

THE STATISTICS

TABLE I^a
(A) ACTIONS OF INDIVIDUAL JUSTICES

	OPINIONS WRITTEN ^b				DISSENTING VOTES ^c		
	Opinions of Court ^d	Concurrences ^e	Dissents ^e	TOTAL	In Disposition by		
					Opinion	Memo-randum ^f	TOTAL
Roberts	7	1	4	12	7	0	7
Scalia	8	4	10	22	15	0	15
Kennedy	9	0	2	11	5	0	5
Thomas	6	6	4 ^g	16	12	0	12
Ginsburg	7	4	9	20	24	0	24
Breyer	7	5	10	22	19	0	19
Alito	7	6	6	19	14	0	14
Sotomayor	6	7	6	19	16	0	16
Kagan	7	1	2	10	14	0	14
Per Curiam	11	—	—	11	—	—	—
Total	75	34	51^h	160ⁱ	126	0	126

^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. Eleven per curiam decisions contained legal reasoning substantial enough to be considered full-opinion decisions during October Term 2011. These cases were *American Tradition Partnership, Inc. v. Bullock*, 132 S. Ct. 2490 (2012); *Parker v. Matthews*, 132 S. Ct. 2148 (2012); *Coleman v. Johnson*, 132 S. Ct. 2060 (2012); *Marmet Health Care Center, Inc. v. Brown*, 132 S. Ct. 1201 (2012); *Wetzel v. Lambert*, 132 S. Ct. 1195 (2012); *Ryburn v. Huff*, 132 S. Ct. 987 (2012); *Perry v. Perez*, 132 S. Ct. 934 (2012); *Hardy v. Cross*, 132 S. Ct. 490 (2011); *Bobby v. Dixon*, 132 S. Ct. 26 (2011); *KPMG LLP v. Cocchi*, 132 S. Ct. 23 (2011); and *Cavazos v. Smith*, 132 S. Ct. 2 (2011). This table includes every opinion designated by the Court as a 2011 Term Opinion except for two. See *2011 Term Opinions of the Court*, SUPREME COURT OF THE UNITED STATES, <http://www.supremecourt.gov/opinions/slipopinions.aspx?Term=111> (last visited Sept. 29, 2012). These two opinions are *First American Financial Corp. v. Edwards*, 132 S. Ct. 2536 (2012), and *Vasquez v. United States*, 132 S. Ct. 1532 (2012), which both dismissed writs of certiorari as improvidently granted.

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 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.

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

TABLE I (*continued*)

^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 Kennedy's opinion in *United States v. Alvarez*, 132 S. Ct. 2537 (2012), is considered the opinion of the Court in that case.

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

^f Though there were none this year, dissenting votes in memorandum decisions include instances in which Justices expressed that they would not dispose of the case by memorandum order. 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.

^g In *National Federation of Independent Business v. Sebelius (NFIB)*, 132 S. Ct. 2566 (2012), Justice Thomas was both coauthor of the joint dissent and author of an individual dissenting opinion, but his dissents in that case are only counted once.

^h This total does not equal the sum of the Dissents column because it counts only once the joint dissent in *NFIB*, 132 S. Ct. at 2642 (Scalia, Kennedy, Thomas, and Alito, JJ., dissenting).

ⁱ This total does not equal the sum of the Total column because it counts only once the joint dissent in *NFIB*, *id.*

