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**SUPREME COURT DECISIONS  
OVERRULED BY SUBSEQUENT DECISION**

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## SUPREME COURT DECISIONS OVERRULED BY SUBSEQUENT DECISION

While the Supreme Court sometimes expressly overrules a prior decision, in a great many instances the overruling must be deduced from the principles of related cases. Obviously, there is a chance here for a difference of opinion and this will be reflected in any listing.

The present compilation was initially based primarily upon the following sources:

- Justice Brandeis dissenting in *Burnet v. Coronado Oil and Gas Co.*, 285 U.S. 393, 406–409 nn.1–4 (1932).  
 Emmet E. Wilson, “Stare Decisis, Quo Vadis?” 33 *Geo. L.J.* 251, 254 n.17, 265 (1945);  
 William O. Douglas, “Stare Decisis,” 49 *Colum. L. Rev.* 735–43, 756–58 (1949);  
 Albert R. Blaustein and Andrew H. Field, “Overruling Opinions in the Supreme Court,” 57 *Mich. L. Rev.* 151, 184–94 (1958).

Inasmuch as there is not complete agreement among them that all of the cases listed constitute reversals by the Supreme Court of prior decisions, the following symbols have been employed to indicate the authority for inclusion in each instance:

An asterisk (\*) designates reversals stated in express terms by the Supreme Court;

The letters *B*, *D*, and *A* indicate reversals listed respectively by Justice Brandeis, Justice Douglas and Professor Blaustein;

Cases not bearing a symbol have been added by the editors of this volume.

	<i>Overruling Case</i>	<i>Overruled Case</i>
*	1. <i>Hudson v. Guestier</i> , 10 U.S. (6 Cr.) 281, 285 (1810)	<i>Rose v. Himley</i> , 8 U.S. (4 Cr.) 241 (1808)
<i>B</i>	2. <i>Gordon v. Ogden</i> , 28 U.S. (3 Pet.) 33, 34 (1830)	<i>Wilson v. Daniel</i> , 3 U.S. (3 Dall.) 401 (1798)
<i>A</i>	3. <i>Greene v. Lessee of Neal</i> , 31 U.S. (6 Pet.) 291 (1832)	<i>Patton v. Easton</i> , 14 U.S. (1 Wheat.) 476 (1816) <i>Powell's Lessee v. Harmon</i> , 27 U.S. (2 Pet.) 241 (1829)
<i>B</i>	4. <i>Louisville R.R. v. Letson</i> , 43 U.S. (2 How.) 497, 554–556 (1844)	<i>Commercial and Railroad Bank v. Slocomb</i> , 39 U.S. (14 Pet.) 60 (1840)
<i>B*</i>	5. <i>The Genessee Chief</i> , 53 U.S. (12 How.) 443, 456 (1851)	<i>A Strawbridge v. Curtiss</i> , 7 U.S. (3 Cr.) 267 (1806); and qualifying, <i>Bank of the United States v. Deveaux</i> , 9 U.S. (5 Cr.) 61 (1809) <i>The Thomas Jefferson</i> , 23 U.S. (10 Wheat.) 428 (1825); <i>The Orleans v. Phoebus</i> , 36 U.S. (11 Pet.) 175 (1837)
<i>B*</i>	6. <i>Gazzam v. Phillip's Lessee</i> , 61 U.S. (20 How.) 372, 377–378 (1858)	<i>Brown's Lessee v. Clements</i> , 44 U.S. (3 How.) 650 (1845)
<i>A</i>	7. <i>Suydam v. Williamson</i> , 65 U.S. (24 How.) 427 (1861)	<i>Williamson v. Berry</i> , 49 U.S. (8 How.) 495 (1850);

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- \* 8. *Mason v. Eldred*, 73 U.S. (6 Wall.) 231, 238 (1868)
- BD 9. *The Belfast*, 74 U.S. (7 Wall.) 624, 641 (1869)
- BD 10. *Knox v. Lee* (Legal Tender Cases), 79 U.S. (12 Wall.) 457, 553 (1871)
- D 11. *Trebilcock v. Wilson*, 79 U.S. (12 Wall.) 687 (1871)
- B\* 12. *Hornbuckle v. Toombs*, 85 U.S. (18 Wall.) 648, 652–653 (1874)
- D\* 13. *Union Pac. Ry. v. McShane*, 89 U.S. (22 Wall.) 444 (1874)
- D\* 14. *County of Cass v. Johnston*, 95 U.S. 360 (1877)
- D\* 15. *Fairfield v. County of Gallatin*, 100 U.S. 47 (1879)
- D\* 16. *Tilghman v. Proctor*, 102 U.S. 707 (1880)
- D 17. *Kilbourn v. Thompson*, 103 U.S. 168, 192–200 (1881)
- \* 18. *United States v. Phelps*, 107 U.S. 320, 323 (1883)
- BD\* 19. *Kountze v. Omaha Hotel Co.*, 107 U.S. 378, 387 (1883)
- \* 20. *Morgan v. United States*, 113 U.S. 476, 496 (1885)
- D 21. *Wabash, St.L. & P. Ry. v. Illinois*, 118 U.S. 557 (1886)
- D 22. *Philadelphia Steamship Co. v. Pennsylvania*, 122 U.S. 326 (1887)
- D 23. *In re Ayers*, 123 U.S. 443 (1887)
- BD\* 24. *Leloup v. Port of Mobile*, 127 U.S. 640, 647 (1888)
- \* 25. *Leisy v. Hardin*, 135 U.S. 100, 118 (1890)
- \* 26. *Brenham v. German-American Bank*, 144 U.S. 173, 187 (1892)
- \* 27. *Roberts v. Lewis*, 153 U.S. 367, 377 (1894)

