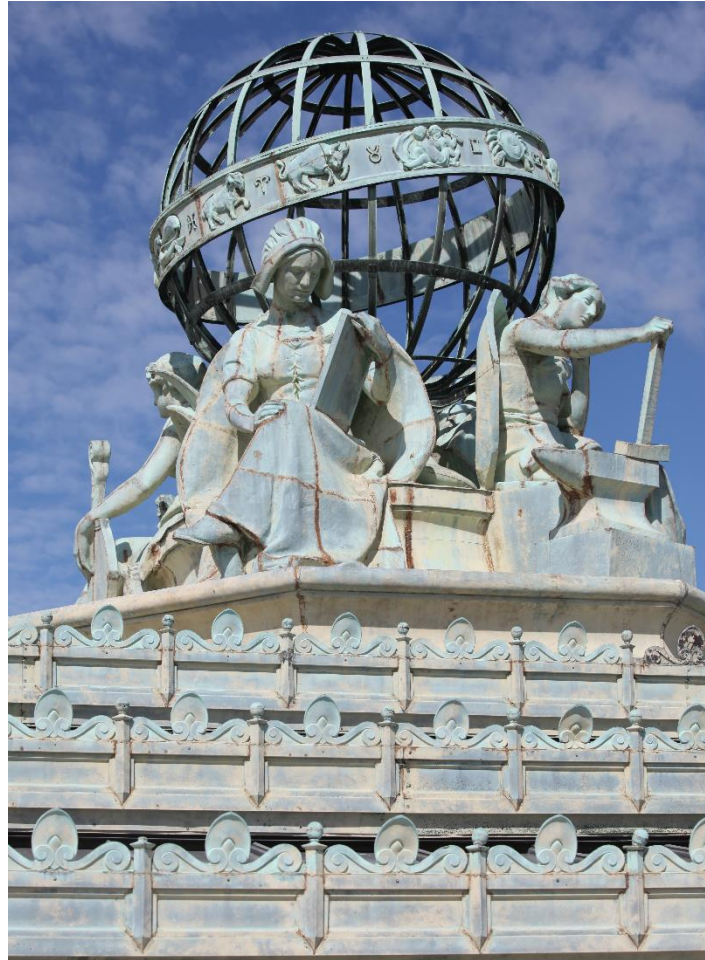


JUDICIAL
WORKLOAD
STATISTICS



*UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT*

CLERK'S ANNUAL REPORT
JULY 2015- JUNE 2016

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, 2015 through June 30, 2016.

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 (vi).



LYLE W. CAYCE
CLERK

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SUMMARY OF ANNUAL REPORT

The following summarizes the court's judicial business:

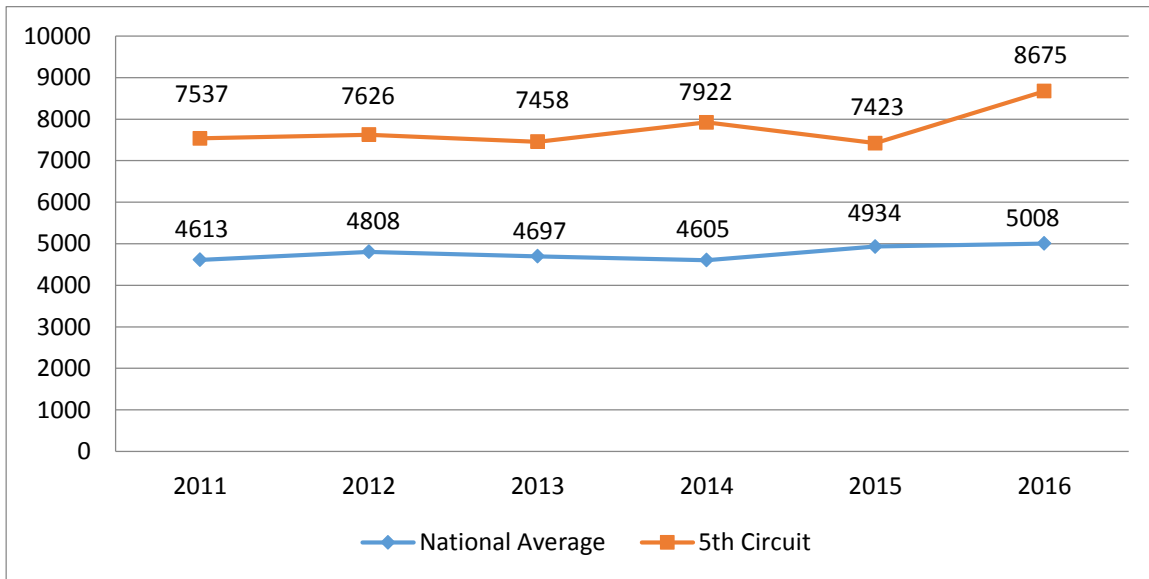
	2011	2012	2013	2014	2015	2016
New Appeals	7537	7626	7458	7922	7423	8675
Terminations	7801	7403	7501	7941	7350	7747
By Judges	4940	4671	4834	4971	4692	5007
By Clerk	2008	1880	1800	1689	1738	1827
By Consolidation	853	852	867	1281	920	913
Pending Appeals	4479	4772	4730	4710	4783	5713
Total Cases Screened for Decision as to Oral Argument	3076	2886	2857	2788	2750	2981
Cases Sent to:						
Summary Calendar	1772	1641	1663	1533	1555	1536
Conference Calendar	411	414	394	499	447	647
Oral Argument Calendar	893	831	800	756	748	798
Summary Calendar Rate	66.5%	66.4%	67.5%	67.0%	67.6%	65.8
Conference & Summary Calendar Rate	71.0%	71.2%	72.0%	72.9%	72.8%	73.2
Cases Ready for Argument	41	130	79	47	57	9
Cases Pending Under Submission	173	143	167	135	141	158
90-day Cases	75	44	67	55	41	55
Total Opinions	3192	3024	3012	3037	2963	3136
Published Opinions	416	370	369	404	371	422
Unpublished Opinions	2776	2654	2643	2633	2592	2714
Opinions per Active Judge	166	144	154	156	145	163
Publication Rate	13.0%	12.2%	12.2%	13.3%	12.5%	13.5
Page Length of Published Opinions	7.9	9.1	14.4	14.7	15.0	14.3
Participations per Active Judge in Opinions	498	432	462	468	435	489
En Banc Cases	5	6	6	3	4	6
Motions per Active Judge	937	1063	1001	1011	949	1232

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 1252 appeal increase (16.9%), from 7423 to 8675 appeals. Prisoner appeals dropped by 113 (5.3%); BIA petitions decreased by 69 (17.3%). Successive habeas corpus petitions increased by 820 (169.4%); criminal appeals increased by 481 (19.1%); and federal question appeals rose by 97 (23.7%).

