

# THE STATISTICS

## TABLE I<sup>a</sup>

### (A) ACTIONS OF INDIVIDUAL JUSTICES

	OPINIONS WRITTEN <sup>b</sup>				DISSENTING VOTES <sup>c</sup>		
	Opinions of Court <sup>d</sup>	Concurrences <sup>e</sup>	Dissents <sup>e</sup>	TOTAL	In Disposition by		
					Opinion	Memo-randum <sup>f</sup>	TOTAL
Roberts	6	1	4	11	5	0	5
Kennedy	6	5	2	13	6	0	6
Thomas	7	15	9	31	14	1	15
Ginsburg	6	3	6	15	18	0	18
Breyer	7	3	9	19	20	0	20
Alito	7	2	6	15	15	1	16
Sotomayor	7	7	9	23	21	2	23
Kagan	6	2	1	9	16	0	16
Gorsuch	7	4	6	17	11	0	11
Per Curiam	12	—	—	12	—	—	—
Total	71	42	52	165	126	4	130

<sup>a</sup> A complete explanation of how the tables are compiled may be found in *The Supreme Court, 2004 Term — The Statistics*, 119 HARV. L. REV. 415, 415–19 (2005). Table I, with the exception of the dissenting-votes portion of section (A) and the memorandum tabulations in section (C), includes only full-opinion decisions. Twelve per curiam decisions contained legal reasoning substantial enough to be considered full-opinion decisions in October Term 2017. See *Sause v. Bauer*, 138 S. Ct. 2561 (2018); *Sexton v. Beaudreaux*, 138 S. Ct. 2555 (2018); *North Carolina v. Covington*, 138 S. Ct. 2548 (2018); *Benisek v. Lamone*, 138 S. Ct. 1942 (2018); *Azar v. Garza*, 138 S. Ct. 1790 (2018); *United States v. Microsoft Corp.*, 138 S. Ct. 1186 (2018); *Kisela v. Hughes*, 138 S. Ct. 1148 (2018); *CNH Industrial N.V. v. Reese*, 138 S. Ct. 761 (2018); *Tharpe v. Sellers*, 138 S. Ct. 545 (2018); *In re United States*, 138 S. Ct. 443 (2018); *Dunn v. Madison*, 138 S. Ct. 9 (2017); *Kernan v. Cuero*, 138 S. Ct. 4 (2017).

This table includes every opinion designated by the Court as a 2017 Term Opinion except for five. See *Opinions of the Court — 2017*, SUPREME COURT OF THE UNITED STATES, <https://www.supremecourt.gov/opinions/slipopinion/17> [<https://perma.cc/ELC6-R9A5>]. In three of the omitted opinions, the Court dismissed the writ of certiorari as improvidently granted. See *Cox v. United States*, 138 S. Ct. 2273 (2018) (mem.); *Dalmazzi v. United States*, 138 S. Ct. 2273 (2018) (mem.); *City of Hays v. Vogt*, 138 S. Ct. 1683 (2018) (mem.). The remaining two omitted opinions are *Washington v. United States*, 138 S. Ct. 1832 (2018) (mem.), in which an equally divided Court affirmed the judgment of the court below, and *Montana v. Wyoming*, 138 S. Ct. 758 (2018) (mem.), in which the Court issued a decree without an opinion.

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 disents therefrom.

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

	Disposed of	Remaining on Docket	TOTAL
Original Docket	1 <sup>b</sup>	7	8
Appellate Docket <sup>c</sup>	1728	334 <sup>d</sup>	2062
Miscellaneous Docket <sup>e</sup>	4463	857 <sup>d</sup>	5320
Total	6192	1198	7390

(B) CASES GRANTED REVIEW<sup>f</sup>

	Review Granted <sup>g</sup>	Petitions Considered <sup>h</sup>	Percent Granted
Appellate Docket	70	1762	4.0%
Miscellaneous Docket	8	4467	0.2%
Total	78	6229	1.3%

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

<sup>b</sup> The case counted here is *Texas v. New Mexico*, 138 S. Ct. 954 (2018). The Court heard a second original jurisdiction case, *Florida v. Georgia*, 138 S. Ct. 2502 (2018), which is considered a full opinion disposing of the case on the merits for the purposes of Tables I(A), I(BI), I(BII), and III. Because the Court remanded the case to a Special Master, however, the Court counts *Florida v. Georgia* among the cases remaining on its docket.

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

<sup>d</sup> The number of cases remaining on the appellate and miscellaneous dockets is calculated by adding the number of cases not acted upon in the 2017 Term to the number of cases granted review in the 2017 Term but carried over to the 2018 Term.

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

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

<sup>g</sup> The number of cases granted review includes only those cases granted plenary review in the 2017 Term. It includes neither cases summarily decided nor those granted review in a previous Term and carried over to the 2017 Term. It does include cases granted review in the 2017 Term but carried over to a subsequent Term.

<sup>h</sup> The number of petitions considered is calculated by adding the number of cases docketed in the 2017 Term to the number of cases carried over from prior Terms and subtracting the number of cases not acted upon in the 2017 Term.

Microsoft Corp. v. Saint Regis Mohawk Tribe  
IPR2018-01606  
Petitioner Microsoft Corp. - Ex. 1071, p. 455