Interim Stat Pack for October Term 2018

Index

Summary of the Term

Total Merits Opinions Released	**50**
+ Signed merits opinions after oral argument	44
+ Per Curiam merits opinions after oral argument	1
+ Summary reversals	5
Total Merits Opinions Expected	**74**
+ Petitions granted and set for argument	72
+ Summary reversals	5
- Cases removed from argument calendar	2
- Cases dismissed after oral argument	1
Cases Set for Argument During OT19	**24**

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* You can find past Stat Packs here: <https://www.scotusblog.com/reference/stat-pack/>. A few matters regarding our methodology are worth mentioning at the outset. First, SCOTUSblog treats consolidated cases as a single case, as determined by the case with the lowest docket number (prior to the release of an opinion) or the case that is captioned with an opinion. To the extent that two cases are argued separately but later decided with only one opinion, we will remove one of the cases from this Stat Pack, except to include it in the Pace of Grants chart to maintain cross-conference comparisons. The most unusual way we manage these later-consolidated cases is to merge the oral-argument data for the two cases. We combine the questions asked by each justice in the separate oral argument proceedings into one "consolidated" session. Second, this Stat Pack frequently uses the term "merits opinions," "merits docket" or "merits cases." Those three terms are used interchangeably, and signify the set of cases decided "on the merits." Those cases include signed opinions after oral argument (the bulk of all merits cases), most per curiam opinions released after oral argument, summary reversals (cases decided with per curiam opinions without briefing or oral argument, often to reverse a lower court), and cases decided by an equally divided (4-4) court. Cases that are dismissed as improvidently granted are not included in our tally of merits cases.

Opinions By Sitting

	October	November	December	January	February	March	April		
Roberts	**1**	**2**	**1**	-	-	-	-	**JGR**	**4**
Thomas	1	1	1	2	1	1	1	**CT**	**8**
Ginsburg	1	1	1	1	-	-	1	**RBG**	**5**
Breyer	1	1	1	2	-	-	1	**SGB**	**6**
Alito	1	1	-	-	-	-	-	**SAA**	**2**
Sotomayor	-	1	1	1	1	1	-	**SMS**	**5**
Kagan	1	1	1	1	1	-	-	**EK**	**5**
Gorsuch	1	1	1	1	-	-	-	**NMG**	**4**
Kavanaugh	1	1	1	1	-	-	1	**BMK**	**5**
Per Curiam	-	1	-	-	-	-	-	**Per Cur.**	**1**
	October	**November**	**December**	**January**	**February**	**March**	**April**	**Decided**	**45**
	Decided: 8 | Remain: 1	Decided: 11 | Remain: 1	Decided: 8 | Remain: 2	Decided: 9 | Remain: 2	Decided: 3 | Remain: 3	Decided: 2 | Remain: 7	Decided: 4 | Remain: 8	**Argued**	**69**

October		November		December		January		February		March		April	
Weyerhaeuser	*JGR*	*Schein*	*BMK*	*Apple*	*BMK*	*Merck*	*SGB*	*Return Mail*	*SMS*	*Bethune*		*Brunetti*	
Mt. Lemmon	*RBG*	*Lamps Plus*	*JGR*	*Nieves*	*JGR*	*Obduskey*	*SGB*	*Mission Prd.*	*EK*	*Smith*	*SMS*	*Emulex**	
Gundy		*Cougar Den*	*SGB*	*Nutraceutical*	*SMS*	*Herrera*	*SMS*	*Manhattan*		*Cochise*	*CT*	*Parker*	*CT*
Madison	*EK*	*Garza*	*SMS*	*Murphy*		*Fourth Est.*	*RBG*	*Haymond*		*Flowers*		*Kaestner Tr.*	
Knick*		*Frank*	*PC*	*Timbs*	*RBG*	*Hyatt*	*CT*	*Mont*	*CT*	*PDR*		*Davis*	
New Prime	*NMG*	*Jam*	*JGR*	*Dawson*	*NMG*	*Thacker*	*EK*	*Am. Legion*		*Dutra*		*McDonough*	
Stokeling	*CT*	*Sturgeon*	*EK*	*Lorenzo*	*SGB*	*Rimini*	*BMK*			*Rucho*		*Food Mrkt.*	
Stitt	*SGB*	*Va. Uranium*		*Biestek*	*EK*	*Home Depot*	*CT*			*Benisek*		*Fort Bend*	*RBG*
Preap	*SAA*	*Bucklew*	*NMG*	*Helsinn*	*CT*	*Allina*	*NMG*			*Kisor*		*Commerce*	
Air & Liquid	*BMK*	*BNSF Railway*	*RBG*	*Gamble*		*Knick*						*Mitchell*	
		Harrison	*SAA*			*Tenn. Wine*						*Rehaif*	
		Culbertson	*CT*									*Quarles*	*BMK*
												Taggart	*SGB*

*After oral argument in *Knick v. Township of Scott, Pennsylvania* on October 3, 2018, the Supreme Court ordered new briefing and heard reargument on January 16, 2019. After oral argument on April 15, 2019, the court dismissed *Emulex Corp. v. Varjabedian* as improvidently granted. The total of 69 arguments counts *Knick* only once and does not count *Emulex*.

Circuit Scorecard

October Term 2018	Number	Percent	Decided	Aff'd	Rev'd	Aff'd %	Rev'd %
CA1	2	3%	2	1	1	50%	50%
CA2	6	7%	1	0	1	0%	100%
CA3	3	4%	2	1	1	50%	50%
CA4	5	5%	1	1	0	100%	0%
CA5	4	5%	3	1	2	33.33%	66.67%
CA6	7	9%	6	3	3	50%	50%
CA7	1	1%	1	0	1	0%	100%
CA8	4	5%	3	1	2	33.33%	66.67%
CA9	15	19%	13	2	11	16.67%	84.62%
CA10	3	4%	1	1	0	100%	0%
CA11	7	9%	5	3	2	60%	40%
CA DC	3	4%	3	2	1	66.67%	33.33%
CA Fed	5	5%	2	1	1	50%	50%
State	11	14%	8	1	7	12.5%	87.5%
Dist. Court	3	4%	0	0	0	-	-
Original	0	0%	-	-	-	-	-
	75	100%	51	18	33	35.29%	64.71%

October Term 2019	Number	Percent
CA1	0	0%
CA2	3	12%
CA3	2	8%
CA4	2	8%
CA5	2	8%
CA6	3	12%
CA7	0	0%
CA8	0	0%
CA9	3	12%
CA10	0	0%
CA11	2	8%
CA DC	0	0%
CA Fed	2	8%
State	6	24%
Dist. Court	-	-
Original	-	-
	25	100%

* For the circuit scorecards only, we treat certain consolidated cases as separate decisions rather than as one. For consolidated cases that stemmed from different lower court decisions, such as the cases consolidated as *United States v. Stitt*, we counted the cases separately on this table to most accurately reflect the Supreme Court's treatment of the precedents below. For cases that were consolidated in the court below, such as the two petitions from the U.S. Court of Appeals for the 4th Circuit in *The American Legion v. American Humanist Association* and *Maryland-National Capital Park and Planning Commission v. AHA*, we count the Supreme Court's decision only once. Throughout the rest of the Stat Pack consolidated cases are uniformly treated as a single case.

** The circuit scorecard does not include *Emulex v. Varjabedian*, which was dismissed as improvidently granted.

Circuit Scorecard

This chart features affirmance and reversal rates for each circuit and each justice. The first number is the number of times a particular justice voted to affirm a decision of the court below and the second number is the number of times that justice voted to vacate or reverse the decision below.