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

		Roberts	Scalia	Kennedy	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan
Roberts	O	—	54	61	57	40	46	57	47	46
	S	—	6	0	5	1	1	6	0	0
	D	—	60	61	62	41	47	63	47	46
	N	—	74	73	74	74	74	74	73	70
	P (%)	—	81.1	83.6	83.8	55.4	63.5	85.1	64.4	65.7
Scalia	O	54	—	52	54	33	37	50	40	41
	S	6	—	1	12	2	0	9	1	1
	D	60	—	53	65	35	37	59	41	42
	N	74	—	74	75	75	75	75	74	71
	P (%)	81.1	—	71.6	86.7	46.7	49.3	78.7	55.4	59.2
Kennedy	O	61	52	—	55	45	51	54	51	51
	S	0	1	—	1	3	3	2	1	2
	D	61	53	—	56	48	54	56	52	53
	N	73	74	—	74	74	74	74	73	70
	P (%)	83.6	71.6	—	75.7	64.9	73.0	75.7	71.2	75.7
Thomas	O	57	54	55	—	34	40	52	42	43
	S	5	12	1	—	0	0	7	0	0
	D	62	65	56	—	34	40	59	42	43
	N	74	75	74	—	75	75	75	74	71
	P (%)	83.8	86.7	75.7	—	45.3	53.5	78.7	56.8	60.6
Ginsburg	O	40	33	45	34	—	43	34	44	44
	S	1	2	3	0	—	17	3	15	13
	D	41	35	48	34	—	60	37	59	57
	N	74	75	74	75	—	75	75	74	71
	P (%)	55.4	46.7	64.9	45.3	—	80.0	49.3	79.7	80.3
Breyer	O	46	37	51	40	43	—	43	45	46
	S	1	0	3	0	17	—	4	13	11
	D	47	37	54	40	60	—	47	56	57
	N	74	75	74	75	75	—	75	74	71
	P (%)	63.5	49.3	73.0	53.3	80.0	—	62.7	75.7	80.3
Alito	O	57	50	54	52	34	43	—	40	43
	S	6	9	2	7	3	4	—	0	3
	D	63	59	56	59	37	47	—	40	45
	N	74	75	74	75	75	75	—	74	71
	P (%)	85.1	78.7	75.7	78.7	49.3	62.7	—	54.1	63.4
Sotomayor	O	47	40	51	42	44	45	40	—	46
	S	0	1	1	0	15	13	0	—	9
	D	47	41	52	42	59	56	40	—	55
	N	73	74	73	74	74	74	74	—	70
	P (%)	64.4	55.4	71.2	56.8	79.7	75.7	54.1	—	78.6
Kagan	O	46	41	51	43	44	46	43	46	—
	S	0	1	2	0	13	11	3	9	—
	D	46	42	53	43	57	57	45	55	—
	N	70	71	70	71	71	71	71	70	—
	P (%)	65.7	59.2	75.7	60.6	80.3	80.3	63.4	78.6	—

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

		Roberts	Scalia	Kennedy	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan
Roberts	O	—	29	37	32	15	21	32	22	21
	S	—	6	0	5	1	1	6	0	0
	D	—	35	37	37	16	22	38	22	21
	N	—	49	49	49	49	49	49	48	45
	P (%)	—	71.4	75.5	75.5	32.7	44.9	77.6	45.8	46.7
Scalia	O	29	—	27	28	7	11	24	14	15
	S	6	—	1	12	2	0	9	1	1
	D	35	—	28	39	9	11	33	15	16
	N	49	—	49	49	49	49	49	48	45
	P (%)	71.4	—	57.1	79.6	18.4	22.4	67.3	31.3	35.6
Kennedy	O	37	27	—	30	20	26	29	26	26
	S	0	1	—	1	3	3	2	1	2
	D	37	28	—	31	23	29	31	27	28
	N	49	49	—	49	49	49	49	48	45
	P (%)	75.5	57.1	—	63.3	46.9	59.2	63.3	56.3	62.2
Thomas	O	32	28	30	—	8	14	26	16	17
	S	5	12	1	—	0	0	7	0	0
	D	37	39	31	—	8	14	33	16	17
	N	49	49	49	—	49	49	49	48	45
	P (%)	75.5	79.6	63.3	—	16.3	28.6	67.3	33.3	37.8
Ginsburg	O	15	7	20	8	—	17	8	18	18
	S	1	2	3	0	—	17	3	15	13
	D	16	9	23	8	—	34	11	33	31
	N	49	49	49	49	—	49	49	48	45
	P (%)	32.7	18.4	46.9	16.3	—	69.4	22.4	68.8	68.9
Breyer	O	21	11	26	14	17	—	17	19	20
	S	1	0	3	0	17	—	4	12	11
	D	22	11	29	14	34	—	21	30	31
	N	49	49	49	49	49	—	49	48	45
	P (%)	44.9	22.4	59.2	28.6	69.4	—	42.9	62.5	68.9
Alito	O	32	24	29	26	8	17	—	14	17
	S	6	9	2	7	3	4	—	0	2
	D	38	33	31	33	11	21	—	14	19
	N	49	49	49	49	49	49	—	48	45
	P (%)	77.6	67.3	63.3	67.3	22.4	42.9	—	29.2	42.2
Sotomayor	O	22	14	26	16	18	19	14	—	20
	S	0	1	1	0	15	12	0	—	9
	D	22	15	27	16	33	30	14	—	29
	N	48	48	48	48	48	48	48	—	44
	P (%)	45.8	31.3	56.3	33.3	68.8	62.5	29.2	—	65.9
Kagan	O	21	15	26	17	18	20	17	20	—
	S	0	1	2	0	13	11	2	9	—
	D	21	16	28	17	31	31	19	29	—
	N	45	45	45	45	45	45	45	44	—
	P (%)	46.7	35.6	62.2	37.8	68.9	68.9	42.2	65.9	—

