

JUDICIAL

WORKLOAD

STATISTICS



UNITED STATES COURT OF APPEALS

FIFTH CIRCUIT

CLERK'S ANNUAL REPORT
JULY 2014 - JUNE 2015

PREFACE

This report provides information on the judicial business of the United States Court of Appeals for the Fifth Circuit for the period of July 1, 2014 through June 30, 2015.

Our statistics refer to both "appeals" and "cases." The term "appeals" refers to all filings reported to the Administrative Office. This includes additional appeals, cross appeals, consolidated appeals, successive habeas corpus, paid and in forma pauperis mandamus applications, and petitions for review. The term "cases" refers to actual workload credit. An example would be a main appeal with a cross appeal. We count this as two "appeals," but only one "case" because the court works on the main and the cross appeal together. Statistics counting "cases" provide a more accurate and realistic picture of the actual workload of our judges.

A summary of the report appears at page (i).



LYLE W. CAYCE
CLERK

INDEX

SUMMARY OF ANNUAL REPORT	i
A. NEW FILINGS	1
1. New Appeals Filed	1
2. Source of New Appeals by Type	1
3. Source of New Appeals by Districts	3
B. CLOSED APPEALS.....	6
1. Yearly Comparison.....	6
2. Method of Disposition.....	6
C. UNDISPOSED OF (PENDING) APPEALS	7
1. Cases Under Submission.....	8
2. Unassigned Carry-Over.....	8
D. SUMMARY OF APPEALS COMMENCED, TERMINATED AND PENDING	10
E. OPINIONS.....	11
1. Number of Opinions, Published and Unpublished.....	11
2. Types of Opinions.....	12
3. Types of Opinions by Summary, Oral Argument and Conference Calendars	13
(a) Summary Calendar	13
(b) Oral Argument Calendar	13
(c) Conference Calendar	14
4. Published and Unpublished Opinions.....	14
(a) Number and Percentage - 2015	14
(b) Percentage Comparison (Published) - 2010 - 2015	16
(c) Length of Published Opinions.....	17
5. Reversal Rate	18

F. WORKLOAD PER ACTIVE JUDGE	19
1. Opinion Output - Per Active Judge	19
2. Opinion Output - Overall - 2010 - 2015.....	19
3. Overall Workload	20
G. SCREENING CLASSIFICATIONS.....	21
1. Cases Screened by Judges	21
(a) Screening Classifications by Case Type	23
H. EN BANC PETITIONS AND REHEARINGS	25
I. PETITIONS FOR CERTIORARI	25
J. ADMINISTRATIVE-INTERIM MOTIONS	26

Index of Tables

Table 1 - New Appeals Filed	1
Table 2 - New Appeals by Case Type	2
Table 3 - 2015 New Appeals by Case Type	3
Table 4 - New Appeals by Districts	4
Table 5 - New Appeals by State	5
Table 6 - New Appeals 2014 by State	5
Table 7 - New Appeals 2015 by State	5
Table 8 - Appeals and Cases Closed	6
Table 9 - Method of Disposition	6
Table 10 - Method of Disposition	7
Table 11 - Pending Appeals	7
Table 12 - Cases Under Submission	8
Table 13 - Unassigned Carry-Over	9
Table 14 - Unassigned Carry-Over by Category	9
Table 15 - Summary of Appeals Commenced, Terminated and Pending	10
Table 16 - Number of Opinions, Published and Unpublished	11
Table 17 - Number of Opinions, Published and Unpublished by Graph	11
Table 18 - Types of Opinions	12
Table 19 - Types of Opinions by Graph	12
Table 20 - Summary Calendar Opinions	13

Table 21 - Oral Argument Opinions.....	14
Table 22 - Opinion Number and Percentage 2015.....	14
Table 23 - Signed Opinions Number and Percentage	15
Table 24 - Per Curiam Opinions Number and Percentage.....	15
Table 25 - Published Opinion Percentage	16
Table 26 - Published Opinion Percentage Comparison by Graph	16
Table 27 - Average Page Length.....	17
Table 28 - Length of Published Opinions by Graph.....	17
Table 29 - Reversal Rate	18
Table 30 - Reversal Rate by Percentage by Graph	18
Table 31 - Opinion Output.....	19
Table 32 - Opinion Output - Active & Non-Active Judges	20
Table 33 - Overall Workload.....	21
Table 34 - Overall Workload by Graph	21
Table 35 - Screening Classifications	22
Table 36 - Screening Classifications	23
Table 37 - Summary Calendar Percentage by Case Type.....	23
Table 38 - Petitions for Certiorari	25
Table 39 - Petitions for Certiorari by Graph.....	26

Index of Enclosures

Table of New Appeals Docketed.....	Enclosure A
Workload per Active Judge.....	Enclosure B
Summary of Screening Classification by Case Type.....	Enclosure C
Petitions for Rehearing En Banc and En Banc Grants.....	Enclosure D
List of Petitions for Certiorari Filed, Acted on, and Pending.....	Enclosure E
Monthly Report of Administrative-Motions Submitted to Judges.....	Enclosure F

SUMMARY OF ANNUAL REPORT

The following summarizes the court's judicial business:

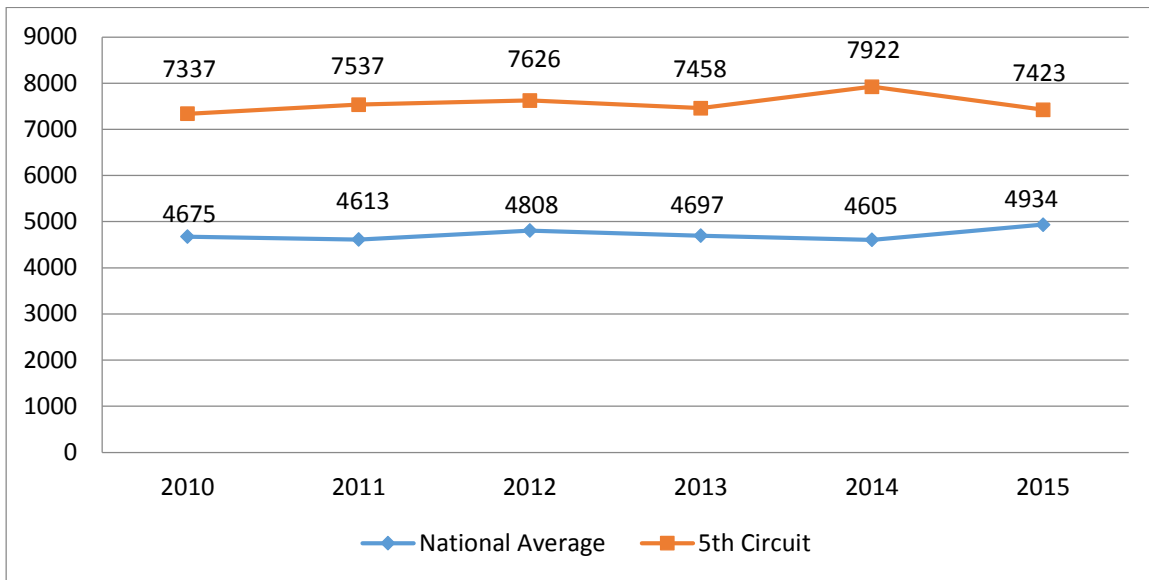
	2010	2011	2012	2013	2014	2015
New Appeals	7337	7537	7626	7458	7922	7423
Terminations	7625	7801	7403	7501	7941	7350
By Judges	5045	4940	4671	4834	4971	4692
By Clerk	1869	2008	1880	1800	1689	1738
By Consolidation	711	853	852	867	1281	920
Pending Appeals	4744	4479	4772	4730	4710	4783
Total Cases Screened for Decision as to Oral Argument	2999	3076	2886	2857	2788	2750
Cases Sent to:						
Summary Calendar	1681	1772	1641	1663	1533	1555
Conference Calendar	534	411	414	394	499	447
Oral Argument Calendar	784	893	831	800	756	748
Summary Calendar Rate	68.2%	66.5%	66.4%	67.5%	67.0%	67.6%
Conference & Summary Calendar Rate	73.9%	71.0%	71.2%	72.0%	72.9%	72.8%
Cases Ready for Argument	89	41	130	79	47	57
Cases Pending Under Submission	139	173	143	167	135	141
90-day Cases	55	75	44	67	55	41
Total Opinions	3210	3192	3024	3012	3037	2963
Published Opinions	400	416	370	369	404	371
Unpublished Opinions	2810	2776	2654	2643	2633	2592
Opinions per Active Judge	164	166	144	154	156	145
Publication Rate	12.5%	13.0%	12.2%	12.2%	13.3%	12.5%
Page Length of Published Opinions	8.6	7.9	9.1	14.4	14.7	15.0
Participations per Active Judge in Opinions	492	498	432	462	468	435
En Banc Cases	6	5	6	6	3	4
Motions per Active Judge	937	937	1063	1001	1011	949

A. NEW FILINGS

1. New Appeals Filed

The chart below shows the “new appeals” filing trends in comparison to the national average filing trends. We experienced a 499 appeal decrease (6.3%), from 7922 to 7423 appeals. Successive habeas corpus petitions dropped by 186 (27.8%); miscellaneous appeals decreased by 170 (79.8%); and federal question appeals decreased by 132 (24.4%). Criminal appeals increased by 60 (2.4%); agency appeals increased by 34 (97.1%); and IFP mandamus petitions rose by 21 (17.5%).