	Roberts	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Total Votes	Overall Decisions
CA1	1-1	1-1	1-1	1-1	1-1	1-1	1-1	2-0	0-1	9-8	1-1
CA2	0-1	1-0	0-1	0-1	0-1	0-1	0-1	0-1	0-1	1-8	0-1
CA3	1-1	0-2	1-1	1-1	0-2	1-1	1-1	0-2	1-1	6-12	1-1
CA4	0-1	1-0	1-0	1-0	0-1	1-0	1-0	0-1	0-1	5-4	1-0
CA5	1-2	1-2	1-2	1-2	1-2	1-2	1-2	1-2	1-1	9-17	1-2
CA6	3-3	3-3	2-4	2-4	3-3	1-5	2-4	1-5	3-3	20-34	3-3
CA7	0-1	0-1	1-0	0-1	0-1	1-0	0-1	0-1	0-1	2-7	0-1
CA8	1-1	2-0	0-2	0-2	1-1	0-2	0-2	2-0	1-1	7-11	1-1
CA9	1-12	2-11	5-8	4-9	1-12	5-8	4-9	2-11	1-11	25-91	2-11
CA10	1-0	1-0	1-0	1-0	1-0	1-0	1-0	1-0	1-0	9-0	1-0
CA11	2-3	3-2	2-3	3-2	3-2	2-3	2-3	3-2	3-2	23-22	3-2
CA DC	2-1	1-2	2-1	2-1	2-1	2-1	2-1	1-2	0-0	14-10	2-0
CA Fed	1-1	1-1	2-0	2-0	1-1	1-1	2-0	1-1	1-1	12-6	1-1
State	1-7	4-4	2-6	2-6	4-4	2-6	2-6	4-4	1-6	22-49	1-7
Dist. Court											
Original											

Merits Cases By Vote Split

9-0 25 (50%)	8-1 5 (10%)	7-2 3 (6%)	6-3 6 (12%)	5-4 11 (22%)	
Mt. Lemmon (8-0)	Jam (7-1)	BNSF Railway	Garza	Stokeling	🟨
Weyerhaeuser (8-0)	Frank (PC)	Lorenzo (6-2)	Moore (PC)	Madison (5-3)	🟦
Stitt	Harrison	Box (PC)	Air & Liquid	Preap	🟥
Emmons (PC)	Allina (7-1)		Biestek	Lamps Plus	🟥
Hill (PC)	Mission Prd.		Nieves	Bucklew	🟥
Culbertson			Return Mail	Apple	🟦
Schein				Cougar Den	🟦
New Prime (8-0)				Herrera	🟦
Helsinn				Hyatt	🟥
Timbs				Home Depot	🟦
Dawson				Mont	🟦
Rizo (PC)					
Nutraceutical					
Fourth Est.					
Rimini					
Sturgeon					
Merck					
Thacker					
Smith					
Cochise					
Fort Bend					
Obduskey					
Taggart					
Quarles					
Parker					

Past Terms					
	9-0	8-1	7-2	6-3	5-4
OT10	46%	12%	15%	5%	20%
OT11	45%	11%	8%	17%	20%
OT12	49%	5%	9%	8%	29%
OT13	66%	3%	10%	8%	14%
OT14	41%	7%	12%	15%	26%
OT15	48%	11%	20%	11%	5%
OT16	59%	9%	17%	4%	10%
OT17	39%	8%	15%	10%	26%
Avg.	49%	8%	13%	10%	19%

* We treat cases with eight or fewer votes as if they were decided by the full court. For 8-0, 7-1 and 6-2 decisions, we simply assume that the nonparticipating justice would have joined the majority. In cases that are decided 5-3, we look at each case individually to decide whether it was more likely that the nonparticipating 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.

** For cases that are decided by a 5-4 vote, we provide information about whether the majority was made up of the most common conservative bloc (Roberts, Thomas, Alito, Gorsuch and Kavanaugh), the most liberal bloc (Ginsburg, Breyer, Sotomayor and Kagan) along with any of the more conservative justices, 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.

***For per curiam opinions, we assume that all justices who do not publicly dissent voted with the majority.

Term Index

This chart includes a summary of the cases for the term including (1) majority opinion author, (2) vote, (3) days between argument and opinion, (4) judgment, and (5) court below. For each sitting, the chart provides the number of majority opinions written by each justice and the average number of days between argument and opinion for that justice's majority opinions.

October

#	Case	Author	Vote	Days	J	Court	Justice	Count	Avg
1	Weyerhaeuser	JGR	8-0	57d	R	CA5	JGR	1	57d
2	Mt. Lemmon	RBG	8-0	36d	A	CA9	CT	1	98d
3	Gundy					CA2	RBG	1	36d
4	Madison	EK	5-3	148d	R	ST	SGB	1	62d
5	*Knick*					CA3	SAA	1	160d
6	New Prime	NMG	8-0	104d	A	CA1	SMS	0	
7	Stokeling	CT	5-4	98d	A	CA11	EK	1	148d
8	Stitt	SGB	9-0	62d	R	CA6	NMG	1	104d
9	Preap	SAA	5-4	160d	R	CA9	BMK	1	160d
10	Air & Liquid	BMK	6-3	160d	A	CA3	Tot.	8	
11							Expect	9	
12							Avg.		95d

November

#	Case	Author	Vote	Days	J	Court	Justice	Count	Avg
1	Schein	BMK	9-0	71d	R	CA5	JGR	2	148d
2	Lamps Plus	JGR	5-4	177d	R	CA9	CT	1	62d
3	Cougar Den	SGB	5-4	140d	A	ST	RBG	1	118d
4	Garza	SMS	6-3	120d	R	ST	SGB	1	140d
5	Frank	PC	8-1	140d	R	CA9	SAA	1	139d
6	Jam	JGR	7-1	119d	R	CADC	SMS	1	120d
7	Sturgeon	EK	9-0	141d	R	CA9	EK	1	141d
8	Va. Uranium					CA4	NMG	1	146d
9	Bucklew	NMG	5-4	146d	A	CA8	BMK	1	71d
10	BNSF Railway	RBG	7-2	118d	R	CA8	PC	1	140d
11	Harrison	SAA	8-1	139d	R	CA2	Tot.	11	
12	Culbertson	CT	9-0	62d	R	CA11	Expect	12	
							Avg.		125d

December

#	Case	Author	Vote	Days	J	Court	Justice	Count	Avg
1	Apple	BMK	5-4	168d	A	CA9	JGR	1	183d
2	Nieves	JGR	6-3	183d	R	CA9	CT	1	52d
3	Nutraceutical	SMS	9-0	91d	R	CA9	RBG	1	84d
4	Murphy					CA10	SGB	1	114d
5	Timbs	RBG	9-0	84d	R	ST	SAA	0	
6	Dawson	NMG	9-0	79d	R	ST	SMS	1	91d
7	Lorenzo	SGB	6-2	114d	A	CADC	EK	1	118d
8	Biestek	EK	6-3	118d	A	CA6	NMG	1	79d
9	Helsinn	CT	9-0	52d	A	CAFC	BMK	0	
10	Gamble					CA11	Tot.	8	
11							Expect	10	
12							Avg.		103d

January

#	Case	Author	Vote	Days	J	Court	Justice	Count	Avg
1	Merck	SGB	9-0	133d	R	CA3	JGR	0	
2	Obduskey	SGB	9-0	72d	A	CA10	CT	2	129d
3	Herrera	SMS	5-4	132d	R	ST	RBG	1	55d
4	Fourth Est.	RBG	9-0	55d	A	CA11	SGB	2	103d
5	Hyatt	CT	5-4	124d	R	ST	SAA	0	
6	Thacker	EK	9-0	105d	R	CA11	SMS	1	132d
7	Rimini	BMK	9-0	49d	R	CA9	EK	1	105d
8	Home Depot	CT	5-4	133d	A	CA4	NMG	1	139d
9	Allina	NMG	7-1	139d	A	CADC	BMK	1	49d
10	Knick					CA3	Tot.	9	
11	Tenn. Wine					CA6	Expect	11	
12							Avg.		102d

February

#	Case	Author	Vote	Days	J	Court	Justice	Count	Avg
1	Return Mail	SMS	6-3	110d	R	CAFC	JGR		
2	Mission Prd.	EK	8-1	89d	R	CA1	CT	1	97d
3	Manhattan					CA2	RBG		
4	Haymond					CA10	SGB		
5	Mont	CT	5-4	97d	A	CA6	SAA		
6	Am. Legion					CA4	SMS	1	110d
							EK	1	89d
							NMG		
							BMK		
							Tot.	3	
							Expect	6	
							Avg.		99d

March

#	Case	Author	Vote	Days	J	Court	Justice	Count	Avg
	Bethune					USDC	JGR		
	Smith	SMS	9-0	71d	R	CA6	CT	1	55d
	Cochise	CT	9-0	55d	A	CA11	RBG		
	Flowers					ST	SGB		
	PDR					CA4	SAA		
	Dutra					CA9	SMS	1	71d
	Rucho					USDC	EK		
	Benisek					USDC	NMG		
	Kisor					CAFC	BMK		
							Tot.	2	
							Expect	9	
							Avg.		63d

April

#	Case	Author	Vote	Days	J	Court	Justice	Count	Avg
1	Brunetti					CAFC	JGR		
2	*Emulex*					CA9	CT	1	55d
3	Parker	CT	9-0	55d		CA9	RBG	1	42d
4	Kaestner Tr.					ST	SGB	1	40d
5	Davis					CA5	SAA		
6	McDonough					CA2	SMS		
7	Food Mrkt.					CA8	EK		
8	Fort Bend	RBG	9-0	42d	A	CA5	NMG		
9	Commerce					CA2	BMK	1	47d
10	Mitchell					ST	Tot.	4	
11	Rehaif					CA11	Expect	13	
12	Quarles	BMK	9-0	47d		CA6	Avg.		46d
13	Taggart	SGB	9-0	40d	R	CA9			

Summary Reversal

Case	Author	Vote	Days	J	Court
Emmons	PC	9-0	n/a	R	CA9
Hill	PC	9-0	n/a	R	CA6
Moore	PC	6-3	n/a	R	ST
Rizo	PC	9-0	n/a	R	CA9
Box	PC	7-2	n/a	R	CA7

Total

Justice	Count	Avg		
JGR	4	134d	Dismissed after argument	1
CT	8	85d		
RBG	5	67d		
SGB	6	94d		
SAA	2	150d		
SMS	5	105d		
EK	5	120d		
NMG	4	117d		
BMK	5	99d		
PC	6			
Cases disposed	**51**			
Expected	**79**			
Percent Decided	**64.6%**			
Average time	**103d**			

Makeup of the Merits Docket

The following charts depict different characteristics of the cases that were released with merits opinions. These charts include information about cases disposed of with signed opinions, summary reversals or affirmances by an equally divided court.