TABLE I (continued)

^j Table I(B1) records the frequency with which each Justice voted with each other Justice in full-opinion decisions, including the eleven 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 Sotomayor is not treated as having joined the opinion of the Court in *NFIB*, 132 S. Ct. 2566, because she joined Justice Ginsburg's opinion concurring in part, concurring in the judgment in part, and dissenting in part. Nor is Justice Ginsburg treated as having joined the opinion of the Court in *NFIB*. But Justices Breyer and Kagan are treated as having fully joined Justice Ginsburg's opinion in *NFIB*, even though they joined only Parts I-IV.

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.

^k 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 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 ¹	With Dissent	TOTAL
Full Opinions	26 (34.7%)	6 (8.0%)	43 (57.3%)	75
Memorandum Orders	122 (100%)	0 (0%)	0 (0%)	122

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

	JOINING THE OPINION OF THE COURT ⁿ			AGREEING IN THE DISPOSITION OF THE CASE ^o		
	Joined Court	Total Cases	Percentage	Agreed in Disposition	Total Cases	Percentage
Roberts	42	49	85.7%	42	49	85.7%
Scalia	30	49	61.2%	34	49	69.4%
Kennedy	44	49	89.8%	44	49	89.8%
Thomas	34	49	69.4%	37	49	75.5%
Ginsburg	21	49	42.9%	25	49	51.0%
Breyer	27	49	55.1%	31	49	63.3%
Alito	32	49	65.3%	35	49	71.4%
Sotomayor	29	48	60.4%	32	48	66.7%
Kagan	28	45	62.2%	31	45	68.9%

¹ 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.,* United States v. Jones, 132 S. Ct. 945 (2012).

^m 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 eleven per curiam decisions containing sufficient legal reasoning to be considered full opinions, *see supra* note a, if those decisions produced dissenting votes.

ⁿ 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 h.

^o 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 ^p
Kennedy, Ginsburg, Breyer, Sotomayor, Kagan ^q	5
Roberts, Scalia, Kennedy, Thomas, Alito ^r	4
Roberts, Scalia, Thomas, Breyer, Alito ^s	1
Roberts, Scalia, Thomas, Alito, Sotomayor ^t	1
Roberts, Kennedy, Thomas, Breyer, Alito ^u	1
Roberts, Ginsburg, Breyer, Sotomayor, Kagan ^v	1
Scalia, Kennedy, Thomas, Sotomayor, Kagan ^w	1
Total	14

^p 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. Cases involving plurality opinions are included so long as the Justices divided 5–4 on the disposition. *See, e.g.*, *Coleman v. Court of Appeals of Md.*, 132 S. Ct. 1327 (2012) (Kennedy, J.) (plurality opinion). 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.*, *Jones*, 132 S. Ct. 945. Cases in which any Justice did not participate are not included. *See, e.g.*, *Arizona v. United States*, 132 S. Ct. 2492 (2012).

^q *Miller v. Alabama*, 132 S. Ct. 2455 (2012) (Kagan, J.); *Dorsey v. United States*, 132 S. Ct. 2321 (2012) (Breyer, J.); *Missouri v. Frye*, 132 S. Ct. 1399 (2012) (Kennedy, J.); *Lafler v. Cooper*, 132 S. Ct. 1376 (2012) (Kennedy, J.); *Douglas v. Indep. Living Ctr. of S. Cal., Inc.*, 132 S. Ct. 1204 (2012) (Breyer, J.).

^r *Am. Tradition P'ship, Inc. v. Bullock*, 132 S. Ct. 2490 (2012) (per curiam); *Christopher v. SmithKline Beecham Corp.*, 132 S. Ct. 2156 (2012) (Alito, J.); *Florence v. Bd. of Chosen Freeholders*, 132 S. Ct. 1510 (2012) (Kennedy, J.); *Coleman*, 132 S. Ct. 1327 (Kennedy, J.) (plurality opinion).

