

APPENDIX F:
FIRST AMENDMENT CASES:
UNANIMITY

General

Judge Name	Total Cases	Unanimous	% of Total	Dissents	%	Divided – in Majority	% of Total	Concurrence	% of Total
Cabranes	37	31	83.78	1	2.70	3	8.11	2	5.41
Calabresi	51	48	94.12	0	0.00	1	1.96	2	3.92
Cardamone	37	34	91.89	1	2.70	2	5.41	0	0.00
Feinberg	15	14	93.33	0	0.00	1	6.67	0	0.00
Hall	16	16	100.00	0	0.00	0	0.00	0	0.00
Jacobs	47	41	87.23	4	8.51	1	2.13	1	2.13
Katzmann	35	31	88.57	1	2.86	1	2.86	2	5.71
Kearse	47	44	93.62	0	0.00	2	4.26	1	2.13
Leval	41	33	80.49	1	2.44	4	9.76	3	7.32
McLaughlin	29	27	93.10	0	0.00	1	3.45	1	3.45
Meskill	18	18	100.00	0	0.00	0	0.00	0	0.00
Miner	29	25	86.21	1	3.45	3	10.34	0	0.00
Newman	28	25	89.29	1	3.57	1	3.57	1	3.57
Oakes	25	24	96.00	0	0.00	0	0.00	1	4.00
B. Parker	33	31	93.94	0	0.00	2	6.06	0	0.00
F. Parker	31	29	93.55	0	0.00	1	3.23	1	3.23
Pooler	59	54	91.53	1	1.69	4	6.78	0	0.00
Raggi	16	15	93.75	0	0.00	1	6.25	0	0.00
Sack	62	55	88.71	2	3.23	3	4.84	1	1.61
Sotomayor	68	64	94.12	3	4.41	1	1.47	0	0.00
Straub	43	39	90.70	1	2.33	2	4.65	1	2.33
Walker	66	60	90.91	0	0.00	3	4.55	3	4.55
Wesley	23	22	95.65	0	0.00	1	4.35	0	0.00
Winter	35	30	85.71	2	5.71	2	5.71	1	2.86
AVERAGE			90.91%		2.13%		4.49%		2.36%

FIRST AMENDMENT CASES:
UNANIMITY

Party Appointee
(Page 1 of 2)

Judge Name	What Party Appointee?	Total Cases	Unanimous	% of Total	Dissents	% of Total
Cabranes	DEM	37	31	83.78	1	2.70
Calabresi	DEM	51	48	94.12	0	0.00
Feinberg	DEM	15	14	93.33	0	0.00
Katzmann	DEM	35	31	88.57	1	2.86
Kearse	DEM	47	44	93.62	0	0.00
Leval	DEM	41	33	80.49	1	2.44
Newman	DEM	28	25	89.29	1	3.57
Parker, F	DEM	31	29	93.55	0	0.00
Pooler	DEM	59	54	91.53	1	1.69
Sack	DEM	62	55	88.71	2	3.23
Sotomayor	DEM	68	64	94.12	3	4.41
Straub	DEM	43	39	90.70	1	2.33
AVERAGE				90.33%		2.13%
Cardamone	REP	37	34	91.89	1	2.70
Hall	REP	16	16	100.00	0	0.00
Jacobs	REP	47	41	87.23	4	8.51
McLaughlin	REP	29	27	93.10	0	0.00
Meskill	REP	18	18	100.00	0	0.00
Miner	REP	29	25	86.21	1	3.45
Oakes	REP	25	24	96.00	0	0.00
Parker, B	REP	33	31	93.94	0	0.00
Raggi	REP	16	15	93.75	0	0.00
Walker	REP	66	60	90.91	0	0.00
Wesley	REP	23	22	95.65	0	0.00
Winter	REP	35	30	85.71	2	5.71
AVERAGE				91.71%		2.14%

FIRST AMENDMENT CASES:
UNANIMITY

Party Appointee
(Page 2 of 2)

Judge Name	Divided – in Majority	% of Total	Concurrence	% of Total
Cabranes	3	8.11	2	5.41
Calabresi	1	1.96	2	3.92
Feinberg	1	6.67	0	0.00
Katzmann	1	2.86	2	5.71
Kearse	2	4.26	1	2.13
Leval	4	9.76	3	7.32
Newman	1	3.57	1	3.57
Parker, F	1	3.23	1	3.23
Pooler	4	6.78	0	0.00
Sack	3	4.84	1	1.61
Sotomayor	1	1.47	0	0.00
Straub	2	4.65	1	2.33
AVERAGE		4.64%		2.71%
Cardamone	2	5.41	0	0.00
Hall	0	0.00	0	0.00
Jacobs	1	2.13	1	2.13
McLaughlin	1	3.45	1	3.45
Meskill	0	0.00	0	0.00
Miner	3	10.34	0	0.00
Oakes	0	0.00	1	4.00
Parker, B	2	6.06	0	0.00
Raggi	1	6.25	0	0.00
Walker	3	4.55	3	4.55
Wesley	1	4.35	0	0.00
Winter	2	5.71	1	2.86
AVERAGE		4.28%		1.87%

FIRST AMENDMENT CASES:
UNANIMITY

Experience on Lower Court
(Page 1 of 2)

Judge Name	Former Lower Court Judge?	Total Cases	Unanimous	% of Total	Dissents	% of Total
Cabranes	Yes	37	31	83.78	1	2.70
Cardamone	Yes	37	34	91.89	1	2.70
Feinberg	Yes	15	14	93.33	0	0.00
Leval	Yes	41	33	80.49	1	2.44
McLaughlin	Yes	29	27	93.10	0	0.00
Miner	Yes	29	25	86.21	1	3.45
Newman	Yes	28	25	89.29	1	3.57
Oakes	Yes	25	24	96.00	0	0.00
Parker, B	Yes	33	31	93.94	0	0.00
Parker, F	Yes	31	29	93.55	0	0.00
Pooler	Yes	59	54	91.53	1	1.69
Raggi	Yes	16	15	93.75	0	0.00
Sotomayor	Yes	68	64	94.12	3	4.41
Walker	Yes	66	60	90.91	0	0.00
AVERAGE				90.66%		1.75%
Calabresi	No	51	48	94.12	0	0.00
Hall	No	16	16	100.00	0	0.00
Jacobs	No	47	41	87.23	4	8.51
Katzmann	No	35	31	88.57	1	2.86
Kearse	No	47	44	93.62	0	0.00
Meskill	No	18	18	100.00	0	0.00
Sack	No	62	55	88.71	2	3.23
Straub	No	43	39	90.70	1	2.33
Wesley	No	23	22	95.65	0	0.00
Winter	No	35	30	85.71	2	5.71
AVERAGE				91.25%		2.65%

