

THE STATISTICS

TABLE I^a

(A) ACTIONS OF INDIVIDUAL JUSTICES

OPINIONS WRITTEN ^b					DISSENTING VOTES ^c		
					In Disposition by		
	Opinions of Court ^d	Concur- rences ^e	Dissents ^e	TOTAL	Opinion	Memo- randum ^f	TOTAL
Roberts	8	3	3	14	8	2	10
Stevens	6	13	14	33	26	1	27
Scalia	8	15	6	29	11	4	15
Kennedy	9	8	4	21	8	1	9
Thomas	8	13	5	26	16	3	19
Ginsburg	9	3	3	15	19	1	20
Breyer	9	6	9	24	22	1	23
Alito	8	10	7	25	11	2	13
Sotomayor	8	2	5	15	17	0	17
Per Curiam	14	—	—	14	—	—	—
Total	87	73	56	216	138	15	153

^a 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. Fourteen per curiam decisions contained legal reasoning substantial enough to be considered full-opinion decisions during October Term 2009. These cases were *Sears v. Upton*, 130 S. Ct. 3259 (2010); *Jefferson v. Upton*, 130 S. Ct. 2217 (2010); *Kiyemba v. Obama*, 130 S. Ct. 1235 (2010); *Wilkins v. Gaddy*, 130 S. Ct. 1175 (2010); *Thaler v. Haynes*, 130 S. Ct. 1171 (2010); *Wellons v. Hall*, 130 S. Ct. 727 (2010); *Presley v. Georgia*, 130 S. Ct. 721 (2010); *Hollingsworth v. Perry*, 130 S. Ct. 705 (2010); *McDaniel v. Brown*, 130 S. Ct. 665 (2010); *Michigan v. Fisher*, 130 S. Ct. 546 (2009); *Porter v. McCollum*, 130 S. Ct. 447 (2009); *Wong v. Belmontes*, 130 S. Ct. 383 (2009); *Bobby v. Van Hook*, 130 S. Ct. 13 (2009); and *Corcoran v. Levenhagen*, 130 S. Ct. 8 (2009). This table thus includes every opinion designated by the Court as a 2009 Term Opinion except for two. See *2009 Term Opinions of the Court*, SUPREME COURT OF THE UNITED STATES, <http://www.supremecourt.gov/opinions/slipopinions.aspx> (last visited Oct. 2, 2010). These two cases are *Weyhrauch v. United States*, 130 S. Ct. 2971 (2010), which the Court remanded for further proceedings in light of *Skilling v. United States*, 130 S. Ct. 2896 (2010); and *Briscoe v. Virginia*, 130 S. Ct. 1316 (2010), which the Court remanded for further proceedings in light of *Melendez-Diaz v. Massachusetts*, 129 S. Ct. 2527 (2009).

A memorandum order is a case decided by summary order and contained in the Court's weekly order lists issued throughout the Term. This category thus excludes summary orders designated as opinions by the Court. 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. The memorandum tabulations also exclude orders relating to payment of docketing fees and dissents therefrom.

TABLE I (*continued*)

^b This portion of Table I(A) includes only opinions authored in the eighty-seven 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.

^c 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.

^d A plurality opinion that announced the judgment of the Court is counted as the opinion of the Court. Thus, for example, Justice Alito's opinion in *McDonald v. City of Chicago*, 130 S. Ct. 3020 (2010), is considered the opinion of the Court in that case.

^e Opinions concurring in part and/or concurring in the judgment are counted as concurrences. Opinions concurring in part and dissenting in part are counted as dissents.

^f Dissenting votes in memorandum decisions include instances in which Justices expressed that they would not dispose of the case by memorandum order. *See, e.g.*, *Republican Nat'l Comm. v. FEC*, 130 S. Ct. 3544 (2010) (mem.). This category does not include dissenting votes in orders relating to stays of execution; that information is presented in Table II(F) and its accompanying footnotes.

