

# Merits Cases By Vote Split

9-0 28 (39%)	8-1 5 (7%)	7-2 8 (11%)	6-3 11 (15%)	5-4 20 (28%)	
<i>Mt. Lemmon</i> (8-0)	<i>Jam</i> (7-1)	<i>BNSF Railway</i>	<i>Moore</i> (PC)	<i>Stokeling</i>	
<i>Weyerhaeuser</i> (8-0)	<i>Frank</i> (PC)	<i>Lorenzo</i> (6-2)	<i>Garza</i>	<i>Madison</i> (5-3)	
<i>Stitt</i>	<i>Harrison</i>	<i>Box</i> (PC)	<i>Air &amp; Liquid</i>	<i>Cougar Den</i>	
<i>Emmons</i> (PC)	<i>Mission Prd.</i>	<i>Gamble</i>	<i>Biestek</i>	<i>Preap</i>	
<i>Hill</i> (PC)	<i>Allina</i> (7-1)	<i>Am. Legion</i>	<i>Nieves</i>	<i>Bucklew</i>	
<i>Culbertson</i>		<i>Rehaif</i>	<i>Return Mail</i>	<i>Lamps Plus</i>	
<i>Schein</i>		<i>Flowers</i>	<i>Va. Uranium</i>	<i>Hyatt</i>	
<i>New Prime</i> (8-0)		<i>Tenn. Wine</i>	<i>McDonough</i>	<i>Apple</i>	
<i>Helsinn</i>			<i>Dutra</i>	<i>Herrera</i>	
<i>Timbs</i>			<i>Brunetti</i>	<i>Home Depot</i>	
<i>Dawson</i>			<i>Food Mrkt.</i>	<i>Mont</i>	
<i>Rizo</i> (PC)				<i>Bethune</i>	
<i>Nutraceutical</i>				<i>Manhattan</i>	
<i>Fourth Est.</i>				<i>Gundy</i> (5-3)	
<i>Rimini</i>				<i>Knick</i>	
<i>Obduskey</i>				<i>Davis</i>	
<i>Sturgeon</i>				<i>Haymond</i>	
<i>Thacker</i>				<i>Rucho</i>	
<i>Cochise</i>				<i>Commerce</i>	
<i>Merck</i>				<i>Mitchell</i>	
<i>Smith</i>					
<i>Fort Bend</i>					
<i>Taggart</i>					
<i>Parker</i>					
<i>Quarles</i>					
<i>PDR</i>					
<i>Kaestner Tr.</i>					
<i>Kisor</i>					

  

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

\*\*\*\* *Commerce* is classified as conservative because the five more conservative justices agree that the secretary of the Department of Commerce did not violate the enumeration clause or the Census Act in deciding to reinstate a citizenship question on the 2020 census questionnaire.