

# THE STATISTICS

TABLE I<sup>a</sup>  
(A) ACTIONS OF INDIVIDUAL JUSTICES

	OPINIONS WRITTEN <sup>b</sup>				DISSENTING VOTES <sup>c</sup>		
	Opinions of Court <sup>d</sup>	Concur- rences <sup>e</sup>	Dissents <sup>e</sup>	TOTAL	In Disposition by		
					Opinion	Memo- randum <sup>f</sup>	TOTAL
Roberts	8	2	3	13	6	0	6
Stevens	7	6	15	28	19	2	21
O'Connor	3	0	0	3	0	0	0
Scalia	9	6	6	21	9	0	9
Kennedy	8	7	3	18	9	0	9
Souter	7	1	5	13	14	0	14
Thomas	8	2	9	19	15	0	15
Ginsburg	8	4	5	17	15	0	15
Breyer	7	4	12	23	16	2	18
Alito	4	3	2	9	5	0	5
Per Curiam	12	—	—	12	—	—	—
Total	81	35	60	176	108	4	112

<sup>a</sup> A complete explanation of how the tables are compiled may be found in *The Supreme Court, 2004 Term—The Statistics*, 119 HARV. L. REV. 415, 415–19 (2005).

Table I, with the exception of the dissenting votes portion of section (A) and the memorandum tabulations in section (C), includes only full-opinion decisions disposing of cases on their merits. Twelve per curiam decisions contained legal reasoning substantial enough to be considered full-opinion decisions during October Term 2005. These cases were *Youngblood v. West Virginia*, 126 S. Ct. 2188 (2006); *Whitman v. Department of Transportation*, 126 S. Ct. 2014 (2006); *Gonzales v. Thomas*, 126 S. Ct. 1613 (2006); *Lance v. Dennis*, 126 S. Ct. 1198 (2006); *Ash v. Tyson Foods, Inc.*, 126 S. Ct. 1195 (2006); *Ministry of Defense & Support for Armed Forces of Islamic Republic of Iran v. Elahi*, 126 S. Ct. 1193 (2006); *Wisconsin Right to Life, Inc. v. FEC*, 126 S. Ct. 1016 (2006); *Bradshaw v. Richey*, 126 S. Ct. 602 (2005); *Kane v. Garcia Espitia*, 126 S. Ct. 407 (2005); *Eberhart v. United States*, 126 S. Ct. 403 (2005); *Schriro v. Smith*, 126 S. Ct. 7 (2005); and *Dye v. Hofbauer*, 126 S. Ct. 5 (2005).

The memorandum tabulations include memorandum orders disposing of cases on their merits by affirming, reversing, vacating, or remanding. They exclude orders disposing of petitions for certiorari, dismissing writs of certiorari as improvidently granted, dismissing appeals for lack of jurisdiction, disposing of miscellaneous applications, and certifying questions for review. Thus, the Court's decision in *Maryland v. Blake*, 126 S. Ct. 602 (2005), dismissing the writ as improvidently granted, is considered neither a full opinion nor a memorandum opinion. The memorandum tabulations also exclude orders relating to payment of docketing fees and dissents therefrom. See, e.g., *Goldwater v. Freigo*, 126 S. Ct. 2294 (2006) (mem.) (Stevens, J., dissenting).

<sup>b</sup> This part of Table I(A) includes only opinions authored in the eighty-one cases with full opinions this Term. Thus, dissents from denials of certiorari and concurrences or dissents from summary affirmances are not included. A concurrence or dissent is recorded as a written opinion whenever its author provided a reason, however brief, for his or her vote.

<sup>c</sup> A Justice is considered to have dissented whenever he or she voted to dispose of the case in any manner different from the manner specified by the majority of the Court.

TABLE I (*continued*)

<sup>d</sup> A plurality opinion that announced the judgment of the Court is counted as the opinion of the Court. Thus, for example, Justice Breyer's opinion in *Beard v. Banks*, 126 S. Ct. 2572 (2006), is considered the sole opinion of the Court in that case.