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- Williamson v. Irish Presbyterian Congregation*, 49 U.S. (8 How.) 565 (1850); *Williamson v. Ball*, 49 U.S. (8 How.) 566 (1850)
- Sheehy v. Mandeville*, 10 U.S. (6 Cr.) 253 (1810)
- Allen v. Newberry*, 62 U.S. (21 How.) 244 (1858) (in part)
- Hepburn v. Griswold*, 75 U.S. (8 Wall.) 603 (1870)
- Roosevelt v. Meyer*, 68 U.S. (1 Wall.) 512 (1863)
- Noonan v. Lee*, 67 U.S. (2 Black) 499 (1863); *Orchard v. Hughes*, 68 U.S. (1 Wall.) 73, 77 (1864); *Dunphy v. Kleinsmith*, 78 U.S. (11 Wall.) 610 (1871)
- Kansas Pac. Ry. v. Prescott*, 83 U.S. (16 Wall.) 603 (1873) (in part)
- Harshman v. Bates County*, 92 U.S. 569 (1875)
- Town of Concord v. Savings-Bank*, 92 U.S. 625 (1875)
- Mitchell v. Tilghman*, 86 U.S. (19 Wall.) 287 (1873)
- Anderson v. Dunn*, 19 U.S. (6 Wheat.) 204 (1821)
- Shelton v. The Collector*, 72 U.S. (5 Wall.) 113, 118 (1867)
- Stafford v. The Union Bank of Louisiana*, 57 U.S. (16 How.) 135 (1853)
- Texas v. White*, 74 U.S. (7 Wall.) 700 (1869)
- Peik v. Chicago & N.W. Ry.*, 94 U.S. 164 (1877) (“substantially though not expressly overruled”)
- State Tax on Railway Gross Receipts*, 82 U.S. (15 Wall.) 284 (1873) (“basic grounds of decision repudiated”)
- Osborn v. Bank of the United States*, 22 U.S. (9 Wheat.) 738 (1824)
- Osborne v. Mobile*, 83 U.S. (16 Wall.) 479 (1873)
- Pierce v. New Hampshire*, 46 U.S. (5 How.) 504 (1847)
- Rogers v. Burlington*, 10 U.S. (3 Wall.) 654 (1866); *Mitchell v. Burlington*, 71 U.S. (4 Wall.) 270 (1867)
- Giles v. Little*, 104 U.S. 291 (1881)

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- B* 28. Pollock v. Farmers' Loan & Trust Co., 158 U.S. 601 (1895)
- \* 29. Garland v. Washington, 232 U.S. 642, 646 (1914)
- \* 30. United States v. Nice, 241 U.S. 591, 601 (1916)
- B* 31. Pennsylvania R.R. v. Towers, 245 U.S. 6, 17 (1917)
- B*\* 32. Rosen v. United States, 245 U.S. 467, 470 (1918)
- \* 33. Boston Store v. American Graphophone Co., 246 U.S. 8, 25 (1918); and Motion Picture Co. v. Universal Film Co., 243 U.S. 502, 518 (1917)
- \* 34. Terrel v. Burke Constr. Co., 257 U.S. 529, 533 (1922)
- \* 35. Lee v. Chesapeake & Ohio Ry., 260 U.S. 653, 659 (1923)
- \* 36. Alpha Cement Co. v. Massachusetts, 268 U.S. 203, 218 (1925)
- A* 37. Chesapeake & Ohio Ry. v. Leitch, 276 U.S. 429 (1928) (rehearing)
- \* 38. Gleason v. Seaboard Ry., 278 U.S. 349, 357 (1929)
- \* 39. Farmers Loan Co. v. Minnesota, 280 U.S. 204, 209 (1930)
- \* 40. East Ohio Gas Co. v. Tax Comm'n, 283 U.S. 465, 472 (1931)
- \* 41. Chicago & E.I.R.R. v. Industrial Comm'n, 284 U.S. 296 (1932)
- A* 42. Fox Film Corp. v. Doyal, 286 U.S. 123 (1932)
43. New York ex rel. Northern Finance Corp. v. Lynch, 290 U.S. 601 (1933)  
*See also:*  
United States v. City of Detroit, 355 U.S. 466, 472 n.2 (1958)
- A*\* 44. Funk v. United States, 290 U.S. 371, 373, 386 (1933);  
*See also:*  
Hawkins v. United States, 358 U.S. 74, 76 (1958)
- \* 45. West Coast Hotel Co. v. Parrish, 300 U.S. 379 (1937)