TABLE I (*continued*)
 (B1) VOTING ALIGNMENTS — ALL WRITTEN OPINIONS^g

		Roberts	Stevens	Scalia	Kennedy	Thomas	Ginsburg	Breyer	Alito	Sotomayor
Roberts	O	—	42	56	67	55	56	51	63	53
	S	—	1	2	2	3	3	2	5	1
	D	—	43	58	69	58	59	53	67	54
	N	—	86	87	87	87	87	86	85	81
	P (%)	—	50.0	66.7	79.3	66.7	67.8	61.6	78.8	66.7
Stevens	O	42	—	29	45	29	45	44	35	45
	S	1	—	1	4	1	17	17	0	17
	D	43	—	30	49	30	60	61	35	60
	N	86	—	86	86	86	86	85	84	80
	P (%)	50.0	—	34.9	57.0	34.9	69.8	71.8	41.7	75.0
Scalia	O	56	29	—	52	51	39	36	52	37
	S	2	1	—	2	17	0	1	3	0
	D	58	30	—	54	67	39	37	54	37
	N	87	86	—	87	87	87	86	85	81
	P (%)	66.7	34.9	—	62.1	77.0	44.8	43.0	63.5	45.7
Kennedy	O	67	45	52	—	49	56	52	59	53
	S	2	4	2	—	2	4	3	3	3
	D	69	49	54	—	50	60	55	62	56
	N	87	86	87	—	87	87	86	85	81
	P (%)	79.3	57.0	62.1	—	57.5	69.0	64.0	72.9	69.1
Thomas	O	55	29	51	49	—	39	36	50	37
	S	3	1	17	2	—	2	1	5	1
	D	58	30	67	50	—	41	37	55	38
	N	87	86	87	87	—	87	86	85	81
	P (%)	66.7	34.9	77.0	57.5	—	47.1	43.0	64.7	46.9
Ginsburg	O	56	45	39	56	39	—	54	47	56
	S	3	17	0	4	2	—	16	3	16
	D	59	60	39	60	41	—	70	50	69
	N	87	86	87	87	87	—	86	85	81
	P (%)	67.8	69.8	44.8	69.0	47.1	—	81.4	58.8	85.2
Breyer	O	51	44	36	52	36	54	—	43	53
	S	2	17	1	3	1	16	—	2	14
	D	53	61	37	55	37	70	—	45	67
	N	86	85	86	86	86	86	—	84	80
	P (%)	61.6	71.8	43.0	64.0	43.0	81.4	—	53.6	83.8
Alito	O	63	35	52	59	50	47	43	—	43
	S	5	0	3	3	5	3	2	—	0
	D	67	35	54	62	55	50	45	—	43
	N	85	84	85	85	85	85	84	—	79
	P (%)	78.8	41.7	63.5	72.9	64.7	58.8	53.6	—	54.4
Sotomayor	O	53	45	37	53	37	56	53	43	—
	S	1	17	0	3	1	16	14	0	—
	D	54	60	37	56	38	69	67	43	—
	N	81	80	81	81	81	81	80	79	—
	P (%)	66.7	75.0	45.7	69.1	46.9	85.2	83.8	54.4	—

