## **B. CASES**

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The format of traditional case citations derives from the historical print publication of bound reporters, such as West’s National Reporter System. The citation elements are based on the reporter’s volume number, title of the reporter including series number, and first page of the cited case. In June 2021, the famous reporter of federal appellate cases, the Federal Reporter, 3d published its last volume, turning over to the first volume of a new series, the Federal Reporter, 4th. Citations for federal appellate cases decided in the latter half of 2021 and beyond will be assigned citations along the lines of 123 F.4th 456. The Federal Reporter, 3d is a set of books for sale by West Publishing, and Federal Reporter, 4th no doubt will be as well. Most researchers do not lay their hands on these books much less purchase them, but the elements of a traditional case citation derive directly from the West publication system.

Starting in the early 1990s, some states began adopting public-domain citations, also known as neutral citations, vendor-neutral citations, medium-neutral citations, and universal citations, because they do not rely on specific proprietary bound publications. A medium-neutral citation looks something like this: These states are shown in Table T3. The Indigo Book encourages the use of public domain citations. When giving a public domain citation, also include a parallel citation to the appropriate print reporter if possible. For example: *Curlee by and through Becerra v. Johnson*, 2021-NCSC-32, 856 S.E.2d 478.

**R11. Full citation**

R11.1 Elements of a Full Citation.

When providing a full citation to a case, you should generally include the following, with the court and year enclosed within a single set of parentheses:

* Italicized case name followed by an unitalicized comma
* volume number, reporter, first page of the case in the reporter
* comma, space, and pincite to an exact page
* abbreviated court name (if not precisely apparent from the name of the reporter)
* year

Case citations may also include the additional components such as a signal, subsequent history, parallel citations, and explanatory parentheticals. These additional components are sometimes required and sometimes discretionary, as determined by the case’s characteristics, the way the citation is supporting the text, or applicable court rules or other audience expectations.

**Federal examples:**

*Manhattan Cmty. Access Corp. v. Halleck*, 139 S. Ct. 1921 (2019).

*Seltzer v. Green Day*, 725 F.3d 1170 (9th Cir. 2013).

*Leonard v. Pepsico, Inc.*, 88 F. Supp. 2d 116, 127 (S.D.N.Y. 1999).

**State examples:term**

*SciGrip, Inc. v. Osae*, 838 S.E.2d 334 (N.C. 2020).

*People v. Lucero*, 747 P.2d 660 (Colo. 1987).

*Mercer Univ. v. Stofer*, 841 S.E.2d 224 (Ga. Ct. App. 2020).

R11.1.1 Parallel Citation

A case citation may also include parallel citation to another print reporter or online location for the case, such as a medium-neutral citation. When the print reporter unambiguously indicates the identity of the court, omit the court from duplication at the end of the citation. When the medium-neutral citation unambiguously indicates the court and year, either or both elements may be omitted from further duplication at the end of the citation.

**Examples:**

*State ex rel. Pilarczyk v. Geauga Cty.*, 2019-Ohio-2880, 157 Ohio St. 3d 191, 134 N.E.3d 142

*USA Power LLC v. PacifiCorp*, 2016 UT 20, 372 P.3d 629

R11.1.2 Parentheticals

A case citation may also include one or more parentheticals after the main citation elements. Parentheticals, if any, ordered according to the following functions: (indicating the weight of authority such as en banc) (indicating the source of a quotation or cited assertion in the main assertion being supported) (indicating explanatory information), if required or permitted as shown in Rule R10.

**Examples:**

*Barking Hound Village, LLC v. Monyak*, 787 S.E.2d 191, 198 (Ga. 2016) (“the unique human-animal bond, while cherished, is beyond legal measure”).

*Toolson v. N.Y. Yankees, Inc.*, 346 U.S. 356 (1953) (per curiam) (affirming baseball’s exemption from the scope of federal antitrust laws).

R11.1.3 Prior or Subsequent History of the Case

A case citation may also include prior or subsequent history, if required by Rule R14.

**Example:**

*Leonard v. Pepsico, Inc.*, 88 F. Supp. 2d 116, 127 (S.D.N.Y. 1999), *aff’d*, 210 F.3d 88 (2d Cir. 2000) (per curiam).

R11.2. Case Names Italicized

In formatting a case citation, italicize everything in the case name, but don’t italicize the comma at the end of the case name.

11.3 Comprehensive Case-Name Abbreviations in Citation Sentences and Clauses

In citation sentences and clauses, abbreviate common words in case names according to Table T11. If the resulting abbreviation is not ambiguous, words of eight or more letters may be abbreviated to save substantial space.

**Correct:**

*Cont’l Paper Bag Co. v. E. Paper Bag Co.*

**Incorrect:**

*Continental Paper Bag Company v. Eastern Paper Bag Company*

11.4 Limited Case-Name Abbreviations in Textual Sentences

If you’re including the case name within a sentence (instead of a citation sentence or clause or a footnote) well-known acronyms and the following eight words should be used to shorten the case name: “&,” “Ass’n,” “Bros.,” “Co.,” “Corp.,” “Inc.,” “Ltd.,” and “No.”

**Correct Example:**

In *McDonnell Douglas Corp. v. Green*, the Supreme Court held that in a disparate treatment case, the plaintiff bears the initial burden of establishing a *prima facie* case of employment discrimination. 411 U.S. 792 (1973).

