	14.3
Southern	29	16	55.2	5	5	17.2	4	4	13.8	2	6.9	2	6.9
Guam	4	2	50.0	1	1	25.0	1	1	25.0	0	0.0	0	0.0
Hawaii	12	5	41.7	0	0	0.0	3	3	25.0	4	33.3	0	0.0
Idaho	9	8	88.9	0	0	0.0	0	0	0.0	1	11.1	0	0.0
Montana	12	8	66.7	1	1	8.3	2	2	16.7	1	8.3	0	0.0
Nevada	16	6	37.5	2	2	12.5	6	6	37.5	1	6.3	1	6.3
Northern Mariana Islands	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Oregon	7	6	85.7	1	1	14.3	0	0	0.0	0	0.0	0	0.0
Washington													
Eastern	6	3	50.0	1	1	16.7	1	1	16.7	1	16.7	0	0.0
Western	10	10	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
TENTH CIRCUIT	154	79	51.3	16	16	10.4	1	1	0.6	55	35.7	3	1.9
Colorado	23	11	47.8	7	7	30.4	0	0	0.0	5	21.7	0	0.0
Kansas	8	2	25.0	1	1	12.5	0	0	0.0	5	62.5	0	0.0
New Mexico	40	30	75.0	1	1	2.5	1	1	2.5	8	20.0	0	0.0
Oklahoma													
Eastern	9	4	44.4	1	1	11.1	0	0	0.0	2	22.2	2	22.2
Northern	20	5	25.0	3	3	15.0	0	0	0.0	12	60.0	0	0.0
Western	36	20	55.6	1	1	2.8	0	0	0.0	14	38.9	1	2.8
Utah	4	2	50.0	1	1	25.0	0	0	0.0	1	25.0	0	0.0
Wyoming	14	5	35.7	1	1	7.1	0	0	0.0	8	57.1	0	0.0
ELEVENTH CIRCUIT	393	281	71.5	23	23	5.9	10	10	2.5	72	18.3	7	1.8
Alabama													
Middle	19	12	63.2	2	2	10.5	0	0	0.0	5	26.3	0	0.0
Northern	18	9	50.0	4	4	22.2	0	0	0.0	3	16.7	2	11.1
Southern	17	13	76.5	1	1	5.9	1	1	5.9	2	11.8	0	0.0
Florida													
Middle	107	69	64.5	5	5	4.7	2	2	1.9	29	27.1	2	1.9
Northern	33	32	97.0	1	1	3.0	0	0	0.0	0	0.0	0	0.0
Southern	100	76	76.0	5	5	5.0	6	6	6.0	11	11.0	2	2.0
Georgia													
Middle	49	31	63.3	3	3	6.1	0	0	0.0	15	30.6	0	0.0
Northern	34	26	76.5	2	2	5.9	1	1	2.9	4	11.8	1	2.9
Southern	16	13	81.3	0	0	0.0	0	0	0.0	3	18.8	0	0.0

¹ Of the 6,099 appeals cases, 2,913 involved an appeal of the original sentence by the sentenced individual. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,311), 'unknown' (537), the appeal was by the government only (21), the appeal was of an issue related to a post sentencing matter (833), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (488). 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, 2024 Appeals Datafile, APPFY24.

Table A-2A

**DISPOSITION OF POST-SENTENCING MOTION APPEALS BY SENTENCED INDIVIDUALS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2024**

