

THE STATISTICS

TABLE I^a

(A) ACTIONS OF INDIVIDUAL JUSTICES

	OPINIONS WRITTEN ^b				DISSENTING VOTES ^c		
	Opinions of Court ^d	Concur- rences ^e	Dissents ^e	TOTAL	In Disposition by		
					Opinion	Memo- randum ^f	TOTAL
Roberts	7	1	2	10	4	0	4
Thomas	7	6	7	20	11	2	13
Breyer	6	1	8	15	21	0	21
Alito	6	5	4	15	10	1	11
Sotomayor	7	3	13	23	26	0	26
Kagan	6	2	7	15	21	0	21
Gorsuch	7	5	8	20	15	2	17
Kavanaugh	5	7	2	14	3	0	3
Barrett	6	4	2	12	5	0	5
Per Curiam	3	—	—	3	—	—	—
Total	60	34	53	147	116	5	121

^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 Table I(A) and the memorandum tabulations in Table I(C), includes only full-opinion decisions. Three per curiam decisions contained legal reasoning substantial enough to be considered full-opinion decisions in October Term 2021. These opinions were *Rivas-Villegas v. Cortesluna*, 142 S. Ct. 4 (2021); *City of Tahlequah v. Bond*, 142 S. Ct. 9 (2021); and *Wisconsin Legislature v. Wisconsin Elections Commission*, 142 S. Ct. 1245 (2022).

This table includes every opinion designated by the Court as a 2021 Term Opinion except for six. See *Opinions of the Court — 2021*, SUP. CT. OF THE U.S., <https://www.supremecourt.gov/opinions/slipopinion/21> [<https://perma.cc/3557-7H7F>]. The omitted opinions are *United States v. Texas*, 142 S. Ct. 522 (2021) (mem.) (per curiam), and *Arizona v. City & County of San Francisco*, 142 S. Ct. 1926 (2022) (mem.) (per curiam), in which the Court dismissed the writs of certiorari as improvidently granted; *Biden v. Missouri*, 142 S. Ct. 647 (2022) (per curiam), in which the Court stayed orders granting preliminary injunctions but did not dispose of the case on the merits; *National Federation of Independent Business v. OSHA*, 142 S. Ct. 661 (2022) (per curiam), in which the Court granted petitioners' applications for emergency relief but did not dispose of the case on the merits; *Ramirez v. Collier*, 142 S. Ct. 1264 (2022), in which the Court granted petitioner's application for injunctive relief but did not dispose of the case on the merits; and *LeDure v. Union Pacific Railroad Co.*, 142 S. Ct. 1582 (2022) (mem.) (per curiam), in which the judgment was affirmed by an equally divided 4–4 Court.

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.

TABLE I (*continued*)

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 sixty 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 Gorsuch's opinion in *Whole Woman's Health v. Jackson*, 142 S. Ct. 522 (2021), is considered the opinion of the Court in that case, even though only three Justices joined his opinion in full.

^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 Dissenting votes in memorandum decisions include instances in which Justices expressed that they would not have disposed of the case by memorandum order or that they would not have granted the writ of certiorari. Therefore, Justices Thomas and Gorsuch are treated as having dissented from the Court's decision in *Castañon v. United States*, 142 S. Ct. 56 (2021) (mem.), because they wrote separately to note that they would dismiss the appeal for lack of jurisdiction. This category does not include dissenting votes in orders relating to applications for emergency relief; that information is presented in Table IV and its accompanying footnotes.

In *LeDure v. Union Pacific Railroad Co.*, 142 S. Ct. 1582 (2022) (mem.) (per curiam), Justice Barrett took no part in the consideration or decision of the case, and the judgment was affirmed by an equally divided 4–4 Court. This opinion is not included in Table I(A), nor in any other table in *The Statistics*.

TABLE I (continued)
 (B1) VOTING ALIGNMENTS — ALL WRITTEN OPINIONS⁶

		Roberts	Thomas	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett
Roberts	O	—	42	34	43	30	34	37	54	46
	S	—	1	2	3	1	2	1	6	3
	D	—	43	35	46	31	36	38	58	48
	N	—	60	60	60	60	60	60	60	58
	P (%)	—	71.7	58.3	76.7	51.7	60.0	63.3	96.7	82.8
Thomas	O	42	—	24	43	21	25	36	43	42
	S	1	—	0	9	0	0	8	1	6
	D	43	—	24	52	21	25	43	44	48
	N	60	—	60	60	60	60	60	60	58
	P (%)	71.7	—	40.0	86.7	35.0	41.7	71.7	73.3	82.8
Breyer	O	34	24	—	24	32	34	25	34	28
	S	2	0	—	0	19	19	3	1	1
	D	35	24	—	24	51	53	28	34	28
	N	60	60	—	60	60	60	60	60	58
	P (%)	58.3	40.0	—	40.0	85.0	88.3	46.7	56.7	48.3
Alito	O	43	43	24	—	21	25	38	45	43
	S	3	9	0	—	0	0	8	4	5
	D	46	52	24	—	21	25	45	48	48
	N	60	60	60	—	60	60	60	60	58
	P (%)	76.7	86.7	40.0	—	35.0	41.7	75.0	80.0	82.8
Sotomayor	O	30	21	32	21	—	34	23	30	24
	S	1	0	19	0	—	20	6	0	0
	D	31	21	51	21	—	54	29	30	24
	N	60	60	60	60	—	60	60	60	58
	P (%)	51.7	35.0	85.0	35.0	—	90.0	48.3	50.0	41.4
Kagan	O	34	25	34	25	34	—	26	34	28
	S	2	0	19	0	20	—	3	0	0
	D	36	25	53	25	54	—	29	34	28
	N	60	60	60	60	60	—	60	60	58
	P (%)	60.0	41.7	88.3	41.7	90.0	—	48.3	56.7	48.3
Gorsuch	O	37	36	25	38	23	26	—	39	37
	S	1	8	3	8	6	3	—	2	5
	D	38	43	28	45	29	29	—	40	41
	N	60	60	60	60	60	60	—	60	58
	P (%)	63.3	71.7	46.7	75.0	48.3	48.3	—	66.7	70.7
Kavanaugh	O	54	43	34	45	30	34	39	—	48
	S	6	1	1	4	0	0	2	—	3
	D	58	44	34	48	30	34	40	—	50
	N	60	60	60	60	60	60	60	—	58
	P (%)	96.7	73.3	56.7	80.0	50.0	56.7	66.7	—	86.2
Barrett	O	46	42	28	43	24	28	37	48	—
	S	3	6	1	5	0	0	5	3	—
	D	48	48	28	48	24	28	41	50	—
	N	58	58	58	58	58	58	58	58	—
	P (%)	82.8	82.8	48.3	82.8	41.4	48.3	70.7	86.2	—