**Incorrect Example:**

In *McDonnell Douglas Corporation v. Green*, the Supreme Court held that in a disparate treatment case, the plaintiff bears the initial burden of establishing a *prima facie* case of employment discrimination. 411 U.S. 792 (1973).

**Correct Example:**

According to *Texas Department of Community Affairs v. Burdine*, once the plaintiff has established a *prima facie* case, there is a rebuttable presumption of unlawful discrimination. 450 U.S. 248, 254 (1981).

**Incorrect Example:**

According to *Texas Dep’t of Cmty. Affairs v. Burdine*, once the plaintiff has established a *prima facie* case, there is a rebuttable presumption of unlawful discrimination. 450 U.S. 248, 254 (1981).

R11.5 General Case Name Truncation for All Contexts

R11.5.1 Surname

When referring to a case with an individual’s name in the case name, use the person’s full family name (i.e., their surname). Delete first name and initials, except when the full name of the person is in a language that lists the surname first, or when referring to the name of a business or where the court has abbreviated the party’s surname (as is common in cases involving minor children as parties).

**Examples:**

*Van Leeuwen v. Souto de Moura*

*James T. Kirk & Assocs. v. Luke S.*

*Smith v. Jones*

*Xu Lanting v. Wong*

*James T. Kirk & Assocs. v. Klingon Corp.*

*Luke S. v. Leia S.*

R11.5.2 First-named party on each side of the “v.”

Only include the surname of the first-listed party of the plaintiffs and the surname of the first-listed party of the defendants. Do not use “et al.” to indicate omitted additional parties.

R11.5.3 Commonly recognized abbreviations

Abbreviate commonly recognized agencies and organizations by their initials, such as the SEC and the ACLU.

**Example:**

*Red Lion Broad. Co. v. FCC*, 395 U.S. 367 (1969).  
**Incorrect Examples:**

*Red Lion Broad. Co. v. Federal Commc’ns Commission*

*Red Lion Broad. Co. v. Federal Communications Commission*

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Legal citation allows—and indeed requires—abbreviation of commonly recognized organizations, such as the acronym NASA for the National Aeronautical and Space Administration. But what, exactly, meets the standard for being commonly recognized? One useful test is to look at recent, credible journalism as a gauge of what is commonly known. For example, the New York Times abbreviates Environmental Protection Agency as EPA but does not abbreviate Fish and Wildlife Services as FWS. Another way to check whether an acronym is commonly known in a legal setting is to check the case name in a handful of recent cases. For example, PETA and the USDA are used in case names, suggesting that they *are* commonly recognized, at least for legal-citation purposes.

But keep in mind the scolding Judge Silberman issued in a case before the United States Court of Appeals for the District of Columbia Circuit: “The use of obscure acronyms, sometimes those made up for a particular case, is an aggravating development of the last twenty years.” *Delaware Riverkeeper Network v. FERC*, 753 F.3d 1304, 1321 (D.C. Cir. 2014) (Silberman, J., concurring). With this judge’s aggravation in mind, use only those abbreviations and acronyms that are easy to understand and make the reader’s work easier.

R11.5.4 Abbreviations of place names

In general, abbreviate the names of countries, states, and other geographical places according to Table T12. Do not abbreviate a geographical place if it is one of the parties in the case. Do not abbreviate a geographical place if it is part of a citation that appears in a textual sentence.

**Correct:** *Church of Scientology of Cal. v. Blackman*, 446 So. 2d 190 (4th Dist. Ct. App. Fla. 1984).

**Correct:** In *Church of Scientology of California v. Blackman*, the court rejected the plaintiff-appellee’s attempt to pierce the defendant’s corporate veil.

**Correct:** *South Dakota v. Fifteen Impounded Cats*

R11.5.5 Nicknames

Delete nicknames and aliases listed after a party name.

**Correct:** *Jackson v. Leviston*  
**Incorrect:** *Curtis James Jackson III, p/k/a 50 Cent v. Lastonia Leviston*

R11.5.4 Et al.

Delete “et al.” even if used in a case caption indicating multiple parties. Do not add “et al.” to indicate the omission of other parties not listed.

**Correct:** *Zurich Am. Ins. Co. v. Nokia, Inc.*

**Incorrect:** *Zurich Am. Ins. Co. et al. v. Nokia, Inc.*

R11.5.5 Multiple business designations

Omit terms such as “L.L.C.” and “Inc.” that indicate the party is a business when that fact is made clear because the party name includes a word such as “Co.” or “Ins.”