Court Below
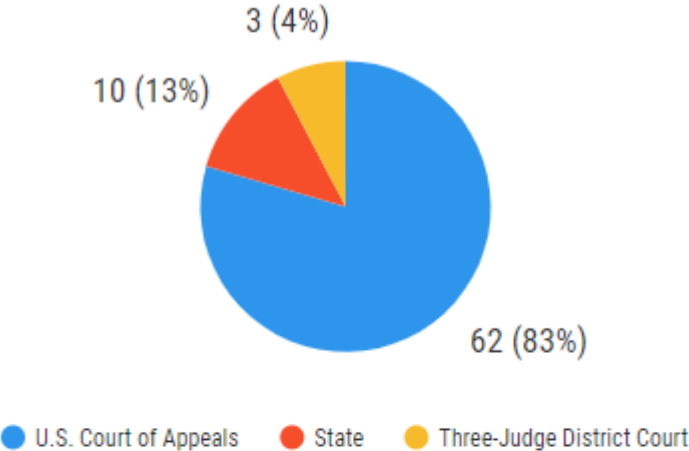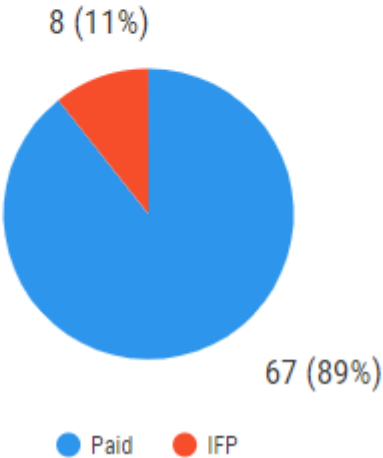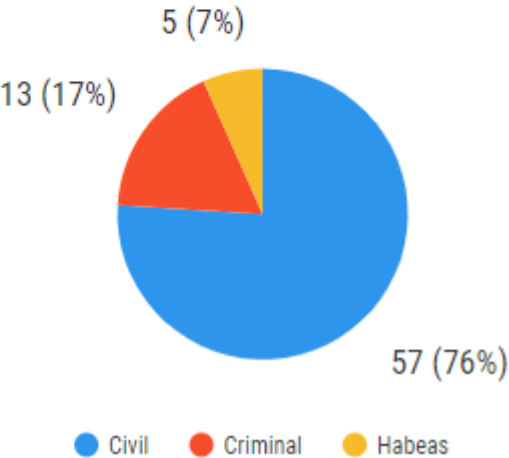
3 (4%)
10 (13%)
62 (83%)

● U.S. Court of Appeals ● State ● Three-Judge District Court

Jurisdiction

3 (4%)
72 (96%)

● Certiorari ● Appeal

Docket

8 (11%)
67 (89%)

● Paid ● IFP

Nature

5 (7%)
13 (17%)
57 (76%)

● Civil ● Criminal ● Habeas

Total Opinion Authorship

The number of opinions five pages or longer is included in parentheses and represented by the thicker bars in the chart below.

	Total Opinions	Majority Opinions	Concurring Opinions	Dissenting Opinions
Roberts	6 (5)	4 (4)	1 (0)	1 (1)
Thomas	20 (15)	8 (8)	8 (4)	4 (3)
Ginsburg	9 (6)	5 (5)	1 (0)	3 (1)
Breyer	13 (13)	6 (6)	0 (0)	7 (7)
Alito	7 (6)	2 (2)	1 (1)	4 (3)
Sotomayor	14 (10)	5 (5)	3 (2)	6 (4)
Kagan	6 (6)	5 (5)	0 (0)	1 (1)
Gorsuch	12 (10)	4 (4)	2 (1)	6 (5)
Kavanaugh	8 (5)	5 (5)	2 (0)	1 (1)
Per Curiam	6 (5)	6 (5)	- (-)	- (-)

8
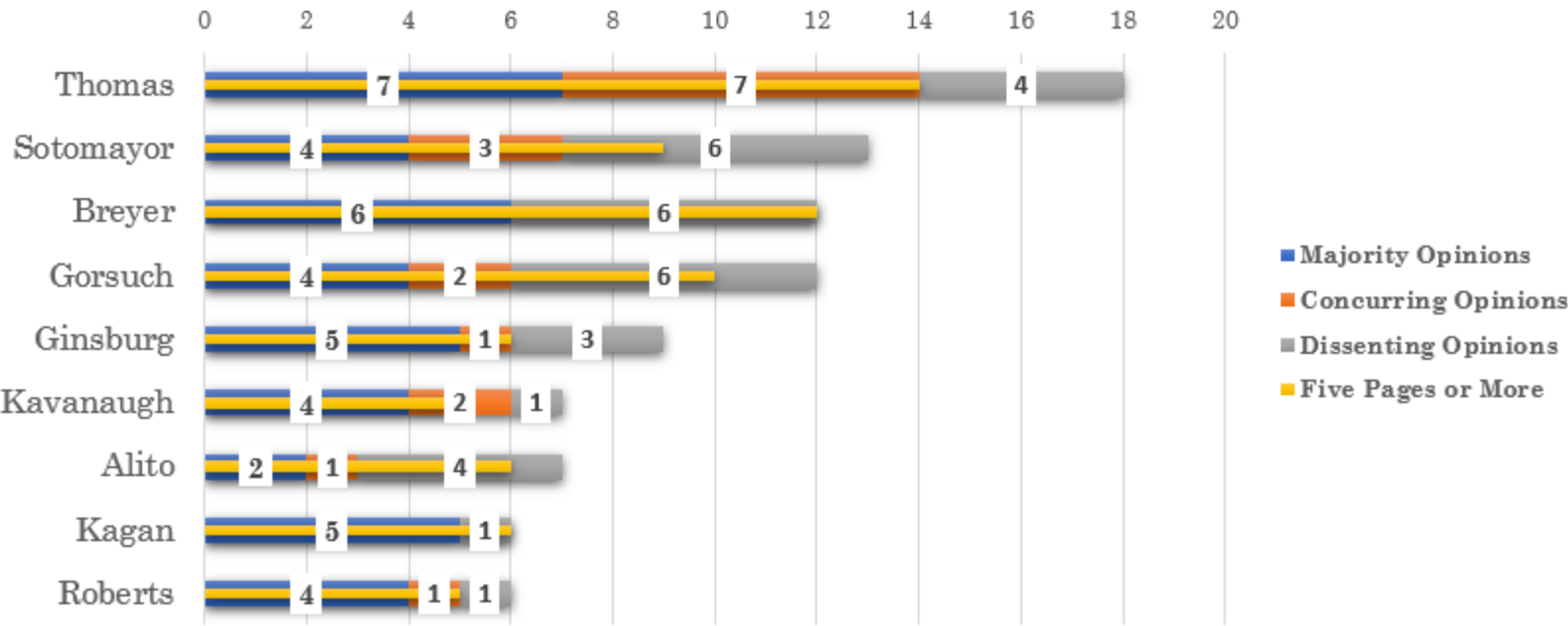
Opinions Authored By Each Justice

Majority Opinions

#	Roberts	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	PC
1	Weyerhaeuser	Stokeling	Mt. Lemmon	Stitt	Preap	Garza	Madison	New Prime	Schein	Emmons
2	Jam	Culbertson	Timbs	Lorenzo	Harrison	Nutraceutical	Sturgeon	Dawson	Rimini	Hill
3	Lamps Plus	Helsinn	BNSF Railway	Cougar Den		Herrera	Biestek	Bucklew	Air & Liquid	Moore
4	Nieves	Hyatt	Fourth Est.	Obduskey		Smith	Thacker	Allina	Apple	Rizo
5		Home Depot	Fort Bend	Merck		Return Mail	Mission Prd.		Quarles	Frank
6		Mont		Taggart						Box
7		Conchise								
8		Parker								

