
**SUPREME COURT DECISIONS
OVERRULED BY SUBSEQUENT DECISION**

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While the Supreme Court sometimes expressly overrules a prior decision, in other 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).

Asterisks (*) identify cases expressly overruled.

<i>Overruling Case</i>	<i>Overruled Case</i>
* 1. Hudson v. Guestier 10 U.S. (6 Cr.) 281, 285 (1810)	Rose v. Himley 8 U.S. (4 Cr.) 241 (1808)
2. Gordon v. Ogden 28 U.S. (3 Pet.) 33, 34 (1830)	Wilson v. Daniel 3 U.S. (3 Dall.) 401 (1798)
3. Greene v. Lessee of Neal 31 U.S. (6 Pet.) 291 (1832)	Patton v. Easton 14 U.S. (1 Wheat.) 476 (1816)
	Powell's Lessee v. Harmon 27 U.S. (2 Pet.) 241 (1829)
4. Louisville R.R. v. Letson 43 U.S. (2 How.) 497, 554–556 (1844)	Commercial and Railroad Bank v. Slocomb 39 U.S. (14 Pet.) 60 (1840)
	Strawbridge v. Curtiss 7 U.S. (3 Cr.) 267 (1806); and qualifying,
	Bank of the United States v. Deveaux 9 U.S. (5 Cr.) 61 (1809)
* 5. The Genessee Chief 53 U.S. (12 How.) 443, 456 (1851)	The Thomas Jefferson 23 U.S. (10 Wheat.) 428 (1825);
	The Orleans v. Phoebus 36 U.S. (11 Pet.) 175 (1837)
* 6. Gazzam v. Phillip's Lessee 61 U.S. (20 How.) 372, 377–378 (1858)	Brown's Lessee v. Clements 44 U.S. (3 How.) 650 (1845)
7. Suydam v. Williamson 65 U.S. (24 How.) 427 (1861)	Williamson v. Berry 49 U.S. (8 How.) 495 (1850);
	Williamson v. Irish Presbyterian Congregation 49 U.S. (8 How.) 565 (1850);
	Williamson v. Ball 49 U.S. (8 How.) 566 (1850)
* 8. Mason v. Eldred 73 U.S. (6 Wall.) 231, 238 (1868)	Sheehy v. Mandeville 10 U.S. (6 Cr.) 253 (1810)
9. The Belfast 74 U.S. (7 Wall.) 624, 641 (1869)	Allen v. Newberry 62 U.S. (21 How.) 244 (1858) (in part)
10. Knox v. Lee (Legal Tender Cases) 79 U.S. (12 Wall.) 457, 553 (1871)	Hepburn v. Griswold 75 U.S. (8 Wall.) 603 (1870)

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11. *Trebilcock v. Wilson* 79 U.S. (12 Wall.) 687 (1871)
- * 12. *Hornbuckle v. Toombs* 85 U.S. (18 Wall.) 648, 652–653 (1874)
- * 13. *Union Pac. Ry. v. McShane* 89 U.S. (22 Wall.) 444 (1874)
- * 14. *County of Cass v. Johnston* 95 U.S. 360 (1877)
- * 15. *Fairfield v. County of Gallatin* 100 U.S. 47 (1879)
- * 16. *Tilghman v. Proctor* 102 U.S. 707 (1880)
17. *Kilbourn v. Thompson* 103 U.S. 168, 192–200 (1881)
- * 18. *United States v. Phelps* 107 U.S. 320, 323 (1883)
- * 19. *Kountze v. Omaha Hotel Co.* 107 U.S. 378, 387 (1883)
- * 20. *Morgan v. United States* 113 U.S. 476, 496 (1885)
21. *Wabash St.L. & P. Ry. v. Illinois*, 118 U.S. 557 (1886)
22. *Philadelphia Steamship Co. v. Pennsylvania* 122 U.S. 326 (1887)
23. *In re Ayers* 123 U.S. 443 (1887)
- * 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)
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)
31. *Pennsylvania R.R. v. Towers* 245 U.S. 6, 17 (1917)
- * 32. *Rosen v. United States* 245 U.S. 467, 470 (1918)

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- 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)
- 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)

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- * 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)
- 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)
- 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)
- * 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)
- 46. Railroad Comm'n v. Pacific Gas Co. 302 U.S. 388 (1938) (rehearing)
- * 47. Helvering v. Producers Corp. 303 U.S. 376 (1938)
- * 48. Erie R.R. v. Tompkins 304 U.S. 64, 69, 79 (1938)

