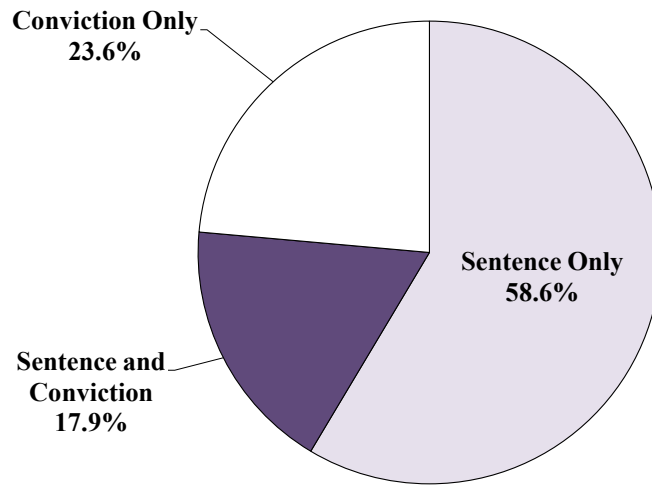


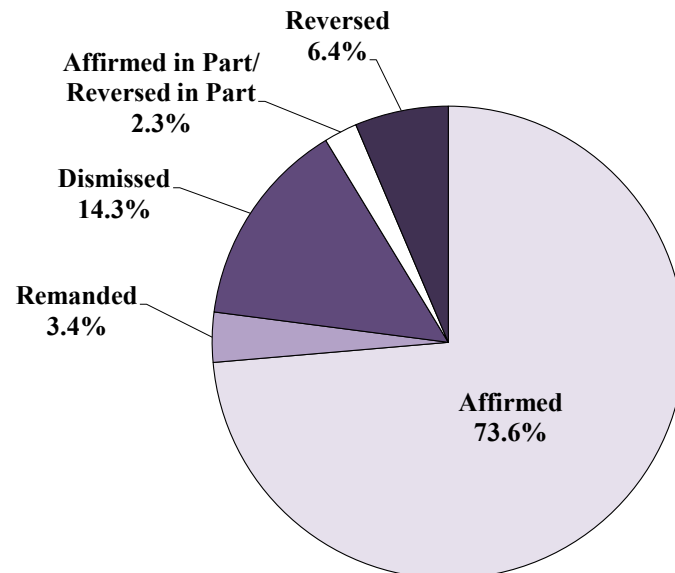
Figure A-1

TYPE AND DISPOSITION OF APPEALS CASES¹
Fiscal Year 2024

TYPE OF APPEAL



DISPOSITION OF SENTENCING APPEALS^{2,3}



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

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

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

Table A-1

TYPE OF APPEAL IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2024

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

Table A-1 (cont.)

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

Table A-1 (cont.)