Table 1 - New Appeals Filed



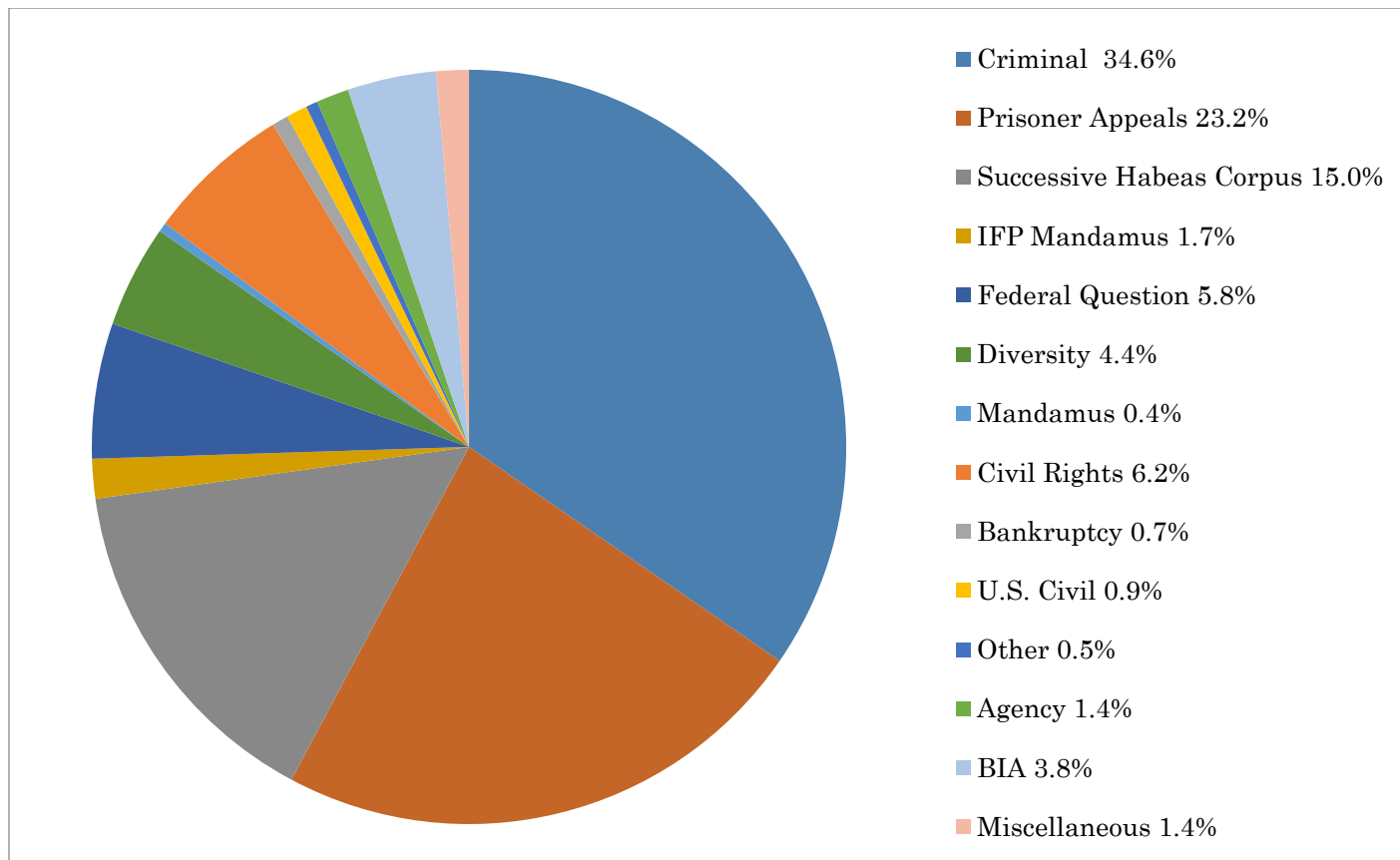
2. Source of New Appeals by Type

The source of appeals by type is found in the following tables. The first shows the six year trend and the second displays 2016 data. (See also column (d) of the monthly cumulative report of new appeals by type at **Enclosure A**, page 28.)

Table 2 - New Appeals by Case Type

TYPE	YEAR						Change from '15	
	2011	2012	2013	2014	2015	2016	No.	%
Criminal	2493	2688	2316	2463	2523	3004	+481	+19.1
Prisoner Appeals	2371	2218	2097	2215	2124	2011	-113	-5.3
Successive Habeas Corpus	410	410	490	670	484	1304	+820	+169.4
IFP Mandamus	100	104	100	120	141	145	+4	+2.8
Federal Question	442	413	599	541	409	506	+97	+23.7
Diversity	410	433	472	430	392	379	-13	-3.3
U.S. Civil	136	125	95	101	111	80	-31	-27.9
Tax	40	20	11	20	12	9	-3	-25.0
Tax Court	20	13	21	10	12	9	-3	-25.0
Civil Rights	539	554	556	552	561	538	-23	-4.1
Bankruptcy	80	128	117	82	77	58	-19	-24.7
Social Security	23	25	18	27	37	23	-14	-37.8
BIA	375	416	402	407	399	330	-69	-17.3
Mandamus	32	35	43	36	29	33	+4	+13.8
Agency	66	44	64	35	69	124	+55	+79.7
Miscellaneous	--	--	57	213	43	122	+79	+183.7
	7537	7626	7458	7922	7423	8675	+1252	+16.9

Table 3 - 2016 New Appeals by Case Type



Our biggest increase in filings was in successive habeas corpus petitions, criminal and federal question appeals. Prisoner petitions and BIA petitions dropped.

3. Source of New Appeals by Districts

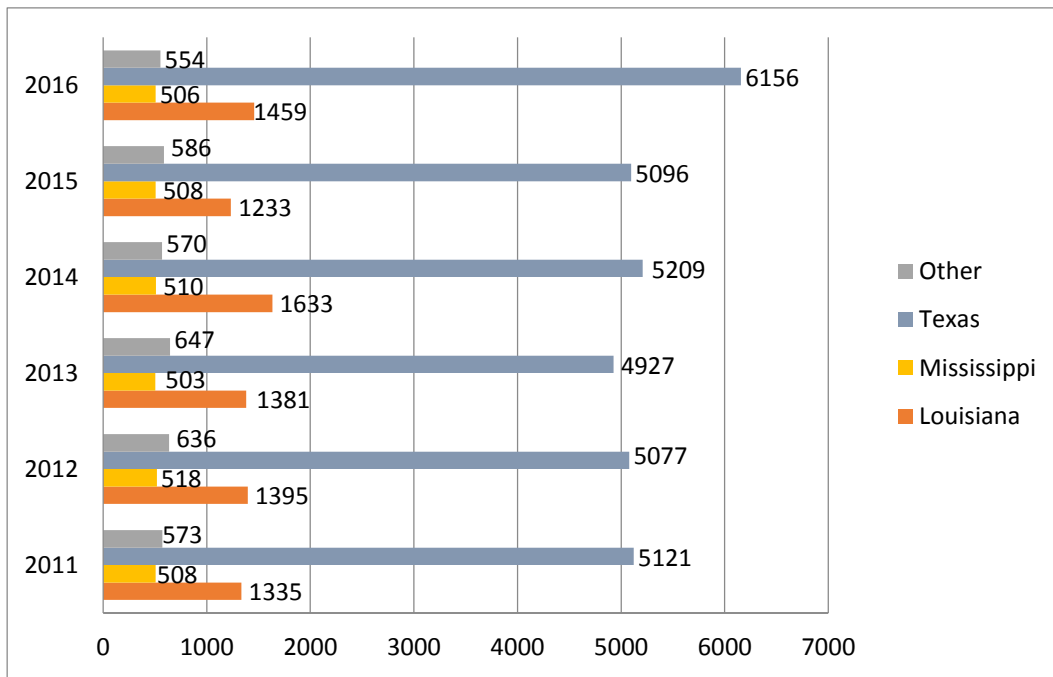
Seven of the nine districts showed an increase in appeals filed. Northern Texas increased the most. Middle Louisiana decreased the most.

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

	2011	2012	2013	2014	2015	2016	Change from '15
Louisiana Eastern	644	635	578	930	552	623	+71
Louisiana Middle	242	287	204	240	203	173	-30
Louisiana Western	449	473	599	463	478	663	+185
Subtotal	1335	1395	1381	1633	1233	1459	+226
Mississippi Northern	186	178	195	175	163	155	-8
Mississippi Southern	322	340	308	335	345	351	+6
Subtotal	508	518	503	510	508	506	-2
Texas Northern	1338	1349	1335	1525	1309	1757	+448
Texas Southern	1850	1839	1714	1885	1891	2197	+306
Texas Eastern	665	545	579	413	590	623	+33
Texas Western	1268	1344	1299	1386	1306	1579	+273
Subtotal	5121	5077	4927	5209	5096	6156	+1060
Agency	66	43	64	35	69	124	+55
Bankruptcy	80	128	117	82	77	58	-19
U.S. Tax Court	20	13	21	10	12	9	-3
BIA	375	417	402	407	399	330	-69
Mandamus	32	35	43	36	29	33	+4
Subtotal	573	636	647	570	586	554	-32
Total	7537	7626	7458	7922	7423	8675	+1252

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 2015 and 2016 is shown on the following charts:

Table 6 - New Appeals 2015 by State

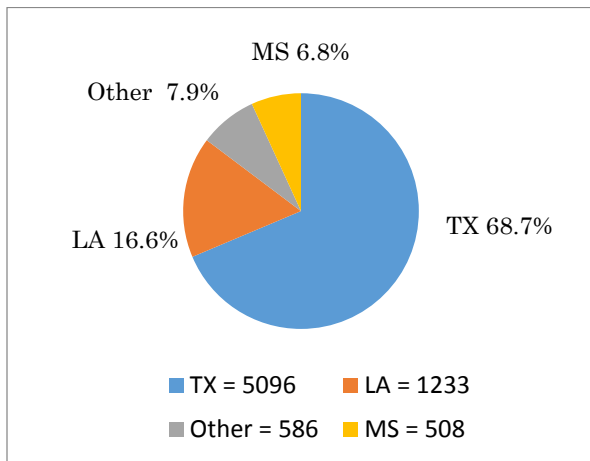
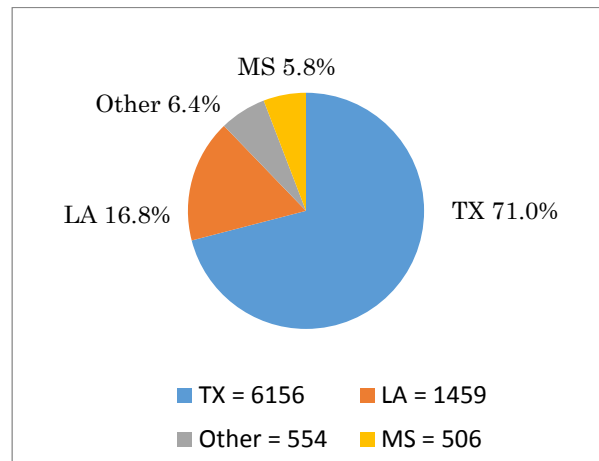


Table 7 - New Appeals 2016 by State



B. CLOSED APPEALS

1. Yearly Comparison

The court disposed of 397 more **appeals** this year, an increase of 5.4%.

Table 8 - Appeals and Cases Closed

	2011	2012	2013	2014	2015	2016	Change from '15	
All Appeals	7801	7403	7501	7941	7350	7747	+397	+5.4%
Cases	6948	6551	6634	6600	6430	6834	+404	+6.3%

2. Method of Disposition

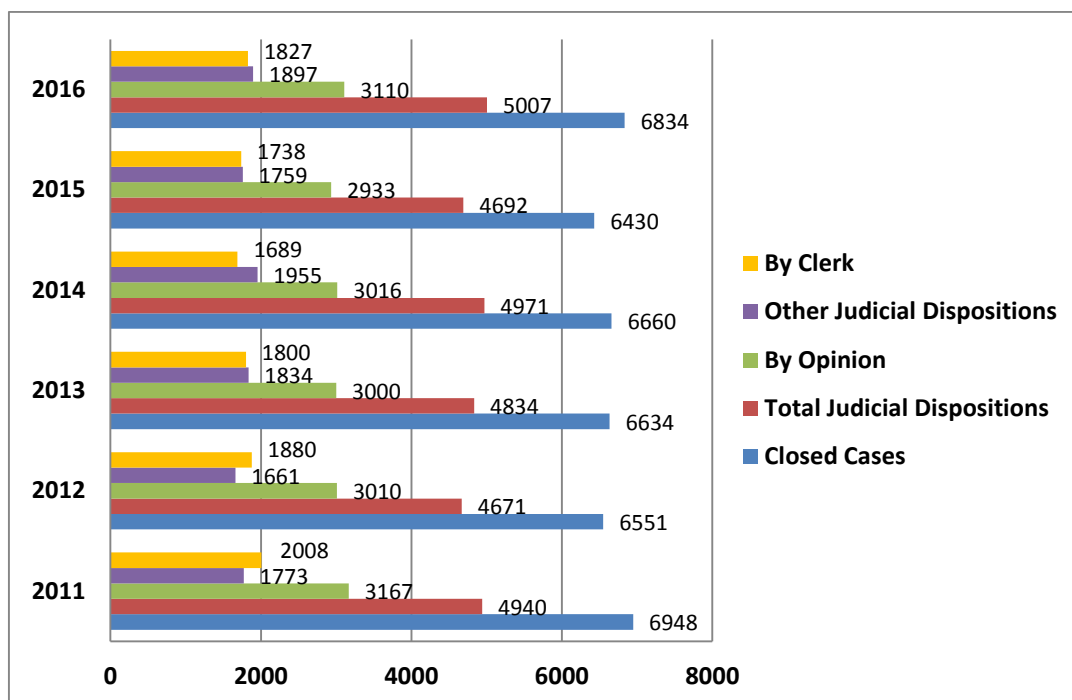
Overall, the court disposed of 404 more cases than last year. There were 177 more opinions, and other judicial dispositions increased by 138. Clerk dispositions increased by 89.

Table 9 - Method of Disposition

	2011	2012	2013	2014	2015	2016	Change from '15
By Opinion*	3167	3010	3000	3016	2933	3110	+177
Other Judicial Dispositions	1773	1661	1834	1955	1759	1897	+138
Total Judicial dispositions	4940	4671	4834	4971	4692	5007	+315
By Clerk	2008	1880	1800	1689	1738	1827	+89
Closed Cases	6948	6551	6634	6660	6430	6834	+404

*Does not include 26 opinions that were non-dispositive, such as limited remands.

Table 10 - Method of Disposition



C. UNDISPOSED OF (PENDING) APPEALS/CASES

The court disposed of 7747 **appeals** compared to 8675 filed. There are 5713 appeals pending compared to 4783 last year. There are 4907 cases pending this year compared with 4127 last year.

Table 11 - Pending Appeals/Cases

	2011	2012	2013	2014	2015	2016	% Change from '15
All Appeals Pending	4479	4772	4730	4710	4783	5713	+19.4
Cases	3830	4083	3914	4010	4127	4907	+18.9

The 4907 pending cases are characterized as either Cases Under Submission or Unassigned Carry-Over:

1. Cases Under Submission

Excluding cases consolidated for argument and decision (9), and held in abeyance by the judges (10), the pending cases argued and awaiting decision increased from last year.

Table 12 - Cases Under Submission

	2011	2012	2013	2014	2015	2016
Active Judges	149	139	146	121	122	136
Senior Judges	24	12	23	21	17	21
Visiting Judges	3	0	4	4	1	1
Total	176	151	173	146	140	158

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, 752 more than last year. This leaves 4739 cases that are the immediate future workload of the court. The following chart gives the six-year trend for unassigned carry-over:

Table 13 - Unassigned Carry-Over

Year	Unassigned Cases	New Appeals	% Unassigned Cases to New Appeals
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
2016	4739	8675	54.6

The 4739 unassigned cases fall into the following categories:

Table 14 - Unassigned Carry-Over by Category

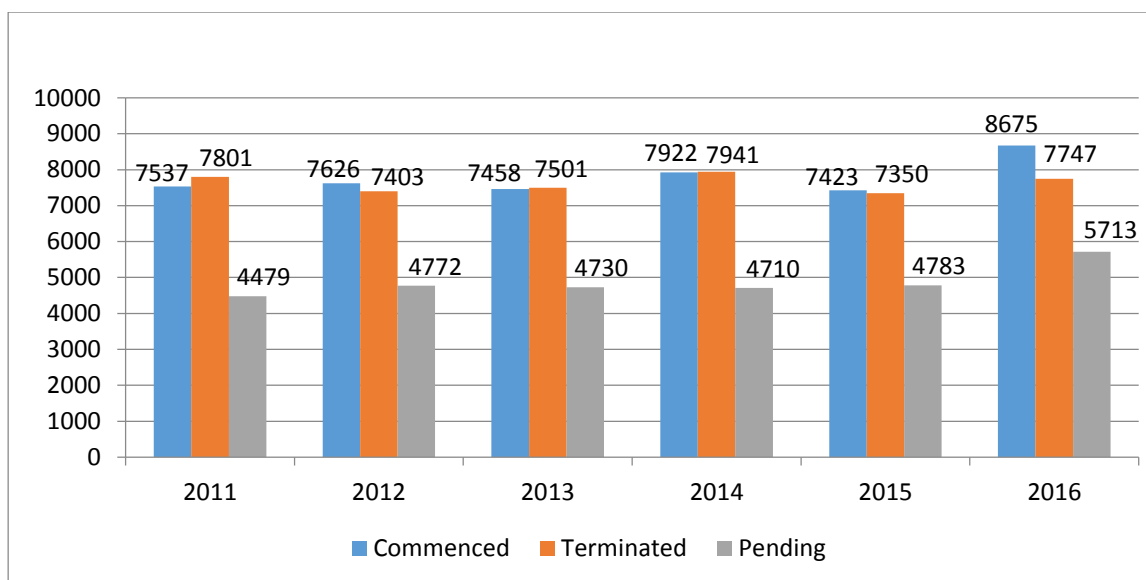
Category	2015	2016
(a) Already Briefed		
Calendared for Oral Argument	100	148
Briefed but Held in Abeyance	8	31
Awaiting Assignment to Oral Argument Calendar	57	9
Being Screened	837	799
Assignment to Augean Conference	152	219
Awaiting Assignment to Conference Calendar	94	49
Subtotal	1248	1255

