

APPENDIX
Recess Appointments to the Supreme Court of the
United States

Name	Position	Date of Recess Appointment	Action Taken
Potter Stewart	Associate Justice	10/14/1958	Confirmed 5/5/1959
William J. Brennan	Associate Justice	10/15/1956	Confirmed 3/19/1957
Earl Warren	Chief Justice	10/2/1953	Confirmed 3/1/1954
David Davis	Associate Justice	10/17/1862	Confirmed 12/8/1862*
Benjamin R. Curtis	Associate Justice	9/22/1851	Confirmed 12/20/1851*
Levi Woodbury	Associate Justice	9/20/1845	Confirmed 1/3/1846*
John McKinley	Associate Justice	4/22/1837	Confirmed 9/25/1837*
Smith Thompson	Associate Justice	9/1/1823	Confirmed 12/9/1823*
Henry B. Livingston	Associate Justice	11/10/1806	Confirmed 12/17/1806*
Bushrod Washington	Associate Justice	9/29/1798	Confirmed 12/20/1798*
John Rutledge	Chief Justice	7/1/1795	Rejected 12/15/1795
Thomas Johnson	Associate Justice	8/5/1791	Confirmed 11/7/1791*

Unless otherwise indicated, the information set forth in these tables was compiled from records of individual federal judicial appointments maintained by the Office of Legal Policy at the United States Department of Justice.

*Federal Judicial Center, Federal Judges Biographical Database (last modified Sept. 20, 2004) <<http://www.fjc.gov/history/home.nsf>>.

Recess Appointments of Federal Judges¹

Judge	Court	Recess Appointment Date	Action Taken
George W. Bush (2001-present)			
William H. Pryor Jr.	11th Cir.	2/20/2004*	N/A
Charles W. Pickering	5th Cir.	1/16/2004	N/A
William J. Clinton (1993-2001)			
Roger L. Gregory	4th Cir.	12/27/2000	Confirmed 7/20/2001
George H.W. Bush (1989-93)			
None			
Ronald W. Reagan (1981-89)			
None			

¹ The names on this table have been compared with the list of Recess Appointments to Article III Courts maintained by the Federal Judicial History Office of the Federal Judicial Center (FJC), and are substantially identical with the following exceptions. The FJC list includes both Oliver Wendall Holmes (Supreme Court) and Jeremiah Neterer (U.S. District Court for the Western District of Washington), who are not included on this list. See Henry B. Hogue, *The Law: Recess Appointments of Article III Judges*, 34 *Presidential Stud. Q.* 656, 665 (2004) (concluding that Holmes did not receive recess appointment to Supreme Court). This table includes both the recess appointment of James L. Almond (Court of Customs and Patent Appeals) and the second recess appointment of John E. Sater (U.S. District court for the Southern District of Ohio), which are not included on the FJC list.

Jimmy Carter (1977-81)			
Walter M. Heen	D. Haw.	12/31/1980	Recess appointment expired 12/16/1981 after nomination withdrawn 1/22/1981
Gerald R. Ford (1974-77)			
None			
Richard M. Nixon (1969-74)			
None			
Lyndon B. Johnson (1963-69)			
John M. Davis	E.D. Pa.	1/7/1964	Confirmed 3/14/1964
David Rabinovitz	W.D. Wis.	1/7/1964	Service terminated when Congress adjourned 10/4/1964
Aloysius Leon Higginbotham, Jr.	E.D. Pa.	1/6/1964	Confirmed 3/14/1964
Spottswood W. Robinson III	D.D.C.*	1/6/1964	Confirmed 7/1/1964
John F. Kennedy (1961-63)			
William J. Nealon, Jr.	M.D. Pa.	12/13/1962	Confirmed 3/15/1963
Bernard M. Decker	N.D. Ill.	12/12/1962	Confirmed 3/28/1963

