Twitter Thread by Chris Geidner



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Sam Alito, man.

Alito complains that the most silly criticism of the shadow docket is that they're late-night rulings. He mentioned that #SB8 was going into effect at midnight as a reason why SCOTUS has late-night decisions, but didn't mention that SCOTUS didn't rule before it went into effect.

Alito says that full briefing would have been impossible in shadow docket cases like #SB8 — ignoring the possibility that Chief Justice Roberts himself offered up: a temporary stay preventing #SB8 from going into effect until full briefing could be held.

Sam Alito: We do a pretty good job of explaining shadow docket decisions.

Sam Alito, 2 minutes later: Most shadow docket decisions contain so little information, what good would it do to put a justice's name on the order?