Total Majority Opinions: 50

Concurring Opinions

#	Roberts	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	PC
1	Moore	Timbs	New Prime		Merck	Sturgeon		Timbs	Nielsen	
2		Preap				Obduskey		Cougar Den	Bucklew	
3		Lamps Plus				Mission Prd.				
4		Bucklew								
5		Nieves								
6		Merck								
7		Box								
8		Quarles								

Total Concurring Opinions: 18

Dissenting Opinions

#	Roberts	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	PC
1	Cougar Den	Garza	Lamps Plus	Jam	Madison	Stokeling	Lamps Plus	BNSF Railway	Cougar Den	
2		Frank	Nieves	Preap	Moore	Lamps Plus		Air & Liquid		
3		Lorenzo	Box	Lamps Plus	Herrera	Bucklew		Apple		
4		Harrison		Bucklew	Home Depot	Biestek		Biestek		
5				Hyatt		Nieves		Nieves		
6				Allina		Mont		Mission Prd.		
7				Return Mail						

Total Dissenting Opinions: 33

Total

	Roberts	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	PC	Total
Total	6	20	9	13	7	14	6	12	8	6	101

*Plurality opinions, like the one by Justice Breyer in *Washington State Department of Licensing v. Cougar Den Inc.*, are treated as majority opinions throughout the Stat Pack.

Workload – Opinions Released Each Week

The chart below demonstrates how many opinions were released by each justice during each opinion week.

		October			November			December			January			February			March			April			May			June				Total
		#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#4	Total
JGR	Majority						1									1					1				1					4
	Concurring																													0
	Dissenting																	1												1
	Total						1									1		1			1				1					5
CT	Majority										1	1	1										2		1	1	1			8
	Concurring														1			1		1	1			1	2					7
	Dissenting															1		1	2											4
	Total										1	1	1		1	1		2	2	1	1		2	1	3	1	1			19
RBG	Majority					1										1		2												4
	Concurring												1																	1
	Dissenting																				1				2					3
	Total					1							1			1		2			1				2					8
SGB	Majority									1								2	1					1						5
	Concurring																													0
	Dissenting															1		1		1	1		1			1	1			7
	Total									1						1		3	1	1	1		1	1		1	1			12
SAA	Majority																1	1												2
	Concurring																							1						1
	Dissenting															1								1	1					3
	Total															1	1	1						2	1					6
SMS	Majority																2							1	1	1				5
	Concurring																	1	1					1						3
	Dissenting												1							2	1				1					5
	Total												1				2	1	1	2	1			2	2	1				13
EK	Majority															1		1	1		1			1						5
	Concurring																													0
	Dissenting																			1										1
	Total															1		1	1	1	1			1						6
NMG	Majority											1			1					1						1				4
	Concurring														1			1												2
	Dissenting																1	1		1			1	1	1					6
	Total											1			2		1	2		2			1	1	1	1				12
BMK	Majority											1					1	1			1					1				5
	Concurring																	1	1											2
	Dissenting																	1												1
	Total											1					1	3	1		1					1				8

10

Workload – Slip Pages Released Each Week

		October			November			December			January			February			March			April			May			June				Total
		#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#1	#2	#3	#4	Total
JGR	Majority					15											16				13									60
	Concurring																														
	Dissenting																		10												10
	Total					15											16	10			13							16			70
CT	Majority										9	13	9										27		11	13	15			97
	Concurring														13			6		2	2			6	24		2			55
	Dissenting															18		3	20											41
	Total										9	13	9		13	18		9	20	2	2		27	6	35	13	17			193
RBG	Majority				7											9	26								4	11				53
	Concurring											2																		2
	Dissenting																				5				4					9
	Total				7							2				9	26				5				4	11				64
SGB	Majority									9							32	13						17		11	18			100
	Concurring																													0
	Dissenting															17	17		18	9		13			18					92
	Total									9						17	49	13	18	9		13	17		29	18				192
SAA	Majority																26	17												43
	Concurring																							6						6
	Dissenting															13								19	26					58
	Total															13	26	17						25	26					107
SMS	Majority																24							22	16					62
	Concurring																	3	12					2			8			25
	Dissenting															13				8	3			14	14					52
	Total															13	24	3	12	8	3		24	30	14	8				139
EK	Majority															18		30	11		11		17							87
	Concurring																													0
	Dissenting																		14											14
	Total															18		30	11	14	11		17							101
NMG	Majority											15		8					31				17							71
	Concurring													1				11												12
	Dissenting																9	9		9		11	2	9						49
	Total											15		9			9	20		40		11	2	9	17					132
BMK	Majority											8					12	11				14			10					55
	Concurring																	3	2											5
	Dissenting																	6												6
	Total											8					12	20	2			14			10					66

Majority Opinion Authorship

Majority Opinions Authored

	Total	9-0	8-1	7-2	6-3	5-4	Average Majority
Roberts	4	1	1	-	1	1	7
Thomas	8	4	-	-	-	4	7
Ginsburg	5	4	-	1	-	-	8.6
Breyer	6	4	-	1	-	1	8
Alito	2	-	1	-	-	1	6.5
Sotomayor	5	2	-	-	2	1	7
Kagan	5	2	1	-	1	1	7.4
Gorsuch	4	2	1	-	-	1	7.75
Kavanaugh	5	3	-	-	1	1	7.6
	44	22	4	2	5	11	7.5

Authorship as a Percentage of Similar Opinions

	9-0	8-1	7-2	6-3	5-4
Roberts	5%	25%		20%	9%
Thomas	18%				36%
Ginsburg	18%		50%		
Breyer	18%		50%		9%
Alito		25%			9%
Sotomayor	9%			40%	9%
Kagan	9%	25%		20%	9%
Gorsuch	9%	25%			9%
Kavanaugh	14%			20%	9%

Percentage of Majority Opinions Decided with Unanimous Judgment

Ginsburg	80%
Breyer	66.67%
Kavanaugh	60%
Thomas	50%
Gorsuch	50%
Sotomayor	40%
Kagan	40%
Roberts	25%
Alito	0%

Average Days Between Argument and Opinion

Alito	150d
Roberts	134d
Kagan	120d
Gorsuch	117d
Sotomayor	105d
Kavanaugh	99d
Breyer	94d
Thomas	85d
Ginsburg	67d

Strength of the Majority

Argument Sitting	Decided	9-0	8-1	7-2	6-3	5-4	Average Majority
October	8	4			1	3	7.13
November	11	3	3	1	1	3	7.18
December	8	4		1	2	1	7.5
January	9	5	1			3	7.56
February	3		1		1	1	6.33
March	2	2					9
April	4	4					9
Summary Reversal	5	3		1	1		8

Number of Opinions Per Case
1.88
2.63
2.25
1.78
2.33
1
1.25
1.8

Solo Dissents

Justice	Total (OT18)	Average* (OT05-OT17)
Breyer	2	.28
Thomas	2	2.1
Gorsuch	1	.5
Alito	-	.62
Sotomayor	-	.89
Kagan	-	0
Roberts	-	0
Kavanaugh	-	0

* Averages consider only the terms during which a justice served on the court. Chief Justice Roberts and Justice Kagan have never filed a lone dissenting vote.

Recusals

Justice	Total
Kavanaugh	7

Unanimity

To take a closer look at unanimity at the court, we created three distinct measures of unanimity. The measures of unanimity are defined as follows:

Measure #1: When all justices simply voted for the same judgment – i.e., whether to affirm or reverse the judgment below. This is the broadest measure of unanimity because it allows for justices to write separate opinions – and sometimes even conflicting ones – as long as each justice voted to affirm or reverse the decision below.

Measure #2: When all justices joined some part of the same majority opinion, but one or more justices (1) wrote separately to state an individual position or (2) did not join the majority opinion in full.

Measure #3: When all justices joined a single majority opinion in full, without any justices writing separate concurring opinions. This is the narrowest measure of unanimity because it requires that the justices agree in full and without any written reservations or additions.

Measure #3	*All Justices in Total Agreement*	19	38%
Measure #2	*All Justices Join the Majority Opinion*	23	46%
Measure #1	*All Justices Vote For the Same Judgment*	25	50%

Divided	***Justices Disagree On Whether To Affirm, Reverse, Or Vacate The Decision Below***	**25**	**50%**

* Note that Measure #2 incorporates the cases captured in Measure #1, just as Measure #3 captures those cases included in Measures #1 and #2. For more information on our measures of unanimity, see Kedar S. Bhatia, A Few Notes On Unanimity, SCOTUSblog (July 10, 2014 10:40 AM), <http://www.scotusblog.com/2014/07/a-few-notes-on-unanimity/>.