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James L. Almond	C.C.P.A.	10/23/1962	Confirmed 6/28/1963
Frank Gray, Jr.	M.D. Tenn.	11/20/1961	Confirmed 2/17/1962
Charles Gilbert Neese	E.D. Tenn.	11/20/1961	Confirmed 2/7/1962
Louis Rosenberg	W.D. Pa.	11/20/1961	Confirmed 7/10/1962
Harrison L. Winter	D. Md.	11/9/1961	Confirmed 2/7/1962
Lunsford R. Preyer	M.D.N.C.	10/7/1961	Confirmed 2/7/1962
Clarence W. Allgood	N.D. Ala.	10/5/1961	Confirmed 2/5/1962
Griffin B. Bell	5th Cir.	10/5/1961	Confirmed 2/5/1962
Dudley B. Bonsal	S.D.N.Y.	10/5/1961	Confirmed 3/16/1962
Henry Leo Brewster	N.D. Tex.	10/5/1961	Confirmed 3/16/1962
Irving B. Cooper	S.D.N.Y.	10/5/1961	Confirmed 9/20/1962
Frederick A. Daugherty	E.D. Okla., N.D. Okla. & W.D. Okla.*	10/5/1961	Confirmed 2/7/1952
Wilfred Feinberg	S.D.N.Y.	10/5/1961	Confirmed 3/16/1962
Walter P. Gewin	5th Cir.	10/5/1961	Confirmed 2/5/1962
Ben C. Green	N.D. Ohio	10/5/1961	Confirmed 6/29/1962
Paul R. Hays	2d Cir.	10/5/1961	Confirmed 3/16/1962

Sarah T. Hughes	N.D. Tex.	10/5/1961	Confirmed 3/16/1962
Thurgood Marshall	2d Cir.	10/5/1961	Confirmed 9/11/1962
James L. Noel, Jr.	S.D. Tex.	10/5/1961	Confirmed 3/16/1962
John W. Peck	S.D. Ohio	10/5/1961	Confirmed 4/11/1962
George Rosling	E.D.N.Y.	10/5/1961	Confirmed 3/16/1962
Talbot Smith	E.D. Mich.	10/5/1961	Confirmed 2/5/1962
Adrian A. Spears	W.D. Tex.	10/5/1961	Confirmed 3/16/1962
Dwight D. Eisenhower (1953-61)			
Andrew A. Caffrey	D. Mass.	10/13/1960	Confirmed 8/9/1961
John Feikens	E.D. Mich.	10/13/1960	Recess appointment expired 9/27/1961
Cyrus N. Tavares	D. Haw.	10/13/1960	Confirmed 9/21/1961
Jesse Smith Henley	E.D. Ark.	10/25/1958	Confirmed 9/2/1959
Potter Stewart	S. Ct.	10/14/1958	Confirmed 5/5/1959
Edwin A. Robson	N.D. Ill.	9/29/1958	Confirmed 4/29/1959
George L. Hart	D.D.C.	8/29/1958	Confirmed. 9/9/1959
Edwin M. Stanley	M.D.N.C.	10/23/1957	Confirmed 2/25/1958

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Leonard P. Moore	2d Cir.	9/6/1957	Confirmed 2/25/1958
William J. Brennan	S. Ct.	10/15/1956	Confirmed 3/19/1957
Frank M. Johnson Jr.	M.D. Ala.	10/22/1955	Confirmed 1/31/1956
Ewing T. Kerr	D. Wyo.	10/22/1955	Confirmed 3/1/1956
John M. Cashin	S.D.N.Y.	8/17/1955	Confirmed 3/1/1956
Joseph P. Lieb	S.D. Fla.*	8/13/1955	Confirmed 3/1/1956
William B. Herlands	S.D.N.Y.	8/12/1955	Confirmed 6/26/1956
Charles W. Kraft, Jr.	E.D. Pa.	8/12/1955	Confirmed 3/28/1956
Robert D. Watkins	D. Md.	8/12/1955	Confirmed 3/1/1956
Edward J. Devitt	D. Minn.	12/10/1954	Confirmed 2/4/1955
Walter M. Bastian	D.C. Cir.	9/20/1954	Confirmed 12/2/1954
Lamar R. Cecil	E.D. Tex.	8/31/1954	Confirmed 12/2/1954
George T. Mickelson	D.S.D.	12/9/1953	Confirmed 2/9/1954
Elmer J. Schnackenberg	7th Cir.	11/17/1953	Confirmed 2/9/1954
Edward W. Day	D.R.I.	11/10/1953	Confirmed 2/9/1954
Carroll C. Hincks	2d Cir.	10/3/1953	Confirmed 2/9/1954
Edwin F. Hunter	W.D. La.	10/3/1953	Confirmed 2/9/1954