Category	2015	2016
(b) Unbriefed Cases		
Pre-Briefing	1171	1779
Records Due	110	128
Being Briefed	1269	1325
Stayed/Held in Abeyance	47	112
Awaiting DC Action*	142	140
Subtotal	2739	3484
Total	3987	4739

*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

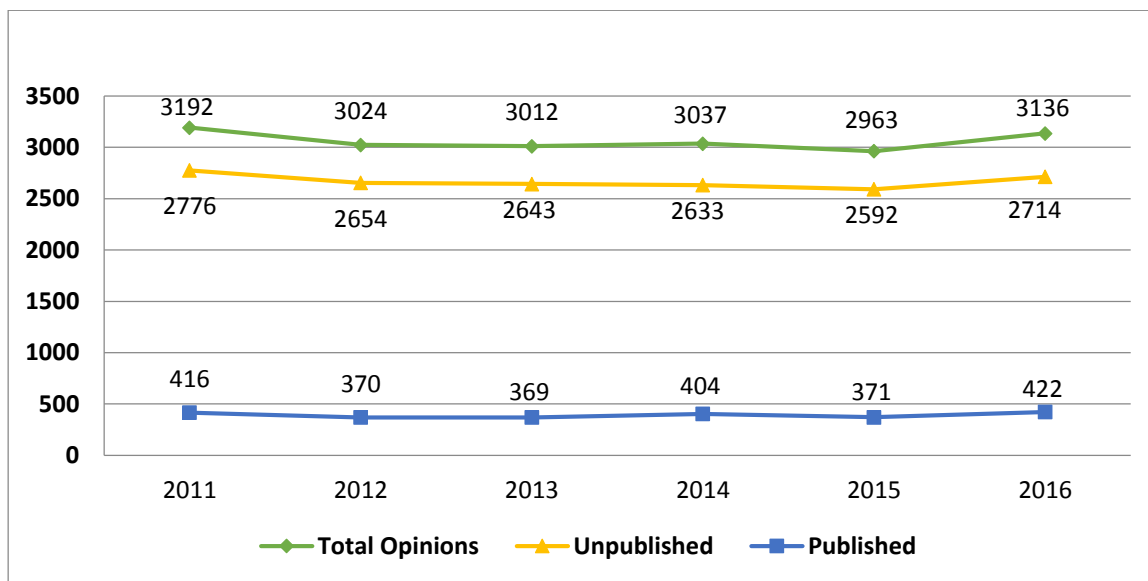
1. Number of Opinions, Published and Unpublished

The total number of opinions increased by 173. 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
2011	3192	416	2776
2012	3024	370	2654
2013	3012	369	2643
2014	3037	404	2633
2015	2963	371	2592
2016	3136	422	2714

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



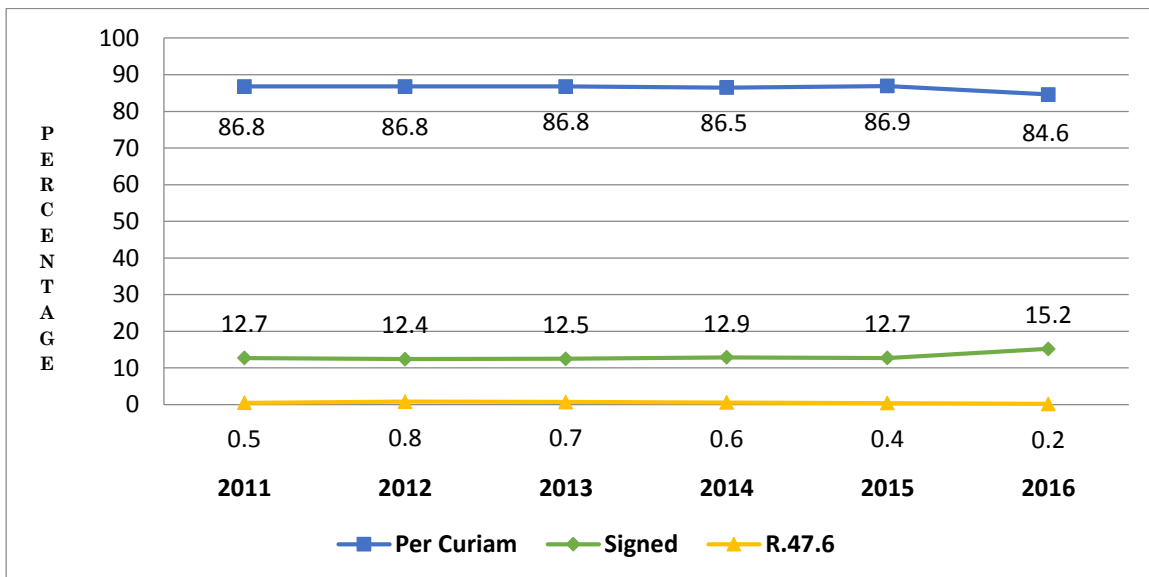
2. Types of Opinions

Signed opinions increased by 2.5% this year and per curiam opinions decreased by 2.3%.

Table 18 - Types of Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
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%
2016	15.2%	84.6%	0.2%	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 decreased by 14 from 1567 to 1553. The percentage of signed opinions on the summary calendar increased by 3.8% while per curiam opinions decreased by 3.7%.

Table 20 - Summary Calendar Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
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%
2016	4.9%	94.8%	0.3%	100.0%

(b) Oral Argument Calendar

Signed opinions on the oral argument calendar increased this year by 5.1%. Per curiam opinions decreased by 4.6%.

Table 21 - Oral Argument Opinions

Year	Signed	Per Curiam	Rule 47.6	Total
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%
2016	42.9%	56.9%	0.2%	100.0%

(c) Conference Calendar

There were 649 conference calendar opinions this year compared to 447 last year.

4. Published and Unpublished Opinions

Of the 3136 opinions, 422 (13.5%) were published. The number of published opinions increased by 51 from the preceding year.

(a) Number and Percentage - 2016

Table 22 - Opinion Number and Percentage 2016

	Published		Unpublished		Total
	No.	%	No.	%	
Signed Opinions	362	75.7	116	24.3	478
Per Curiam Opinions	60	2.3	2592	97.7	2652
Rule 47.6 Opinions	--	--	6	100.0	6
Total	422	13.5	2714	86.5	3136

