

OT2004 Non-Voting Statistics

Decided Cases: Method of Disposition					
After argument and by signed opinion	74	After argument and without signed opinion	2	On the briefs	4

Splits in Decided							
Unanimous	17	9-0	17	8-1 or 7-1	5	7-2 or 6-2	10
6-3 or 5-3	15	5-4	16	4-4	0	Other	0

Treatment of the Lower Court							
Lower court reversed or vacated	52	Lower court affirmed	21	Lower court reversed or vacated in part and affirmed in part	5	Original Jurisdiction	2

Opinion Authorship: Total Number of Opinions									
Rehnquist	9	Stevens	29	O'Connor	19	Scalia	25	Kennedy	19
Souter	19	Thomas	34	Ginsburg	21	Breyer	24		
Opinion Authorship: Majority Opinions									
Per Curiam	7	Rehnquist	7	Stevens	7	O'Connor	8	Scalia	9
Kennedy	9	Souter	8	Thomas	8	Ginsburg	8	Breyer	9
Opinion Authorship: Plurality or Plurality-Like Opinions									
Per Curiam	0	Rehnquist	0	Stevens	1	O'Connor	0	Scalia	0
Kennedy	0	Souter	0	Thomas	0	Ginsburg	0	Breyer	0
Opinion Authorship: Concurring Opinions									
Rehnquist	1	Stevens	8	O'Connor	5	Scalia	9	Kennedy	5
Souter	4	Thomas	12	Ginsburg	6	Breyer	11		
Opinion Authorship: Dissenting Opinions									
Rehnquist	1	Stevens	13	O'Connor	6	Scalia	7	Kennedy	5
Souter	7	Thomas	14	Ginsburg	7	Breyer	4		
Opinion Authorship: Unanimous Majority Opinions									
Per Curiam	3	Rehnquist	2	Stevens	0	O'Connor	2	Scalia	2
Kennedy	2	Souter	0	Thomas	3	Ginsburg	2	Breyer	1

Dissenting Votes: Total Number									
Rehnquist	16	Stevens	21	O'Connor	11	Scalia	18	Kennedy	11
Souter	15	Thomas	19	Ginsburg	17	Breyer	11		
Dissenting Votes: Number of Times the only Dissenter in a Case									
Rehnquist	0	Stevens	3	O'Connor	0	Scalia	1	Kennedy	1
Souter	0	Thomas	1	Ginsburg	0	Breyer	0		

Five-to-Four Cases (either entirely 5-4 or 5-4 on a major issue)									
Number of cases– Note that <i>Booker/Fanfan</i> is counted as 2 and 3 cases (<i>Smith</i> , <i>Small</i> , and <i>Shepard</i> are counted as 5-4 though they were 5-3 without WHR participating)					24				
Five-to-Four Cases: Alignments									
WHR, SOC, AS, AMK, CT					5 (<i>Bell v. Thompson</i> , <i>Jama v. Immigration</i> , <i>Muehler v. Mena</i> , <i>Pace v. DiGuglielmo</i> , <i>Dodd v. United States</i>)				
JPS, SOC, DHS, RBG, SGB					4 (<i>Jackson v. Birmingham Board</i> , <i>McCreary v. ACLU</i> , <i>Rompilla v. Beard</i> , <i>Small v. United States</i>)				
JPS, AMK, DHS, RBG, SGB					3 (<i>Kelo v. New London</i> , <i>Roper v. Simmons</i> , <i>Spector v. Norwegian Cruise</i>)				
JPS, AS, DHS, CT, RBG					2 (<i>United States v. Booker</i> (1st), <i>Shepard v. United States</i>)				
AS, AMK, DHS, RBG, SGB					1 (<i>Granhold v. Heald</i>)				
JPS, AS, DHS, RBG, SGB					1 (<i>Smith v. City of Jackson</i>)				
JPS, SOC, AS, DHS, CT					1 (<i>Smith v. Massachusetts</i>)				
WHR, AS, AMK, DHS, CT					1 (<i>Exxon v. Allapattah</i>)				
WHR, AS, AMK, CT, RBG					1 (<i>Medellin v. Dretke</i>)				
WHR, AS, AMK, CT, SGB					1 (<i>Van Orden v. Perry</i>)				
WHR, JPS, SOC, AMK, CT					1 (<i>Pasquantino v. United States</i>)				
WHR, SOC, AMK, RBG, SGB					1 (<i>United States v. Booker</i> (2d))				
WHR, SOC, AS, CT, SGB					1 (<i>Johanns v. Livestock Marketing</i>)				
WHR, SOC, DHS, CT, SGB					1 (<i>Johnson v. United States</i>)				
Five-to-Four Cases: Authorship of the Opinion									
Rehnquist	3	Stevens	3	O'Connor	2	Scalia	3	Kennedy	5
Souter	4	Thomas	1	Ginsburg	0	Breyer	2	Per Cur	1
Five-to-Four Cases: Membership in the Majority									
Rehnquist	12	Stevens	12	O'Connor	14	Scalia	14	Kennedy	14
Souter	14	Thomas	14	Ginsburg	13	Breyer	13		