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Earl Warren	S. Ct.	10/2/1953	Confirmed 3/1/1954
John A. Danaher	D.C. Cir.	10/1/1953	Confirmed 3/30/1954
Harry S. Truman (1945-53)			
Monroe M. Friedman	N.D. Cal.	7/17/1952	Nomination withdrawn 7/24/1953
David N. Edelstein	S.D.N.Y.	11/1/1951	Confirmed 4/7/1952
Ernest A. Tolin	S.D. Cal.	10/30/1951	Confirmed 6/10/1952
Walter M. Bastian	D.D.C.	10/23/1950	Confirmed 12/14/1950
William M. Byrne	S.D. Cal.	9/27/1950	Confirmed 12/13/1950
Oliver J. Carter	N.D. Cal.	9/27/1950	Confirmed 12/13/1950
Robert L. Taylor	E.D. Tenn.	11/2/1949	Confirmed 3/8/1950
Maurice N. Andrews	N.D. Ga.	10/21/1949	Rejected by Senate 8/9/1950
David L. Bazelon	D.C. Cir.	10/21/1949	Confirmed 2/8/1950
Owen M. Burns	W.D. Pa.	10/21/1949	Confirmed 3/8/1950
Thomas J. Clary	E.D. Pa.	10/21/1949	Confirmed 3/8/1950
Charles Fahy	D.C. Cir.	10/21/1949	Confirmed 4/4/1950
Allan K. Grim	E.D. Pa.	10/21/1949	Confirmed 4/4/1950

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William H. Hastie	3d Cir.	10/21/1949	Confirmed 7/19/1950
Delmas C. Hill	D. Kan.	10/21/1949	Confirmed 3/8/1950
Frank A. Hooper, Jr.	N.D. Ga.	10/21/1949	Confirmed 2/21/1950
Irving R. Kaufman	S.D.N.Y.	10/21/1949	Confirmed 4/4/1950
James R. Kirkland	D.D.C.	10/21/1949	Confirmed 3/8/1950
John F.X. McGohey	S.D.N.Y.	10/21/1949	Confirmed 3/8/1950
Charles F. McLaughlin	D.D.C.	10/21/1949	Confirmed 2/28/1950
Burnita S. Matthews	D.D.C.	10/21/1949	Confirmed 4/4/1950
Gregory F.X. Noonan	S.D.N.Y.	10/21/1949	Confirmed 4/25/1950
Willis W. Ritter	D. Utah	10/21/1949	Confirmed 6/29/1950
Gus J. Solomon	D. Ore.	10/21/1949	Confirmed 6/27/1950
Sidney Sugarman	S.D.N.Y.	10/21/1949	Confirmed 4/28/1950
Hardress N. Swaim	7th Cir.	10/21/1949	Confirmed 2/8/1950
Carroll O. Switzer	S.D. Iowa	10/21/1949	Rejected by Senate 8/9/1950; resigned 12/26/1950
George T. Washington	D.C. Cir.	10/21/1949	Confirmed 4/28/1950

James S. Wright	E.D. La.	10/21/1949	Confirmed 3/8/1950
David E. Henderson	W.D.N.C.	9/1/1948	Resigned without confirmation 2/13/1949
Roy W. Harper	E.D. Mo. & W.D. Mo.	6/22/1948	Confirmed 1/31/1949
Samuel H. Kaufman	S.D.N.Y.	6/22/1948	Confirmed 1/31/1949
Edward A. Tamm	D.D.C.	6/22/1948	Confirmed 3/29/1949
Roy W. Harper	E.D. Mo. & W.D. Mo.	12/20/1947	Recess appointment expired 6/22/1948*
Sylvester J. Ryan	S.D.N.Y.	11/1/1947	Confirmed 12/18/1947
Roy W. Harper	E.D. Mo. & W.D. Mo.	8/7/1947	Recess appointment expired 12/19/1947*
Edward M. Curran	D.D.C.	10/16/1946	Confirmed 2/3/1947
Richmond B. Keech	D.D.C.	10/14/1946	Confirmed 1/22/1947
Franklin D. Roosevelt (1933-45)			
Guy K. Bard	E.D. Pa.	12/20/1939	Confirmed 4/24/1940
Thomas G. Walker	D.N.J.	12/20/1939	Confirmed 3/5/1940
Alfred D. Barksdale	W.D. Va.	12/19/1939	Confirmed 2/1/1940