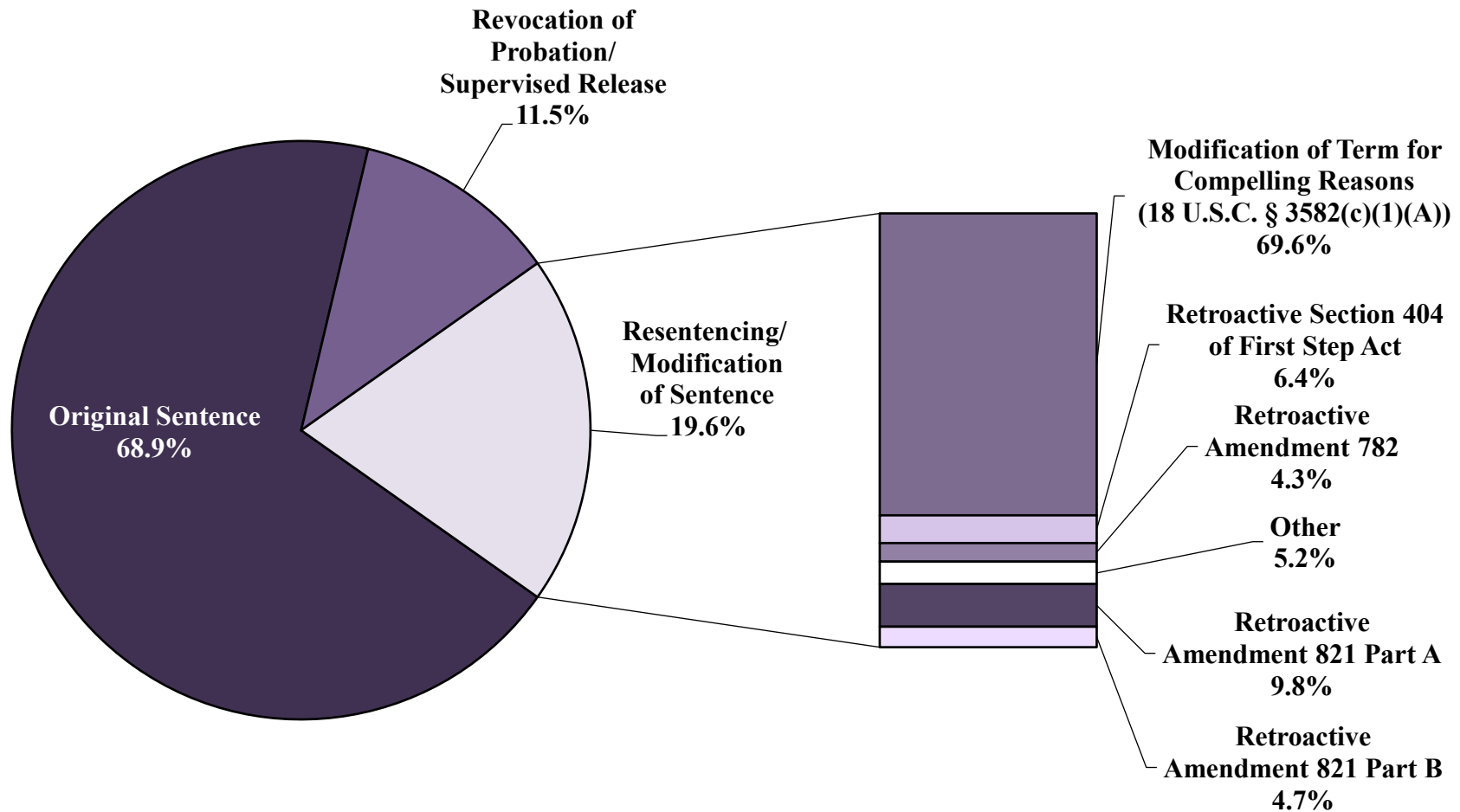
| CIRCUIT | Total | Sentence Only | | Sentence and Conviction | | Conviction Only | |
|--------------------------|------------|---------------|-------------|-------------------------|-------------|-----------------|-------------|
| District | N | N | % | N | % | N | % |
| NINTH CIRCUIT | 443 | 189 |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

¹ Of the 6,099 appeals cases, 537 were excluded because the type of appeal was 'unknown'. Descriptions of variables used in this table are provided in Appendix A.