Unanimity

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Frequency in the Majority

The following charts measure how frequently each justice has voted with the majority during October Term 2018. The charts include summary reversals but do not include cases that were dismissed.

All Cases										
Justice	Votes	Frequency in Majority		OT17	OT16	OT15	OT14	OT13	OT12	OT11
Roberts	50	45	90%	93%	93%	92%	80%	92%	86%	92%
Thomas	50	39	78%	81%	82%	72%	61%	88%	79%	86%
Ginsburg	50	41	82%	73%	85%	88%	86%	85%	79%	70%
Breyer	50	42	84%	73%	90%	94%	92%	88%	83%	76%
Alito	50	42	84%	79%	86%	84%	72%	88%	79%	83%
Sotomayor	50	41	82%	68%	90%	83%	89%	82%	79%	80%
Kagan	50	43	86%	74%	93%	95%	85%	92%	81%	82%
Gorsuch	50	38	76%	85%	82%	-	-	-	-	-
Kavanaugh	43	40	93%	-	-	-	-	-	-	-

Divided Cases										
Justice	Votes	Frequency in Majority		OT17	OT16	OT15	OT14	OT13	OT12	OT11
Roberts	25	20	80%	89%	83%	84%	66%	76%	73%	86%
Thomas	25	14	56%	69%	57%	49%	34%	64%	60%	74%
Ginsburg	25	16	64%	56%	63%	78%	77%	56%	60%	45%
Breyer	25	17	68%	56%	77%	89%	86%	64%	67%	57%
Alito	25	17	68%	67%	67%	70%	52%	63%	59%	69%
Sotomayor	25	16	64%	49%	76%	68%	82%	46%	59%	64%
Kagan	25	18	72%	59%	83%	91%	75%	75%	63%	67%
Gorsuch	25	13	52%	75%	63%	-	-	-	-	-
Kavanaugh	21	18	86%	-	-	-	-	-	-	-

5-4 Cases

Alignment of the Majority

Majority	11	Cases
Roberts, Thomas, Alito, Gorsuch, Kavanaugh	4	*Preap, Lamps Plus, Bucklew, Hyatt*
Ginsburg, Breyer, Sotomayor, Kagan, Gorsuch	2	*Cougar Den, Herrera*
Roberts, Ginsburg, Breyer, Sotomayor, Kagan	1	*Madison*
Roberts, Thomas, Ginsburg, Alito, Kavanaugh	1	*Mont*
Thomas, Ginsburg, Breyer, Sotomayor, Kagan	1	*Home Depot*
Ginsburg, Breyer, Sotomayor, Kagan, Kavanaugh	1	*Apple*
Thomas, Breyer, Alito, Gorsuch, Kavanaugh	1	*Stokeling*

Term	Number of 5-4 Opinions	Percentage of Total Opinions	Percentage of 5-4 Split Ideological *	Conservative Victory * (Percentage of Ideological)	Conservative Victory (Percentage of All 5-4)	Number of Different Alignments
OT05	11	12%	73%	53%	45%	7
OT06	24	33%	79%	68%	54%	6
OT07	12	17%	67%	50%	33%	6
OT08	23	29%	70%	69%	48%	7
OT09	16	19%	69%	73%	50%	7
OT10	16	20%	88%	71%	63%	4
OT11	15	20%	67%	50%	33%	7
OT12	23	29%	70%	63%	43%	7
OT13	10	14%	60%	67%	40%	7
OT14	19	26%	68%	38%	26%	7
OT15	4	5%	100%	25%	25%	2
OT16	7	10%	86%	33%	29%	3
OT17	19	26%	74%	100%	74%	5
OT18	11	22%	82%	44%	36%	7
Average	**15**	**20%**	**75%**	**57%**	**43%**	**6**

* For the purposes of this chart, a "Conservative Victory" occurs whenever the majority consists of Chief Justice Roberts and Justices Thomas, Alito, Gorsuch and Kavanaugh. A "Liberal Victory" occurs whenever the majority consists of Justices Ginsburg, Breyer, Sotomayor, Kagan and one conservative. An ideological split occurs with either of these two types of victories.

5-4 Cases

Membership in a 5-4 Majority

Justice	Cases Decided	Frequency in Majority	OT17	OT16	OT15	OT14	OT13	OT12	OT11	OT10
Kavanaugh	10	7	70%	-	-	-	-	-	-	-	-
Thomas	11	7	64%	79%	43%	25%	37%	50%	65%	67%	75%
Gorsuch	11	7	64%	84%	67%	-	-	-	-	-	-
Roberts	11	6	55%	89%	29%	25%	53%	70%	61%	67%	63%
Breyer	11	6	55%	21%	71%	75%	74%	50%	48%	47%	31%
Alito	11	6	55%	79%	29%	25%	47%	60%	57%	60%	63%
Ginsburg	11	5	45%	26%	71%	75%	63%	40%	43%	33%	38%
Sotomayor	11	5	45%	21%	71%	75%	68%	30%	39%	47%	38%
Kagan	11	5	45%	17%	71%	50%	53%	50%	43%	40%	38%

5-4 Majority Opinion Authorship *

Justice	Cases Decided	Frequency in the Majority	Opinions Authored	Frequency as Author	OT17	OT16	OT15	OT14	OT13	OT12	OT11	OT10
Thomas	11	7	4	57%	20%	33%	0%	0%	20%	13%	0%	33%
Sotomayor	11	5	1	20%	0%	0%	0%	15%	0%	22%	29%	17%
Kagan	11	5	1	20%	33%	20%	0%	10%	60%	10%	17%	0%
Roberts	11	6	1	17%	12%	0%	0%	20%	14%	14%	10%	30%
Breyer	11	6	1	17%	25%	20%	33%	21%	0%	18%	43%	20%
Alito	11	6	1	17%	27%	0%	100%	33%	33%	46%	33%	0%
Gorsuch	11	7	1	14%	31%	0%	-	-	-	-	-	-
Kavanaugh	10	7	1	14%	-	-	-	-	-	-	-	-
Ginsburg	11	5	0	0%	20%	20%	0%	25%	0%	10%	0%	33%

* These percentages consider how often a justice writes the majority opinion when that justice is in the majority.

Majority Opinion Distribution

For each case decided with a merits opinion, the author of the majority opinion is selected by the most senior justice who votes with the majority. For example, in *Herrera v. Wyoming*, a 5-4 decision in which Justices Ginsburg, Breyer, Sotomayor, Kagan and Gorsuch voted in the majority, Justice Ginsburg (the most senior justice in the majority) assigned authorship duties to Justice Sotomayor (the author of the majority opinion). The tables below demonstrate how the five most senior justices on the court assigned majority opinions during OT18 when they had the chance. For unanimous cases we have showed only statistics for Chief Justice Roberts because he is always the most senior justice in the majority for unanimous opinions.

Unanimous Cases

	Roberts	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh
Roberts (22)	1	4	4	4	0	2	2	2	3

5-4 Cases

	Roberts	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh
Roberts (6)	1	2	0	0	1		1	1	0
Thomas (2)		2	0	0	0	0	0	0	0
Ginsburg (3)			0	1	0	1	0	0	1
Breyer (0)				0	0	0	0	0	0
Alito (0)					0	0	0	0	0

Justice Agreement (All Cases)