^s *United States v. Home Concrete & Supply, LLC*, 132 S. Ct. 1836 (2012) (Breyer, J.) (plurality opinion).

^t *Hall v. United States*, 132 S. Ct. 1882 (2012) (Sotomayor, J.).

^u *Williams v. Illinois*, 132 S. Ct. 2221 (2012) (Alito, J.) (plurality opinion).

^v *NFIB*, 132 S. Ct. 2566 (2012) (Roberts, C.J.).

^w *Salazar v. Ramah Navajo Chapter*, 132 S. Ct. 2181 (2012) (Sotomayor, J.).

TABLE II^a
(A) FINAL DISPOSITION OF CASES

	Disposed of	Remaining on Docket	TOTAL
Original Docket	1	2	3
Appellate Docket ^b	1555	312 ^c	1867
Miscellaneous Docket ^d	6087	995 ^c	7082
Total	7643	1309	8952

(B) CASES GRANTED REVIEW^e

	Review Granted ^f	Petitions Considered ^g	Percent Granted
Appellate Docket	59	1593	3.7%
Miscellaneous Docket	7	6092	0.1%
Total	66	7685	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 is calculated by adding the number of cases not acted upon in the 2011 Term to the number of cases granted review in the 2011 Term but carried over to the 2012 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 2011 Term. It includes neither cases summarily decided nor those granted review in a previous Term and carried over to the 2011 Term. It does include cases granted review in the 2011 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 2011 Term to the number of cases carried over from prior Terms and subtracting the number of cases not acted upon in the 2011 Term.

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

On Review	66
Summarily Decided	136
By Denial, Dismissal, or Withdrawal of Appeals or Petitions for Review	7440
Total	7642

(D) DISPOSITION OF CASES
 REVIEWED ON WRIT OF CERTIORARIⁱ

	Reversed ^j	Vacated ^k	Affirmed	TOTAL
Full Opinions	36 (48.6%)	11 (14.9%)	27 (36.5%)	74
Memorandum Orders	0 (0%)	117 (100%)	0 (0%)	117
Total	36 (18.8%)	128 (67.0%)	27 (14.1%)	191

^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 *American Tradition Partnership, Inc. v. Bullock*, 132 S. Ct. 2490 (2012) (per curiam), which granted certiorari and disposed of the case on the merits in the same written opinion, but excludes *Perry v. Perez*, 132 S. Ct. 934 (2012), which was reviewed under 28 U.S.C. § 1253.

^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	32	9	23	0	104	3	171
Circuit Courts	32	8	23	0	103	1	167
First	1	0	1	0	3	0	5
Second	1	1	0	0	2	0	4
Third	3	1	3	0	2	0	9
Fourth	0	0	2	0	5	0	7
Fifth	0	0	3	0	16	0	19
Sixth	4	1	0	0	9	0	14
Seventh	1	1	1	0	31	0	34
Eighth	0	0	0	0	12	0	12
Ninth	15	3	6	0	11	0	35
Tenth	2	0	2	0	2	0	6
Eleventh	3	0	1	0	3	0	7
D.C.	0	1	3	0	3	1	8
Federal	2	0	1	0	4	0	7
District Courts	0	1 ^p	0	0	1 ^q	2 ^r	4
Armed Forces	0	0	0	0	0	0	0
State Courts	4	3	4	0	14	1	26
Total	36	12	27	0	118	4	197

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 eleven 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 Perry v. Perez*, 132 S. Ct. 934 (2012).

^q *See Dallas Cnty. v. Tex. Democratic Party*, 132 S. Ct. 74 (2011) (mem.).

^r *See League of Women Voters of Ill. v. Quinn*, 132 S. Ct. 2430 (2012) (mem.); *Miss. State Conference of the NAACP v. Barbour*, 132 S. Ct. 542 (2011) (mem.).

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

	Granted ^t	Disposed of ^u	Percent Granted
Stay Applications	2	29	6.5%

^s This table includes only those dispositions that appear in the *Supreme Court Reporter* and excludes applications to vacate stays of execution. As a result, this table does not include *Workman v. Allen*, 132 S. Ct. 1904 (2012) (mem.).