**Correct:** *A.H. Robins Co. v. Piccinin*

**Incorrect:** *A.H. Robins Co., Inc. v. Piccinin*

R11.5.6 Procedural phrases

1. When you see “on the relation of,” “on behalf of,” and similar expressions, replace with “*ex rel.*”

**Correct:** *Affleck ex rel. Damon v. Kimmel*  
**Incorrect:** *Ben Affleck, on behalf of Matt Damon v. Jimmy Kimmel, et al.*

**Incorrect:***Damon v. Kimmel*

**Incorrect:** *Affleck v. Kimmel*

1. When you see “in the matter of,” “petition of,” and similar expressions, replace with “*In re*.”

**Correct:** *In re Nat’l Football League Players’ Concussion Inj. Litig.*  
**Incorrect:** *In the Matter of Nat’l Football League Players’ Concussion Inj. Litig.*

1. In non-bankruptcy cases, do not use “*In re*” when the case name contains the name of an adversary; use the adversary name

1. Bankruptcy cases sometimes contain multiple case names including both a procedurally based name with “*In re*” and an adversary case name. In such cases, use the adversary case name followed parenthetically in the case name with the procedurally based name:

**Example:**

*Farmers Coop. Co. v. Ernst & Young, Inc.* (*In re* *Big Sky Farms Inc.*), 512 B.R. 212 (Bankr. N.D. Iowa 2014).

R11.5.7 United States as a party

Spell out “United States” when it is a named party.

**Correct:** *United States v. Ninety Five Barrels, More or Less*  
**Incorrect:** *U.S. v. Ninety Five Barrels, More or Less*

R11.5.8 Country Names with Prepositional Phrases

Use “United States” instead of “United States of America.” But include designations of national or larger geographical areas, except in union names.

**Correct:** *Republic of Korea v. Ahn*

**Incorrect:** *Republic v. Anh*

**Incorrect:** *Korea v. Ahn*

R11.5.9 State or Commonwealth as a party

Omit “People of,” “State of,” and “Commonwealth of,” unless citing a court located in that state, in which case retain only “People,” “State,” or “Commonwealth.”

**Correct:** *Lessig v. Colorado*, 17 U.S. 107 (1998).

**Incorrect:** *Lessig v. State of Colorado*, 17 U.S. 107 (1998).

**Correct:** *Commonwealth v. Miller*, 282 N.E.2d 394 (Mass. 1972)

**Incorrect:** *Commonwealth of Mass. v. Miller*, 282 N.E.2d 394 (Mass. 1972)

R11.5.10 Municipalities

Include phrases such as “Town of” and “City of” when such phrases are the first part of the name of a party. Omit phrases such as “Town of” and “City of” if the phrase appears in the middle or end of the name of a party.

**Correct:** *C & A Carbone v. Town of Clarkston*  
**Incorrect:** *C & A Carbone v. Clarkston*

**Correct:** *Matter of Chestnut Ridge v. Town of Ramapo*  
**Incorrect:** *Matter of Village of Chestnut Ridge v. Town of Ramapo*

R11.5.11 Prepositional phrases with locations

Do not include a prepositional phrase indicating location, unless the resulting party name would have only one word, or the phrase is part of a business’s full name. Omit geographical information after a comma in a case name.

**Correct:** *Stevenson v. Board of Trade*  
**Incorrect:** *Stevenson v. Board of Trade of Colorado*

**Correct:** *ACLU of N.D. v. Jones*  
**Incorrect:** *ACLU v. Jones*

**Correct:** *Dam Things from Denmark v. Russ Berrie & Co.*  
**Incorrect:** *Dam Things v. Russ Berrie & Co.*

**Correct:** *Cal. Bd. of Commerce v. City of Sacramento*  
**Incorrect:** *Cal. Bd. of Commerce v. City of Sacramento, California*

R11.5.12 “The”

Delete “the” as the first word of a party’s name. Make an exception if the party is “*The Queen*” or the “*The King*,” or when referring to the established popular name in a citation or citation clause. Also retain “the” if it is part of the name of the object of an *in rem* action.

**Correct:** *Int’l Soc’y for Krishna Consciousness of Cal., Inc. v. City of Los Angeles*  
**Incorrect:** *Int’l Soc’y for Krishna Consciousness of Cal., Inc. v. The City of Los Angeles*

**Correct:** *In re the Snug Harbor*  
**Incorrect:** *In re Snug Harbor*

**Correct:** *The Railroad Comm’n Cases*

**Incorrect:** *Railroad Comm’n Cases*

R11.5.13 Commissioner of Internal Revenue

The Commissioner of Internal Revenue should be cited as “Commissioner” (abbreviated as “Comm’r” in citations).

**Correct:** *Plainfield-Union Water Co. v. Comm’r*  
**Incorrect:** *Plainfield-Union Water Co. v. Commissioner of Internal Revenue*

**Incorrect:** *Plainfield-Union Water Co. v. CIR*

**Incorrect:** *Plainfield-Union Water Co. v. IRS*

R11.5.14 Multiple Dispositions

For cases with multiple dispositions, include an italicized identifier if useful. In subsequent references to or citations of that case, the identifier can replace the full case name.

**Examples:**

*Liriano v. Hobart Corp.*(*Liriano II*), 92 N.Y.2d 232 (1998).

*Liriano v. Hobart Corp.*(*Liraino III*), 170 F.3d 264, 266 (2d Cir. 1999) (citing *Liriano II*, 92 N.Y.2d at 236–37).

R11.5.15 Mandamus

If a mandamus action is known by the name of the judge against whom the writ is sought, that name can be indicated in an italicized parenthetical.

**Example:**

*Jones v. United States District Court (Smith)*, 89 U.S. 233 (2011).

R11.5.16 Cases Known by a Distinct Name

If a case is known both by the reported name and a distinct short form name, always include the reported name in a full citation. The short name may be included in italics in a parenthetical.

