

**APPENDIX: ELECTION YEAR AND LAME DUCK SUPREME COURT NOMINATION INFORMATION**

1. FAILED LAME DUCK NOMINEES

<b>Nomination Date</b>	<b>Nominee<sup>1</sup></b>	<b>President<sup>2</sup></b>	<b>Outgoing President's Party<sup>3</sup></b>	<b>Senate Majority<sup>4</sup></b>	<b>Incoming President's Party<sup>5</sup></b>	<b>Result<sup>6</sup></b>	<b>Additional Information<sup>7</sup></b>
Jan. 26, 1881	Stanley Matthews	Hayes	Republican	Democratic	Republican	No Action	Renominated by Garfield & confirmed by a vote of 24 to 23
Feb. 5, 1861	Jeremiah Black	Buchanan	Democrat	Democratic	Republican	Failed Motion to Proceed	
Feb. 14, 1853	William Micou	Fillmore	Whig	Democratic	Democratic	No Action	
Jan. 3, 1853	George Badger	Fillmore	Whig	Democratic	Democratic	Withdrawn	
Feb. 7, 1845	John Read	Tyler	Independent	Whig	Democratic	No Action	
Dec. 4, 1844	Reuben Walworth	Tyler	Independent	Whig	Democratic	Withdrawn	Nominated three times by Tyler
Dec. 4, 1844	Edward King	Tyler	Independent	Whig	Democratic	Withdrawn	Nominated twice by Tyler
Dec. 17, 1828	John Crittenden	J.Q. Adams	Adams-Clay	Jackson	Jackson	Postponed	

2. SUCCESSFUL LAME DUCK NOMINEES

<b>Nomination Date</b>	<b>Nominee</b>	<b>President</b>	<b>Outgoing President's Party</b>	<b>Senate Majority</b>	<b>Incoming President's Party</b>	<b>Additional Information</b>
Feb. 2, 1893	Howell Jackson	B. Harrison	Republican	Republican	Democratic	
Dec. 15, 1880	William Woods	Hayes	Republican	Democratic	Republican	
Feb. 4, 1845	Samuel Nelson	Tyler	Independent	Whig	Democratic	
Feb. 26, 1841	Peter Daniel	Van Buren	Democratic	Democratic	Whig	
Mar. 3, 1837	John Catron	Jackson	Democratic	Democratic	Jackson	Filled new seat
Mar. 3, 1837	William Smith	Jackson	Democratic	Democratic	Jackson	Filled new seat
Jan. 20, 1801	John Marshall	Adams	Federalist	Federalist	Democratic-Republican	Nominated to chief justice
Dec. 18, 1800	John Jay	Adams	Federalist	Federalist	Democratic-Republican	Nominated to chief justice but declined appointment

1. See *Supreme Court Nominations (1789-Present)*, U.S. SENATE (last visited Apr. 14, 2021), <https://www.senate.gov/legislative/nominations/SupremeCourtNominations1789present.htm>.  
2. See *Presidential Elections (1789-2020)*, INFOPLEASE (last visited Apr. 14, 2021), <https://www.infoplease.com/us/government/elections/presidential-elections-1789-2020>.  
3. See *Id.*  
4. See *Party Division*, U.S. SENATE (last visited Apr. 14, 2021), <https://www.senate.gov/history/partydiv.htm>.  
5. See *supra* Appendix note 2.  
6. See *supra* Appendix note 1.  
7. See *Id.*

### 3. FAILED ELECTION YEAR NOMINEES

Nomination Date	Nominee	President	Outgoing President's Party	Senate Majority	Presidential Election Results	Result	Additional Information
Mar. 16, 2016	Merrick Garland	Obama	Democratic	Republican	Republican	No Action	
Jun. 26, 1968	Homer Thornberry	L. Johnson	Democratic	Democratic	Republican	Withdrawn	
Aug. 16, 1852	Edward Bradford	Fillmore	Whig	Democratic	Democratic	No Action	
Jun. 17, 1844	John Spencer (II)	Tyler	Independent	Whig	Democratic	Withdrawn	Nominated twice by Tyler
Jun. 17, 1844	Reuben Walworth (II)	Tyler	Independent	Whig	Democratic	No Action	Nominated three times by Tyler
Jun. 5, 1844	Edward King	Tyler	Independent	Whig	Democratic	Postponed	Nominated twice by Tyler
Mar. 13, 1844	Reuben Walworth (I)	Tyler	Independent	Whig	Democratic	Withdrawn	Nominated three times by Tyler
Jan. 8, 1844	John Spencer (I)	Tyler	Independent	Whig	Democratic	Rejected	Nominated twice by Tyler

### 4. SUCCESSFUL ELECTION YEAR NOMINEES

Nomination Date	Nominee	President	Outgoing President's Party	Senate Majority	Presidential Election Results	Additional Information
Oct. 26, 2020	Amy Coney Barrett	Trump	Republican	Republican	Democratic	
Jan. 4, 1940	Frank Murphy	F.D. Roosevelt	Democratic	Democratic	Democratic (Re-elected)	
Feb. 15, 1932	Benjamin Cardozo	Hoover	Republican	Republican	Democratic	
Jul. 14, 1916	John Clarke	Wilson	Democratic	Democratic	Democratic (Re-elected)	
Jan. 28, 1916	Louis Brandeis	Wilson	Democratic	Democratic	Democratic (Re-elected)	
Feb. 19, 1912	Mahlon Pitney	Taft	Republican	Republican	Democratic	
Jul. 19, 1892	George Shiras Jr.	B. Harrison	Republican	Republican	Democratic	
Apr. 30, 1888	Melville Fuller	Cleveland	Democratic	Republican	Republican	Nominated to chief justice
Mar. 22, 1804	William Johnson	Jefferson	Democratic-Republican	Democratic-Republican	Democratic-Republican (Re-elected)	
Mar. 3, 1796	Oliver Ellsworth	Washington	None	None	Federalist	Nominated to chief justice
Jan. 26, 1796	Samuel Chase	Washington	None	None	Federalist	

5. TOTALS

	Successful	Failed	Total
Lame Duck	8	8	16
Election	11	8	19
Total	19	16	35