TABLE I (continued)
 (B₂) VOTING ALIGNMENTS — NONUNANIMOUS CASES^h

		Roberts	Thomas	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett
Roberts	O	—	27	19	28	15	19	22	39	33
	S	—	1	2	3	1	2	1	6	3
	D	—	28	20	31	16	21	23	43	35
	N	—	45	45	45	45	45	45	45	45
	P (%)	—	62.2	44.4	68.9	35.6	46.7	51.1	95.6	77.8
Thomas	O	27	—	9	28	6	10	21	28	29
	S	1	—	0	9	0	0	8	1	6
	D	28	—	9	37	6	10	28	29	35
	N	45	—	45	45	45	45	45	45	45
	P (%)	62.2	—	20.0	82.2	13.3	22.2	62.2	64.4	77.8
Breyer	O	19	9	—	9	17	19	10	19	15
	S	2	0	—	0	19	19	3	1	1
	D	20	9	—	9	36	38	13	19	15
	N	45	45	—	45	45	45	45	45	45
	P (%)	44.4	20.0	—	20.0	80.0	84.4	28.9	42.2	33.3
Alito	O	28	28	9	—	6	10	23	30	30
	S	3	9	0	—	0	0	8	4	5
	D	31	37	9	—	6	10	30	33	35
	N	45	45	45	—	45	45	45	45	45
	P (%)	68.9	82.2	20.0	—	13.3	22.2	66.7	73.3	77.8
Sotomayor	O	15	6	17	6	—	19	8	15	11
	S	1	0	19	0	—	20	6	0	0
	D	16	6	36	6	—	39	14	15	11
	N	45	45	45	45	—	45	45	45	45
	P (%)	35.6	13.3	80.0	13.3	—	86.7	31.1	33.3	24.4
Kagan	O	19	10	19	10	19	—	11	19	15
	S	2	0	19	0	20	—	3	0	0
	D	21	10	38	10	39	—	14	19	15
	N	45	45	45	45	45	—	45	45	45
	P (%)	46.7	22.2	84.4	22.2	86.7	—	31.1	42.2	33.3
Gorsuch	O	22	21	10	23	8	11	—	24	24
	S	1	8	3	8	6	3	—	2	5
	D	23	28	13	30	14	14	—	25	28
	N	45	45	45	45	45	45	—	45	45
	P (%)	51.1	62.2	28.9	66.7	31.1	31.1	—	55.6	62.2
Kavanaugh	O	39	28	19	30	15	19	24	—	35
	S	6	1	1	4	0	0	2	—	3
	D	43	29	19	33	15	19	25	—	37
	N	45	45	45	45	45	45	45	—	45
	P (%)	95.6	64.4	42.2	73.3	33.3	42.2	55.6	—	82.2
Barrett	O	33	29	15	30	11	15	24	35	—
	S	3	6	1	5	0	0	5	3	—
	D	35	35	15	35	11	15	28	37	—
	N	45	45	45	45	45	45	45	45	—
	P (%)	77.8	77.8	33.3	77.8	24.4	33.3	62.2	82.2	—

TABLE I (continued)

^g Table I(B1) records the frequency with which each Justice voted with each of the other Justices in full-opinion decisions, including the three 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 the opinion of the Court in full, or 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 *Wooden v. United States*, 142 S. Ct. 1063 (2022), because she joined an opinion concurring in the judgment, in part. By contrast, Justice Kavanaugh is treated as having fully joined the Court's opinion in *Kennedy v. Bremerton School District*, 142 S. Ct. 2407 (2022), even though he did not join Part III-B.

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. Such separate opinions include concurrences, dissents, and those portions of an opinion of the Court not joined by at least four other Justices. 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 the "O" and "S" values. "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 the "D" value by the "N" value and multiplying the quotient by 100.

^h Like Table I(B1), Table I(B2) records the frequency with which each of the Justices 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 ⁱ	With Dissent	TOTAL
Full Opinions	15 (25.0%)	3 (5.0%)	42 (70.0%)	60
Memorandum Orders ^j	97 (98.0%)	0 (0.0%)	2 (2.0%)	99

(D) VOTING PATTERNS IN NONUNANIMOUS CASES^k

	TOTAL CASES	JOINING THE OPINION OF THE COURT ^l		AGREEING IN THE DISPOSITION OF THE CASE ^m	
		Number	Percentage	Number	Percentage
Roberts	45	39	86.7%	41	91.1%
Thomas	45	30	66.7%	34	75.6%
Breyer	45	23	51.1%	24	53.3%
Alito	45	31	68.9%	35	77.8%
Sotomayor	45	18	40.0%	19	42.2%
Kagan	45	23	51.1%	24	53.3%
Gorsuch	45	27	60.0%	30	66.7%
Kavanaugh	45	41	91.1%	42	93.3%
Barrett	45	37	82.2%	40	88.9%

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.,* *Wooden v. United States*, 142 S. Ct. 1063 (2022).