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- Hylton v. United States, 3 U.S. (3 Dall.) 171 (1796)
- Crain v. United States, 162 U.S. 625 (1896)
- Matter of Heff, 197 U.S. 488 (1905)
- Lake Shore & Mich. So. Ry. v. Smith, 173 U.S. 684 (1899) (in part)
- United States v. Reid, 53 U.S. (12 How.) 361 (1851)
- Henry v. Dick Co., 224 U.S. 1 (1912)
- Doyle v. Continental Ins. Co., 94 U.S. 535 (1877); Security Mut. Life Ins. Co. v. Prewitt, 202 U.S. 246 (1906)
- Ex parte Wisner, 203 U.S. 449 (1906); and qualifying,  
In re Moore, 209 U.S. 490 (1908)
- Baltic Mining Co. v. Massachusetts, 231 U.S. 68 (1913)
- Chesapeake & Ohio Ry. v. Leitch, 275 U.S. 507 (1927)
- Friedlander v. Texas & Pac. Ry., 130 U.S. 416 (1889) (in part)
- Blackstone v. Miller, 188 U.S. 189 (1903)
- Pennsylvania Gas Co. v. Public Serv. Comm'n, 252 U.S. 23 (1920)
- Erie R.R. v. Collins, 253 U.S. 77 (1920);  
Erie R.R. v. Szary, 253 U.S. 86 (1920)
- Long v. Rockwood, 277 U.S. 142 (1928)
- Macallen Co. v. Massachusetts, 279 U.S. 620 (1929)
- \* Stein v. Bowman, 38 U.S. (13 Pet.) 209 (1839) (in part);
- \* Hendrix v. United States, 219 U.S. 79 (1911);
- A* Logan v. United States, 144 U.S. 263 (1892);
- \* Jin Fuey Moy v. United States, 254 U.S. 189 (1920)
- Adkins v. Children's Hospital, 261 U.S. 525 (1923)
- A* Morehead v. New York ex rel. Tivaldo, 298 U.S. 587 (1936)

	<i>Overruling Case</i>	<i>Overruled Case</i>
A	46. Railroad Comm'n v. Pacific Gas Co., 302 U.S. 388 (1938) (rehearing)	Railroad Comm'n v. Pacific Gas Co., 301 U.S. 669 (1937)
*	47. Helvering v. Producers Corp., 303 U.S. 376 (1938)	Gillespie v. Oklahoma, 257 U.S. 501 (1922); Burnet v. Coronado Oil & Gas Co., 285 U.S. 393 (1932)
D*	48. Erie R.R. v. Tompkins, 304 U.S. 64, 69, 79 (1938)	Swift v. Tyson, 41 U.S. (16 Pet.) 1 (1842)
*	49. Graves v. New York ex rel. O'Keefe, 306 U.S. 466 (1939)	A Dobbins v. Commissioners of Erie County, 41 U.S. (16 Pet.) 435 (1842); Collector v. Day, 78 U.S. (11 Wall.) 113 (1871); New York ex rel. Rogers v. Graves, 299 U.S. 401 (1937); A Brush v. Commissioners, 300 U.S. 352 (1937)
A	50. Rochester Tel. Corp. v. United States, 307 U.S. 125 (1939)	Procter & Gamble v. United States, 225 U.S. 282 (1912)
D*	51. O'Malley v. Woodrough, 307 U.S. 277 (1939)	A Evans v. Gore, 253 U.S. 245 (1920)
*	52. Madden v. Kentucky, 309 U.S. 83 (1940)	Miles v. Graham, 268 U.S. 501 (1925) Colgate v. Harvey, 296 U.S. 404 (1935)
*	53. Helvering v. Hallock, 309 U.S. 106 (1940)	Helvering v. St. Louis Trust Co., 296 U.S. 39 (1935); Becker v. St. Louis Trust Co., 296 U.S. 48 (1935)
D	54. Tigner v. Texas, 310 U.S. 141 (1940)	Connolly v. Union Sewer Pipe Co., 184 U.S. 540 (1902)
*	55. United States v. Darby, 312 U.S. 100 (1941)	Hammer v. Dagenhart, 247 U.S. 251 (1918); Carter v. Carter Coal Co., 298 U.S. 238 (1936) (limited)
*	56. United States v. Chicago, M. St. P. & P.R.R., 312 U.S. 592 (1941)	United States v. Lynah, 188 U.S. 445 (1903) (in part); A United States v. Heyward, 250 U.S. 633 (1919)
*	57. Nye v. United States, 313 U.S. 33 (1941)	Toledo Newspaper Co. v. United States, 247 U.S. 402 (1918)
*	58. California v. Thompson, 313 U.S. 109 (1941)	Di Santo v. Pennsylvania, 273 U.S. 34 (1927)
D	59. United States v. Classic, 313 U.S. 299 (1941)	Newberry v. United States, 256 U.S. 232 (1921)
*	60. Olsen v. Nebraska, 313 U.S. 236 (1941)	Ribnik v. McBride, 277 U.S. 350 (1928)
*	61. Alabama v. King & Boozer, 314 U.S. 1 (1941)	Panhandle Oil Co. v. Knox, 277 U.S. 218 (1928); Graves v. Texas Company, 298 U.S. 393 (1936)
D	62. Toucey v. N.Y. Life Ins. Co., 314 U.S. 118 (1941)	Supreme Tribe of Ben-Hur v. Cauble, 255 U.S. 356 (1921)
A	63. Edwards v. California, 314 U.S. 160 (1941)	City of New York v. Miln, 36 U.S. (11 Pet.) 102 (1837)