<sup>e</sup> Opinions concurring in part and concurring in the judgment are counted as concurrences. Opinions concurring in part and dissenting in part are counted as dissents.

<sup>f</sup> The memorandum decision calculations include some cases decided by summary order in the Court's weekly order lists issued throughout the Term. The only dissenting votes in memorandum decisions this Term were those cast by Justices Stevens and Breyer in *Soechting v. Perry*, 126 S. Ct. 2978 (2006), and *Henderson v. Perry*, 126 S. Ct. 2796 (2006).

TABLE I (continued)  
(B1) VOTING ALIGNMENTS—ALL WRITTEN OPINIONS<sup>8</sup>

		Roberts	Stevens	O'Connor	Scalia	Kennedy	Souter	Thomas	Ginsburg	Breyer	Alito
Roberts	O	—	51	21	64	62	58	60	57	58	32
	S	—	0	0	6	3	0	5	1	1	3
	D	—	51	21	69	65	58	65	57	58	35
	N	—	78	23	78	78	78	77	78	78	39
	P	—	65.4	91.3	88.5	83.3	74.4	84.4	73.1	74.4	89.7
Stevens	O	51	—	20	49	52	56	45	55	54	18
	S	0	—	0	0	3	13	1	13	10	0
	D	51	—	20	49	54	67	46	66	62	18
	N	78	—	24	81	81	81	80	81	81	40
	P	65.4	—	83.3	60.5	66.7	82.7	57.5	81.5	76.5	45.0
O'Connor	O	21	20	—	22	21	23	20	21	21	—
	S	0	0	—	0	0	0	0	0	0	—
	D	21	20	—	22	21	23	20	21	21	—
	N	23	24	—	24	24	24	23	24	24	—
	P	91.3	83.3	—	91.7	87.5	95.8	87.0	87.5	87.5	—
Scalia	O	64	49	22	—	59	54	60	52	52	28
	S	6	0	0	—	2	0	11	1	1	3
	D	69	49	22	—	61	54	71	52	53	30
	N	78	81	24	—	81	81	80	81	81	40
	P	88.5	60.5	91.7	—	75.3	66.7	88.8	64.2	65.4	75.0
Kennedy	O	62	52	21	59	—	59	55	56	56	28
	S	3	3	0	2	—	5	3	4	3	4
	D	65	54	21	61	—	62	58	59	57	32
	N	78	81	24	81	—	81	80	81	81	40
	P	83.3	66.7	87.5	75.3	—	76.5	72.5	72.8	70.4	80.0
Souter	O	58	56	23	54	59	—	49	59	61	23
	S	0	13	0	0	5	—	0	11	11	2
	D	58	67	23	54	62	—	49	68	69	25
	N	78	81	24	81	81	—	80	81	81	40
	P	74.4	82.7	95.8	66.7	76.5	—	61.3	84.0	85.2	62.5
Thomas	O	60	45	20	60	55	49	—	47	48	28
	S	5	1	0	11	3	0	—	0	0	3
	D	65	46	20	71	58	49	—	47	48	31
	N	77	80	23	80	80	80	—	80	80	40
	P	84.4	57.5	87.0	88.8	72.5	61.3	—	58.8	60.0	77.5
Ginsburg	O	57	55	21	52	56	59	47	—	58	22
	S	1	13	0	1	4	11	0	—	7	0
	D	57	66	21	52	59	68	47	—	64	22
	N	78	81	24	81	81	81	80	—	81	40
	P	73.1	81.5	87.5	64.2	72.8	84.0	58.8	—	79.0	55.0
Breyer	O	58	54	21	52	56	61	48	58	—	20
	S	1	10	0	1	3	11	0	7	—	2
	D	58	62	21	53	57	69	48	64	—	22
	N	78	81	24	81	81	81	80	81	—	40
	P	74.4	76.5	87.5	65.4	70.4	85.2	60.0	79.0	—	55.0
Alito	O	32	18	—	28	28	23	28	22	20	—
	S	3	0	—	3	4	2	3	0	2	—
	D	35	18	—	30	32	25	31	22	22	—
	N	39	40	—	40	40	40	40	40	40	—
	P	89.7	45.0	—	75.0	80.0	62.5	77.5	55.0	55.0	—