TABLE I (*continued*)
 (B2) VOTING ALIGNMENTS — NON-UNANIMOUS CASES^b

		Roberts	Stevens	Scalia	Kennedy	Thomas	Ginsburg	Breyer	Alito	Sotomayor
Roberts	O	—	24	38	49	37	38	33	46	35
	S	—	1	2	2	3	3	2	5	1
	D	—	25	40	51	40	41	35	50	36
	N	—	68	69	69	69	69	68	68	63
	P (%)	—	36.8	58.0	73.9	58.0	59.4	51.5	73.5	57.1
Stevens	O	24	—	11	27	11	27	26	18	27
	S	1	—	1	4	1	16	17	0	16
	D	25	—	12	31	12	42	43	18	42
	N	68	—	68	68	68	68	67	67	62
	P (%)	36.8	—	17.6	45.6	17.6	61.8	64.2	26.9	67.7
Scalia	O	38	11	—	34	33	21	18	35	19
	S	2	1	—	2	16	0	1	3	0
	D	40	12	—	36	49	21	19	37	19
	N	69	68	—	69	69	69	68	68	63
	P (%)	58.0	17.6	—	52.2	71.0	30.4	27.9	54.4	30.2
Kennedy	O	49	27	34	—	31	38	34	42	35
	S	2	4	2	—	1	4	3	3	3
	D	51	31	36	—	32	42	37	45	38
	N	69	68	69	—	69	69	68	68	63
	P (%)	73.9	45.6	52.2	—	46.4	60.9	54.4	66.2	60.3
Thomas	O	37	11	33	31	—	21	18	33	19
	S	3	1	16	1	—	2	1	5	1
	D	40	12	49	32	—	23	19	38	20
	N	69	68	69	69	—	69	68	68	63
	P (%)	58.0	17.6	71.0	46.4	—	33.3	27.9	55.9	31.7
Ginsburg	O	38	27	21	38	21	—	36	30	38
	S	3	16	0	4	2	—	16	3	15
	D	41	42	21	42	23	—	52	33	51
	N	69	68	69	69	69	—	68	68	63
	P (%)	59.4	61.8	30.4	60.9	33.3	—	76.5	48.5	81.0
Breyer	O	33	26	18	34	18	36	—	26	35
	S	2	17	1	3	1	16	—	2	14
	D	35	43	19	37	19	52	—	28	49
	N	68	67	68	68	68	68	—	67	62
	P (%)	51.5	64.2	27.9	54.4	27.9	76.5	—	41.8	79.0
Alito	O	46	18	35	42	33	30	26	—	26
	S	5	0	3	3	5	3	2	—	0
	D	50	18	37	45	38	33	28	—	26
	N	68	67	68	68	68	68	67	—	62
	P (%)	73.5	26.9	54.4	66.2	55.9	48.5	41.8	—	41.9
Sotomayor	O	35	27	19	35	19	38	35	26	—
	S	1	16	0	3	1	15	14	0	—
	D	36	42	19	38	20	51	49	26	—
	N	63	62	63	63	63	63	62	62	—
	P (%)	57.1	67.7	30.2	60.3	31.7	81.0	79.0	41.9	—

TABLE I (*continued*)

^g Table I(B1) records the frequency with which each Justice voted with each other Justice in full-opinion decisions, including the fourteen 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, Justice Breyer is not treated as having joined the opinion of the Court in *Doe v. Reed*, 130 S. Ct. 2811 (2010), because he joined Justice Stevens's opinion concurring in part and concurring in the judgment, and Justice Thomas is not treated as having joined the opinion of the Court in *Citizens United v. FEC*, 130 S. Ct. 876 (2010), because he authored an opinion concurring in part and dissenting in part. But Justice Kennedy is treated as having fully joined Justice Scalia's opinion concurring in part and concurring in the judgment in *Skilling v. United States*, 130 S. Ct. 2896 (2010).

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 other than an opinion of the Court or an opinion announcing the judgment 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 two Justices agreed in a majority, plurality, concurring, or dissenting opinion. A decision is counted only once in the "D" category if two Justices both joined the opinion of the Court and joined a separate concurrence. Thus, in some situations the "D" value will be less than the sum of "O" and "S." "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.

^h 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 for purposes of Table I whenever all of 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 lower rates of agreement overall, providing a more accurate picture of how the Justices voted in divisive cases.