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

Figure A-2

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



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

Table A-2

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

| CIRCUIT | Total | Affirmed | | Reversed | | | Affirmed and Reversed | | | Dismissed | | Remanded | |
|-----------------------|--------------|--------------|-------------|------------|----------------|-------------|-----------------------|----------------|------------|------------|-------------|-----------|------------|
| District | | N | % | N | R ² | % | N | R ² | % | N | % | N | % |
| TOTAL | 2,913 | 1,996 | 68.5 | 203 | 203 | 7.0 | 86 | 85 | 3.0 | 537 | 18.4 | 91 | 3.1 |
| D.C. CIRCUIT | 25 | 18 | 72.0 | 3 | 3 | 12.0 | 1 | 1 | 4.0 | 2 | 8.0 | 1 | 4.0 |
| District of Columbia | 25 | 18 | 72.0 | 3 | 3 | 12.0 | 1 | 1 | 4.0 | 2 | 8.0 | 1 | 4.0 |
| FIRST CIRCUIT | 91 | 63 | 69.2 | 9 | 9 | 9.9 | 1 | 1 | 1.1 | 13 | 14.3 | 5 | 5.5 |
| Maine | 8 | 7 | 87.5 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 1 | 12.5 |
| Massachusetts | 21 | 16 | 76.2 | 2 | 2 | 9.5 | 1 | 1 | 4.8 | 2 | 9.5 | 0 | 0.0 |
| New Hampshire | 4 | 3 | 75.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 1 | 25.0 | 0 | 0.0 |
| Puerto Rico | 57 | 36 | 63.2 | 7 | 7 | 12.3 | 0 | 0 | 0.0 | 10 | 17.5 | 4 | 7.0 |
| Rhode Island | 1 | 1 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| SECOND CIRCUIT | 165 | 105 | 63.6 | 11 | 11 | 6.7 | 14 | 14 | 8.5 | 22 | 13.3 | 13 | 7.9 |
| Connecticut | 12 | 9 | 75.0 | 0 | 0 | 0.0 | 1 | 1 | 8.3 | 1 | 8.3 | 1 | 8.3 |
| New York | | | | | | | | | | | | | |
| Eastern | 27 | 17 | 63.0 | 3 | 3 | 11.1 | 4 | 4 | 14.8 | 2 | 7.4 | 1 | 3.7 |
| Northern | 28 | 13 | 46.4 | 3 | 3 | 10.7 | 5 | 5 | 17.9 | 4 | 14.3 | 3 | 10.7 |
| Southern | 74 | 51 | 68.9 | 4 | 4 | 5.4 | 4 | 4 | 5.4 | 11 | 14.9 | 4 | 5.4 |
| Western | 22 | 13 | 59.1 | 1 | 1 | 4.5 | 0 | 0 | 0.0 | 4 | 18.2 | 4 | 18.2 |
| Vermont | 2 | 2 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| THIRD CIRCUIT | 115 | 96 | 83.5 | 12 | 12 | 10.4 | 1 | 1 | 0.9 | 5 | 4.3 | 1 | 0.9 |
| Delaware | 4 | 4 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| New Jersey | 30 | 28 | 93.3 | 1 | 1 | 3.3 | 0 | 0 | 0.0 | 1 | 3.3 | 0 | 0.0 |
| Pennsylvania | | | | | | | | | | | | | |
| Eastern | 33 | 26 | 78.8 | 6 | 6 | 18.2 | 0 | 0 | 0.0 | 1 | 3.0 | 0 | 0.0 |
| Middle | 26 | 21 | 80.8 | 2 | 2 | 7.7 | 0 | 0 | 0.0 | 2 | 7.7 | 1 | 3.8 |
| Western | 19 | 17 | 89.5 | 1 | 1 | 5.3 | 1 | 1 | 5.3 | 0 | 0.0 | 0 | 0.0 |
| Virgin Islands | 3 | 0 | 0.0 | 2 | 2 | 66.7 | 0 | 0 | 0.0 | 1 | 33.3 | 0 | 0.0 |
| FOURTH CIRCUIT | 429 | 236 | 55.0 | 44 | 44 | 10.3 | 3 | 3 | 0.7 | 133 | 31.0 | 13 | 3.0 |
| Maryland | 28 | 18 | 64.3 | 2 | 2 | 7.1 | 1 | 1 | 3.6 | 6 | 21.4 | 1 | 3.6 |
| North Carolina | | | | | | | | | | | | | |
| Eastern | 121 | 52 | 43.0 | 17 | 17 | 14.0 | 2 | 2 | 1.7 | 44 | 36.4 | 6 | 5.0 |
| Middle | 67 | 47 | 70.1 | 2 | 2 | 3.0 | 0 | 0 | 0.0 | 18 | 26.9 | 0 | 0.0 |
| Western | 60 | 38 | 63.3 | 4 | 4 | 6.7 | 0 | 0 | 0.0 | 18 | 30.0 | 0 | 0.0 |
| South Carolina | 48 | 25 | 52.1 | 9 | 9 | 18.8 | 0 | 0 | 0.0 | 11 | 22.9 | 3 | 6.3 |
| Virginia | | | | | | | | | | | | | |
| Eastern | 41 | 19 | 46.3 | 5 | 5 | 12.2 | 0 | 0 | 0.0 | 15 | 36.6 | 2 | 4.9 |
| Western | 6 | 3 | 50.0 | 1 | 1 | 16.7 | 0 | 0 | 0.0 | 2 | 33.3 | 0 | 0.0 |
| West Virginia | | | | | | | | | | | | | |
| Northern | 45 | 25 | 55.6 | 2 | 2 | 4.4 | 0 | 0 | 0.0 | 17 | 37.8 | 1 | 2.2 |
| Southern | 13 | 9 | 69.2 | 2 | 2 | 15.4 | 0 | 0 | 0.0 | 2 | 15.4 | 0 | 0.0 |