TABLE I (*continued*)  
(B<sub>2</sub>) VOTING ALIGNMENTS — NON-UNANIMOUS CASES<sup>h</sup>

		Roberts	Stevens	O'Connor	Scalia	Kennedy	Souter	Thomas	Ginsburg	Breyer	Alito
Roberts	O	—	15	5	28	26	22	25	21	22	21
	S	—	0	0	5	3	0	5	0	1	3
	D	—	15	5	33	29	22	30	21	22	24
	N	—	42	7	42	42	42	42	42	42	27
	P	—	35.7	71.4	78.6	69.0	52.4	71.4	50.0	52.4	88.9
Stevens	O	15	—	4	13	16	20	10	19	18	7
	S	0	—	0	0	2	12	1	12	9	0
	D	15	—	4	13	18	31	11	30	26	7
	N	42	—	8	45	45	45	45	45	45	28
	P	35.7	—	50.0	28.9	40.0	68.9	24.4	66.7	57.8	25.0
O'Connor	O	5	4	—	6	5	7	5	5	5	—
	S	0	0	—	0	0	0	0	0	0	—
	D	5	4	—	6	5	7	5	5	5	—
	N	7	8	—	8	8	8	8	8	8	—
	P	71.4	50.0	—	75.0	62.5	87.5	62.5	62.5	62.5	—
Scalia	O	28	13	6	—	23	18	25	16	16	17
	S	5	0	0	—	2	0	11	0	1	3
	D	33	13	6	—	25	18	36	16	17	19
	N	42	45	8	—	45	45	45	45	45	28
	P	78.6	28.9	75.0	—	55.6	40.0	80.0	35.6	37.8	67.9
Kennedy	O	26	16	5	23	—	23	20	20	20	17
	S	3	2	0	2	—	4	3	4	2	4
	D	29	18	5	25	—	26	23	23	21	21
	N	42	45	8	45	—	45	45	45	45	28
	P	69.0	40.0	62.5	55.6	—	57.8	51.1	51.1	46.7	75.0
Souter	O	22	20	7	18	23	—	14	23	25	12
	S	0	12	0	0	4	—	0	11	9	2
	D	22	31	7	18	26	—	14	32	33	14
	N	42	45	8	45	45	—	45	45	45	28
	P	52.4	68.9	87.5	40.0	57.8	—	31.1	71.1	73.3	50.0
Thomas	O	25	10	5	25	20	14	—	12	13	17
	S	5	1	0	11	3	0	—	0	0	3
	D	30	11	5	36	23	14	—	12	13	20
	N	42	45	8	45	45	45	—	45	45	28
	P	71.4	24.4	62.5	80.0	51.1	31.1	—	26.7	28.9	71.4
Ginsburg	O	21	19	5	16	20	23	12	—	22	11
	S	0	12	0	0	4	11	0	—	7	0
	D	21	30	5	16	23	32	12	—	28	11
	N	42	45	8	45	45	45	45	—	45	28
	P	50.0	66.7	62.5	35.6	51.1	71.1	26.7	—	62.2	39.3
Breyer	O	22	18	5	16	20	25	13	22	—	9
	S	1	9	0	1	2	9	0	7	—	2
	D	22	26	5	17	21	33	13	28	—	11
	N	42	45	8	45	45	45	45	45	—	28
	P	52.4	57.8	62.5	37.8	46.7	73.3	28.9	62.2	—	39.3
Alito	O	21	7	—	17	17	12	17	11	9	—
	S	3	0	—	3	4	2	3	0	2	—
	D	24	7	—	19	21	14	20	11	11	—
	N	27	28	—	28	28	28	28	28	28	—
	P	88.9	25.0	—	67.9	75.0	50.0	71.4	39.3	39.3	—

TABLE I (*continued*)

<sup>g</sup> Table I(B1) records the frequency with which each Justice voted with each other Justice in full-opinion decisions, including the twelve per curiam decisions containing sufficient legal reasoning to be considered full opinions. *See supra* note a.