**Example:**

*Indus. Union Dep’t, AFL-CIO v. Am. Petroleum Inst. (The Benzene Case)*, 448 U.S. 607, 645 (1980).

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There are multiple ways to incorporate a case citation in the text of an article, brief, or other written work. In the example below, the case name is stated in the text and the rest of the citation is included as a separate sentence.

* In *McDonnell Douglas Corp. v. Green*, the Supreme Court held that in a disparate treatment case, the plaintiff bears the initial burden of establishing a prima facie case of employment discrimination. 411 U.S. 792 (1973)

Alternatively, one can include the entire citation in-text as follows:

* In *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973), the Supreme Court held that in a disparate treatment case, the plaintiff bears the initial burden of establishing a prima facie case of employment discrimination.

There is no strict rule here, so choose whichever method will be clearer to the reader.

R11.6 Volume Number, Reporter, First page

The citation should include the volume number of the reporter, the abbreviated name of the reporter, and the first page of the case in that reporter.

**Example:**

*Terrible v. Terrible*, 534 P.2d 919 (Nev. 1975)

R11.6.1 State and Federal Volumes, Reporters, and First Pages

This is how you decode case citations. The left column shows what your citation should look like. The right column shows what the citation means for someone looking for the case.

| **Citation** | **Reporter** |
| --- | --- |
| *Demosthenes v. Baal*, 495 U.S. 731 (1990). | Vol. 495, p. 731 of United States Reports |
| *United States v. $124,570 U.S. Currency*, 873 F.2d 1240 (9th Cir. 1989). | Vol. 873, p. 1240 of Federal Reporter, Second Series |
| *Gucci America, Inc. v. Guess?, Inc.*, 831 F. Supp. 2d 723 (S.D.N.Y. 2011). | Vol. 831, p. 723 of Federal Supplement, Second Series |
| *Hamburger v. Fry*, 338 P.2d 1088 (Okla. 1958). | Vol. 338, p. 1088 of Pacific Reporter, Second Series |
| *Camp v. Superman*, 119 Vt. 62 (1955). | Vol. 119, p. 62 of Vermont Reports |

R11.6.2 Reporter and Series

1. Reporters are listed by jurisdiction, and in preferred order in Table T1 (federal cases) and Table T3 (state cases). Most reporters are organized in sets of volumes comprising distinct series. Indicate the applicable series carefully because cases found in F.2d are decades if not a century earlier than cases found in F.4th.
2. United States Supreme Court cases are printed in the official United States Reports, cited as \_\_ U.S. \_\_. The publication of the United States Reports is significantly delayed from opinions’ decision date. When there is no U.S. citation available, use the Supreme Court Reports (abbreviated S. Ct.).
3. For state cases, choose the reporter listed in Table T3 for state cases whenever available. The standard national citation practice is to cite to the West National Reporter System even though most states have a state-specific official reporter or official medium-neutral citation system. Local customs and court rules vary from the standard national citation practice, as represented in Table T3.

**Examples:**

*Baltazar v. Forever 21, Inc.*, 367 P.3d 6 (Cal. 2016)

*Exotic Motors v. Zurich Am. Ins. Co.*, 596 S.W.3d 767 (Mo. Ct. App. 2020).

Indigo Inkling

For citations to state cases, the case reporter required by Rule R11.3 and Table T3 may not always be available to researchers using open-access legal information. For example, an internet site providing free access to cases may provide citation information for the official state reporter in that state (such as the California Reports, but not the West National Reporter.

If you are attempting to conduct case research using free open-access sources, do your best to adhere to the dictates of Rule R11. Without access to a law library or premium fee-based legal research platform, a writer’s citations may need to use a reliable second choice, such as the official state reporter or the state’s official medium-neutral citation format.

Remember that when the reporter’s name unambiguously indicates the court that decided the case, the citation should not duplicate that information later in the citation. Likewise, when the medium-neutral citation unambiguously indicates the year of the decision, the citation should not duplicate that information later in the citation. In sum, choose the most authoritative reporter you can find that will allow future readers to locate and verify the case, that will identify the court and year, and that will provide precise pincites to the specific page or pages being cited.

R11.6.3 Parallel Citation in State Court Documents

When submitting documents to state courts, follow the local rules for citations, selectively indicated in Table T3. State courts’ local rules often require a parallel citation: i.e., a citation to both the official state reporter, followed by the unofficial regional and/or state-specific reporter. Each reporter will have different page numbers, so provide a pincite for each. Also, when the official reporter title makes the state or court name apparent, then don’t include it again in parentheses.

**Example (without pincites):**

*Harden v. Playboy Enterprises, Inc.*, 261 Ill. App. 3d 443, 633 N.E.2d 764 (1993).

**Example (with pincites):**

*Harden v. Playboy Enterprises, Inc.*, 261 Ill. App. 3d 443 444, 633 N.E.2d 764, 765 (1993).

R11.6.4 Special Note on Pending and Unreported or Unpublished Cases

Some cases or opinions are not assigned to reporters. They generally can be found in one of the following three sources:

1. **LEXIS and Westlaw cases:** Citations to these electronic databases are similar to regular citations, except that they (a) replace the case code with a docket number *and* a database code supplied by LEXIS or Westlaw, and (b) include the full date of the decision in the following parenthetical, not just the year.