Table A-2 (cont.)

| CIRCUIT District | Total | Affirmed | | Reversed | | | Affirmed and Reversed | | | Dismissed | | Remanded | |
|------------------------|------------|------------|-------------|-----------|----------------|------------|-----------------------|----------------|------------|-----------|-------------|-----------|------------|
| | | N | % | N | R ² | % | N | R ² | % | N | % | N | % |
| FIFTH CIRCUIT | 482 | 379 | 78.6 | 27 | 27 | 5.6 | 7 | 6 | 1.5 | 49 | 10.2 | 20 | 4.1 |
| Louisiana | | | | | | | | | | | | | |
| Eastern | 16 | 11 | 68.8 | 4 | 4 | 25.0 | 0 | 0 | 0.0 | 1 | 6.3 | 0 | 0.0 |
| Middle | 3 | 3 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Western | 55 | 50 | 90.9 | 3 | 3 | 5.5 | 0 | 0 | 0.0 | 0 | 0.0 | 2 | 3.6 |
| Mississippi | | | | | | | | | | | | | |
| Northern | 12 | 10 | 83.3 | 2 | 2 | 16.7 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Southern | 27 | 8 | 29.6 | 1 | 1 | 3.7 | 0 | 0 | 0.0 | 17 | 63.0 | 1 | 3.7 |
| Texas | | | | | | | | | | | | | |
| Eastern | 12 | 8 | 66.7 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 4 | 33.3 | 0 | 0.0 |
| Northern | 119 | 100 | 84.0 | 1 | 1 | 0.8 | 0 | 0 | 0.0 | 15 | 12.6 | 3 | 2.5 |
| Southern | 84 | 61 | 72.6 | 4 | 4 | 4.8 | 4 | 3 | 4.8 | 7 | 8.3 | 8 | 9.5 |
| Western | 154 | 128 | 83.1 | 12 | 12 | 7.8 | 3 | 3 | 1.9 | 5 | 3.2 | 6 | 3.9 |
| SIXTH CIRCUIT | 343 | 280 | 81.6 | 13 | 13 | 3.8 | 13 | 13 | 3.8 | 34 | 9.9 | 3 | 0.9 |
| Kentucky | | | | | | | | | | | | | |
| Eastern | 42 | 35 | 83.3 | 1 | 1 | 2.4 | 3 | 3 | 7.1 | 2 | 4.8 | 1 | 2.4 |
| Western | 13 | 13 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Michigan | | | | | | | | | | | | | |
| Eastern | 30 | 21 | 70.0 | 4 | 4 | 13.3 | 1 | 1 | 3.3 | 3 | 10.0 | 1 | 3.3 |
| Western | 60 | 54 | 90.0 | 1 | 1 | 1.7 | 2 | 2 | 3.3 | 3 | 5.0 | 0 | 0.0 |
| Ohio | | | | | | | | | | | | | |
| Northern | 88 | 70 | 79.5 | 3 | 3 | 3.4 | 4 | 4 | 4.5 | 11 | 12.5 | 0 | 0.0 |
| Southern | 20 | 13 | 65.0 | 2 | 2 | 10.0 | 2 | 2 | 10.0 | 3 | 15.0 | 0 | 0.0 |
| Tennessee | | | | | | | | | | | | | |
| Eastern | 53 | 40 | 75.5 | 2 | 2 | 3.8 | 1 | 1 | 1.9 | 10 | 18.9 | 0 | 0.0 |
| Middle | 8 | 8 | 100.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Western | 29 | 26 | 89.7 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 2 | 6.9 | 1 | 3.4 |
| SEVENTH CIRCUIT | 161 | 81 | 50.3 | 14 | 14 | 8.7 | 4 | 4 | 2.5 | 56 | 34.8 | 6 | 3.7 |
| Illinois | | | | | | | | | | | | | |
| Central | 26 | 9 | 34.6 | 3 | 3 | 11.5 | 3 | 3 | 11.5 | 11 | 42.3 | 0 | 0.0 |
| Northern | 53 | 33 | 62.3 | 3 | 3 | 5.7 | 1 | 1 | 1.9 | 14 | 26.4 | 2 | 3.8 |
| Southern | 16 | 7 | 43.8 | 1 | 1 | 6.3 | 0 | 0 | 0.0 | 8 | 50.0 | 0 | 0.0 |
| Indiana | | | | | | | | | | | | | |