Table 23 - Signed Opinions Number and Percentage

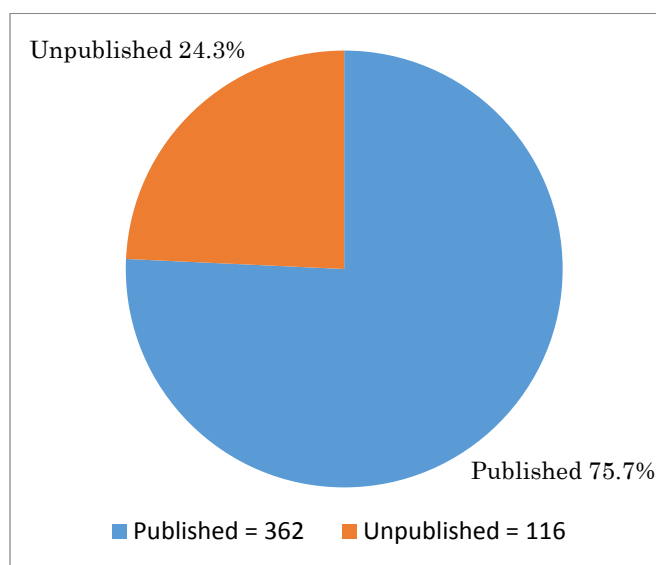
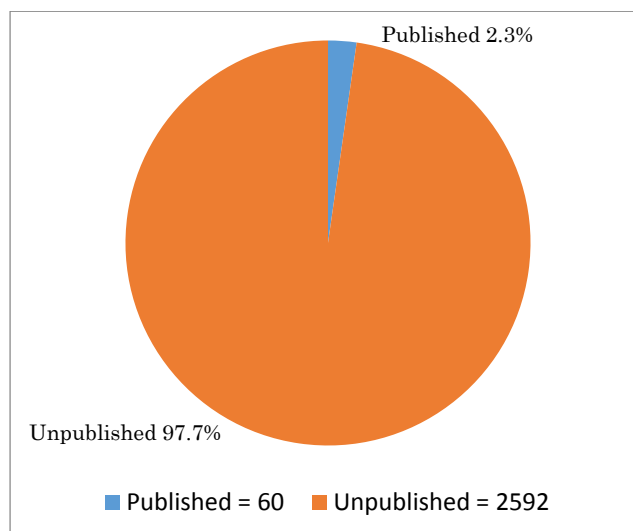


Table 24 - Per Curiam Opinions Number and Percentage

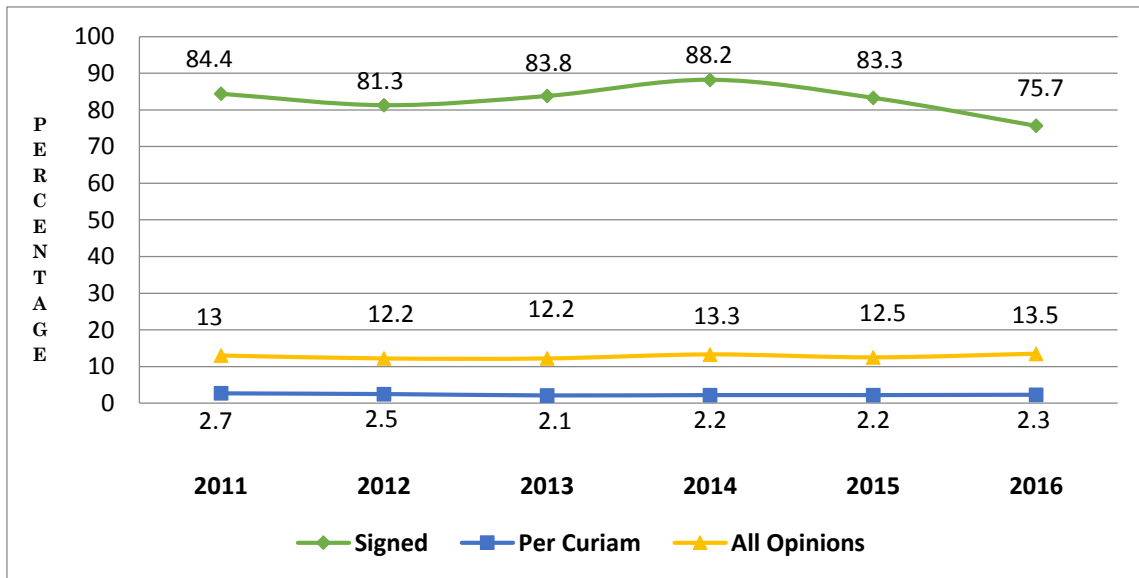


(b) Percentage Comparison (Published) - 2011- 2016

Table 25 - Published Opinion Percentage

	% Published					
	2011	2012	2013	2014	2015	2016
Signed Opinions	84.4	81.3	83.8	88.2	83.3	75.7
Per Curiam Opinions	2.7	2.5	2.1	2.2	2.2	2.3
All Opinions	13.0	12.2	12.2	13.3	12.5	13.5

Table 26 - Published Opinion Percentage Comparison by Graph



(c) Length of Published Opinions

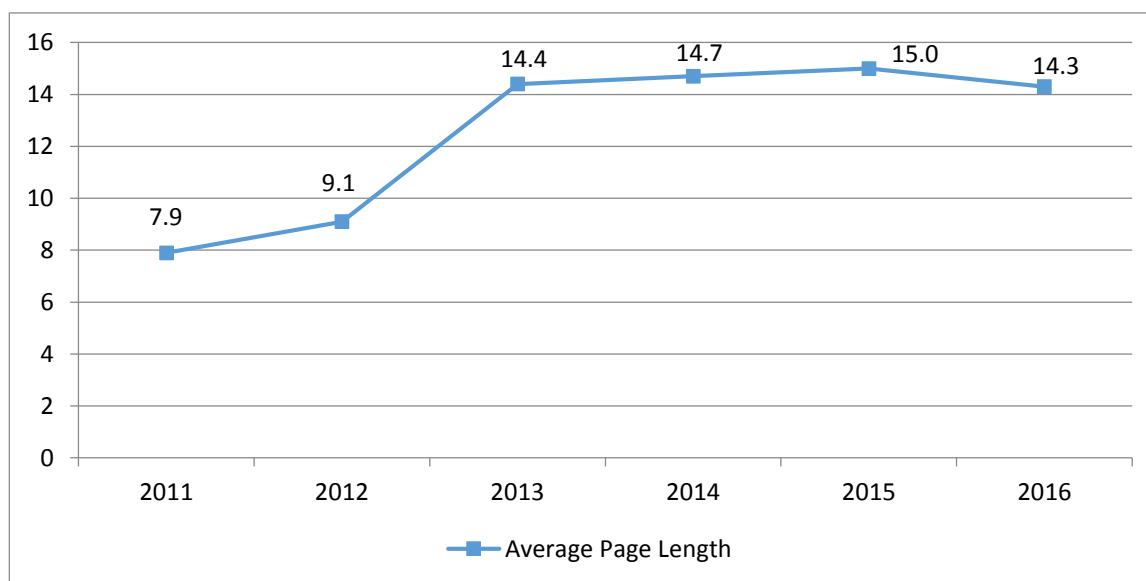
The average page length of opinions is up 4.7% from 2015.

Table 27 - Average Page Length

Year	Page Length
2011	7.9
2012	9.1
2013*	14.4
2014*	14.7
2015*	15.0
2016*	14.3

*Prior to 2013, we used West Publishing printed slip opinion page counts for statistical purposes. For 2013 and subsequent years, we count 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

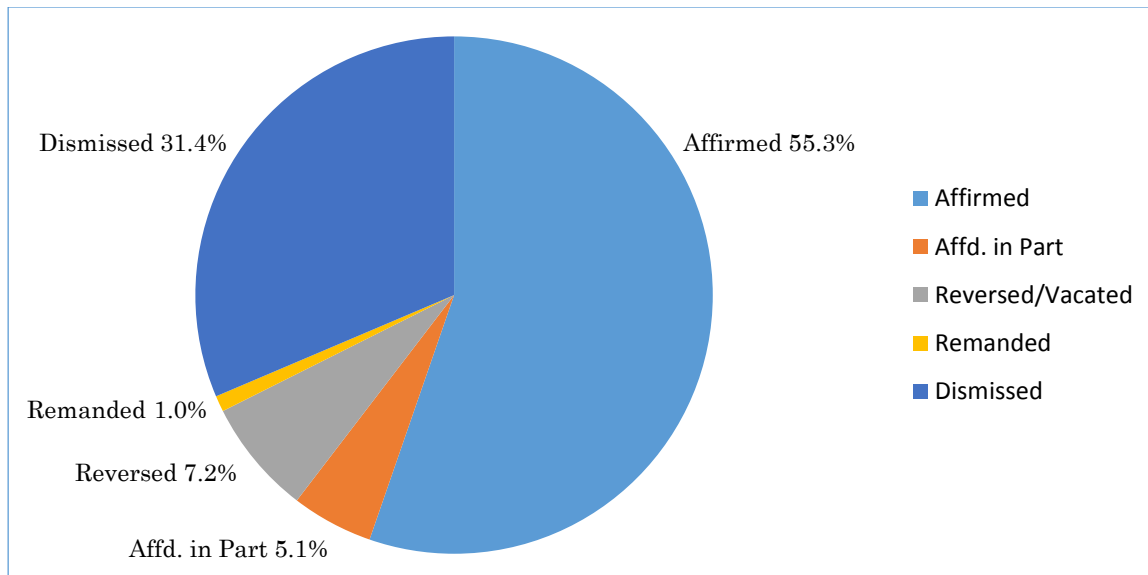
The 2016 reversed/vacated rate of 7.2% is less than the 7.5% reversed/vacated rate in 2015.