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Armistead M. Dobie	4th Cir.	12/19/1939	Confirmed 2/1/1940
Michael L. Igoe	N.D. Ill.	11/21/1938	Confirmed 2/9/1939
Otto Kerner	7th Cir.	11/21/1938	Confirmed 2/1/1939
Harry E. Kalodner	E.D. Pa.	7/6/1938	Confirmed 3/30/1939
Floyd H. Roberts	W.D. Va.	7/6/1938	Rejected and resigned 2/6/1939
John H. Druffel	S.D. Ohio	9/22/1937	Confirmed 12/8/1937
David J. Davis	N.D. Ala.	12/10/1935	Confirmed 1/22/1936
Seth Thomas	8th Cir.	12/2/1935	Confirmed 1/22/1936
William H. Holly	N.D. Ill.	11/8/1933	Confirmed 2/20/1934
Philip L. Sullivan	N.D. Ill.	11/8/1933	Confirmed 2/20/1934
James E. Major	S.D. Ill.*	6/12/1933	Confirmed 1/23/1934
Herbert Hoover (1929-33)			
George E.Q. Johnson	N.D. Ill.	8/3/1932	Recess appointment expired 3/4/1933 after nomination rejected 3/3/1933
Daniel W. O'Donoghue	D.D.C.	10/28/1931	Confirmed 1/26/1932

William C. Chestnut	D. Md.	5/9/1931	Confirmed 1/12/1932
Morris A. Soper	4th Cir.	5/6/1931	Confirmed 1/12/1932
Fred D. Letts	D.D.C.	5/5/1931	Confirmed 2/17/1932
James A. Fee	D. Ore.	3/18/1931	Confirmed 12/22/1931
John Knight	W.D.N.Y.	3/18/1931	Confirmed 1/6/1932*
Gunnar H. Nordbye	D. Minn.	3/18/1931	Confirmed 2/3/1932
Calvin Coolidge (1923-29)			
James W. McCarthy	D.N.J.	10/6/1928	Confirmed 1/8/1929
Wayne G. Borah	E.D. La.	10/3/1928	Confirmed 12/17/1928
Nelson McVicar	W.D. Pa.	9/14/1928	Confirmed 12/17/1928
Edgar S. Vaught	W.D. Okla.	5/31/1928	Confirmed 1/8/1929
Edward J. Moinet	E.D. Mich.	6/13/1927	Confirmed 12/19/1927
Ira L. Letts	D.R.I.	6/9/1927	Confirmed 1/4/1928
Simon L. Adler	W.D.N.Y.	5/19/1927	Confirmed 1/16/1928*
Frederick H. Bryant	N.D.N.Y.	5/19/1927	Confirmed 12/19/1927
Frank J. Coleman	S.D.N.Y.	5/19/1927	Confirmed 12/19/1927
Augustus N. Hand	2d Cir.	5/19/1927	Confirmed 1/18/1928

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William C. Coleman	D. Md.	4/6/1927	Confirmed 12/19/1927
Johnson J. Hayes	M.D.N.C.	4/6/1927	Confirmed 12/17/1927
Elliott Northcott	4th Cir.	4/6/1927	Confirmed 12/15/1927
William J. Tilson	M.D. Ga.	3/5/1927	Resigned without confirmation 3/19/1928
William J. Tilson	M.D. Ga.	7/6/1926	Nomination withdrawn 2/9/1927
Louis H. Burns	E.D. La.	10/3/1925	Confirmed 12/21/1925
John J. Parker	4th Cir.	10/3/1925	Confirmed 12/14/1925
Harry B. Anderson	W.D. Tenn.	9/12/1925	Confirmed 1/29/1926
Wallace McCamant	9th Cir.	5/25/1925	Resigned 5/2/1926 after nomination rejected 3/17/1926
William L. Clark	D.N.J.	5/21/1925	Confirmed 12/17/1925
Albert W. Johnson	M.D. Pa.	5/21/1925	Confirmed 12/17/1925
Fred M. Raymond	W.D. Mich.	5/8/1925	Confirmed 12/18/1925
Edward J. Henning	S.D. Cal.	4/24/1925	Confirmed 12/15/1925
Merrill E. Otis	W.D. Mo.	3/23/1925	Confirmed 12/14/1925

Ernest F. Cochran	E.D.S.C.	11/22/1923	Confirmed 1/21/1924
Warren G. Harding (1921-23)			
William A. Cant	D. Minn.	5/21/1923	Confirmed 1/15/1924*
John S. Webster	E.D. Wash.	4/28/1923	Confirmed 1/16/1924*
Robert A. Inch	E.D.N.Y.	4/23/1923	Confirmed 1/8/1924
William E. Baker	N.D. W. Va.	4/4/1921	Confirmed 5/3/1921
Claude Z. Luse	W.D. Wis.	4/1/1921	Confirmed 4/27/1921
Woodrow Wilson (1913-21)			
Thomas G. Haight	3d Cir.	4/1/1919	Confirmed 6/24/1919
James C. Wilson	N.D. Tex.	3/5/1919	Confirmed 6/24/1919
William Hitz	D.C.	11/15/1916	Confirmed 1/2/1917
Tillman Johnson	D. Utah	11/2/1915	Confirmed 1/18/1916
Samuel Alschuler	7th Cir.	8/16/1915	Confirmed 1/18/1916
Joseph T. Johnson	W.D.S.C.	3/9/1915	Confirmed 1/24/1916
Rhydon M. Call	S.D. Fla.	3/26/1913	Confirmed 4/24/1913
William H. Taft (1909-13)			
John M. Cheney	S.D. Fla.	8/26/1912	Recess appointment expired 3/3/1913*