^j In *LeDure v. Union Pacific Railroad Co.*, 142 S. Ct. 1582 (2022) (mem.) (per curiam), Justice Barrett took no part in the consideration or decision of the case, and the judgment was affirmed by an equally divided 4–4 Court. This opinion is not included in Table I(C), nor in any other table in *The Statistics*.

^k Table I(D) records the frequency with which each Justice joined the opinion of the Court in nonunanimous, full-opinion decisions. This table includes the three per curiam decisions containing sufficient legal reasoning to be considered full opinions, *see supra* note a, if those decisions produced dissenting votes. This Term, *Wisconsin Legislature v. Wisconsin Elections Commission*, 142 S. Ct. 1245 (2022), is included in Table I(D).

^l 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.

^m 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 l, it also includes those cases in which the Justice concurred in the judgment without joining 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 ⁿ
Roberts, Breyer, Sotomayor, Kagan, and Kavanaugh ^o	4
Roberts, Thomas, Alito, Kavanaugh, and Barrett ^p	3
Thomas, Breyer, Sotomayor, Kagan, and Gorsuch ^q	1
Thomas, Breyer, Sotomayor, Kagan, and Barrett ^r	1
Breyer, Sotomayor, Kagan, Gorsuch, and Barrett ^s	1
Total	10

(F) AVERAGE OPINION LENGTH^t

	Opinion of the Court	Plurality Opinion	Concurring Opinion	Concurring in Judgment ^u	Dissenting Opinion ^u	TOTAL PAGES
Roberts	18.3	—	—	11.6	9.4	158.9
Thomas	21.5	—	5.9	16.3	12.0	279.8
Breyer	12.8	—	6.1	—	22.1	259.9
Alito	24.7	—	3.9	13.6	9.7	225.9
Sotomayor	12.5	—	0.7	—	17.1	312.2
Kagan	12.2	—	1.2	4.7	18.6	209.1
Gorsuch	19.1	—	13.6	9.7	14.0	301.8
Kavanaugh	11.9	—	3.4	1.5	3.8	88.9
Barrett	12.0	—	2.0	2.4	4.6	89.7
Per Curiam	5.4	—	—	—	—	16.2

ⁿ 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 in a manner different from that specified by a majority of the Court. Cases involving plurality opinions are included so long as the Justices divided 5-4 in favor of the disposition. *Cf.* *Whole Woman's Health v. Jackson*, 142 S. Ct. 522 (2021) (not counted as 5-4 because only four Justices voted to dispose of every issue in the way the Court did). Cases in which any Justice did not participate are not included. *See, e.g., Hughes v. Nw. Univ.*, 142 S. Ct. 737 (2022).

^o *City of Austin v. Reagan Nat'l Advert. of Austin, LLC*, 142 S. Ct. 1464 (2022) (Sotomayor, J.); *Nance v. Ward*, 142 S. Ct. 2214 (2022) (Kagan, J.); *Torres v. Tex. Dep't of Pub. Safety*, 142 S. Ct. 2455 (2022) (Breyer, J.); *Biden v. Texas*, 142 S. Ct. 2528 (2022) (Roberts, C.J.).

^p *Patel v. Garland*, 142 S. Ct. 1614 (2022) (Barrett, J.); *Shoop v. Twyford*, 142 S. Ct. 2037 (2022) (Roberts, C.J.); *Oklahoma v. Castro-Huerta*, 142 S. Ct. 2486 (2022) (Kavanaugh, J.).

^q *Concepcion v. United States*, 142 S. Ct. 2389 (2022) (Sotomayor, J.).

^r *Becerra v. Empire Health Found.*, 142 S. Ct. 2354 (2022) (Kagan, J.).

^s *Ysleta del Sur Pueblo v. Texas*, 142 S. Ct. 1929 (2022) (Gorsuch, J.).

^t The data in this table reflect the length of opinions as published in the Court's slip opinions, estimated to the nearest tenth of a page. Though the slip opinions are eventually superseded by official case publication in the *United States Reports*, the total opinion length, in pages, is generally preserved in the final publication. Average opinion length is obtained by summing the number of pages written by each Justice within each category of opinion and then dividing by the number of opinions of that type written by that Justice. For the number of opinions written by each Justice, see *supra* Table I(A).

TABLE I (*continued*)

^u Opinions concurring in part, concurring in the judgment, or concurring in both are categorized here under Concurring in Judgment. Opinions concurring in part and dissenting in part, or concurring in the judgment in part and dissenting in part, are categorized here under Dissenting Opinion.

TABLE II^a

(A) FINAL DISPOSITION OF CASES

	Disposed of	Remaining on Docket	TOTAL
Original Docket	1	4	5
Appellate Docket ^b	1749	247 ^c	1996
Miscellaneous Docket ^d	3354	442 ^c	3796
Total	5104	693	5797

(B) CASES GRANTED REVIEW^e

	Review Granted ^f	Petitions Considered ^g	Percentage Granted
Appellate Docket	70	1749	4.0%
Miscellaneous Docket	4	3354	0.1%
Total	74	5103	1.5%

^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 2021 Term to the number of cases granted review in the 2021 Term but carried over to the 2022 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 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 2021 Term. It includes neither cases summarily decided nor those granted review in a previous Term and carried over to the 2021 Term. It does include cases granted review in the 2021 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 2021 Term to the number of cases carried over from prior Terms and subtracting the number of cases not acted upon in the 2021 Term.