FIRST AMENDMENT CASES:
UNANIMITY

Experience on Lower Court
(Page 2 of 2)

Judge Name	Divided – in Majority	% of Total	Concurrence	% of Total
Cabranes	3	8.11	2	5.41
Cardamone	2	5.41	0	0.00
Feinberg	1	6.67	0	0.00
Leval	4	9.76	3	7.32
McLaughlin	1	3.45	1	3.45
Miner	3	10.34	0	0.00
Newman	1	3.57	1	3.57
Oakes	0	0.00	1	4.00
Parker, B	2	6.06	0	0.00
Parker, F	1	3.23	1	3.23
Pooler	4	6.78	0	0.00
Raggi	1	6.25	0	0.00
Sotomayor	1	1.47	0	0.00
Walker	3	4.55	3	4.55
AVERAGE		5.25%		2.33%
Calabresi	1	1.96	2	3.92
Hall	0	0.00	0	0.00
Jacobs	1	2.13	1	2.13
Katzmann	1	2.86	2	5.71
Kearse	2	4.26	1	2.13
Meskill	0	0.00	0	0.00
Sack	3	4.84	1	1.61
Straub	2	4.65	1	2.33
Wesley	1	4.35	0	0.00
Winter	2	5.71	1	2.86
AVERAGE		3.45%		2.39%

FIRST AMENDMENT CASES:
UNANIMITY

Former Prosecutor
(Page 1 of 2)

Judge Name	Former Prosecutor?	Total Cases	Unanimous	% of Total	Dissents	%	Divided – in Majority	% of Total
Hall	Yes	16	16	100.00	0	0.00	0	0.00
Leval	Yes	41	33	80.49	1	2.44	4	9.76
Miner	Yes	29	25	86.21	1	3.45	3	10.34
Oakes	Yes	25	24	96.00	0	0.00	0	0.00
Parker, F	Yes	31	29	93.55	0	0.00	1	3.23
Raggi	Yes	16	15	93.75	0	0.00	1	6.25
Sotomayor	Yes	68	64	94.12	3	4.41	1	1.47
Walker	Yes	66	60	90.91	0	0.00	3	4.55
Wesley	Yes	23	22	95.65	0	0.00	1	4.35
AVERAGE				91.43%		1.59%		4.44%
Cabranes	No	37	31	83.78	1	2.70	3	8.11
Calabresi	No	51	48	94.12	0	0.00	1	1.96
Cardamone	No	37	34	91.89	1	2.70	2	5.41
Feinberg	No	15	14	93.33	0	0.00	1	6.67
Jacobs	No	47	41	87.23	4	8.51	1	2.13
Katzmann	No	35	31	88.57	1	2.86	1	2.86
Kearse	No	47	44	93.62	0	0.00	2	4.26
McLaughlin	No	29	27	93.10	0	0.00	1	3.45
Meskill	No	18	18	100.00	0	0.00	0	0.00
Newman	No	28	25	89.29	1	3.57	1	3.57
Parker, B	No	33	31	93.94	0	0.00	2	6.06
Pooler	No	59	54	91.53	1	1.69	4	6.78
Sack	No	62	55	88.71	2	3.23	3	4.84
Straub	No	43	39	90.70	1	2.33	2	4.65
Winter	No	35	30	85.71	2	5.71	2	5.71
AVERAGE		38.40%		90.63%		2.43%		4.51%

FIRST AMENDMENT CASES:
UNANIMITY

Former Prosecutor
(Page 2 of 2)

Judge Name	Concurrence	% of Total
Hall	0	0.00
Leval	3	7.32
Miner	0	0.00
Oakes	1	4.00
Parker, F	1	3.23
Raggi	0	0.00
Sotomayor	0	0.00
Walker	3	4.55
Wesley	0	0.00
AVERAGE		2.54%
Cabranes	2	5.41
Calabresi	2	3.92
Cardamone	0	0.00
Feinberg	0	0.00
Jacobs	1	2.13
Katzmann	2	5.71
Kearse	1	2.13
McLaughlin	1	3.45
Meskill	0	0.00
Newman	1	3.57
Parker, B	0	0.00
Pooler	0	0.00
Sack	1	1.61
Straub	1	2.33
Winter	1	2.86
AVERAGE		2.26%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

General
(Page 1 of 3)

Judge Name	Total Cases	Total Upheld	% of Total	Upheld Federal	% of Upheld	Upheld State	% of Upheld	Upheld Local	% of Upheld
Cabranes	37	22	59.46	9	40.91	5	22.73	8	36.36
Calabresi	51	27	52.94	6	22.22	11	40.74	10	37.04
Cardamone	37	19	51.35	7	36.84	6	31.58	6	31.58
Feinberg	15	12	80.00	4	33.33	5	41.67	3	25.00
Hall	16	9	56.25	2	22.22	5	55.56	2	22.22
Jacobs	47	34	72.34	11	32.35	10	29.41	13	38.24
Katzmann	35	21	60.00	9	42.86	9	42.86	3	14.29
Kearse	47	33	70.21	11	33.33	11	33.33	11	33.33
Leval	41	25	60.98	8	32.00	4	16.00	13	52.00
McLaughlin	29	17	58.62	6	35.29	5	29.41	6	35.29
Meskill	18	12	66.67	5	41.67	2	16.67	5	41.67
Miner	29	17	58.62	3	17.65	6	35.29	8	47.06
Newman	28	19	67.86	3	15.79	6	31.58	10	52.63
Oakes	25	19	76.00	2	10.53	6	31.58	11	57.89
B. Parker	33	20	60.61	8	40.00	6	30.00	6	30.00
F. Parker	31	22	70.97	5	22.73	8	36.36	9	40.91
Pooler	59	30	50.85	7	23.33	8	26.67	15	50.00
Raggi	16	9	56.25	4	44.44	1	11.11	4	44.44
Sack	62	37	59.68	7	18.92	16	43.24	14	37.84
Sotomayor	68	41	60.29	7	17.07	13	31.71	21	51.22
Straub	43	21	48.84	7	33.33	4	19.05	10	47.62
Walker	66	36	54.55	13	36.11	11	30.56	12	33.33
Wesley	23	13	56.52	2	15.38	4	30.77	7	53.85
Winter	35	24	68.57	9	37.50	6	25.00	9	37.50
AVERAGE			60.49%		28.76%		31.17%		40.07%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

General
(Page 2 of 2)