	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Total
Roberts — Fully Agree	31 62%	34 68%	35 70%	44 88%	32 64%	38 76%	34 68%	37 86%	
Agree in Full or Part	38 76%	37 74%	36 72%	45 90%	36 72%	39 78%	36 72%	41 95%	
Agree in Full, Part, or Judgment Only	40 80%	38 76%	37 74%	45 90%	38 76%	40 80%	37 74%	41 95%	50
Disagree in Judgment	10 20%	12 24%	13 26%	5 10%	12 24%	10 20%	13 26%	2 5%	
Thomas — Fully Agree		25 50%	26 52%	35 70%	23 46%	27 54%	35 70%	27 63%	
Agree in Full or Part		29 58%	30 60%	43 86%	28 56%	31 62%	40 80%	33 77%	
Agree in Full, Part, or Judgment Only		30 60%	31 62%	45 90%	30 60%	32 64%	41 82%	35 81%	50
Disagree in Judgment		20 40%	19 38%	5 10%	20 40%	18 36%	9 18%	8 19%	
Ginsburg — Fully Agree			38 76%	30 60%	38 76%	42 84%	29 58%	29 67%	
Agree in Full or Part			42 84%	32 64%	43 86%	45 90%	32 64%	30 70%	
Agree in Full, Part, or Judgment Only			43 86%	33 66%	48 98%	46 92%	33 66%	31 72%	50
Disagree in Judgment			7 14%	17 34%	2 2%	4 8%	17 34%	12 28%	
Breyer — Fully Agree				33 66%	37 74%	45 90%	30 60%	33 77%	
Agree in Full or Part				33 66%	42 84%	47 94%	31 62%	33 77%	
Agree in Full, Part, or Judgment Only				34 68%	43 86%	47 94%	32 64%	34 79%	50
Disagree in Judgment				16 32%	7 14%	3 6%	18 36%	9 21%	
Alito — Fully Agree					28 56%	34 68%	38 76%	36 84%	
Agree in Full or Part					31 62%	34 68%	41 82%	39 91%	
Agree in Full, Part, or Judgment Only					33 66%	35 70%	42 84%	39 91%	50
Disagree in Judgment					17 34%	15 30%	8 16%	4 9%	
Sotomayor — Fully Agree						40 80%	28 56%	26 61%	
Agree in Full or Part						45 90%	32 64%	29 67%	
Agree in Full, Part, or Judgment Only						46 92%	35 70%	31 72%	50
Disagree in Judgment						4 8%	15 30%	12 28%	
Kagan — Fully Agree							31 62%	31 72%	
Agree in Full or Part							32 64%	32 74%	
Agree in Full, Part, or Judgment Only							33 66%	33 77%	50
Disagree in Judgment							17 34%	9 23%	
Gorsuch — Fully Agree								28 65%	
Agree in Full or Part								31 72%	
Agree in Full, Part, or Judgment Only								32 74%	50
Disagree in Judgment								11 26%	
Kavanaugh									43

Key

Fully Agree	
Agree in Full or Part	
Agree in Full, Part, or Judgment Only	
Disagree in Judgment	

Pace of Grants

The following chart plots the pace at which the court fills its merits docket for a given term. Each date marker represents the conference within a given sitting. For instance, Feb #3 is the third February conference, which, during OT18, took place on March 1, 2019. Categorizing grants by their conference within a given sitting ensures more accurate cross-term comparisons.
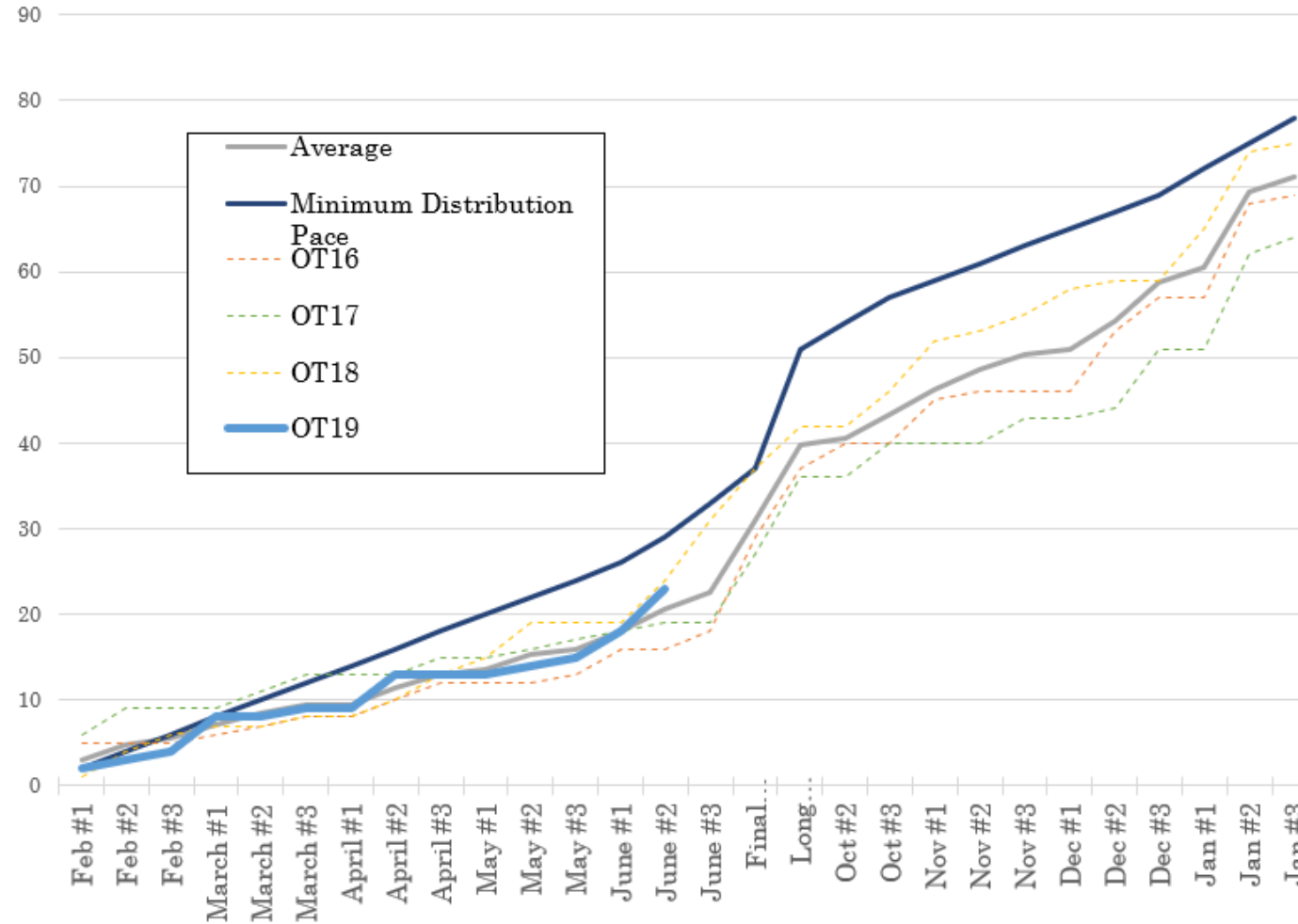
* The Minimum Distribution Pace presented in this chart reflects the number of petitions that must be granted to fill the court's docket for oral argument while giving the litigants in each case a complete or near-complete briefing schedule. The pace also reflects the number of petitions raised at each conference and other factors affecting the certiorari process.

Pace of Opinions

The following chart plots the pace at which the court releases merits opinions throughout the term, beginning in October and ending in June. This chart includes both opinions released after full briefing and summary reversals. Here, as in the Pace of Grants chart, cases are categorized by their release within a given sitting, rather than by calendar month. For example, the opinions for Feb #3 of OT18 were actually released on March 4, 2019.
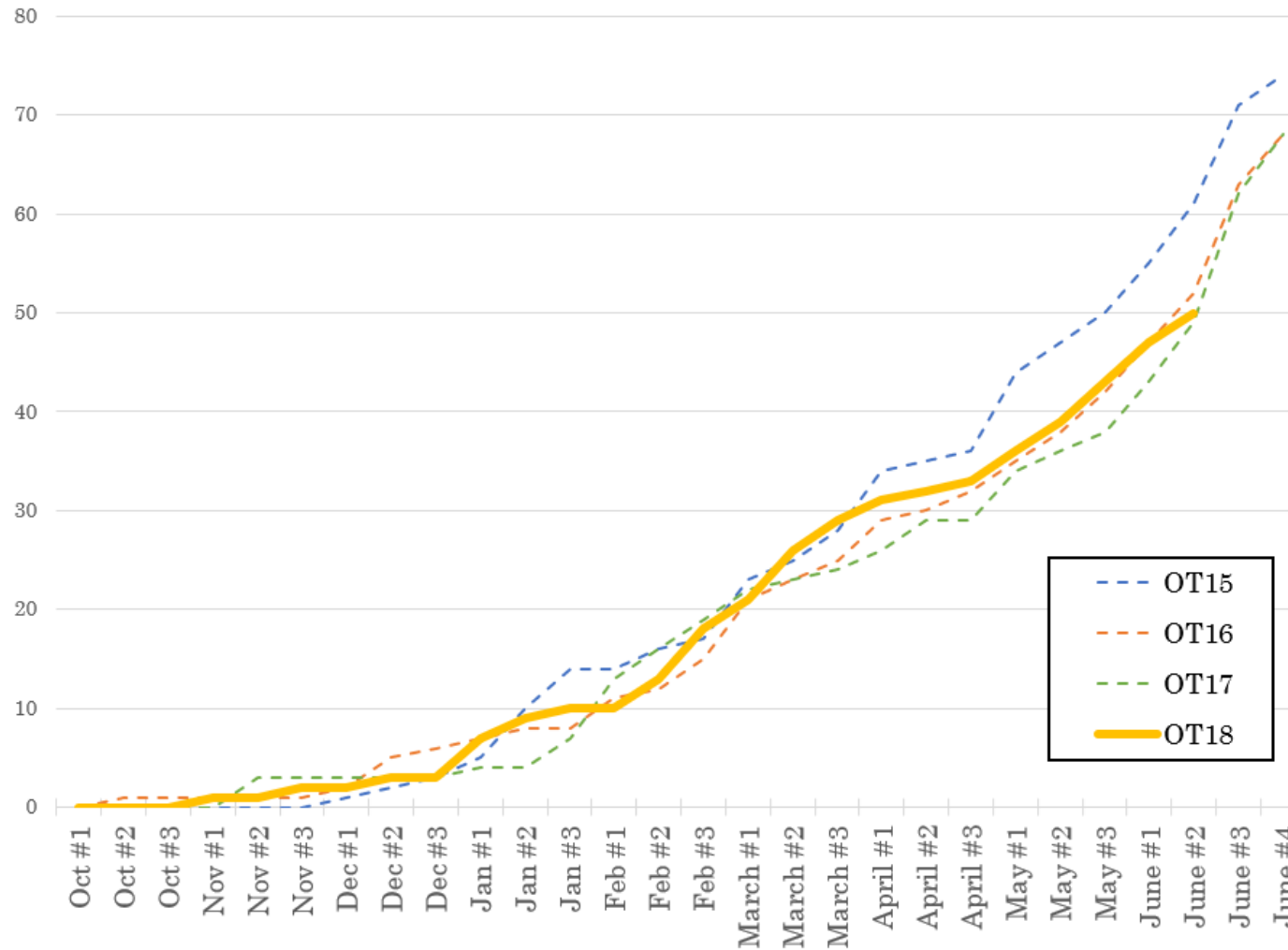
Oral Argument - Justices

