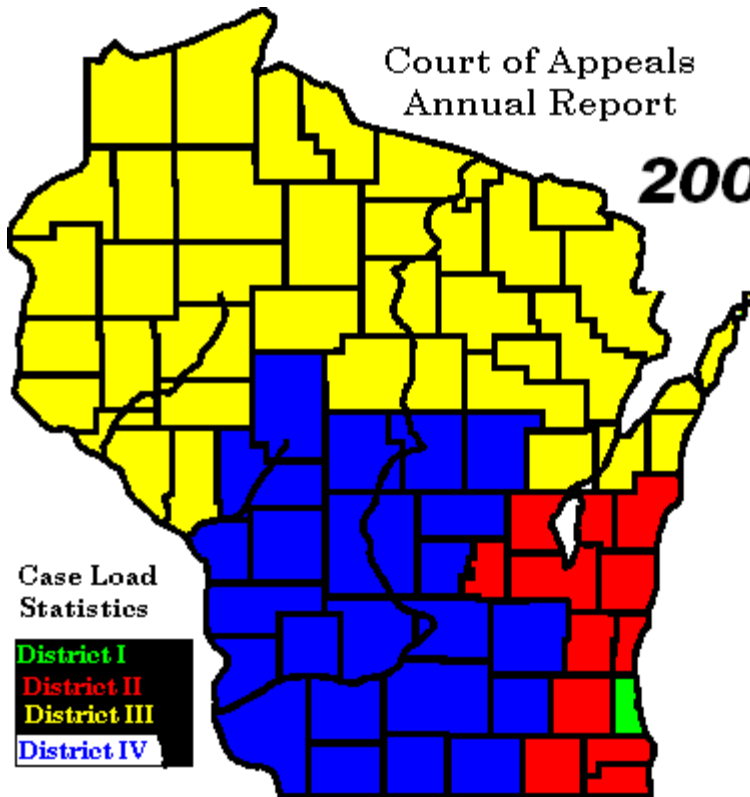


Court of Appeals
Annual Report

2009



Case Load
Statistics

- District I
- District II
- District III
- District IV

2009
COURT OF APPEALS - CASE LOAD STATISTICS

District Total	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	
<u>Filings</u>	<u>942</u>	<u>734</u>	<u>677</u>	<u>714</u>	<u>3067</u>
Civil	415	378	388	448	1629
Criminal	527	356	289	266	1438
Adjusted Caseload*	-82	-8	+3	+87	
Three-Judge	820	572	561	570	2523
One-Judge	122	162	116	144	544
Average filings per judge	236	184	226	143	192
*Adjusted average/judge	215	182	227	160	192
No Merits/Transfer Adjustment	261/188	118/124	138/137	107/175	624
<u>Writs</u>	<u>72</u>	<u>35</u>	<u>26</u>	<u>54</u>	<u>187</u>
Granted	1	2	0	2	5
<u>Leaves to Appeal</u>	<u>46</u>	<u>67</u>	<u>49</u>	<u>41</u>	<u>203</u>
Granted	13	9	6	8	36
Matter of Right	563	514	464	512	2053

<u>Submission</u>	<u>273</u>	<u>278</u>	<u>205</u>	<u>299</u>	<u>1055</u>
Civil	130	143	132	191	596
Criminal	143	135	73	108	459
Cases on Briefs	261	265	202	297	1025
Civil	119	135	129	189	572
Criminal	142	130	73	108	453
Percentage on briefs	96%	95%	99%	99%	97%
Oral Arguments	12	13	3	2	30
Civil	11	8	3	2	24
Criminal	1	5	0	0	6
Percentage Orally Argued	4%	5%	1%	1%	3%

Total Terminations	856	749	629	844	3078
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**District
Total**

I

II

III

IV

Average terminations per judge	214	187	210	169	192
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Percentages of Total Terminations:

Opinion	36%	37%	31%	38%	36%
Summary Disposition	26%	29%	29%	27%	28%
Memo Opinion	31%	27%	34%	30%	30%
Other	7%	8%	6%	5%	6%

Percentages of Civil/Criminal Affirmances:

Civil: % Affirmed	82%	74%	68%	76%	76%
Criminal: % Affirmed	93%	85%	85%	86%	88%

Average Days to Opinion:

Notice of Appeal to Opinion	136	155	121	193	242
Three-Judge Opinions	363	358	314	415	371
One-Judge Opinions	163	194	171	243	202
Per Curiam Opinions	364	367	332	433	377
Summary Dispositions					
without No Merits	408	290	290	358	325
No Merit SMDs	284	231	165	281	247
Memo Opinions	179	101	76	107	119
Orders*	65	47	52	65	58
Fast Tracks	NA	168	178	181	175

*Does not include voluntary dismissals.