For useful background information on how the Court handles stays of execution, see generally EUGENE GRESSMAN ET AL., *SUPREME COURT PRACTICE* §§ 18.1–.8, at 897–911 (9th ed. 2007); 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).

^t This Term, both of the granted applications were granted pending the Court's decisions whether to grant certiorari in the underlying cases. These stays automatically terminated upon the Court's denials of the associated certiorari petitions.

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

Twenty-nine of these decisions were unanimous. Chief Justice Roberts and Justices Scalia, Kennedy, Thomas, Alito, and Kagan did not dissent from any denial of an application for a stay of execution. Two disposals attracted dissents. Justices Ginsburg and Sotomayor dissented together once. See *Jackson v. Kelly*, 132 S. Ct. 64 (2011) (mem.). Justice Breyer dissented alone once, with an opinion. See *Valle v. Florida*, 132 S. Ct. 1, 1 (2011) (Breyer, J., dissenting).

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	10	34	14	10	44
FEDERAL GOVERNMENT LITIGATION	5	14	8	9	19
<i>Review of Administrative Action</i>	1	7	3	5	8
Clean Water Act	0	1	0	1	1
Due Process ^c	1	0	0	1	1
Illegal Immigration Reform and Immigration Responsibility Act of 1996	0	1	0	1	1
Immigration and Nationality Act	0	3	2	1	3
Social Security Act	0	1	1	0	1
Sovereign Immunity	0	1	0	1	1
<i>Other Actions by or Against the United States or Its Officers</i>	4	7	5	4	11
Bankruptcy Code	0	1	1	0	1
Civil Service Reform Act	0	1	1	0	1
Copyright Clause	1	0	1	0	1
Federal Preemption ^d	0	1	0	0	1
Freedom of Religion ^e	1	0	0	1	1
Indian Self-Determination and Education Assistance Act	0	1	0	1	1
Internal Revenue Code	0	1	0	1	1
Political Question Doctrine	1	0	0	1	1
Privacy Act	0	1	1	0	1
Taxing and Spending Clause ^f	1	0	0	0	1
Qualified Immunity	0	1	1	0	1

^a Table III records the subject matter of dispositions by full opinion, including the eleven 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. When the government prevailed on at least one but not all of the issues before the Court, a decision is counted as neither “for” nor “against” the government.

^c *See FCC v. Fox Television Stations, Inc.*, 132 S. Ct. 2307 (2012) (on FCC indecency standards).

^d *See Arizona v. United States*, 132 S. Ct. 2492 (2012) (on Arizona S.B. 1070).

^e *See Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC*, 132 S. Ct. 694 (2012) (on ministerial exception to employment discrimination suits against religious organizations).

^f *See NFIB*, 132 S. Ct. 2566 (2012) (on Patient Protection and Affordable Care Act).

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

	Principal Issue		Decision		TOTAL
	Constitutional	Other	For Gov't	Against Gov't	
STATE OR LOCAL GOVERNMENT LITIGATION	3	5	6	1	8
Absolute Immunity	0	1	1	0	1
Federal Preemption	0	1	0	1	1
Fourth Amendment ^g	1	0	1	0	1
Qualified Immunity	0	2	2	0	2
State Sovereign Immunity ^h	1	0	1	0	1
Supremacy Clause ⁱ	1	0	0	0	1
Voting Rights Act	0	1	1	0	1

^g See *Florence v. Bd. of Chosen Freeholders*, 132 S. Ct. 1510 (2012) (on jail strip searches of nonindictable offenders without reasonable suspicion).

^h See *Coleman v. Court of Appeals of Md.*, 132 S. Ct. 1327 (2012) (on Family and Medical Leave Act).

ⁱ See *Douglas v. Indep. Living Ctr. of S. Cal., Inc.*, 132 S. Ct. 1204 (2012) (on challenges to California's Medicaid plan after federal agency intervention). Because the majority vacated and remanded without reaching the Supremacy Clause issue, the result is considered neither "for" nor "against" the government.

