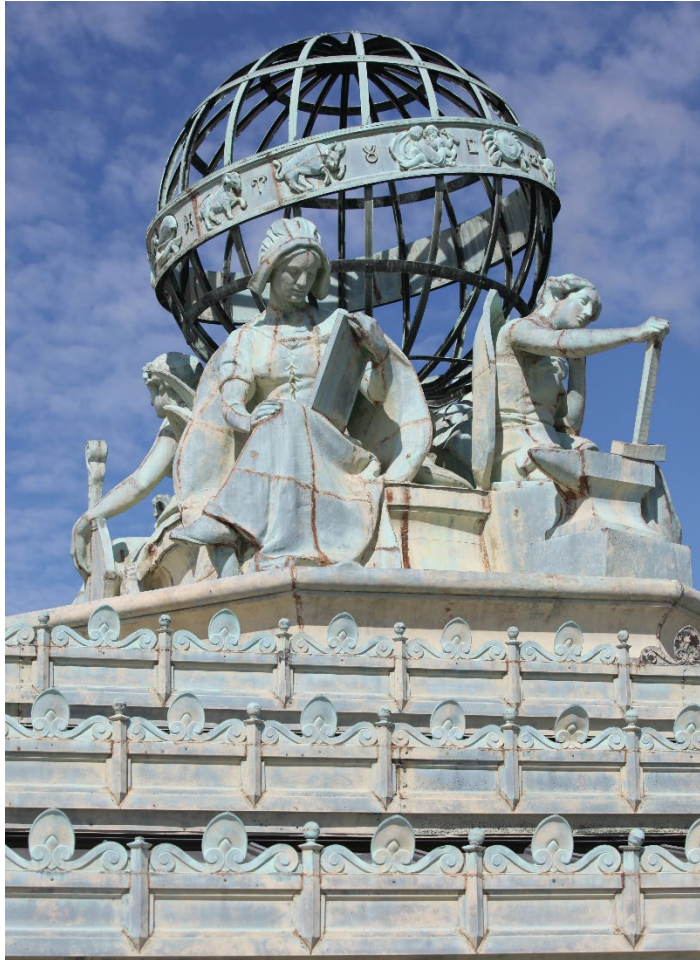


JUDICIAL
WORKLOAD
STATISTICS



*UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT*

CLERK'S ANNUAL REPORT
JULY 2025 - JUNE 2026

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, 2025, through June 30, 2026.

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.

A handwritten signature in black ink that reads "Lyle W. Cayce". The signature is written in a cursive, slightly slanted style.

LYLE W. CAYCE
CLERK

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SUMMARY OF ANNUAL REPORT

	2021	2022	2023	2024	2025	2026
New Appeals	6,351	6,060	5,740	5,398	5,481	5,901
Terminations	6,513	6,833	5,988	5,574	5,462	5,464
By Judges	4,046	4,431	3,961	3,478	3,306	3,336
By Clerk	1,727	1,600	1,351	1,336	1,356	1,499
By Consolidation	740	802	676	760	800	629
Pending Appeals	4,563	3,787	3,541	3,366	3,385	3,820
Total Cases Screened for Decision as to Oral Argument	2,309	2,854	2,619	2,243	2,101	2,148
Cases Sent to:						
Summary Calendar	1,174	2,052	1,813	1,501	1,397	1,482
Conference Calendar*	365	-	-	-	-	-
Oral Argument Calendar	782	831	807	742	704	666
Summary Calendar Rate	60.0%	71.2%	69.2%	66.9%	66.5%	69.0%
Conference & Summary Calendar Rate*	66.3%	-	-	-	-	-
Cases Ready for Argument	67	53	117	74	103	22
Cases Pending Under Submission	211	223	232	240	179	164
90-day Cases	107	119	118	135	82	80
Total Opinions	2,554	3,116	2,786	2,509	2,391	2,462
Published Opinions	489	474	404	453	444	395
Unpublished Opinions	2,065	2,642	2,382	2,056	1,947	2,067
Opinions per Active Judge	114	140	131	108	101	110
Publication Rate	19.1%	15.2%	14.5%	18.1%	18.6%	16.0%
Average Page Length of Published Opinions	14	13	14	17	16	16
Participations per Active Judge in Opinions	342	420	393	324	303	330
Petitions for Rehearing En Banc Granted	10	4	9	9	7	11
Motions per Active Judge	808	796	649	609	557	680

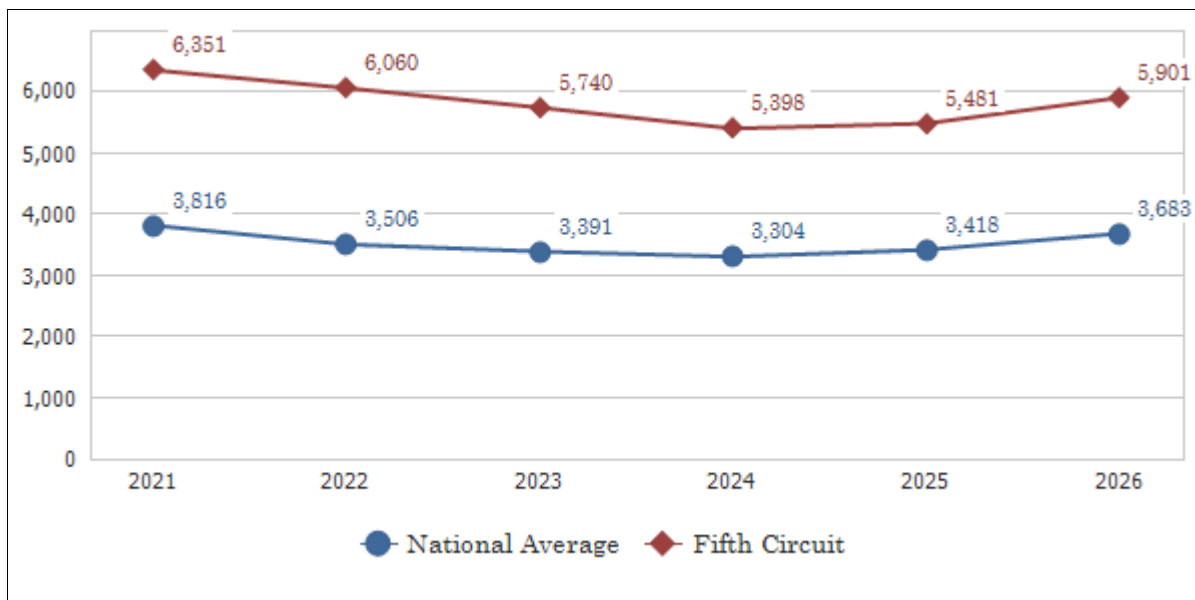
*Conference Calendar was Discontinued June 30, 2021

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 420 appeal increase (7.7%), from 5,481 to 5,901 appeals. BIA appeals increased by 213 (78.0%) and Prisoner appeals increased by 94 (10.2%). Criminal appeals decreased by 156 (7.7%). Agency appeals decreased by 27 (22.3%). U.S. Civil appeals decreased by 16 (11.0%).

Table 1 - New Appeals Filed



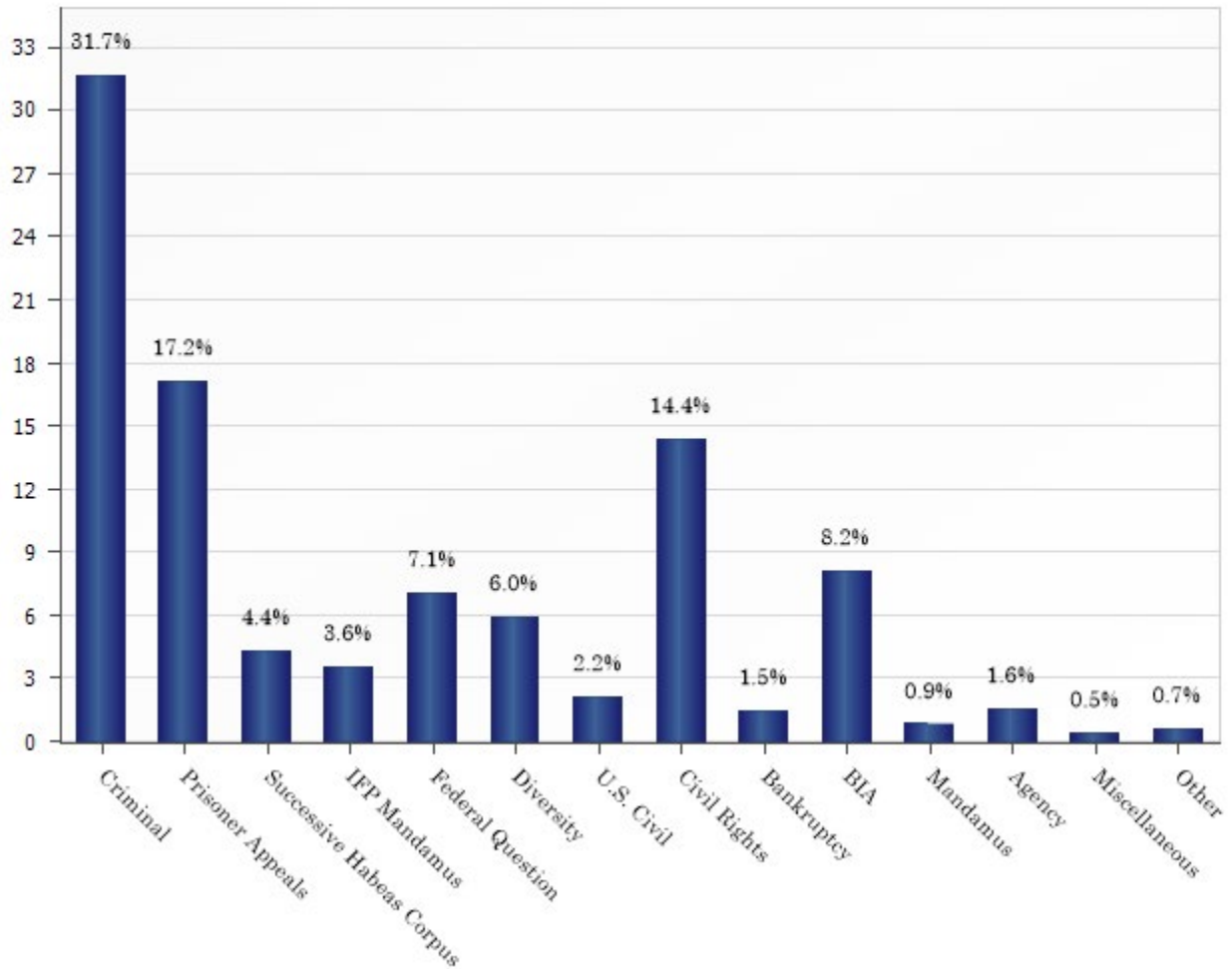
2. New Appeals by Case Type

The source of appeals by type is found in the following tables. The first shows the six-year trend and the second displays 2026 data. (See also column (d) of the monthly cumulative report of new appeals by type at **Enclosure A**, page 33).