District	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>
<u>Total</u>				

Terminations by Opinion:

<u>Opinions</u>	<u>308</u>	<u>275</u>	<u>194</u>	<u>320</u>	<u>1097</u>
Civil	153	150	120	194	617
Percentage	50%	55%	62%	61%	56%
Criminal	155	125	74	126	480
Percentage	50%	45%	38%	39%	44%
%s of Disposition:					
Affirmed	87%	74%	65%	75%	76%
Reversed	7%	20%	25%	19%	17%
Other	6%	6%	10%	6%	7%
Per Curiams	152	114	100	136	502
No Merit Per Curiams		1			1
Signed Opinions	157	161	94	184	596
1-Judge Opinions*	36	81	56	91	264
3-Judge Opinions	121	80	38	93	332

Publication Data:

All Opinions*	281	256	174	279	990
Percentage Published	17%	24%	14%	13%	17%
Considered**	119	80	39	83	321
Published	47	61	25	36	169
Percentage	39%	76%	64%	43%	53%

* This figure reflects Dec 2008 and YTD Nov 2009 three-judge, one-judge and per curiam opinions.

** Three-judge opinions only; deferrals are counted only when decided.

District	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>
<u>Total</u>				

Termination by Other Means (Orders):

<u>Summary Dispositions</u>	<u>224</u>	<u>215</u>	<u>184</u>	<u>229</u>	<u>852</u>
Affirmance	5	77	57	97	236
Reversals	3	5	5	5	18
No Merits	206	132	120	125	583
Other	10	1	2	2	15
<u>Memo Opinions</u>	<u>266</u>	<u>200</u>	<u>216</u>	<u>249</u>	<u>931</u>
Jurisdiction	12	16	36	20	84
Other	128	92	115	129	464
Writs Denied, etc.	78	30	25	65	198
Writs Granted	1	2	0	2	5
Leaves Denied, etc.	47	60	40	33	180
<u>Other</u>	<u>58</u>	<u>59</u>	<u>35</u>	<u>46</u>	<u>198</u>
Voluntary Dismissals	25	39	23	37	124
Stipulations	3	2	2	0	7
Other	30	18	10	9	67

Motions (not including Leaves to Appeal and Writs Terminated):

Motions	4109	3111	2555	2904	12679
Writs Terminated	79	32	25	67	203
Writs Granted	1	2	0	2	5
Leaves Terminated	60	69	46	41	216

Pending Cases:

12-31-09	649	516	397	506	2068
12-31-08	622	562	332	492	2008

SUPREME COURT ACTIVITY

Certifications Filed*	0	4	1	8	13
Certifications Granted	0	2	1	6	9
Bypasses Granted	0	1	1	0	2

*Consolidated cases counted as one.

Ct. App. Opinions Released	286	246	173	289	994
Petitions filed on Opns.	180	97	75	105	457
Percentage Filed	63%	39%	43%	36%	46%
<u>Petitions Filed</u>	<u>260</u>	<u>204</u>	<u>135</u>	<u>188</u>	<u>787</u>
Civil	117	93	81	105	396
Criminal	143	111	54	83	391
Petitions Acted Upon	253	198	133	192	776
<u>Granted</u>	<u>16</u>	<u>17</u>	<u>4</u>	<u>17</u>	<u>54</u>
Civil	8	13	3	11	35
Criminal	8	4	1	6	19
SC Opinions on Petitions	13	9.5	7	16.5	46
<u>Affirmed**</u>	<u>4</u>	<u>7.5</u>	<u>3</u>	<u>8.5</u>	<u>23</u> <u>50%</u>
Civil	4	5.5	2	4.5	16 35%
Criminal	0	2	1	4	7 15%
<u>Reversed</u>	<u>6</u>	<u>2</u>	<u>3</u>	<u>5</u>	<u>16</u> <u>35%</u>
Civil	4	2	1	2	9 20%
Criminal	2	0	2	3	7 15%
<u>Other*</u>	<u>3</u>	<u>0</u>	<u>1</u>	<u>3</u>	<u>7</u> <u>15%</u>
Civil	2	0	0	3	5 11%
Criminal	1	0	1	0	2 4%

*Affirmed/remanded; affirmed/reversed in part dispositions.

**One consolidated opinion addressed D2 and D4 opinions.

Supreme Court Disposition of Reviews (8/1/78 - 12/31/09)

Filed	7011	5847	5054	6827	24739
Acted Upon	7024	5809	5041	6700	24574
Granted	635	516	471	711	2333