TABLE I (*continued*)

(C) UNANIMITY

	Unanimous	With Concurrence ⁱ	With Dissent	TOTAL
Full Opinions	18 (20.7%)	19 (21.8%)	50 (57.5%)	87
Memorandum Orders	69 (92.0%)	0 (0.0%)	6 (8.0%)	75

(D) VOTING PATTERNS IN NON-UNANIMOUS CASES^j

	JOINING THE OPINION OF THE COURT ^k			AGREEING IN THE DISPOSITION OF THE CASE ^l		
	Joined Court	Total Cases	Percentage	Agreed in Disposition	Total Cases	Percentage
Roberts	59	69	85.5%	61	69	88.4%
Stevens	32	68	47.1%	42	68	61.8%
Scalia	43	69	62.3%	58	69	84.1%
Kennedy	56	69	81.2%	61	69	88.4%
Thomas	40	69	58.0%	53	69	76.8%
Ginsburg	45	69	65.2%	50	69	72.5%
Breyer	40	68	58.8%	46	68	67.6%
Alito	50	68	73.5%	57	68	83.8%
Sotomayor	42	63	66.7%	46	63	73.0%

ⁱ A decision is listed in this column if at least one Justice concurred in the judgment, but not in the Court's opinion in full, and no Justice dissented, even in part. *See, e.g., Mohawk Indus., Inc. v. Carpenter*, 130 S. Ct. 599 (2009).

^j Table I(D) records the frequency with which each Justice joined the opinion of the Court in all non-unanimous, full-opinion decisions. This table includes the fourteen per curiam decisions containing sufficient legal reasoning to be considered full opinions, *see supra* note a, if those decisions produced dissenting votes.

^k 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.

^l 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 k, it also includes those cases in which a Justice concurred in the judgment without concurring in the Court's opinion in full. Cases in which the Justice dissented, even in part, are not included.

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

Justices Constituting the Majority	Number of Decisions ^m
Roberts, Scalia, Kennedy, Thomas, Alito ^a	8
Stevens, Kennedy, Ginsburg, Breyer, Sotomayor ^o	3
Roberts, Stevens, Scalia, Thomas, Alito ^p	1
Roberts, Stevens, Scalia, Thomas, Sotomayor ^q	1
Stevens, Scalia, Kennedy, Breyer, Alito ^r	1
Stevens, Scalia, Thomas, Breyer, Sotomayor ^s	1
Thomas, Ginsburg, Breyer, Alito, Sotomayor ^t	1
Total	16

^m This column lists the number of 5–4 full-opinion decisions in which each five-Justice group constituted the majority. A case is counted as 5–4 if four Justices voted to dispose of any issue, no matter how minor, differently than the majority of the Court. *See, e.g.*, *South Carolina v. North Carolina*, 130 S. Ct. 854, 868 (2010) (Roberts, C.J., concurring in the judgment in part and dissenting in part). Cases involving plurality opinions are included so long as the Justices divided 5–4 on the disposition. Cases in which there was a 5–4 split on the reasoning of the majority opinion but not on the disposition of the case are not included. *See, e.g.*, *Graham v. Florida*, 130 S. Ct. 2011 (2010). Cases in which any Justice did not participate are not included. *See, e.g.*, *Conkright v. Frommert*, 130 S. Ct. 1640 (2010).

^a *Free Enter. Fund v. Pub. Co. Accounting Oversight Bd.*, 130 S. Ct. 3138 (2010) (Roberts, C.J.); *McDonald v. City of Chicago*, 130 S. Ct. 3020 (2010) (Alito, J.) (plurality opinion); *Rent-A-Center, W., Inc. v. Jackson*, 130 S. Ct. 2772 (2010) (Scalia, J.); *Berghuis v. Thompkins*, 130 S. Ct. 2250 (2010) (Kennedy, J.); *Salazar v. Buono*, 130 S. Ct. 1803 (2010) (Kennedy, J.); *Perdue v. Kenny A. ex rel. Winn*, 130 S. Ct. 1662 (2010) (Alito, J.); *Citizens United v. FEC*, 130 S. Ct. 876 (2010) (Kennedy, J.); *Hollingsworth v. Perry*, 130 S. Ct. 705 (2010) (per curiam).

