

JUDICIAL

WORKLOAD

STATISTICS



UNITED STATES COURT OF APPEALS

FIFTH CIRCUIT

CLERK'S ANNUAL REPORT
JULY 2013 - JUNE 2014

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, 2013 through June 30, 2014.

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

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SUMMARY OF ANNUAL REPORT

The following summarizes the court's judicial business:

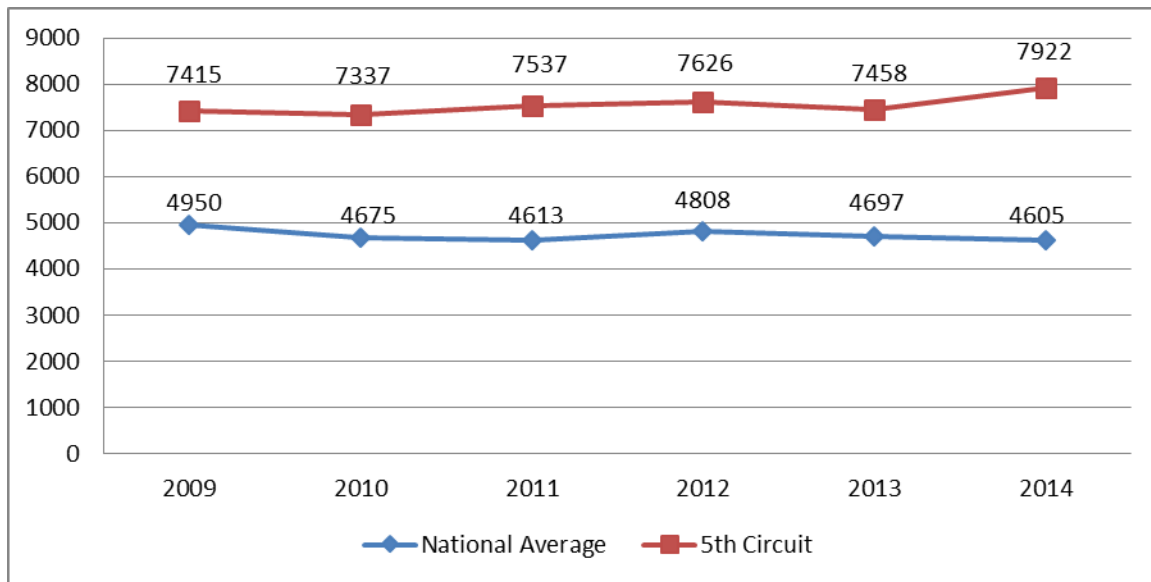
	2009	2010	2011	2012	2013	2014
New Appeals	7415	7337	7537	7626	7458	7922
Terminations	7266	7625	7801	7403	7501	7941
By Judges	4772	5045	4940	4671	4834	4971
By Clerk	1861	1869	2008	1880	1800	1689
By Consolidation	633	711	853	852	867	1281
Pending Appeals	5031	4744	4479	4772	4730	4710
Total Cases Screened for Decision as to Oral Argument	2934	2999	3076	2886	2857	2788
Cases Sent to:						
Summary Calendar	1546	1681	1772	1641	1663	1533
Conference Calendar	578	534	411	414	394	499
Oral Argument Calendar	810	784	893	831	800	756
Summary Calendar Rate	65.6%	68.2%	66.5%	66.4%	67.5%	67.0%
Conference & Summary Calendar Rate	72.4%	73.9%	71.0%	71.2%	72.0%	72.9%
Cases Ready for Argument	98	89	41	130	79	47
Cases Pending Under Submission	174	139	173	143	167	135
90-day Cases	78	55	75	44	67	55
Total Opinions	3149	3210	3192	3024	3012	3037
Published Opinions	421	400	416	370	369	404
Unpublished Opinions	2728	2810	2776	2654	2643	2633
Opinions per Active Judge	158	164	166	144	154	156
Publication Rate	13.4%	12.5%	13.0%	12.2%	12.2%	13.3%
Page Length of Published Opinions	8.8	8.6	7.9	9.1	14.4	14.7
Participations per Active Judge in Opinions	474	492	498	432	462	468
En Banc Cases	4	6	5	6	6	3
Motions per Active Judge	872	937	937	1063	1001	1011

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 464 appeal increase (6.2%), to 7922 appeals. Federal question appeals dropped by 58 (9.7%) and diversity appeals decreased by 42 (8.9%). Successive habeas corpus petitions increased by 180 (36.7%), miscellaneous appeals increased by 156 (273.7%), and criminal appeals rose by 147 (6.3%).

Table 1 - New Appeals Filed by Graph



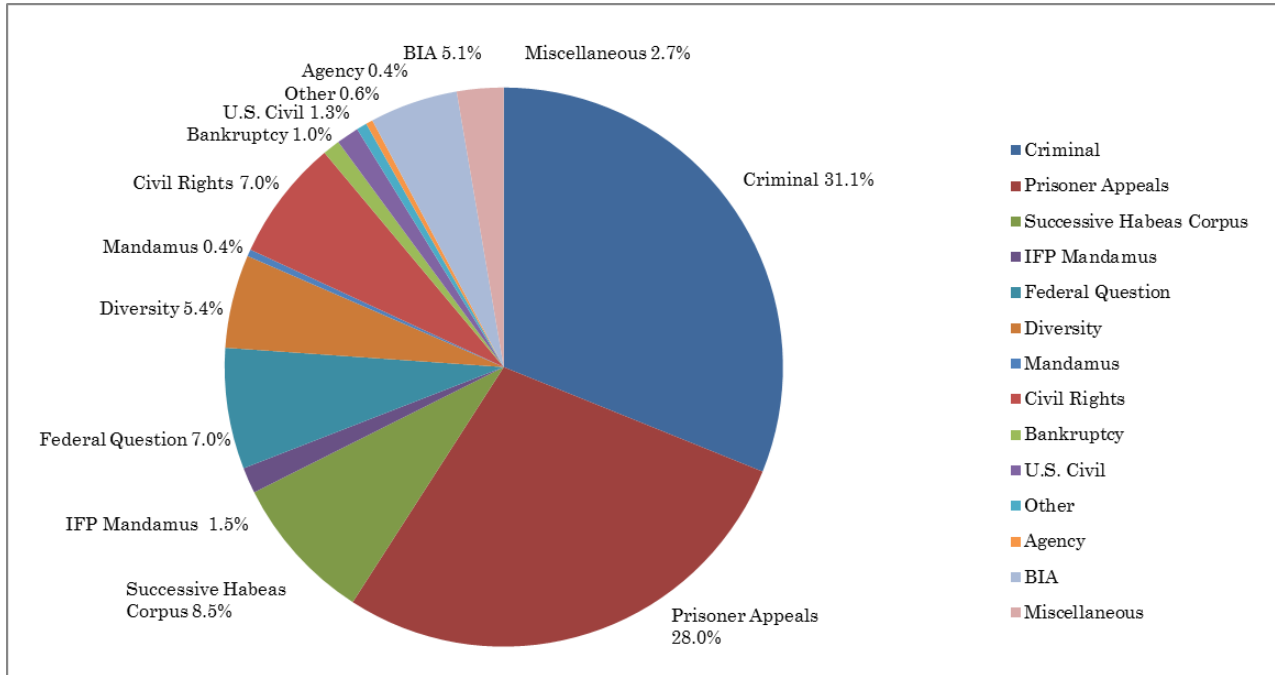
2. Source of New Appeals by Type

The source of appeals by type is found in the following tables, the first shows the six year trend; the second graphically displays the 2014 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 '13	
	2009	2010	2011	2012	2013	2014	No.	%
Criminal	2651	2362	2493	2688	2316	2463	+147	+6.3
Prisoner Appeals	2244	2322	2371	2218	2097	2215	+118	+5.6
Successive Habeas Corpus	314	364	410	410	490	670	+180	+36.7
IFP Mandamus	73	95	100	104	100	120	+20	+20.0
Federal Question	384	422	442	413	599	541	-58	-9.7
Diversity	380	408	410	433	472	430	-42	-8.9
U.S. Civil	116	127	136	125	95	101	+6	+6.3
Tax	49	22	40	20	11	20	+9	+81.8
Tax Court	21	24	20	13	21	10	-11	-52.4
Civil Rights	497	519	539	554	556	552	-4	-0.7
Bankruptcy	104	82	80	128	117	82	-35	-29.9
Social Security	43	36	23	25	18	27	+9	+50.0
BIA	460	443	375	416	402	407	+5	+1.2
Mandamus	26	25	32	35	43	36	-7	-16.3
Agency	53	86	66	44	64	35	-29	-45.3
Miscellaneous	--	--	--	--	57	213	+156	+273.7
	7415	7337	7537	7626	7458	7922	+464	+6.2