Table 2 - New Appeals by Case Type

TYPE	YEAR						Change from Prior Year	
	2021	2022	2023	2024	2025	2026	No.	%
Criminal	1,987	2,135	2,025	2,044	2,028	1,872	-156	-7.7
Prisoner Appeals	1,553	1,484	1,277	1,048	922	1,016	+94	+10.2
Successive Habeas Corpus	320	280	298	231	220	261	+41	+18.6
IFP Mandamus	131	107	109	130	161	212	+51	+31.7
Federal Question	342	328	359	329	340	421	+81	+23.8
Diversity	349	387	413	354	281	352	+71	+25.3
U.S. Civil	101	171	124	135	145	129	-16	-11.0
Tax	10	14	6	5	6	8	+2	+33.3
Tax Court	10	5	8	8	4	18	+14	+350.0
Civil Rights	469	497	600	623	833	848	+15	+1.8
Bankruptcy	86	66	57	66	53	89	+36	+67.9
Social Security	32	18	25	20	22	13	-9	-40.9
BIA	822	402	262	215	273	486	+213	+78.0
Mandamus	28	31	41	36	36	54	+18	+50.0
Agency	54	73	89	116	121	94	-27	-22.3
Miscellaneous	57	62	47	38	36	28	-8	-22.2
Totals	6,351	6,060	5,740	5,398	5,481	5,901	+420	+7.7

Table 3 - 2026 New Appeals by Case Type



Our biggest increase in filings was in BIA and Prisoner appeals. Criminal, Agency, and U.S. Civil dropped significantly.

3. New Appeals by Source

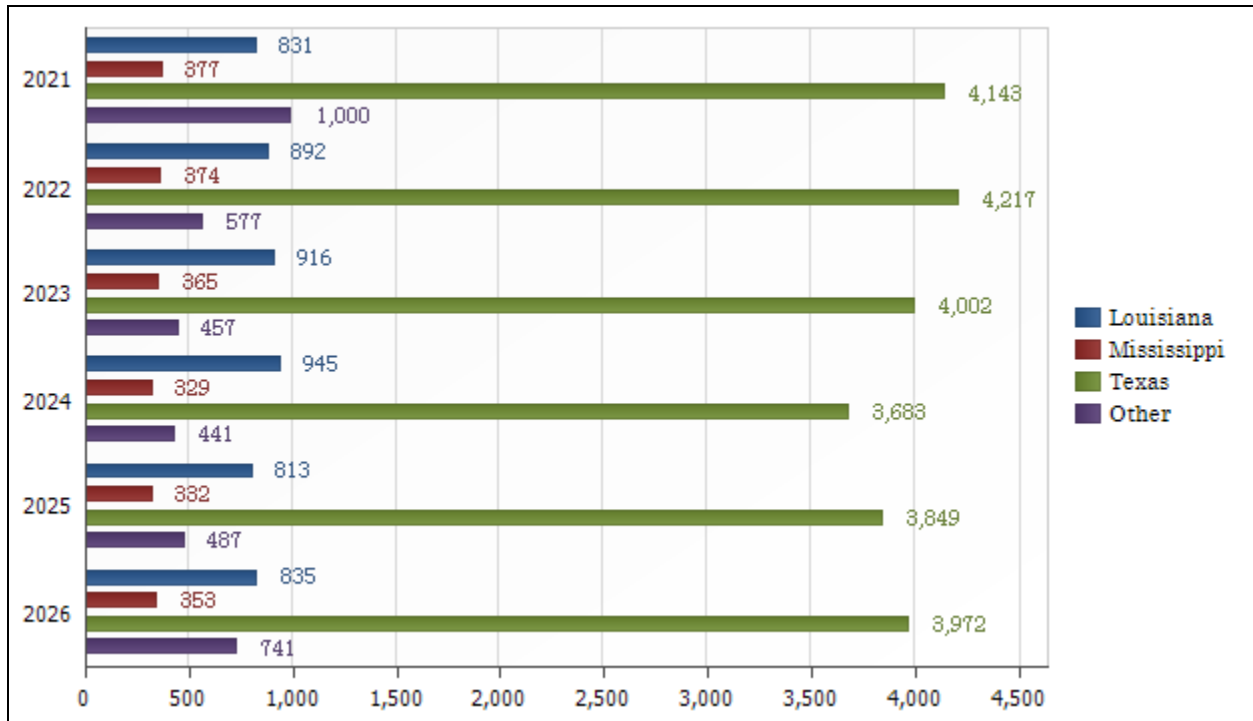
Texas Western recorded the largest increase in appeals, while Texas Northern saw the sharpest decline. Combined filings from Agency, Bankruptcy, U.S. Tax Court, BIA, and Mandamus sources rose by 254 appeals; this growth was driven primarily by BIA appeals, which accounted for 213 of the additional filings.

Table 4 - New Appeals by Source

	2021	2022	2023	2024	2025	2026	Change from Prior Year
Louisiana Eastern	385	347	472	412	314	310	-4
Louisiana Middle	145	127	133	154	127	130	+3
Louisiana Western	301	418	311	379	372	395	+23
Subtotal	831	892	916	945	813	835	+22
Mississippi Northern	119	107	99	92	89	104	+15
Mississippi Southern	258	267	266	237	243	249	+6
Subtotal	377	374	365	329	332	353	+21
Texas Northern	1,311	1,335	1,338	1,211	1,354	1,240	-114
Texas Southern	1,166	1,196	1,175	1,059	959	1,039	+80
Texas Eastern	526	406	414	402	472	543	+71
Texas Western	1,140	1,280	1,075	1,011	1,064	1,150	+86
Subtotal	4,143	4,217	4,002	3,683	3,849	3,972	+123
Agency	54	73	89	116	121	94	-27
Bankruptcy	86	66	57	66	53	89	+36
U.S. Tax Court	10	5	8	8	4	18	+14
BIA	822	402	262	215	273	486	+213
Mandamus	28	31	41	36	36	54	+18
Subtotal	1,000	577	457	441	487	741	+254
Total	6,351	6,060	5,740	5,398	5,481	5,901	+420

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

Table 5 - New Appeals Trends



A comparison of the percentage of appeals by states for 2025 and 2026 is shown on the following charts:

Table 6a - 2025 New Appeals

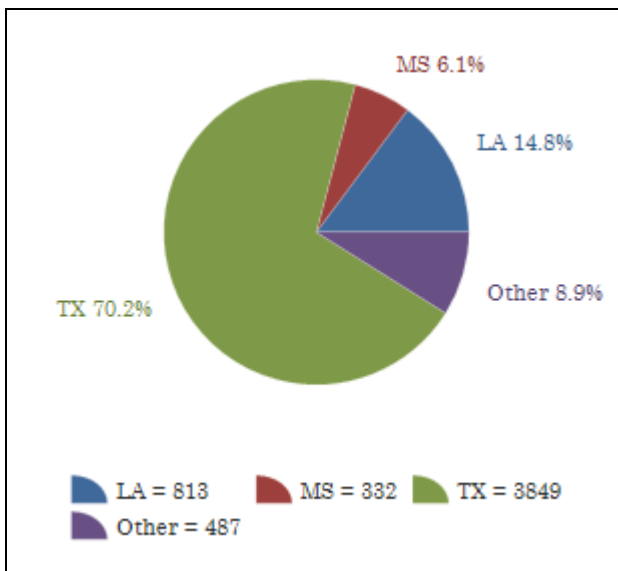
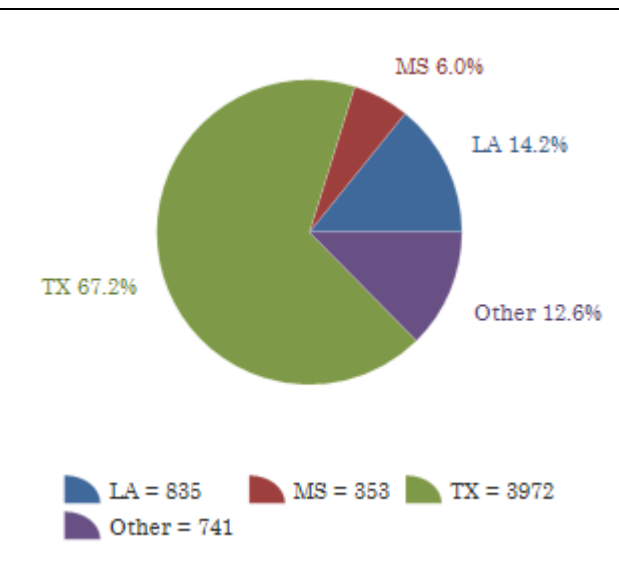


Table 6b - 2026 New Appeals



A comparison of the percentage of other appeals by source for 2025 and 2026 is shown on the following charts:

Table 7a - 2025 New Appeals

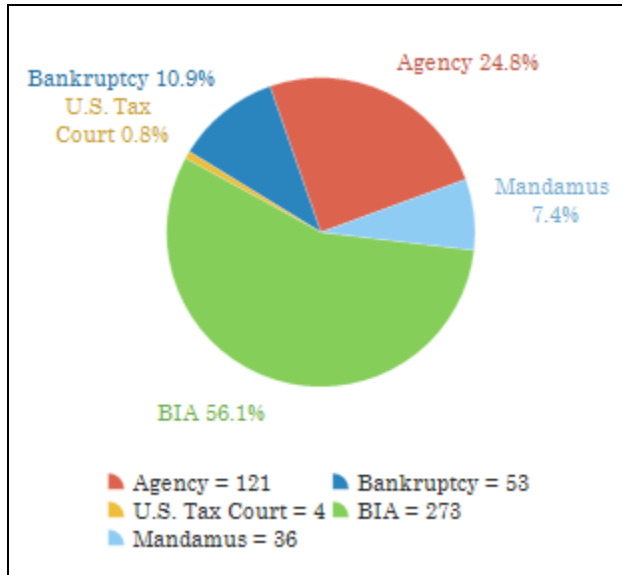
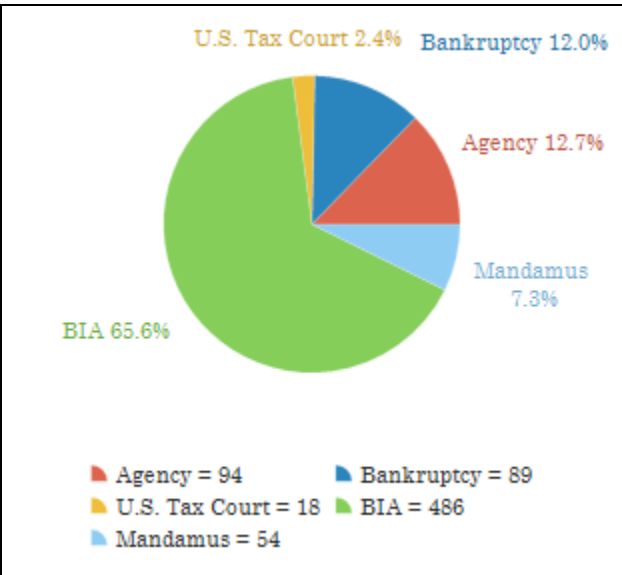


Table 7b - 2026 New Appeals



B. CLOSED APPEALS

1. Yearly Comparison

The court disposed of 2 more appeals this year.