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- \* 64. State Tax Comm'n v. Aldrich, 316 U.S. 174 (1942)
- \* 65. Williams v. North Carolina, 317 U.S. 287 (1942)
- \* 66. Brady v. Roosevelt S.S. Co., 317 U.S. 575 (1943)
- \* 67. Jones v. Opelika, 319 U.S. 103 (1943) (re-argument);  
A Murdock v. Pennsylvania, 319 U.S. 105 (1943)
- D 68. Oklahoma Tax Comm'n v. United States, 319 U.S. 598 (1943)
- \* 69. West Virginia Bd. of Educ. v. Barnette, 319 U.S. 624 (1943)
- D 70. FPC v. Hope Gas Co., 320 U.S. 591 (1944)
- D 71. Mercoid Corp. v. Mid-Continent Co., 320 U.S. 661 (1944)
- D 72. Mahnich v. Southern S.S. Co., 321 U.S. 96 (1944)
- \* 73. Smith v. Allwright, 321 U.S. 649 (1944)
- D 74. United States v. South-Eastern Underwriters' Ass'n, 322 U.S. 533 (1944)
- \* 75. Girouard v. United States, 328 U.S. 61 (1946)
- A 76. Halliburton Co. v. Walker, 329 U.S. 1 (1946) (rehearing)
- A 77. MacGregor v. Westinghouse Co., 329 U.S. 402 (1947) (rehearing)
- \* 78. Angel v. Bullington, 330 U.S. 183 (1947)
- A 79. Zap v. United States, 330 U.S. 800 (1947) (rehearing)
- A 80. Thibaut v. Car and General Ins. Corp., 332 U.S. 828 (1947) (on rehearing)
- D 81. Sherrer v. Sherrer, 334 U.S. 343 (1948)
82. Lincoln Fed. Labor Union v. Northwestern, 335 U.S. 525 (1949);  
*See also:*  
A Phelps Dodge Corp. v. NLRB, 313 U.S. 177 (1941)

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- First Nat'l Bank v. Maine, 284 U.S. 312 (1932)
- Haddock v. Haddock, 201 U.S. 562 (1906)
- Johnson v. Fleet Corp., 280 U.S. 320 (1930)
- Jones v. Opelika, 316 U.S. 584 (1942)
- Childers v. Beaver, 270 U.S. 555 (1926)
- Minersville Dist. v. Gobitis, 310 U.S. 586 (1940)
- United Railways v. West, 280 U.S. 234 (1930) (in part)
- Leeds & Catlin Co. v. Victor Talk. Mach. (No. 2), 213 U.S. 325 (1909) (limited)
- Plamals v. Pinar Del Rio, 277 U.S. 151 (1928) (in part)
- Grovey v. Townsend, 295 U.S. 45 (1935)
- Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869)
- United States v. Schwimmer, 279 U.S. 644 (1929);  
United States v. MacIntosh, 283 U.S. 605 (1931);  
United States v. Bland, 283 U.S. 636 (1931)
- Halliburton Co. v. Walker, 326 U.S. 696 (1946)
- MacGregor v. Westinghouse Co., 327 U.S. 758 (1946)
- David Lupton's Sons v. Auto. Club of Am., 225 U.S. 489 (1912) (rendered obsolete by prior change in law)
- Zap v. United States, 328 U.S. 624 (1946)
- Thibaut v. Car and General Ins. Corp., 332 U.S. 751 (1947)
- Andrews v. Andrews, 188 U.S. 14 (1903) (in part)
- Adair v. United States, 208 U.S. 161 (1908)
- Coppage v. Kansas, 236 U.S. 1 (1915)

- |    | <i>Overruling Case</i>   | <i>Overruled Case</i>   |
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| A* | 83. Commissioner v. Estate of Church, 335 U.S. 632, 637 (1949)   | May v. Heiner, 281 U.S. 238 (1930)  |
| A  | 84. Ott v. Mississippi Barge Line, 336 U.S. 169 (1949)   | St. Louis v. Ferry Company, 78 U.S. (11 Wall.) 423 (1870);<br>Old Dominion S.S. Co. v. Virginia, 198 U.S. 299 (1905);<br>Ayer & Lord Co. v. Kentucky, 202 U.S. 409 (1906)   |
| *  | 85. Oklahoma Tax Comm'n v. Texas Co., 336 U.S. 342 (1949)  | Choctaw & Gulf R.R. v. Harrison, 235 U.S. 292 (1914);<br>Indian Oil Co. v. Oklahoma, 240 U.S. 522 (1916);<br>Howard v. Gipsy Oil Co., 247 U.S. 503 (1918);<br>Large Oil Co. v. Howard, 248 U.S. 549 (1919);<br>Oklahoma v. Barnsdall Corp., 296 U.S. 521 (1936) |
| *  | 86. Cosmopolitan Co. v. McAllister, 337 U.S. 783 (1949)  | Hust v. Moore-McCormack Lines, 328 U.S. 707 (1946)  |
| *  | 87. United States v. Rabinowitz, 339 U.S. 56, 66, 85 (1950)  | Trupiano v. United States, 334 U.S. 699 (1948);<br>McDonald v. United States, 335 U.S. 451 (1948)   |
| A* | 88. Joseph Burstyn, Inc. v. Wilson, 343 U.S. 495, 502 (1952)   | Mutual Film Corp. v. Ohio Indus. Comm'n, 236 U.S. 230 (1915)  |
| *  | 89. Brown v. Board of Education, 347 U.S. 483, 491, 494-495 (1954)   | Cumming v. Board of Education, 175 U.S. 528 (1899);<br>Gong Lum v. Rice, 275 U.S. 78 (1927)   |
| A  | 90. In re Isserman, 348 U.S. 1 (1954) (on rehearing)   | In re Isserman, 345 U.S. 286 (1953)   |
| A  | 91. Gayle v. Browder, 352 U.S. 903 (1956)  | Plessy v. Ferguson, 163 U.S. 537 (1896)   |
| *  | 92. Reid v. Covert, 354 U.S. 1 (1957)  | Kinsella v. Krueger, 351 U.S. 470 (1956);<br>Reid v. Covert, 351 U.S. 487 (1956)  |
| *  | 93. Vanderbilt v. Vanderbilt, 354 U.S. 416, 419 (1957);<br><i>See also:</i>  | Thompson v. Thompson, 226 U.S. 551 (1913)   |
| *  | Armstrong v. Armstrong, 350 U.S. 568, 581 (1956)   |   |
| *  | 94. Ladner v. United States, 358 U.S. 169 (1958) (on rehearing)  | Ladner v. United States, 355 U.S. 282 (1958)  |
| *  | 95. United States v. Raines, 362 U.S. 17, 27 (1960)  | United States v. Reese, 92 U.S. 214, 220-221 (1876)   |
| *  | 96. Elkins v. United States, 364 U.S. 206, 210, 212-213, 283 (1960);<br>Rios v. United States, 364 U.S. 253 (1960) | Weeks v. United States, 232 U.S. 383, 398 (1914) (in part);<br>Center v. United States, 267 U.S. 575 (1925);<br>Byars v. United States, 273 U.S. 28, 33 (1927) (in part);<br>Feldman v. United States, 322 U.S. 487, 492 (1944) (in part)                       |