| Northern | 16 | 9 | 56.3 | 2 | 2 | 12.5 | 0 | 0 | 0.0 | 5 | 31.3 | 0 | 0.0 |
| Southern | 30 | 12 | 40.0 | 3 | 3 | 10.0 | 0 | 0 | 0.0 | 13 | 43.3 | 2 | 6.7 |
| Wisconsin | | | | | | | | | | | | | |
| Eastern | 13 | 5 | 38.5 | 2 | 2 | 15.4 | 0 | 0 | 0.0 | 4 | 30.8 | 2 | 15.4 |
| Western | 7 | 6 | 85.7 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 1 | 14.3 | 0 | 0.0 |
| EIGHTH CIRCUIT | 348 | 246 | 70.7 | 9 | 9 | 2.6 | 4 | 4 | 1.1 | 81 | 23.3 | 8 | 2.3 |
| Arkansas | | | | | | | | | | | | | |
| Eastern | 36 | 22 | 61.1 | 0 | 0 | 0.0 | 3 | 3 | 8.3 | 9 | 25.0 | 2 | 5.6 |
| Western | 17 | 14 | 82.4 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 3 | 17.6 | 0 | 0.0 |
| Iowa | | | | | | | | | | | | | |
| Northern | 49 | 43 | 87.8 | 1 | 1 | 2.0 | 0 | 0 | 0.0 | 4 | 8.2 | 1 | 2.0 |
| Southern | 77 | 73 | 94.8 | 1 | 1 | 1.3 | 0 | 0 | 0.0 | 1 | 1.3 | 2 | 2.6 |
| Minnesota | 20 | 13 | 65.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 7 | 35.0 | 0 | 0.0 |
| Missouri | | | | | | | | | | | | | |
| Eastern | 40 | 24 | 60.0 | 3 | 3 | 7.5 | 1 | 1 | 2.5 | 12 | 30.0 | 0 | 0.0 |
| Western | 58 | 26 | 44.8 | 1 | 1 | 1.7 | 0 | 0 | 0.0 | 31 | 53.4 | 0 | 0.0 |
| Nebraska | 20 | 14 | 70.0 | 1 | 1 | 5.0 | 0 | 0 | 0.0 | 4 | 20.0 | 1 | 5.0 |
| North Dakota | 15 | 8 | 53.3 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 6 | 40.0 | 1 | 6.7 |
| South Dakota | 16 | 9 | 56.3 | 2 | 2 | 12.5 | 0 | 0 | 0.0 | 4 | 25.0 | 1 | 6.3 |

Table A-2 (cont.)

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

¹ Of the 6,099 appeals cases, 2,913 involved an appeal of the original sentence by the sentenced individual. The remaining appeals cases involved the following: type of appeal was 'conviction only' (1,311), 'unknown' (537), the appeal was by the government only (21), the appeal was of an issue related to a post sentencing matter (833), and/or the appeal was of a sentence imposed upon the revocation of probation or supervised release (488). Descriptions of variables used in this table are provided in Appendix A.

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

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

Table A-2A

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

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

Table A-2A (cont.)

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

Table A-2A (cont.)

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

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

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

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

Table A-3

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

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

Table A-3 (cont.)