Table 1 - New Appeals Filed



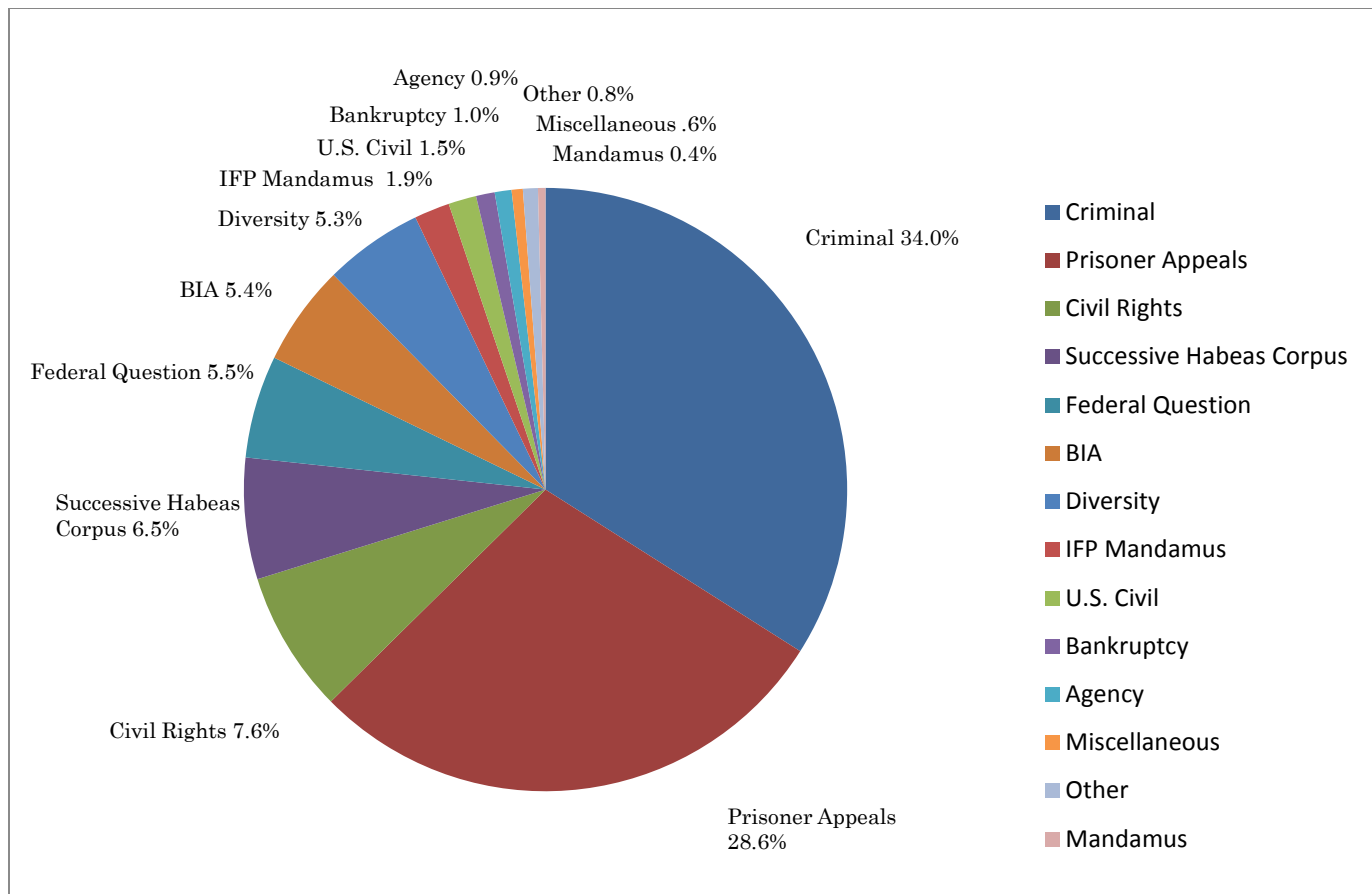
2. Source of New Appeals by Type

The source of appeals by type is found in the following tables. The first shows the six year trend and the second displays 2015 data. (See also column (d) of the monthly cumulative report of new appeals by type at **Enclosure A**, page 27.)

Table 2 - New Appeals by Case Type

TYPE	YEAR						Change from '14	
	2010	2011	2012	2013	2014	2015	No.	%
Criminal	2362	2493	2688	2316	2463	2523	+60	+2.4
Prisoner Appeals	2322	2371	2218	2097	2215	2124	-91	-4.1
Successive Habeas Corpus	364	410	410	490	670	484	-186	-27.8
IFP Mandamus	95	100	104	100	120	141	+21	+17.5
Federal Question	422	442	413	599	541	409	-132	-24.4
Diversity	408	410	433	472	430	392	-38	-8.8
U.S. Civil	127	136	125	95	101	111	+10	+9.9
Tax	22	40	20	11	20	12	-8	-40.0
Tax Court	24	20	13	21	10	12	+2	+20.0
Civil Rights	519	539	554	556	552	561	+9	+1.6
Bankruptcy	82	80	128	117	82	77	-5	-6.1
Social Security	36	23	25	18	27	37	+10	+37.0
BIA	443	375	416	402	407	399	-8	-2.0
Mandamus	25	32	35	43	36	29	-7	-19.4
Agency	86	66	44	64	35	69	+34	+97.1
Miscellaneous	--	--	--	57	213	43	-170	-79.8
	7337	7537	7626	7458	7922	7423	-499	-6.3

Table 3 - 2015 New Appeals by Case Type



Our biggest increase in filings was in criminal appeals, agency and IFP mandamus petitions. Successive habeas corpus petitions, miscellaneous and federal question appeals dropped significantly.

3. Source of New Appeals by Districts

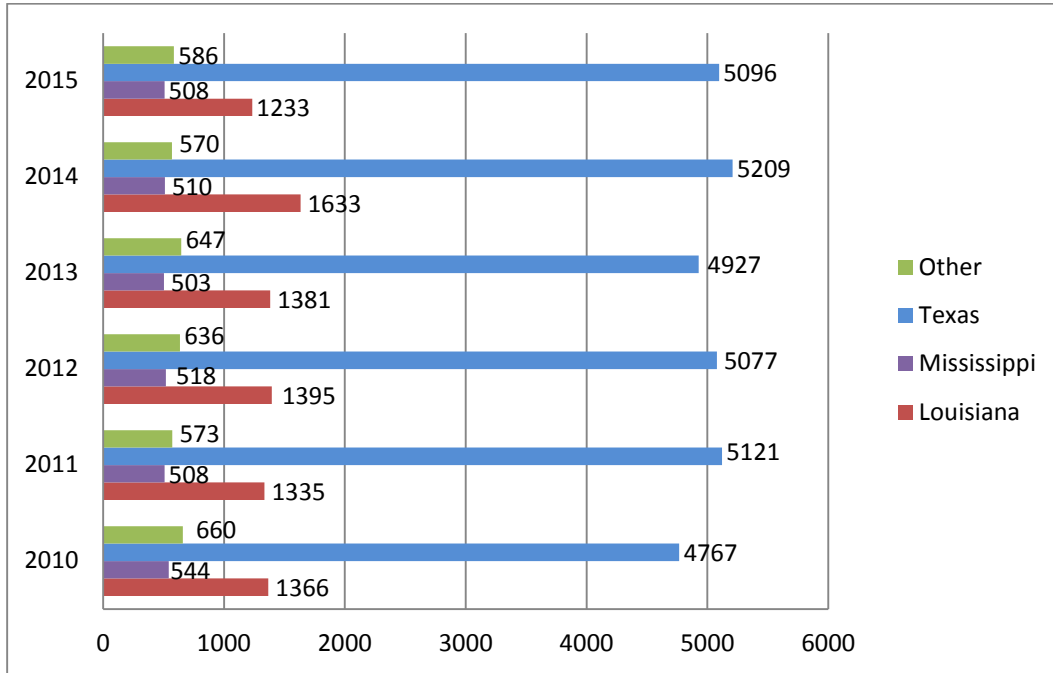
Four of the nine districts showed an increase in appeals filed. Eastern Texas increased the most. Eastern Louisiana decreased the most.