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- \* 97. *James v. United States*, 366 U.S. 213, 215, 221, 223, 241 (1961)
- \* 98. *Mapp v. Ohio*, 367 U.S. 643, 653–655 (1961);  
*See also:*  
*Ker v. California*, 374 U.S. 23, 45, 53, 59 (1963)
- \* 99. *Baker v. Carr*, 369 U.S. 186, 277, 280 (1962)
- \* 100. *Wesberry v. Sanders*, 376 U.S. 1 (1964)
- \* 101. *Smith v. Evening News Ass'n*, 371 U.S. 195, 199 (1962);  
*See also:*  
*Truck Drivers Union v. Riss & Co.*, 372 U.S. 517, 520 (1963)
- \* 102. *Construction Laborers v. Curry*, 371 U.S. 542, 552, 554 (1963)
- \* 103. *Gideon v. Wainwright*, 372 U.S. 335 (1963)
- \* 104. *Gray v. Sanders*, 372 U.S. 368, 383 (1963)
- \* 105. *Fay v. Noia*, 372 U.S. 391, 435 (1963)
- \* 106. *Ferguson v. Skrupa*, 372 U.S. 726, 731 (1963)
- 107. *Schneider v. Rusk*, 377 U.S. 163 (1964)
- \* 108. *Malloy v. Hogan*, 378 U.S. 1, 6 (1964)
- \* 109. *Murphy v. Waterfront Comm'n*, 378 U.S. 52, 57, 77 (1964)
- \* 110. *Jackson v. Denno*, 378 U.S. 368, 391 (1964)
- 111. *Escobedo v. Illinois*, 378 U.S. 478, 491–492 (1964)
- \* 112. *Pointer v. Texas*, 380 U.S. 400, 406 (1965)
- 113. *Gold v. DiCarlo*, 380 U.S. 520 (1965)

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- Commissioner v. Wilcox*, 327 U.S. 404 (1946)
- Wolf v. Colorado*, 338 U.S. 25 (1949) (in part)
- Irvine v. California*, 347 U.S. 128 (1954) (in part)
- Colegrove v. Green*, 328 U.S. 549 (1946) (in part);  
*Colegrove v. Barrett*, 330 U.S. 804 (1947)
- Westinghouse Employees v. Westinghouse Corp.*, 348 U.S. 437 (1955) (in part)
- Building Union v. Ledbetter Co.*, 344 U.S. 178 (1952) (in part)
- Betts v. Brady*, 316 U.S. 455 (1942)
- Cook v. Fortson*, *Turman v. Duckworth*, 329 U.S. 675 (1946);  
*South v. Peters*, 339 U.S. 276 (1950);  
*Cox v. Peters*, 342 U.S. 936 (1952);  
*Hartsfield v. Sloan*, 357 U.S. 916 (1958)
- Darr v. Burford*, 339 U.S. 200 (1950) (in part)
- Adams v. Tanner*, 244 U.S. 590 (1917)
- Mackenzie v. Hare*, 239 U.S. 299 (1915)
- Twining v. New Jersey*, 211 U.S. 78 (1908)
- Adamson v. California*, 332 U.S. 46 (1947)
- Jack v. Kansas*, 199 U.S. 372 (1905);  
*United States v. Murdock*, 284 U.S. 141 (1931);  
*Feldman v. United States*, 322 U.S. 487 (1944);  
*Knapp v. Schweitzer*, 357 U.S. 371 (1958);  
*Mills v. Louisiana*, 360 U.S. 230 (1959)
- Stein v. New York*, 346 U.S. 156 (1953)
- Crooker v. California*, 357 U.S. 433 (1958);  
*Cicenia v. LaGay*, 357 U.S. 504 (1958)
- West v. Louisiana*, 194 U.S. 258 (1904)
- Tyson & Bro. v. Banton*, 273 U.S. 418 (1927)