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

On Review	74
Summarily Decided	97
By Denial, Dismissal, or Withdrawal of Appeals or Petitions for Review	4905
Total	5076

(D) DISPOSITION OF CASES
 REVIEWED ON WRIT OF CERTIORARIⁱ

	Reversed ^j	Vacated ^k	Affirmed	TOTAL
Full Opinions	42 (72.4%)	7 (12.1%)	9 (15.5%)	58
Memorandum Orders ^l	0 (0.0%)	98 (100.0%)	0 (0.0%)	98
Total	42 (26.9%)	105 (67.3%)	9 (5.8%)	156

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

ⁱ Table II(D) reports the disposition of cases reviewed on writ of certiorari and decided on the merits. It does not include the cases reviewed under other bases of jurisdiction. This Term, these cases were *Mississippi v. Tennessee*, 142 S. Ct. 31 (2021), which was reviewed under original jurisdiction; and *FEC v. Ted Cruz for Senate*, 142 S. Ct. 1638 (2022), and *Castañon v. United States*, 142 S. Ct. 56 (2021) (mem.), both of which were 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.

^l In *LeDure v. Union Pacific Railroad Co.*, 142 S. Ct. 1582 (2022) (mem.) (per curiam), Justice Barrett took no part in the consideration or decision of the case, and the judgment was affirmed by an equally divided 4–4 Court. This opinion is not included in Table II(D), nor in any other table in *The Statistics*.

TABLE II (continued)
 (E) ORIGINS OF CASES AND THEIR DISPOSITIONS^m

	FULL OPINIONS ⁿ			MEMORANDUM ORDERS ^o			TOTAL
	Reversed ^p	Vacated ^q	Affirmed	Reversed	Vacated	Affirmed	
Federal Courts	37	7	10	0	81	1	136
<i>Circuit Courts</i>	36 ^r	7 ^s	9	0	81	0	133
First	5	0	0	0	1	0	6
Second	3	1	0	0	12	0	16
Third	1	0	0	0	5	0	6
Fourth	2	0	1	0	4	0	7
Fifth	5	1	1	0	10	0	17
Sixth	6	0	1	0	3	0	10
Seventh	0	1	1	0	3	0	5
Eighth	1	1	0	0	4	0	6
Ninth	10	2	0	0	13	0	25
Tenth	1	1	1	0	6	0	9
Eleventh	1	1	3	0	14	0	19
D.C.	2	0	0	0	4	0	6
Federal	0	0	1	0	2	0	3
<i>District Courts</i> ^t	1	0	1	0	0	1	3
<i>Armed Forces</i>	0	0	0	0	0	0	0
State Courts	5	0	0	0	17	0	22
Total	42	7	10	0	98	1	158

^m Table II(E) counts consolidated cases disposed of by the same lower court opinion as a single case. Table II(E) does not include original jurisdiction cases, thus excluding *Mississippi v. Tennessee*, 142 S. Ct. 31 (2021).

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

^o In *LeDure v. Union Pacific Railroad Co.*, 142 S. Ct. 1582 (2022) (mem.) (per curiam), Justice Barrett took no part in the consideration or decision of the case, and the judgment was affirmed by an equally divided 4–4 Court. This opinion is not included in Table II(E), nor in any other table in *The Statistics*.

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

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

^r The total number of Circuit Court reversals does not match the sum of reversals from each of the circuit courts because consolidated cases originating from multiple circuits are counted in each originating circuit, but only once toward the Circuit Court sum. This Term included the consolidated case *ZF Automotive US, Inc. v. Luxshare, Ltd.*, 142 S. Ct. 2078 (2022). *ZF Automotive US, Inc.* is thus counted in the individual counts for the Sixth and Second Circuits because it reversed the Sixth Circuit decision in *Luxshare, Ltd. v. ZF Automotive US, Inc.*, 15 F.4th 780 (6th Cir. 2021), and reversed the Second Circuit decision in *Fund for Protection of Investor Rights in Foreign States v. AlixPartners, LLP*, 5 F.4th 216 (2d Cir. 2021). See *ZF Automotive US, Inc.*, 142 S. Ct. at 2091–92. Because the Supreme Court case was named for the Sixth Circuit decision, which was reversed, *ZF Automotive US, Inc.* is counted only once toward the total number of circuit court cases reversed on appeal.

TABLE II (*continued*)

^s The total number of Circuit Court vacaturs does not match the sum of vacaturs from each of the circuit courts because consolidated cases originating from multiple circuits are counted in each originating circuit, but only once toward the Circuit Court sum. This Term included the consolidated case *Ruan v. United States*, 142 S. Ct. 2370 (2022). *Ruan* is thus counted in the individual counts for the Eleventh and Tenth Circuits because it vacated the Eleventh Circuit decision in *United States v. Ruan*, 966 F.3d 1101 (11th Cir. 2020), and vacated the Tenth Circuit decision in *United States v. Khan*, 989 F.3d 806 (10th Cir. 2021). See *Ruan*, 142 S. Ct. at 2382. Because the Supreme Court case was named for the Eleventh Circuit decision, which was vacated, *Ruan* is counted only once toward the total number of Circuit Court cases vacated on appeal.

^t This category includes statutorily authorized direct appeals from district courts.