Judge Name	Total Over-turned	% of Total	Over-turned Federal	% of Over-turned	Overturnd State	% of Over-turned	Overturnd Local	% of Over-turned	No Const. Determination	% of Total
Cabranes	8	21.62	4	50.00	1	12.50	3	53.16	0	0.00
Calabresi	10	19.61	4	40.00	1	10.00	5	50.00	2	3.92
Cardamone	10	27.03	4	40.00	2	20.00	4	40.00	1	2.70
Feinberg	2	13.33	1	50.00	1	50.00	0	0.00	0	0.00
Hall	5	31.25	0	0.00	1	20.00	4	80.00	0	0.00
Jacobs	7	14.89	0	0.00	4	57.14	3	42.86	3	6.38
Katzmann	6	17.14	4	66.67	0	0.00	2	33.33	2	5.71
Kearse	4	8.51	1	25.00	1	25.00	2	50.00	1	2.13
Leval	10	24.39	4	40.00	1	10.00	5	50.00	3	7.32
McLaughlin	3	10.34	1	33.33	0	0.00	2	66.67	1	3.45
Meskill	3	16.67	2	66.67	0	0.00	1	33.33	1	5.56
Miner	4	13.79	1	25.00	0	0.00	3	75.00	4	13.79
Newman	4	14.29	2	50.00	1	25.00	1	25.00	1	3.57
Oakes	4	16.00	1	25.00	1	25.00	2	50.00	0	0.00
B. Parker	6	18.18	1	16.67	2	33.33	3	50.00	0	0.00
F. Parker	3	9.68	2	66.67	0	0.00	1	33.33	1	3.23
Pooler	16	27.12	1	6.25	3	18.75	12	75.00	4	6.78
Raggi	3	18.75	2	66.67	1	33.33	0	0.00	0	0.00
Sack	13	20.97	5	38.46	2	15.38	6	46.15	0	0.00
Sotomayor	17	25.00	3	17.65	2	11.76	12	70.59	1	1.47
Straub	11	25.58	4	36.36	3	27.27	4	36.36	4	9.30
Walker	22	33.33	6	27.27	5	22.73	11	50.00	2	3.03
Wesley	5	21.74	3	60.00	0	0.00	2	40.00	1	4.35
Winter	6	17.14	2	33.33	2	33.33	2	33.33	2	5.71
AVERAGE		20.43%		31.87%		18.68%		49.45%		3.82%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

General
(Page 3 of 3)

Judge Name	Two Private Actors	% of Total	Revived Const. Claim	%	Reversed Lower Ct. & Remand	% of Total
Cabranes	3	8.11	3	8.11	1	2.70
Calabresi	1	1.96	10	19.61	1	1.96
Cardamone	1	2.70	4	10.81	2	5.41
Feinberg	0	0.00	1	6.67	0	0.00
Hall	1	6.25	1	6.25	0	0.00
Jacobs	2	4.26	0	0.00	1	2.13
Katzmann	0	0.00	2	5.71	4	11.43
Kearse	0	0.00	7	14.89	2	4.26
Leval	0	0.00	1	2.44	2	4.88
McLaughlin	2	6.90	4	13.79	2	6.90
Meskill	0	0.00	2	11.11	0	0.00
Miner	0	0.00	2	6.90	2	6.90
Newman	0	0.00	4	14.29	0	0.00
Oakes	0	0.00	2	8.00	0	0.00
B. Parker	1	3.03	4	12.12	2	6.06
F. Parker	1	3.23	3	9.68	1	3.23
Pooler	2	3.39	5	8.47	2	3.39
Raggi	2	12.50	2	12.50	0	0.00
Sack	2	3.23	6	9.68	4	6.45
Sotomayor	1	1.47	6	8.82	2	2.94
Straub	1	2.33	6	13.95	0	0.00
Walker	1	1.52	5	7.58	0	0.00
Wesley	2	8.70	2	8.70	0	0.00
Winter	1	2.86	2	5.71	0	0.00
AVERAGE		2.69%		9.43%		3.14%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Party Appointee
(Page 1 of 3)

Judge Name	What Party Appointee?	Total Cases	Total Upheld	% of Total	Upheld Federal	% of Upheld	Upheld State	% of Upheld
Cabranes	DEM	37	22	59.46	9	40.91	5	22.73
Calabresi	DEM	51	27	52.94	6	22.22	11	40.74
Feinberg	DEM	15	12	80.00	4	33.33	5	41.67
Katzmann	DEM	35	21	60.00	9	42.86	9	42.86
Kearse	DEM	47	33	70.21	11	33.33	11	33.33
Leval	DEM	41	25	60.98	8	32.00	4	16.00
Newman	DEM	28	19	67.86	3	15.79	6	31.58
F. Parker	DEM	31	22	70.97	5	22.73	8	36.36
Pooler	DEM	59	30	50.85	7	23.33	8	26.67
Sack	DEM	62	37	59.68	7	18.92	16	43.24
Sotomayor	DEM	68	41	60.29	7	17.07	13	31.71
Straub	DEM	43	21	48.84	7	33.33	4	19.05
AVERAGE				59.96%		26.77%		33.26%
Cardamone	REP	37	19	51.35	7	36.84	6	31.58
Hall	REP	16	9	56.25	2	22.22	5	55.56
Jacobs	REP	47	34	72.34	11	32.35	10	29.41
McLaughlin	REP	29	17	58.62	6	35.29	5	29.41
Meskill	REP	18	12	66.67	5	41.67	2	16.67
Miner	REP	29	17	58.62	3	17.65	6	35.29
B. Parker	REP	33	20	60.61	8	40.00	6	30.00
Oakes	REP	25	19	76.00	2	10.53	6	31.58
Raggi	REP	16	9	56.25	4	44.44	1	11.11
Walker	REP	66	36	54.55	13	36.11	11	30.56
Wesley	REP	23	13	56.52	2	15.38	4	30.77
Winter	REP	35	24	68.57	9	37.50	6	25.00
AVERAGE				61.23%		31.44%		29.69%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Party Appointee
(Page 2 of 3)

Judge Name	Upheld Local	% of Upheld	Total Overturned	%	Overtured Federal	% of Overtured	Overtured State	% of Overturned
Cabranes	8	36.36	8	21.62	4	50.00	1	12.50
Calabresi	10	37.04	10	19.61	4	40.00	1	10.00
Feinberg	3	25.00	2	13.33	1	50.00	1	50.00
Katzmann	3	14.29	6	17.14	4	66.67	0	0.00
Kearse	11	33.33	4	8.51	1	25.00	1	25.00
Leval	13	52.00	10	24.39	4	40.00	1	10.00
Newman	10	52.63	4	14.29	2	50.00	1	25.00
F. Parker	9	40.91	3	9.68	2	66.67	0	0.00
Pooler	15	50.00	16	27.12	1	6.25	3	18.75
Sack	14	37.84	13	20.97	5	38.46	2	15.38
Sotomayor	21	51.22	17	25.00	3	17.65	2	11.76
Straub	10	47.62	11	25.58	4	36.36	3	27.27
AVERAGE		40.97%		20.12%		33.65%		15.38%
Cardamone	6	31.58	10	27.03	4	40.00	2	20.00
Hall	2	22.22	5	31.25	0	0.00	1	20.00
Jacobs	13	38.24	7	14.89	0	0.00	4	57.14
McLaughlin	6	35.29	3	10.34	1	33.33	0	0.00
Meskill	5	41.67	3	16.67	2	66.67	0	0.00
Miner	8	47.06	4	13.79	1	25.00	0	0.00
B. Parker	6	30.00	6	18.18	1	16.67	2	33.33
Oakes	11	57.89	4	16.00	1	25.00	1	25.00
Raggi	4	44.44	3	18.75	2	66.67	1	33.33
Walker	12	33.33	22	33.33	6	27.27	5	22.73
Wesley	7	53.85	5	21.74	3	60.00	0	0.00
Winter	9	37.50	6	17.14	2	33.33	2	33.33
AVERAGE		38.86%		20.86%		29.49%		23.08%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Party Appointee
(Page 3 of 3)

