

Five-to-Four Cases

5-4 Alignments (Yellow indicates conservative majority within the 5)

	Justices	Total	Case Names
Ideologically Divided	Roberts, Scalia, Thomas, Alito, Kennedy	8	<i>McDonald</i> , <i>Free Enterprise Fund</i> , <i>Rent-A-Center</i> , <i>Berghuis v. Thompkins</i> , <i>Salazar</i> , <i>Conkright</i> †, <i>Stolt-Nielsen</i> †, <i>Perdue</i>
	Stevens, Ginsburg, Breyer, Sotomayor, Kennedy	3	<i>Christian Legal Society</i> , <i>Sears</i> , <i>Wellons</i>
Not Ideologically Divided	Roberts, Scalia, Thomas, Alito, Stevens	1	<i>New Process Steel v. NLRB</i>
	Roberts, Scalia, Thomas, Stevens, Sotomayor	1	<i>Shady Grove Orthopedics</i>
	Scalia, Kennedy, Alito, Stevens, Breyer	1	<i>South Carolina v. North Carolina</i>
	Stevens, Breyer, Sotomayor, Scalia, Thomas	1	<i>Magwood</i>
	Ginsburg, Breyer, Sotomayor, Thomas, Alito	1	<i>Dolan</i>

5-4 Opinion Authorship

Justice	Opinions
Alito	4
Roberts	2
Scalia	2
Kennedy	2
Stevens	1
Thomas	1
Ginsburg	1
Breyer	1
Sotomayor	0
<i>Per Curiam</i>	2
Total	16

5-4 Membership in the Majority

Justice	Votes
Scalia	11
Kennedy	11
Thomas	11
Alito	10
Roberts	9
Stevens	7
Breyer	6
Sotomayor	6
Ginsburg	4

†*Conkright v. Frommert* and *Stolt-Nielsen S.A. v. AnimalFeeds Internationa Corp.* are both classified as 5-4 because it seems very likely that, had all nine Justices participated, the vote would have split that way.