TABLE III^a
SUBJECT MATTER OF DISPOSITIONS WITH FULL OPINIONS

	TOTAL	Principal Issue ^b		Decision ^c	
		Constitutional	Other	For Gov't	Against Gov't
CIVIL ACTIONS FROM INFERIOR FEDERAL COURTS	43	19	24	18	12
FEDERAL GOVERNMENT LITIGATION	16	5	11	10	5
<i>Review of Administrative Action</i>	10	2	8	5	5
Bankruptcy	1	1	0	0	1
Bipartisan Campaign Reform Act	1	1	0	0	1
Clean Air Act	1	0	1	0	1
Immigration and Nationality Act	2	0	2	2	0
Medicare Act	2	0	2	1	1
Social Security Act	1	0	1	1	0
Taxation	1	0	1	0	1
Veterans Affairs	1	0	1	1	0
<i>Other Action by or Against the United States or Its Officers</i>	6	3	3	5	0
<i>Bivens</i> Actions	1	1	0	1	0
Equal Protection	1	1	0	1	0
Immigration and Nationality Act	1	0	1	1	0
State Secrets Privilege	2	0	2	2	0
Supremacy Clause	1	1	0	—	—

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

^b Each case is categorized as primarily constitutional or not. Cases invoking a mixture of statutory interpretation and constitutional adjudication are particularly difficult to classify.

^c "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" 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.

TABLE III (continued)

	TOTAL	Principal Issue		Decision	
		Constitutional	Other	For Gov't	Against Gov't
STATE OR LOCAL GOVERNMENT LITIGATION	17	13	4	8	7
Abortion	1	1	0	1	0
Capital Punishment	1	1	0	0	1
Federal Indian Law	1	0	1	0	1
First Amendment	1	1	0	0	1
Free Exercise Clause	1	1	0	0	1
Freedom of Speech	3	3	0	2	1
Intervention	1	0	1	1	0
Medicaid	1	0	1	1	0
<i>Miranda</i> Rights	1	1	0	1	0
Qualified Immunity	2	2	0	2	0
Right to Bear Arms	1	1	0	0	1
Section 1983	1	1	0	0	1
Sovereign Immunity ^d	1	1	0	—	—
Voting Rights ^e	1	0	1	—	—

^d *Whole Woman's Health v. Jackson*, 142 S. Ct. 522 (2021), is counted as a decision neither for nor against the government because, while state officials prevailed on most issues, the government did not prevail on the question whether the case could be dismissed against “defendants with specific disciplinary authority over medical licensees.” *Id.* at 539.

^e *Berger v. North Carolina State Conference of the NAACP*, 142 S. Ct. 2191 (2022), is counted as a decision neither for nor against the government because the Court did not reach the NAACP’s challenge against the state governor and Board of Elections. *See id.* at 2197–98. Instead, the Court took up the question of whether state legislative leaders could intervene in the case against the Governor and Board. *Id.* at 2200. Because the case involves two opposing units of state government, it is counted as a decision neither for nor against the government.

TABLE III (continued)

SUBJECT MATTER OF DISPOSITIONS WITH FULL OPINIONS

	TOTAL	Principal Issue		Decision	
		Consti- tutional	Other	For Gov't	Against Gov't
PRIVATE LITIGATION	10	1	9	—	—
<i>Federal Question Jurisdiction</i>	10	1	9	—	—
Copyright	1	0	1	—	—
Damages	1	1	0	—	—
Discovery	1	0	1	—	—
Employee Retirement Income Security Act	1	0	1	—	—
Federal Arbitration Act	3	0	3	—	—
Foreign Sovereign Immunities Act	1	0	1	—	—
Hague Convention on the Civil Aspects of International Child Abduction	1	0	1	—	—
Medicare Act	1	0	1	—	—
FEDERAL CRIMINAL CASES	7	2	5	3	4
Armed Career Criminal Act	1	0	1	0	1
Capital Punishment	1	1	0	1	0
Comprehensive Drug Abuse Prevention and Control Act of 1970	1	0	1	0	1
Double Jeopardy	1	1	0	1	0
Federal Rules of Civil Procedure	1	0	1	1	0
Hobbs Act	1	0	1	0	1
Sentencing	1	0	1	0	1
FEDERAL HABEAS CORPUS	4	1	3	4	0
AEDPA Interpretation	2	1	1	2	0
Evidentiary Hearings	1	0	1	1	0
Immigration and Nationality Act	1	0	1	1	0

TABLE III (continued)

SUBJECT MATTER OF DISPOSITIONS WITH FULL OPINIONS

	TOTAL	Principal Issue		Decision	
		Constitutional	Other	For Gov't	Against Gov't
CIVIL ACTIONS FROM STATE COURTS	3	2	1	0	1
STATE OR LOCAL GOVERNMENT LITIGATION	2	2	0	0	1
Sovereign Immunity	1	1	0	0	1
Voting Rights Act of 1965	1	1	0	—	—
PRIVATE LITIGATION	1	0	1	—	—
<i>Federal Question Jurisdiction</i>	1	0	1	—	—
Federal Arbitration Act	1	0	1	—	—
STATE CRIMINAL CASES	2	1	1	1	1
Confrontation Clause	1	1	0	0	1
Indian Affairs	1	0	1	1	0
ORIGINAL JURISDICTION	1	0	1	—	—
Water Rights	1	0	1	—	—
TOTAL	60	25	35	26	18

