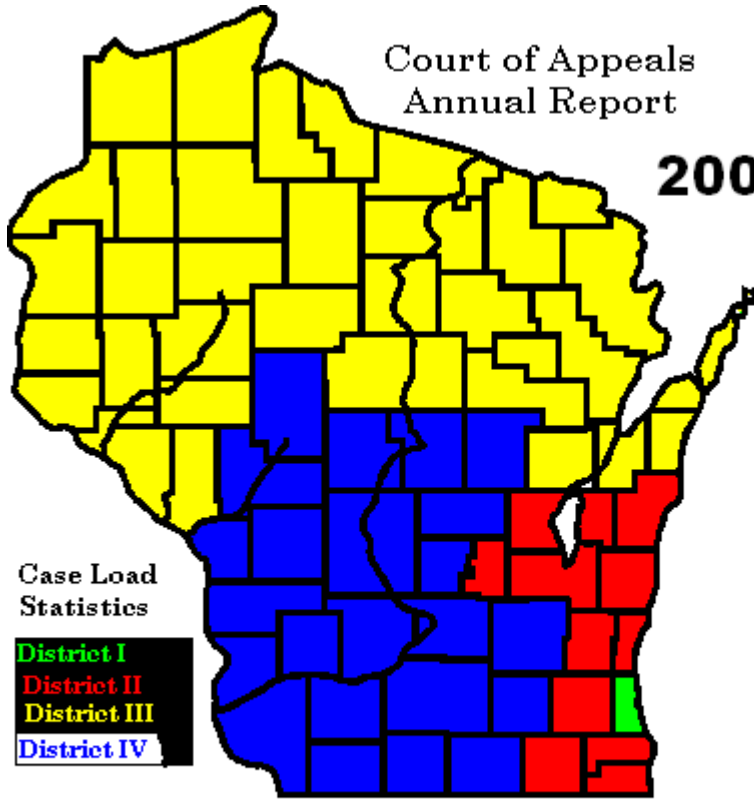


Court of Appeals
Annual Report

2004



2004
COURT OF APPEALS - CASE LOAD STATISTICS

District	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>Total</u>
<u>Filings</u>	<u>1037</u>	<u>715</u>	<u>709</u>	<u>835</u>	<u>3296</u>
Civil	461	390	383	477	1711
Criminal	576	325	326	358	1585
Adjusted Caseload*	-110	+7	-11	+114	
Three-Judge	876	591	557	655	2679
One-Judge	161	124	152	180	617
Average filings per judge	259	179	236	167	206
*Adjusted average/judge	232	181	233	190	206
No Merits	269	121	145	147	682
<u>Writs</u>	<u>67</u>	<u>48</u>	<u>20</u>	<u>51</u>	<u>186</u>
Granted	1	3	1	6	11
<u>Leaves to Appeal</u>	<u>46</u>	<u>50</u>	<u>73</u>	<u>64</u>	<u>233</u>
Granted	10	5	13	18	46
Matter of Right	655	496	471	573	2195

* Numbers reflect cases exchanged due to workload and no-merit transfer and panel disqualifications. These figures do not reflect consolidations.

<u>Submission</u>	<u>319</u>	<u>325</u>	<u>242</u>	<u>433</u>	<u>1319</u>
Civil	146	207	166	300	819
Criminal	173	118	76	133	500
Cases on Briefs	298	310	237	426	1271
Civil	127	194	163	293	777
Criminal	171	116	74	133	494
Percentage on briefs	93%	95%	98%	98%	96%
Oral Arguments	21	15	5	7	48
Civil	19	13	3	7	42
Criminal	2	2	2	0	6
Percentage Orally Argued	7%	5%	2%	2%	4%

Total Terminations	816	825	697	877	3215
Average terminations per judge	204	206	232	175	201

District	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>Total</u>
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Percentages of Total Terminations:

Opinion	24%	31%	34%	42%	33%
Summary Disposition	37%	34%	31%	24%	31%
Memo Opinion	33%	25%	28%	27%	28%
Other	6%	10%	7%	8%	8%

Percentages of Civil/Criminal Affirmances:

Civil: % Affirmed	82%	71%	71%	77%	75%
Criminal: % Affirmed	92%	85%	89%	76%	86%

Average Days to Disposition:

Notice of Appeal to Disposition	242	225	189	243	226
Three-Judge Opinions	328	325	284	416	345
One-Judge Opinions	187	189	149	194	184
Per Curiam Opinions	341	361	278	334	327
Summary Dispositions	339	248	215	255	270
without No Merits	381	325	273	292	338
No Merit SMDs	282	183	192	219	216
Memo Opinions	109	111	88	112	106
Orders*	52	52	79	71	63
Fast Tracks	NA	142	178	169	167

*Does not include voluntary dismissals.