Two Justices are considered to have agreed whenever they joined the same opinion, as indicated by either the Reporter of Decisions or the explicit statement of a Justice in his or her own opinion. This table does not treat a Justice as having joined the opinion of the Court unless that Justice authored or joined at least part of the opinion of the Court and did not author or join any opinion concurring in the judgment, even in part, or dissenting, even in part. For the purpose of counting dissents and concurrences, however, a Justice who partially joined an opinion is considered to have fully joined it. Therefore, Chief Justice Roberts and Justice Alito are treated as having fully joined Justice Scalia's opinion in *League of United Latin American Citizens (LULAC) v. Perry*, 126 S. Ct. 2594 (2006). Only Justices who joined all opinions of the Court and did not join any opinion concurring in the judgment or dissenting are considered to have joined the majority opinion. A Justice who joined a partial opinion of the Court is not considered to have joined a nonmajority opinion.

In Tables I(B1) and I(B2), "O" represents the number of decisions in which a particular pair of Justices agreed in an opinion of the Court or an opinion announcing the judgment of the Court. "S" represents the number of decisions in which two Justices agreed in any opinion separate from the opinion of the Court. Justices who together joined more than one separate opinion in a case are considered to have agreed only once. "D" represents the number of decisions in which the two Justices agreed in a majority, plurality, concurring, or dissenting opinion. A decision is counted only once in the "D" category if two Justices joined the opinion of the Court, joined a separate concurrence, or both. "N" represents the number of decisions in which both Justices participated, and thus the number of opportunities for agreement. "P" represents the percentage of decisions in which one Justice agreed with another Justice and is calculated by dividing "D" by "N" and multiplying the resulting figure by 100.

<sup>h</sup> Like Table I(B1), Table I(B2) records the frequency with which each Justice voted with each other Justice in full opinions, but Table I(B2) records these voting alignments only for cases that were not unanimously decided. A decision is considered unanimous whenever all the Justices joined the opinion of the Court and no Justice concurred only in the judgment, even in part, or dissented, even in part. Removing the unanimous cases produces markedly lower rates of agreement, providing a more accurate picture of how the Justices voted in divisive cases. Nonetheless, because the Justices tend to agree quite often, reading the two tables together provides the most complete picture of overall voting patterns.

TABLE I (*continued*)

## (C) UNANIMITY

	Unanimous	With Concurrence <sup>i</sup>	With Dissent	TOTAL
Full Opinions	36 (44.4%)	8 (9.9%)	37 (45.7%)	81
Memorandum Orders	89 (97.8%)	0 (0.0%)	2 (2.2%)	91

## (D) VOTING PATTERNS IN NON-UNANIMOUS CASES

	JOINING THE OPINION OF THE COURT <sup>j</sup>			AGREEING IN THE DISPOSITION OF THE CASE <sup>k</sup>		
	Joined Court	Total Cases	Percentage	Agreed in Disposition	Total Cases	Percentage
Roberts	36	42	85.7%	36	42	85.7%
Stevens	25	45	55.6%	27	45	60.0%
O'Connor	8	8	100.0%	8	8	100.0%
Scalia	31	45	68.9%	36	45	80.0%
Kennedy	33	45	73.3%	36	45	80.0%
Souter	32	45	71.1%	32	45	71.1%
Thomas	27	45	60.0%	30	45	66.7%
Ginsburg	29	45	64.4%	32	45	71.1%
Breyer	29	45	64.4%	30	45	66.7%
Alito	22	28	78.6%	23	28	82.1%

<sup>i</sup> A decision is listed in this column if at least one Justice concurred in the judgment, but not in the Court's opinion, even in part, and no Justice dissented, even in part. *See, e.g.*, *United States v. Grubbs*, 126 S. Ct. 1494 (2006).