TABLE IV^a
 (A) DISPOSITIONS OF APPLICATIONS
 FOR EMERGENCY RELIEF^b

	TOTAL APPLICATIONS	DISPOSITION ^c			UNANIMITY ^d		SEPARATE WRITINGS		
		Granted	Denied	Percentage Granted	Unanimous	Public Dissenting Votes	Concurrences	Dissents	Statements
Applications for Injunctive Relief	13	3	10	23.1%	6	20	3	8	0
Applications for Stays	47	8	34	19.0%	37	31	4	9	3
Applications for Stays (General) ^e	35	6	24	20.0%	27	26	3	7	0
Applications for Stays of Execution ^f	10	1	9	10.0%	10	0	0	0	2
Applications for Stays of Injunction ^g	1	1	0	100.0%	0	4	1	2	0
Applications for Stays of Mandate ^h	1	0	1	0.0%	0	1	0	0	1
Applications to Vacate	8	4	3	57.1%	1	19	0	4	0
Applications to Vacate the Injunction	1	1	0	100.0%	0	4	0	1	0
Applications to Vacate Stays ⁱ	6	2	3	40.0%	1	12	0	3	0
Applications to Vacate Stays of Execution	1	1	0	100.0%	0	3	0	0	0
Other^j	1	0	1	0.0%	1	0	0	0	0
TOTAL	69	15	48	23.8%	45	70	7	21	3

^a This is the second year that *The Statistics* has included data on Applications for Emergency Relief. Monitoring this part of the Court's docket will likely be useful for tracking how the types of applications and dispositions of applications change over time. It will also likely be useful for examining how the Justices' actions on applications for emergency relief compare to their actions on the merits docket. For recent scholarship on the Court's behavior relating to how it resolves applications for emergency relief, see generally William Baude, *Foreword: The Supreme Court's Shadow Docket*, 9 N.Y.U. J.L. & LIBERTY 1 (2015); Stephen I. Vladeck, Essay, *The Solicitor General and the Shadow Docket*, 133 HARV. L. REV. 123 (2019); and Michael Morley, *Congressional Intent and the Shadow Docket*, HARV. L. REV. BLOG (Jan. 24, 2020), <https://blog.harvardlawreview.org/congressional-intent-and-the-shadow-docket> [<https://perma.cc/9PUQ-W7PD>]. See also *Hearings: The Supreme*

TABLE IV (*continued*)

Court's Shadow Docket, HOUSE COMM. ON THE JUDICIARY (Feb. 18, 2021), <https://judiciary.house.gov/calendar/eventsingle.aspx?EventID=4371> [<https://perma.cc/TXN8-5MFA>]; Press Release, Senate Judiciary Comm., Senate Judiciary Committee to Examine the Texas Abortion Ban and the Supreme Court's Abuse of Its "Shadow Docket" (Sept. 3, 2021), <https://www.judiciary.senate.gov/press/dem/releases/senate-judiciary-committee-to-examine-the-texas-abortion-ban-and-the-supreme-courts-abuse-of-its-shadow-docket> [<https://perma.cc/KMD5-JAGB>].

As is the case for most of *The Statistics*, Table IV includes orders disposing of applications for emergency relief that are included in the *Supreme Court Reporter*. Because of the nature of how the *Review* defines the Court's Term — beginning on the day after the Court releases its last full opinion of the prior Term and ending the day the Court releases its last full opinion in the current Term — sometimes cases in last Term's *Supreme Court Reporter* are included in the current statistical term. To stay true to the statistical year, such cases are included.

These tables do not include orders relating to motions for leave to file a bill of complaint under the Court's original jurisdiction, *see* *New York v. New Jersey*, 142 S. Ct. 2856 (2022) (mem.); motions to proceed *in forma pauperis*, *see, e.g.*, *Sistrunk v. United States*, 142 S. Ct. 309 (2021) (mem.); petitions for rehearings, *see, e.g.*, *Brown v. United States*, 142 S. Ct. 52 (2021) (mem.); petitions for writs of habeas corpus, *see, e.g.*, *In re Williams*, 142 S. Ct. 327 (2021) (mem.); petitions for writs of mandamus, *see, e.g.*, *In re Brewer*, 142 S. Ct. 2856 (2022) (mem.); or denials of petitions for writs of certiorari, *see, e.g.*, *Storey v. Lumpkin*, 142 S. Ct. 2576 (2022) (mem.). These tables also exclude in-chambers denials of applications because they are not reflected in the *Supreme Court Reporter*, as well as in-chambers dispositions of applications for emergency relief by individual Justices acting in their capacity as Circuit Justices. *See* SUP. CT. R. 22.

Because Table IV relies on the *Supreme Court Reporter*, the tables in this section cannot account for and do not include "stealth" dissents. *See, e.g.*, *Arthur v. Dunn*, 137 S. Ct. 14, 15 (2016) (statement of Roberts, C.J.) (mem.) (noting that he was providing a courtesy fifth vote to grant a stay in an order from which no Justices recused but only two Justices publicly dissented). Justices are counted as voting in favor of the relevant order's disposition unless they explicitly dissented or voted to resolve the application on different grounds.

^b Table IV(A) records the number of applications by type. The table also records the number of applications granted and the number denied, as well as the percentage granted; the number of applications that were unanimous and the number that included public dissents; and the number of separate writings, including concurrences, dissents, and statements.

^c For the purposes of Table IV(A), if an application was granted at least in part, it is categorized as granted. If the Court treated an application for emergency relief as a petition for a writ of certiorari before judgment, and subsequently granted, vacated, and remanded the writ, the application is categorized as neither granted nor denied. If the Court defers consideration of the application pending oral argument, the application is categorized as neither granted nor denied. The percentage granted is thus calculated by dividing the number of applications granted by the sum of the number of applications granted and denied, then multiplied by 100. This means that, in some instances, the sum of the number of applications granted and denied may be less than the total number of applications listed. Any such case is also included in any table that includes data related to memorandum decisions.

^d For the purposes of Table IV(A), a Justice is considered to have recorded a public dissenting vote whenever a Justice voted to dispose of a case in any manner different from that specified by the memorandum order.