**Table 4 - New Appeals by Districts
(All Appeals)**

	2010	2011	2012	2013	2014	2015	Change from '14
Louisiana Eastern	674	644	635	578	930	552	-378
Louisiana Middle	219	242	287	204	240	203	-37
Louisiana Western	473	449	473	599	463	478	+15
Subtotal	1366	1335	1395	1381	1633	1233	-400
Mississippi Northern	184	186	178	195	175	163	-12
Mississippi Southern	360	322	340	308	335	345	+10
Subtotal	544	508	518	503	510	508	-2
Texas Northern	1306	1338	1349	1335	1525	1309	-216
Texas Southern	1702	1850	1839	1714	1885	1891	+6
Texas Eastern	497	665	545	579	413	590	+177
Texas Western	1262	1268	1344	1299	1386	1306	-80
Subtotal	4767	5121	5077	4927	5209	5096	-113
Agency	86	66	43	64	35	69	+34
Bankruptcy	82	80	128	117	82	77	-5
U.S. Tax Court	24	20	13	21	10	12	+2
BIA	443	375	417	402	407	399	-8
Mandamus	25	32	35	43	36	29	-7
Subtotal	660	573	636	647	570	586	+16
Total	7337	7537	7626	7458	7922	7423	-499

The graph below shows the six year trend of the appeals by states.

Table 5 - New Appeals by State



A comparison of the percentage of appeals by states for 2014 and 2015 is shown on the following charts:

Table 6 - New Appeals 2014 by State

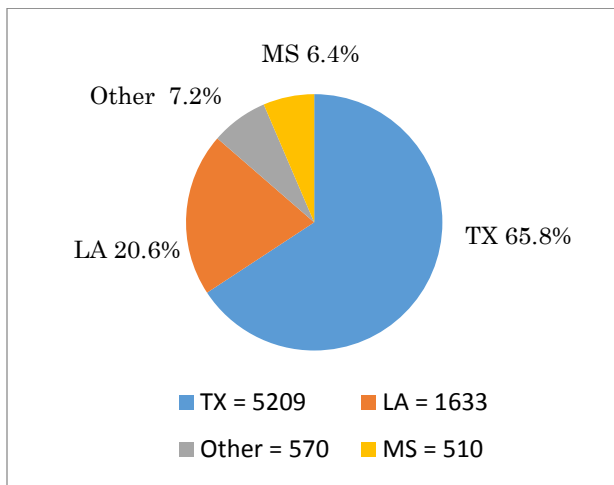
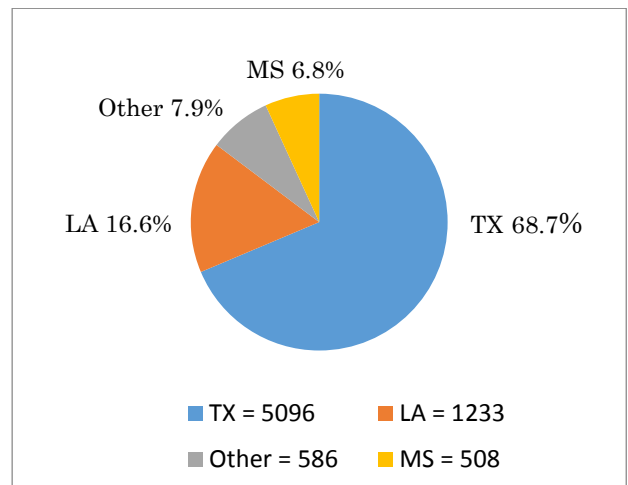


Table 7 - New Appeals 2015 by State



B. CLOSED APPEALS

1. Yearly Comparison

The court disposed of 591 fewer **appeals** this year, a decrease of 7.4%.

Table 8 - Appeals and Cases Closed

	2010	2011	2012	2013	2014	2015	Change from '14	
All Appeals	7625	7801	7403	7501	7941	7350	-591	-7.4%
Cases	6914	6948	6551	6634	6600	6430	-170	-2.6%

2. Method of Disposition

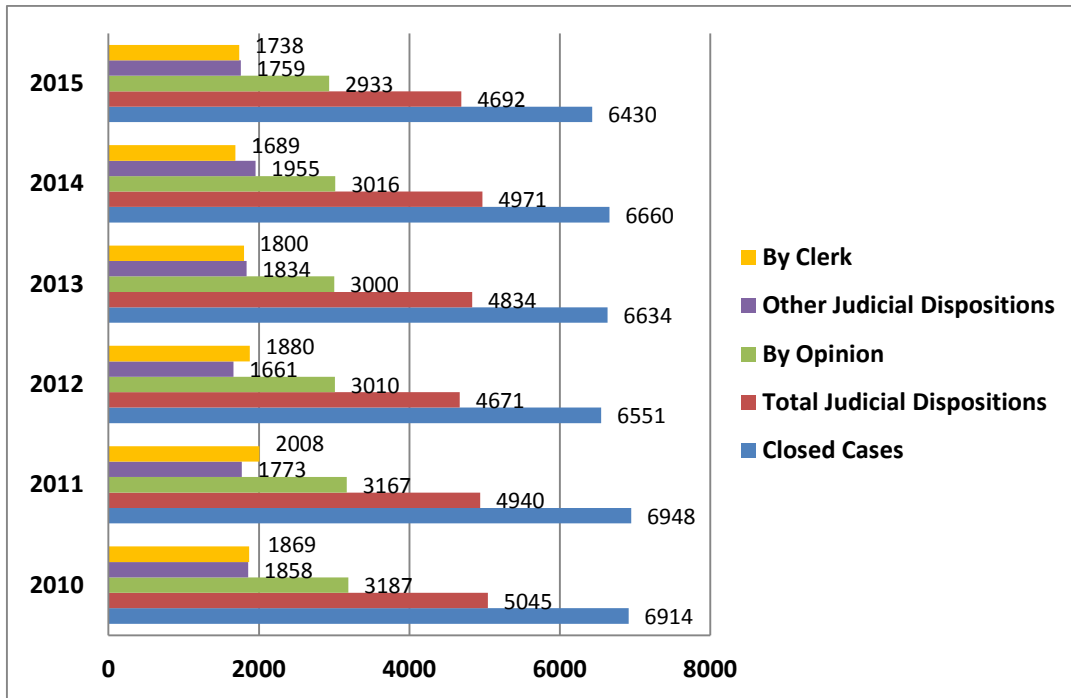
Overall, the court disposed of 230 fewer cases than last year. There were 83 fewer opinions, and other judicial dispositions decreased by 196. Clerk dispositions increased by 49.

Table 9 - Method of Disposition

	2010	2011	2012	2013	2014	2015	Change from '14
By Opinion*	3187	3167	3010	3000	3016	2933	-83
Other Judicial Dispositions	1858	1773	1661	1834	1955	1759	-196
Total Judicial dispositions	5045	4940	4671	4834	4971	4692	-279
By Clerk	1869	2008	1880	1800	1689	1738	+49
Closed Cases	6914	6948	6551	6634	6660	6430	-230

*Does not include 30 opinions that were non-dispositive, such as limited remands.

Table 10 - Method of Disposition



C. UNDISPOSED OF (PENDING) APPEALS

The court disposed of 7350 **appeals** compared to 7423 filed. There are 4783 appeals pending compared to 4710 last year. There are 4127 cases pending this year compared with 4010 last year.

Table 11 - Pending Appeals

	2010	2011	2012	2013	2014	2015	% Change from '14
All Appeals Pending	4744	4479	4772	4730	4710	4783	+1.5
Cases	4093	3830	4083	3914	4010	4127	+2.9

The 4127 pending cases are characterized as either Cases Under Submission or Unassigned Carry-Over:

1. Cases Under Submission

Excluding cases consolidated for argument and decision (11), and held in abeyance by the judges (14), the pending cases argued and awaiting decision decreased from last year.

Table 12 - Cases Under Submission

	2010	2011	2012	2013	2014	2015
Active Judges	128	149	139	146	121	122
Senior Judges	14	24	12	23	21	17
Visiting Judges	3	3	0	4	4	1
Total	145	176	151	173	146	140

2. Unassigned Carry-Over

All cases briefed but not yet argued or decided and all unbriefed cases are reported as “Unassigned Carry-Over” (see Table 14 for details). Unassigned cases increased, 132 more than last year. This leaves 3987 cases that are the immediate future workload of the court. The following chart gives the six-year trend:

Table 13 - Unassigned Carry-Over

Year	Unassigned Cases	New Appeals	% Unassigned Cases to New Appeals
2010	3939	7337	53.7
2011	3643	7537	48.3
2012	3924	7626	51.4
2013	3727	7458	49.9
2014	3855	7922	48.7
2015	3987	7423	53.7

The 3987 unassigned cases fall into the following categories:

Table 14 - Unassigned Carry-Over by Category

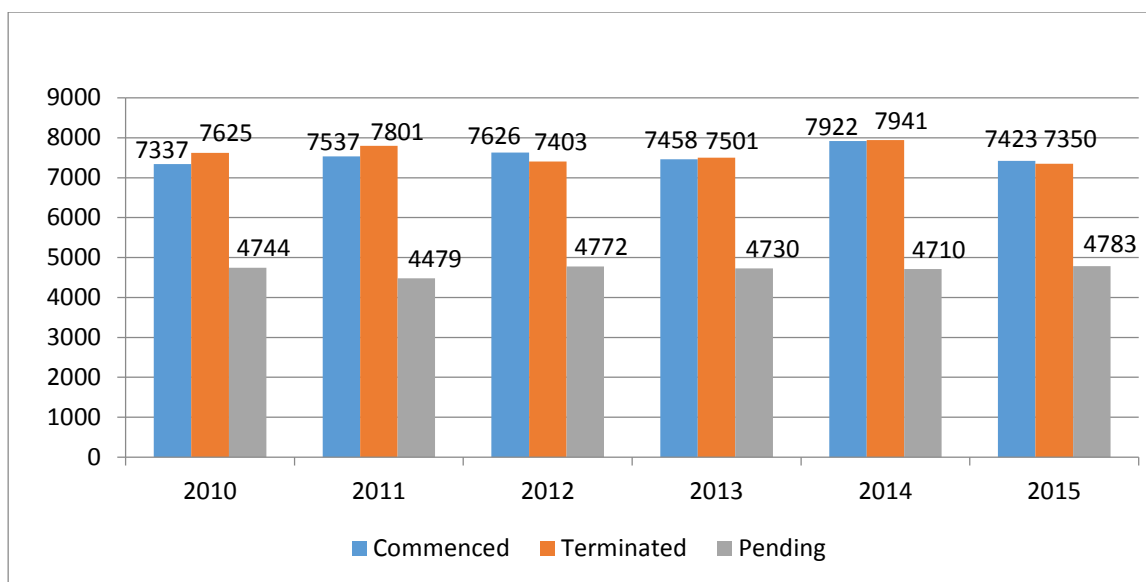
Category	2014	2015
(a) Already Briefed		
Calendared for Oral Argument	136	100
Briefed but Held in Abeyance	6	8
Awaiting Assignment to Oral Argument Calendar	47	57
Being Screened	706	837
Assignment to Augean Conference	176	152
Awaiting Assignment to Conference Calendar	59	94
Subtotal	1130	1248

Category	2014	2015
(b) Unbriefed Cases		
Pre-Briefing	1159	1171
Records Due	98	110
Being Briefed	1279	1269
Stayed/Held in Abeyance	59	47
Awaiting DC Action*	130	142
Subtotal	2725	2739
Total	3855	3987

*Our court is unable to proceed because of matters pending in the district court.

D. SUMMARY OF APPEALS COMMENCED, TERMINATED AND PENDING

Table 15 - Summary of Appeals Commenced, Terminated and Pending



E. OPINIONS

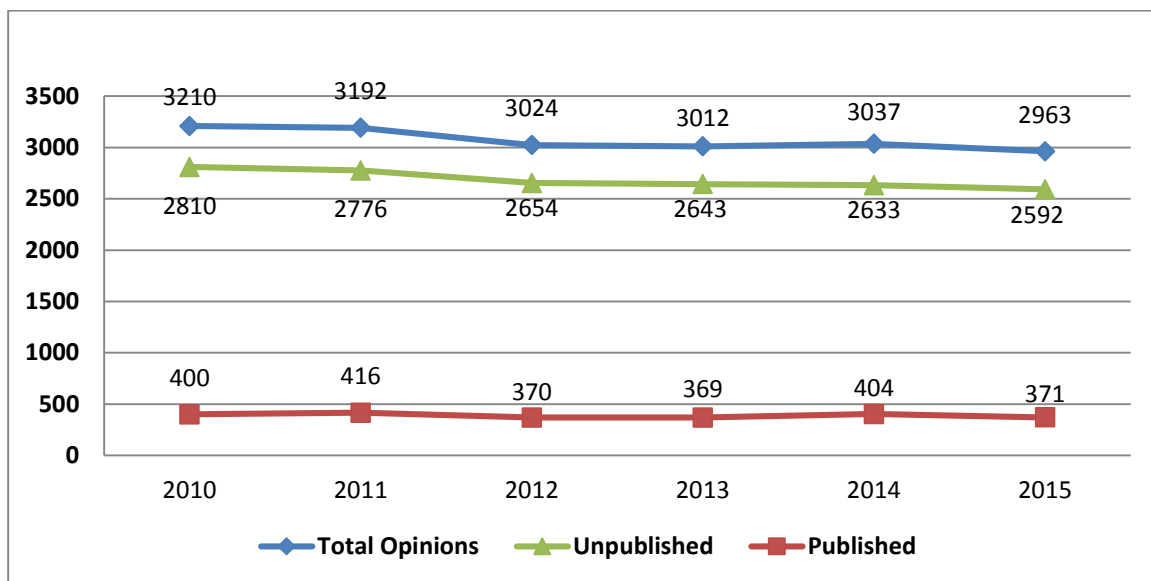
1. Number of Opinions, Published and Unpublished

The total number of opinions decreased by 74. Total opinions, including the numbers published and unpublished for the last six years are:

Table 16 - Number of Opinions, Published and Unpublished

Year	Total Opinions	Published	Unpublished
2010	3210	400	2820
2011	3192	416	2776
2012	3024	370	2654
2013	3012	369	2643
2014	3037	404	2633
2015	2963	371	2592

Table 17 - Number of Opinions, Published and Unpublished by Graph



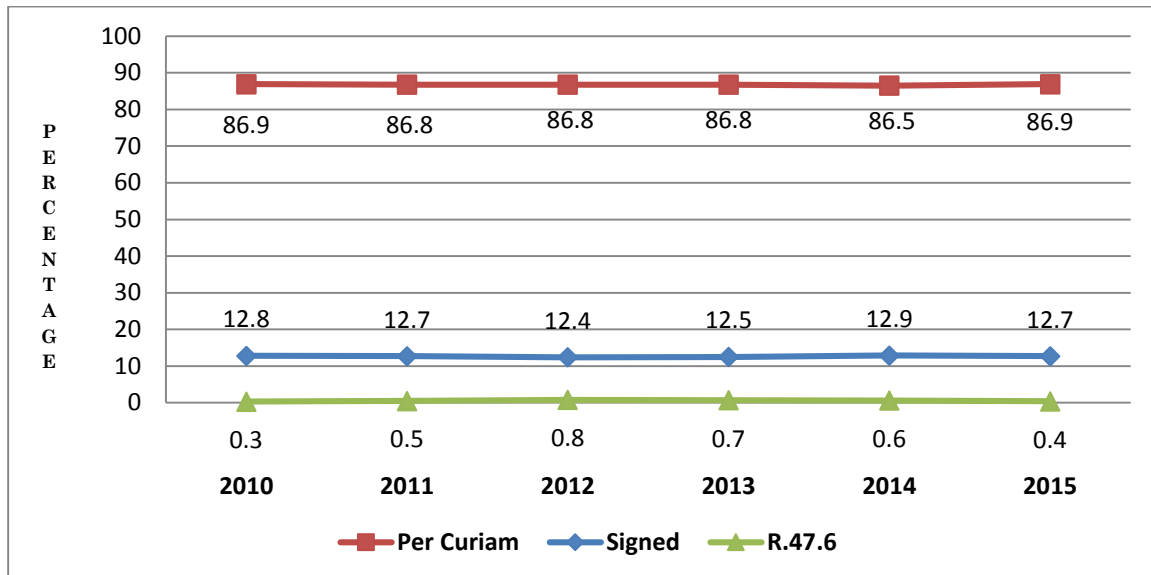
2. Types of Opinions

Signed opinions decreased by 0.2% this year and per curiam opinions increased by 0.4%.

Table 18 - Types of Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
2010	12.8%	86.9%	0.3%	100.0%
2011	12.7%	86.8%	0.5%	100.0%
2012	12.4%	86.8%	0.8%	100.0%
2013	12.5%	86.8%	0.7%	100.0%
2014	12.9%	86.5%	0.6%	100.0%
2015	12.7%	86.9%	0.4%	100.0%

Table 19 - Types of Opinions by Graph



3. Types of Opinions by Summary, Oral Argument and Conference Calendars

The types of opinions on the summary, oral argument and conference calendars are as follows:

(a) Summary Calendar

The number of summary calendar decisions increased by 19 from 1548 to 1567. The percentage of signed opinions on the summary calendar increased by 0.1% while per curiam opinions decreased by 0.2%.

Table 20 - Summary Calendar Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
2010	1.8%	98.1%	0.1%	100.0%
2011	1.9%	98.1%	0.0%	100.0%
2012	0.6%	99.1%	0.3%	100.0%
2013	1.1%	98.7%	0.2%	100.0%
2014	1.0%	98.7%	0.3%	100.0%
2015	1.1%	98.5%	0.4%	100.0%

(b) Oral Argument Calendar

Signed opinions on the oral argument calendar decreased this year by 0.4%. Per curiam opinions increased by 1.1%.

Table 21 - Oral Argument Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
2010	39.2%	59.8%	1.0%	100.0%
2011	37.5%	61.0%	1.5%	100.0%
2012	38.0%	60.1%	1.9%	100.0%
2013	38.5%	59.4%	2.1%	100.0%
2014	38.2%	60.4%	1.4%	100.0%
2015	37.8%	61.5%	0.7%	100.0%

(c) Conference Calendar

There were 447 conference calendar opinions this year compared to 505 last year.

4. Published and Unpublished Opinions

Of the 2963 opinions, 371 (12.5%) were published. The number of published opinions decreased by 33 from the preceding year.