Citations to these electronic databases should be formatted as follows: <Case Name>, <case docket number>, <database identifier and electronic report number>, at \*<star page number> <(court, full date)>.

**Example:**

*Yates v. United States*, No. 13–7451, 2015 U.S. LEXIS 1503, at \*40 (Feb. 25, 2015)

**Example:**

*State v. Green*, No. 2012AP1475–CR, 2013 WL 5811261, at \*7 (Wis. Ct. App. Oct. 30, 2013)

1. **Opinions only available online, but not in an electronic database**: Some cases, particularly ones that are pending, may be accessed only through a court’s website. If so, include the exact docket number or numbers, as well as the URL.

**Example (in a citation created on late February 26, 2015, before this case was distributed to research platforms and published in various reporters):**

*Macy’s Inc. v. Martha Stewart Living Omnimedia, Inc.*, No. 1728, slip op. at 1 (N.Y. App. Div. Feb. 26, 2015), <http://www.nycourts.gov/reporter/3dseries/2015/2015_01728.htm>.

1. **Slip opinions:** A slip opinion is a published decision by a court that has not yet been included in a reporter. If there is a slip opinion for an unreported case, but it is not in LEXIS or Westlaw and not available online, include the docket number, the court, and the full date of the most recent major disposition of the case.

R11.7 Pincite

To direct the reader to the specific page you are referring to, you must include a **pincite** after you list the first page where the case is found in the reporter. If the pincite is the first page of the opinion, be sure to still include it by just repeating the number. Note the pincite can refer to material preceding the case citation or in an explanatory parenthetical after the case citation. Pincites are required in both full and short citations when those citations support a reference to a specific page of the case. *See* Rule R15 on short citations for cases and Rule R6 on full and short citations generally.

**Example:**

*Mattel, Inc. v. MCA Records, Inc.*, 296 F.3d 894, 908 (9th Cir. 2002) (“The parties are advised to chill.”)

**Example:**

Humor in judicial opinions is not new. As the Georgia Court of Appeals quipped in the mid-1970s, “The D.A. was ready. His case was red-hot. Defendant was present, His witness was not.” *Brown v. State*, 216 S.E.2d 356, 356 (Ga. Ct. App. 1975) (reversing conviction).

R11.7.1 Multiple pages

Use a comma or commas to indicate a pincite to multiple pages.

**Example:**

*Gordon v. Secretary of State of New Jersey*, 460 F. Supp. 1026, 1026, 1028 (D.N.J. 1978) (dismissing a complaint charging that plaintiff, by reason of his illegal incarceration in jail, had been deprived of the office of the President of the United States).

R11.7.2 Span of pages

Use a hyphen or en dash to indicate a pincite to a span of pages.

**Example:**

*Helton v. State*, 311 So. 2d 381, 382-84 (Fla. Dist. Ct. App. 1975) (reciting the prosecutor’s closing arguments in a parody of “*’Twas the Night Before Christmas*”).

R11.7.3 Paragraph numbers in medium-neutral cases

Use a paragraph symbol and the paragraph number to pincite to a case published in medium-neutral format. To refer to a span of paragraphs in the case, use two paragraphs symbols and numbers indicating the cited span, separated by a hyphen or en dash.

**Examples:**

*Couch v. Durrani*, 2021-Ohio-726, ¶ 9 (Ct. App. 2021).

*Couch v. Durrani*, 2021-Ohio-726, ¶ ¶ 9-15 (Ct. App. 2021).

*Id.* at ¶ 18.

R11.7.4 Citing a Footnote

To cite a footnote, provide a page number followed immediately with a footnote number, using “n.” to show footnote number. There is no space between “n.” and the footnote number.

**Example:**

*Cunningham v. State*, 822 S.E.2d 281, 285 n.4 (Ga. 2018) (Hunstein, J.) (“And that’s all she wrote.”)

**R12. Court & Year**

R12.1. Court and Year

Citations should include both the deciding court and the year of decision in parentheses. Use Table T1 for federal cases and Table T3 for state cases. When Tables T1 and T3 do not provide the needed abbreviation information, construct an abbreviation using Tables T9 and T12 for court and geographical abbreviations.

**Examples:**

*Learning Curve Toys, Inc. v. PlayWood Toys, Inc.*, 342 F.3d 714 (7th Cir. 2003).

*Mattel, Inc. v. MGA Ent. Inc.*, 782 F. Supp. 2d 911 (C.D. Cal. 2011).

*Barking Hound Villege, LLC v. Monyak*, 787 S.E.2d 191 (Ga. 2016).

*Alexander v. Gen. Acc. Fire & Life Assurance Corp.*, 98 So. 2d 730 (La. Ct. App. 1957).

R12.1.1 Duplicative court

If the identity of the court is clearly and unambiguously indicated by the reporter’s name, do not include the court in the parenthetical information with the year. When writing to a court and governed by local rules requiring parallel citations, the court’s identity may be indicated by required parallel citation information.

**Examples:**

*Kewanee Oil Corp. v. Bicron Co.*, 416 U.S. 470 (1974).

*Wexler v. Greenberg*, 399 Pa. 569, 160 A.2d 430 (1960).