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- \* 114. Swift & Co. v. Wickham, 382 U.S. 111 (1965)
- \* 115. Harris v. United States, 382 U.S. 162 (1965)
- \* 116. Harper v. Virginia Bd. of Elections, 383 U.S. 663 (1966)
- \* 117. Spevack v. Klein, 385 U.S. 511 (1967)
- 118. Keyishian v. Board of Regents, 385 U.S. 589 (1967)
- \* 119. Afroyim v. Rusk, 387 U.S. 253 (1967)
- \* 120. Warden v. Hayden, 387 U.S. 294 (1967)
- \* 121. Camara v. Municipal Court, 387 U.S. 523 (1967)
- 122. Berger v. New York, 388 U.S. 41 (1967)
- \* 123. Katz v. United States, 389 U.S. 347 (1967)
- \* 124. Peyton v. Rowe, 391 U.S. 54 (1968)
- \* 125. Bruton v. United States, 391 U.S. 123 (1968)
- 126. Duncan v. Louisiana, 391 U.S. 145 (1968)
- \* 127. Carafas v. LaVallee, 391 U.S. 234 (1968)
- \* 128. Lee v. Florida, 392 U.S. 378 (1968)
- \* 129. Jones v. Alfred H. Mayer Co., 392 U.S. 409, 441–443 (1968)
- \* 130. Moore v. Ogilvie, 394 U.S. 814 (1969)
- \* 131. Brandenburg v. Ohio, 395 U.S. 444 (1969)
- \* 132. Chimel v. California, 395 U.S. 752 (1969)
- \* 133. Benton v. Maryland, 395 U.S. 784 (1969)
- 134. Ashe v. Swenson, 397 U.S. 436 (1970)
- \* 135. Boys Markets v. Retail Clerks Union, 398 U.S. 235 (1970)
- \* 136. Price v. Georgia, 398 U.S. 323, 329–330 (1970)
- \* 137. Moragne v. States Marine Lines, 398 U.S. 375 (1970)
- \* 138. Williams v. Florida, 399 U.S. 78 (1970)

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- Kesler v. Department of Pub. Safety, 369 U.S. 153 (1962) (in part)
- Brown v. United States, 359 U.S. 41 (1959)
- Breedlove v. Suttles, 302 U.S. 277 (1937)
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- Adler v. Board of Education, 342 U.S. 485 (1952)
- Perez v. Brownell, 356 U.S. 44 (1958)
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- Frank v. Maryland, 359 U.S. 360 (1959)
- Olmstead v. United States, 277 U.S. 438 (1928) (in part)
- Olmstead v. United States, 277 U.S. 438 (1928);
- Goldman v. United States, 316 U.S. 129 (1942)
- McNally v. Hill, 293 U.S. 131 (1934)
- Delli Paoli v. United States, 352 U.S. 232 (1957)
- Maxwell v. Dow, 176 U.S. 581 (1900)
- Parker v. Ellis, 362 U.S. 574 (1960)
- Schwartz v. Texas, 344 U.S. 199 (1952)
- Hodges v. United States, 203 U.S. 1 (1906)
- MacDougall v. Green, 335 U.S. 281 (1948)
- Whitney v. California, 274 U.S. 357 (1927)
- Harris v. United States, 331 U.S. 145 (1947)
- United States v. Rabinowitz, 339 U.S. 56 (1950)
- Palko v. Connecticut, 302 U.S. 319 (1937)
- Hoag v. New Jersey, 356 U.S. 464 (1958)
- Sinclair Refining Co. v. Atkinson, 370 U.S. 195 (1962)
- Brantley v. Georgia, 217 U.S. 284 (1910)
- The Harrisburg, 119 U.S. 199 (1886)
- Thompson v. Utah, 170 U.S. 343 (1898) (in part);

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- \* 139. *Blonder-Tongue Labs v. University of Ill. Found.*, 402 U.S. 313 (1971)
- \* 140. *Perez v. Campbell*, 402 U.S. 637 (1971)
- \* 141. *Griffin v. Breckenridge*, 403 U.S. 88 (1971)
- \* 142. *Dunn v. Blumstein*, 405 U.S. 330 (1972)
- \* 143. *Andrews v. Louisville & Nashville R.R.*, 406 U.S. 320 (1972)
- \* 144. *Lehnhausen v. Lake Shore Auto Parts Co.*, 410 U.S. 356 (1973)
- \* 145. *Braden v. 30th Judicial Circuit Court*, 410 U.S. 484 (1973)
- \* 146. *Miller v. California*, 413 U.S. 15 (1973)
- \* 147. *North Dakota Pharmacy Bd. v. Snyder's Drug Stores*, 414 U.S. 156 (1973)
- \* 148. *Edelman v. Jordan*, 415 U.S. 651 (1974)
- \* 149. *Mitchell v. W. T. Grant Co.*, 416 U.S. 600 (1974)
- \* 150. *Taylor v. Louisiana*, 419 U.S. 522 (1975)
- \* 151. *United States v. Reliable Transfer Co.*, 421 U.S. 397 (1975)
- \* 152. *Michelin Tire Corp. v. Wages*, 423 U.S. 276 (1976)
- \* 153. *Dove v. United States*, 423 U.S. 325 (1976)
- \* 154. *Hudgens v. NLRB*, 424 U.S. 507 (1976)
- \* 155. *Virginia Bd. of Pharmacy v. Virginia Citizens Consumer Council*, 425 U.S. 748 (1976)
- \* 156. *National League of Cities v. Usery*, 426 U.S. 833 (1976)
- \* 157. *Machinists & Aerospace Workers v. WERC*, 427 U.S. 132 (1976)
- \* 158. *City of New Orleans v. Duke*, 427 U.S. 297 (1976)
- \* 159. *Gregg v. Georgia*, 428 U.S. 153, 195 n.47 (1976)