Table 8 - Appeals and Cases Closed

	2021	2022	2023	2024	2025	2026	Change from Prior Year	
All Appeals	6,513	6,833	5,988	5,574	5,462	5,464	+2	0%
Cases	5,773	6,031	5,312	4,814	4,662	4,835	+173	+3.7%

2. Method of Disposition

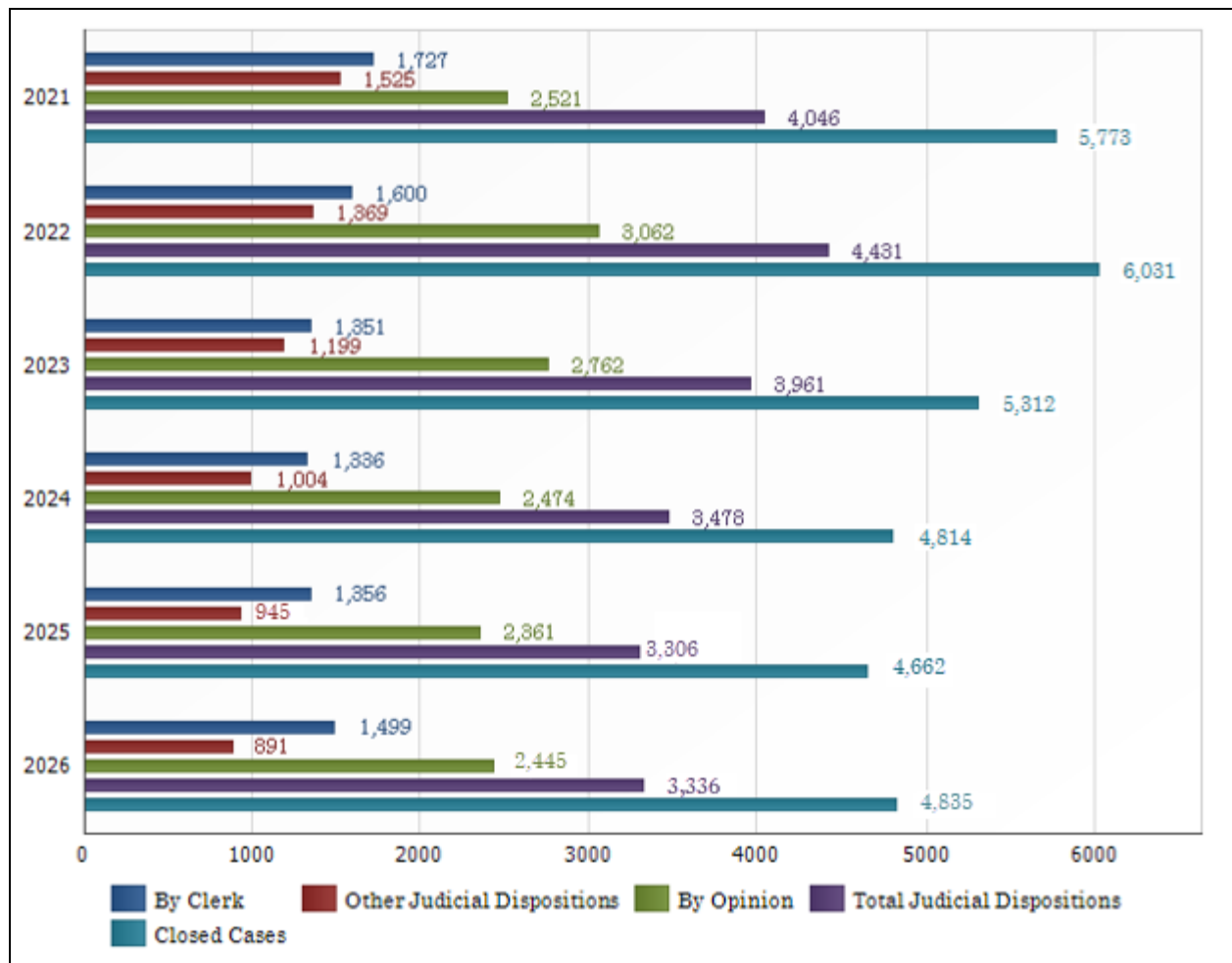
Overall, the court disposed of 173 more cases than last year. There were 84 more dispositive opinions, and other judicial dispositions decreased by 54. Clerk dispositions increased by 143.

Table 9 - Method of Disposition

	2021	2022	2023	2024	2025	2026	Change from Prior Year
By Opinion*	2,521	3,062	2,762	2,474	2,361	2,445	+84
Other Judicial Dispositions	1,525	1,369	1,199	1,004	945	891	-54
Total Judicial Dispositions	4,046	4,431	3,961	3,478	3,306	3,336	+30
By Clerk	1,727	1,600	1,351	1,336	1,356	1,499	+143
Closed Cases	5,773	6,031	5,312	4,814	4,662	4,835	+173

*Does not include 17 opinions that were non-dispositive, such as limited remands.

Table 10 - Method of Disposition by Graph



C. UNDISPOSED OF (PENDING) APPEALS/CASES

The court disposed of 5,464 appeals compared to 5,901 filed. There are 3,820 appeals pending compared to 3,385 last year. There are 3,321 cases pending this year compared with 2,934 last year.

Table 11 - Pending Appeals/Cases

	2021	2022	2023	2024	2025	2026	Change from Prior Year
All Appeals Pending	4,563	3,787	3,541	3,366	3,385	3,820	+12.9%
Cases	3,977	3,220	2,915	2,870	2,934	3,321	+13.2%

The 3,321 pending cases are characterized as either Cases Under Submission or Unassigned Carry-Over:

1. Cases Under Submission

Excluding 14 held in abeyance, and 2 unassigned, the pending cases argued and awaiting decision decreased from last year.

Table 12 - Cases Under Submission

	2021	2022	2023	2024	2025	2026
Active Judges	186	198	192	212	146	147
Senior Judges	23	22	40	26	28	17
Visiting Judges	2	0	0	2	5	0
Total	211	220	232	240	179	164

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, 401 more than last year. This leaves 3,141 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

	2021	2022	2023	2024	2025	2026
Unassigned Cases	3,736	2,980	2,662	2,606	2,740	3,141
New Appeals	6,351	6,060	5,740	5,398	5,481	5,901
% Unassigned Cases to New Appeals	58.8	49.2	46.4	48.3	50.0	53.2

The 3,141 unassigned cases fall into the following categories.

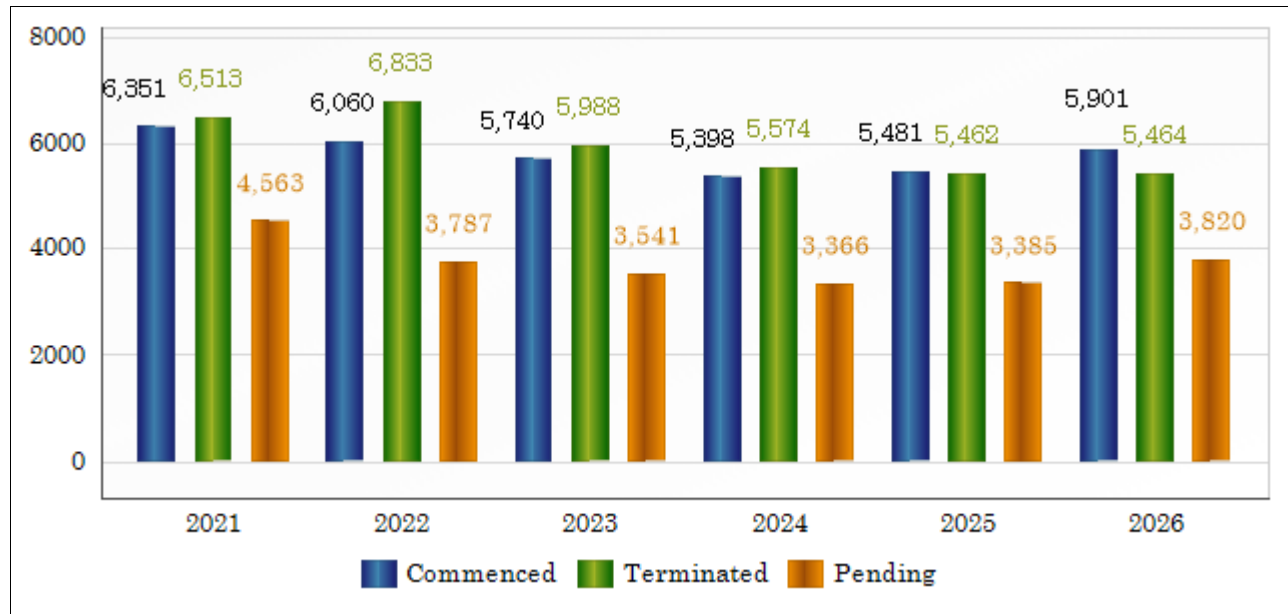
Table 14 - Unassigned Carry-Over by Category

Category	2025	2026
(a) Briefed Cases		
Calendared for Oral Argument	118	173
Briefed but Held in Abeyance	46	50
Awaiting Assignment to Oral Argument Calendar	103	22
Being Screened	424	412
Subtotal	691	657
(b) Unbriefed Cases		
Assignment to Panel for Jurisdictional Review	5	0
Pre-Briefing	745	857
Records Due	190	444
Being Briefed	934	1,014
Stayed/Held in Abeyance	81	66
Awaiting DC Action*	94	103
Subtotal	2,049	2,484
Total	2,740	3,141

