## Merits Cases by Vote Split

| 9-0<br>32 (59%) | 8-1<br>2 (4%) | 7-2<br>4 (7%) | 6-3<br>6 (11%) | 5-4<br>10 (19%)** | |
|---|---|---|---|---|---|
| Lefemine v. Wideman (PC) | Evans v. Michigan | Lozman v. Riviera Beach | Bailey v. U.S. | Clapper v. Amnesty Int'l | 🟥 |
| U.S. v. Bormes | Decker v. NW Envt'l Def. Center (7-1) | U.S. v. Chaidez | Henderson v. U.S. | Florida v. Jardines | 🟨 |
| Nitro-Lift v. Howard (PC) | | Marx v. General Revenue | Amgen v. Conn. Retirement Plans | Comcast v. Behrend | 🟥 |
| Ark. Game & Fish Comm'n v. U.S. (8-0) | | Moncrieffe v. Holder | Kirtsaeng v. Wiley & Sons | Genesis v. Symczyk | 🟥 |
| Kloeckner v. Solis | | | Wos v. E.M.A. | US Airways v. McCutchen | 🟦 |
| Ryan v. Gonzales | | | Arlington v. FCC | Missouri v. McNeely | 🟨 |
| L.A. County Flood Dist. v. NRDC | | | | McQuiggin v. Perkins | 🟦 |
| Already v. Nike | | | | Trevino v. Thaler | 🟦 |
| Smith v. U.S. | | | | Maryland v. King | 🟨 |
| Sebelius v. Auburn Regional | | | | Peugh v. U.S. | 🟦 |
| Chafin v. Chafin | | | | | |
| FTC v. Phoebe Putney | | | | | |
| Florida v. Harris | | | | | |
| Gunn v. Minton | | | | | |
| Johnson v. Williams | | | | | |
| Gabelli v. SEC | | | | | |
| Levin v. U.S. | | | | | |
| Std. Fire Ins. v. Knowles | | | | | |
| Millbrook v. U.S. | | | | | |
| Marshall v. Rodgers (PC) | | | | | |
| Kiobel v. Royal Dutch | | | | | |
| McBurney v. Young | | | | | |
| Dan's City Used Cars v. Pelkey | | | | | |
| Bullock v. BankChampaign | | | | | |
| Bowman v. Monsanto | | | | | |
| PPL Corp. v. CIR | | | | | |
| Metrish v. Lancaster | | | | | |
| Sebelius v. Cloer | | | | | |
| Hillman v. Maretta | | | | | |
| Nevada v. Jackson (PC) | | | | | |
| Horne v. Dept. of Agriculture | | | | | |
| Oxford Health Plans v. Sutter | | | | | |

| Not Included Above | |
|---|---|
| *Tibbals v. Carter* | Decided with *Ryan v. Gonzales* |
| *Boyer v. Louisiana* | Dismissed as Improvidently Granted |

| Past Terms | | | | | |
|---|---|---|---|---|---|
| | 9-0 | 8-1 | 7-2 | 6-3 | 5-4 |
| OT06 | 39% | 13% | 11% | 4% | 33% |
| OT07 | 30% | 9% | 29% | 14% | 17% |
| OT08 | 33% | 5% | 16% | 16% | 29% |
| OT09 | 46% | 10% | 15% | 11% | 18% |
| OT10 | 48% | 13% | 15% | 5% | 20% |
| OT11 | 44% | 11% | 8% | 17% | 20% |
| Avg. | 40% | 10% | 16% | 11% | 23% |

\* We treat cases with eight or fewer votes as if they were decided by the full Court. For example, we treated *Arkansas Game & Fish Commission v. United States*, which had only eight Justices voting, as a 9-0 case throughout much of this Stat Pack. For 8-0, 7-1, and 6-3 decisions, we categorically assume that the recused Justice would have joined the majority. In cases that were decided 5-3, we looked at each case individually to decide whether it was more likely that the recused Justice would join the majority or the dissent. Our assumption that nine Justices voted in each case applies only to figures that treat each case as a whole, like the chart above, and not to figures that focus on the behavior of individual Justices, like our Justice Agreement charts, *infra*. We have done our best to note where we assume a full Court and where we count only actual votes.

\*\* For cases that are decided by a 5-4 vote, we provide information about whether the majority was comprised of the most common conservative block (Roberts, Scalia, Kennedy, Thomas, and Alito), the most common liberal block (Kennedy, Ginsburg, Breyer, Sotomayor, and Kagan), or a more uncommon alignment. A conservative lineup is marked with a red square, a liberal lineup is marked with a blue square, and all others are marked with a yellow square.