Judge Name	Over- turned Local	% of Over- turned	No Const. Determ.	% of Total	Two Private Actors	%	Revived Const. Claim	% of Total	Reversed Lower Ct. & Remand	% of Total
Cabranes	3	53.16	0	0.00	3	8.11	3	8.11	1	2.70
Calabresi	5	50.00	2	3.92	1	1.96	10	19.61	1	1.96
Feinberg	0	0.00	0	0.00	0	0.00	1	6.67	0	0.00
Katzmann	2	33.33	2	5.71	0	0.00	2	5.71	4	11.43
Kearse	2	50.00	1	2.13	0	0.00	7	14.89	2	4.26
Leval	5	50.00	3	7.32	0	0.00	1	2.44	2	4.88
Newman	1	25.00	1	3.57	0	0.00	4	14.29	0	0.00
F. Parker	1	33.33	1	3.23	1	3.23	3	9.68	1	3.23
Pooler	12	75.00	4	6.78	2	3.39	5	8.47	2	3.39
Sack	6	46.15	0	0.00	2	3.23	6	9.68	4	6.45
Sotomayor	12	70.59	1	1.47	1	1.47	6	8.82	2	2.94
Straub	4	36.36	4	9.30	1	2.33	6	13.95	0	0.00
AVERAGE		50.96%		3.68%		2.13%		10.44%		3.68%
Cardamone	4	40.00	1	2.70	1	2.70	4	10.81	2	5.41
Hall	4	80.00	0	0.00	1	6.25	1	6.25	0	0.00
Jacobs	3	42.86	3	6.38	2	4.26	0	0.00	1	2.13
McLaugh- lin	2	66.67	1	3.45	2	6.90	4	13.79	2	6.90
Meskill	1	33.33	1	5.56	0	0.00	2	11.11	0	0.00
Miner	3	75.00	4	13.79	0	0.00	2	6.90	2	6.90
B. Parker	3	50.00	0	0.00	1	3.03	4	12.12	2	6.06
Oakes	2	50.00	0	0.00	0	0.00	2	8.00	0	0.00
Raggi	0	0.00	0	0.00	2	12.50	2	12.50	0	0.00
Walker	11	50.00	2	3.03	1	1.52	5	7.58	0	0.00
Wesley	2	40.00	1	4.35	2	8.70	2	8.70	0	0.00
Winter	2	33.33	2	5.71	1	2.86	2	5.71	0	0.00
AVERAGE		47.44%		4.01%		3.48%		8.02%		2.41%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Experience on Lower Court
(Page 1 of 3)

Judge Name	Former Lower Court Judge?	Total Cases	Total Upheld	% of Total	Upheld Federal	% of Upheld	Upheld State	% of Upheld
Cabranes	Yes	37	22	59.46	9	40.91	5	22.73
Cardamone	Yes	37	19	51.35	7	36.84	6	31.58
Feinberg	Yes	15	12	80.00	4	33.33	5	41.67
Leval	Yes	41	25	60.98	8	32.00	4	16.00
McLaughlin	Yes	29	17	58.62	6	35.29	5	29.41
Miner	Yes	29	17	58.62	3	17.65	6	35.29
Newman	Yes	28	19	67.86	3	15.79	6	31.58
Oakes	Yes	25	19	76.00	2	10.53	6	31.58
Parker, B	Yes	33	20	60.61	8	40.00	6	30.00
Parker, F	Yes	31	22	70.97	5	22.73	8	36.36
Pooler	Yes	59	30	50.85	7	23.33	8	26.67
Raggi	Yes	16	9	56.25	4	44.44	1	11.11
Sotomayor	Yes	68	41	60.29	7	17.07	13	31.71
Walker	Yes	66	36	54.55	13	36.11	11	30.56
AVERAGE				59.92%		27.92%		29.22%
Calabresi	No	51	27	52.94	6	22.22	11	40.74
Hall	No	16	9	56.25	2	22.22	5	55.56
Jacobs	No	47	34	72.34	11	32.35	11	33.33
Katzmann	No	35	21	60.00	9	42.86	9	42.86
Kearse	No	47	33	70.21	11	33.33	10	30.30
Meskill	No	18	12	66.67	5	41.67	2	16.67
Sack	No	62	37	59.68	7	18.92	16	43.24
Straub	No	43	21	48.84	7	33.33	4	19.05
Wesley	No	23	13	56.52	2	15.38	4	30.77
Winter	No	35	24	68.57	9	37.50	6	25.00
AVERAGE				61.27%		29.87%		33.77%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Experience on Lower Court
(Page 2 of 3)

Judge Name	Upheld Local	% of Upheld	Total Overturned	% of Total	Overturned Federal	% of Overturned	Overturned State	% of Overturned
Cabranes	8	36.36	8	21.62	4	50.00	1	12.50
Cardamone	6	31.58	10	27.03	4	40.00	2	20.00
Feinberg	3	25.00	2	13.33	1	50.00	1	50.00
Leval	13	52.00	10	24.39	4	40.00	1	10.00
McLaughlin	6	35.29	3	10.34	1	33.33	0	0.00
Miner	8	47.06	4	13.79	1	25.00	0	0.00
Newman	10	52.63	4	14.29	2	50.00	1	25.00
Oakes	11	57.89	4	16.00	1	25.00	1	25.00
Parker, B	6	30.00	6	18.18	1	16.67	2	33.33
Parker, F	9	40.91	3	9.68	2	66.67	0	0.00
Pooler	15	50.00	16	27.12	1	6.25	3	18.75
Raggi	4	44.44	3	18.75	2	66.67	1	33.33
Sotomayor	21	51.22	17	25.00	3	17.65	2	11.76
Walker	12	33.33	22	33.33	6	27.27	5	22.73
AVERAGE		42.86%		21.79%		29.46%		17.86%
Calabresi	10	37.04	10	19.61	4	40.00	1	10.00
Hall	2	22.22	5	31.25	0	0.00	1	20.00
Jacobs	13	38.24	7	14.89	0	0.00	4	57.14
Katzmann	3	14.29	6	17.14	4	66.67	0	0.00
Kearse	11	33.33	4	8.51	1	25.00	1	25.00
Meskill	5	41.67	3	16.67	2	66.67	0	0.00
Sack	14	37.84	13	20.97	5	38.46	2	15.38
Straub	10	47.62	11	25.58	4	36.36	3	27.27
Wesley	7	53.85	5	21.74	3	60.00	0	0.00
Winter	9	37.50	6	17.14	2	33.33	2	33.33
AVERAGE		36.36%		18.57%		35.71%		20.00%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Experience on Lower Court
(Page 3 of 3)