*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

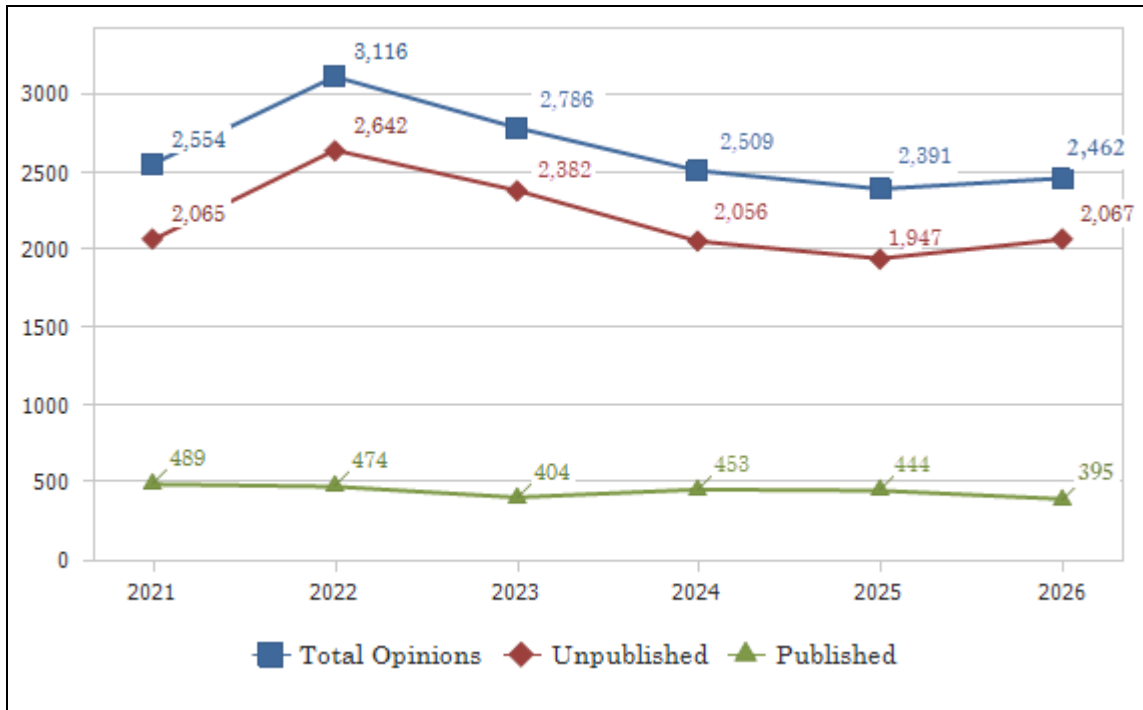
1. Number of Opinions, Published and Unpublished

The total number of opinions increased by 71. Total opinions, including the numbers published and unpublished for the last six years are:

Table 16 - Number of Opinions, Published and Unpublished

	2021	2022	2023	2024	2025	2026
Total Opinions	2,554	3,116	2,786	2,509	2,391	2,462
Published	489	474	404	453	444	395
Unpublished	2,065	2,642	2,382	2,056	1,947	2,067

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



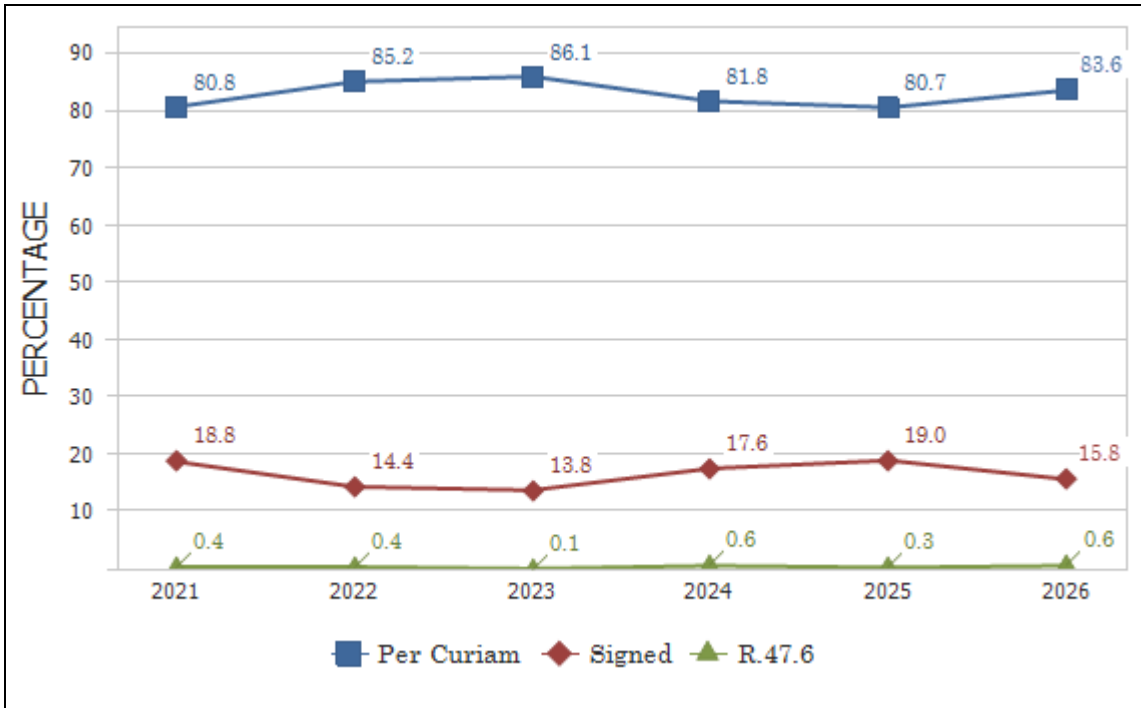
2. Types of Opinions

The following table shows the percentage of each opinion type issued over the last six years.

Table 18 - Types of Opinions

	2021	2022	2023	2024	2025	2026
Signed Opinions	18.8%	14.4%	13.8%	17.6%	19.0%	15.8%
Per Curiam Opinions	80.8%	85.2%	86.1%	81.8%	80.7%	83.6%
Rule 47.6 Opinions	0.4%	0.4%	0.1%	0.6%	0.3%	0.6%

Table 19 - Types of Opinions by Graph



3. Types of Opinions by Calendar

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

(a) Summary Calendar

The number of summary calendar decisions increased by 86 from 1,380 to 1,466. The number of signed opinions on the summary calendar decreased by 75.0% and per curiam opinions increased by 6.5%.

Table 20 - Summary Calendar Opinions

	2021	2022	2023	2024	2025	2026
Signed Opinions	1.0%	0.3%	0.6%	0.7%	0.6%	0.1%
Per Curiam Opinions	98.7%	99.3%	99.4%	98.8%	99.1%	99.4%
Rule 47.6 Opinions	0.3%	0.4%	0%	0.5%	0.3%	0.5%

(b) Oral Argument Calendar

The number of signed opinions on the oral argument calendar decreased by 13.6%. Per curiam opinions increased by 7.1%.

Table 21 - Oral Argument Opinions

	2021	2022	2023	2024	2025	2026
Signed Opinions	46.2%	41.6%	38.4%	44.0%	44.1%	38.7%
Per Curiam Opinions	53.3%	58.0%	61.2%	55.2%	55.5%	60.6%
Rule 47.6 Opinions	0.5%	0.4%	0.4%	0.8%	0.4%	0.7%

4. Published and Unpublished Opinions

Of the 2,462 opinions, 395 (16.0%) were published. The number of published opinions decreased by 49 from the preceding year.

(a) Number and Percentage – 2026

Table 22 - Opinion Number and Percentage 2026

	Published		Unpublished		Total
	No.	%	No.	%	
Signed Opinions	344	88.7	44	11.3	388
Per Curiam Opinions	51	2.5	2,008	97.5	2,059
Rule 47.6 Opinions	0	0	15	100.0	15
Total	395	16.0	2,067	84.0	2,462

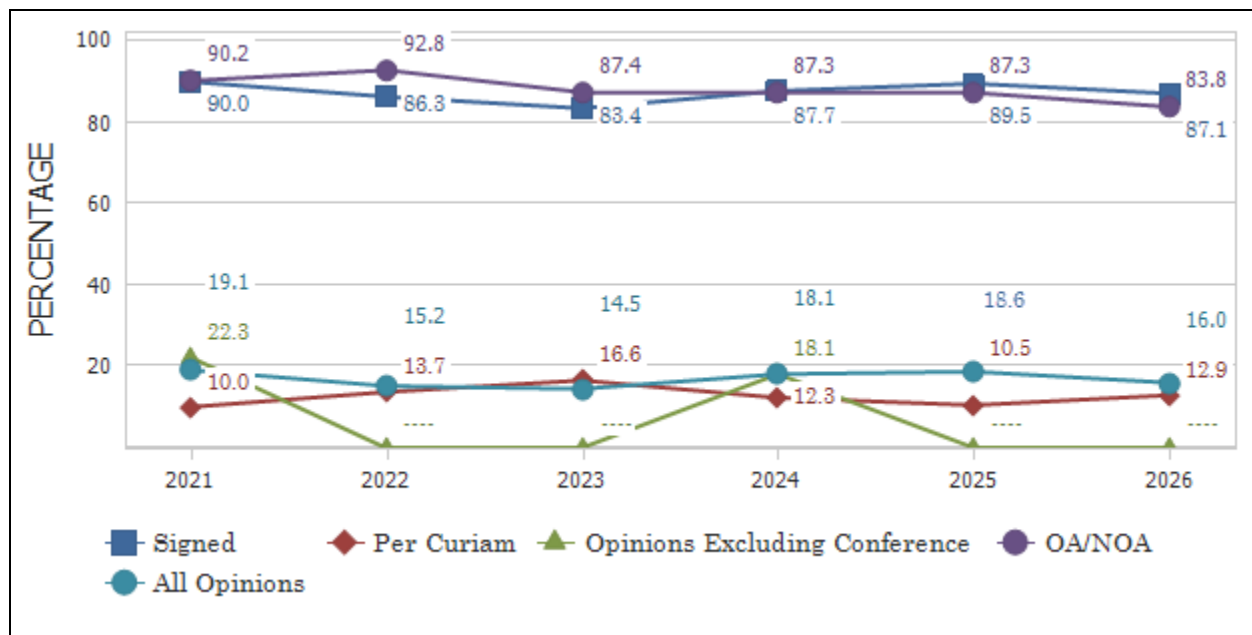
(b) Percentage Comparison (Published) - 2021 – 2026

Table 23 - Published Opinion Percentage

% Published						
	2021	2022	2023	2024	2025	2026
Signed Opinions	90.0	86.3	83.4	87.7	89.5	87.1
Per Curiam Opinions	10.0	13.7	16.6	12.3	10.5	12.9
Opinions Excluding Conference Calendar*	22.3	-	-	-	-	-
Oral Argument/No Oral Argument	90.2	92.8	87.4	87.3	87.3	83.8
All Opinions	19.1	15.2	14.5	18.1	18.6	16.0

* Conference Calendar was discontinued as of June 30, 2021.