^o *Sears v. Upton*, 130 S. Ct. 3259 (2010) (per curiam); *Christian Legal Soc’y Chapter of the Univ. of Cal., Hastings Coll. of the Law v. Martinez*, 130 S. Ct. 2971 (2010) (Ginsburg, J.); *Wellons v. Hall*, 130 S. Ct. 727 (2010) (per curiam). This category does not include two cases in which Chief Justice Roberts and Justices Scalia, Thomas, and Alito dissented from the Court’s decision to grant certiorari, vacate, and remand. *See Williamson v. United States*, 130 S. Ct. 3461 (2010) (mem.); *Machado v. Holder*, 130 S. Ct. 1236 (2010) (Roberts, C.J., dissenting).

^p *New Process Steel, L.P. v. NLRB*, 130 S. Ct. 2635 (2010) (Stevens, J.).

^q *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 130 S. Ct. 1431 (2010) (Scalia, J.) (plurality opinion).

^r *South Carolina v. North Carolina*, 130 S. Ct. 854 (2010) (Alito, J.).

^s *Magwood v. Patterson*, 130 S. Ct. 2788 (2010) (Thomas, J.) (plurality opinion).

^t *Dolan v. United States*, 130 S. Ct. 2533 (2010) (Breyer, J.).

TABLE II^a
(A) FINAL DISPOSITION OF CASES

	Disposed of	Remaining on Docket	TOTAL
Original Docket	2	4	6
Appellate Docket ^b	1566	342 ^c	1908
Miscellaneous Docket ^d	6519	869 ^c	7388
Total	8087	1215	9302

(B) CASES GRANTED REVIEW^e

	Review Granted ^f	Petitions Considered ^g	Percent Granted
Appellate Docket	69	1607	4.3%
Miscellaneous Docket	8	6524	0.1%
Total	77	8131	0.9%

^a All numbers in Tables II(A), II(B), and II(C) are derived from data provided by the Supreme Court.

^b The appellate docket consists of all paid cases.

^c The number of cases remaining on the appellate and miscellaneous dockets are derived by adding the number of cases not acted upon in the 2009 Term to the number of cases granted review in the 2009 Term but carried over to the 2010 Term.

^d The miscellaneous docket consists of all cases filed *in forma pauperis*.

^e 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.

^f The number of cases granted review includes only those cases granted plenary review in the 2009 Term. It includes neither cases summarily decided nor those granted review in a previous Term and carried over to the 2010 Term. It does include cases granted review in the 2009 Term but carried over to a subsequent Term.

^g The number of petitions considered is calculated by adding the number of cases docketed in the 2009 Term to the number of cases carried over from prior Terms and subtracting the number of cases not acted upon in the 2009 Term.

TABLE II (*continued*)
(C) METHOD OF DISPOSITION^h

On Review	77
Summarily Decided	91
By Denial, Dismissal, or Withdrawal of Appeals or Petitions for Review	7917
Total	8085

(D) DISPOSITION OF CASES
REVIEWED ON WRIT OF CERTIORARIⁱ

	Reversed ^j	Vacated ^k	Affirmed	TOTAL
Full Opinions	55 (66.3%)	11 (13.3%)	17 (20.5%)	83
Memorandum Orders	1 (1.4%)	73 (98.6%)	0 (0.0%)	74
Total	56 (35.7%)	84 (53.5%)	17 (10.8%)	157

^h Table II(C) does not include cases within the Court's original jurisdiction.

ⁱ Table II(D) reports the disposition of cases reviewed via writ of certiorari and decided on the merits. For example, it includes *Sears v. Upton*, 130 S. Ct. 3259 (2010) (per curiam), which granted certiorari and disposed of the case on the merits in the same written opinion, and excludes *Citizens United v. FEC*, 130 S. Ct. 876 (2010), which was reviewed under the Bipartisan Campaign Reform Act of 2002, 2 U.S.C. § 437h note (2006) (Judicial Review); *Alabama v. North Carolina*, 130 S. Ct. 2295 (2010), which was within the Court's original jurisdiction; and *Hollingsworth v. Perry*, 130 S. Ct. 705 (2010) (per curiam), which granted a stay of an order of a district court.