<sup>j</sup> This portion of the table reports the number of times that each Justice joined the opinion of the Court, according to the rule described in note g.

<sup>k</sup> This portion of the table reports the number of times that each Justice agreed with the Court's disposition of a case. It includes all cases in which a Justice joined the opinion of the Court but, unlike the portion of the table described in note j, also includes those cases in which a Justice concurred in the judgment without concurring in the opinion. Cases in which a Justice dissented in part are not included.

TABLE I (*continued*)  
(E) 5–4 DECISIONS

Justices Constituting the Majority	Number of Decisions <sup>1</sup>
Roberts, Scalia, Kennedy, Thomas, Alito <sup>m</sup>	4
Roberts, Stevens, Scalia, Thomas, Ginsburg <sup>n</sup>	1
Roberts, O'Connor, Scalia, Kennedy, Thomas <sup>o</sup>	1
Roberts, Kennedy, Souter, Ginsburg, Alito <sup>p</sup>	1
Stevens, O'Connor, Souter, Ginsburg, Breyer <sup>q</sup>	1
Stevens, Scalia, Souter, Ginsburg, Breyer <sup>r</sup>	1
Total	9

<sup>1</sup> This column lists the number of 5–4 decisions in which each five-Justice group constituted the majority.

<sup>m</sup> *Kansas v. Marsh*, 126 S. Ct. 2516 (2006) (Thomas, J.); *Rapanos v. United States*, 126 S. Ct. 2208 (2006) (Scalia, J.); *Hudson v. Michigan*, 126 S. Ct. 2159 (2006) (Scalia, J.); *Garcetti v. Ceballos*, 126 S. Ct. 1951 (2006) (Kennedy, J.).

<sup>n</sup> *Empire Healthchoice Assurance, Inc. v. McVeigh*, 126 S. Ct. 2121 (2006) (Ginsburg, J.).

<sup>o</sup> *Brown v. Sanders*, 126 S. Ct. 884 (2006) (Scalia, J.).

<sup>p</sup> *Day v. McDonough*, 126 S. Ct. 1675 (2006) (Ginsburg, J.).

<sup>q</sup> *Cent. Va. Cmty. Coll. v. Katz*, 126 S. Ct. 990 (2006) (Stevens, J.).

<sup>r</sup> *United States v. Gonzalez-Lopez*, 126 S. Ct. 2557 (2006) (Scalia, J.).

TABLE II<sup>a</sup>  
(A) FINAL DISPOSITION OF CASES

	Disposed of	Remaining on Docket
<b>Original Docket</b>	<b>4</b>	<b>4</b>
<b>Appellate Docket<sup>b</sup></b>	<b>1663</b>	<b>362<sup>c</sup></b>
On Review <sup>d</sup>	63	
Summarily Decided <sup>e</sup>	46	
Appeals and Petitions for Review		
Denied, Dismissed, or Withdrawn <sup>f</sup>	1554	
<b>Miscellaneous Docket<sup>g</sup></b>	<b>6537</b>	<b>1043<sup>c</sup></b>
On Review <sup>d</sup>	20	
Summarily Decided <sup>e</sup>	58	
Appeals and Petitions for Review		
Denied, Dismissed, or Withdrawn <sup>f</sup>	6459	
<b>Total</b>	<b>8204<sup>h</sup></b>	<b>1409</b>

<sup>a</sup> All numbers in Tables II(A), II(B), and II(C) are derived from data provided by the Supreme Court. See October Term, 2005, Statistical Sheet No. 28 (June 30, 2006) (unpublished statistical sheet, on file with the Harvard Law School Library).

<sup>b</sup> The appellate docket consists of all paid cases.