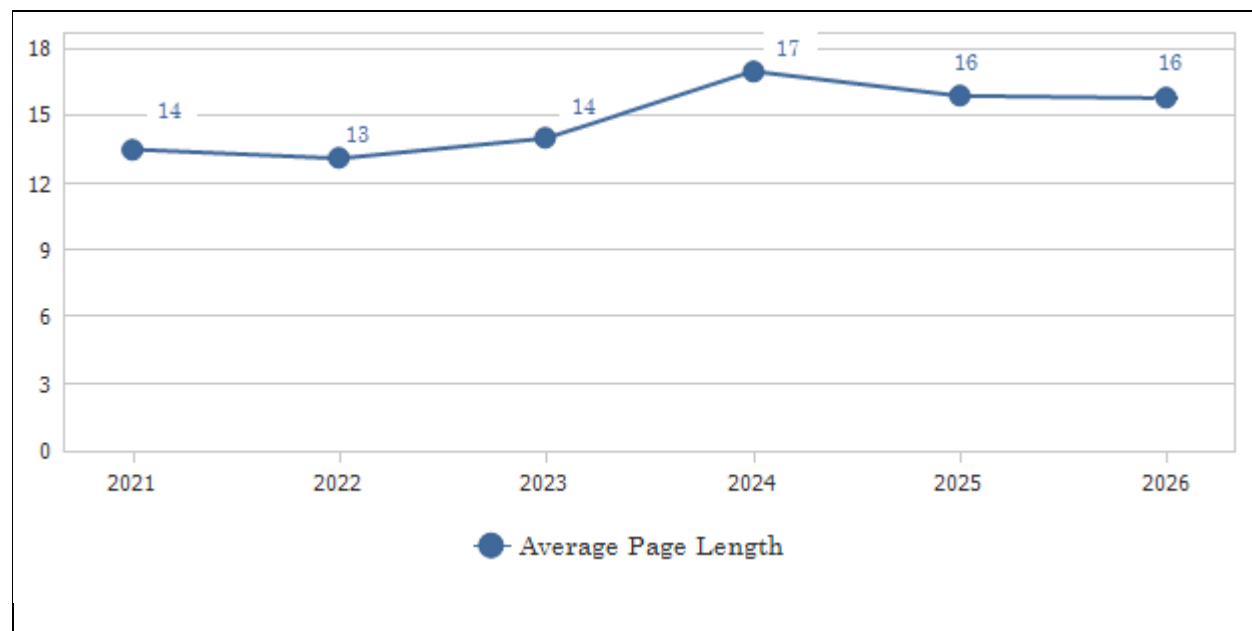
Table 24 - Published Opinion Percentage Comparison by Graph



(c) Length of Published Opinions

The average page length of opinions is unchanged from 2025.

Table 25 - Length of Published Opinions by Graph



5. Reversal Rate

The 2026 reversed/vacated rate of 6.7% is less than the 2025 reversed/vacated rate of 8.7%.

Table 26 - Reversal Rate

2026							2025
	Summary		Hearing		Overall		Overall
	No.	%	No.	%	No.	%	%
Affirmed	848	57.8	590	59.2	1,438	58.4	57.8
Affd. In Part	39	2.7	100	10.0	139	5.6	5.5
Dismissed	564	38.5	132	13.3	696	28.3	26.4
Remanded	1	0.1	18	1.8	19	0.8	1.1
Transferred	0	0.0	0	0.0	0	0.0	0.0
Reversed/Vacated*	14	1.0	151	15.2	165	6.7	8.7
Other-Non Disp.	0	0.0	5	0.5	5	0.2	0.5
Total	1,466		996		2,462		

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

Table 27 - Reversal Rate by Percentage

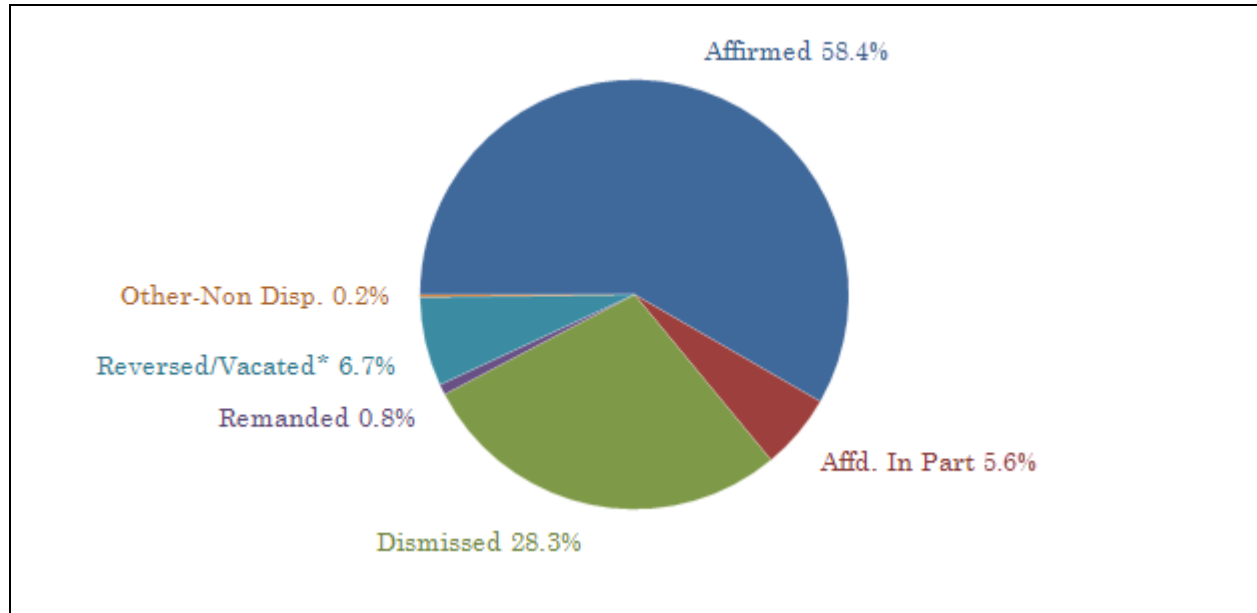


Table 27a - Reversal Rate by Case Type

		2023		2024		2025		2026	
Case Type	Decision Type	No./%		No./%		No./%		No./%	
Criminal	Affirmed/Affd. In Part	755	54.51%	717	53.71%	753	56.83%	717	54.16%
	Dismissed	568	41.01%	580	43.45%	514	38.79%	565	42.67%
	Reversed/Vacated/Remanded	59	4.26%	37	2.77%	57	4.30%	42	3.17%
	Transferred/Other-Non Disp.	3	0.22%	1	0.07%	1	0.08%	0	0.00%
	Total Cases	1,385		1,335		1,325		1,324	
Prisoner Appeals	Affirmed/Affd. In Part	177	57.29%	140	64.52%	100	61.34%	83	50.61%
	Dismissed	95	30.74%	51	23.50%	42	25.77%	65	39.63%
	Reversed/Vacated/Remanded	36	11.65%	23	10.60%	19	11.66%	16	9.76%
	Transferred/Other-Non Disp.	1	0.32%	3	1.38%	2	1.23%	0	0.00%
	Total Cases	309		217		163		164	
Federal Question	Affirmed/Affd. In Part	117	73.58%	106	72.61%	97	70.80%	133	73.48%
	Dismissed	12	7.55%	7	4.79%	9	6.57%	8	4.42%
	Reversed/Vacated/Remanded	29	18.24%	33	22.60%	31	22.63%	39	21.55%
	Transferred/Other-Non Disp.	1	0.63%	0	0.00%	0	0.00%	1	0.55%
	Total Cases	159		146		137		181	
Diversity	Affirmed/Affd. In Part	130	80.75%	137	74.46%	122	72.19%	119	78.82%
	Dismissed	8	4.97%	5	2.72%	11	6.51%	6	3.97%
	Reversed/Vacated/Remanded	20	12.42%	32	17.39%	31	18.34%	24	15.89%
	Transferred/Other-Non Disp.	3	1.86%	10	5.43%	5	2.96%	2	1.32%
	Total Cases	161		184		169		151	
U.S. Civil	Affirmed/Affd. In Part	40	63.49%	35	56.45%	40	55.56%	37	69.81%
	Dismissed	6	9.52%	10	16.13%	7	9.72%	6	11.32%
	Reversed/Vacated/Remanded	16	25.40%	14	22.58%	23	31.94%	9	16.98%
	Transferred/Other-Non Disp.	1	1.59%	3	4.84%	2	2.78%	1	1.89%
	Total Cases	63		62		72		53	
Tax Court	Affirmed/Affd. In Part	2	50.00%	2	100.00%	4	100.00%	5	83.33%
	Dismissed	2	50.00%	0	0.00%	0	0.00%	0	0.00%
	Reversed/Vacated/Remanded	0	0.00%	0	0.00%	0	0.00%	1	16.67%
	Transferred/Other-Non Disp.	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Total Cases	4		2		4		6	

Table 27a - Reversal Rate by Case Type

		2023		2024		2025		2026	
Case Type	Decision Type	No./%		No./%		No./%		No./%	
Civil Rights	Affirmed/Affd. In Part	210	75.00%	245	73.35%	236	75.16%	284	78.89%
	Dismissed	21	7.50%	30	8.98%	27	8.60%	39	10.83%
	Reversed/Vacated/Remanded	46	16.43%	58	17.37%	46	14.65%	37	10.28%
	Transferred/Other-Non Disp.	3	1.07%	1	0.30%	5	1.59%	0	0.00%
	Total Cases	280		334		314		360	
Bankruptcy	Affirmed/Affd. In Part	29	82.86%	26	74.28%	27	60.00%	24	82.76%
	Dismissed	3	8.57%	1	2.86%	7	15.56%	1	3.45%
	Reversed/Vacated/Remanded	3	8.57%	8	22.86%	11	24.44%	3	10.34%
	Transferred/Other-Non Disp.	0	0.00%	0	0.00%	0	0.00%	1	3.45%
	Total Cases	35		35		45		29	
Social Security	Affirmed/Affd. In Part	12	100.00%	9	100.00%	9	100.00%	12	100.00%
	Dismissed	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Reversed/Vacated/Remanded	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Transferred/Other-Non Disp.	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Total Cases	12		9		9		12	
BIA	Affirmed/Affd. In Part	306	86.19%	130	89.65%	114	88.37%	134	95.72%
	Dismissed	34	9.58%	10	6.90%	9	6.98%	3	2.14%
	Reversed/Vacated/Remanded	15	4.23%	5	3.45%	4	3.10%	1	0.71%
	Transferred/Other-Non Disp.	0	0.00%	0	0.00%	2	1.55%	2	1.43%
	Total Cases	355		145		129		140	
Agency	Affirmed/Affd. In Part	11	64.71%	12	40.00%	6	26.09%	21	58.33%
	Dismissed	1	5.88%	1	3.33%	4	17.39%	3	8.33%
	Reversed/Vacated/Remanded	5	29.41%	15	50.00%	12	52.17%	10	27.78%
	Transferred/Other-Non Disp.	0	0.00%	2	6.67%	1	4.35%	2	5.56%
	Total Cases	17		30		23		36	
	Grand Total Cases	2,780		2,499		2,390		2,456	

*Does not include Miscellaneous and Original Proceeding case types.