Clinton W. Howard	W.D. Wash.	8/26/1912	Recess appointment expired 3/3/1913*
Richard E. Sloan	D. Ariz.	8/26/1912	Recess appointment expired 3/3/1913*
Oscar R. Hundley	N.D. Ala.	3/6/1909	Recess appointment expired 5/24/1909
Milton D. Purdy	D. Minn.	3/6/1909	Resigned without confirmation 5/1/1909
Theodore Roosevelt (1901-09)			
Milton D. Purdy	D. Minn.	7/6/1908	Recess appointment expired 3/3/1909*
Oscar R. Hundley	N.D. Ala.	5/30/1908	Recess appointment expired 3/3/1909*
John E. Sater	S.D. Ohio	5/30/1908	Confirmed 3/1/1909
Josiah A. Van Orsdel	D.C. Cir.	11/14/1907	Confirmed 12/12/1907
Ralph E. Campbell	E.D. Okla.	11/11/1907	Confirmed 1/13/1908
John H. Cotteral	W.D. Okla.	11/11/1907	Confirmed 1/13/1908

Walter C. Noyes	2d Cir.	9/18/1907	Confirmed 12/10/1907
William B. Sheppard	N.D. Fla.	9/4/1907	Confirmed 5/20/1908
Henry G. Ward	2d Cir.	5/18/1907	Confirmed 12/17/1907
Oscar R. Hundley	N.D. Ala.	4/9/1907	Recess appointment expired 5/30/1908*
William C. Van Fleet	N.D. Cal.	4/2/1907	Confirmed 12/17/1907
Frank S. Dietrich	D. Idaho	3/19/1907	Confirmed 12/17/1907
John E. Sater	S.D. Ohio	3/18/1907	Recess appointment expired
James L. Martin	D. Vt.	10/20/1906	Confirmed 12/11/1906
Charles H. Robb	D.C. Cir.	10/5/1906	Confirmed 12/11/1906
Joseph Buffington	3d Cir.	9/25/1906	Confirmed 12/11/1906
Nathaniel Ewing	W.D. Pa.	9/25/1906	Confirmed 12/11/1906
Charles E. Wolverton	D. Ore.	11/20/1905	Confirmed 1/15/1906
Louis E. McComas	D.C. Cir.	6/26/1905	Confirmed 12/6/1905
Elmer B. Adams	8th Cir.	5/20/1905	Confirmed 12/12/1905

Gustavus Finkelnburg	E.D. Mo.	5/20/1905	Confirmed 12/12/1905
William M. Lanning	D.N.J.	6/1/1904	Confirmed 12/13/1904*
Wendell P. Stafford	D.C.	6/1/1904	Confirmed 12/13/1904*
Harry M. Clabaugh	D.C. (Chief Justice)	4/1/1903	Confirmed 11/16/1903*
George W. Ray	N.D.N.Y.	9/12/1902	Confirmed 12/8/1902*
Henry C. McDowell	W.D. Va.	11/12/1901	Confirmed 12/18/1901*
Thomas G. Jones	N.D. Ala. & M.D. Ala.	10/7/1901	Confirmed 12/17/1901*
William McKinley (1897-1901)			
George B. Adams	S.D.N.Y.	8/30/1901	Confirmed 12/17/1901*
Benjamin F. Keller	S.D. W. Va.	6/18/1901	Confirmed 12/17/1901*
Andrew McConnell January Cochran	E.D. Ky.	4/24/1901	Confirmed 12/17/1901*
Thomas H. Anderson	D.C.	4/23/1901	Confirmed 2/4/1902*
Robert W. Archbald	M.D. Pa.	3/29/1901	Confirmed 12/17/1901*
Jacob Trieber	E.D. Ark.	7/26/1900	Confirmed 1/9/1901*
James E. Boyd	W.D.N.C.	7/11/1900	Confirmed 1/9/1901*
Job Barnard	D.C.	10/1/1899	Confirmed 12/19/1899*