<sup>c</sup> The numbers of cases remaining on the appellate and miscellaneous dockets are derived by adding the number of cases not acted upon in the 2005 Term to the number of cases granted review in the 2005 Term but carried over to the 2006 Term.

<sup>d</sup> This category encompasses all cases granted plenary review in the 2005 Term or a prior Term and disposed of during the 2005 Term. The total excludes cases granted review but carried over to a subsequent Term. This number includes writs dismissed after review was granted.

<sup>e</sup> This category includes cases summarily affirmed, reversed, or vacated.

<sup>f</sup> This category primarily includes dismissals of appeals and denials of petitions for certiorari. It also includes withdrawals of appeals and denials of other applications for review, such as petitions for writs of habeas corpus or mandamus.

<sup>g</sup> The miscellaneous docket consists of all cases filed *in forma pauperis*.

<sup>h</sup> This Term's total represents the second highest since the *Review* began compiling these statistics during the 1948 Term. The Court disposed of more cases only in the 2002 Term, during which it disposed of 8342 cases.

TABLE II (*continued*)  
(B) CASES GRANTED REVIEW<sup>i</sup>

	Review Granted <sup>j</sup>	Petitions Considered <sup>k</sup>	Percent Granted
Appellate Docket	63	1703	3.7%
Miscellaneous Docket	15	6533	0.2%
Total	78	8236	0.9%

(C) METHOD OF DISPOSITION<sup>l</sup>

On Review	83
Summarily Decided	104
By Denial, Dismissal, or Withdrawal of Appeals or Petitions for Review	8013
Total	8200

(D) DISPOSITION OF CASES  
REVIEWED ON WRIT OF CERTIORARI<sup>m</sup>

	Reversed <sup>n</sup>	Vacated <sup>o</sup>	Affirmed	TOTAL
Full Opinions	40 (49.4%)	18 (22.2%)	23 (28.4%)	81
Memorandum Orders	0 (0.0%)	89 (100.0%)	0 (0.0%)	89
Total	40 (23.5%)	107 (62.9%)	23 (13.5%)	170

<sup>i</sup> Table II(B) reports data that versions of Table II prior to 1998 reported under the label "Review Granted." For a full explanation, see *The Supreme Court, 1997 Term—The Statistics*, 112 HARV. L. REV. 366, 372 n.d (1998). Table II(B) does not include cases within the Court's original jurisdiction.

<sup>j</sup> The number of cases granted review includes only those cases granted plenary review in the 2005 Term. It includes neither those cases summarily decided nor those granted review in a prior Term and carried over to the 2006 Term. It does include cases granted review in the 2005 Term but carried over to a subsequent Term.

<sup>k</sup> The number of petitions considered is calculated by adding the number of cases docketed in the 2005 Term to the number of cases carried over from prior Terms and subtracting the number of cases not acted upon in the 2005 Term.

<sup>l</sup> Table II(C) does not include cases within the Court's original jurisdiction.

<sup>m</sup> Table II(D) reports the disposition of cases reviewed via writ of certiorari and decided on the merits. It thus excludes two full opinions rendered by the Court in the 2005 Term. See *Arizona v. California*, 126 S. Ct. 1543 (2006) (original jurisdiction); *Alaska v. United States*, 126 S. Ct. 1014 (2006) (same).

<sup>n</sup> This category includes cases reversed in part and affirmed in part; cases reversed in part and vacated in part; and cases reversed in part, vacated in part, and affirmed in part. See, e.g., *League of United Latin Am. Citizens (LULAC) v. Perry*, 126 S. Ct. 2594 (2006) (affirmed in part, reversed in part, and vacated in part).

<sup>o</sup> This category includes cases vacated in part and affirmed in part.