^e This Term, one application for stay was treated by the Court as a petition for writ of certiorari before judgment. The Court then granted the petition, vacated, and remanded. This case was *Brnovich v. Isaacson*, 142 S. Ct. 2893 (2022) (mem.). Four applications for stays were held in abeyance pending oral argument. These cases were *Biden v. Missouri*, 142 S. Ct. 735 (2021) (mem.); *Ohio v. OSHA*, 142 S. Ct. 735 (2021) (mem.); *Becerra v. Louisiana*, 142 S. Ct. 736 (2021) (mem.); and *National Federation of Independent Business v. OSHA*, 142 S. Ct. 736 (2021) (mem.). These five cases are treated as neither granted nor denied. *See supra* note c.

TABLE IV (*continued*)

^f Due to the expansion of *The Statistics* to include Table IV, Table II(F) — Dispositions of Applications for Stays of Execution — has been merged into Table IV(A). The method for collecting the data on applications for stays of execution has not changed. The granted, denied, and percentage granted columns in Table IV(A) can be used to compare yearly data to the data included in Table II(F) from its first appearance in Volume 121 to its last appearance in Volume 134.

This table treats multiple applications from the same death row inmate as a single application. Although the Court entertained twelve applications for stays of execution last Term, these applications pertained to only ten individuals. This table includes only those dispositions that appear in the *Supreme Court Reporter*.

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); SUP. CT. OF THE U.S., A REPORTER'S GUIDE TO APPLICATIONS PENDING BEFORE THE SUPREME COURT OF THE UNITED STATES (2022), <https://www.supremecourt.gov/publicinfo/reportersguide.pdf> [<https://perma.cc/4MRP-RYAG>]; and *The Supreme Court, 2006 Term — The Statistics*, 121 HARV. L. REV. 436, 446 n.t (2007).

^g This category includes an application for stay or injunctive relief. See *Merrill v. Milligan*, 142 S. Ct. 879 (2022) (mem.).

^h This category includes an application for stay of mandate and injunction pending review. See *Trump v. Thompson*, 142 S. Ct. 680 (2022) (mem.).

ⁱ One application to vacate stay was held in abeyance pending oral argument. See *United States v. Texas*, 142 S. Ct. 14 (2021) (mem.). This case is treated as neither granted nor denied. See *supra* note c. Note that in Tables IV(A) and IV(C) in the print version of *The Statistics*, the separate writing, concurring in part and dissenting in part, in this case was mistakenly counted as a written concurrence and a written dissent, rather than only as a written dissent. See *supra* Table I(A), note e. This has been corrected here in our online version.

^j This category includes an application that was refiled and denied. See *Tolle v. Northam*, 142 S. Ct. 749 (2022) (mem.). In previous years, this category has included applications to order the judgment forthwith, see, e.g., *Comms. of the U.S. House of Representatives v. Trump*, 141 S. Ct. 196 (2020) (mem.); applications for interim relief, see, e.g., *Gohmert v. Pence*, 141 S. Ct. 972 (2021) (mem.); and applications for certificate of appealability, see, e.g., *DeBenedetto v. Lumpkin*, 141 S. Ct. 2697 (2021) (mem.). Additionally, applications for bail or to vacate bail under Supreme Court Rule 22.5 and applications relating to custody under Supreme Court Rule 36 would be included in this category. These forms of relief have become dormant, in large part due to the Bail Reform Act of 1984, 18 U.S.C. §§ 3141–3156. However, these forms of relief are still within the Court's jurisdiction.

TABLE IV (continued)
 (B1) VOTING ALIGNMENTS — ALL ORDERS^k

		Roberts	Thomas	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett
Roberts	O	—	56	61	58	59	60	56	68	66
	S	—	0	2	0	1	2	0	0	0
	D	—	56	63	58	60	62	56	68	66
	N	—	71	71	71	71	71	69	71	71
	P (%)	—	78.9	88.7	81.7	84.5	87.3	81.2	95.8	93.0
Thomas	O	56	—	49	59	47	49	57	59	58
	S	0	—	0	6	0	0	6	0	1
	D	56	—	49	64	47	49	62	59	59
	N	71	—	71	71	71	71	69	71	71
	P (%)	78.9	—	69.0	90.1	66.2	69.0	89.9	83.1	83.1
Breyer	O	61	49	—	51	60	61	50	61	60
	S	2	0	—	0	7	7	0	0	0
	D	63	49	—	51	67	68	50	61	60
	N	71	71	—	71	71	71	69	71	71
	P (%)	88.7	69.0	—	71.8	94.4	95.8	72.5	85.9	84.5
Alito	O	58	59	51	—	49	51	59	61	60
	S	0	6	0	—	0	0	8	1	1
	D	58	64	51	—	49	51	66	61	61
	N	71	71	71	—	71	71	69	71	71
	P (%)	81.7	90.1	71.8	—	69.0	71.8	95.7	85.9	85.9
Sotomayor	O	59	47	60	49	—	59	48	59	58
	S	1	0	7	0	—	7	0	0	0
	D	60	47	67	49	—	66	48	59	58
	N	71	71	71	71	—	71	69	71	71
	P (%)	84.5	66.2	94.4	69.0	—	93.0	69.6	83.1	81.7
Kagan	O	60	49	61	51	59	—	50	60	59
	S	2	0	7	0	7	—	0	0	0
	D	62	49	68	51	66	—	50	60	59
	N	71	71	71	71	71	—	69	71	71
	P (%)	87.3	69.0	95.8	71.8	93.0	—	72.5	84.5	83.1
Gorsuch	O	56	57	50	59	48	50	—	59	58
	S	0	6	0	8	0	0	—	0	1
	D	56	62	50	66	48	50	—	59	59
	N	69	69	69	69	69	69	—	69	69
	P (%)	81.2	89.9	72.5	95.7	69.6	72.5	—	85.5	85.5
Kavanaugh	O	68	59	61	61	59	60	59	—	69
	S	0	0	0	1	0	0	0	—	1
	D	68	59	61	61	59	60	59	—	69
	N	71	71	71	71	71	71	69	—	71
	P (%)	95.8	83.1	85.9	85.9	83.1	84.5	85.5	—	97.2
Barrett	O	66	58	60	60	58	59	58	69	—
	S	0	1	0	1	0	0	1	1	—
	D	66	59	60	61	58	59	59	69	—
	N	71	71	71	71	71	71	69	71	—
	P (%)	93.0	83.1	84.5	85.9	81.7	83.1	85.5	97.2	—