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- 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);
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)
- Morehead v. New York ex rel. Tipaldo 298 U.S. 587 (1936)
- Railroad Comm'n v. Pacific Gas Co. 301 U.S. 669 (1937)
- Gillespie v. Oklahoma 257 U.S. 501 (1922);
Burnet v. Coronado Oil & Gas Co. 285 U.S. 393 (1932)
- Swift v. Tyson 41 U.S. (16 Pet.) 1 (1842)

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- * 49. *Graves v. New York ex rel. O'Keefe* 306 U.S. 466 (1939)
- 50. *Rochester Tel. Corp. v. United States* 307 U.S. 125 (1939)
- * 51. *O'Malley v. Woodrough* 307 U.S. 277 (1939)
- * 52. *Madden v. Kentucky* 309 U.S. 83 (1940)
- * 53. *Helvering v. Hallock* 309 U.S. 106 (1940)
- 54. *Tigner v. Texas* 310 U.S. 141 (1940)
- * 55. *United States v. Darby* 312 U.S. 100 (1941)
- * 56. *United States v. Chicago M. St. P. & P.R.R.* 312 U.S. 592 (1941)
- * 57. *Nye v. United States* 313 U.S. 33 (1941)
- * 58. *California v. Thompson* 313 U.S. 109 (1941)
- 59. *United States v. Classic* 313 U.S. 299 (1941)
- * 60. *Olsen v. Nebraska* 313 U.S. 236 (1941)
- * 61. *Alabama v. King & Boozer* 314 U.S. 1 (1941)
- 62. *Toucey v. N.Y. Life Ins. Co.* 314 U.S. 118 (1941)
- 63. *Edwards v. California* 314 U.S. 160 (1941)
- * 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); *Murdock v. Pennsylvania* 319 U.S. 105 (1943)

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- 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); *Brush v. Commissioners* 300 U.S. 352 (1937)
- Procter & Gamble v. United States* 225 U.S. 282 (1912)
- Evans v. Gore* 253 U.S. 245 (1920)
- Miles v. Graham* 268 U.S. 501 (1925)
- Colgate v. Harvey* 296 U.S. 404 (1935)
- Helvering v. St. Louis Trust Co.* 296 U.S. 39 (1935); *Becker v. St. Louis Trust Co.* 296 U.S. 48 (1935)
- Connolly v. Union Sewer Pipe Co.* 184 U.S. 540 (1902)
- Hammer v. Dagenhart* 247 U.S. 251 (1918); *Carter v. Carter Coal Co.* 298 U.S. 238 (1936) (limited)
- United States v. Lynah* 188 U.S. 445 (1903) (in part); *United States v. Heyward* 250 U.S. 633 (1919)
- Toledo Newspaper Co. v. United States* 247 U.S. 402 (1918)
- Di Santo v. Pennsylvania* 273 U.S. 34 (1927)
- Newberry v. United States* 256 U.S. 232 (1921)
- Ribnik v. McBride* 277 U.S. 350 (1928)
- Panhandle Oil Co. v. Knox* 277 U.S. 218 (1928); *Graves v. Texas Company* 298 U.S. 393 (1936)
- Supreme Tribe of Ben-Hur v. Cauble* 255 U.S. 356 (1921)
- City of New York v. Miln* 36 U.S. (11 Pet.) 102 (1837)
- 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)

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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)
70. FPC v. Hope Gas Co. 320 U.S. 591 (1944)
71. Mercoid Corp. v. Mid-Continent Co. 320 U.S. 661 (1944)
72. Mahnich v. Southern S.S. Co. 321 U.S. 96 (1944)
- * 73. Smith v. Allwright 321 U.S. 649 (1944)
74. United States v. South-Eastern Underwriters' Ass'n 322 U.S. 533 (1944)
- * 75. Girouard v. United States 328 U.S. 61 (1946)
76. Halliburton Co. v. Walker 329 U.S. 1 (1946) (rehearing)
77. MacGregor v. Westinghouse Co. 329 U.S. 402 (1947) (rehearing)
- * 78. Angel v. Bullington 330 U.S. 183 (1947)
79. Zap v. United States 330 U.S. 800 (1947) (rehearing)
80. Thibaut v. Car and General Ins. Corp. 332 U.S. 828 (1947) (on rehearing)
81. Sherrer v. Sherrer 334 U.S. 343 (1948)
82. Lincoln Fed. Labor Union v. Northwestern 335 U.S. 525 (1949)
See also:
Phelps Dodge Corp. v. NLRB 313 U.S. 177 (1941)
- * 83. Commissioner v. Estate of Church 335 U.S. 632, 637 (1949)
84. Ott v. Mississippi Barge Line 336 U.S. 169 (1949)
- * 85. Oklahoma Tax Comm'n v. Texas Co. 336 U.S. 342 (1949)