Hamilton G. Ewart	W.D.N.C.	4/13/1899	Recess appointment expired 6/7/1900
George Gray	3d Cir.	3/29/1899	Confirmed 12/18/1899*
Albert C. Thompson	S.D. Ohio	9/23/1898	Confirmed 12/20/1898*
Hamilton G. Ewart	W.D.N.C.	7/13/1898	Recess appointment expired 3/3/1899*
Edward R. Meek	N.D. Tex.	7/13/1898	Confirmed 2/15/1899*
Grover Cleveland (1893-97)			
John H. Rogers	W.D. Ark.	11/27/1896	Confirmed 12/15/1896*
Andrew Kirkpatrick	D.N.J.	11/20/1896	Confirmed 12/15/1896*
William D. McHugh	D. Neb.	11/20/1896	Nomination withdrawn 2/1/1897
Arthur L. Brown	D.R.I.	10/15/1896	Confirmed 12/15/1896*
Charles F. Amidon	D.N.D.	8/31/1896	Confirmed 2/18/1897*
John E. Carland	D.S.D.	8/31/1896	Confirmed 12/15/1896*
Elmer B. Adams	E.D. Mo.	5/17/1895	Confirmed 12/9/1895*
Benjamin Harrison (1889-93)			
Louis E. McComas	D.C.	11/17/1892	Confirmed 1/25/1893*

William W. Morrow	N.D. Cal.	9/18/1891	Confirmed 1/11/1892*
John S. Woolson	S.D. Iowa	8/14/1891	Confirmed 1/11/1892*
Henry C. Niles	S.D. Miss. & N.D. Miss.	8/11/1891	Confirmed 1/11/1892*
James H. Beatty	D. Idaho	3/7/1891	Confirmed 2/4/1892*
Alonzo J. Edgerton	D.S.D.	11/19/1889	Confirmed 1/16/1890*
Edward T. Green	D.N.J.	10/24/1889	Confirmed 1/27/1890*
Augustus J. Ricks	N.D. Ohio	7/1/1889	Confirmed 1/16/1890
Charles Swayne	N.D. Fla.	5/17/1889	Confirmed 4/1/1890*
Grover Cleveland (1885-89)			
Emile H. Lacombe	2d Cir.	5/26/1887	Confirmed 2/28/1888*
Edward F. Bingham	D.C. (Chief Justice)	4/22/1887	Confirmed 1/23/1888*
William J. Allen	S.D. Ill.	4/18/1887	Confirmed 1/19/1888*
Martin V. Montgomery	D.C.	4/1/1887	Confirmed 1/26/1888*
Charles H. Simonton	E.D.S.C. & W.D.S.C.	9/3/1886	Confirmed 1/13/1887*
William T. Newman	N.D. Ga.	8/13/1886	Confirmed 1/13/1887*
William M. Merrick	D.D.C.*	5/1/1885	Confirmed 3/30/1886*

Chester A. Arthur (1881-85)			
Walter Q. Gresham	7th Cir.	10/28/1884	Confirmed 12/9/1884*
William A. Woods	D. Ind.	5/2/1883	Confirmed 1/7/1884*
George R. Sage	S.D. Ohio	3/20/1883	Confirmed 1/7/1884*
James A. Garfield (1881)			
Addison Brown	S.D.N.Y.	6/2/1881	Confirmed 10/14/1881*
Rutherford B. Hayes (1877-81)			
Ezekiel B. Turner	W.D. Tex.	11/18/1880	Confirmed 12/20/1880*
William H. Hays	D. Ky.	9/6/1879	Confirmed 12/10/1879*
Charles P. James	D.C.	7/24/1879	Confirmed 12/10/1879*
Ulysses S. Grant (1869-77)			
Alexander S. Johnson	2d Cir.	10/25/1875	Confirmed 12/15/1875*
Martin Welker	N.D. Ohio	11/25/1873	Confirmed 12/8/1873*
Nathaniel Shipman	D. Conn.	4/16/1873	Confirmed 12/8/1873*
John M. McKinney	S.D. Fla.	11/8/1870	Confirmed 2/18/1871*
Joel C.C. Winch	E.D. Tex.	10/11/1870	Recess appointment expired 3/4/1871
John P. Knowles	D.R.I.	10/9/1869	Confirmed 1/24/1870*