Table 3 - 2014 New Appeals by Case Type by Graph



Our biggest increase in filings was in successive habeas corpus petitions, miscellaneous and criminal appeals. Federal question and diversity appeals dropped.

3. Source of New Appeals by Districts

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

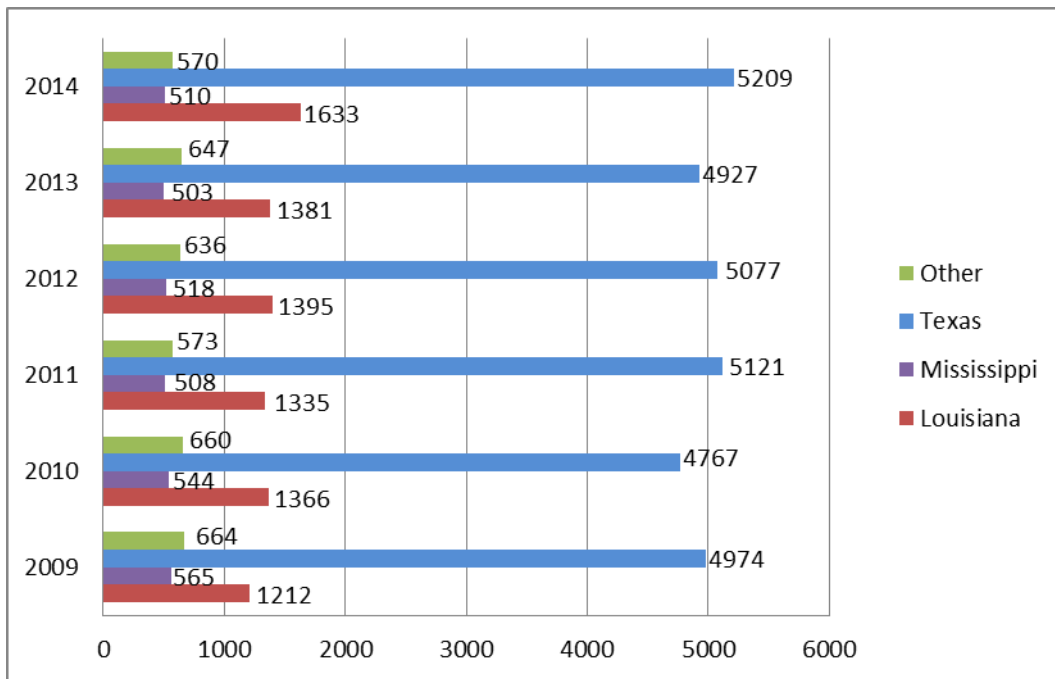
Table 4 - New Appeals by Districts

(All Appeals)

	2009	2010	2011	2012	2013	2014	Change from '13
Louisiana Eastern	518	674	644	635	578	930	+352
Louisiana Middle	193	219	242	287	204	240	+36
Louisiana Western	501	473	449	473	599	463	-136
Subtotal	1212	1366	1335	1395	1381	1633	+252
Mississippi Northern	171	184	186	178	195	175	-20
Mississippi Southern	394	360	322	340	308	335	+27
Subtotal	565	544	508	518	503	510	+7
Texas Northern	1339	1306	1338	1349	1335	1525	+190
Texas Southern	1675	1702	1850	1839	1714	1885	+171
Texas Eastern	649	497	665	545	579	413	-166
Texas Western	1311	1262	1268	1344	1299	1386	+87
Subtotal	4974	4767	5121	5077	4927	5209	+282
Agency	53	86	66	43	64	35	-29
Bankruptcy	104	82	80	128	117	82	-35
U.S. Tax Court	21	24	20	13	21	10	-11
BIA	460	443	375	417	402	407	+5
Mandamus	26	25	32	35	43	36	-7
Subtotal	664	660	573	636	647	570	-77
Total	7415	7337	7537	7626	7458	7922	+464

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

Table 5 - New Appeals by District by Graph



A comparison of the percentage of appeals by states for 2013 and 2014 is shown on the following charts:

Table 6 - New Appeals 2013 by Graph

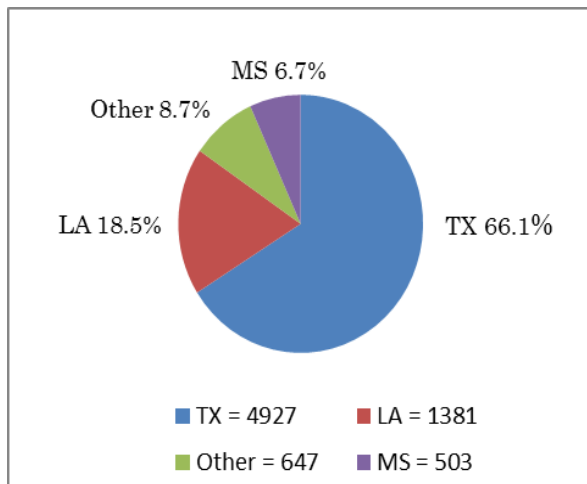
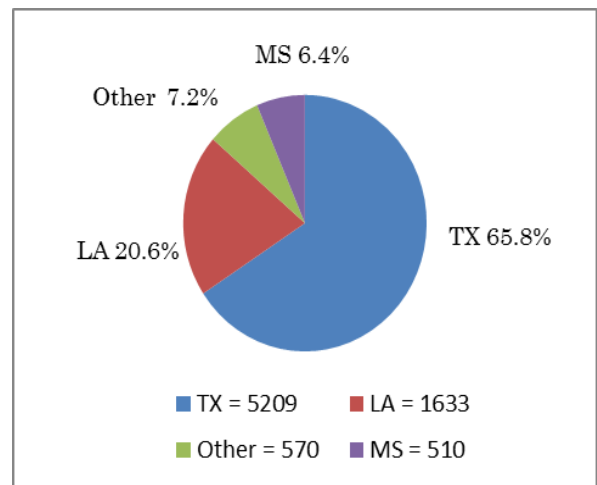


Table 7 - New Appeals 2014 by Graph



B. CLOSED APPEALS

1. Yearly Comparison

The court disposed of 440 more **appeals** this year, an increase of 5.9%.