Table 29 - Reversal Rate

	2016								2015
	Summary		Hearing		Conference Calendar		Overall		Overall
	No.	%	No.	%	No.	%	No.	%	%
Affirmed	1029	66.2	523	56.0	183	28.2	1735	55.3	58.8
Affd. In Part	56	3.6	102	10.9	1	0.2	159	5.1	4.8
Dismissed	428	27.6	93	10.0	464	71.5	985	31.4	27.7
Remanded	9	0.6	21	2.2	1	0.2	31	1.0	1.2
Transferred	0	0	0	0	0	0	0	0	0
Reversed/Vacated*	31	2.0	195	20.9	0	0	226	7.2	7.5
Total	1553	100.0	934	100.0	649	100.0	3136	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, 2015 through June 30, 2016 increased by 18 cases over last year.

2. Opinion Output - Overall - 2011 - 2016

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
2011 ¹	2495	697	3192	166
2012 ²	2195	829	3024	144
2013 ³	2308	704	3012	154
2014 ⁴	2188	849	3037	156
2015 ⁵	2182	781	2963	145
2016 ⁶	2436	700	3136	163

*Includes Augean conference.

¹ In 2011, there were 16 active judges, 6 non-active judges and 8 visiting judges.

² In 2012, there were 16 active judges, 7 non-active judges and 6 visiting judges.

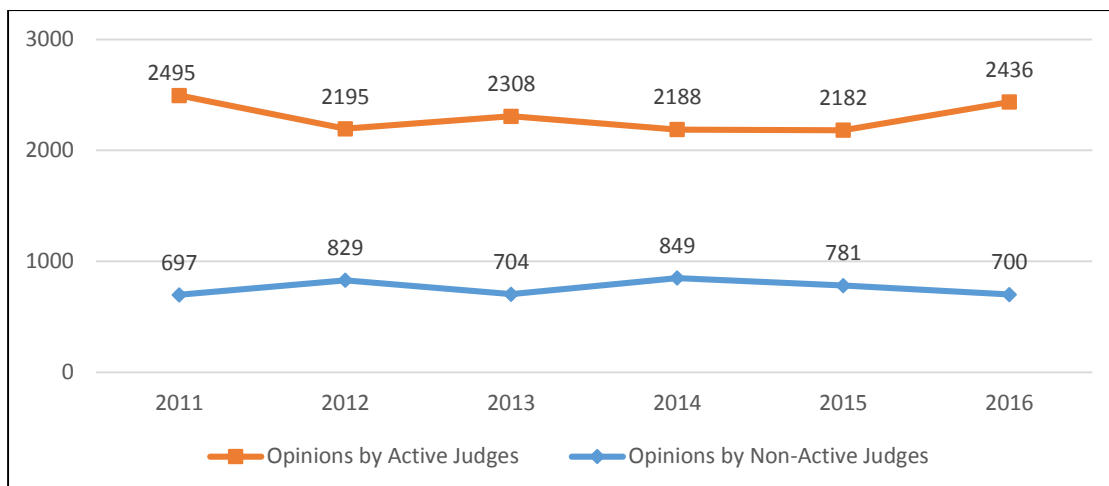
³ In 2013, there were 15 active judges, 7 non-active judges and 2 visiting judges.

⁴ In 2014, there were 15 active judges, 7 non-active judges and 6 visiting judges.

⁵ In 2015, there were 15 active judges, 7 non-active judges and 10 visiting judges.

⁶ In 2016, there were 15 active judges, 6 non-active judges and 7 visiting judges.

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



*Includes Augean conference.

3. Overall Workload

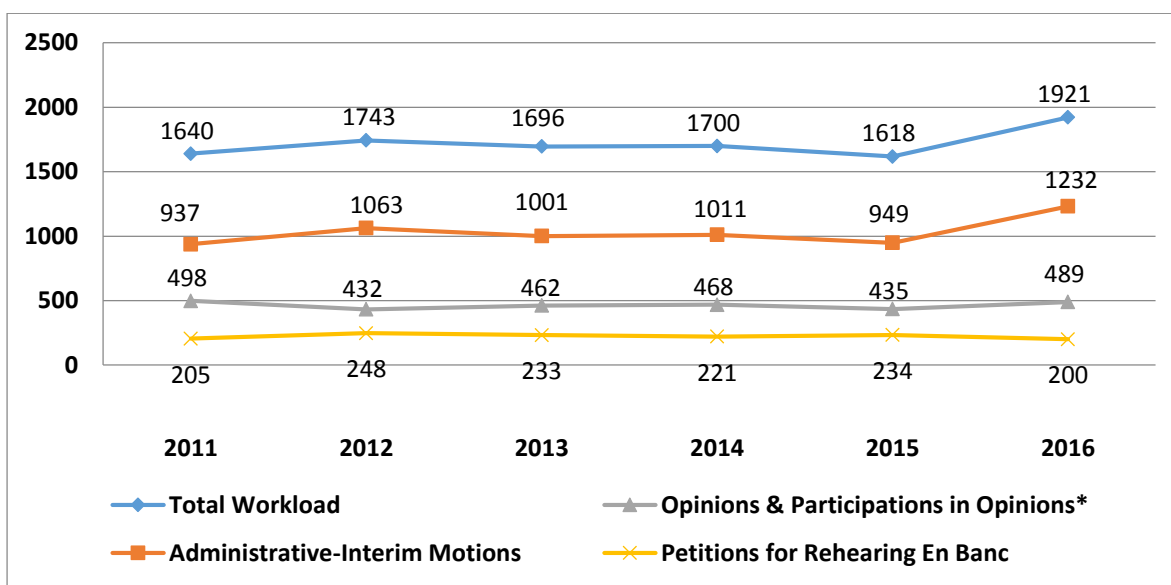
The average opinions per active judge does not give a complete measure of the active judges' overall workload. Participation in other panel members' opinions in fully briefed cases, conference calendar panels, Augean conference panels, as well as consideration of petitions for rehearing en banc and administrative-interim motions are also other important work factors. Overall, judges handled 303 more matters per judge than last year. **Enclosure B**, page 29, 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					
	2011	2012	2013	2014	2015	2016
Opinions and Participations in Opinions*	498	432	462	468	435	489
Petitions for Rehearing En Banc	205	248	233	221	234	200
Administrative-Interim Motions	937	1063	1001	1011	949	1232
Total Workload	1640	1743	1696	1700	1618	1921

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

Table 34 - Overall Workload by Graph



*Based on figures of judges who participated in summary, oral argument 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 decrease 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.	%
2011	2183 ¹	71.0	890	28.9	3	0.1	3076 ¹	100.0
2012	2055 ²	71.2	823	28.5	8	0.3	2886 ²	100.0
2013	2057 ³	72.0	795	27.8	5	0.2	2857 ³	100.0
2014	2032 ⁴	79.9	756	27.1	0	0.0	2788 ⁴	100.0
2015	2002 ⁵	72.8	745	27.1	3	0.1	2750 ⁵	100.0
2016	2183 ⁶	73.2	798	26.8	0	0.0	2981 ⁶	100.0
Total	12,512 ⁷	72.2	4807	27.7	19	0.1	17,338 ⁷	100.0

Argument was held in 63.7% of the 798 cases designated as Class III and IV.

¹ Includes 411 conference calendar opinions.

² Includes 414 conference calendar opinions.

³ Includes 394 conference calendar opinions.