6. Panel Concurrences and Dissents

The following reflects the concurrences and dissents for the past six statistical years. Of the 2,457 panel opinions this year, 2,363 (96.2%) were without dissent.

Table 27b - Concurrences and Dissents

Judge Involvement	2021	2022	2023	2024	2025	2026
Concurring	38	38	48	37	55	37
Dissenting	45	66	55	59	70	72
Concurring and Dissenting	23	11	26	18	21	22
Co-authoring and Concurring	0	0	0	0	0	0
Co-authoring and Dissenting	0	0	0	0	1	0
Co-authoring, Concurring and Dissenting	0	0	0	0	0	0

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 and oral argument calendars for the reporting year from July 1, 2025, through June 30, 2026 increased from the previous year.

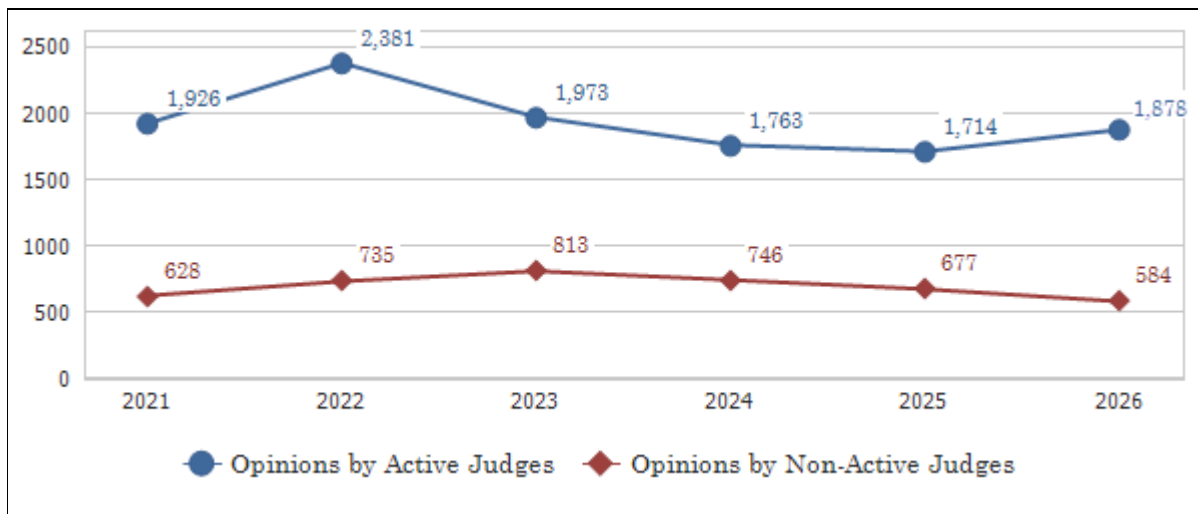
2. Opinion Output - Overall – 2021 – 2026

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

Table 28 - Opinion Output

	2021 ¹	2022 ²	2023 ³	2024 ⁴	2025 ⁵	2026 ⁶
(a) Opinions by Active Judges	1,926	2,381	1,973	1,763	1,714	1,878
(b) Opinions by Non-Active Judges	628	735	813	746	677	584
(c) Total Opinion Output	2,554	3,116	2,786	2,509	2,391	2,462
(d) Opinions per Active Judge	114	140	131	108	101	110

Table 29 - Opinion Output - Active & Non-Active Judges



¹ In 2021, there were 17 active judges, 7 senior status judges and 2 visiting judges.

² In 2022, there were 17 active judges, 7 senior status judges and 2 visiting judges.

³ In 2023, there were 17 active judges, 8 senior status judges and 0 visiting judges.

⁴ In 2024, there were 17 active judges, 8 senior status judges and 8 visiting judges.

⁵ In 2025, there were 17 active judges, 8 senior status judges and 5 visiting judges.

⁶ In 2026, there were 17 active judges, 8 senior status judges and 4 visiting judges.

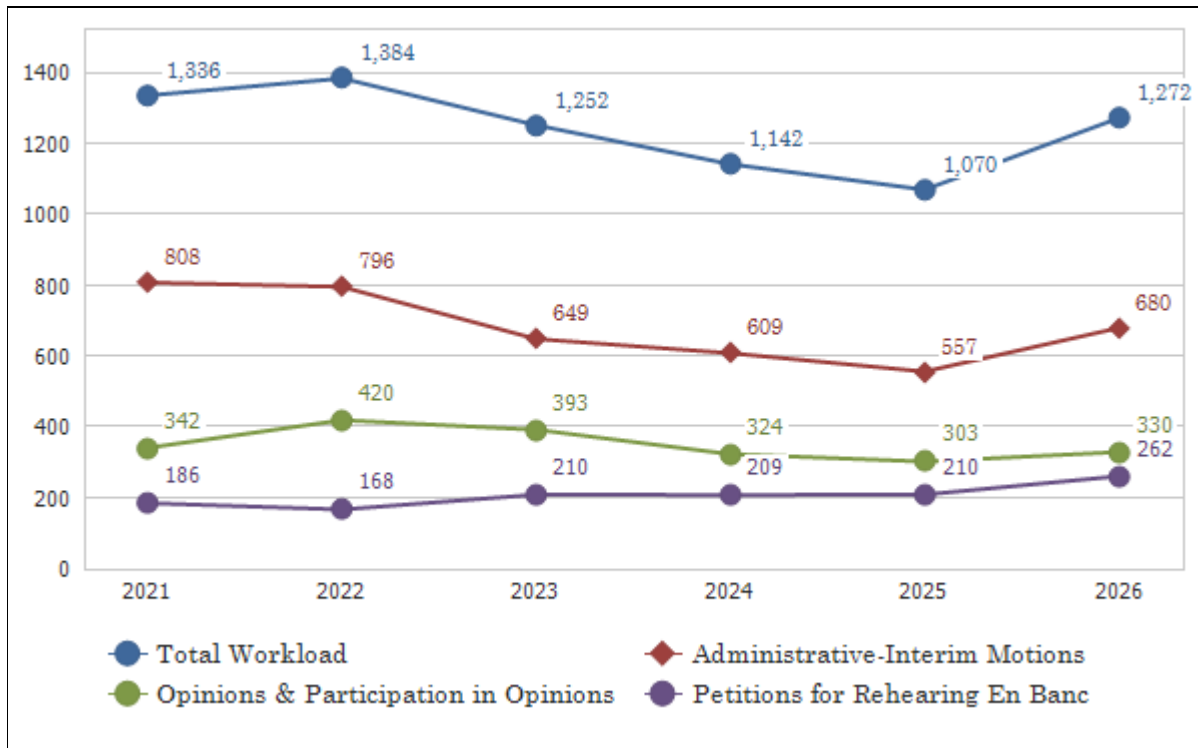
3. Overall Workload

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, as well as consideration of petitions for rehearing en banc and administrative-interim motions are also other important work factors. Overall, active judges handled 202 more matters per judge than last year. **Enclosure B**, page 34, 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 30 - Overall Workload

	Per Active Judge					
	2021	2022	2023	2024	2025	2026
Opinions and Participations in Opinions	342	420	393	324	303	330
Petitions for Rehearing En Banc	186	168	210	209	210	262
Administrative-Interim Motions	808	796	649	609	557	680
Total Workload	1,336	1,384	1,252	1,142	1,070	1,272

Table 31 - Overall Workload by Graph



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

G. SCREENING CLASSIFICATIONS

1. Cases Screened by Judges

The following table demonstrates the number and percentages of cases classified for argument. There was a decrease in the percentage of cases referred for argument; of the 2,462 opinions issued, 32.8% were sent to the oral argument calendar. Of those cases calendared, 52.6% were orally argued while 47.4% were decided without argument.