Table 8 - Closed Appeals

	2009	2010	2011	2012	2013	2014	Change from '13	
All Appeals	7266	7625	7801	7403	7501	7941	+440	+5.9%
Cases	6633	6914	6948	6551	6634	6600	+26	+0.4%

2. Method of Disposition

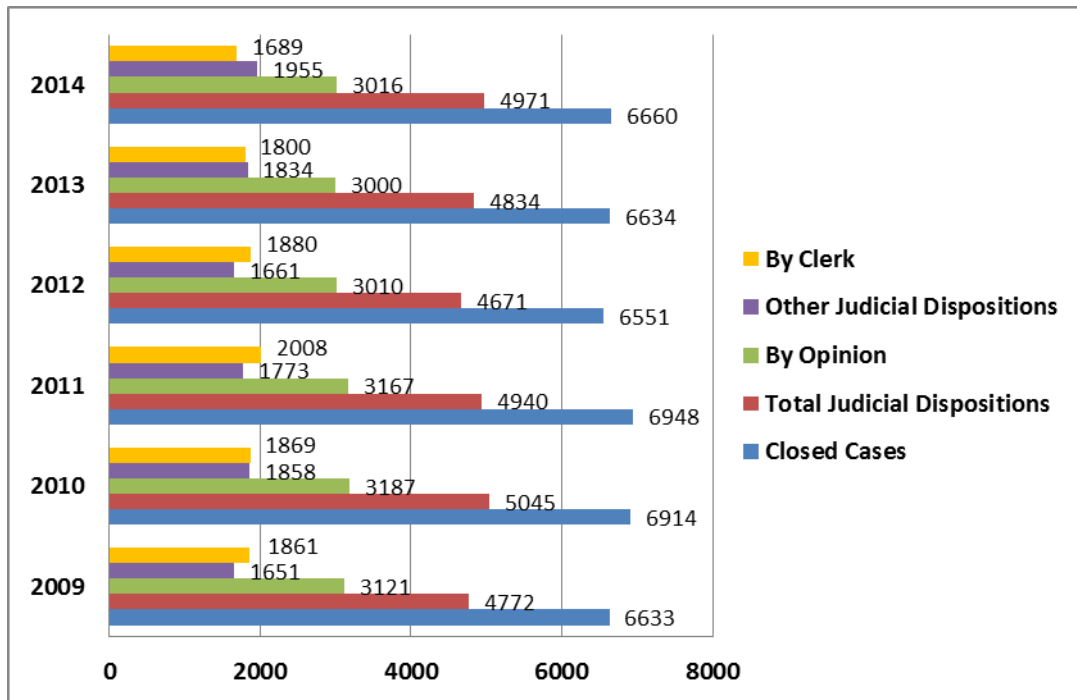
Overall, the court disposed of 26 more cases than last year. There were 16 more opinions, and other judicial dispositions increased by 121. Clerk dispositions decreased by 111.

Table 9 - Method of Disposition

	2009	2010	2011	2012	2013	2014	Change from '13
By Opinion*	3121	3187	3167	3010	3000	3016	+16
Other Judicial Dispositions	1651	1858	1773	1661	1834	1955	+121
Total Judicial dispositions	4772	5045	4940	4671	4834	4971	+137
By Clerk	1861	1869	2008	1880	1800	1689	-111
Closed Cases	6633	6914	6948	6551	6634	6660	+26

*Does not include 21 opinions that were non-dispositive.

Table 10 - Method of Disposition by Graph



C. UNDISPOSED OF (PENDING) APPEALS

The court disposed of 7941 **appeals** compared to 7922 filed. There are 4010 cases pending this year compared with 3914 last year.

Table 11 - Pending Appeals

	2009	2010	2011	2012	2013	2014	% Change from '13
All Appeals Pending	5031	4744	4479	4772	4730	4710	-0.4
Cases	4510	4093	3830	4083	3914	4010	+2.5

The 4010 pending cases are broken down into the sub-categories of Cases Under Submission and Unassigned Carry-Over:

1. Cases Under Submission

Excluding cases consolidated for argument and decision (11), and held in abeyance by the judges (9), the pending cases argued and awaiting decision increased from last year.

Table 12 - Cases Under Submission

	2009	2010	2011	2012	2013	2014
Active Judges	164	128	149	139	146	121
Senior Judges	19	14	24	12	23	21
Visiting Judges	0	3	3	0	4	4
Total	183	145	176	151	173	146

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, 128 more than last year. This leaves 3855 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
2009	4324	7415	58.3
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

The 3855 unassigned cases fall into the following categories:

Table 14 - Unassigned Carry-Over by Category

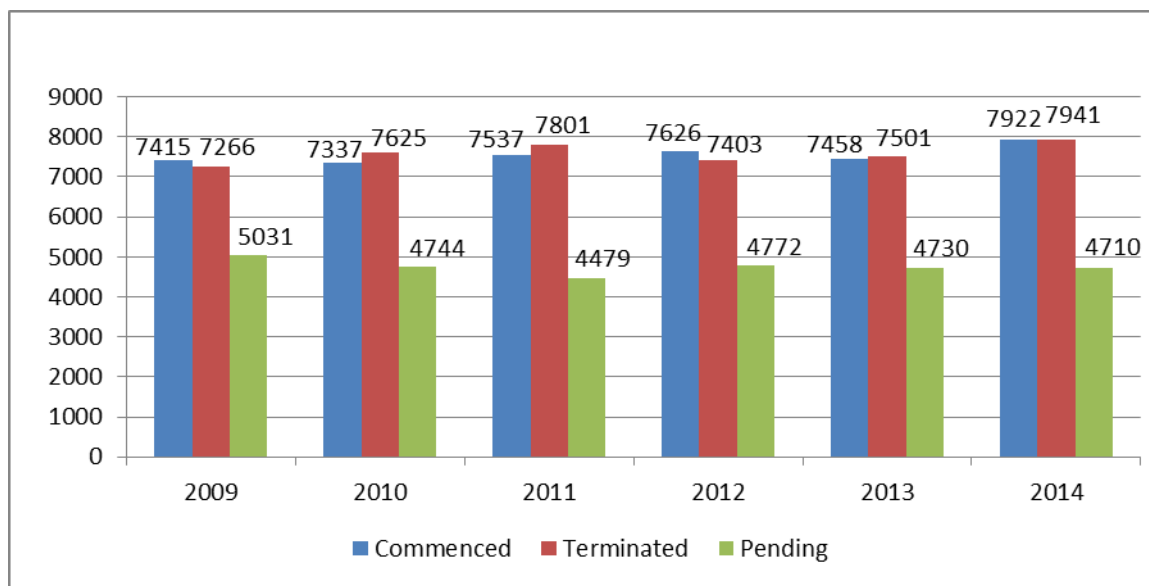
Category	2013	2014
(a) Already Briefed		
Calendared for Oral Argument	123	136
Briefed but Held in Abeyance	11	6
Awaiting Assignment to Oral Argument Calendar	79	47
Being Screened	621	706
Assignment to Augean Conference	156	176
Awaiting Assignment to Conference Calendar	54	59
Subtotal	1044	1130

Category	2013	2014
(b) Unbriefed Cases		
Pre-Briefing	1046	1159
Records Due	164	98
Being Briefed	1262	1279
Stayed/Held in Abeyance	43	59
Awaiting DC Action*	168	130
Subtotal	2683	2725
Total	3727	3855

*Cases "Awaiting DC Action" capture those cases unable to proceed because of pending motions with the district courts.