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- Ahrens v. Clark*, 335 U.S. 188 (1948)
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- Liggett Co. v. Baldridge*, 278 U.S. 105 (1928)
- Shapiro v. Thompson*, 394 U.S. 618 (1969) (in part);
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- Sterrett v. Mothers' & Children's Rights Organization*, 409 U.S. 809 (1973);
- Wyman v. Bowens*, 397 U.S. 49 (1970)
- Fuentes v. Shevin*, 407 U.S. 67 (1972) (in part)
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- The Schooner Catherine v. Dickinson*, 58 U.S. (17 How.) 170 (1854)
- Low v. Austin*, 80 U.S. (13 Wall.) 29 (1872)
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- Valentine v. Chrestensen*, 316 U.S. 52 (1942)
- Maryland v. Wirtz*, 392 U.S. 183 (1968)
- UAW v. WERB*, 336 U.S. 245 (1949)
- Morey v. Doud*, 354 U.S. 457 (1957)
- McGautha v. California*, 402 U.S. 183 (1971)

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| * 160. Craig v. Boren, 429 U.S. 190, 210 n.23 (1976)                                     | Goesaert v. Cleary, 335 U.S. 464 (1948)  |
| * 161. Oregon ex rel. State Land Bd. v. Corvallis Sand & Gravel Co., 429 U.S. 363 (1977) | Bonelli Cattle Co. v. Arizona, 414 U.S. 313 (1973)   |
| * 162. Complete Auto Transit v. Brady, 430 U.S. 274 (1977)                               | Spector Motor Service v. O'Connor, 340 U.S. 602 (1951)   |
| * 163. Continental T. V. v. GTE Sylvania, 433 U.S. 36 (1977)                             | United States v. Arnold, Schwinn & Co., 388 U.S. 365 (1967)  |
| * 164. Shaffer v. Heitner, 433 U.S. 186 (1977)   | Pennoyer v. Neff, 95 U.S. 714 (1878)   |
| * 165. Department of Revenue v. Washington Stevedoring Cos., 435 U.S. 734 (1978)         | Puget Sound Stevedoring Co. v. State Tax Comm'n, 302 U.S. 90 (1937);<br>Joseph v. Carter & Weekes Stevedoring Co., 330 U.S. 422 (1947)   |
| * 166. Monell v. New York City Dep't of Social Services, 436 U.S. 658 (1978)             | Monroe v. Pape, 365 U.S. 167 (1961) (in part);<br>City of Kenosha v. Bruno, 412 U.S. 507 (1973) (in part);<br>Moor v. County of Alameda, 411 U.S. 693 (1973) (in part);<br>Aldinger v. Howard, 427 U.S. 1 (1976)                     |
| * 167. Burks v. United States, 437 U.S. 1 (1978)   | Bryan v. United States, 338 U.S. 552 (1950) (in part);<br>Sapir v. United States, 348 U.S. 373 (1955) (in part);<br>Yates v. United States, 354 U.S. 298 (1957) (in part);<br>Forman v. United States, 361 U.S. 416 (1960) (in part) |
| * 168. United States v. Scott, 437 U.S. 82 (1978)  | United States v. Jenkins, 420 U.S. 358 (1975)  |
| 169. Duren v. Missouri, 439 U.S. 357 (1978)  | Hoyt v. Florida, 368 U.S. 57 (1961)  |
| 170. Hughes v. Oklahoma, 441 U.S. 322 (1979)   | Geer v. Connecticut, 161 U.S. 519 (1896)   |
| 171. Trammel v. United States, 445 U.S. 40 (1980)  | Hawkins v. United States, 358 U.S. 74 (1958)   |
| * 172. United States v. Salvucci, 448 U.S. 83 (1980)                                     | Jones v. United States, 362 U.S. 257 (1964)  |
| 173. Commonwealth Edison Co. v. Montana, 453 U.S. 609 (1981)                             | Heisler v. Thomas Colliery Co., 260 U.S. 245 (1922)  |
| * 174. United States v. Ross, 456 U.S. 798 (1982)  | Robbins v. California, 453 U.S. 420 (1981)   |
| * 175. Sporhase v. Nebraska ex rel. Douglas, 458 U.S. 941 (1982)                         | Hudson County Water Co. v. McCarter, 209 U.S. 349 (1908)   |
| * 176. Illinois v. Gates, 462 U.S. 213 (1983).   | Aguilar v. Texas, 378 U.S. 108 (1964);<br>Spinelli v. United States, 393 U.S. 410 (1969).  |
| 177. Pennhurst State School & Hosp. v. Halderman, 465 U.S. 89 (1984).                    | Rolston v. Missouri Fund Comm'rs, 120 U.S. 390 (1887) (in part);<br>Siler v. Louisville & Nashville R.R. 213 U.S. 175 (1909) (in part);  |