Judge Name	Over- turned Local	% of Over- turned	No Const. Determ.	% of Total	Two Private Actors	% of Total	Revived Const. Claim	% of Total	Reversed Lower Ct. & Remand	% of Total
Cabranes	3	53.16	0	0.00	3	8.11	3	8.11	1	2.70
Cardamone	4	40.00	1	2.70	1	2.70	4	10.81	2	5.41
Feinberg	0	0.00	0	0.00	0	0.00	1	6.67	0	0.00
Leval	5	50.00	3	7.32	0	0.00	1	2.44	2	4.88
McLaughlin	2	66.67	1	3.45	2	6.90	4	13.79	2	6.90
Miner	3	75.00	4	13.79	0	0.00	2	6.90	2	6.90
Newman	1	25.00	1	3.57	0	0.00	4	14.29	0	0.00
Oakes	2	50.00	0	0.00	0	0.00	2	8.00	0	0.00
Parker, B	3	50.00	0	0.00	1	3.03	4	12.12	2	6.06
Parker, F	1	33.33	1	3.23	1	3.23	3	9.68	1	3.23
Pooler	12	75.00	4	6.78	2	3.39	5	8.47	2	3.39
Raggi	0	0.00	0	0.00	2	12.50	2	12.50	0	0.00
Sotomayor	12	70.59	1	1.47	1	1.47	6	8.82	2	2.94
Walker	11	50.00	2	3.03	1	1.52	5	7.58	0	0.00
AVERAGE		52.68%		3.50%		2.72%		8.95%		3.11%
Calabresi	5	50.00	2	3.92	1	1.96	10	19.61	1	1.96
Hall	4	80.00	0	0.00	1	6.25	1	6.25	0	0.00
Jacobs	3	42.86	3	6.38	2	4.26	0	0.00	1	2.13
Katzmann	2	33.33	2	5.71	0	0.00	2	5.71	4	11.43
Kearse	2	50.00	1	2.13	0	0.00	7	14.89	2	4.26
Meskill	1	33.33	1	5.56	0	0.00	2	11.11	0	0.00
Sack	6	46.15	0	0.00	2	3.23	6	9.68	4	6.45
Straub	4	36.36	4	9.30	1	2.33	6	13.95	0	0.00
Wesley	2	40.00	1	4.35	2	8.70	2	8.70	0	0.00
Winter	2	33.33	2	5.71	1	2.86	2	5.71	0	0.00
AVERAGE		44.29%		4.24%		2.65%		10.08%		3.18%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Former Prosecutor
(Page 1 of 4)

Judge Name	Former Prosecutor?	Total Cases	Total Upheld	% of Total	Upheld Federal	% of Upheld	Upheld State	%of Upheld
Hall	Yes	16	9	56.25	2	22.22	5	55.56
Leval	Yes	41	25	60.98	8	32.00	4	16.00
Miner	Yes	29	17	58.62	3	17.65	6	35.29
Oakes	Yes	25	19	76.00	2	10.53	6	31.58
Parker, F	Yes	31	22	70.97	5	22.73	8	36.36
Raggi	Yes	16	9	56.25	4	44.44	1	11.11
Sotomayor	Yes	68	41	60.29	7	17.07	13	31.71
Walker	Yes	66	36	54.55	13	36.11	11	30.56
Wesley	Yes	23	13	56.52	2	15.38	4	30.77
AVERAGE				60.63%		24.08%		30.37%
Cabranes	No	37	22	59.46	9	40.91	5	22.73
Calabresi	No	51	27	52.94	6	22.22	11	40.74
Cardamone	No	37	19	51.35	7	36.84	6	31.58
Feinberg	No	15	12	80.00	4	33.33	5	41.67
Jacobs	No	47	34	72.34	11	32.35	10	29.41
Katzmann	No	35	21	60.00	9	42.86	9	42.86
Kearse	No	47	33	70.21	11	33.33	11	33.33
McLaughlin	No	29	17	58.62	6	35.29	5	29.41
Meskill	No	18	12	66.67	5	41.67	2	16.67
Newman	No	28	19	67.86	3	15.79	6	31.58
Parker, B	No	33	20	60.61	8	40.00	6	30.00
Pooler	No	59	30	50.85	7	23.33	8	26.67
Sack	No	62	37	59.68	7	18.92	16	43.24
Straub	No	43	21	48.84	7	33.33	4	19.05
Winter	No	35	24	68.57	9	37.50	6	25.00
AVERAGE				60.42%		31.32%		31.61%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Former Prosecutor
(Page 2 of 4)

Judge Name	Upheld Local	% of Upheld	Total Overturned	% of Total	Overturned Federal	% of Overturned	Overturned State	% of Overturned
Hall	2	22.22	5	31.25	0	0.00	1	20.00
Leval	13	52.00	10	24.39	4	40.00	1	10.00
Miner	8	47.06	4	13.79	1	25.00	0	0.00
Oakes	11	57.89	4	16.00	1	25.00	1	25.00
Parker, F	9	40.91	3	9.68	2	66.67	0	0.00
Raggi	4	44.44	3	18.75	2	66.67	1	33.33
Sotomayor	21	51.22	17	25.00	3	17.65	2	11.76
Walker	12	33.33	22	33.33	6	27.27	5	22.73
Wesley	7	53.85	5	21.74	3	60.00	0	0.00
AVERAGE		45.55%		23.17%		30.14%		15.07%
Cabranes	8	36.36	8	21.62	4	50.00	1	12.50
Calabresi	10	37.04	10	19.61	4	40.00	1	10.00
Cardamone	6	31.58	10	27.03	4	40.00	2	20.00
Feinberg	3	25.00	2	13.33	1	50.00	1	50.00
Jacobs	13	38.24	7	14.89	0	0.00	4	57.14
Katzmann	3	14.29	6	17.14	4	66.67	0	0.00
Kearse	11	33.33	4	8.51	1	25.00	1	25.00
McLaughlin	6	35.29	3	10.34	1	33.33	0	0.00
Meskill	5	41.67	3	16.67	2	66.67	0	0.00
Newman	10	52.63	4	14.29	2	50.00	1	25.00
Parker, B	6	30.00	6	18.18	1	16.67	2	33.33
Pooler	15	50.00	16	27.12	1	6.25	3	18.75
Sack	14	37.84	13	20.97	5	38.46	2	15.38
Straub	10	47.62	11	25.58	4	36.36	3	27.27
Winter	9	37.50	6	17.14	2	33.33	2	33.33
AVERAGE		37.07%		18.92%		33.03%		21.10%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Former Prosecutor
(Page 3 of 4)