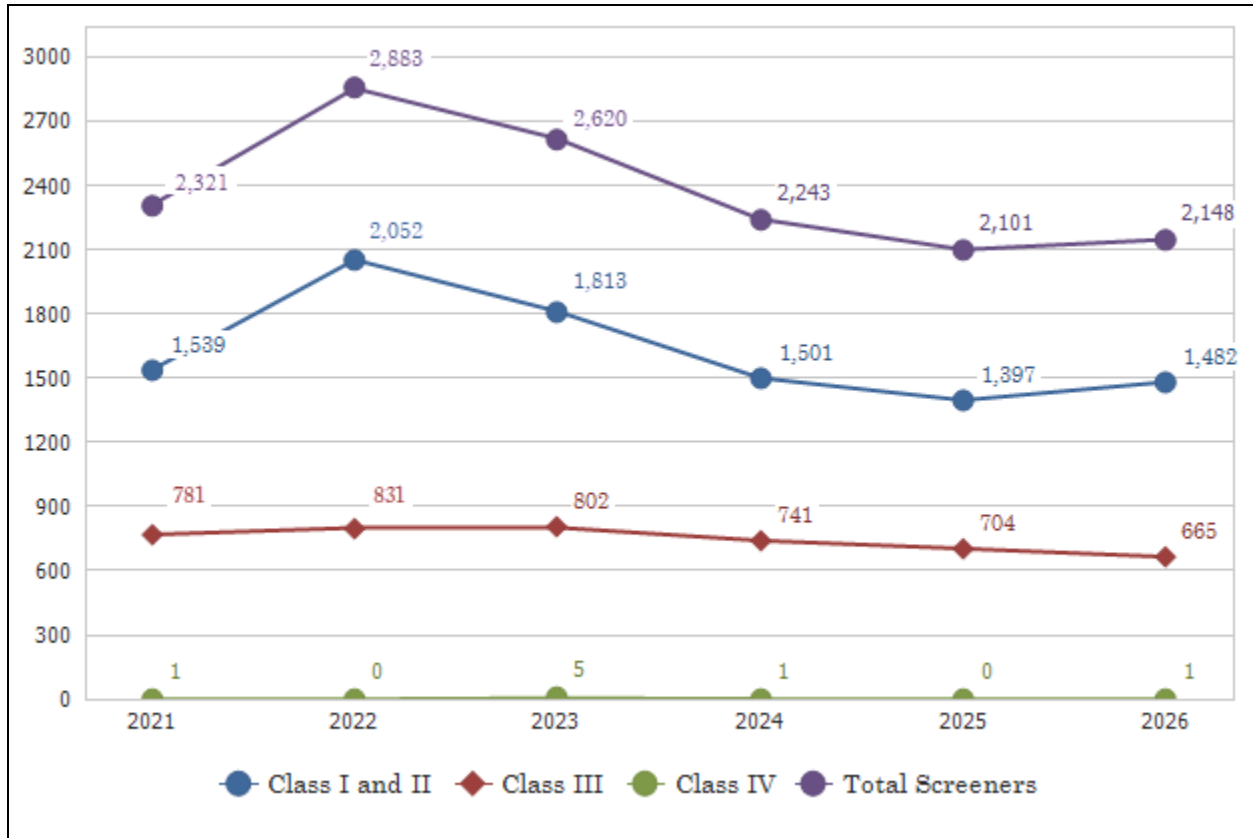
Table 32 - Screening Classifications

CLASS							
Year	I and II (No Argument)		III (Limited Argument)		IV (Full Argument)		Total
	No.	%	No.	%	No.	%	No.
2021	1,539	66.3	781	33.6	1	0.0	2,321
2022	2,052	71.2	831	28.8	0	0.0	2,883
2023	1,813	69.2	802	30.6	5	0.2	2,620
2024	1,501	66.9	741	33.0	1	0.0	2,243
2025	1,397	66.5	704	33.5	0	0.0	2,101
2026	1,482	69.0	665	31.0	1	0.0	2,148
Total	9,783*	68.3	4,524	31.6	8	0.0	14,315

As of June 30, argument was held in 43.5% of the 666 cases designated as Class III and IV.

*Includes conference calendar opinions from prior years. Conference calendar was discontinued June 30, 2021.

Table 33 - Screening Classifications by Graph



Several additional screening tables follow:

(a) Screening Classifications by Case Type

Enclosure C, page 35, shows the number of cases classified and the summary calendar percentage by case type to total cases. Extracting only the summary calendar percentages for comparison with prior years, we see:

Table 34 - Summary Calendar Percentages by Case Type

	Summary Calendar Percentage (%)					
Case Type	2021	2022	2023	2024	2025	2026
CRIMINAL DIRECT	88.2	92.7	91.1	90.8	89.3	92.8
CRIMINAL NON-DIRECT	78.1	87.9	84.9	83.0	86.7	83.9
PRISONER CASES						
With Counsel	27.8	33.3	26.1	32.0	31.2	23.8
Without Counsel	72.7	79.0	80.6	72.5	65.8	72.1
2255						
With Counsel	57.9	33.3	15.4	12.5	0.0	0.0
Without Counsel	66.7	57.1	80.0	57.1	25.0	50.0
CIVIL						
Diversity	24.0	25.1	24.6	20.2	23.2	25.9
Federal Question	21.1	24.7	24.7	18.4	20.6	28.8
U.S. Civil	32.4	25.9	19.1	17.9	23.9	21.4
Tax	16.7	12.5	75.0	50.0	50.0	0.0
Bankruptcy	27.8	46.2	23.8	17.5	33.3	21.9
Civil Rights	36.2	26.5	28.8	34.5	28.4	38.3
BIA	78.2	79.6	79.9	81.1	79.5	78.6
Tax Court	50.0	25.0	66.7	50.0	40.0	66.7
Other Agency	20.8	5.6	11.8	11.8	0.0	9.1
Social Security	50.0	50.0	71.4	44.4	55.6	60.0
Mandamus	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	66.3	71.2	69.2	66.9	66.5	69.0

H. PETITIONS FOR EN BANC REHEARING / PANEL REHEARING

1. Petitions for En Banc Rehearing

The court had 35 petitions for en banc rehearing pending at the beginning of the court year and received 257 petitions for en banc rehearing during this court year, 36 more than the prior year (221). Parties requested en banc rehearing in 10.5% of the cases with opinions. The court acted upon 262 petitions for en banc rehearing and 30 petitions remained pending at the end of the year. The court denied 246 requests for rehearing en banc, 25 of which were after a poll. The court granted 10 petitions for rehearing en banc by the parties. In one other case, the court sua sponte granted en banc rehearing. Five petitions for rehearing en banc were disposed of by other means. See **Enclosure D**, page 36.

2. Petitions for Panel Rehearing

In 74 cases there were requests for both panel and en banc rehearing. In 157 cases where parties requested an en banc rehearing only, these requests were also treated as a panel rehearing. In eight cases, the court sua sponte granted panel rehearing.

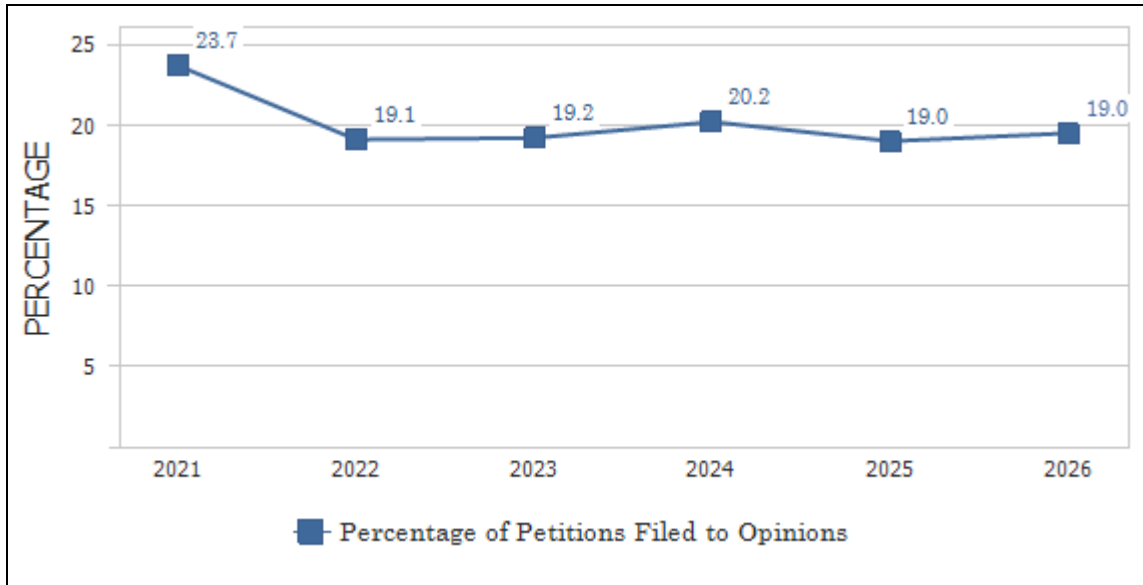
I. PETITIONS FOR CERTIORARI

The number of petitions filed is as follows:

Table 35 - Petitions for Certiorari

Petitions Filed	2021	2022	2023	2024	2025	2026
Criminal	334	292	265	281	225	270
U.S. Civil	67	63	54	48	49	36
Private Civil	181	223	201	158	166	152
Administrative Appeals	23	17	14	20	14	9
Total	605	595	534	507	454	467
Opinions Rendered	2,554	3,116	2,786	2,509	2,391	2,462
% of Petitions filed to Opinions	23.7	19.1	19.2	20.2	19.0	19.0

Table 36 - Petitions for Certiorari by Graph



The Supreme Court took action on 493 petitions from our Court compared with 509 last year. The Court granted 20 petitions, 20 fewer than last year, or 4.1% of the total. (For additional information, see **Enclosure F**, page 38.)

J. ADMINISTRATIVE-INTERIM MOTIONS

The administrative-interim motions increased to 3,017 from 2,502 last year to an average of 177 initiating actions per active judge. When panel matters are considered, each judge acted on 680 motions, an increase from 557 last year. See **Enclosure G**, page 39, for other details.

K. OTHER COURT DATA

1. Bar Membership Data

There are 26,136 active bar members. Of those, 25,748 are registered for electronic case filing and 3,850 different members filed pleadings through ECF last year.

Table 37- Members of the Bar

	2021	2022	2023	2024	2025	2026
Active Members	22,717	25,342	24,612	24,745	25,394	26,136
Registered Filers	21,809	24,382	23,999	24,302	24,990	25,748
Number of ECF Filers	3,883	3,990	3,763	3,957	3,750	3,850

2. Amicus Briefs Filed

In 110 cases, the court received 287 amicus briefs. Of the amicus briefs filed, 284 were filed in Civil and 3 were filed in Criminal Appeals.