For our purposes, the number of "questions" per argument is simply the number of times a given justice's name appears in the argument transcript in capital letters. To account for the chief justice's administrative comments – such as his call for an advocate to begin – his tally for each case has been uniformly reduced by three "questions."

Average Number of Questions Per Argument

	Average
Sotomayor	23.8
Breyer	18.1
Kavanaugh	15.1
Kagan	14.9
Gorsuch	14.2
Roberts	13.3
Alito	13.1
Ginsburg	8.1
Thomas	0.0

Frequency as the Top Questioner or as a Top 3 Questioner

	Freq. Top 1	Freq. Top 3
Sotomayor	46%	78%
Breyer	16%	52%
Gorsuch	16%	41%
Kavanaugh	13%	37%
Roberts	6%	29%
Kagan	6%	42%
Ginsburg	5%	10%
Alito	4%	35%
Thomas	0%	0%

Cases With Most Total Justice Questions

	Questions
Commerce	219
Am. Legion	212
PDR Network	199
Kaestner Tr.	174
Rehaif	166
Manhattan	163
Cougar Den	161
Davis	153
Murphy	153
Gamble	152

Most Active Arguments

	Argument	Number of Questions (% of all questions)
Roberts	Dawson	33 (23%)
Thomas	Flowers	3 (2%)
Ginsburg	Fort Bend	34 (37%)
Breyer	Halleck	50 (31%)
Alito	Benisek	34 (23%)
Sotomayor	Commerce	58 (26%)
Kagan	Am. Legion	38 (18%)
Gorsuch	Rehaif	43 (26%)
Kavanaugh	Emulex	42 (30%)

Frequency as the First Questioner

	Frequency	
Ginsburg	24/ 60	40%
Sotomayor	27/ 70	39%
Roberts	9/ 70	13%
Alito	5/ 70	7%
Kagan	3/ 70	4%
Breyer	1/ 70	1%
Gorsuch	1/ 70	1%
Thomas	0/ 70	0%
Kavanaugh	0/ 62	0%

Oral Argument - Advocates

Overview

	OT12	OT13	OT14	OT15	OT16	OT17	OT18
Number of Different Advocates	120	121	112	117	100	113	122
Number of Total Appearances	193	185	178	186	158	163	178

Appearances by Advocates Who…	OT12	OT13	OT14	OT15	OT16	OT17	OT18
…Are from the Office of the Solicitor General	64 (33%)	61 (33%)	56 (31%)	59 (32%)	48 (30%)	48 (29%)	50 (28%)
…Have experience in the Office of the Solicitor General	Not Available	85 (47%)	78 (46%)	84 (71%)	73 (48%)	71 (65%)	86 (48%)
…Have argued at least twice during the Term	104 (54%)	96 (52%)	104 (58%)	109 (59%)	94 (59%)	77 (47%)	87 (49%)
…Are "expert" Supreme Court litigators*	137 (71%)	131 (71%)	116 (66%)	136 (74%)	115 (74%)	89 (56%)	123 (69%)
…Are based in Washington, D.C.**	125 (65%)	119 (64%)	101 (57%)	122 (66%)	97 (61%)	97 (60%)	109 (61%)
…Are female	33 (17%)	28 (15%)	34 (19%)	32 (18%)	33 (21%)	19 (12%)	30 (17%)
…Are female and not from the Office of the Solicitor General***	17 (13%)	11 (9%)	17 (14%)	13 (10%)	15 (14%)	10 (9%)	21 (12%)

Most Popular Advocate Origins

State	Total
Washington, D.C.	109
California	12
New York	10
Texas	8

Most Popular Supreme Court Clerkships

Clerkship	Appearances	Advocates
Antonin Scalia	26	11
John G. Roberts	15	9
Stephen Breyer	10	7
Ruth Bader Ginsburg	7	4

Most Popular Law Schools

Law School	Appearances	Advocates
Harvard	34	24
Yale	32	18
Chicago	15	7
Stanford	9	5
Michigan	8	5

* We adopt Richard Lazarus' definition of an "expert" Supreme Court litigator: one who has argued five or more times before the Supreme Court or works in an office where lawyers have collectively argued more than 10 times. See Richard J. Lazarus, "Advocacy Matters Before and Within the Supreme Court: Transforming the Court by Transforming the Bar," 97 Geo. L.J. 1487, 1490 n.17 (2008).
** An advocate's "origin" is simply the state of origin listed for that lawyer on the court's monthly hearing lists. If attorneys from the Office of the Solicitor General are omitted, lawyers based in Washington, D.C., appeared 59 times during OT18.
*** The percentage figures for this category omit all advocates from the Office of the Solicitor General. They demonstrate the percentage of female advocates from positions other than those within the Office of the Solicitor General as a percentage of all men or women arguing from positions other than those within the Office of the Solicitor General.

Oral Argument - Advocates
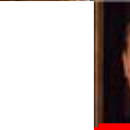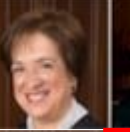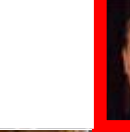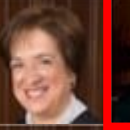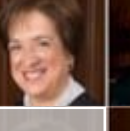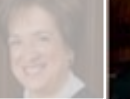
Advocates Who Have Argued Two or More Cases During OT18