R12.1.2 Duplicative year

When using a medium-neutral citation format (alone or in a parallel citation), if the year of the decision is clearly and unambiguously indicated by the citation format, do not duplicate the year in the parenthetical information.

**Examples:**

*Water & Energy Sys. Tech., Inc. v. Keil*,1999 UT 16, 979 P.2d 829.

*Failor v. Megadyne Med. Prods., Inc.*, 2009 UT App. 179, 213 P.3d 899.

R12.1.3 Intermediate appellate departments or divisions—general

Do not indicate the departments or divisions of intermediate appellate courts.

R12.1.4 Intermediate appellate departments or divisions—specific

Where intermediate appellate departments or divisions are relevant to the point being made, or where local the court rules require citations to include intermediate appellate departments or divisions, do indicate the department or division of intermediate appellate courts. See Table T3 for more information on locally relevant intermediate appellate departments or divisions, and consult state-specific citation and court information.

R12.2. Court abbreviations

See Table T1 for how to abbreviate the names of all U.S. federal courts. See Table T3 for how to abbreviate the names of U.S. state courts.

See the chart below for common examples:

| **Court** | **Guidance on Reporter Selection and Court Abbreviation** | **Example** |
| --- | --- | --- |
| United States Supreme Court | Use U.S. if the opinion is published in the United States Reports.  If not, use S. Ct.  Refer to Table T1 for additional options if U.S. and S. Ct. do not apply. | *Two Pesos, Inc. v. Taco Cabana, Inc.*, 505 U.S. 763 (1992).  *Google LLC v. Oracle Am., Inc.*, 141 S. Ct. 1183 (2021). |
| United States Courts of Appeals | Either F., F.2d, F.3d, or F.4th depending on the decision. | *Batman v. Commissioner*, 189 F.2d 107 (5th Cir. 1951).  *Nance v. United States*, 299 F.2d 122, 124 (D.C. Cir. 1962) (“How do you know it was me, when I had a handkerchief over my face?”). |
| United States District Courts | Either F. Supp. or F. Supp. 2d depending on the decision. | *Frigaliment Importing Co. v. B.N.S. Int’l Sales Corp.*, 190 F. Supp. 116, 117 (S.D.N.Y. 1960).  *Cartier v. Aaron Faber Inc.*, 512 F. Supp. 2d 165 (S.D.N.Y. 2007). |
| State High Courts | Cite to the regional reporter for the region in which the court sits, if the opinion appears there. If not, cite to the state’s official reporter, as listed in Table T3. The state’s preferred official reporter may be a public domain (i.e., medium neutral) citation.  *See* Table T3. | *Terrible v. Terrible*, 534 P.2d 919 (Nev. 1975).  *State v. One 1970 2-Door Sedan Rambler*, 136 N.W. 59 (Neb. 1974). |
| Other State Courts | Cite to the regional reporter for the region in which the court sits, if the opinion appears there. If not, cite to the state’s official reporter in Table T3. The state’s preferred official reporter may be a medium-neutral citation. *See* Table T3. Use Tables T9 and T12 to construct an abbreviation if not contained in Tables T1 and T3. | *Brown v. Swindell*, 198 So. 2d 432, 434 (La. Ct. App. 1967).  *State v. Stroud*, 30 Wash. App. 392 (1981).  *State v. Russell*, 2020-Ohio-5108 (Ohio Ct. App. 2020). |

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See Table T12 for the correct abbreviation for each state. State abbreviations are often combined with court abbreviations in case citations. When you see a state abbreviation by itself in a case citation, that abbreviation designates the highest court in that state, whatever its name. Thus, a case citing “N.Y.” refers to the highest court in the state of New York—the New York Court of Appeals. A case citing “W. Va.” refers to the highest court in the state of West Virginia—the Supreme Court of Appeals of West Virginia. But “N.Y. Sup. Ct.” is the proper abbreviation for the New York Supreme Court—which some will be surprised to know is the name of the trial-level court in the state of New York. Refer to Table T3 or an official state-court website to confirm the name and level of each court; and refer to Table T9 for general court abbreviations.

State abbreviations are formatted consistently with the spacing practices inherent to the Uniform System of Citation. Adjacent single capital letters are “closed up” with no space, as in N.Y. (no spaces). But abbreviations combining a single capital and any other abbreviation are not, as in W. Va. (with a space, because Va. is not a single capital letter.)

**R13. Weight of Authority and Explanatory Parenthetical**

R13.1 Parenthetical for Weight of Authority

To highlight information regarding the weight of the cited authority (such as for concurring and dissenting opinions), insert an additional parenthetical after the date parenthetical. Remember to separate the parentheticals with a space.

**Examples:**

*United States v. Leggett*, 23 F.3d 409 (6th Cir. 1994) (unpublished table decision).

*Ward v. Rock Against Racism*, 491 U.S. 781 (1989) (Marshall, J., dissenting).

*Harris v. State*, 887 S.W.2d 514 (Ark. 1994) (per curiam).

*Dep’t of Revenue v. James B. Beam Distilling Co.*, 377 U.S. 341, 349 (1964) (7–2 decision) (Black, J., dissenting)

R13.2 Optional Explanatory Parenthetical

To provide a supporting partial quotation or to explain the proposition for which the case stands, insert an explanatory parenthetical. See Rule R10 on the order of explanatory parentheticals with other parenthetical material and subsequent history.