Walter Q. Gresham	D. Ind.	9/1/1869	Confirmed 12/21/1869*
Andrew Johnson (1865-69)			
Samuel Blatchford	S.D.N.Y.	5/3/1867	Confirmed 7/16/1867*
George W. Brooks	E.D.N.C.	8/19/1865	Confirmed 1/22/1866*
John Erskine	N.D. Ga. & S.D. Ga.*	7/10/1865	Confirmed 1/22/1866*
Abraham Lincoln (1861-65)			
Richard Busteed	N.D. Ala. & S.D. Ala. & M.D. Ala.	11/17/1863	Confirmed 1/20/1864*
Thomas J. Boynton	S.D. Fla.	10/19/1863	Confirmed 1/20/1864*
Mark W. DeLahay	D. Kan.	10/6/1863	Confirmed 3/15/1864*
Edward H. Durell	E.D. La.	5/20/1863	Confirmed 2/17/1864*
John C. Underwood	E.D. Va.	3/27/1863	Confirmed 1/25/1864*
Andrew Wylie	D.C.	3/18/1863	Confirmed 1/20/1864*
David Davis	S. Ct.	10/17/1862	Confirmed 12/8/1862*
Bland Ballard	D. Ky.	10/16/1861	Confirmed 1/22/1862*
James Buchanan (1857-61)			
William G. Jones	S.D. Ala. & N.D. Ala. & M.D. Ala.	9/29/1859	Confirmed 1/30/1860*

Franklin Pierce (1853-57)			
James Dunlop	D.C. Cir. (Chief Judge)	11/27/1855	Confirmed 12/7/1855*
James M. Love	S.D. Iowa	10/5/1855	Confirmed 2/25/1856*
William F. Giles	D. Md.	7/18/1853	Confirmed 1/11/1854
Millard Fillmore (1850-53)			
Benjamin R. Curtis	S. Ct.	9/22/1851	Confirmed 12/20/1851*
Zachary Taylor (1849-50)			
Daniel Ringo	E.D. Ark. & W.D. Ark.	11/5/1849	Confirmed 5/10/1850*
Henry Boyce	W.D. La.	5/9/1849	Confirmed 8/2/1850*
James K. Polk (1845-49)			
James Dunlop	D.C. Cir.	10/3/1845	Confirmed 2/3/1846*
Levi Woodbury	S. Ct.	9/20/1845	Confirmed 1/3/1846*
John Tyler (1841-45)			
None			
W.H. Harrison (1841)			
None			
Martin Van Buren (1837-41)			
Robert B. Gilchrist	E.D.S.C. & W.D.S.C.	10/30/1839	Confirmed 2/17/1840*
John C. Nicoll	N.D. Ga. & S.D. Ga.	5/11/1839	Confirmed 2/17/1840*
Isaac S. Pennybacker	W.D. Va.*	4/23/1839	Confirmed 2/17/1840*

John McKinley	S. Ct.	4/22/1837	Confirmed 9/25/1837*
Andrew Jackson (1829-37)			
Jesse L. Holman	D. Ind.	9/16/1835	Confirmed 3/29/1836*
Benjamin Tappan	D. Ohio	10/12/1833	Rejected 12/26/1833
Thomas Irwin	W.D. Pa.	4/14/1831	Confirmed 3/21/1832*
Matthew Harvey	D.N.H.	11/2/1830	Confirmed 12/16/1830*
Philip P. Barbour	E.D. Va.	10/8/1830	Confirmed 12/16/1830*
John Q. Adams (1825-29)			
William Creighton, Jr.	D. Ohio	11/1/1828	Recess appointment expired 12/31/1828
Joseph Hopkinson	E.D. Pa.	10/23/1828	Confirmed 2/23/1829*
William Rossell	D.N.J.	11/10/1826	Confirmed 12/19/1826*
John Boyle	D. Ky.	10/20/1826	Confirmed 2/12/1827*
Alexander Caldwell	W.D. Va.*	10/28/1825	Confirmed 1/3/1826*
Alfred Conkling	N.D.N.Y.	8/27/1825	Confirmed 12/14/1825*
George Hay	E.D. Va.	7/5/1825	Confirmed 3/31/1826*
Philip C. Pendleton	W.D. Va.*	5/6/1825	Resigned 7/29/1825*