Judge Name	Overtured Local	% of Overtured	No Const. Determination	% of Total	Two Private Actors	% of Total
Hall	4	80.00	0	0.00	1	6.25
Leval	5	50.00	3	7.32	0	0.00
Miner	3	75.00	4	13.79	0	0.00
Oakes	2	50.00	0	0.00	0	0.00
Parker, F	1	33.33	1	3.23	1	3.23
Raggi	0	0.00	0	0.00	2	12.50
Sotomayor	12	70.59	1	1.47	1	1.47
Walker	11	50.00	2	3.03	1	1.52
Wesley	2	40.00	1	4.35	2	8.70
AVERAGE		54.79%		3.81%		2.54%
Cabranes	3	53.16	0	0.00	3	8.11
Calabresi	5	50.00	2	3.92	1	1.96
Cardamone	4	40.00	1	2.70	1	2.70
Feinberg	0	0.00	0	0.00	0	0.00
Jacobs	3	42.86	3	6.38	2	4.26
Katzmann	2	33.33	2	5.71	0	0.00
Kearse	2	50.00	1	2.13	0	0.00
McLaughlin	2	66.67	1	3.45	2	6.90
Meskill	1	33.33	1	5.56	0	0.00
Newman	1	25.00	1	3.57	0	0.00
Parker, B	3	50.00	0	0.00	1	3.03
Pooler	12	75.00	4	6.78	2	3.39
Sack	6	46.15	0	0.00	2	3.23
Straub	4	36.36	4	9.30	1	2.33
Winter	2	33.33	2	5.71	1	2.86
AVERAGE		45.87%		3.82%		2.78%

FIRST AMENDMENT CASES:
GOVERNMENTAL ACTION

Former Prosecutor
(Page 4 of 4)

Judge Name	Revived Const. Claim	% of Total	Reversed Lower Ct. & Remand	% of Total
Hall	1	6.25	0	0.00
Leval	1	2.44	2	4.88
Miner	2	6.90	2	6.90
Oakes	2	8.00	0	0.00
Parker, F	3	9.68	1	3.23
Raggi	2	12.50	0	0.00
Sotomayor	6	8.82	2	2.94
Walker	5	7.58	0	0.00
Wesley	2	8.70	0	0.00
AVERAGE		7.62%		2.22%
Cabranes	3	8.11	1	2.70
Calabresi	10	19.61	1	1.96
Cardamone	4	10.81	2	5.41
Feinberg	1	6.67	0	0.00
Jacobs	0	0.00	1	2.13
Katzmann	2	5.71	4	11.43
Kearse	7	14.89	2	4.26
McLaughlin	4	13.79	2	6.90
Meskill	2	11.11	0	0.00
Newman	4	14.29	0	0.00
Parker, B	4	12.12	2	6.06
Pooler	5	8.47	2	3.39
Sack	6	9.68	4	6.45
Straub	6	13.95	0	0.00
Winter	2	5.71	0	0.00
AVERAGE		10.42%		3.65%

FIRST AMENDMENT CASES:
LOWER COURT

General
(Page 1 of 2)

Judge Name	Total Cases	Total Upheld Lower Ct/Agy	% of Total	Affirmed Dist. Ct.	% of Affirmed	Affirmed Agency	% of Affirmed
Cabranes	37	22	59.46	20	90.91	2	9.09
Calabresi	51	24	47.06	23	95.83	1	4.17
Cardamone	37	21	56.76	19	90.48	2	9.52
Feinberg	15	11	73.33	11	100.00	0	0.00
Hall	16	11	68.75	10	90.91	1	9.09
Jacobs	47	30	63.83	28	93.33	2	6.67
Katzmann	35	22	62.86	21	95.45	1	4.55
Kearse	47	25	53.19	23	92.00	2	8.00
Leval	41	20	48.78	20	100.00	0	0.00
McLaughlin	29	17	58.62	17	100.00	0	0.00
Meskill	18	11	61.11	10	90.91	1	9.09
Miner	29	14	48.28	14	100.00	0	0.00
Newman	28	15	53.57	15	100.00	0	0.00
Oakes	25	14	56.00	14	100.00	0	0.00
B. Parker	33	21	63.64	20	95.24	1	4.76
F. Parker	31	14	45.16	14	100.00	0	0.00
Pooler	59	34	57.63	33	97.06	1	2.94
Raggi	16	8	50.00	8	100.00	0	0.00
Sack	62	35	56.45	32	91.43	3	8.57
Sotomayor	68	43	63.24	43	100.00	0	0.00
Straub	43	24	55.81	24	100.00	0	0.00
Walker	66	38	57.58	37	97.37	1	2.63
Wesley	23	12	52.17	11	91.67	1	8.33
Winter	35	15	42.86	15	100.00	0	0.00
AVERAGE			56.23%		96.21%		3.79%

FIRST AMENDMENT CASES:
LOWER COURT

General
(Page 2 of 2)

Judge Name	Total Overruled Lower Ct/Agency	% of Total	Overruled Dist. Ct.	% of Overruled	Overruled Agency	% of Overruled
Cabranes	17	45.95	14	82.35	1	5.88
Calabresi	27	52.94	27	100.00	0	0.00
Cardamone	16	43.24	16	100.00	0	0.00
Feinberg	4	26.67	4	100.00	0	0.00
Hall	5	31.25	5	100.00	0	0.00
Jacobs	17	36.17	17	100.00	0	0.00
Katzmann	13	37.14	13	100.00	0	0.00
Kearse	22	46.81	22	100.00	0	0.00
Leval	21	51.22	21	100.00	0	0.00
McLaughlin	12	41.38	12	100.00	0	0.00
Meskill	7	38.89	7	100.00	0	0.00
Miner	15	51.72	15	100.00	0	0.00
Newman	13	46.43	13	100.00	0	0.00
Oakes	11	44.00	10	90.91	1	9.09
B. Parker	12	36.36	12	100.00	0	0.00
F. Parker	17	54.84	17	100.00	0	0.00
Pooler	25	42.37	25	100.00	0	0.00
Raggi	8	50.00	8	100.00	0	0.00
Sack	27	43.55	27	100.00	0	0.00
Sotomayor	25	36.76	25	100.00	0	0.00
Straub	19	44.19	19	100.00	0	0.00
Walker	28	42.42	27	96.43	1	3.57
Wesley	11	47.83	10	90.91	1	9.09
Winter	20	57.14	20	100.00	0	0.00
AVERAGE		43.77%		98.97%		1.03%