TABLE II (*continued*)  
(E) ORIGINS OF CASES AND THEIR DISPOSITIONS<sup>p</sup>

	FULL OPINIONS <sup>q</sup>			MEMORANDUM ORDERS			TOTAL
	Reversed <sup>r</sup>	Vacated <sup>s</sup>	Affirmed	Reversed	Vacated	Affirmed	
Federal Courts	35	18	15	0	75	2	145
Circuit Courts	34	16	15	0	75	0	140
First	1	1	0	0	3	0	5
Second	4	2	1	0	2	0	9
Third	3	0	0	0	2	0	5
Fourth	3	0	2	0	8	0	13
Fifth	1	0	1	0	6	0	8
Sixth	2	4	2	0	1	0	9
Seventh	2	1	0	0	6	0	9
Eighth	1	0	2	0	7	0	10
Ninth	10	5	3	0	6	0	24
Tenth	1	0	3	0	5	0	9
Eleventh	3	1	1	0	29	0	34
D.C.	2	0	0	0	0	0	2
Federal	1	2	0	0	0	0	3
District Courts	1	2	0	0	0	2	5
State Courts	6	3	8	0	14	0	31
Total	41	21	23	0	89	2	176

<sup>p</sup> Table II(E) does not include cases within the Court's original jurisdiction. It thus excludes two full opinions rendered by the Court in the 2005 Term. *See Arizona v. California*, 126 S. Ct. 1543 (2006) (original jurisdiction); *Alaska v. United States*, 126 S. Ct. 1014 (2006) (same). The table treats consolidated cases disposed of by the same lower court opinion as a single case, *see, e.g., United States v. Georgia*, 126 S. Ct. 877 (2006), but treats consolidated cases disposed of by multiple lower court opinions as multiple cases, *see, e.g., Davis v. Washington*, 126 S. Ct. 2266 (2006); *Rapanos v. United States*, 126 S. Ct. 2208 (2006).

<sup>q</sup> This section reports only full opinions, including twelve per curiam decisions containing sufficient legal reasoning to be counted as full opinions. *See supra* Table I, note a.

<sup>r</sup> This category includes cases reversed in part and affirmed in part; cases reversed in part and vacated in part; and cases reversed in part, vacated in part, and affirmed in part. *See, e.g., League of United Latin Am. Citizens (LULAC) v. Perry*, 126 S. Ct. 2594 (2006).

<sup>s</sup> This category includes cases vacated in part and affirmed in part.

TABLE III<sup>a</sup>  
SUBJECT MATTER OF DISPOSITIONS WITH FULL OPINIONS

	Principal Issue		Decision		Total
	Constitu- tional	Other	For Gov't <sup>b</sup>	Against Gov't <sup>b</sup>	
ORIGINAL JURISDICTION	0	2	0	1	2
CIVIL ACTIONS FROM INFERIOR					
FEDERAL COURTS	11	40	16	12	51
FEDERAL GOVERNMENT LITIGATION	3	10	7	6	13
<i>Review of Administrative Action</i>	1	5	4	2	6
Bipartisan Campaign Reform Act	1	0	0	1	1
<i>Chevron</i> Doctrine	0	1	0	1	1
Clean Water Act	0	1	1	0	1
Federal Debt Collection	0	1	1	0	1
Immigration and Nationality Act	0	2	2	0	2
<i>Other Actions by or Against the</i>					
<i>United States or Its Officers</i>	2	5	3	4	7
<i>Bivens</i> Action	1	0	1	0	1
Civil Service Reform Act	0	1	0	1	1
Collateral Order Doctrine	0	1	0	1	1
Federal Tort Claims Act	0	2	1	1	2
Religious Freedom Restoration Act	0	1	0	1	1
Solomon Amendment	1	0	1	0	1

<sup>a</sup> Table III records the subject matter of dispositions by full opinion, including the twelve per curiam opinions containing sufficient legal reasoning to be considered full opinions. *See supra* Table I, note a.

<sup>b</sup> "Government" refers to federal, state, or local government or an agency thereof, or to an individual participating in the suit in an official capacity. When the federal government opposed a state or local government, a decision is counted as "for the government" if the federal government prevailed. When two states, two units of local government, or two federal agencies opposed each other, the decision is counted as neither "for the government" nor "against the government."