CIRCUIT	Affirmed			Reversed			Affirmed and Reversed			Dismissed		Remanded	
District	Total	N	%	N	R ²	%	N	R ²	%	N	%	N	%
TOTAL	830	739	89.0	17	17	2.0	3	3	0.4	36	4.3	35	4.2
D.C. CIRCUIT	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
District of Columbia	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
FIRST CIRCUIT	27	21	77.8	4	4	14.8	0	0	0.0	0	0.0	2	7.4
Maine	4	4	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Massachusetts	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Hampshire	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Puerto Rico	18	12	66.7	4	4	22.2	0	0	0.0	0	0.0	2	11.1
Rhode Island	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
SECOND CIRCUIT	34	30	88.2	1	1	2.9	0	0	0.0	1	2.9	2	5.9
Connecticut	4	3	75.0	0	0	0.0	0	0	0.0	0	0.0	1	25.0
New York													
Eastern	9	7	77.8	0	0	0.0	0	0	0.0	1	11.1	1	11.1
Northern	3	2	66.7	1	1	33.3	0	0	0.0	0	0.0	0	0.0
Southern	10	10	100.0	0	0	0.0	0	0	0.0	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
Vermont	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	53	49	92.5	1	1	1.9	1	1	1.9	1	1.9	1	1.9
Delaware	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Jersey	6	6	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Pennsylvania													
Eastern	16	14	87.5	0	0	0.0	1	1	6.3	1	6.3	0	0.0
Middle	23	21	91.3	1	1	4.3	0	0	0.0	0	0.0	1	4.3
Western	6	6	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Virgin Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
FOURTH CIRCUIT	211	188	89.1	6	6	2.8	1	1	0.5	2	0.9	14	6.6
Maryland	18	17	94.4	0	0	0.0	0	0	0.0	0	0.0	1	5.6
North Carolina													
Eastern	37	37	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Middle	10	9	90.0	0	0	0.0	0	0	0.0	1	10.0	0	0.0
Western	43	41	95.3	1	1	2.3	0	0	0.0	0	0.0	1	2.3
South Carolina	26	22	84.6	2	2	7.7	0	0	0.0	0	0.0	2	7.7
Virginia													
Eastern	47	37	78.7	3	3	6.4	1	1	2.1	1	2.1	5	10.6
Western	8	5	62.5	0	0	0.0	0	0	0.0	0	0.0	3	37.5
West Virginia													
Northern	17	15	88.2	0	0	0.0	0	0	0.0	0	0.0	2	11.8
Southern	5	5	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0

Table A-2A (cont.)

CIRCUIT		Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
District	Total	N	%	N	R ²	%	N	R ²	%	N	%	N	%
FIFTH CIRCUIT	83	67	80.7	1	1	1.2	0	0	0.0	13	15.7	2	2.4
Louisiana													
Eastern	4	4	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Middle	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	8	5	62.5	0	0	0.0	0	0	0.0	2	25.0	1	12.5
Mississippi													
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	8	7	87.5	0	0	0.0	0	0	0.0	1	12.5	0	0.0
Texas													
Eastern	5	4	80.0	0	0	0.0	0	0	0.0	1	20.0	0	0.0
Northern	18	15	83.3	0	0	0.0	0	0	0.0	3	16.7	0	0.0
Southern	15	11	73.3	0	0	0.0	0	0	0.0	4	26.7	0	0.0
Western	25	21	84.0	1	1	4.0	0	0	0.0	2	8.0	1	4.0
SIXTH CIRCUIT	94	80	85.1	2	2	2.1	0	0	0.0	6	6.4	6	6.4
Kentucky													
Eastern	15	13	86.7	1	1	6.7	0	0	0.0	1	6.7	0	0.0
Western	7	4	57.1	0	0	0.0	0	0	0.0	0	0.0	3	42.9
Michigan													
Eastern	17	16	94.1	0	0	0.0	0	0	0.0	1	5.9	0	0.0
Western	6	6	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Ohio													
Northern	15	10	66.7	1	1	6.7	0	0	0.0	1	6.7	3	20.0
Southern	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Tennessee													
Eastern	15	14	93.3	0	0	0.0	0	0	0.0	1	6.7	0	0.0
Middle	11	11	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	5	3	60.0	0	0	0.0	0	0	0.0	2	40.0	0	0.0
SEVENTH CIRCUIT	47	38	80.9	1	1	2.1	1	1	2.1	6	12.8	1	2.1
Illinois													
Central	8	8	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	12	10	83.3	0	0	0.0	0	0	0.0	2	16.7	0	0.0
Southern	4	3	75.0	0	0	0.0	0	0	0.0	1	25.0	0	0.0
Indiana													
Northern	5	2	40.0	0	0	0.0	1	1	20.0	1	20.0	1	20.0
Southern	8	7	87.5	0	0	0.0	0	0	0.0	1	12.5	0	0.0
Wisconsin													
Eastern	3	2	66.7	1	1	33.3	0	0	0.0	0	0.0	0	0.0
Western	7	6	85.7	0	0	0.0	0	0	0.0	1	14.3	0	0.0
EIGHTH CIRCUIT	152	147	96.7	0	0	0.0	0	0	0.0	2	1.3	3	2.0
Arkansas													
Eastern	15	15	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	10	9	90.0	0	0	0.0	0	0	0.0	0	0.0	1	10.0
Iowa													
Northern	32	30	93.8	0	0	0.0	0	0	0.0	1	3.1	1	3.1
Southern	15	15	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Minnesota	14	14	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Missouri													
Eastern	14	14	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	27	26	96.3	0	0	0.0	0	0	0.0	0	0.0	1	3.7
Nebraska	10	10	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
North Dakota	8	8	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
South Dakota	7	6	85.7	0	0	0.0	0	0	0.0	1	14.3	0	0.0

Table A-2A (cont.)

CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
NINTH CIRCUIT	40	37	92.5	0	0	0.0	0	0	0.0	1	2.5	2	5.0
Alaska	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Arizona	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
California													
Central	6	6	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Eastern	7	7	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	4	3	75.0	0	0	0.0	0	0	0.0	1	25.0	0	0.0
Guam	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Hawaii	5	5	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Idaho	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Montana	4	3	75.0	0	0	0.0	0	0	0.0	0	0.0	1	25.0
Nevada	4	3	75.0	0	0	0.0	0	0	0.0	0	0.0	1	25.0
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Oregon	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Washington													
Eastern	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
TENTH CIRCUIT	25	21	84.0	1	1	4.0	0	0	0.0	2	8.0	1	4.0
Colorado	2	1	50.0	1	1	50.0	0	0	0.0	0	0.0	0	0.0
Kansas	6	6	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Mexico	4	3	75.0	0	0	0.0	0	0	0.0	1	25.0	0	0.0
Oklahoma													
Eastern	1	0	0.0	0	0	0.0	0	0	0.0	1	100.0	0	0.0
Northern	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Utah	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Wyoming	4	3	75.0	0	0	0.0	0	0	0.0	0	0.0	1	25.0
ELEVENTH CIRCUIT	62	59	95.2	0	0	0.0	0	0	0.0	2	3.2	1	1.6
Alabama													
Middle	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	2	2	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Florida													
Middle	20	19	95.0	0	0	0.0	0	0	0.0	1	5.0	0	0.0
Northern	12	11	91.7	0	0	0.0	0	0	0.0	1	8.3	0	0.0
Southern	20	19	95.0	0	0	0.0	0	0	0.0	0	0.0	1	5.0
Georgia													
Middle	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	3	3	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0

¹ Of the 6,099 appeals cases, 830 involved an appeal of the post-sentencing motion by the sentenced individual. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,311), 'unknown' (537), the appeal was by the government only (21), the appeal was of an issue related to a original sentencing matter (2,930), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (488). 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, 2024 Appeals Datafile, APPFY24.

Table A-3

**DISPOSITION OF ORIGINAL SENTENCE APPEALS BY THE GOVERNMENT
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2024**

CIRCUIT	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
District		N	%	N	R ²	%	N	R ²	%	N	%	N	%
TOTAL	22	4	18.2	15	15	68.2	1	1	4.5	0	0.0	2	9.1
D.C. CIRCUIT	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
District of Columbia	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
FIRST CIRCUIT	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Maine	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Massachusetts	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Hampshire	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Puerto Rico	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Rhode Island	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
SECOND CIRCUIT	3	0	0.0	1	1	33.3	1	1	33.3	0	0.0	1	33.3
Connecticut	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New York													
Eastern	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Northern	1	0	0.0	0	0	0.0	1	1	100.0	0	0.0	0	0.0
Southern	1	0	0.0	0	0	0.0	0	0	0.0	0	0.0	1	100.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Vermont	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Delaware	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Jersey	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Pennsylvania													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Middle	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Virgin Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
FOURTH CIRCUIT	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Maryland	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
North Carolina													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Middle	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
South Carolina	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Virginia													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
West Virginia													
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0

Table A-3 (cont.)

CIRCUIT	Affirmed			Reversed			Affirmed and Reversed			Dismissed		Remanded	
District	Total	N	%	N	R²	%	N	R²	%	N	%	N	%
FIFTH CIRCUIT	2	0	0.0	2	2	100.0	0	0	0.0	0	0.0	0	0.0
Louisiana													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Middle	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Mississippi													
Northern	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Texas													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
SIXTH CIRCUIT	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Kentucky													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Michigan													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Ohio													
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Tennessee													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Middle	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
SEVENTH CIRCUIT	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Illinois													
Central	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Indiana													
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Wisconsin													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
EIGHTH CIRCUIT	3	2	66.7	0	0	0.0	0	0	0.0	0	0.0	1	33.3
Arkansas													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Iowa													
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	3	2	66.7	0	0	0.0	0	0	0.0	0	0.0	1	33.3
Minnesota	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Missouri													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Nebraska	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
North Dakota	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
South Dakota	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0

Table A-3 (cont.)