D. SUMMARY OF APPEALS COMMENCED, TERMINATED AND PENDING

Table 15 - Summary of Appeals Commenced, Terminated and Pending by Graph



E. OPINIONS

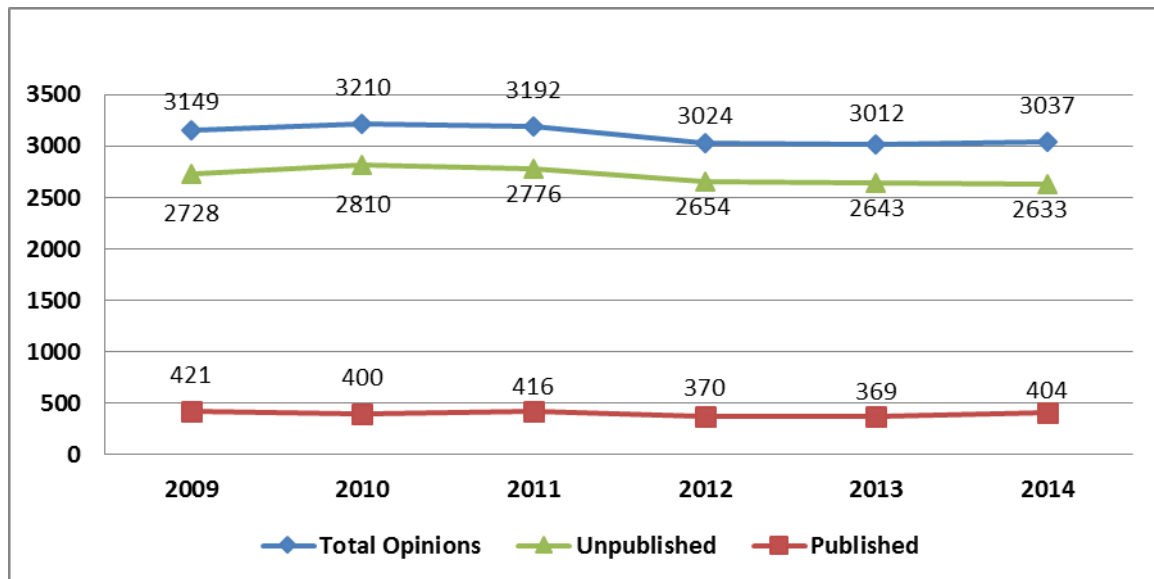
1. Number of Opinions, Published and Unpublished

The total number of opinions increased by 25. The figures for the 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
2009	3149	421	2728
2010	3210	400	2820
2011	3192	416	2776
2012	3024	370	2654
2013	3012	369	2643
2014	3037	404	2633

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



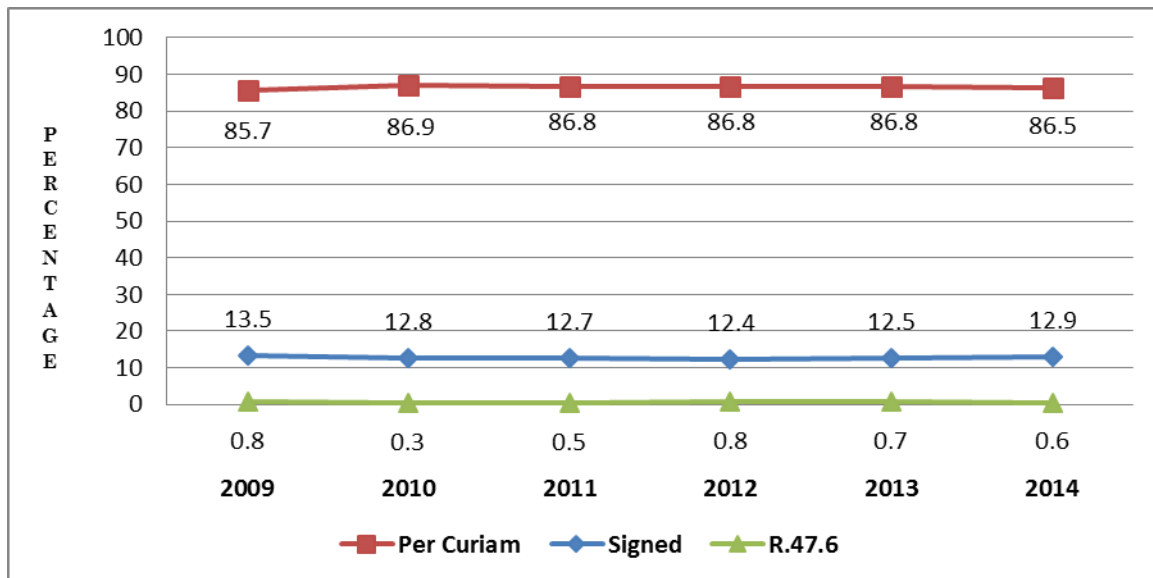
2. Types of Opinions

The percentage of signed opinions increased by 0.4% this year, and the percentage of per curiam opinions decreased by 0.3%.

Table 18 - Types of Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
2009	13.5%	85.7%	0.8%	100.0%
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%

Table 19 - Types of Opinions by Graph



3. Breakdown of 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 decreased by 137 from 1685 to 1548. The percentage of signed opinions on the summary calendar decreased by 0.1% while per curiam opinions remained the same.

Table 20 - Summary Calendar Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
2009	1.2%	98.5%	0.3%	100.0%
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%

(b) Oral Argument Calendar

The percentage of signed opinions on the oral argument calendar decreased this year by 0.3%. The percentage of per curiam opinions increased by 1.0%.

Table 21 - Oral Argument Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
2009	40.5%	57.5%	2.0%	100.0%
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%

(c) Conference Calendar

There were 505 conference calendar opinions this year compared to 400 last year.

4. Published and Unpublished Opinions

Of the 3037 opinions, 404 (13.3%) were published. The number of published opinions increased by 35 from the preceding year.

(a) Number and Percentage - 2014

Table 22 - Number and Percentage 2014

	Published		Unpublished		Total
	No.	%	No.	%	
Signed Opinions	347	88.8	44	11.2	391
Per Curiam Opinions	57	2.2	2570	97.8	2627
Rule 47.6 Opinions	--	--	19	100.0	19
Total	404	13.3	2633	86.7	3037

Table 23 - Signed Opinions Number and Percentage by Graph

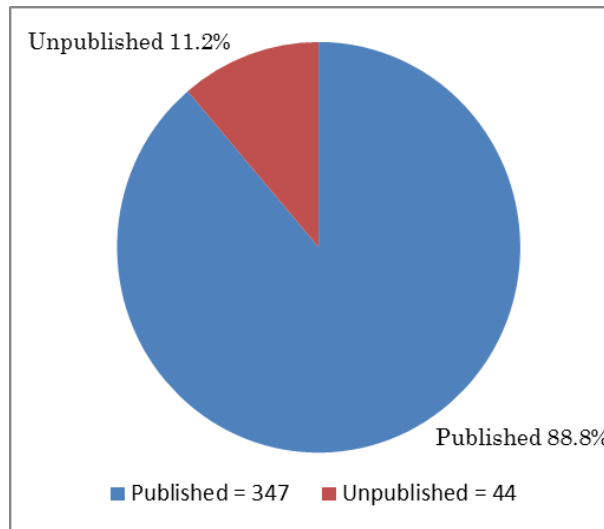
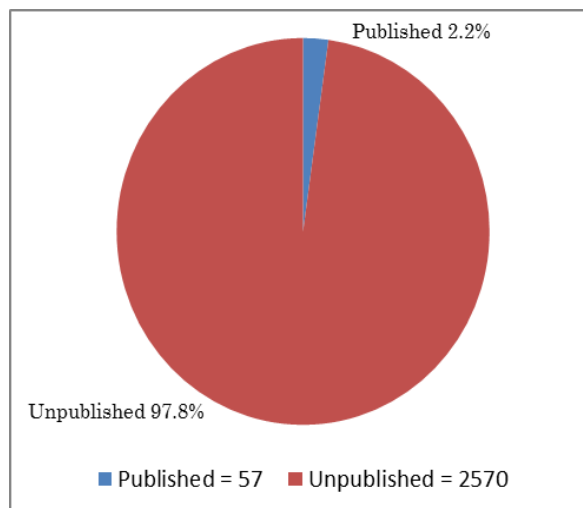