**Examples:**

*Stambovsky v. Ackley*, 572 N.Y.S.2d 672, 674 (App. Div. 1991) (“[A]s a matter of law, the house is haunted.”).

*People v. Foranyic*, 74 Cal. Rptr. 2d 804, 807 (Ct. App. 1998) (holding that police have probable cause to detain someone they see riding a bike at 3 a.m., carrying an axe).

*Dep’t of Revenue v. James B. Beam Distilling Co.*, 377 U.S. 341, 349 (1964) (7–2 decision) (Black, J., dissenting) (disagreeing with Justice Goldberg as to the relative merits of bourbon and scotch).

**R14. History of the Case**

R14.1. Subsequent History

When citing a case, include the subsequent history of the case, subject to several exceptions. Refer to Table T14 for how to abbreviate explanatory phrases when introducing case history. Italicize the explanatory phrase.

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The United States is a common law system, where court decisions play an important role in defining what the law is. To figure out the difference between good law and bad law, we have to look at the case’s subsequent history to make sure it was not vacated or reversed on the point being relied upon in a cited assertion. These types of important subsequent history are required by the Uniform System of Citation. On the other hand, some subsequent history is generally unimportant and should be omitted from the citation. Examples include the denial of a motion for reconsideration, or the denial of a petition for certiorari in a case decided more than two years ago. See Table T3 for some state-specific variations, and of course follow local practice and local court rules on subsequent history.

Note that subsequent history is the history of that particular case in litigation. If a different case (unrelated parties but a similar legal issue) later overrules an older case’s holding, that case is no longer good law for that point—but subsequent history is not involved in the citation. This is but one example of how legal citation overlaps with legal analysis itself. If a writer is citing a case that was later overruled, the writer should not simply polish the citation’s mandatory subsequent history, but rather re-consider why to cite that “bad law” in the first place.

R14.2 Required Explanatory Phrases

Always use the following explanatory phrases when applicable, and italicize them:

* *aff’d*
* *cert. granted*
* *rev’d*
* *rev’d on other grounds*

Include *cert. denied* in a case’s subsequent history when the case was decided less than two years ago (from the date the case is being used as a legal citation). Once two years have elapsed from the date of the case being cited, stop including *cert. denied* in subsequent history except if that denial is specifically important to the point being made with the citation.

See Table T14 for a full list of required abbreviations for explanatory phrases.

**Examples:**

* *In re Verizon Internet Servs., Inc.*, 257 F. Supp. 2d 244 (D.D.C. 2003), *rev’d on other grounds*, *Recording Indus. Ass’n of Am., Inc. v. Verizon Internet Servs., Inc.*, 351 F.3d 1229 (D.C. Cir. 2003).

[This subsequent history is always required because the primary case being cited has been reversed.]

* *B.L. v. Mahanoy Area Sch. Dist.*, 964 F.3d 170 (3d Cir. 2020), *cert. granted*, No. 20-255 (Jan. 8, 2021).

[This would be an appropriate citation while the Supreme Court’s decision and opinion remained pending. After the opinion, it is unlikely that this citation would be needed since the Supreme Court opinion itself is the final authority.]

* The district court’s decision withstood all layers of federal-appellate review*. Energy & Env't Legal Inst. v. Epel*, 43 F. Supp. 3d 1171 (D. Colo. 2014), *aff’d*, 793 F.3d 1169 (10th Cir. 2015), *cert. denied*, 577 U.S. 1043 (2015).

[This denial of certiorari is included because it is integral to the sentence’s claim, and would be appropriate even after the two-year period for including denial of petitions for certiorari had expired.]

R14.3 Renamed Cases

When the case has a different name in the subsequent history, provide the new case name after the italicized phrase “*sub nom.*” (“under the name of”).

**Example:** *Lerman v. Comm’r*, 939 F.2d 44 (3d Cir. 1991), *rev’d sub nom. Horn v. Comm’r*, 968 F.2d 1229 (D.C. Cir. 1992).

**Exception:** Do **not** provide the new case name if either the parties’ names are merely reversed or if the subsequent history is simply a denial of certiorari or rehearing:

**Correct:** *United States v. Schmuck*, 840 F.2d 384 (7th Cir. 1988), *aff’d,* 489 U.S. 705 (1989).

**Incorrect:** *United States v. Schmuck*, 840 F.2d 384 (7th Cir. 1988), *aff’d,* *Schmuck v. United States*, 489 U.S. 705 (1989).

**R15. Short Form Citation for Cases**

R15.1 In Text

Once a case has been cited in full, you may refer to one party’s name in the text. Use the chosen party’s name—usually the first-named party’s name—consistent with these rules for selecting a short-form citation and consistent with the abbreviation rules in Rule R11 for all case names (full citation or short citation).

Within the text sentence or (preferably) after the text sentence, provide a truncated citation sentence in the form of <volume> <Name of Reporter> at <pincite>.

**Examples:**

The court in *Fenton* also held that there was error in the award of damages based on loss of fair market value of property due to the flying balls. 233 N.E.2d at 219.

The court in *Fenton*, 233 N.E.2d at 219, also held that there was error in the award of damages based on loss of fair market value of property due to the flying balls.