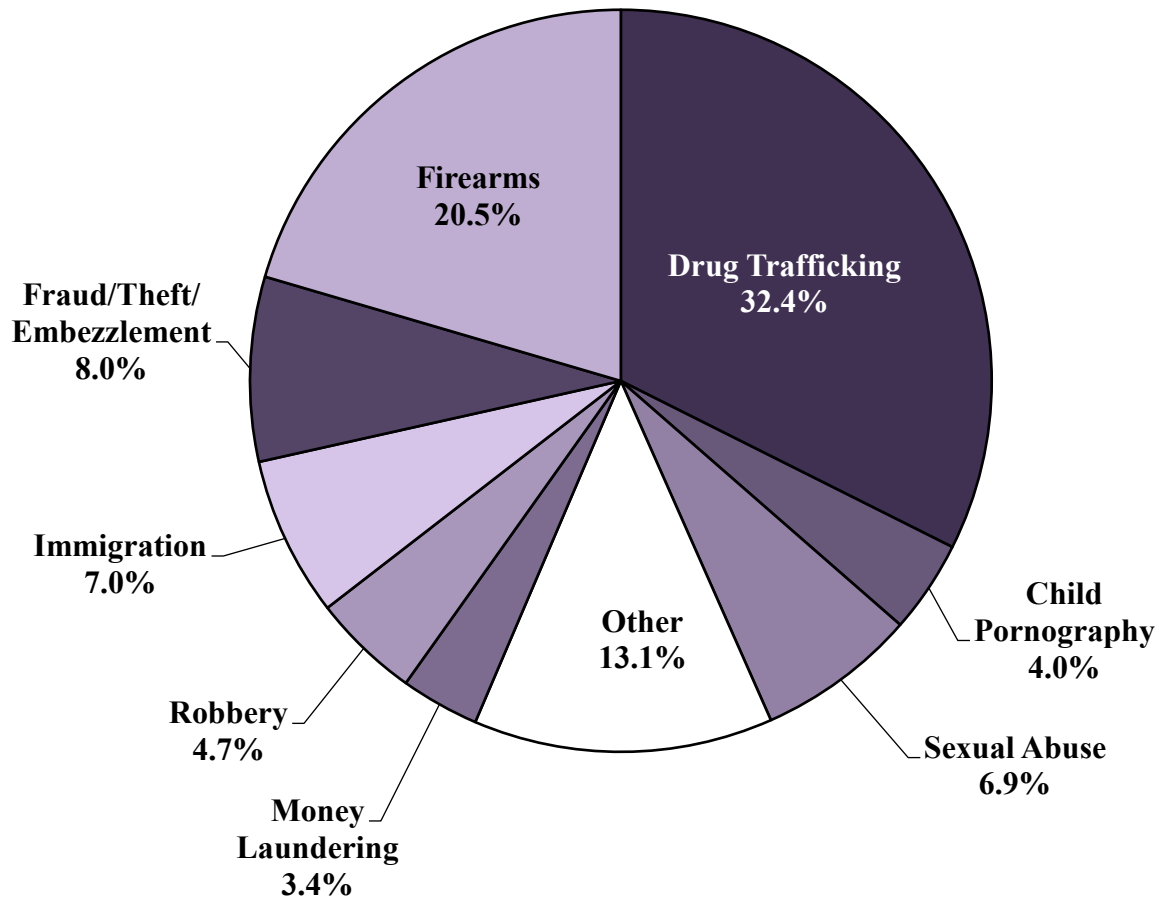
CIRCUIT District	Total	Affirmed		Reversed			Affirmed and Reversed			Dismissed		Remanded	
		N	%	N	R ²	%	N	R ²	%	N	%	N	%
NINTH CIRCUIT	8	1	12.5	7	7	87.5	0	0	0.0	0	0.0	0	0.0
Alaska	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Arizona	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
California													
Central	7	0	0.0	7	7	100.0	0	0	0.0	0	0.0	0	0.0
Eastern	1	1	100.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Guam	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Hawaii	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Idaho	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Montana	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Nevada	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Oregon	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Washington													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
TENTH CIRCUIT	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Colorado	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Kansas	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
New Mexico	1	0	0.0	1	1	100.0	0	0	0.0	0	0.0	0	0.0
Oklahoma													
Eastern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Western	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Utah	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Wyoming	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
ELEVENTH CIRCUIT	2	0	0.0	2	2	100.0	0	0	0.0	0	0.0	0	0.0
Alabama													
Middle	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Florida													
Middle	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	2	0	0.0	2	2	100.0	0	0	0.0	0	0.0	0	0.0
Georgia													
Middle	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0
Southern	0	0	0.0	0	0	0.0	0	0	0.0	0	0.0	0	0.0

¹ Of the 6,099 appeals cases, 22 involved an appeal of the original sentence by the government. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,311), 'unknown' (537), the appeal was by the sentenced individual only (4,225), the appeal was of an issue related to a post sentencing matter (833), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (488). Descriptions of variables used in this table are provided in Appendix A.