FIRST AMENDMENT CASES:
LOWER COURT

Party Appointee
(Page 1 of 3)

Judge Name	What Party Appointee?	Total Cases	Total Upheld Lower Ct/Agy	% of Total	Affirmed Dist. Ct.	% of Affirmed
Cabranes	DEM	37	22	59.46	20	90.91
Calabresi	DEM	51	24	47.06	23	95.83
Feinberg	DEM	15	11	73.33	11	100.00
Katzmann	DEM	35	22	62.86	21	95.45
Kearse	DEM	47	25	53.19	23	92.00
Leval	DEM	41	20	48.78	20	100.00
Newman	DEM	28	15	53.57	15	100.00
F. Parker	DEM	31	14	45.16	14	100.00
Pooler	DEM	59	34	57.63	33	97.06
Sack	DEM	62	35	56.45	32	91.43
Sotomayor	DEM	68	43	63.24	43	100.00
Straub	DEM	43	24	55.81	24	100.00
AVERAGE				55.90%		96.54%
Cardamone	REP	37	21	56.76	19	90.48
Hall	REP	16	11	68.75	10	90.91
Jacobs	REP	47	30	63.83	28	93.33
McLaughlin	REP	29	17	58.62	17	100.00
Meskill	REP	18	11	61.11	10	90.91
Miner	REP	29	14	48.28	14	100.00
Oakes	REP	25	14	56.00	14	100.00
B. Parker	REP	33	21	63.64	20	95.24
Raggi	REP	16	8	50.00	8	100.00
Walker	REP	66	38	57.58	37	97.37
Wesley	REP	23	12	52.17	11	91.67
Winter	REP	35	15	42.86	15	100.00
AVERAGE				56.68%		95.75%

FIRST AMENDMENT CASES:
LOWER COURT

Party Appointee
(Page 2 of 3)

Judge Name	Affirmed Dist. Ct.	% of Affirmed	Affirmed Agency	% of Affirmed	Total Overruled Lower Ct/Agency	% of Total
Cabranes	20	90.91	2	9.09	15	40.54
Calabresi	23	95.83	1	4.17	27	52.94
Feinberg	11	100.00	0	0.00	4	26.67
Katzmann	21	95.45	1	4.55	13	37.14
Kearse	23	92.00	2	8.00	22	46.81
Leval	20	100.00	0	0.00	21	51.22
Newman	15	100.00	0	0.00	13	46.43
F. Parker	14	100.00	0	0.00	17	54.84
Pooler	33	97.06	1	2.94	25	42.37
Sack	32	91.43	3	8.57	27	43.55
Sotomayor	43	100.00	0	0.00	25	36.76
Straub	24	100.00	0	0.00	19	44.19
AVERAGE		96.54%		3.46%		44.10%
Cardamone	19	90.48	2	9.52	16	43.24
Hall	10	90.91	1	9.09	5	31.25
Jacobs	28	93.33	2	6.67	17	36.17
McLaughlin	17	100.00	0	0.00	12	41.38
Meskill	10	90.91	1	9.09	7	38.89
Miner	14	100.00	0	0.00	15	51.72
Oakes	14	100.00	0	0.00	11	44.00
B. Parker	20	95.24	1	4.76	12	36.36
Raggi	8	100.00	0	0.00	8	50.00
Walker	37	97.37	1	2.63	28	42.42
Wesley	11	91.67	1	8.33	11	47.83
Winter	15	100.00	0	0.00	20	57.14
AVERAGE		95.75%		4.25%		43.32%

FIRST AMENDMENT CASES:
LOWER COURT

Party Appointee
(Page 3 of 3)

Judge Name	Overruled Dist. Ct.	% of Overruled	Overruled Agency	% of Overruled
Cabranes	14	93.33	1	6.67
Calabresi	27	100.00	0	0.00
Feinberg	4	100.00	0	0.00
Katzmann	13	100.00	0	0.00
Kearse	22	100.00	0	0.00
Leval	21	100.00	0	0.00
Newman	13	100.00	0	0.00
F. Parker	17	100.00	0	0.00
Pooler	25	100.00	0	0.00
Sack	27	100.00	0	0.00
Sotomayor	25	100.00	0	0.00
Straub	19	100.00	0	0.00
AVERAGE		99.56%		0.44%
Cardamone	16	100.00	0	0.00
Hall	5	100.00	0	0.00
Jacobs	17	100.00	0	0.00
McLaughlin	12	100.00	0	0.00
Meskill	7	100.00	0	0.00
Miner	15	100.00	0	0.00
Oakes	10	90.91	1	9.09
B. Parker	12	100.00	0	0.00
Raggi	8	100.00	0	0.00
Walker	27	96.43	1	3.57
Wesley	10	90.91	1	9.09
Winter	20	100.00	0	0.00
AVERAGE		98.15%		1.85%

FIRST AMENDMENT CASES:
LOWER COURT

Experience on Lower Court
(Page 1 of 3)

Judge Name	Former Lower Court Judge?	Total Cases	Total Upheld Lower Ct/Agy	% of Total	Affirmed Dist. Ct.	% of Affirmed
Cabranes	Yes	37	22	59.46	20	90.91
Cardamone	Yes	37	21	56.76	19	90.48
Feinberg	Yes	15	11	73.33	11	100.00
Leval	Yes	41	20	48.78	20	100.00
McLaughlin	Yes	29	17	58.62	17	100.00
Miner	Yes	29	14	48.28	14	100.00
Newman	Yes	28	15	53.57	15	100.00
Oakes	Yes	25	14	56.00	14	100.00
Parker, B	Yes	33	21	63.64	20	95.24
Parker, F	Yes	31	14	45.16	14	100.00
Pooler	Yes	59	34	57.63	33	97.06
Raggi	Yes	16	8	50.00	8	100.00
Sotomayor	Yes	68	43	63.24	43	100.00
Walker	Yes	66	38	57.58	37	97.37
AVERAGE				56.81%		97.60%
Calabresi	No	51	24	47.06	23	95.83
Hall	No	16	11	68.75	10	90.91
Jacobs	No	47	30	63.83	28	93.33
Katzmann	No	35	22	62.86	21	95.45
Kearse	No	47	25	53.19	23	92.00
Meskill	No	18	11	61.11	10	90.91
Sack	No	62	35	56.45	32	91.43
Straub	No	43	24	55.81	24	100.00
Wesley	No	23	12	52.17	11	91.67
Winter	No	35	15	42.86	15	100.00
AVERAGE				55.44%		94.26%