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

	Principal Issue		Decision		TOTAL
	Constitutional	Other	For Gov't	Against Gov't	
PRIVATE LITIGATION	2	15	—	—	17
<i>Diversity Jurisdiction</i>	0	0	—	—	0
<i>Federal Question Jurisdiction</i>	2	15	—	—	17
Bankruptcy Code	0	1	—	—	1
<i>Bivens</i> Actions ^j	1	0	—	—	1
Court Interpreters Act	0	1	—	—	1
Credit Repair Organizations Act ^k	0	1	—	—	1
Fair Labor Standards Act	0	1	—	—	1
Federal Preemption ^l	0	1	—	—	1
Freedom of Speech ^m	1	0	—	—	1
Longshore and Harbor Workers' Compensation Act	0	1	—	—	1
Outer Continental Shelf Lands Act	0	1	—	—	1
Patents	0	3	—	—	3
Qualified Immunity	0	1	—	—	1
Real Estate Settlement Procedures Act	0	1	—	—	1
Securities Exchange Act	0	1	—	—	1
Telephone Consumer Protection Act	0	1	—	—	1
Torture Victim Protection Act	0	1	—	—	1

^j See *Minneci v. Pollard*, 132 S. Ct. 617 (2012) (on existence of *Bivens* remedy against employees of a privately run federal prison).

^k See *CompuCredit Corp. v. Greenwood*, 132 S. Ct. 665 (2012) (on whether the Credit Repair Organizations Act precluded enforcement of an arbitration agreement pursuant to the Federal Arbitration Act).

^l See *Kurns v. R.R. Friction Prods. Corp.*, 132 S. Ct. 1261 (2012) (on Locomotive Inspection Act).

^m See *Knox v. Serv. Emps. Int'l Union, Local 1000*, 132 S. Ct. 2277 (2012) (on public sector union requiring objecting nonmembers to pay special fees for political activities).

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

	Principal Issue		Decision		TOTAL
	Constitutional	Other	For Gov't	Against Gov't	
FEDERAL CRIMINAL CASES	3	3	1	5	6
Fair Sentencing Act	0	1	0	1	1
Fourth Amendment	1	0	0	1	1
Freedom of Speech ^a	1	0	0	1	1
Sentencing	0	1	1	0	1
Sex Offender Registration and Notification Act	0	1	0	1	1
Sixth Amendment ^o	1	0	0	1	1
FEDERAL HABEAS CORPUS	6	8	9	5	14
AEDPA Deference	0	1	1	0	1
AEDPA Interpretation	0	3	3	0	3
Confrontation Clause	1	0	1	0	1
<i>Miranda</i>	2	0	2	0	2
Procedural Default	0	2	0	2	2
Procedure ^p	0	1	0	1	1
Replacement of Indigent Counsel	0	1	0	1	1
Right to Counsel	1	0	0	1	1
Sufficiency of the Evidence	2	0	2	0	2

^a See *United States v. Alvarez*, 132 S. Ct. 2537 (2012) (on Stolen Valor Act).

^o See *S. Union Co. v. United States*, 132 S. Ct. 2344 (2012) (on application of *Apprendi* to criminal fines for company's violation of Resource Conservation and Recovery Act).

^p See *Wood v. Milyard*, 132 S. Ct. 1826 (2012) (on court's ability to raise, sua sponte, a timeliness defense the government had deliberately waived).

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

	Principal Issue		Decision		TOTAL
	Constitutional	Other	For Gov't	Against Gov't	
CIVIL ACTIONS FROM STATE COURTS	2	3	1	2	5
STATE OR LOCAL GOVERNMENT LITIGATION	2	1	1	2	3
Equal Protection	1	0	1	0	1
Freedom of Speech ^q	1	0	0	1	1
Navigable Waters	0	1	0	1	1
PRIVATE LITIGATION	0	2	—	—	2
Federal Arbitration Act	0	2	—	—	2
STATE CRIMINAL CASES	6	0	3	3	6
Confrontation Clause	1	0	1	0	1
Double Jeopardy	1	0	1	0	1
Due Process ^r	2	0	1	1	2
Eighth Amendment ^s	1	0	0	1	1
Right to Counsel	1	0	0	1	1
ORIGINAL JURISDICTION	0	0	—	—	0
TOTAL	27	48	28	25	75

^q See *Am. Tradition P'ship, Inc. v. Bullock*, 132 S. Ct. 2490 (2012) (on Montana corporate political speech law).

^r See *Perry v. New Hampshire*, 132 S. Ct. 716 (2012) (on eyewitness identification); *Smith v. Cain*, 132 S. Ct. 627 (2012) (on application of *Brady v. Maryland*, 373 U.S. 83 (1963)).

^s See *Miller v. Alabama*, 132 S. Ct. 2455 (2012) (on mandatory juvenile life without parole sentences).