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

Figure A-3

TYPE OF CRIME IN ORIGINAL SENTENCE APPEALS¹
Fiscal Year 2024



¹ Based on 4,251 appeals cases where the sentence imposed was at least one of the reasons for appeal. Of these 4,251 cases, 2,930 were appeals of the original sentence. These cases were merged with the U.S. Sentencing Commission's Individual Datafiles from 1989 - 2024 (MONFY89, MONFY90, USSCFY91 - USSCFY24). Of the 2,930 cases, three could not be matched with its original case. Of the 2,927 matched cases, one was excluded due to missing type of crime. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2024 Appeals Datafile, APPFY24.

Table A-4

**OFFENSE AND SENTENCED INDIVIDUAL CHARACTERISTICS IN
ORIGINAL SENTENCE APPEALS CASES
Fiscal Year 2024**

OFFENSE AND SENTENCED INDIVIDUAL CHARACTERISTICS	APPELLATE COURT CASES ¹		DISTRICT COURT CASES ²	
	N	%	N	%
Race				
White	706	24.2	12,866	21.0
Black	1,407	48.2	14,997	24.5
Hispanic	681	23.3	30,472	49.8
Other	126	4.3	2,897	4.7
TOTAL	2,920	100.0	61,232	100.0
Gender				
Male	2,755	94.2	53,929	87.5
Female	171	5.8	7,716	12.5
TOTAL	2,926	100.0	61,645	100.0
Education				
Less than High School Graduate	888	30.5	24,412	41.7
High School Graduate	1,157	39.7	19,526	33.3
Some College	624	21.4	10,818	18.5
College Graduate	242	8.3	3,844	6.6
TOTAL	2,911	100.0	58,600	100.0
Citizenship				
U.S. Citizen	2,505	85.6	40,038	65.3
Non-U.S. Citizen	421	14.4	21,304	34.7
TOTAL	2,926	100.0	61,342	100.0
Criminal History Category				
Category I	834	28.5	29,208	47.7
Category II	302	10.3	9,936	16.2
Category III	454	15.5	8,909	14.5
Category IV	372	12.7	4,334	7.1
Category V	304	10.4	3,375	5.5
Category VI	659	22.5	5,484	9.0
TOTAL	2,925	100.0	61,246	100.0
Mandatory Minimum				
No Mandatory Minimum	1,589	54.3	46,713	75.7
Gun Mandatory Minimum	253	8.6	1,883	3.1
Drug Mandatory Minimum	622	21.3	9,417	15.3
Gun and Drug Mandatory Minimum	115	3.9	852	1.4
Other Mandatory Minimum	348	11.9	2,813	4.6
TOTAL	2,927	100.0	61,678	100.0
Career Offender (§4B1.1)				
Not Applied	2,675	91.4	58,113	94.7
Career Offender Applied	245	8.4	1,296	2.1
TOTAL	2,920	100.0	59,409	100.0
Armed Career Criminal (§4B1.4)				
Not Applied	2,849	97.4	59,214	96.5
Armed Career Criminal Applied	71	2.4	195	0.3
TOTAL	2,920	100.0	59,409	100.0

¹ Based on 4,251 appeals cases where the sentence imposed was at least one of the reasons for appeal. Of these 4,251 cases, 2,930 were appeals of the original sentence. These cases were merged with the U.S. Sentencing Commission's Individual Datafiles from 1989 - 2024 (MONFY89, MONFY90, USSCFY91 - USSCFY24). Of the 2,930 cases, three could not be matched with its original case.

² All original sentencings of an individual in fiscal year 2024. Totals may vary slightly due to the different numbers of missing cases by specific variables. Descriptions of variables used in this table are provided in Appendix A.