Terminations by Opinion:

<u>Opinions</u>	<u>193</u>	<u>252</u>	<u>239</u>	<u>364</u>	<u>1048</u>
Civil	122	165	162	251	700
Percentage	63%	65%	68%	69%	67%
Criminal	71	87	77	113	348
Percentage	37%	35%	32%	31%	33%
%s of Disposition:					
Affirmed	79%	69%	70%	71%	72%
Reversed	16%	23%	17%	19%	19%
Other	6%	8%	13%	10%	9%
Per Curiams	86	71	124	168	449
Signed Opinions	109	181	115	196	601
1-Judge Opinions*	50	76	42	84	252
3-Judge Opinions	59	105	73	112	349

Publication Data:

All Opinions*	163	232	226	322	943
Percentage Published	25%	32%	16%	23%	24%
Considered**	48	98	73	114	333
Published	40	74	36	75	225
Percentage	83%	76%	49%	66%	68%
Civil Published	30	57	30	55	172
Civil Percentage Published	75%	77%	83%	73%	76%

* This figure reflects Dec 2003 and YTD Nov 2004 three-judge, one-judge and per curiam opinions.

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

Termination by Other Means (Orders):

<u>Summary Dispositions</u>	<u>302</u>	<u>283</u>	<u>214</u>	<u>207</u>	<u>1006</u>
Affirmance	150	93	44	87	374
Reversals	5	15	2	3	25
No Merits	144	167	167	111	589
Other	3	8	1	6	18
<u>Memo Opinions</u>	<u>270</u>	<u>208</u>	<u>197</u>	<u>234</u>	<u>909</u>
Jurisdiction	29	31	24	19	103
Other	141	86	99	116	442
Writs Denied, etc.	67	49	17	51	184
Writs Granted	1	3	1	6	11
Leaves Denied, etc.	32	39	56	42	169
<u>Other</u>	<u>50</u>	<u>82</u>	<u>47</u>	<u>72</u>	<u>251</u>
Voluntary Dismissals	26	64	29	59	178
Stipulations	2	3	4	0	9
Other	22	15	14	13	64

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

Motions	3692	2274	1527	2530	10,023
Writs Terminated	68	52	18	57	195
Writs Granted	1	3	1	6	11
Leaves Terminated	42	44	69	60	215

Pending Cases:

12-31-04	782	423	369	556	2130
12-31-03	632	506	339	522	1999

SUPREME COURT ACTIVITY

Certifications Filed*	1	7	3	10	21
Certifications Granted	1	7	3	10	21
Bypasses Granted	0	1	1	1	3

*Consolidated cases counted as one.

Ct. App. Opinions Released	193	252	239	364	1048
Petitions filed on Opns.	117	105	91	137	450
Percentage Filed	61%	42%	38%	38%	43%
<u>Petitions Filed</u>	<u>267</u>	<u>202</u>	<u>152</u>	<u>248</u>	<u>869</u>
Civil	134	104	85	156	479
Criminal	133	98	67	92	390
Petitions Acted Upon	279	210	160	257	906
<u>Granted</u>	<u>23</u>	<u>19</u>	<u>20</u>	<u>42</u>	<u>104</u>
Civil	21	12	17	34	84
Criminal	2	7	3	8	20
SC Opinions on Petitions	15	25	26	26	92
<u>Affirmed</u>	<u>7</u>	<u>13</u>	<u>22</u>	<u>19</u>	<u>61</u> <u>66%</u>
Civil	4	9	21	15	49 53%
Criminal	3	4	1	4	12 13%
<u>Reversed</u>	<u>6</u>	<u>11</u>	<u>3</u>	<u>5</u>	<u>25</u> <u>27%</u>
Civil	5	7	1	4	17 18%
Criminal	1	4	2	1	8 9%
<u>Other*</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>2</u>	<u>6</u> <u>7%</u>
Civil	2	1	1	1	5 5%
Criminal	0	0	0	1	1 2%

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

Supreme Court Disposition of Reviews (8/1/78 - 12/31/04)

Filed	5748	4918	4295	5634	20595
Acted Upon	5700	4894	4282	5569	20445
Granted	551	432	422	604	2009