

Four-to-Three Decisions

Just as in 1928-29, there were no 4-3 decisions this term—an unusual development, primarily due to Justice Vinje's unavailability explained in this post's introduction. Two of the deadlocked (3-3) decisions (*Boehlke v. Wallschlaeger* and *Morse v. State*) specified that Justice Vinje did not participate. The third 3-3 decision (*Luebke v. Danaher*) did not name the absent justice, but it likely was Justice Vinje, given that the decision issued in May 1928, a month after the last indication of his involvement in the outcome of any case.