TABLE IV (continued)
 (B₂) VOTING ALIGNMENTS — NONUNANIMOUS ORDERS¹

		Roberts	Thomas	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett
Roberts	O	—	9	14	11	12	13	10	21	19
	S	—	0	2	0	1	2	0	0	0
	D	—	9	16	11	13	15	10	21	19
	N	—	24	24	24	24	24	23	24	24
	P (%)	—	37.5	66.7	45.8	54.2	62.5	43.5	87.5	79.2
Thomas	O	9	—	2	12	0	2	11	12	11
	S	0	—	0	6	0	0	6	0	1
	D	9	—	2	17	0	2	16	12	12
	N	24	—	24	24	24	24	23	24	24
	P (%)	37.5	—	8.3	70.8	0.0	8.3	69.6	50.0	50.0
Breyer	O	14	2	—	4	13	14	4	14	13
	S	2	0	—	0	7	7	0	0	0
	D	16	2	—	4	20	21	4	14	13
	N	24	24	—	24	24	24	23	24	24
	P (%)	66.7	8.3	—	16.7	83.3	87.5	17.4	58.3	54.2
Alito	O	11	12	4	—	2	4	13	14	13
	S	0	6	0	—	0	0	8	1	1
	D	11	17	4	—	2	4	20	14	14
	N	24	24	24	—	24	24	23	24	24
	P (%)	45.8	70.8	16.7	—	8.3	16.7	87.0	58.3	58.3
Sotomayor	O	12	0	13	2	—	12	2	12	11
	S	1	0	7	0	—	7	0	0	0
	D	13	0	20	2	—	19	2	12	11
	N	24	24	24	24	—	24	23	24	24
	P (%)	54.2	0.0	83.3	8.3	—	79.2	8.7	50.0	45.8
Kagan	O	13	2	14	4	12	—	4	13	12
	S	2	0	7	0	7	—	0	0	0
	D	15	2	21	4	19	—	4	13	12
	N	24	24	24	24	24	—	23	24	24
	P (%)	62.5	8.3	87.5	16.7	79.2	—	17.4	54.2	50.0
Gorsuch	O	10	11	4	13	2	4	—	13	12
	S	0	6	0	8	0	0	—	0	1
	D	10	16	4	20	2	4	—	13	13
	N	23	23	23	23	23	23	—	23	23
	P (%)	43.5	69.6	17.4	87.0	8.7	17.4	—	56.5	56.5
Kavanaugh	O	21	12	14	14	12	13	13	—	22
	S	0	0	0	1	0	0	0	—	1
	D	21	12	14	14	12	13	13	—	22
	N	24	24	24	24	24	24	23	—	24
	P (%)	87.5	50.0	58.3	58.3	50.0	54.2	56.5	—	91.7
Barrett	O	19	11	13	13	11	12	12	22	—
	S	0	1	0	1	0	0	1	1	—
	D	19	12	13	14	11	12	13	22	—
	N	24	24	24	24	24	24	23	24	—
	P (%)	79.2	50.0	54.2	58.3	45.8	50.0	56.5	91.7	—

TABLE IV (*continued*)

^k Table IV(B₁) records the frequency with which each Justice voted with each of the other Justices in the disposition of applications for emergency relief.

In Tables IV(B₁) and IV(B₂), “O” represents the number of decisions in which a particular pair of Justices agreed in an order disposing of an application for emergency relief. “S” represents the number of orders in which two Justices agreed in any writing separate from the memorandum order. Such separate opinions include concurrences, dissents, and “statements.” Justices who together joined more than one separate writing in a case are considered to have agreed only once. “D” represents the number of orders in which two Justices agreed in the disposition in the memorandum order, in any concurring or dissenting opinion, or in a separately written statement. An order is counted only once in the “D” category if two Justices did not dissent from a memorandum opinion and joined multiple separate concurrences. Thus, in some situations the “D” value will be less than the sum of the “O” and “S” values. “N” represents the number of opinions 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 the “D” value by the “N” value and multiplying the quotient by 100.

^l Like Table IV(B₁), Table IV(B₂) records the frequency with which each of the Justices voted with each other Justice in the disposition of applications for emergency relief, but Table IV(B₂) records these voting alignments only for cases that were not unanimously decided. An order is considered unanimous for purposes of Table IV when all Justices would have resolved the case in the exact same way and where no Justice publicly dissented. Removing the unanimous cases produces lower rates of agreement overall, providing a more accurate picture of how the Justices voted in divisive cases.

TABLE IV (*continued*)
(C) SEPARATE WRITINGS OF INDIVIDUAL JUSTICES^m

	Concurrences	Dissents	Statements	TOTAL
Roberts	0	2	0	2
Thomas	0	2	0	2
Breyer	0	4	1	5
Alito	0	5	0	5
Sotomayor	1	3	1	5
Kagan	0	5	0	5
Gorsuch	1	2	0	3
Kavanaugh	4	0	1	5
Barrett	1	0	0	1
Total	7	23	3	33

^m Table IV(C) records the number of times a Justice wrote separately in an order disposing of an application for emergency relief.