^j This category includes cases reversed in part and affirmed in part, as well as cases reversed in part and vacated in part.

^k This category includes cases vacated in part and affirmed in part.

TABLE II (*continued*)
(E) ORIGINS OF CASES AND THEIR DISPOSITIONS¹

	FULL OPINIONS ^m			MEMORANDUM ORDERS			TOTAL
	Reversed ⁿ	Vacated ^o	Affirmed	Reversed	Vacated	Affirmed	
Federal Courts	51	10	16	1	67	1	146
Circuit Courts	49	10	16	1	67	0	143
First	1	0	1	0	2	0	4
Second	6	0	1	0	10	0	17
Third	1	1	3	0	1	0	6
Fourth	4	0	1	0	9	0	14
Fifth	3	1	0	0	9	0	13
Sixth	7	0	0	0	0	0	7
Seventh	6	4	1	1	13	0	25
Eighth	3	0	0	0	4	0	7
Ninth	10	1	4	0	7	0	22
Tenth	0	0	2	0	0	0	2
Eleventh	6	2	2	0	10	0	20
D.C.	2	1	0	0	0	0	3
Federal	0	0	1	0	2	0	3
District Courts	2	0	0	0	0	1 ^p	3
Armed Forces	0	0	0	0	0	0	0
State Courts	6	1	1	0	6	0	14
Total	57	11	17	1	73	1	160

¹ Table II(E) counts consolidated cases disposed of by the same lower court opinion as a single case. It does not include original cases.

^m This section reports only full opinions decided on the merits. It thus includes fourteen per curiam decisions containing sufficient legal reasoning to be counted as full opinions. *See supra* Table I, note a.

ⁿ This category includes cases reversed in part and affirmed in part, as well as cases reversed in part and vacated in part.

^o This category includes cases vacated in part and affirmed in part.

^p *See* Republican Nat'l Comm. v. FEC, 130 S. Ct. 3544 (2010) (mem.).

TABLE II (*continued*)
 (F) DISPOSITION OF APPLICATIONS FOR
 STAYS OF EXECUTION^q

	Granted ^r	Disposed of ^s	Percent Granted
Stay Applications	2	34	5.9%

^q This table includes only those dispositions that appear in the *Supreme Court Reporter* and excludes applications to vacate stays of execution.

For useful background information on how the Court handles stays of execution, see EUGENE GRESSMAN ET AL., SUPREME COURT PRACTICE §§ 18.1–8, at 897–911 (9th ed. 2007); PUB. INFO. OFFICE, SUPREME COURT OF THE U.S., A REPORTER'S GUIDE TO APPLICATIONS PENDING BEFORE THE SUPREME COURT OF THE UNITED STATES (2010), available at <http://www.supremecourt.gov/publicinfo/reportersguide.pdf>; and *The Supreme Court, 2006 Term — The Statistics*, 121 HARV. L. REV. 436, 446 n.t (2007).

^r This Term, both of the applications granted were done so pending the Court's decision on whether to grant certiorari in the underlying case. These stays automatically terminated (or will automatically terminate) upon the Court's denial of the associated certiorari petitions.

^s This category treats multiple applications from the same death row inmate as a single application. Although the Court entertained 49 applications for stays of execution last Term, these applications pertained to only 34 different people.

Twenty-six decisions were unanimous. Eight disposals attracted dissents. Chief Justice Roberts and Justices Scalia, Kennedy, Thomas, and Alito did not dissent from any denial of an application for a stay of execution. Justices Stevens, Ginsburg, Breyer, and Sotomayor dissented together once; Justices Stevens, Ginsburg, and Sotomayor dissented together three times; Justices Stevens and Breyer dissented together three times; and Justice Sotomayor dissented alone once.