(a) Number and Percentage - 2015

Table 22 - Opinion Number and Percentage 2015

	Published		Unpublished		Total
	No.	%	No.	%	
Signed Opinions	314	83.3	63	16.7	377
Per Curiam Opinions	57	2.2	2516	97.8	2573
Rule 47.6 Opinions	--	--	13	100.0	13
Total	371	12.5	2592	87.5	2963

Table 23 - Signed Opinions Number and Percentage

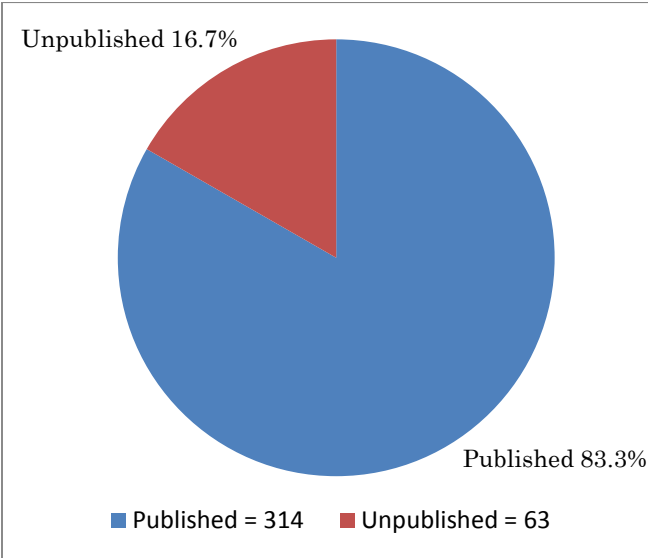
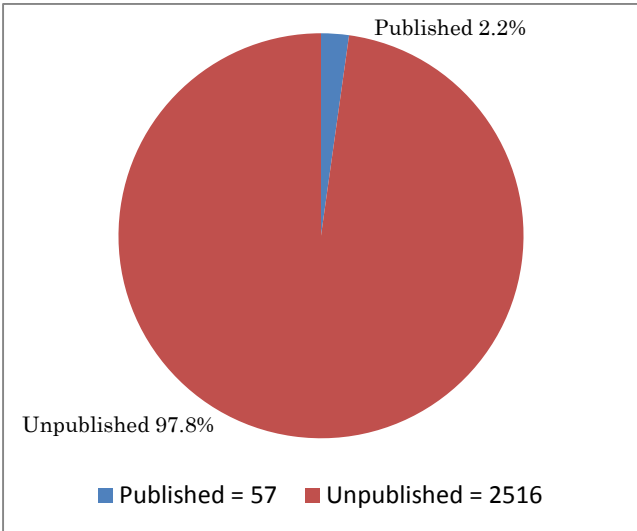


Table 24 - Per Curiam Opinions Number and Percentage

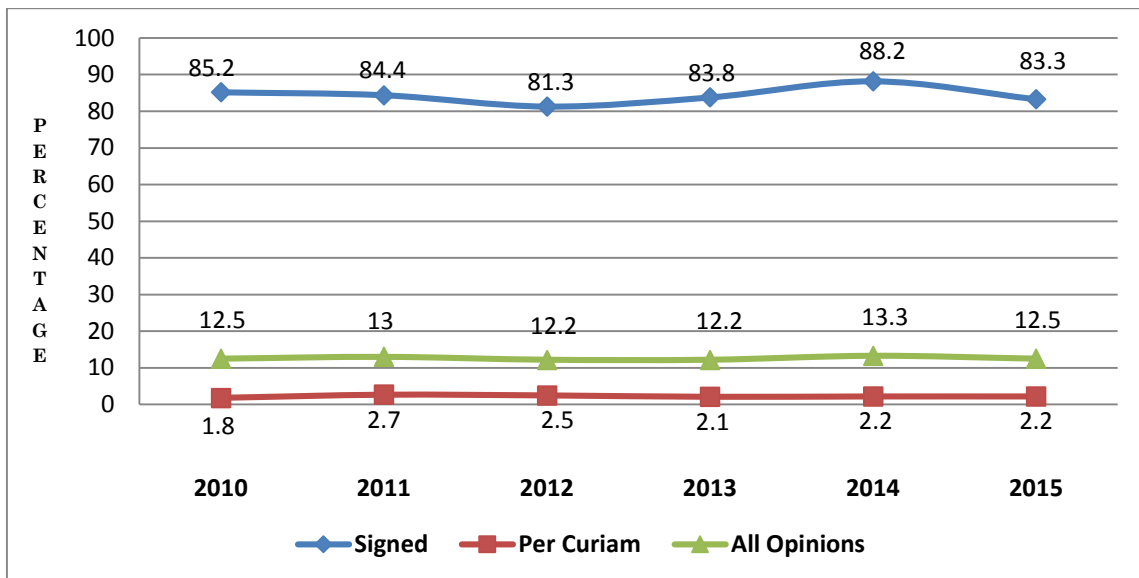


(b) Percentage Comparison (Published) - 2010 - 2015

Table 25 - Published Opinion Percentage

	% Published					
	2010	2010	2012	2013	2014	2015
Signed Opinions	85.2	84.4	81.3	83.8	88.2	83.3
Per Curiam Opinions	1.8	2.7	2.5	2.1	2.2	2.2
All Opinions	12.5	13.0	12.2	12.2	13.3	12.5

Table 26 - Published Opinion Percentage Comparison by Graph



(c) Length of Published Opinions

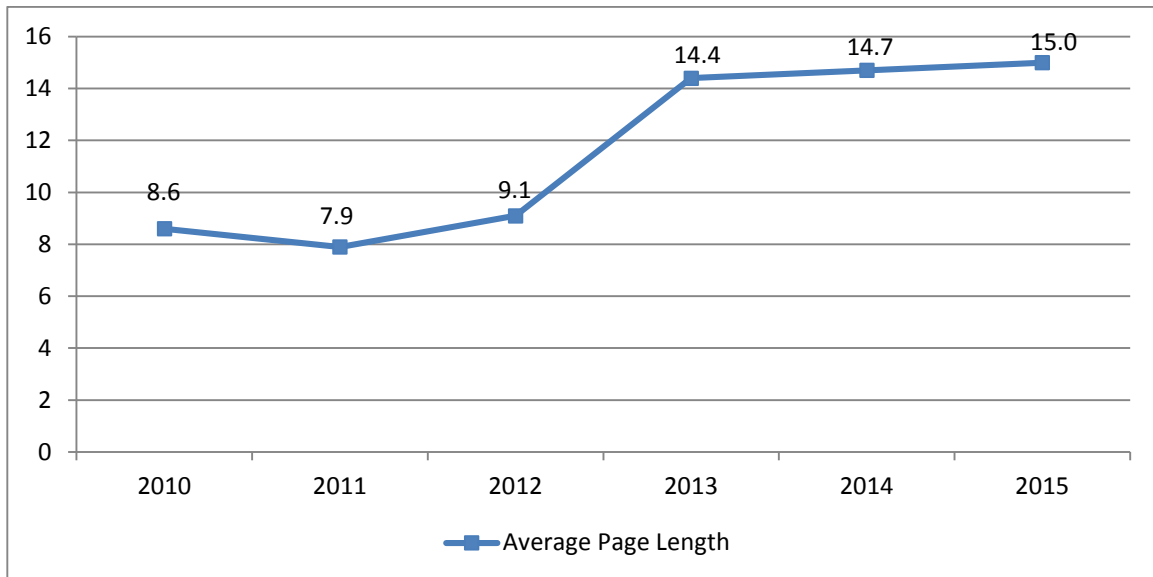
The average page length of opinions is up 2.0% from 2014.

Table 27 - Average Page Length

Year	Page Length
2010	8.6
2011	7.9
2012	9.1
2013*	14.4
2014*	14.7
2015*	15.0

*Prior to 2013, we used West Publishing printed slip opinion page counts for statistical purposes. For 2013 and subsequent years, we count the number of manuscript pages. West typically condensed a 16-page manuscript into a 9-page printed slip. Thus, the increase for years after 2013 in part is due to our changed metric.