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- Childers v. Beaver 270 U.S. 555 (1926)
- Minersville School 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)
- May v. Heiner 281 U.S. 238 (1930)
- St. Louis v. Ferry Company 78 U.S. (11 Wall.) 423 (1870);
Old Dominion S.S. Co. v. Virginia 198 U.S. 299 (1905);
Ayer & Lord Co. v. Kentucky 202 U.S. 409 (1906)
- Choctaw O. & G. R.R. v. Harrison 235 U.S. 292 (1914);
Indian Oil Co. v. Oklahoma 240 U.S. 522 (1916);

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- * 86. *Cosmopolitan Co. v. McAllister* 337 U.S. 783 (1949)
- * 87. *United States v. Rabinowitz* 339 U.S. 56, 66, 85 (1950)
- * 88. *Joseph Burstyn Inc. v. Wilson*, 343 U.S. 495, 502 (1952)
- * 89. *Brown v. Board of Education* 347 U.S. 483, 491, 494–495 (1954)
90. *In re Isserman* 348 U.S. 1 (1954) (on rehearing)
91. *Gayle v. Browder* 352 U.S. 903 (1956)
- * 92. *Reid v. Covert* 354 U.S. 1 (1957)
- * 93. *Vanderbilt v. Vanderbilt* 354 U.S. 416, 419 (1957);
See also:
Armstrong v. Armstrong 350 U.S. 568, 581 (1956)
- * 94. *Ladner v. United States* 358 U.S. 169 (1958) (on rehearing)
- * 95. *United States v. Raines* 362 U.S. 17, 27 (1960)
- * 96. *Elkins v. United States* 364 U.S. 206, 210, 212–213, 283 (1960);
Rios v. United States 364 U.S. 253 (1960)
- * 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)

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- Howard v. Gipsy Oil Co.* 247 U.S. 503 (1918);
Large Oil Co. v. Howard 248 U.S. 549 (1919);
Oklahoma v. Barnsdall Corp. 296 U.S. 521 (1936)
- Hust v. Moore-McCormack Lines* 328 U.S. 707 (1946)
- Trupiano v. United States* 334 U.S. 699 (1948);
McDonald v. United States 335 U.S. 451 (1948)
- Mutual Film Corp. v. Ohio Indus. Comm'n* 236 U.S. 230 (1915)
- Cumming v. Richmond County Bd. of Educ.* 175 U.S. 528 (1899);
Gong Lum v. Rice 275 U.S. 78 (1927)
- In re Isserman* 345 U.S. 286 (1953)
- Plessy v. Ferguson* 163 U.S. 537 (1896)
- Kinsella v. Krueger* 351 U.S. 470 (1956);
Reid v. Covert 351 U.S. 487 (1956)
- Thompson v. Thompson* 226 U.S. 551 (1913)
- Ladner v. United States* 355 U.S. 282 (1958)
- United States v. Reese* 92 U.S. 214, 220–221 (1876)
- Weeks v. United States* 232 U.S. 383, 398 (1914) (in part);
Center v. United States 267 U.S. 575 (1925);
Byars v. United States 273 U.S. 28, 33 (1927) (in part);
Feldman v. United States 322 U.S. 487, 492 (1944) (in part)
- 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)

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- * 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)
- * 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)

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- 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* 329 U.S. 675 (1946)
- 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)
- 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)
- Butler v. Thompson* 341 U.S. 937 (1951)
- Cohen v. Hurley* 366 U.S. 117 (1961)
- Adler v. Board of Education* 342 U.S. 485 (1952)

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- * 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)
- * 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)

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- Perez v. Brownell* 356 U.S. 44 (1958)
- Gouled v. United States* 255 U.S. 298 (1921)
- 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);
- Rassmussen v. United States* 197 U.S. 516 (1905) (in part)
- Triplett v. Lowell* 297 U.S. 638 (1936)
- Kesler v. Department of Pub. Safety* 369 U.S. 153 (1962);
- Reitz v. Mealey* 314 U.S. 33 (1941)
- Collins v. Hardyman* 341 U.S. 651 (1951) (in part)