| Name | Appearances | | Position | Law School | Supreme Court Clerkship | U.S. Solicitor General Experience | Gender |
	OT18	All Time					
David C. Frederick	5	55	Kellogg, Hansen, Todd, Figel & Frederick PLLC	Texas	Byron White	Assistant to the Solicitor General	Male
Jeffrey B. Wall	5	21	Principal Deputy Solicitor General	Chicago	Clarence Thomas	Assistant to the Solicitor General	Male
Noel J. Francisco	5	11	Solicitor General	Chicago	Antonin Scalia	Solicitor General	Male
Paul D. Clement	4	96	Kirkland & Ellis LLP	Harvard	Antonin Scalia	Solicitor General	Male
Edwin S. Kneedler	4	142	Deputy Solicitor General	Virginia	None	Deputy Solicitor General	Male
Kannon K. Shanmugam	4	27	Williams & Connolly LLP*	Harvard	Antonin Scalia	Assistant to the Solicitor General	Male
Malcolm L. Stewart	4	83	Deputy Solicitor General	Yale	Harry Blackmun	Deputy Solicitor General	Male
Daniel L. Geyser	4	8	Geyser PC	Harvard	None	None	Male
Shay Dvoretzky	3	10	Jones Day LLP	Yale	Antonin Scalia	None	Male
Eric J. Feigin	3	21	Assistant to the Solicitor General	Stanford	Stephen Breyer	Assistant to the Solicitor General	Male
Jeffrey L. Fisher	3	38	Stanford Supreme Court Clinic	Michigan	John Paul Stevens	None	Male
Allon Kedem	3	11	Assistant to the Solicitor General	Yale	Elena Kagan	Assistant to the Solicitor General	Male
Zachary D. Tripp	3	11	Assistant to the Solicitor General	Columbia	Ruth Bader Ginsburg	Assistant to the Solicitor General	Male
Anthony A. Yang	3	29	Assistant to the Solicitor General	Yale	None	Assistant to the Solicitor General	Male
Jonathan C. Bond	3	4	Assistant to the Solicitor General	George Washington	Antonin Scalia	Assistant to the Solicitor General	Male
Lisa S. Blatt	2	37	Arnold & Porter Kaye Scholer LLP*	Texas	None	Assistant to the Solicitor General	Female
Theodore J. Boutrous Jr.	2	4	Gibson, Dunn & Crutcher LLP	San Diego	None	None	Male
Paul W. Hughes	2	5	Mayer Brown LLP*	Yale	None	None	Male
Neal K. Katyal	2	39	Hogan Lovells LLP	Yale	Stephen Breyer	Acting Solicitor General	Male
Rachel P. Kovner	2	13	Assistant to the Solicitor General	Stanford	Antonin Scalia	Assistant to the Solicitor General	Female
Ann O'Connell Adams	2	21	Assistant to the Solicitor General*	George Washington	William Rehnquist	Assistant to the Solicitor General	Female
Carter G. Phillips	2	87	Sidley Austin LLP	Northwestern	Warren Burger	Assistant to the Solicitor General	Male
Andrew J. Pincus	2	29	Mayer Brown LLP	Columbia	None	Assistant to the Solicitor General	Male
Seth P. Waxman	2	82	WilmerHale LLP	Yale	None	Solicitor General	Male
Michael B. Kimberly	2	5	Mayer Brown LLP*	Yale	None	None	Male
Christopher G. Michel	2	3	Assistant to the Solicitor General	Yale	John G. Roberts	Assistant to the Solicitor General	Male
Erica L. Ross	2	3	Assistant to the Solicitor General	Stanford	Elena Kagan	Assistant to the Solicitor General	Female
Jonathan Ellis	2	3	Assistant to the Solicitor General	Pennsylvania	John G. Roberts	Assistant to the Solicitor General	Male
Michael R. Huston	2	3	Assistant to the Solicitor General	Michigan	John G. Roberts	Assistant to the Solicitor General	Male
Morgan Ratner	2	3	Assistant to the Solicitor General	Harvard	John G. Roberts	Assistant to the Solicitor General	Female
Toby J. Heytens	2	9	Solicitor General of Virginia	Virginia	Ruth Bader Ginsburg	Assistant to the Solicitor General	Male
Total: 30							

*Since their last oral arguments so far this term, these attorneys have moved to new positions.
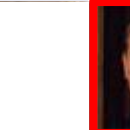
Voting Alignment – All Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Kavanaugh	Roberts	Gorsuch	Alito	Thomas
Mount Lemmon Fire District v. Guido	November 6, 2018	8-0	Ginsburg		■							
Weyerhaeuser v. U.S. Fish and Wildlife Service	November 27, 2018	8-0	Roberts						■			
United States v. Stitt	December 10, 2018	9-0	Ginsburg				■					
Escondido v. Emmons	January 7, 2019	9-0	Per Curiam									
Shoop v. Hill	January 7, 2018	9-0	Per Curiam									
Culbertson v. Berryhill	January 8, 2018	9-0	Thomas									■
Henry Schein v. Archer and White Sales	January 8, 2018	9-0	Kavanaugh					■				
Stokeling v. United States	January 15, 2019	5-4	Thomas									■

Voting Alignment – All Cases
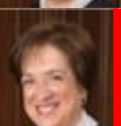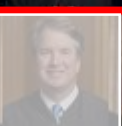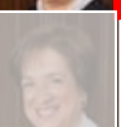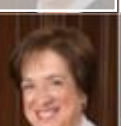
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Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Kavanaugh	Roberts	Gorsuch	Alito	Thomas
New Prime v. Oliveira	January 15, 2019	8-0	Roberts									
Helsinn Healthcare v. Teva Pharmaceuticals	January 25, 2019	9-0	Thomas									
Moore v. Texas	February 19, 2019	6-3	Per Curiam									
Timbs v. Indiana	February 20, 2019	9-0	Ginsburg									
Dawson v. Steager	February 20, 2019	9-0	Gorsuch									
Yovino v. Rizo	February 25, 2019	9-0	Per Curiam									
Nutraceutical v. Lambert	February 26, 2019	9-0	Sotomayor									
Jam v. International Finance Corp.	February 27, 2019	7-1	Roberts									
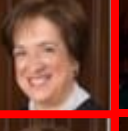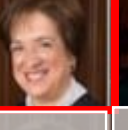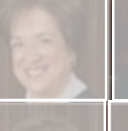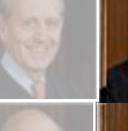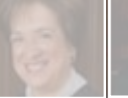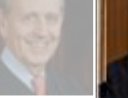
Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Kavanaugh	Roberts	Gorsuch	Alito	Thomas
Garza v. Idaho	February 27, 2019	6-3	Sotomayor									
Madison v. Alabama	February 27, 2019	5-3	Kagan									
Fourth Estate Public Benefit Corp. v. Wall-Street.com	March 4, 2019	9-0	Ginsburg									
BNSF Railway v. Loos	March 4, 2019	7-2	Ginsburg									
Rimini Street Inc. v. Oracle USA Inc.	March 4, 2019	9-0	Kavanaugh									
Washington Department of Licensing v. Cougar Den	March 19, 2019	5-4	Breyer									
Nielsen v. Preap	March 19, 2019	5-4	Alito									
Air & Liquid Systems v. Devries	March 19, 2019	6-3	Kavanaugh									

Voting Alignment – All Cases
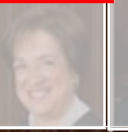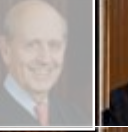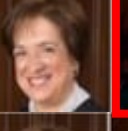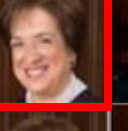
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Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Kavanaugh	Roberts	Gorsuch	Alito	Thomas
Obduskey v. McCarthy & Holthus LLP	March 20, 2019	9-0	Breyer									
Frank v. Gaos	March 20, 2019	8-1	Per Curiam									
Sudan v. Harrison	March 26, 2019	8-1	Alito									
Sturgeon v. Frost	March 26, 2019	9-0	Kagan									
Lorenzo v. Securities Exchange Commission	March 27, 2019	6-2	Breyer									
Biestek v. Berryhill	April 1, 2019	6-3	Kagan									
Bucklew v. Precythe	April 1, 2019	5-4	Gorsuch									
Lamps Plus v. Varela	April 24, 2019	5-4	Roberts									
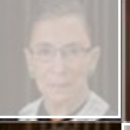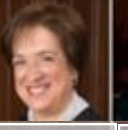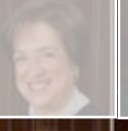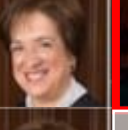
Voting Alignment – All Cases

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Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Kavanaugh	Roberts	Gorsuch	Alito	Thomas
Thacker v. Tennessee Valley Authority	April 29, 2019	9-0	Kagan									
California Franchise Tax Board v. Hyatt	May 15, 2019	5-4	Thomas									
Cochise Consultancy v. United States ex rel. Hunt	May 15, 2019	9-0	Thomas									
Apple v. Pepper	May 15, 2019	5-4	Kavanaugh									
Merck Sharp & Dohme Corp. v. Albrecht	May 20, 2019	9-0	Breyer									
Herrera v. Wyoming	May 20, 2019	5-4	Sotomayor									
Mission Product Holdings Inc. v. Tempnology, LLC	May 20, 2019	8-1	Kagan									
Nieves v. Bartlett	May 28, 2019	6-3	Roberts									

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Kavanaugh	Roberts	Gorsuch	Alito	Thomas
Home Depot U.S.A. Inc. v. Jackson	May 28, 2019	5-4	Thomas									
Smith v. Berryhill	May 28, 2019	9-0	Sotomayor									
Box v. Planned Parenthood of Indiana and Kentucky	May 28, 2019	7-2	Per Curiam									
Mont v. United States	June 3, 2019	5-4	Thomas									
Fort Bend County, Texas v. Davis	June 3, 2019	9-0	Ginsburg									
Taggart v. Lorenzen	June 3, 2019	9-0	Breyer									
Azar v. Allina Health Services	June 3, 2019	7-1	Gorsuch									
Mount Lemmon Fire District v. Guido	June 10, 2019	9-0	Thomas									

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Kavanaugh	Roberts	Gorsuch	Alito	Thomas
Return Mail Inc. v. United States Postal Service	June 10, 2019	6-3	Sotomayor									
Quarles v. United States	June 10, 2019	9-0	Kavanaugh									