Table 24 - Per Curiam Opinions Number and Percentage by Graph

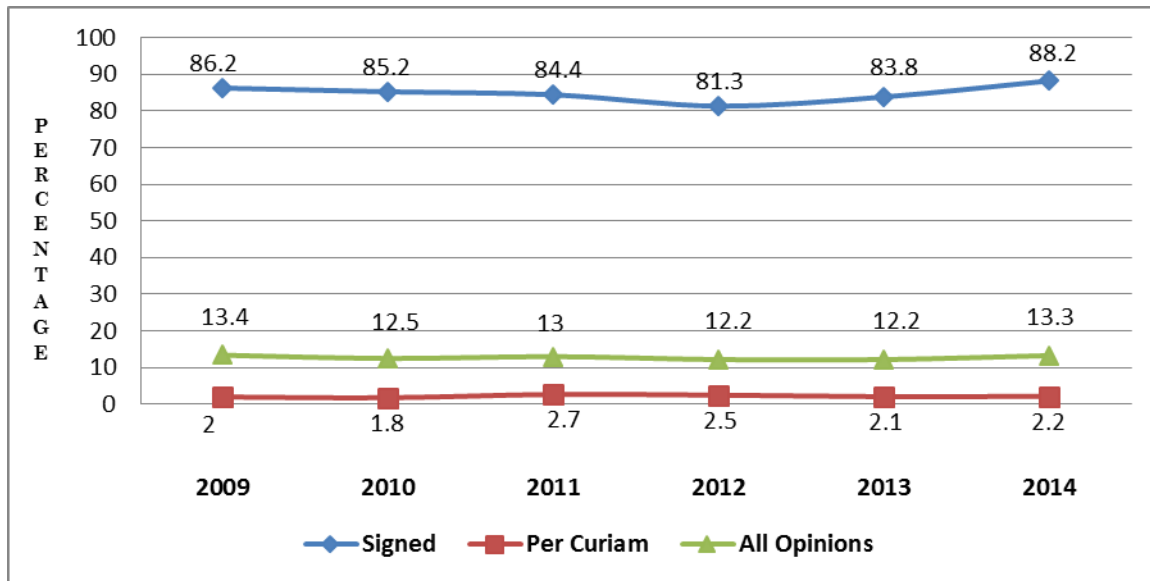


(b) Percentage Comparison (Published) - 2009 - 2014

Table 25 - Published Percentage

	% Published					
	2009	2010	2010	2012	2013	2014
Signed Opinions	86.2	85.2	84.4	81.3	83.8	88.2
Per Curiam Opinions	2.0	1.8	2.7	2.5	2.1	2.2
All Opinions	13.4	12.5	13.0	12.2	12.2	13.3

Table 26 - Percentage Comparison (Published) by Graph



(c) Length of Published Opinions

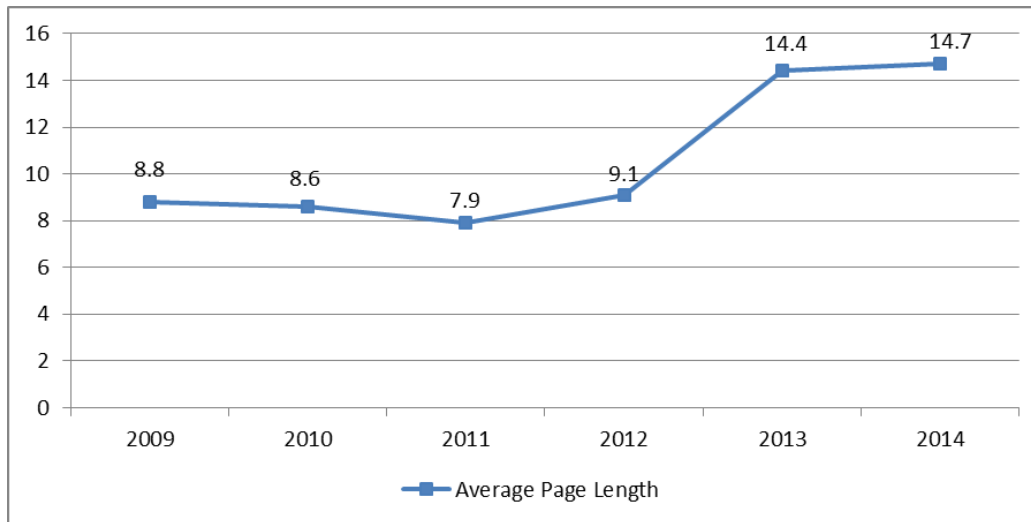
The average page length of opinions is up 2.1% from 2013.*

Table 27 - Average Page Length

Year	Page Length
2009	8.8
2010	8.6
2011	7.9
2012	9.1
2013*	14.4
2014*	14.7

*Since we no longer receive printed slip opinions from West, we used the manuscript opinions to calculate the average page length for all opinions beginning 2013. West typically condensed a 16-page manuscript into a 9-page printed slip. Thus this increase from previous years is due to our changed metric, not to longer opinions.

Table 28 - Length of Published Opinions by Graph



5. Reversal Rate

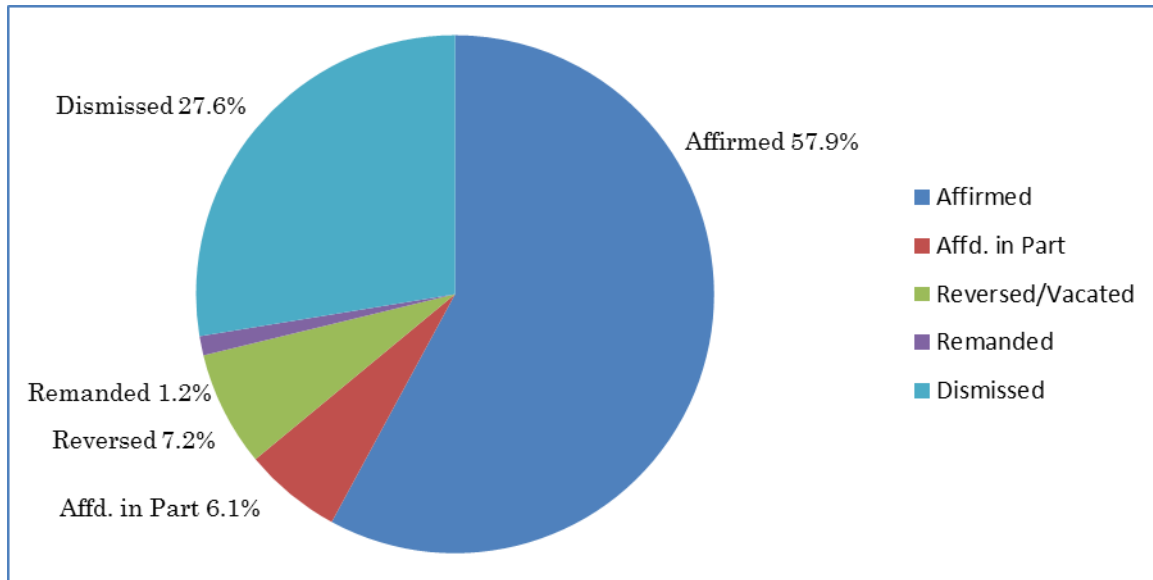
The 2014 reversed/vacated rate of 7.2% is greater than the 6.6% reversed/vacated rate in 2013.

Table 29 - Reversal Rate

	2014								2013
	Summary		Hearing		Conference Calendar		Overall		Overall
	No.	%	No.	%	No.	%	No.	%	%
Affirmed	1134	73.3	547	55.6	78	15.4	1759	57.9	61.9
Affd. In Part	71	4.6	114	11.6	0	0	185	6.1	5.0
Dismissed	312	20.1	105	10.7	421	83.4	838	27.6	26.0
Remanded	5	0.3	31	3.1	0	0	36	1.2	0.5
Transferred	0	0	0	0	0	0	0	0	0
Reversed/Vacated*	26	1.7	187	19.0	6	1.2	219	7.2	6.6
Total	1548	100.0	984	100.0	505	100.0	3037	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 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, 2013 through July 30, 2014 increased by 2 cases over the last year.