FIRST AMENDMENT CASES:
LOWER COURT

Experience on Lower Court
(Page 2 of 3)

Judge Name	Affirmed Agency	% of Affirmed	Total Overruled Lower Ct/Agency	% of Total
Cabranes	2	9.09	15	40.54
Cardamone	2	9.52	16	43.24
Feinberg	0	0.00	4	26.67
Leval	0	0.00	21	51.22
McLaughlin	0	0.00	12	41.38
Miner	0	0.00	15	51.72
Newman	0	0.00	13	46.43
Oakes	0	0.00	11	44.00
Parker, B	1	4.76	12	36.36
Parker, F	0	0.00	17	54.84
Pooler	1	2.94	25	42.37
Raggi	0	0.00	8	50.00
Sotomayor	0	0.00	25	36.76
Walker	1	2.63	28	42.42
AVERAGE		2.40%		43.19%
Calabresi	1	4.17	27	52.94
Hall	1	9.09	5	31.25
Jacobs	2	6.67	17	36.17
Katzmann	1	4.55	13	37.14
Kearse	2	8.00	22	46.81
Meskill	1	9.09	7	38.89
Sack	3	8.57	27	43.55
Straub	0	0.00	19	44.19
Wesley	1	8.33	11	47.83
Winter	0	0.00	20	57.14
AVERAGE		5.74%		44.56%

FIRST AMENDMENT CASES:
LOWER COURT

Experience on Lower Court
(Page 3 of 3)

Judge Name	Overruled Dist. Ct.	% of Overruled	Overruled Agency	% of Overruled
Cabranes	14	93.33	1	6.67
Cardamone	16	100.00	0	0.00
Feinberg	4	100.00	0	0.00
Leval	21	100.00	0	0.00
McLaughlin	12	100.00	0	0.00
Miner	15	100.00	0	0.00
Newman	13	100.00	0	0.00
Oakes	10	90.91	1	9.09
Parker, B	12	100.00	0	0.00
Parker, F	17	100.00	0	0.00
Pooler	25	100.00	0	0.00
Raggi	8	100.00	0	0.00
Sotomayor	25	100.00	0	0.00
Walker	27	96.43	1	3.57
AVERAGE		98.65%		1.35%
Calabresi	27	100.00	0	0.00
Hall	5	100.00	0	0.00
Jacobs	17	100.00	0	0.00
Katzmann	13	100.00	0	0.00
Kearse	22	100.00	0	0.00
Meskill	7	100.00	0	0.00
Sack	27	100.00	0	0.00
Straub	19	100.00	0	0.00
Wesley	10	90.91	1	9.09
Winter	20	100.00	0	0.00
AVERAGE		99.40%		0.60%

FIRST AMENDMENT CASES:
LOWER COURT

Former Prosecutor
(Page 1 of 2)

Judge Name	Former Prosecutor?	Total Cases	Total Upheld Lower Ct/Agy	% of Total	Affirmed Dist. Ct.	% of Affirmed
Hall	Yes	16	11	68.75	10	90.91
Leval	Yes	41	20	48.78	20	100.00
Miner	Yes	29	14	48.28	14	100.00
Oakes	Yes	25	14	56.00	14	100.00
Parker, F	Yes	31	14	45.16	14	100.00
Raggi	Yes	16	8	50.00	8	100.00
Sotomayor	Yes	68	43	63.24	43	100.00
Walker	Yes	66	38	57.58	37	97.37
Wesley	Yes	23	12	52.17	11	91.67
AVERAGE				55.24%		98.28%
Cabranes	No	37	22	59.46	20	90.91
Calabresi	No	51	24	47.06	23	95.83
Cardamone	No	37	21	56.76	19	90.48
Feinberg	No	15	11	73.33	11	100.00
Jacobs	No	47	30	63.83	28	93.33
Katzmann	No	35	22	62.86	21	95.45
Kearse	No	47	25	53.19	23	92.00
McLaughlin	No	29	17	58.62	17	100.00
Meskill	No	18	11	61.11	10	90.91
Newman	No	28	15	53.57	15	100.00
Parker, B	No	33	21	63.64	20	95.24
Pooler	No	59	34	57.63	33	97.06
Sack	No	62	35	56.45	32	91.43
Straub	No	43	24	55.81	24	100.00
Winter	No	35	15	42.86	15	100.00
AVERAGE				56.77%		95.11%

FIRST AMENDMENT CASES:
LOWER COURT

Former Prosecutor
(Page 2 of 2)

Judge Name	Affirmed Agency	% of Affirmed	Total Overruled Low. Ct/Agcy	% of Total	Over-ruled Dist. Ct.	% of Over-ruled	Over-ruled Agency	% of Over-ruled
Hall	1	9.09	5	31.25	5	100.00	0	0.00
Leval	0	0.00	21	51.22	21	100.00	0	0.00
Miner	0	0.00	15	51.72	15	100.00	0	0.00
Oakes	0	0.00	11	44.00	10	90.91	1	9.09
Parker, F	0	0.00	17	54.84	17	100.00	0	0.00
Raggi	0	0.00	8	50.00	8	100.00	0	0.00
Sotomayor	0	0.00	25	36.76	25	100.00	0	0.00
Walker	1	2.63	28	42.42	27	96.43	1	3.57
Wesley	1	8.33	11	47.83	10	90.91	1	9.09
AVERAGE		1.72%	.67	44.76%		97.87%		2.13%
Cabranes	2	9.09	15	40.54	14	93.33	1	6.67
Calabresi	1	4.17	27	52.94	27	100.00	0	0.00
Cardamone	2	9.52	16	43.24	16	100.00	0	0.00
Feinberg	0	0.00	4	26.67	4	100.00	0	0.00
Jacobs	2	6.67	17	36.17	17	100.00	0	0.00
Katzmann	1	4.55	13	37.14	13	100.00	0	0.00
Kearse	2	8.00	22	46.81	22	100.00	0	0.00
McLaughlin	0	0.00	12	41.38	12	100.00	0	0.00
Meskill	1	9.09	7	38.89	7	100.00	0	0.00
Newman	0	0.00	13	46.43	13	100.00	0	0.00
Parker, B	1	4.76	12	36.36	12	100.00	0	0.00
Pooler	1	2.94	25	42.37	25	100.00	0	0.00
Sack	3	8.57	27	43.55	27	100.00	0	0.00
Straub	0	0.00	19	44.19	19	100.00	0	0.00
Winter	0	0.00	20	57.14	20	100.00	0	0.00
AVERAGE		4.89%		43.23%		99.60%		0.40%