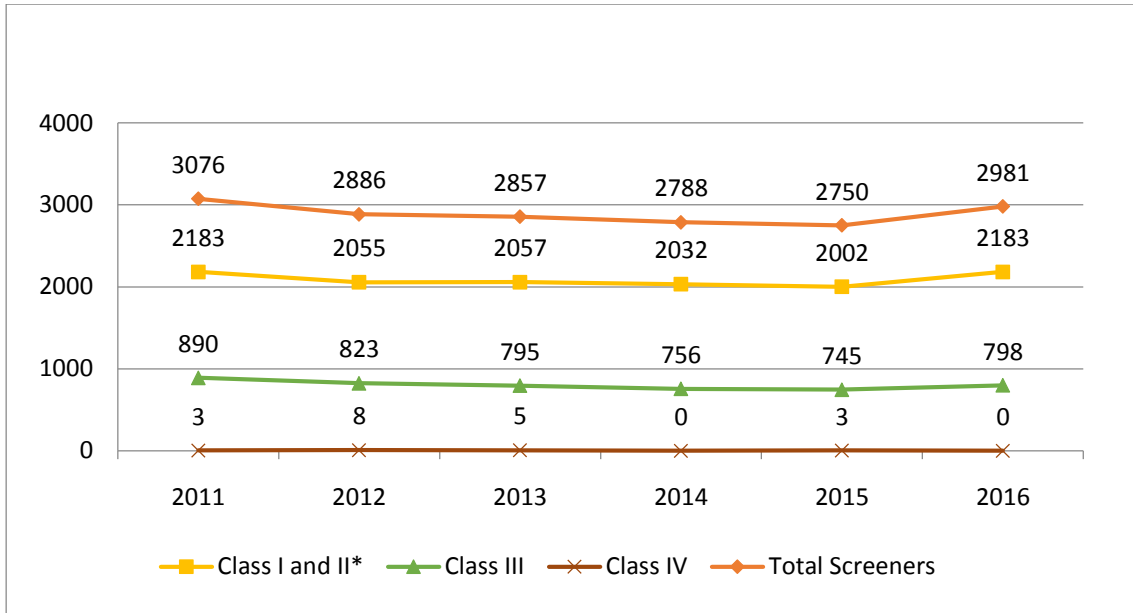
⁴ Includes 499 conference calendar opinions.

⁵ Includes 447 conference calendar opinions.

⁶ Includes 647 conference calendar opinions.

⁷ Includes 2,812 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 30, 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 (%)					
	2011	2012	2013	2014	2015	2016
CRIMINAL DIRECT	83.0	84.9	83.3	86.1	86.5	88.0
CRIMINAL NON-DIRECT	89.2	80.0	94.8	83.5	85.2	91.7
PRISONER CASES						
W/cnsl	20.0	50.0	24.0	40.0	18.7	35.0
W/O cnsl	86.5	80.4	84.6	86.4	86.5	86.3

	Summary Calendar Percentage (%)					
Case Type	2011	2012	2013	2014	2015	2016
2255						
W/cnsl	71.4	25.0	53.8	0.0	0.0	0.0
W/O cnsl	54.5	69.2	47.6	61.5	40.0	36.4
CIVIL						
Diversity	32.7	33.9	32.7	43.1	39.8	39.8
Federal Question	38.6	38.8	33.5	27.6	30.2	28.5
U.S. Civil	37.9	38.8	43.1	48.9	40.3	42.1
Tax	36.4	47.4	20.0	11.1	50.0	0.0
Bankruptcy	30.4	26.9	18.8	26.4	28.9	24.4
Civil Rights	53.7	50.5	56.5	56.6	50.6	46.0
BIA	85.5	81.3	87.3	82.0	86.6	84.6
Tax Court	37.5	63.6	40.0	41.7	33.3	33.3
Other Agency	39.3	45.0	39.1	53.8	31.2	15.2
Social Security	66.7	70.0	83.3	66.7	66.7	81.0
Mandamus	0	0	0	0	0	0
TOTAL	71.0	71.2	72.0	72.9	72.8	73.2

H. EN BANC PETITIONS AND REHEARINGS

The court received 194 petitions for en banc rehearing, a decrease of 42 from the prior year (236). Parties requested en banc rehearing in 6.2 % of the cases with opinions. The court acted upon 200 petitions for en banc rehearing and 18 petitions remained pending at the end of the year. The court denied requests for rehearing en banc in 190 cases, 12 of which were after a poll. The court granted four petitions for rehearing en banc by the parties. In two other cases, the court granted sua sponte en banc. See **Enclosure D**, page 31.

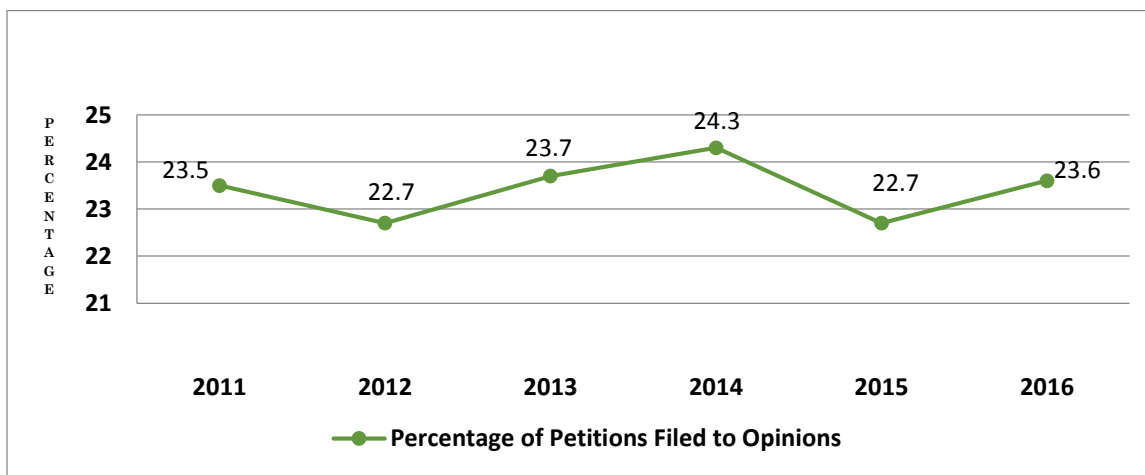
I. PETITIONS FOR CERTIORARI

The number of petitions filed is as follows:

Table 38 - Petitions for Certiorari

Petitions Filed	2011	2012	2013	2014	2015	2016
Criminal	335	299	332	365	327	440
U.S. Civil	58	7	105	90	70	56
Private Civil	346	295	268	277	269	238
Administrative Appeals	12	16	8	7	8	5
TOTAL	751	687	713	739	674	739
Opinions Rendered	3192	3024	3012	3037	2963	3136
% of Petitions filed to Opinions	23.5	22.7	23.7	24.3	22.7	23.6

Table 39 - Petitions for Certiorari by Graph



The Supreme Court took action on 746 cases from our Court compared with 657 last year. The Court granted 19 petitions, 2 more than last year, or 2.5% of the total. (For additional information, see **E**, page 32.)

J. ADMINISTRATIVE-INTERIM MOTIONS

The administrative-interim motions increased to 3816 from 3456 last year, to an average of 254 initiating actions per active judge. When panel matters are considered, each judge acted on 1232 such motions, up significantly from 949 last year. See **Enclosure F**, page 33, for other details.