2. Opinion Output - Overall - 2009 - 2014

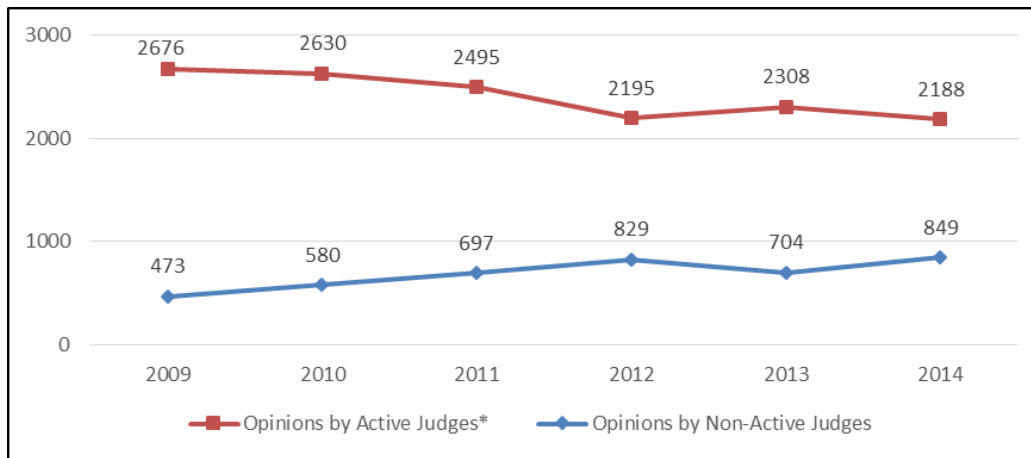
The opinion workload for the entire court is shown in the following table:

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
2009 ¹	2676	473	3149	158
2010 ²	2630	580	3210	164
2011 ³	2495	697	3192	166
2012 ⁴	2195	829	3024	144
2013 ⁵	2308	704	3012	154
2014 ⁶	2188	849	3037	156

*Includes Augean conference.

Table 32 - Opinion Output - Active, Senior & Visiting Judges by Graph



*Includes Augean conference.

¹ In 2009, there were 17 active judges, 4 non-active judges and 11 visiting judges.

² In 2010, there were 16 active judges, 5 non-active judges and 5 visiting judges.

³ In 2011, there were 16 active judges, 6 non-active judges and 8 visiting judges.

⁴ In 2012, there were 16 active judges, 7 non-active judges and 6 visiting judges.

⁵ In 2013, there were 15 active judges, 7 non-active judges and 2 visiting judges.

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

3. Overall Workload

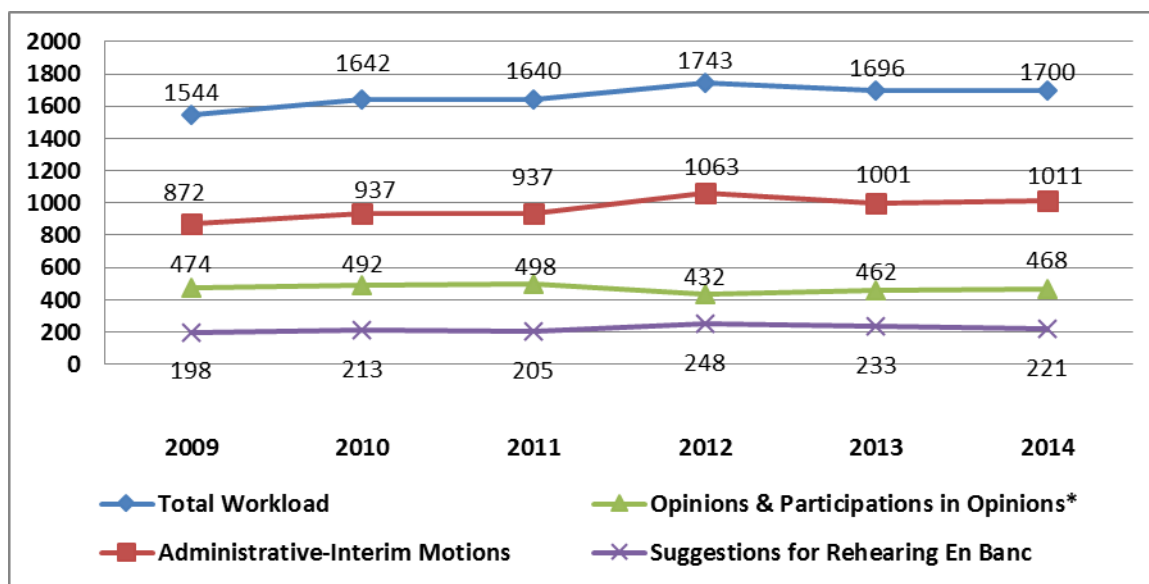
The average number of opinions per active judge does not give a complete measure of the active judges' overall workload. Participation in other panel members' opinions in fully briefed cases, conference calendar panels, Auguean conference panels, as well as consideration of petitions for rehearing en banc and administrative-interim motions are also other important work factors. Overall, judges handled 4 more 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					
	2009	2010	2011	2012	2013	2014
Opinions and Participations in Opinions*	474	492	498	432	462	468
Petitions for Rehearing En Banc	198	213	205	248	233	221
Administrative-Interim Motions	872	937	937	1063	1001	1011
Total Workload	1544	1642	1640	1743	1696	1700

*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 decrease in percentage of cases sent to the oral argument calendar. Actual argument was held in about 61% of the 756 cases assigned to Class III and IV.

Table 35 - Screening Classifications

Year	CLASS							
	I and II (No Argument)		III (Limited Argument)		IV (Full Argument)		Total	
	No.	%	No.	%	No.	%	No.	%
2009	2124 ¹	72.4	808	27.5	2	0.1	2934 ¹	100.0
2010	2215 ²	73.9	781	26.0	3	0.1	2999 ²	100.0
2011	2183 ³	71.0	890	28.9	3	0.1	3076 ³	100.0
2012	2055 ⁴	71.2	823	28.5	8	0.3	2886 ⁴	100.0
2013	2057 ⁵	72.0	795	27.8	5	0.2	2857 ⁵	100.0
2014	2032 ⁶	79.9	756	27.1	0	0.0	2788 ⁶	100.0
Total	12,666 ⁷	72.2	4853	27.7	21	0.1	17,540 ⁷	100.0

¹ Includes 578 conference calendar opinions.

² Includes 534 conference calendar opinions.

³ Includes 411 conference calendar opinions.

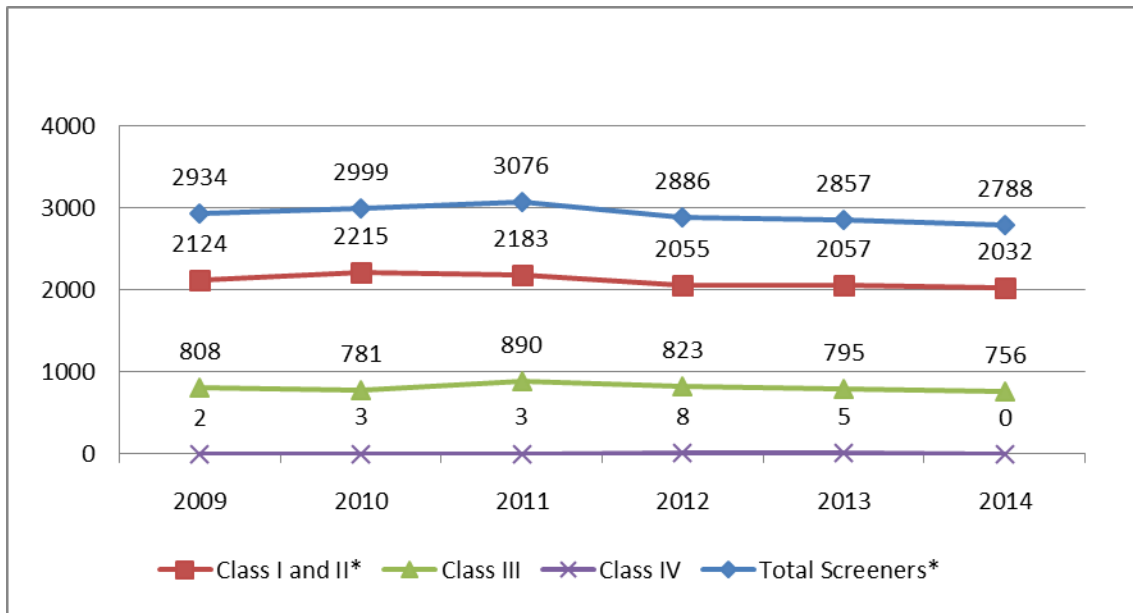
⁴ Includes 414 conference calendar opinions.