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- \* 178. *United States v. One Assortment of 89 Firearms*, 465 U.S. 354 (1984).
- \* 179. *Limbach v. Hooven & Allison Co.*, 466 U.S. 353 (1984).
- 180. *Copperweld Corp. v. Independence Tube Corp.*, 467 U.S. 752 (1984).
- \* 181. *Garcia v. San Antonio Metro. Transit Auth.*, 469 U.S. 528 (1985).
- \* 182. *United States v. Miller*, 471 U.S. 130 (1985).
- \* 183. *Daniels v. Williams*, 474 U.S. 327 (1986).
- 184. *United States v. Lane*, 474 U.S. 438 (1986).
- \* 185. *Batson v. Kentucky*, 476 U.S. 79 (1986).
- \* 186. *Puerto Rico v. Branstad*, 483 U.S. 219 (1987).
- \* 187. *Solorio v. United States*, 483 U.S. 435 (1987).
- \* 188. *Welch v. Texas Dep't of Highways and Transp.*, 483 U.S. 468 (1987).
- \* 189. *Gulfstream Aerospace Corp. v. Mayacamas Corp.*, 485 U.S. 271 (1988).
- \* 190. *South Carolina v. Baker*, 485 U.S. 505 (1988).
- \* 191. *Thornburgh v. Abbott*, 490 U.S. 401 (1989).
- \* 192. *Rodriguez de Quijas v. Shearson/American Express*, 490 U.S. 477 (1989).
- \* 193. *Alabama v. Smith*, 490 U.S. 794 (1989).
- \* 194. *Healy v. Beer Institute*, 491 U.S. 324 (1989).

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- Atchison, T. & S.F. Ry. v. O'Connor*, 223 U.S. 280 (1912) (in part);
- Greene v. Louisville & Interurban R.R.*, 244 U.S. 499 (1917) (in part);
- Johnson v. Lankford*, 245 U.S. 541 (1918) (in part);
- Numerous other cases fall more or less under the *Pennhurst* doctrine. *See* 465 U.S., 109–111 nn.17–21, 117–121 (maj.op.), and *id.*, 130–37, 159–163, 165–166 nn.50 & 52 (dissent) (listing 28 cases).
- Coffey v. United States*, 116 U.S. 436 (1886).
- Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945).
- United States v. Yellow Cab Co.*, 332 U.S. 218 (1947);
- Kiefer-Stewart Co. v. Jos. E. Seagram & Sons*, 340 U.S. 211 (1951).
- National League of Cities v. Usery*, 426 U.S. 833 (1976).
- Ex parte Bain*, 121 U.S. 1 (1887) (in part).
- Parratt v. Taylor*, 451 U.S. 527 (1981) (in part).
- McElroy v. United States*, 164 U.S. 76 (1896).
- Swain v. Alabama*, 380 U.S. 202 (1965) (in part).
- Kentucky v. Dennison*, 65 U.S. (24 How.) 66 (1861).
- O'Callahan v. Parker*, 395 U.S. 258 (1969).
- Parden v. Terminal Ry.*, 377 U.S. 184 (1964) (in part).
- Enelow v. New York Life Ins. Co.*, 293 U.S. 379 (1935);
- Ettelson v. Metropolitan Life Ins. Co.*, 317 U.S. 188 (1942).
- Pollock v. Farmers' Loan & Trust Co.*, 157 U.S. 429 (1895).
- Procurier v. Martinez*, 416 U.S. 396 (1974) (in part).
- Wilko v. Swann*, 346 U.S. 427 (1953).
- Simpson v. Rice*, 395 U.S. 711 (1969).
- Joseph E. Seagram & Sons v. Hostetter*, 384 U.S. 35 (1966).

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195. W.S. Kirkpatrick & Co. v. Environmental Telectronics Corp., 493 U.S. 400 (1990).
- \* 196. Collins v. Youngblood, 497 U.S. 37 (1990).
197. Arizona v. Fulminante, 499 U.S. 279 (1991)
- \* 198. California v. Acevedo, 500 U.S. 565 (1991)
- \* 199. Exxon Corp. v. Central Gulf Lines, Inc. 500 U.S. 603 (1991).
200. Coleman v. Thompson, 501 U.S. 722 (1991).
- \* 201. Payne v. Tennessee, 501 U.S. 808 (1991).
- \* 202. Keeney v. Tamayo-Reyes, 112 S. Ct. 1715 (1992).
- \* 203. Quill Corp. v. North Dakota, 112 S. Ct. 1904 (1992).
- \* 204. Planned Parenthood of S.E. Pennsylvania v. Casey, 112 S. Ct. 2791 (1992).

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- American Banana Co. v. United Fruit Co., 213 U.S. 347 (1909).
- Kring v. Missouri, 107 U.S. 221 (1883);  
Thompson v. Utah, 170 U.S. 343 (1898).  
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- Arkansas v. Sanders, 442 U.S. 743 (1979).
- Minturn v. Maynard, 58 U.S. (17 How.) 476 (1855).
- Fay v. Noia, 372 U.S. 391 (1963).
- Booth v. Maryland, 482 U.S. 496 (1987);  
South Carolina v. Gathers, 490 U.S. 805 (1989).
- Townsend v. Sain, 372 U.S. 293 (1963) (in part).
- National Bellas Hess, Inc. v. Department of Revenue, 386 U.S. 753 (1967) (in part).
- City of Akron v. Akron Center for Reproductive Health, 462 U.S. 416 (1983) (in part);  
Thornburgh v. American College of Obstetricians and Gynecologists, 476 U.S. 747 (1986) (in part).