James Monroe (1817-25)			
Elias Glenn	D. Md.	8/31/1824	Confirmed 1/3/1825*
John Pitman	D.R.I.	8/4/1824	Confirmed 1/3/1825*
Smith Thompson	S. Ct.	9/1/1823	Confirmed 12/9/1823*
Peter Randolph	D. Miss.	6/25/1823	Confirmed 12/9/1823*
Willard Hall	D. Del.	5/6/1823	Confirmed 12/9/1823*
Jeremiah Cuyler	D. Ga.	6/12/1821	Confirmed 1/10/1822*
Roger Skinner	N.D.N.Y.	11/24/1819	Confirmed 1/5/1820*
Theodorick Bland	D. Md.	11/23/1819	Confirmed 1/5/1820*
James Madison (1809-17)			
William S. Pennington	D.N.J.	6/19/1815	Confirmed 1/9/1816*
Thomas Jefferson (1801-09)			
Henry B. Livingston	S. Ct.	11/10/1806	Confirmed 12/17/1806*
Matthias B. Tallmadge	N.D.N.Y.	6/12/1805	Confirmed 12/23/1805*
William Stephens	D. Ga.	10/22/1801	Confirmed 1/26/1802*
Dominick A. Hall	5th Cir.	7/1/1801	Confirmed 1/26/1802*
Henry Potter	5th Cir.	5/9/1801	Confirmed 1/26/1802*

David L. Barnes	D.R.I.	4/30/1801	Confirmed 1/26/1802*
William Kilty	D.C. Cir.	3/23/1801	Confirmed 1/26/1802*
John Adams (1797-1801)			
James Winchester	D. Md.	10/31/1799	Confirmed 12/10/1799*
Bushrod Washington	S. Ct.	9/29/1798	Confirmed 12/20/1798*
George Washington (1789-97)			
Benjamin Bourne	D.R.I.	10/13/1796	Confirmed 12/22/1796*
Joseph Clay, Jr.	D. Ga.	9/16/1796	Confirmed 12/27/1796*
John Rutledge	S. Ct.	7/1/1795	Rejected 12/15/1795
Samuel Hitchcock	D. Vt.	9/3/1793	Confirmed 12/30/1793*
Thomas Johnson	S. Ct.	8/5/1791	Confirmed 11/7/1791*
William Lewis	D. Pa.	7/14/1791	Confirmed 11/7/1791*
Robert Morris	D.N.J.	8/28/1790	Confirmed 12/20/1790*
William Paca	D. Md.	12/22/1789	Confirmed 2/10/1790*
Cyrus Griffin	D. Va.	11/28/1789	Confirmed 2/10/1790*
William Drayton	D.S.C.	11/18/1789	Confirmed 2/10/1790*

**Number of Judicial Recess Appointments
by President**

U.S. President	Number of Recess Appoint- ments	Number of Recess Appointments Later Confirmed
George W. Bush (2001-present)	2	N/A
William J. Clinton (1993-2001)	1	1/1
George H.W. Bush (1989-93)	0	N/A
Ronald W. Reagan (1981-89)	0	N/A
Jimmy Carter (1977-81)	1	0/1
Gerald R. Ford (1974-77)	0	N/A
Richard M. Nixon (1969-74)	0	N/A
Lyndon B. Johnson (1963-69)	4	3/4
John F. Kennedy (1961-63)	25	25/25
Dwight D. Eisenhower (1953-61)	27	26/27
Harry S. Truman (1945-53)	38	32/38
Franklin D. Roosevelt (1933-45)	14	13/14
Herbert Hoover (1929-33)	8	7/8
Calvin Coolidge (1923-29)	25	22/25
Warren G. Harding (1921-23)	5	5/5
Woodrow Wilson (1913-21)	7	7/7
William H. Taft (1909-13)	5	0/5
Theodore Roosevelt (1901-09)	27	23/27
William McKinley (1897-1901)	13	11/13
Grover Cleveland (1893-97)	7	6/7
Benjamin Harrison (1889-93)	9	9/9
Grover Cleveland (1885-89)	7	7/7
Chester A. Arthur (1881-85)	3	3/3
James A. Garfield (1881)	1	1/1
Rutherford B. Hayes (1877-81)	3	3/3
Ulysses S. Grant (1869-77)	7	6/7

Andrew Johnson (1865-69)	3	3/3
Abraham Lincoln (1861-65)	8	8/8
James Buchanan (1857-61)	1	1/1
Franklin Pierce (1853-57)	3	3/3
Millard Fillmore (1850-53)	1	1/1
Zachary Taylor (1849-50)	2	2/2
James K. Polk (1845-49)	2	2/2
John Tyler (1841-45)	0	N/A
W.H. Harrison (1841)	0	N/A
Martin Van Buren (1837-41)	4	4/4
Andrew Jackson (1829-37)	5	4/5
John Q. Adams (1825-29)	8	6/8
James Monroe (1817-25)	8	8/8
James Madison (1809-17)	1	1/1
Thomas Jefferson (1801-09)	7	7/7
John Adams (1797-1801)	2	2/2
George Washington (1789-97)	10	9/10