TABLE OF NEW APPEALS DOCKETED BY CASE TYPE AS OF 6/2016

Case Type	(a)	(b)		(c)		(d)											
	Mo. % 2015-16	Cumulative % 14-15	Cumulative % 15-16	2014 2015	2015 2016	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
CRIMINAL CASES	21.17%	33.98%	34.63%	2522	3004	257	247	226	237	229	273	246	269	301	260	210	249
PRISONER CASES w/counsel	0.43%	2.20%	1.44%	163	125	12	11	13	18	13	7	4	15	10	12	5	5
w/o counsel	12.5%	26.43%	21.74%	1962	1886	163	159	182	192	122	133	141	132	160	178	177	147
Succ Habeas	50.77%	6.52%	15.03%	484	1304	30	53	53	49	37	43	51	41	58	74	218	597
Non-Pd Mandamus	1.02%	1.90%	1.67%	141	145	11	18	11	13	6	8	10	16	16	13	11	12
SUB-TOTAL	85.88%	71.02%	74.51%	5272	6464	473	488	485	509	407	464	452	473	545	537	621	1010
CIVIL Private Civil	5.36%	10.79%	10.20%	801	885	56	56	82	80	58	63	58	57	70	168	74	63
Diversity	2.89%	5.28%	4.37%	392	379	26	34	42	35	29	25	25	27	26	34	42	34
Fed. Quest.	2.47%	5.51%	5.83%	409	506	30	22	40	45	29	38	33	30	44	134	32	29
U.S. Civil	0.85%	1.50%	0.92%	111	80	1	10	5	11	6	5	6	9	4	8	5	10
Tax	0.00%	0.16%	0.10%	12	9	1	4	1	1	1	0	0	0	0	1	0	0
Tax Court	0.09%	0.16%	0.10%	12	9	2	1	0	0	1	0	2	1	0	0	1	1
Bankruptcy	0.51%	1.04%	0.67%	77	58	2	6	5	11	6	7	1	5	3	3	3	6
BIA	1.87%	5.38%	3.80%	399	330	29	31	26	36	34	32	24	17	30	23	26	22
Other Agency	0.77%	0.93%	1.43%	69	124	12	5	6	6	7	21	13	4	17	14	10	9
Civil Rights	3.83%	7.56%	6.20%	561	538	43	38	44	38	45	50	46	48	47	55	39	45
Soc. Security	0.17%	0.50%	0.27%	37	23	1	2	2	3	5	1	1	0	3	1	2	2
Mandamus	0.26%	0.39%	0.38%	29	33	0	5	2	1	4	2	5	1	3	3	4	3
Miscellaneous	0.43%	0.58%	1.41%	43	122	3	81	5	1	1	7	3	2	7	4	3	5
SUB-TOTAL	14.12%	28.98%	25.49%	2151	2211	150	239	178	188	168	188	159	144	184	280	167	166
TOTAL APPEALS	100.00%	100.0%	100.00%	7423	8675	623	727	663	697	575	652	611	617	729	817	788	1176

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

(b): The Cumulative Percentage for the corresponding months in 14-15 compared with 15-16

(c): The Cumulative Total Filings for the corresponding number of months in 14-15.

(d): The Cumulative Total for 15-16

WORKLOAD PER ACTIVE JUDGE

I.	SUMMARY CALENDAR CASES*			
	(a) Opinions or dispositions as initiating judge	73		
	(b) Participations in opinions or dispositions of other panel members		146	
	(c) Sub-total summary calendar cases			219
II.	CONFERENCE CALENDAR CASES*			
	(a) Opinions or dispositions as initiating judge	39		
	(b) Participations in opinions or dispositions of other panel members		78	
	(c) Sub-total conference calendar cases			117
III.	HEARING CALENDAR AND OTHER CASES*			
	(a) Opinions or dispositions as writing judge	51		
	(b) Participations in opinions or dispositions of other panel members		102	
	(c) Sub-total oral argument cases			153
IV.	TOTAL OPINIONS (I(a), II(a), III (a))*	163		
V.	TOTAL PANEL (NON-OPINION) PARTICIPATIONS (I(b), II(b), III (b))*		326	
VI.	TOTAL OPINIONS AND PARTICIPATIONS (I(c), II(c), III (c))*			489
VII.	PETITIONS FOR REHEARING EN BANC			200
VIII.	ADMINISTRATIVE-INTERIM MATTERS			
	(a) Single Judge Matters	143		
	(b) Participation in panel matters as initiating judge	363		
	(c) Participation in panel matters of other panel members		726	
	(d) Sub-total administrative - interim matters			1232
IX.	TOTAL MATTERS PARTICIPATED IN PER JUDGE			1921

* 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, 2015 - JUNE 30, 2016

<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	698	740	196	0	1634	88.0
CRIMINAL NON-DIRECT	73	70	13	0	156	91.7
PRISONER CASES						
HC-W	0	4	6	0	10	40.0
HC-W/O	6	61	10	0	77	87.0
1983-W	0	3	7	0	10	30.0
1983-W/O	15	54	11	0	80	86.2
O. Pris.-W	0	0	0	0	0	0.0
O. Pris. W/O	1	8	2	0	11	81.8
2255-W	0	0	1	0	1	0.0
2255-W/O	0	4	7	0	11	36.4
CIVIL						
Diversity	1	83	127	0	211	39.8
Fed. Question	4	55	148	0	207	28.5
U.S. Civil	1	15	22	0	38	42.1
Tax	0	0	4	0	4	0.0
Bankruptcy	2	8	31	0	41	24.4
Civ. Rights	8	124	155	0	287	46.0
BIA	0	121	22	0	143	84.6
Tax Court	0	2	4	0	6	33.3
Other Agency	0	5	28	0	33	15.2
Social Security	0	17	4	0	21	81.0
Mandamus	0	0	0	0	0	0.0
TOTAL*	809	1374	798	0	2981	73.2

*Includes 647 Conference Calendar Cases.

PETITIONS FOR REHEARING EN BANC AND EN BANC GRANTS

<u>07/01/15 - 06/03/16</u>	
TOTAL	
TOTAL PENDING AS OF END OF PREVIOUS COURT YEAR	24
Petitions for Rehearing En Banc FILED this Year	194
Petitions for Rehearing En Banc DENIED	190
w/poll vote	12
w/o poll vote	178
En Banc GRANTED	6
On Petition With Oral Argument	3
On Petition Without Oral Argument	1
Sua Sponte En Banc With Oral Argument	2
Sua Sponte En Banc Without Oral Argument	0
Disposed of by Other Means	4
TOTAL PENDING AS OF 6/30/16	18

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

SUMMARY

PERIOD: July 1, 2015 to June 30, 2016

TYPE	TYPE OF DISPOSITION					PENDING 06/30/16
	PENDING 07/01/15	NUMBER FILED	GRANTED	DENIED	DISMISSED	
TOTAL	119	739	19	718	9	112
CRIM	42	440	7	426	1	48
USC	11	56	6	49	0	12
PRIV. CIV.	66	238	6	239	8	51
ADM.*	0	5	0	4	0	1

*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 2016)

Motions to or for:	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	TOTALS
Dismiss	31	25	27	24	24	24	17	21	24	21	24	34	296
Reinstate Appeal	3	0	2	1	0	3	2	0	3	2	1	2	19
Appointment of Counsel	4	9	9	6	9	8	6	6	10	7	8	7	89
Expedite Hearing, for Continuance, or Special Assignment	2	1	1	2	1	2	0	0	1	0	3	0	13
Stay or for Injunction and/or Supersedeas Pending Appeal	7	13	10	11	11	12	7	6	12	11	3	8	111
Supplement the Record	7	4	2	5	2	5	4	10	5	7	5	7	63
Strike Briefs, Designations for Printing, etc	0	3	1	2	0	3	4	5	4	3	0	2	27
Excess Pages in Brief	1	1	0	3	0	1	1	2	2	1	1	1	14
Bail Pending appeal	1	0	1	1	0	0	1	2	1	1	1	0	9
Interlocutory Appeal (Sec. 1292(b))	1	5	1	2	0	4	2	2	3	1	1	1	23
Jurisdiction	41	54	46	49	45	54	37	46	42	42	40	53	549
Withdraw as Counsel	9	6	11	7	7	10	7	10	9	4	10	7	97
Extensions of Time	16	10	14	9	13	20	9	11	22	20	15	14	173
Certificate of Appealability	40	41	28	36	43	29	36	35	58	50	32	28	456
Leave to Appeal In Forma Pauperis	8	17	21	21	28	30	19	27	28	16	15	20	250
Issuance of COA and Leave to Appeal In Forma Pauperis	15	8	6	8	11	14	5	11	22	22	17	8	147
Mandamus or Prohibition	4	12	9	5	13	8	7	6	7	11	12	7	101
Successive Petitions	29	29	26	37	50	22	42	45	29	28	71	182	590
Miscellaneous Motions	61	55	57	66	53	73	63	73	75	63	65	85	789
TOTALS	280	293	272	295	310	322	269	318	357	310	324	466	3816