Table 28 - Length of Published Opinions by Graph



5. Reversal Rate

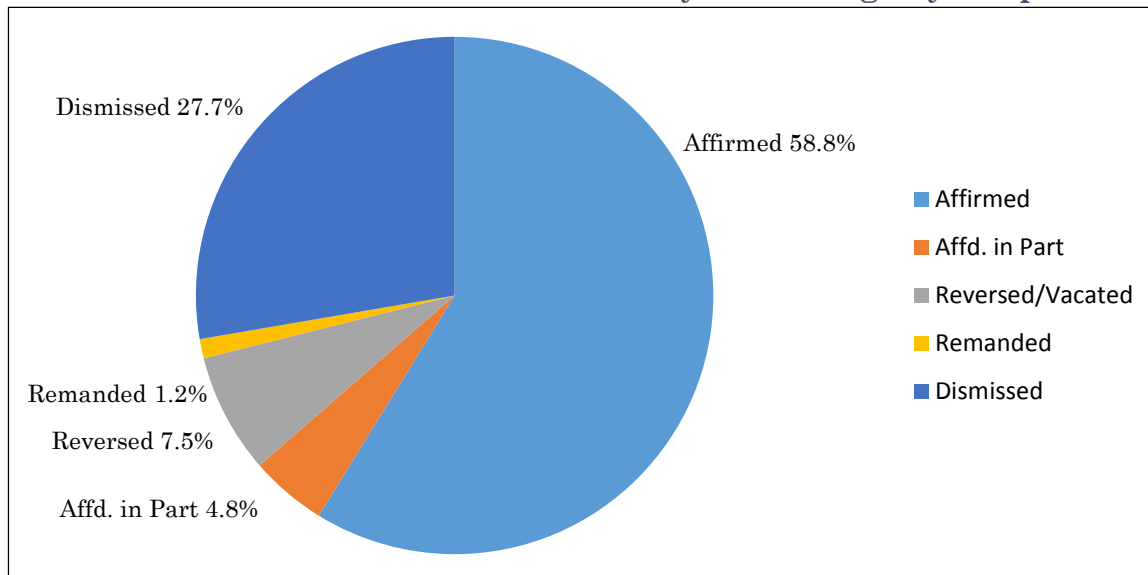
The 2015 reversed/vacated rate of 7.5% is greater than the 7.2% reversed/vacated rate in 2014.

Table 29 - Reversal Rate

	2015								2014
	Summary		Hearing		Conference Calendar		Overall		Overall
	No.	%	No.	%	No.	%	No.	%	%
Affirmed	1126	71.9	547	57.6	70	15.7	1743	58.8	57.9
Affd. In Part	45	2.9	97	10.2	0	0	142	4.8	6.1
Dismissed	355	22.6	87	9.2	377	84.3	819	27.7	27.6
Remanded	4	0.2	32	3.4	0	0	36	1.2	1.2
Transferred	0	0	0	0	0	0	0	0	0
Reversed/Vacated*	37	2.4	186	19.6	0	0	223	7.5	7.2
Total	1567	100.0	949	100.0	447	100.0	2963	100.0	100.0

*The reversed and vacated categories are being reported together to make our reporting more consistent with Administrative Office reports.

Table 30 - Reversal Rate by Percentage by Graph



F. WORKLOAD PER ACTIVE JUDGE

1. Opinion Output - Per Active Judge

The average opinion output for each of the active judges who participated in disposing of cases on the merits on the summary, oral argument and conference calendars for the reporting year from July 1, 2014 through June 30, 2015 decreased by 11 cases over last year.

2. Opinion Output - Overall - 2010 - 2015

The opinion workload for the entire court is shown in the following table:

Table 31 - Opinion Output

Year	(a)* Opinions by Active Judges	(b)* Opinions by Non-Active Judges	(c) Total Opinion Output	(d) Opinions per Active Judge
2010 ¹	2630	580	3210	164
2011 ²	2495	697	3192	166
2012 ³	2195	829	3024	144
2013 ⁴	2308	704	3012	154
2014 ⁵	2188	849	3037	156
2015 ⁶	2182	781	2963	145

*Includes Augean conference.

¹ In 2010, there were 16 active judges, 5 non-active judges and 5 visiting judges.

² In 2011, there were 16 active judges, 6 non-active judges and 8 visiting judges.

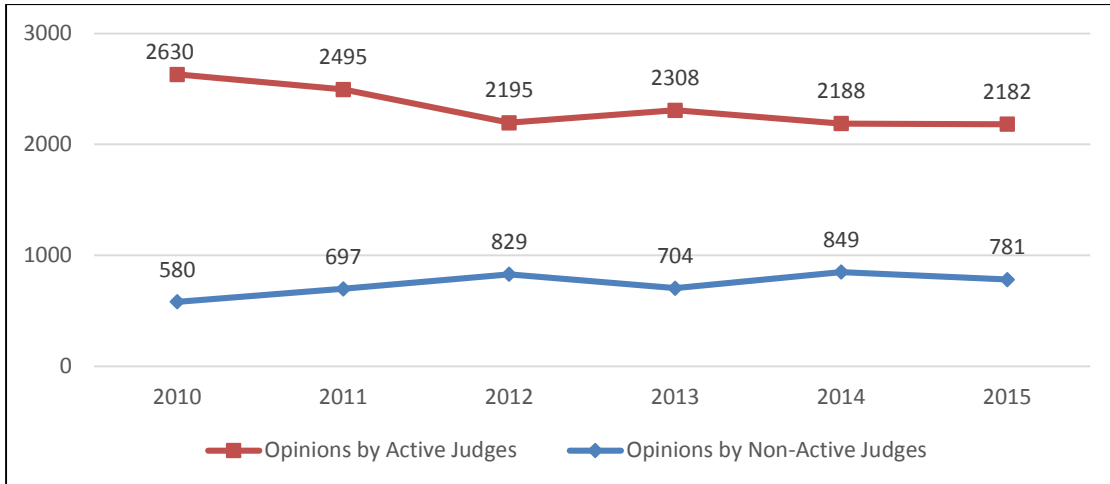
³ In 2012, there were 16 active judges, 7 non-active judges and 6 visiting judges.

⁴ In 2013, there were 15 active judges, 7 non-active judges and 2 visiting judges.

⁵ In 2014, there were 15 active judges, 8 non-active judges and 6 visiting judges.

⁶ In 2015, there were 15 active judges, 8 non-active judges and 10 visiting judges.

Table 32 - Opinion Output - Active & Non-Active Judges



*Includes Augean conference.

3. Overall Workload

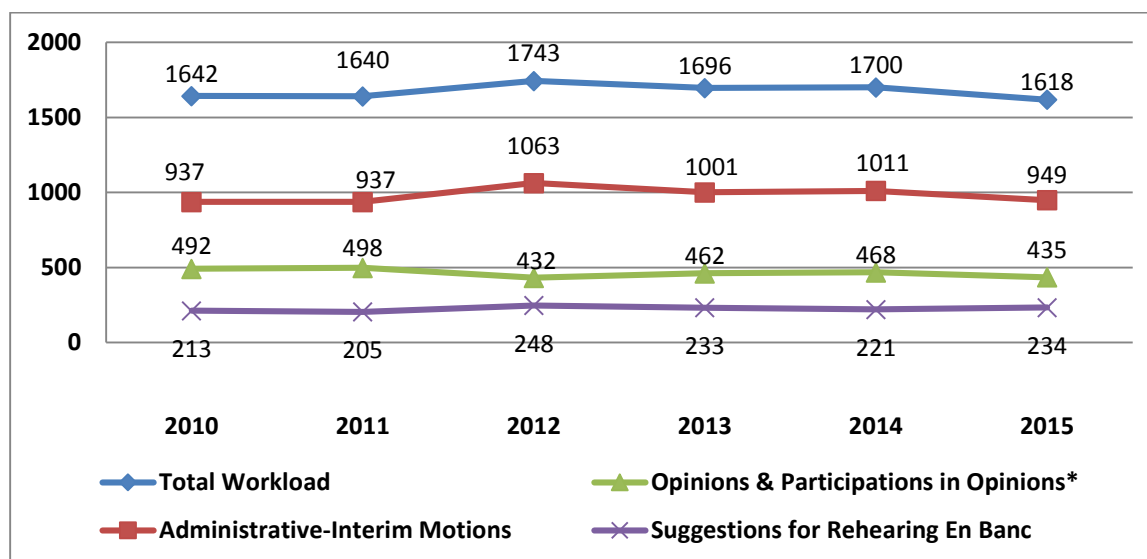
The average opinions per active judge does not give a complete measure of the active judges' overall workload. Participation in other panel members' opinions in fully briefed cases, conference calendar panels, Augean conference panels, as well as consideration of petitions for rehearing en banc and administrative-interim motions are also other important work factors. Overall, judges handled only 82 fewer matters per judge than last year. **Enclosure B**, page 28, shows the total average annual workload per active judge, based on the court's summary calendar, seven sessions of court per active judge, and other workload figures as follows:

Table 33 - Overall Workload

	Per Active Judge					
	2010	2011	2012	2013	2014	2015
Opinions and Participations in Opinions*	492	498	432	462	468	435
Petitions for Rehearing En Banc	213	205	248	233	221	234
Administrative-Interim Motions	937	937	1063	1001	1011	949
Total Workload	1642	1640	1743	1696	1700	1618

*Based on figures of judges who participated in summary, hearing and conference calendars *for the entire year.*

Table 34 - Overall Workload by Graph



*Based on figures of judges who participated in summary, hearing and conference calendars *for the entire year.*

G. SCREENING CLASSIFICATIONS

1. Cases Screened by Judges

The following table demonstrates the number and percentages of the cases disposed of by the oral argument calendar. There was a slight increase in percentage of cases sent to the oral argument calendar.