TABLE III (*continued*)  
 SUBJECT MATTER OF DISPOSITIONS WITH FULL OPINIONS

	Principal Issue		Decision		TOTAL
	Constitu- tional	Other	For Gov't	Against Gov't	
STATE OR LOCAL GOVERNMENT					
LITIGATION	8	7	9	6	15
Abortion	1	0	1	0	1
Due Process	1	0	0	1	1
Federal Indian Law	0	1	1	0	1
Freedom of Speech	1	0	0	1	1
Individuals with Disabilities in Education Act	0	2	2	0	2
Prison Litigation Reform Act	0	1	1	0	1
Prisoners' Constitutional Rights	1	0	1	0	1
<i>Rooker-Feldman</i> Doctrine	0	1	0	1	1
Section 1983	0	1	1	0	1
Sovereign Immunity	3	0	1	2	3
Standing	1	0	1	0	1
Voting Rights Act	0	1	0	1	1
PRIVATE LITIGATION	0	23	—	—	23
<i>Federal Question Jurisdiction</i>	0	19	—	—	19
Antitrust	0	3	—	—	3
Bankruptcy	0	2	—	—	2
Employee Retirement Income Security Act	0	1	—	—	1
Fair Labor Standards Act	0	1	—	—	1
Federal Employees Health Benefits Act	0	1	—	—	1
Federal Rules of Civil Procedure	0	1	—	—	1
Foreign Sovereign Immunities Act	0	1	—	—	1
Hobbs Act	0	1	—	—	1
Intellectual Property	0	1	—	—	1
Medicaid	0	1	—	—	1
Racketeer Influenced and Corrupt Organizations Act	0	1	—	—	1
Section 1981	0	1	—	—	1
Securities Litigation Uniform Standards Act	0	1	—	—	1
Title VII	0	3	—	—	3
<i>Diversity Jurisdiction</i>	0	4	—	—	4
Corporate Citizenship	0	1	—	—	1
Preemption	0	1	—	—	1
Removal	0	2	—	—	2

TABLE III (*continued*)  
 SUBJECT MATTER OF DISPOSITIONS WITH FULL OPINIONS

	Principal Issue		Decision		TOTAL
	Constitu- tional	Other	For Gov't	Against Gov't	
FEDERAL CRIMINAL CASES	2	3	2	3	5
Federal Rules of Criminal Procedure	0	1	0	1	1
Right to Counsel	1	0	0	1	1
Search and Seizure	1	0	1	0	1
Speedy Trial Act	0	1	0	1	1
Statutory Interpretation	0	1	1	0	1
FEDERAL HABEAS CORPUS	2	9	8	3	11
<i>Batson</i> Doctrine	1	0	1	0	1
Capital Sentencing	1	3	3	1	4
Exhaustion of Local Remedies	0	1	0	1	1
Federal Rules of Civil Procedure	0	1	1	0	1
Military Commissions	0	1	0	1	1
Right to Counsel	0	1	1	0	1
Right to Self-Representation	0	1	1	0	1
Section 1983	0	1	1	0	1
CIVIL ACTIONS FROM STATE COURTS	0	2	1	0	2
STATE OR LOCAL GOVERNMENT LITIGATION	0	1	1	0	1
Clean Water Act	0	1	1	0	1
PRIVATE LITIGATION	0	1	—	—	1
Federal Arbitration Act	0	1	—	—	1
STATE CRIMINAL CASES	12	0	9	3	12
Capital Sentencing	2	0	2	0	2
Confrontation Clause	1	0	1	0	1
Due Process	1	0	1	0	1
Evidence	1	0	0	1	1
Exclusionary Rule	2	0	2	0	2
Right To Present a Complete Defense	1	0	0	1	1
Search and Seizure	3	0	2	1	3
Sentencing	1	0	1	0	1
Total	27	56	36	22	83