Table A-5

**SENTENCE LENGTH IN ORIGINAL SENTENCE APPEALS CASES
BY TYPE OF CRIME
Fiscal Year 2024**

TYPE OF CRIME	APPELLATE COURT CASES ¹				DISTRICT COURT CASES ²			
	N	%	Mean Mths	Median Mths	N	%	Mean Mths	Median Mths
TOTAL	2,926	100.0	157	120	61,678	100.0	52	24
Administration of Justice	26	0.9	28	24	660	1.1	14	8
Antitrust	0	0.0	--	--	8	0.0	1	0
Arson	14	0.5	118	97	84	0.1	66	60
Assault	90	3.1	163	120	901	1.5	76	46
Bribery/Corruption	19	0.6	63	51	362	0.6	18	12
Burglary/Trespass	3	0.1	11	2	99	0.2	17	3
Child Pornography	118	4.0	183	168	1,375	2.2	116	97
Commercialized Vice	4	0.1	104	76	72	0.1	21	13
Drug Possession	1	0.0	--	--	109	0.2	1	0
Drug Trafficking	948	32.4	182	168	18,172	29.5	82	63
Environmental	2	0.1	--	--	140	0.2	3	0
Extortion/Racketeering	3	0.1	383	470	112	0.2	44	18
Firearms	599	20.5	102	90	8,131	13.2	50	40
Food and Drug	0	0.0	--	--	35	0.1	4	0
Forgery/Counter/Copyright	5	0.2	35	36	95	0.2	16	12
Fraud/Theft/Embezzlement	235	8.0	70	57	5,312	8.6	21	12
Immigration	204	7.0	44	37	18,492	30.0	12	7
Individual Rights	8	0.3	113	77	125	0.2	54	24
Kidnapping	27	0.9	316	324	147	0.2	190	156
Manslaughter	5	0.2	148	110	111	0.2	77	60
Money Laundering	100	3.4	163	121	1,289	2.1	54	28
Murder	90	3.1	361	445	523	0.8	274	240
National Defense	19	0.6	145	70	229	0.4	29	18
Obscenity/Other Sex Offenses	14	0.5	37	29	339	0.5	21	18
Prison Offenses	15	0.5	30	30	438	0.7	14	12
Robbery	137	4.7	218	180	1,323	2.1	110	96
Sexual Abuse	203	6.9	318	300	1,430	2.3	221	210
Stalking/Harassing	17	0.6	72	60	254	0.4	33	24
Tax	17	0.6	84	60	440	0.7	16	10
Other	3	0.1	16	12	871	1.4	4	0

¹ Based on 4,251 appeals cases where the sentence imposed was at least one of the reasons for appeal. Of these 4,251 cases, 2,930 were appeals of the original sentence. These cases were merged with the U.S. Sentencing Commission's Individual Datafiles from 1989 - 2024 (MONFY89, MONFY90, USSCFY91 - USSCFY24). Of the 2,930 cases, three could not be matched with its original case. Of the 2,927 matched cases, one was excluded due to missing type of crime. Descriptions of variables used in this table are provided in Appendix A.

² All original sentencings of an individual in fiscal year 2024.

SOURCE: U.S. Sentencing Commission, 2024 Appeals Datafile, APPFY24.

Table A-6

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
IN ORIGINAL SENTENCE APPEALS¹
Fiscal Year 2024**

	N	%
TOTAL CASES	2,887	100.0
SENTENCES UNDER THE GUIDELINES MANUAL	1,706	59.1
Within Guideline Range	1,470	50.9
Upward Departure ²	57	2.0
Downward Departure		
§5K1.1 Substantial Assistance	120	4.2
§5K3.1 Early Disposition Program	8	0.3
Other Government Motion ³	18	0.6
Non-Government Departure ⁴	33	1.1
VARIANCES	1,181	40.9
Upward Variance ⁵	367	12.7
Downward Variance		
Government Motion ⁶	126	4.4
Non-Government Variance ⁷	688	23.8

¹ Based on 4,251 appeals cases where the sentence imposed was at least one of the reasons for appeal. Of these 4,251 cases, 2,930 were appeals of the original sentence. These cases were merged with the U.S. Sentencing Commission's Individual Datafiles from 1989 - 2024 (MONFY89, MONFY90, USSCFY91 - USSCFY24). Of the 2,930 cases, three could not be matched with its original case. Of the 2,927 matched cases, 40 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

² Cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1.

³ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1, and where the prosecution initiated, proposed, or stipulated to the sentence.

⁴ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1, and where the prosecution did not initiate, propose, or stipulate to the sentence.

⁵ Cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form.

⁶ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, and where the prosecution initiated, proposed, or stipulated to the sentence.

⁷ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, or where no reason was given, and where the prosecution did not initiate, propose, or stipulate to the sentence.

SOURCE: U.S. Sentencing Commission, 2024 Appeals Datafile, APPFY24.