R15.2 In Citation Sentences and Clauses

R15.2.1 When a short form may be used

If the reference is unambiguous and the full citation is easily accessible earlier in the text, then you may use a short form citation in a citation sentence or clause. You have discretion to repeat the full-citation form when useful to the reader, such as after five short-form uses of *id.*, five footnotes using *id.*, or after a new heading or page break.

R15.2.2 Form of short citations

For cases, a short form citation usually includes: <The First Party of the Case Name>, <volume number> <Reporter> at <pincite>. As with full citations, the case name is italicized but the comma after the case name is not italicized.

**Examples:**

*Fenton*, 233 N.E.2d at 219.

*Malletier*, 500 F. Supp. 2d at 281.

R15.2.3 Exceptions to using the first party of the case name

Do not use the first party of the case name if that party either is a geographical or governmental unit or a party name that is used for multiple cases. Otherwise, it may confuse the reader.

**Examples:**

*United States v. Carmel*, 548 F.3d 571 (7th Cir. 2008) becomes *Carmel*, 548 F.3d at 573.

*Gonzalez v. Raich*, 545 U.S. 1 (2005) becomes *Raich*, 545 U.S. at 8.

R15.2.4 Shortening party names

Shorten a long party name, but only if the shortening saves significant useful space and if the reference remains clear. Use a [hereinafter \_\_\_] designation if needed:

**Examples:**

*Home Depot USA, Inc. v. Jackson*, 139 S. Ct. 1743, 1744 (2019) becomes *Home Depot*, 139 S. Ct. at 1744.

*A Book Named "John Cleland’s Memoirs of a Woman of Pleasure" v. Attorney Gen. of Mass.*, 383 U.S. 413, 418 (1966) [hereinafter, *Memoirs*] can then become *Memoirs,* 383 U.S. at 418.

R15.3. *Id.*

R15.3.1 *Id.* with immediately preceding citation (same page of case)

If you are citing to the same case referenced in the immediately preceding citation, use *id.* as the short form citation. *Id.* by itself refers to the same case and same pincite in that case.

**Example:**

When the author of a work is a judge or legislator, it carries the force of law and cannot be copyrighted. *Georgia v. Public.Resource.org*, 140 S. Ct. 1498, 1513 (2020). To hold otherwise would be to discourage the use of “official legal works that illuminate the law we are all presumed to know and understand.” *Id.*

R15.3.2 *Id.* with immediately preceding citation (different page)

If you are referring to the immediately preceding case, but to a different page, use *id.* at <pincite>.

**Example:**

Fair use is ultimately a legal question because the question “primarily involves legal work.” *Google LLC v. Oracle Am., Inc.*, 141 S. Ct. 1183, 1199 (2021). Although it may involve “subsidiary factual questions,” the ultimate question is legal rather than factual. *Id.* at 1200.

R15.3.3 *Id.* forbidden with string citations and ambiguous references

*Id.* should be used only if the preceding citation cites to one source.

**Correct:**

In examining the third factor—the proximity of the parties’ products in the marketplace—courts assess whether the parties occupy “distinct merchandising markets.” *Naked Cowboy v. CBS*, 844 F. Supp. 2d 510, 517-18 (S.D.N.Y. 2012). For example, would an unsophisticated viewer confuse the source of the long-running daytime television series with another party’s street performances or his souvenirs? *Id.*

**Incorrect:**

In examining the third factor—the proximity of the parties’ products in the marketplace—courts assess whether the parties occupy “distinct merchandising markets.” *Hormel Foods Corp. v. Jim Henson Prods., Inc.*, 73 F.3d 497, 504 (2d Cir. 1996); *Naked Cowboy v. CBS*, 844 F. Supp. 2d 510, 517-18 (S.D.N.Y. 2012). For example, would an unsophisticated viewer confuse the source of the long-running daytime television series with another party’s street performances or his souvenirs? *Id.*

**Correct:**

In examining the third factor—the proximity of the parties’ products in the marketplace—courts assess whether the parties occupy “distinct merchandising markets.” *Hormel Foods Corp. v. Jim Henson Prods., Inc.*, 73 F.3d 497, 504 (2d Cir. 1996); *Naked Cowboy v. CBS*, 844 F. Supp. 2d 510, 517-18 (S.D.N.Y. 2012). For example, would an unsophisticated viewer confuse the source of the long-running daytime television series with another party’s street performances or his souvenirs? *Naked Cowboy*, 844 F. Supp. 2d at 517-18.

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The short form i*d*. can be used only to refer to the immediately preceding citation, and the standard for what is immediately preceding is strict indeed. Do not use *id.* simply because a full citation has been given somewhere previously in the text. *Id.* can follow a single citation; a string citation terminates the opportunity to use *id.* next. Indeed, any reference by name to an intervening authority, even without an actual citation, also terminates the opportunity to use *id.* next.

There is one exception to this strict construction of when to use *id.* If the preceding citation includes a parenthetical citing a case within that parenthetical, that citation-within-a-citation does not foreclose the use of id. In that scenario, *id.* may be used to cite back to the immediately preceding citation to which the citation-within-a-citation is attached. Thus, a source cited parenthetically does not become the immediately preceding citation. This is structurally different from a string citation. Do not use *id.* after a string citation, even to attempt to refer to the final citation in the string.