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

Table A-3 (cont.)

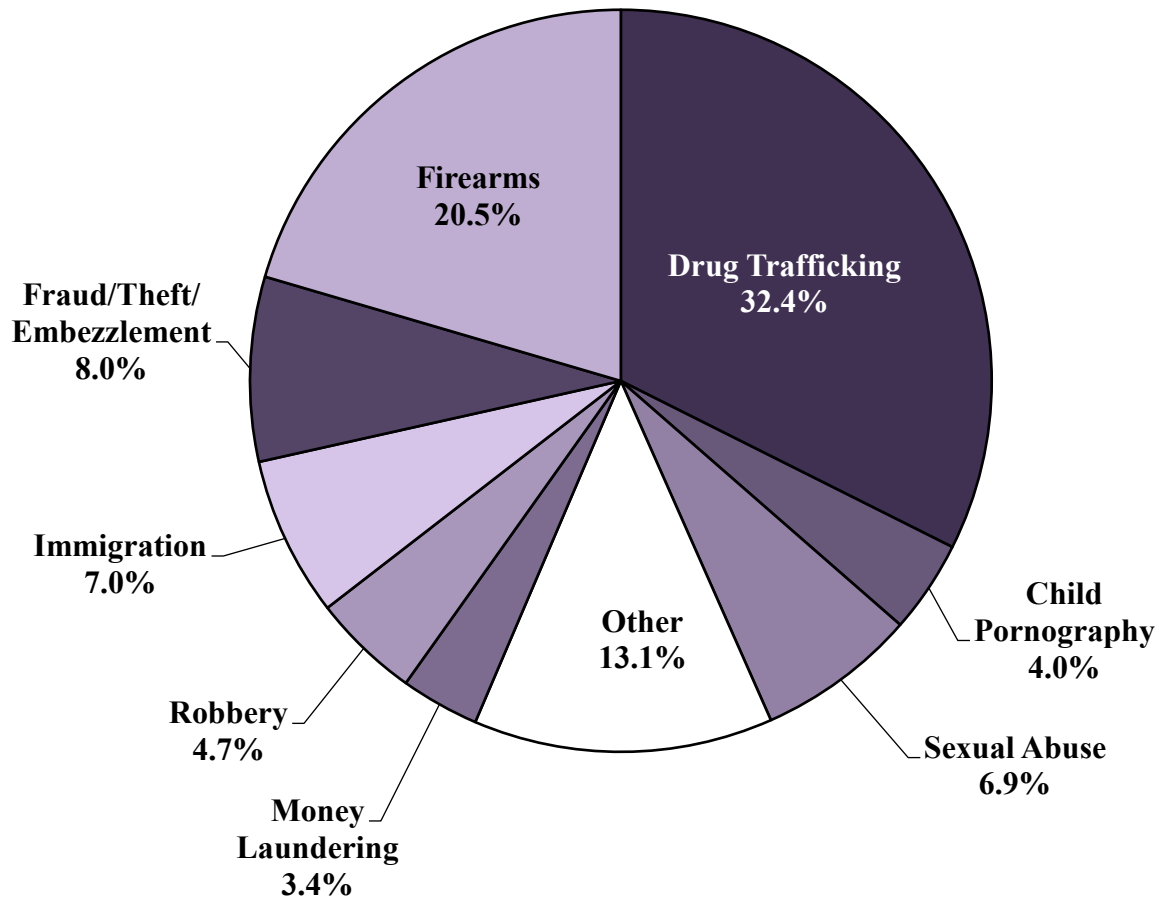
| CIRCUIT District | Total | Affirmed | | Reversed | | | Affirmed and Reversed | | | Dismissed | | Remanded | |
|--------------------------|----------|----------|-------------|----------|----------------|--------------|-----------------------|----------------|------------|-----------|------------|----------|------------|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

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

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

Figure A-3

TYPE OF CRIME IN ORIGINAL SENTENCE APPEALS¹
Fiscal Year 2024



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

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

Table A-4

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

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

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

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

Table A-5

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

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

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

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

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

Table A-6

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

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

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

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

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

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

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

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

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

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