Table 35 - Screening Classifications

Year	CLASS							
	I and II (No Argument)		III (Limited Argument)		IV (Full Argument)		Total	
	No.	%	No.	%	No.	%	No.	%
2010	2215 ¹	73.9	781	26.0	3	0.1	2999 ¹	100.0
2011	2183 ²	71.0	890	28.9	3	0.1	3076 ²	100.0
2012	2055 ³	71.2	823	28.5	8	0.3	2886 ³	100.0
2013	2057 ⁴	72.0	795	27.8	5	0.2	2857 ⁴	100.0
2014	2032 ⁵	79.9	756	27.1	0	0.0	2788 ⁵	100.0
2015	2002 ⁶	72.8	745	27.1	3	0.1	2750 ⁶	100.0
Total	12,544 ⁷	72.3	4790	27.6	22	0.1	17,356 ⁷	100.0

Argument was held in 59.5% of the 748 cases designated as Class III and IV.

¹ Includes 534 conference calendar opinions.

² Includes 411 conference calendar opinions.

³ Includes 414 conference calendar opinions.

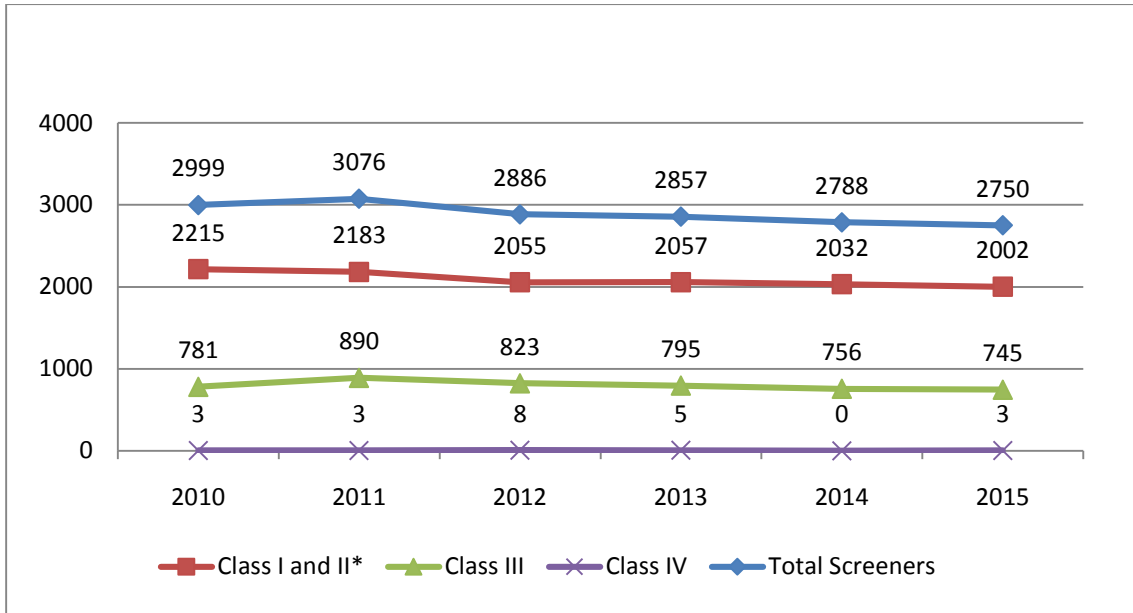
⁴ Includes 394 conference calendar opinions.

⁵ Includes 499 conference calendar opinions.

⁶ Includes 447 conference calendar opinions.

⁷ Includes 2699 conference calendar opinions.

Table 36 - Screening Classifications



* Includes conference calendar cases.

Several additional screening tables follow:

(a) Screening Classifications by Case Type

Enclosure C, page 29, shows the number of cases classified and the summary calendar percentage by case type. Extracting only the summary calendar percentages for comparison with prior years, we see:

Table 37 - Summary Calendar Percentage by Case Type

Case Type	Summary Calendar Percentage (%)					
	2010	2011	2012	2013	2014	2015
CRIMINAL DIRECT	83.9	83.0	84.9	83.3	86.1	86.5
CRIMINAL NON-DIRECT	90.8	89.2	80.0	94.8	83.5	85.2
PRISONER CASES						
W/cnsl	35.3	20.0	50.0	24.0	40.0	18.7
W/O cnsl	85.9	86.5	80.4	84.6	86.4	86.5

	Summary Calendar Percentage (%)					
Case Type	2010	2011	2012	2013	2014	2015
2255						
W/cnsl	50.0	71.4	25.0	53.8	0.0	0.0
W/O cnsl	94.1	54.5	69.2	47.6	61.5	40.0
CIVIL						
Diversity	29.4	32.7	33.9	32.7	43.1	39.8
Federal Question	35.4	38.6	38.8	33.5	27.6	30.2
U.S. Civil	52.8	37.9	38.8	43.1	48.9	40.3
Tax	12.5	36.4	47.4	20.0	11.1	50.0
Bankruptcy	25.6	30.4	26.9	18.8	26.4	28.9
Civil Rights	59.4	53.7	50.5	56.5	56.6	50.6
BIA	85.4	85.5	81.3	87.3	82.0	86.6
Tax Court	40.0	37.5	63.6	40.0	41.7	33.3
Other Agency	41.2	39.3	45.0	39.1	53.8	31.2
Social Security	76.5	66.7	70.0	83.3	66.7	66.7
Mandamus	0	0	0	0	0	0
TOTAL	73.9	71.0	71.2	72.0	72.9	72.8

H. EN BANC PETITIONS AND REHEARINGS

The court received 236 petitions for en banc rehearing, an increase of 12 from the prior year (224). Parties requested en banc rehearing in 8.0 % of the cases with opinions. The court acted upon 234 petitions for en banc rehearing and 24 petitions remained pending at the end of the year. The court denied requests for rehearing en banc in 217 cases, 14 of which were after a poll. The court granted four petitions for rehearing en banc by the parties. In another case, the court granted sua sponte en banc. See **Enclosure D**, page 30.

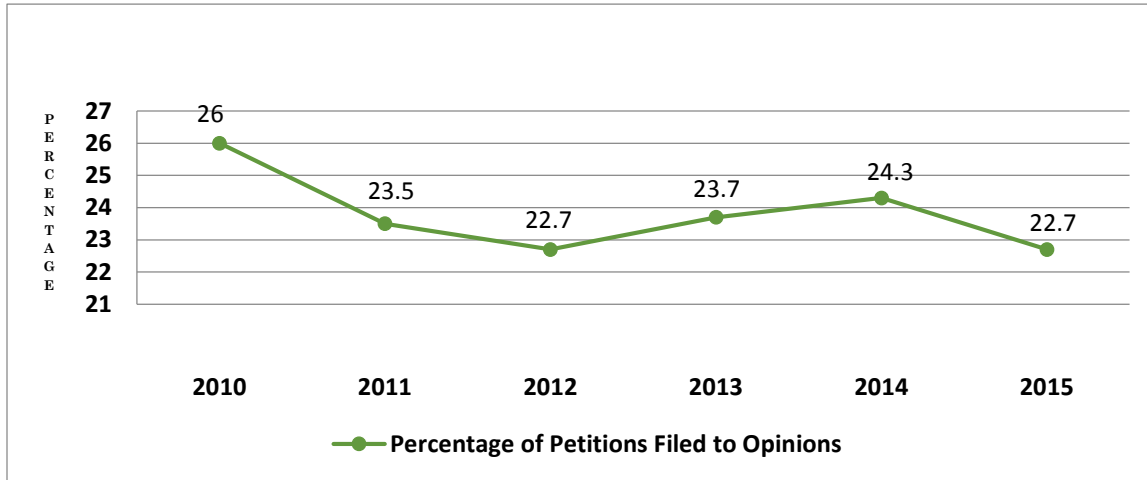
I. PETITIONS FOR CERTIORARI

The number of petitions filed is as follows:

Table 38 - Petitions for Certiorari

Petitions Filed	2010	2011	2012	2013	2014	2015
Criminal	365	335	299	332	365	327
U.S. Civil	60	58	7	105	90	70
Private Civil	400	346	295	268	277	269
Administrative Appeals	11	12	16	8	7	8
TOTAL	836	751	687	713	739	674
Opinions Rendered	3210	3192	3024	3012	3037	2963
% of Petitions filed to Opinions	26.0	23.5	22.7	23.7	24.3	22.7

Table 39 - Petitions for Certiorari by Graph



The Supreme Court took action on 657 cases from our Court compared with 779 last year. The Court granted 17 petitions, 8 fewer than last year, or 2.6% of the total. (For additional information, see **Enclosure E**, page 31.)

J. ADMINISTRATIVE-INTERIM MOTIONS

The administrative-interim motions increased to 3456 from 3359 last year, to an average of 230 initiating actions per active judge. When panel matters are considered, each judge acted on 949 such motions, down slightly from 1011 last year. See **Enclosure F**, page 32, for other details.