⁵ Includes 394 conference calendar opinions.

⁶ Includes 499 conference calendar opinions.

⁷ Includes 2830 conference calendar opinions.

Table 36 - Screening Classifications by Graph



* 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

Case Type	Summary Calendar Percentage (%)					
	2009	2010	2011	2012	2013	2014
CRIMINAL DIRECT	85.0	83.9	83.0	84.9	83.3	86.1
CRIMINAL NON-DIRECT	89.3	90.8	89.2	80.0	94.8	83.5
PRISONER CASES						
W/ cnsl	37.5	35.3	20.0	50.0	24.0	40.0
W/O cnsl	85.9	86.5	80.4	84.6	86.4	89.2

	Summary Calendar Percentage (%)					
Case Type	2009	2010	2011	2012	2013	2014
2255						
W/ cnsl	81.8	50.0	71.4	25.0	53.8	0.0
W/O cnsl	75.0	94.1	54.5	69.2	47.6	61.5
CIVIL						
Diversity	32.6	29.4	32.7	33.9	32.7	43.1
Federal Question	31.1	35.4	38.6	38.8	33.5	27.6
U.S. Civil	47.9	52.8	37.9	38.8	43.1	48.9
Tax	52.0	12.5	36.4	47.4	20.0	11.1
Bankruptcy	27.1	25.6	30.4	26.9	18.8	26.4
Civil Rights	58.0	59.4	53.7	50.5	56.5	56.6
BIA	87.0	85.4	85.5	81.3	87.3	82.0
Tax Court	61.5	40.0	37.5	63.6	40.0	41.7
Other Agency	54.5	41.2	39.3	45.0	39.1	53.8
Social Security	89.2	76.5	66.7	70.0	83.3	66.7
Mandamus	0	0	0	0	0	0
TOTAL	72.4	73.9	71.0	71.2	72.0	72.9

H. EN BANC PETITIONS

The number of petitions for rehearing en banc decreased by 5, (224 from 229). This amounts to en banc petitions being filed in 7.4% of the cases decided by opinion.

Of the 221 petitions acted upon, 3 were granted. This is a decrease from 2013. Of the 209 petitions denied, 13 were denied after a poll. Nine were disposed of by other means. See **Enclosure D**, page 30, for other details.

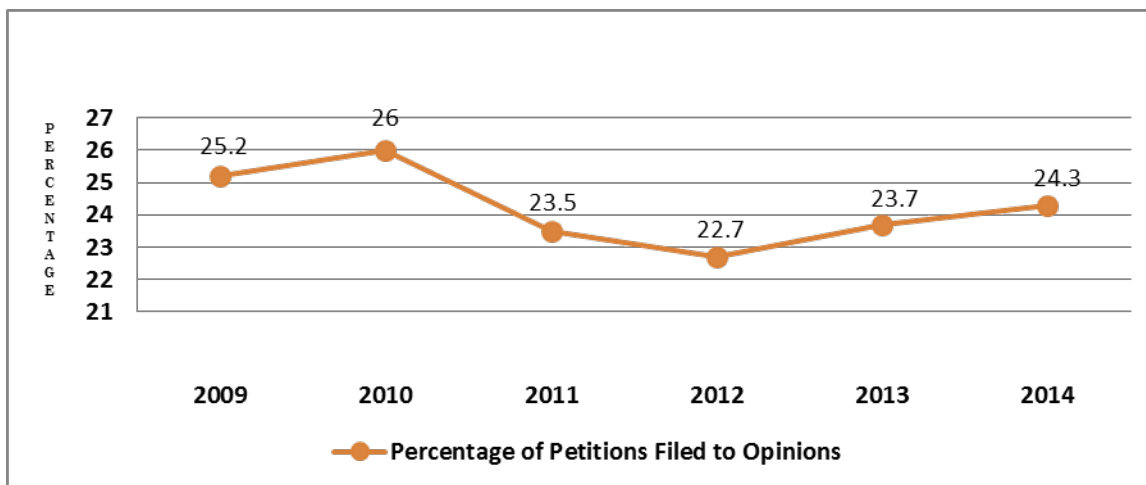
I. PETITIONS FOR CERTIORARI

The number of petitions filed is as follows:

Table 38 - Petitions for Certiorari

Petitions Filed	2009	2010	2011	2012	2013	2014
Criminal	410	365	335	299	332	365
U.S. Civil	70	60	58	7	105	90
Private Civil	309	400	346	295	268	277
Administrative Appeals	6	11	12	16	8	7
TOTAL	795	836	751	687	713	739
Opinions Rendered	3149	3210	3192	3024	3012	3037
% of Petitions filed to Opinions	25.2	26.0	23.5	22.7	23.7	24.3

Table 39 - Petitions for Certiorari by Graph



There were 779 actions taken by the Supreme Court compared with 687 last year. Twenty-five petitions were granted, 5 fewer than last year, or 3.2% granted of the total petitions acted upon. (For additional information, see **Enclosure E**, page 31.)

J. ADMINISTRATIVE-INTERIM MOTIONS

The administrative-interim motions decreased to 3359 from 3376 last year, to an average of 240 initiating actions per active judge. When panel matters are considered, each judge acted on 1011 such motions, up slightly from 1001 last year. See **Enclosure F**, page 32 for other details.

TABLE OF NEW APPEALS DOCKETED BY CASE TYPE AS OF 6/2014

Case Type	(a)	(b)		(c)		(d)											
	Mo. % 2013-14	Cumulative % 12-13	Cumulative % 13-14	2012 2013	2013 2014	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
CRIMINAL	22.18%	31.08%	31.09%	2318	2463	163	215	203	208	206	227	189	199	228	245	185	195
PRISONER CASES	1.48%	1.68%	1.68%	125	133	20	10	11	13	6	12	6	11	10	13	8	13
w/o counsel	28.21%	26.41%	26.28%	1970	2082	156	163	164	185	169	134	148	138	201	200	176	248
Succ Habeas	10.13%	6.57%	8.46%	490	670	54	56	55	58	58	38	53	58	38	62	51	89
Non-Pd	1.25%	1.34%	1.51%	100	120	9	11	7	4	6	10	11	21	11	7	12	11
SUB-TOTAL	63.25%	67.08%	69.01%	5003	5468	402	455	440	468	445	421	407	427	488	527	432	556
CIVIL Private Civil	26.73%	14.35%	12.26%	1070	971	64	71	70	83	49	62	63	70	56	80	68	235
Diversity	3.41%	6.34%	5.43%	473	430	39	38	34	43	33	34	31	36	31	44	37	30
Fed. Quest.	23.32%	8.00%	6.83%	597	541	25	33	36	40	16	28	32	34	25	36	31	205
U.S. Civil	0.46%	1.27%	1.27%	95	101	14	17	7	5	3	10	13	2	7	11	8	4
Tax	0.00%	0.15%	0.25%	11	20	3	2	2	2	1	2	2	2	1	0	3	0
Tax Court	0.00%	0.28%	0.13%	21	10	3	0	0	1	1	2	0	1	0	2	0	0
Bankruptcy	0.57%	1.57%	1.03%	117	82	7	14	6	16	5	4	7	3	1	7	7	5
BIA	3.53%	5.39%	5.14%	402	407	38	36	31	49	38	31	25	26	37	31	34	31
Other Agency	0.68%	0.86%	0.44%	64	35	7	1	1	2	1	3	4	4	2	2	2	6
Civil Rights	4.10%	7.47%	6.97%	557	552	51	46	50	49	41	33	40	32	47	69	58	36
Soc. Security	0.11%	0.24%	0.34%	18	27	0	1	2	5	1	3	1	4	5	2	2	1
Mandamus	0.23%	0.58%	0.45%	43	36	5	4	0	4	3	1	3	3	5	2	4	2
Miscellaneous	0.34%	0.76%	2.69%	57	213	1	4	174	1	6	2	4	3	4	6	5	3
SUB-TOTAL	36.75%	32.92%	30.99%	2455	2454	193	196	343	217	149	153	162	150	165	212	191	323
TOTAL	100.0%	100.0%	100.0%	7458	7922	595	651	783	685	594	574	569	577	653	739	623	879