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- * 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)
- * 160. *Craig v. Boren* 429 U.S. 190, 210 n.23 (1976)
- * 161. *Oregon ex rel. State Land Bd. v. Corvallis Sand & Gravel Co.* 429 U.S. 363 (1977)
- * 162. *Complete Auto Transit v. Brady* 430 U.S. 274 (1977)
- * 163. *Continental T. V. v. GTE Sylvania* 433 U.S. 36 (1977)

Overruled Case

- Pope v. Williams* 193 U.S. 621 (1904)
- Moore v. Illinois Cent. R.R.* 312 U.S. 630 (1941)
- Quaker City Cab Co. v. Pennsylvania* 277 U.S. 389 (1928)
- Ahrens v. Clark* 335 U.S. 188 (1948)
- A Book Named "John Cleland's Memoirs of a Woman of Pleasure" v. Attorney General* 83 U.S. 413 (1966)
- Liggett Co. v. Baldridge* 278 U.S. 105 (1928)
- Shapiro v. Thompson* 394 U.S. 618 (1969) (in part);
State Dep't of Health & Rehab. Servs. v. Zarate 407 U.S. 918 (1972)
- 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)
- Hoyt v. Florida* 368 U.S. 57 (1961) (in effect)
- The Schooner Catherine v. Dickinson* 58 U.S. (17 How.) 170 (1854)
- Low v. Austin* 80 U.S. (13 Wall.) 29 (1872)
- Durham v. United States* 401 U.S. 481 (1971)
- Amalgamated Food Employees Union v. Logan Valley Plaza* 391 U.S. 308 (1968)
- 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)
- Goesaert v. Cleary* 335 U.S. 464 (1948)
- Bonelli Cattle Co. v. Arizona* 414 U.S. 313 (1973)
- Spector Motor Service v. O'Connor* 340 U.S. 602 (1951)
- United States v. Arnold Schwinn & Co.*, 388 U.S. 365 (1967)

Overruling Case

- * 164. *Shaffer v. Heitner* 433 U.S. 186 (1977)
- * 165. *Department of Revenue v. Washington Stevedoring Cos.* 435 U.S. 734 (1978)
- * 166. *Monell v. New York City Dep't of Social Services* 436 U.S. 658 (1978)
- * 167. *Burks v. United States* 437 U.S. 1 (1978)
- * 168. *United States v. Scott* 437 U.S. 82 (1978)
- 169. *Duren v. Missouri* 439 U.S. 357 (1978)
- 170. *Hughes v. Oklahoma* 441 U.S. 322 (1979)
- 171. *Trammel v. United States* 445 U.S. 40 (1980)
- * 172. *United States v. Salvucci* 448 U.S. 83 (1980)
- 173. *Commonwealth Edison Co. v. Montana* 453 U.S. 609 (1981)
- * 174. *United States v. Ross* 456 U.S. 798 (1982)
- * 175. *Sporhase v. Nebraska ex rel. Douglas* 458 U.S. 941 (1982)
- * 176. *Illinois v. Gates* 462 U.S. 213 (1983).
- 177. *Pennhurst State School & Hosp. v. Halderman* 465 U.S. 89 (1984).

Overruled Case

- Pennoyer v. Neff* 95 U.S. 714 (1878)
- Puget Sound Stevedoring Co. v. State Tax Comm'n* 302 U.S. 90 (1937);
Joseph v. Carter & Weekes Stevedoring Co. 330 U.S. 422 (1947)
- Monroe v. Pape* 365 U.S. 167 (1961) (in part);
City of Kenosha v. Bruno 412 U.S. 507 (1973) (in part);
Moor v. County of Alameda 411 U.S. 693 (1973) (in part);
Aldinger v. Howard 427 U.S. 1 (1976)
- Bryan v. United States* 338 U.S. 552 (1950) (in part);
Sapir v. United States 348 U.S. 373 (1955) (in part);
Yates v. United States 354 U.S. 298 (1957) (in part);
Forman v. United States 361 U.S. 416 (1960) (in part)
- United States v. Jenkins* 420 U.S. 358 (1975)
- Hoyt v. Florida* 368 U.S. 57 (1961)
- Geer v. Connecticut* 161 U.S. 519 (1896)
- Hawkins v. United States* 358 U.S. 74 (1958)
- Jones v. United States* 362 U.S. 257 (1960)
- Heisler v. Thomas Colliery Co.* 260 U.S. 245 (1922)
- Robbins v. California* 453 U.S. 420 (1981)
- Hudson County Water Co. v. McCarter* 209 U.S. 349 (1908)
- Aguilar v. Texas* 378 U.S. 108 (1964);
Spinelli v. United States 393 U.S. 410 (1969).
- Rolston v. Missouri Fund Comm'rs* 120 U.S. 390 (1887) (in part);
Siler v. Louisville & Nashville R.R. 213 U.S. 175 (1909) (in part);
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);