TABLE OF NEW APPEALS DOCKETED BY CASE TYPE AS OF 6/2015

Case Type	(a)	(b)		(c)		(d)											
	Mo. % 2014-15	Cumulative % 13-14	Cumulative % 14-15	2013 2014	2014 2015	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
CRIMINAL CASES	37.69%	31.08%	33.99%	2462	2523	215	189	229	169	170	221	182	215	231	224	224	254
PRISONER CASES w/counsel	1.34%	1.75%	2.22%	139	165	14	13	15	14	15	17	16	7	10	22	13	9
w/o counsel	25.07%	26.23%	26.39%	2078	1959	209	161	214	179	115	135	123	128	192	200	134	169
Succ Habeas	6.08%	8.46%	6.52%	670	484	44	49	52	44	34	37	42	32	32	46	31	41
Non-Pd Mandamus	1.63%	1.51%	1.90%	120	141	13	15	9	17	11	15	10	7	11	12	10	11
SUB-TOTAL	71.81%	69.04%	71.02%	5469	5272	495	427	519	423	345	425	373	389	476	504	412	484
CIVIL Private Civil	9.79%	12.26%	10.79%	971	801	61	62	74	76	53	69	58	52	52	90	88	66
Diversity	4.30%	5.43%	5.28%	430	392	28	33	28	42	26	37	27	26	26	45	45	29
Fed. Quest.	5.49%	6.83%	5.51%	541	409	33	29	46	34	27	32	31	26	26	45	43	37
U.S. Civil	0.74%	1.27%	1.50%	101	111	13	13	15	11	7	10	5	5	13	10	4	5
Tax	0.00%	0.25%	0.16%	20	12	0	1	2	2	1	2	1	0	1	0	2	0
Tax Court	0.15%	0.13%	0.16%	10	12	1	0	1	0	1	3	0	0	1	2	2	1
Bankruptcy	1.04%	1.04%	1.04%	82	77	10	6	9	4	5	3	3	4	9	11	6	7
BIA	5.64%	5.14%	5.38%	407	399	46	32	35	37	27	35	34	29	31	28	27	38
Other Agency	1.93%	0.44%	0.93%	35	69	2	3	6	3	5	5	6	7	7	5	7	13
Civil Rights	8.16%	6.96%	7.56%	551	561	36	39	58	60	41	45	47	48	43	53	36	55
Soc. Security	0.45%	0.34%	0.50%	27	37	3	5	3	4	4	1	2	2	1	7	2	3
Mandamus	0.15%	0.45%	0.39%	36	29	2	4	3	1	5	3	1	3	2	2	2	1
Miscellaneous	0.15%	2.69%	0.58%	213	43	3	1	3	6	6	4	3	4	3	3	6	1
SUB-TOTAL	28.19%	30.96%	28.98%	2453	2151	177	166	209	204	155	180	160	154	163	211	182	190
TOTAL APPEALS	100.0%	100.0%	100.0%	7922	7423	672	593	728	627	500	605	533	543	639	715	594	674

Legend Col: (a): Monthly Percentage Make-Up of the New Filings.

(b): The Cumulative Percentage for the corresponding months in 13-14 compared with 14-15

(c): The Cumulative Total Filings for the corresponding number of months in 13-14.

(d): The Cumulative Total for 14-15

WORKLOAD PER ACTIVE JUDGE

I.	SUMMARY CALENDAR CASES*			
	(a) Opinions or dispositions as initiating judge	70		
	(b) Participations in opinions or dispositions of other panel members		140	
	(c) Sub-total summary calendar cases			210
II.	CONFERENCE CALENDAR CASES*			
	(a) Opinions or dispositions as initiating judge	25		
	(b) Participations in opinions or dispositions of other panel members		50	
	(c) Sub-total conference calendar cases			75
III.	HEARING CALENDAR AND OTHER CASES*			
	(a) Opinions or dispositions as writing judge	50		
	(b) Participations in opinions or dispositions of other panel members		100	
	(c) Sub-total oral argument cases			150
IV.	TOTAL OPINIONS (I(a), II(a), III (a))*	145		
V.	TOTAL PANEL (NON-OPINION) PARTICIPATIONS (I(b), II(b), III (b))*		290	
VI.	TOTAL OPINIONS AND PARTICIPATIONS (I(c), II(c), III (c))*			435
VII.	PETITIONS FOR REHEARING EN BANC			234
VIII.	ADMINISTRATIVE-INTERIM MATTERS			
	(a) Single Judge Matters	130		
	(b) Participation in panel matters as initiating judge	273		
	(c) Participation in panel matters of other panel members		546	
	(d) Sub-total administrative - interim matters			949
IX.	TOTAL MATTERS PARTICIPATED IN PER JUDGE			1618

* Based on figures of judges who participated in summary, hearing, and conference calendar for entire year.

SUMMARY OF SCREENING CLASSIFICATION
BY CASE TYPE

PERIOD: JULY 1, 2014 - JUNE 30, 2015

<u>CASE TYPE</u>	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>TOTAL</u>	<u>% OF I AND II'S TO TOTAL CASES</u>
CRIMINAL DIRECT	581	759	208	1	1549	86.5
CRIMINAL NON-DIRECT	20	32	9	0	61	85.2
PRISONER CASES						
HC-W	0	1	6	0	7	14.3
HC-W/O	8	48	9	0	65	86.2
1983-W	0	2	4	0	6	33.3
1983-W/O	12	83	14	0	109	87.2
O. Pris.-W	0	0	3	0	3	0.0
O. Pris. W/O	2	14	3	0	19	84.2
2255-W	0	0	3	0	3	0.0
2255-W/O	1	7	12	0	20	40.0
CIVIL						
Diversity	1	81	124	0	206	39.8
Fed. Question	2	49	117	1	169	30.2
U.S. Civil	2	21	34	0	57	40.3
Tax	0	4	4	0	8	50.0
Bankruptcy	1	10	27	0	38	28.9
Civ. Rights	10	122	128	1	261	50.6
BIA	0	110	17	0	127	86.6
Tax Court	0	2	4	0	6	33.3
Other Agency	0	5	11	0	16	31.2
Social Security	0	12	6	0	18	66.7
Mandamus	0	0	2	0	2	0.0
TOTAL*	640	1362	745	3	2750	72.8

*Includes 447 Conference Calendar Cases.

PETITIONS FOR REHEARING EN BANC AND EN BANC GRANTS

<u>07/01/14 - 06/03/15</u>	
TOTAL	
TOTAL PENDING AS OF END OF PREVIOUS COURT YEAR	22
Petitions for Rehearing En Banc FILED this Year	236
Petitions for Rehearing En Banc DENIED	217
w/poll vote	14
w/o poll vote	203
En Banc GRANTED	5
On Petition With Oral Argument	3
On Petition Without Oral Argument	1
Sua Sponte En Banc With Oral Argument	1
Sua Sponte En Banc Without Oral Argument	0
Disposed of by Other Means	12
TOTAL PENDING AS OF 6/30/15	24

**LIST OF PETITIONS FOR CERTIORARI
FILED, ACTED ON, AND PENDING**

SUMMARY

PERIOD: July 1, 2014 to June 30, 2015

TYPE	TYPE OF DISPOSITION					PENDING 06/30/15
	PENDING 07/01/14	NUMBER FILED	GRANTED	DENIED	DISMISSED	
TOTAL	102	674	17	627	13	119
CRIM	34	327	6	313	0	42
USC	13	70	0	70	2	11
PRIV. CIV.	52	269	10	234	11	66
ADM.*	3	8	1	10	0	0

*Administrative appeals include Applications for Enforcement or Petitions for Reveiw of orders of an administrative board or agency.

MONTHLY REPORT OF ADMINISTRATIVE MOTIONS SUBMITTED TO JUDGES (FY 2015)

Motions to or for:	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	TOTALS
Dismiss	42	25	20	24	13	21	19	18	28	20	18	23	271
Reinstate Appeal	1	0	1	1	0	0	0	0	4	0	1	1	9
Appointment of Counsel	11	8	12	13	10	7	8	4	7	5	6	6	97
Expedite Hearing, for Continuance, or Special Assignment	1	0	4	7	2	2	3	3	2	0	1	5	30
Stay or for Injunction and/or Supersedeas Pending Appeal	18	15	11	14	11	16	11	11	11	17	5	12	152
Supplement the Record	3	8	4	3	4	10	2	3	4	8	3	11	63
Strike Briefs, Designations for Printing, etc	4	1	3	4	2	2	0	2	2	1	0	2	23
Excess Pages in Brief	3	2	4	0	1	0	0	0	2	1	2	6	21
Bail Pending appeal	0	0	3	2	2	0	0	0	3	1	1	2	14
Interlocutory Appeal (Sec. 1292(b))	0	0	0	2	4	4	2	4	2	1	7	1	27
Jurisdiction	48	47	49	50	26	53	57	38	44	50	49	30	541
Withdraw as Counsel	14	9	8	15	8	4	4	11	4	3	14	8	102
Extensions of Time	15	15	18	13	9	13	10	25	29	11	14	15	187
Certificate of Appealability	50	38	38	42	31	44	20	41	50	59	32	33	478
Leave to Appeal In Forma Pauperis	14	13	9	18	8	15	23	16	17	27	14	20	194
Issuance of COA and Leave to Appeal In Forma Pauperis	12	10	10	15	7	10	12	8	16	16	17	10	143
Mandamus or Prohibition	7	5	10	9	6	10	6	11	7	11	11	11	104
Successive Petitions	46	45	51	32	28	19	32	32	31	40	30	18	404
Miscellaneous Motions	41	51	49	57	36	44	36	51	60	47	50	74	596
TOTALS	330	292	304	321	208	274	245	278	323	318	275	288	3456