Table 38 - Number of Amicus Briefs Filed by Case Type

TYPE	YEAR						Change from Prior Year	
	2021	2022	2023	2024	2025	2026	No.	%
Criminal	7	5	3	5	14	3	-11	-78.6
Prisoner Appeals	14	7	8	13	10	24	+14	+140.0
Successive Habeas Corpus	0	0	0	0	0	0	0	0
IFP Mandamus	0	0	0	0	0	0	0	0
Federal Question	32	55	41	58	51	64	+13	+25.5
Diversity	6	11	24	20	16	5	-11	-68.8
U.S. Civil	42	69	167	120	122	99	-23	-18.9
Tax Court	0	0	0	0	4	2	-2	-50.0
Civil Rights	80	83	90	65	113	56	-57	-50.4
Bankruptcy	0	4	4	2	1	0	-1	-100.0
Social Security	0	0	0	0	0	0	0	0
BIA	5	11	2	1	2	12	+10	+500.0
Mandamus	3	0	5	2	0	2	+2	0
Agency	3	21	38	94	26	19	-7	-26.9
Miscellaneous	0	3	1	0	0	1	+1	0
	192	269	383	380	359	287	-72	-20.1

3. Interlocutory, Discretionary, and Expedited Appeals

Table 39 - Interlocutory Appeals

TYPE	YEAR						Change from Prior Year
	2021	2022	2023	2024	2025	2026	
1292(b)	17	18	13	10	6	3	-3
1453 Permission to Appeal	2	5	1	2	2	1	-1
158(d) Miscellaneous	12	3	10	4	1	5	+4
23f - Class Action	8	14	2	7	7	9	+2
	39	40	26	23	16	18	+2

Table 40 – Emergency Matters/Expedited Cases

TYPE	YEAR						Change from Prior Year
	2021	2022	2023	2024	2025	2026	
Emergency Matters	94	71	57	101	89	171	+82
Cases Expedited to OA	12	30	31	30	25	19	-6
	106	101	88	131	114	190	+76

New Appeals Docketed by Case Type for the Month Ending 6/30/2026

CASE TYPE	(a)	(b)		(c)	(d)												
	MO. % 2025-2026	CUMULATIVE % 24-25	25-26	2024 2025	2025 2026	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
CRIMINAL CASES	27.85%	37.00%	31.72%	2,028	1,872	151	156	190	196	149	160	112	145	121	166	150	176
PRISONER CASES																	
w/counsel	3.16%	1.97%	2.56%	108	151	7	5	6	21	9	10	16	14	15	13	16	19
w/o counsel	13.29%	14.85%	14.66%	814	865	53	76	70	71	76	67	70	62	75	80	79	86
Succ Habeas	6.33%	4.01%	4.42%	220	261	15	14	24	22	12	12	14	30	24	27	27	40
Non-Pd Mandamus	2.37%	2.94%	3.59%	161	212	14	22	16	25	17	22	16	23	15	15	12	15
SUB-TOTAL	53.01%	60.77%	56.96%	3,331	3,361	240	273	306	335	263	271	228	274	250	301	283	335
CIVIL																	
Private Civil	10.60%	11.33%	13.10%	621	773	54	65	62	77	63	69	37	54	68	90	67	67
Diversity	4.11%	5.13%	5.97%	281	352	24	24	41	35	30	33	16	22	27	44	30	26
Fed. Quest.	6.49%	6.20%	7.13%	340	421	30	41	21	42	33	36	21	32	41	46	37	41
U.S. CIVIL	2.53%	2.65%	2.19%	145	129	14	15	11	14	7	9	5	4	7	13	14	16
Tax	0.16%	0.11%	0.14%	6	8	0	1	1	0	0	1	0	0	2	2	0	1
Tax Court	0.47%	0.07%	0.31%	4	18	1	0	1	1	0	1	0	1	7	0	3	3
Bankruptcy	1.90%	0.97%	1.51%	53	89	3	5	6	8	6	2	9	10	5	15	8	12
BIA	15.98%	4.98%	8.24%	273	486	26	29	27	24	31	20	22	26	65	67	48	101
Other Agency	1.58%	2.21%	1.59%	121	94	17	12	6	6	3	3	3	5	14	11	4	10
Civil Rights	12.50%	15.20%	14.37%	833	848	51	86	85	58	57	70	66	64	67	89	77	78
Soc. Security	0.00%	0.40%	0.22%	22	13	0	1	3	1	1	0	1	2	0	0	4	0
Mandamus	1.27%	0.66%	0.92%	36	54	3	1	3	3	8	8	6	3	3	2	6	8
Miscellaneous	0.00%	0.66%	0.47%	36	28	0	2	6	4	2	0	4	2	2	4	2	0
SUB-TOTAL	46.84%	39.23%	43.04%	2,150	2,540	169	217	211	196	178	183	153	171	240	293	233	296
TOTAL APPEALS	100.00%	100.00%	100.00%	5,481	5,901	409	490	517	531	441	454	381	445	490	594	517	632

Legend:

- Col: (a): Monthly Percentage Make-Up of the New Filings
 (b): The Cumulative Percentage for the corresponding months in 24-25 compared with 25-26
 (c): The Cumulative Total Filings for the corresponding months in 24-25
 (d): The Cumulative Total for 25-26

ENCLOSURE A

AVERAGE WORKLOAD PER ACTIVE JUDGE

I. SUMMARY CALENDAR CASES*			
(a) Opinions as initiating judge	59		
(b) Participations in opinions of other panel members		118	
(c) Sub-total summary calendar cases			177
II. HEARING CALENDAR AND OTHER CASES*			
(a) Opinions as writing judge	51		
(b) Participations in opinions of other panel members		102	
(c) Sub-total oral argument cases			153
III. TOTAL OPINIONS (I(a), II(a))*	110		
IV. TOTAL PANEL PARTICIPATIONS (I(b), II(b))*		220	
V. TOTAL OPINIONS AND PARTICIPATIONS (I(c), II(c))*			330
VI. PETITIONS FOR REHEARING EN BANC			262
VII. ADMINISTRATIVE-INTERIM MATTERS			
(a) Single Judge Matters	110		
(b) Participation in panel matters as initiating judge	190		
(c) Participation in panel matters of other panel members		380	
(d) Sub-total administrative -interim matters			680
VIII. TOTAL MATTERS PARTICIPATED IN PER JUDGE			1272

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

SUMMARY OF SCREENING CLASSIFICATIONS
BY CASE TYPE

PERIOD: July 1, 2025 - June 30, 2026

<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	489	526	79	0	1,094	92.8
CRIMINAL NON-DIRECT	7	66	14	0	87	83.9
PRISONER CASES						
HC-With Counsel	0	1	7	0	8	12.5
HC-Without Counsel	1	11	7	0	19	63.2
1983-With Counsel	0	3	8	0	11	27.3
1983-Without Counsel	4	31	11	0	46	76.1
O. Pris.-With Counsel	0	1	1	0	2	50.0
O. Pris.-Without Counsel	0	2	1	0	3	66.7
2255-With Counsel	0	0	3	0	3	0.0
2255-Without Counsel	0	2	2	0	4	50.0
CIVIL						
Diversity	0	35	100	0	135	25.9
Fed. Question	0	45	111	0	156	28.8
U.S. Civil	1	11	44	0	56	21.4
Tax	0	0	3	0	3	0.0
Bankruptcy	1	6	24	1	32	21.9
Civ. Rights	0	114	184	0	298	38.3
BIA	0	114	31	0	145	78.6
Tax Court	0	2	1	0	3	66.7
Other Agency	0	3	30	0	33	9.1
Social Security	0	6	4	0	10	60.0
TOTAL	503	979	665	1	2,148	69.0

PETITIONS FOR REHEARING EN BANC AND EN BANC GRANTED

	<u>7/1/2025 - 6/30/2026</u>	
	TOTAL	
TOTAL PENDING AS OF END OF PREVIOUS COURT YEAR	0	35
Petitions for Rehearing En Banc FILED this Year	0	257
Petitions for Rehearing En Banc DENIED	0	246
w/poll vote	25	0
w/o poll vote	221	0
En Banc GRANTED	0	11
On Petition With Oral Argument	10	0
On Petition Without Oral Argument	0	0
Sua Sponte En Banc With Oral Argument	1	0
Sua Sponte En Banc Without Oral Argument	0	0
Disposed of by Other Means	0	5
TOTAL PENDING AS OF 6/30/2026	0	30

PETITIONS FOR PANEL REHEARING AND REHEARING GRANTED

		<u>7/1/2025 - 6/30/2026</u>
		TOTAL
TOTAL PENDING AS OF END OF PREVIOUS COURT YEAR	23	
Petitions for Rehearing FILED this Year	219	
En Banc Rehearing Treated as Panel Rehearing*	157	
TOTAL PENDING AND FILED		399
Petitions for Rehearing DENIED**	367	
Petitions for Rehearing GRANTED**	17	
Disposed of by Other Means	0	
TOTAL PENDING AS OF 6/30/2026		15

*Where parties requested an en banc rehearing only, these requests were also treated as a panel rehearing.

**Includes sua sponte rulings.

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

SUMMARY

PERIOD: 7/1/2025 TO 6/30/2026

			TYPE OF DISPOSITION				
TYPE	PENDING 6/30/2025	NUMBER FILED	GRANTED	DENIED	DISMISSED	REMOVED	PENDING 6/30/2026
TOTAL	82	467	20	464	9	0	56
CRIM	46	270	12	273	2	0	29
USC	7	36	1	32	4	0	6
PRIV. CIV.	25	152	6	147	3	0	21
ADM*	4	9	1	12	0	0	0

*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 2026)

Motion to or for:	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	TOTALS
Dismiss	24	24	25	26	14	23	12	19	25	24	27	29	272
Reinstate Appeal	0	1	2	1	2	3	1	0	1	0	1	0	12
Appointment of Counsel	0	7	4	0	1	0	2	1	2	1	1	2	21
Expedite Hearing, for Continuance, or Special Assignment	2	9	5	7	2	3	5	2	8	2	0	5	50
Stay or for Injunction and/or Supersedeas Pending Appeal	10	34	21	19	29	25	19	18	23	38	36	45	317
Supplement the Record	8	5	9	4	3	5	2	5	8	5	5	7	66
Strike Briefs, Designations for Printing, etc	2	0	4	0	5	1	0	0	2	0	0	0	14
Excess Pages in Brief	0	0	2	3	0	2	4	1	2	3	0	1	18
Bail Pending Appeal	1	1	0	0	0	7	5	4	0	1	0	0	19
Interlocutory Appeal (Sec. 1292(b))	1	1	2	5	2	1	0	3	1	4	0	1	21
Jurisdiction	13	26	23	14	15	20	26	19	22	6	10	13	207
Withdraw as Counsel	10	8	3	6	7	8	8	6	13	6	8	7	90
Extensions of Time	30	23	26	49	27	41	20	32	25	15	23	75	386
Certificate of Appealability/Additional COA Issues	7	16	14	16	11	11	15	14	10	7	10	13	144
Leave to Appeal In Forma Pauperis	24	12	21	11	15	18	14	13	27	24	20	37	236
Issuance of COA and Leave to Appeal In Forma Pauperis	2	2	13	5	3	2	7	9	8	4	10	4	69
Mandamus or Prohibition	12	12	23	11	13	15	17	13	16	9	17	10	168
Successive Petitions	8	12	12	19	10	9	7	12	23	14	16	12	154
Miscellaneous Motions	56	69	78	121	73	43	59	42	46	54	48	64	753
TOTALS	210	262	287	317	232	237	223	213	262	217	232	325	3,017

ENCLOSURE G



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