Legend:

- Col: (a): Monthly Percentage Make-Up of the New Filings.
 (b): The Cumulative Percentage for the corresponding months in 12-13 compared with 13-14.
 (c): The Cumulative Total Filings for the corresponding number of months in 12-13.
 (d): The Cumulative Total for 13-14

WORKLOAD PER ACTIVE JUDGE 2014

I.	<u>SUMMARY CALENDAR CASES*</u>			
	(a) Opinions or dispositions as initiating judge	72		
	(b) Participations in opinions or dispositions of other panel members		144	
	(c) Sub-total summary calendar cases			216
II.	<u>CONFERENCE CALENDAR CASES*</u>			
	(a) Opinions or dispositions as initiating judge	30		
	(b) Participations in opinions or dispositions of other panel members		60	
	(c) Sub-total conference calendar cases			90
III.	<u>HEARING CALENDAR AND OTHER CASES*</u>			
	(a) Opinions or dispositions as writing judge	54		
	(b) Participations in opinions or dispositions of other panel members		108	
	(c) Sub-total oral argument cases			162
IV.	<u>TOTAL OPINIONS (I(a), II(a), III (a))*</u>	156		
V.	<u>TOTAL PANEL (NON-OPINION) PARTICIPATIONS (I(b), II(b), III (b))*</u>		312	
VI.	<u>TOTAL OPINIONS AND PARTICIPATIONS (I(c), II(c), III (c))*</u>			468
VII.	<u>PETITIONS FOR REHEARING EN BANC</u>			221
VIII.	<u>ADMINISTRATIVE-INTERIM MATTERS</u>			
	(a) Single judge matters	126		
	(b) Participation in panel matters as initiating judge	295		
	(c) Participation in panel matters of other panel members		590	
	(d) Sub-total administrative - interim matters			1011
IX.	<u>TOTAL MATTERS PARTICIPATED IN PER JUDGE</u>	-----	-----	-----
				1700

*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, 2013 - JUNE 30, 2014

<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	574	673	201	0	1448	86.1
CRIMINAL NON-DIRECT	26	40	13	0	79	83.5
PRISONER CASES						
HC-W	0	4	5	0	9	44.4
HC-W/O	9	54	10	0	73	86.3
1983-W	0	1	2	0	3	33.3
1983-W/O	23	96	112	0	131	90.8
O. Pris.-W	0	1	2	0	3	33.3
O. Pris.-W/O	2	14	2	0	18	88.9
2255-W	0	0	3	0	3	0.0
2255-W/O	1	7	5	0	13	61.5
CIVIL						
Diversity	2	98	132	0	232	43.1
Fed. Question	1	47	126	0	174	27.6
U.S. Civil	3	20	24	0	47	48.9
Tax	0	1	8	0	9	11.1
Bankruptcy	0	14	39	0	53	26.4
Civ. Rights	14	148	124	0	286	56.6
BIA	0	141	31	0	172	82.0
Tax Court	2	3	7	0	12	41.7
Other Agency	0	7	6	0	13	53.8
Social Security	0	6	3	0	9	66.7
Mandamus	0	0	1	0	1	0.0
TOTAL*	657	1375	756	0	2788	72.9

*Includes 499 Conference Calendar Cases.

**PETITIONS FOR
REHEARING EN BANC**

07/01/13 - 06/03/14

		TOTAL
TOTAL PENDING AS OF 06/30/13		19
 FILED		
Petitions for Rehearing		224
En Banc Filed		
 DENIED		
w/poll vote	13	
w/o poll vote	196	209
 GRANTED		
On Court's own motion with oral argument	0	
On Court's own motion without oral argument	1	
On Motion of parties with oral argument	2	
On Motion of parties without oral argument	0	3
 OTHER		 9
 TOTAL PENDING AS OF 6/30/14		 22

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

SUMMARY

PERIOD: July 1, 2013 to June 30, 2014

TYPE	TYPE OF DISPOSITION					PENDING 06/30/14
	PENDING 07/01/13	NUMBER FILED	GRANTED	DENIED	DISMISSED	
TOTAL	142	739	25	745	9	102
CRIM	62	365	16	377	0	34
USC	16	90	1	87	5	13
PRIV. CIV.	61	277	8	274	4	52
ADM.*	3	7	0	7	0	3

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

MONTHLY REPORT OF ADMINISTRATIVE MOTIONS SUBMITTED TO JUDGES (FY 2014)

Motions to or for:	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	TOTALS
Dismiss	22	27	19	26	14	14	23	14	21	26	17	23	246
Reinstate Appeal	0	1	1	2	1	4	0	0	2	1	0	0	12
Appointment of Counsel	4	5	3	8	4	8	11	7	9	10	7	9	85
Expedite Hearing, for Continuance, or Special Assignment	4	1	4	3	1	5	2	1	2	6	1	3	33
Stay or for Injunction and/or Supersedeas Pending Appeal	12	12	22	12	9	11	18	5	13	10	15	12	151
Supplement the Record	3	4	3	6	3	4	5	5	2	3	2	4	44
Strike Briefs, Designations for Printing, etc	2	1	2	2	2	2	1	0	0	1	3	3	19
Excess Pages in Brief	2	2	0	2	2	0	0	0	0	1	1	1	11
Bail Pending Appeal	2	2	3	2	1	0	3	1	0	1	1	0	16
Interlocutory Appeal (Sec. 1292(b))	1	2	1	6	1	3	4	1	0	5	2	2	28
Jurisdiction	58	49	53	58	48	51	56	53	44	51	40	48	609
Withdraw as Counsel	5	4	3	3	5	10	6	4	6	6	13	5	70
Extensions of Time	10	8	11	5	10	11	12	7	13	13	9	25	134
Certificate of Appealability	53	35	51	46	37	34	50	49	39	52	46	41	533
Leave to Appeal In Forma Pauperis	22	13	17	16	32	15	19	15	19	17	17	17	219
Issuance of COA and Leave to Appeal In Forma Pauperis	13	18	8	10	11	11	10	15	12	9	15	10	142
Mandamus or Prohibition	11	17	4	14	6	2	5	9	12	10	11	6	107
Successive Petitions	27	32	44	30	34	42	41	45	44	42	35	38	454
Miscellaneous Motions	36	35	38	30	30	32	36	36	44	47	34	48	446
TOTALS	287	268	287	281	251	259	302	267	282	311	269	295	3359

ENCLOSURE F