TABLE III^a
SUBJECT MATTER OF DISPOSITIONS WITH FULL OPINIONS

	Principal Issue		Decision		TOTAL
	Constitu- tional	Other	For Gov't ^b	Against Gov't ^b	
CIVIL ACTIONS FROM INFERIOR FEDERAL COURTS	12	37	13	13	49
FEDERAL GOVERNMENT LITIGATION	6	9	7	8	15
<i>Review of Administrative Action</i>	0	6	2	4	6
Federal Power Act	0	1	1	0	1
Immigration Law ^c	0	2	0	2	2
Intellectual Property ^d	0	1	1	0	1
National Environmental Policy Act ^e	0	1	0	1	1
National Labor Relations Act	0	1	0	1	1
<i>Other Actions by or Against the United States or Its Officers</i>	6	3	5	4	9
Attorney's Fees ^f	0	1	1	0	1
Civil Commitment ^g	1	0	1	0	1
Establishment Clause	1	0	1	0	1
False Claims Act	0	1	0	1	1
Freedom of Speech	3	0	1	2	3
Public Health Services Act	0	1	1	0	1
Separation of Powers	1	0	0	1	1

^a Table III records the subject matter of dispositions by full opinion, including the fourteen cases with per curiam opinions on the merits containing sufficient legal reasoning to be considered full opinions. *See supra* Table I, note a.

^b "Government" refers to federal, state, or local government or an agency thereof, or to an individual participating in the suit in an official capacity. A decision is counted as "for" the government if the government prevailed on all contested issues. When the federal government opposed a state or local government, a decision is counted as "for" the government if the federal government prevailed on all contested issues. 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.

^c *See* *Carachuri-Rosendo v. Holder*, 130 S. Ct. 2577 (2010) (on Immigration and Nationality Act); *Kucana v. Holder*, 130 S. Ct. 827 (2010) (on Illegal Immigration Reform and Immigrant Responsibility Act).

^d *See* *Bilski v. Kappos*, 130 S. Ct. 3218 (2010) (on Patent Act).

^e *See* *Monsanto Co. v. Geertson Seed Farms*, 130 S. Ct. 2743 (2010). Although the government won on the merits, it lost on the issue whether respondents had standing to seek injunctive relief. *See id.* at 2754–56.

^f *See* *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010) (on Equal Access to Justice Act).

^g *See* *United States v. Comstock*, 130 S. Ct. 1949 (2010) (on Adam Walsh Child Protection and Safety Act).

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	6	5	6	5	11
Attorney's Fees ^h	0	1	1	0	1
Comity Doctrine	0	1	1	0	1
Cruel and Unusual Punishment	1	0	0	1	1
Freedom of Speech	2	0	2	0	2
Mootness	1	0	0	1	1
Racketeer Influenced and Corrupt Organizations Act	0	1	0	1	1
Right to Bear Arms	1	0	0	1	1
Rules Enabling Act ⁱ	0	1	1	0	1
Search and Seizure	1	0	1	0	1
Title VII	0	1	0	1	1

^h See *Perdue v. Kenny A. ex rel. Winn*, 130 S. Ct. 1662 (2010) (on 42 U.S.C. § 1988 (2006)).

ⁱ See *Hollingsworth v. Perry*, 130 S. Ct. 705 (2010) (granting stay on broadcast of court proceedings in California Proposition 8 challenge).