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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).
195. *W.S. Kirkpatrick & Co. v. Environmental Tectronics Corp.* 493 U.S. 400 (1990).
- * 196. *Collins v. Youngblood* 497 U.S. 37 (1990).

Overruled Case

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.* at 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).

American Banana Co. v. United Fruit Co. 213 U.S. 347 (1909).

Kring v. Missouri 107 U.S. 221 (1883);

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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* 504 U.S. 1 (1992).
- * 203. *Quill Corp. v. North Dakota* 504 U.S. 298 (1992).
- * 204. *Planned Parenthood of S.E. Pennsylvania v. Casey* 505 U.S. 833 (1992).
- * 205. *United States v. Dixon* 509 U.S. 688 (1993).
- * 206. *Nichols v. United States* 511 U.S. 738 (1994).
- * 207. *Hubbard v. United States* 514 U.S. 695 (1995).
- * 208. *Adarand Constructors Inc. v. Pena* 515 U.S. 200 (1995).
- * 209. *United States v. Gaudin* 515 U.S. 506 (1995).
- * 210. *Fulton Corp. v. Faulkner* 516 U.S. 325 (1996).
- * 211. *Seminole Tribe of Florida v. Florida* 517 U.S. 44 (1996).
- * 212. *44 Liquormart Inc. v. Rhode Island* 517 U.S. 484 (1996).
- * 213. *Agostini v. Felton* 521 U.S. 203 (1997).
- * 214. *State Oil Co. v. Khan* 522 U.S. 3 (1997).
- * 215. *Hudson v. United States* 522 U.S. 93 (1997).

Overruled Case

- Thompson v. Utah* 170 U.S. 343 (1898).
- Chapman v. California* 386 U.S. 18 (1967) (in part).
- 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).
- Grady v. Corbin* 495 U.S. 508 (1990).
- Baldasar v. Illinois* 446 U.S. 222 (1980).
- United States v. Bramblett* 348 U.S. 503 (1955).
- Metro Broadcasting Inc. v. FCC* 497 U.S. 547 (1990); *Fullilove v. Klutznick* 448 U.S. 448 (1990) (in part).
- Sinclair v. United States* 279 U.S. 263 (1929).
- Darnell v. Indiana* 226 U.S. 390 (1912).
- Pennsylvania v. Union Gas Co.* 491 U.S. 1 (1989).
- California v. LaRue* 409 U.S. 109 (1972) (in part); *New York State Liquor Auth. v. Bellanca* 452 U.S. 714 (1981) (in part); *City of Newport v. Iacobucci* 479 U.S. 92 (1986) (in part).
- Aguilar v. Felton* 473 U.S. 402 (1985); *Grand Rapids School Dist. v. Ball* 473 U.S. 373 (1985) (in part).
- Albrecht v. Herald Co.* 390 U.S. 145 (1968).
- United States v. Halper* 490 U.S. 435 (1989).

Overruling Case

- * 216. *Hohn v. United States* 524 U.S. 236 (1998).
- * 217. *Minnesota v. Mille Lacs Band of Chippewa Indians* 526 U.S. 172 (1999).
- * 218. *College Savings Bank v. Florida Prepaid Postsecondary Educ. Expense Bd.* 527 U.S. 666 (1999).
- * 219. *Mitchell v. Helms* 530 U.S. 793 (2000).
- * 220. *United States v. Hatter* 532 U.S. 557 (2001).

Overruled Case

- House v. Mayo* 324 U.S. 42 (1945).
- Ward v. Race Horse* 163 U.S. 504 (1896) (in part).
- Parden v. Terminal Ry.* 377 U.S. 184 (1964) (in part).
- * *Meek v. Pittinger* 421 U.S. 349 (1975);
Wolman v. Walter 433 U.S. 229 (1977).
- Evans v. Gore* 253 U.S. 245 (1920).