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

	Principal Issue		Decision		TOTAL
	Constitu- tional	Other	For Gov't	Against Gov't	
PRIVATE LITIGATION	0	23	—	—	23
<i>Diversity Jurisdiction</i>	0	3	—	—	3
Corporate Citizenship	0	1	—	—	1
Federal Rules of Civil Procedure ^j	0	2	—	—	2
<i>Federal Question Jurisdiction</i>	0	20	—	—	20
Attorney's Fees ^k	0	1	—	—	1
Bankruptcy	0	3	—	—	3
Employee Retirement Income Security Act ^l	0	1	—	—	1
Federal Arbitration Act	0	2	—	—	2
Federal Debt Collection Practices Act	0	1	—	—	1
Foreign Sovereign Immunities Act	0	1	—	—	1
Hague Convention on the Civil Aspects of International Child Abduction	0	1	—	—	1
Intellectual Property ^m	0	1	—	—	1
Interlocutory Appeals	0	1	—	—	1
Interstate Commerce Act	0	1	—	—	1
Investment Company Act	0	1	—	—	1
Labor Management Relations Act	0	1	—	—	1
Petroleum Marketing Practices Act	0	1	—	—	1
Railway Labor Act	0	1	—	—	1
Scienter in Fraud ⁿ	0	1	—	—	1
Securities Exchange Act ^o	0	1	—	—	1
Sherman Act	0	1	—	—	1

^j See *Krupski v. Costa Crociere S. p. A.*, 130 S. Ct. 2485 (2010) (on Fed. R. Civ. P. 15(c)); *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 130 S. Ct. 1431 (2010) (on Fed. R. Civ. P. 23).

^k See *Hardt v. Reliance Standard Life Ins. Co.*, 130 S. Ct. 2149 (2010) (on Employee Retirement Income Security Act).

^l See *Conkright v. Frommert*, 130 S. Ct. 1640 (2010); see also *Hardt*, 130 S. Ct. 2149.

^m See *Reed Elsevier, Inc. v. Muchnick*, 130 S. Ct. 1237 (2010) (on Copyright Act).

ⁿ See *Merck & Co., Inc. v. Reynolds*, 130 S. Ct. 1784 (2010) (on Securities Exchange Act).

^o See *Morrison v. Nat'l Austl. Bank Ltd.*, 130 S. Ct. 2869 (2010); see also *Merck*, 130 S. Ct. 1784.

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	3	7	3	7	10
Armed Career Criminal Act	0	1	0	1	1
Freedom of Speech	1	0	0	1	1
Honest Services Fraud	1	1	0	2	2
Mandatory Victims Restitution Act	0	1	1	0	1
Plain Error Review	0	1	1	0	1
Sentencing	1	1	1	1	2
Sex Offender Registration and Notification Act	0	1	0	1	1
Speedy Trial Act	0	1	0	1	1
FEDERAL HABEAS CORPUS	5	13	11	7	18
Adequate State Ground Doctrine	0	1	1	0	1
AEDPA Deference	0	2	2	0	2
AEDPA Interpretation	0	1	0	1	1
GVR Practice ^p	0	1	0	1	1
Jury Composition	1	0	1	0	1
Jury Instructions	0	1	1	0	1
Peremptory Challenges	0	1	1	0	1
Preservation of Appeals	0	1	0	1	1
Remedies	0	1	0	1	1
Right to Counsel	4	0	3	1	4
Sentencing	0	1	1	0	1
Standard of Review for State Court Findings of Fact ^q	0	1	0	1	1
Sufficiency of the Evidence	0	1	1	0	1
Time Bars to Postconviction Relief	0	1	0	1	1

^p See *Wellons v. Hall*, 130 S. Ct. 727 (2010).

^q See *Jefferson v. Upton*, 130 S. Ct. 2217 (2010) (applying pre-AEDPA law).

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

	Principal Issue		Decision		TOTAL
	Constitu- tional	Other	For Gov't	Against Gov't	
CIVIL ACTIONS FROM STATE COURTS	1	0	1	0	1
STATE OR LOCAL GOVERNMENT LITIGATION	1	0	1	0	1
Takings	1	0	1	0	1
STATE CRIMINAL CASES	7	0	3	4	7
Cruel and Unusual Punishment	1	0	0	1	1
Right to Counsel	4	0	2	2	4
Right to Public Trial	1	0	0	1	1
Search and Seizure	1	0	1	0	1
ORIGINAL JURISDICTION	0	2	—	—	2
Interstate Compact Interpretation	0	1	—	—	1
Intervention	0	1	—	—	1
TOTAL	28	59	31	31	87