477 U.S. 242, 91 L.Ed.2d 202

[242]**Jack ANDERSON, et al., Petitioners**

v.

LIBERTY LOBBY, INC. and Willis A. Carto.

No. 84-1602.

Argued Dec. 3, 1985.
Decided June 25, 1986.

Libel action was brought against magazine, its publisher, and its chief executive officer. The United States District Court for the District of Columbia, 562 F.Supp. 201, granted summary judgment in favor of defendants and plaintiffs appealed. The Court of Appeals for the District of Columbia Circuit, 746 F.2d. 1563, affirmed in part and reversed in part. The Supreme Court, Justice White, held that: (1) ruling on motion for summary judgment or directed verdict necessarily implicates that substantive evidentiary standard of proof that would apply at a trial on the merits, and (2) when determining if genuine factual issue as to actual malice exists in a libel suit brought by a public figure, trial judge must bear in mind the actual quantum and quality of proof necessary to support liability under the *New York Times* doctrine.

Vacated and remanded.

Justice Brennan filed a dissenting opinion.

Justice Rehnquist filed a dissenting opinion in which Chief Justice Burger joined.

1. Federal Civil Procedure ⇐2470

Mere existence of some alleged factual dispute between the parties will not defeat an otherwise properly supported motion for summary judgment; there must be no genuine issue of material fact. Fed.Rules Civ. Proc.Rule 56(c), 28 U.S.C.A.

2. Federal Civil Procedure ⇐2470.1

Substantive law will identify which facts are material for purposes of summary judgment, as only disputes over facts that might affect the outcome of the suit under the governing law will properly preclude the entry of summary judgment; factual disputes that are irrelevant or unnecessary will not be counted. Fed.Rules Civ. Proc.Rule 56(c), 28 U.S.C.A.

3. Federal Civil Procedure ⇐2470.1

Materiality determination on motion for summary judgment rests on the substantive law and it is the substantive law's identification of which facts are critical and which facts are irrelevant that governs. Fed.Rules Civ.Proc.Rule 56(c), 28 U.S.C.A.

4. Federal Civil Procedure ⇐2470.1

Summary judgment will not lie if the dispute about a fact is "genuine," i.e., if the evidence is such that a reasonable jury could return a verdict for the nonmoving party.

See publication Words and Phrases for other judicial constructions and definitions.

5. Federal Civil Procedure ⇐2547

At summary judgment stage, judge's function is not himself to weigh the evidence and determine the truth of the matter but to determine whether there is a genuine issue for trial. Fed.Rules Civ. Proc.Rule 56(c), 28 U.S.C.A.

6. Federal Civil Procedure ⇐2470

There is no issue for trial unless there is sufficient evidence favoring the nonmoving party for jury to return a verdict for that party; if the evidence is merely colorable or is not significantly probative, summary judgment may be granted. Fed. Rules Civ.Proc.Rule 56(c), 28 U.S.C.A.

7. Federal Civil Procedure ⇐2556

There is no requirement that trial judge make findings of fact when granting summary judgment but, in many cases, findings are extremely helpful to a reviewing court. Fed.Rules Civ.Proc.Rule 56(c), 28 U.S.C.A.

8. Federal Civil Procedure ⇐2470.4

Standard for granting summary judgment mirrors the standard for a directed verdict which is that the trial judge must

the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law." By its very terms, this standard provides that the mere existence of *some* alleged factual dispute between the parties will not defeat an otherwise properly supported[248] motion for summary judgment; the requirement is that there be no *genuine* issue of *material* fact.

[2, 3] As to materiality, the substantive law will identify which facts are material. Only disputes over facts that might affect the outcome of the suit under the governing law will properly preclude the entry of summary judgment. Factual disputes that are irrelevant or unnecessary will not be counted. See generally 10A C. Wright, A. Miller, & M. Kane, Federal Practice and Procedure § 2725, pp. 93–95 (1983). This materiality inquiry is independent of and separate from the question of the incorporation of the evidentiary standard into the summary judgment determination. That is, while the materiality determination rests on the substantive law, it is the substantive law's identification of which facts are critical and which facts are irrelevant that governs. Any proof or evidentiary requirements imposed by the substantive law are not germane to this inquiry, since materiality is only a criterion for categorizing factual disputes in their relation to the legal elements of the claim and not a criterion for evaluating the evidentiary underpinnings of those disputes.

[4] More important for present purposes, summary judgment will not lie if the dispute about a material fact is "genuine," that is, if the evidence is such that a reasonable jury could return a verdict for the nonmoving party. In *First National Bank of Arizona v. Cities Service Co.*, 391 U.S. 253, 88 S.Ct. 1575, 20 L.Ed.2d 569 (1968), we affirmed a grant of summary judgment for an antitrust defendant where the issue was whether there was a genuine factual dispute as to the existence of a conspiracy. We noted Rule 56(e)'s provision that a party opposing a properly supported motion for summary judgment " 'may not rest upon the mere allegations or denials of his pleading, but ... must set forth specific facts showing that there is a genuine issue for trial.' " We observed further that

> "[i]t is true that the issue of material fact required by Rule 56(c) to be present to entitle a party to proceed to[249] trial is not required to be resolved conclusively in favor of the party asserting its existence; rather, all that is required is that sufficient evidence supporting the claimed factual dispute be shown to require a jury or judge to resolve the parties' differing versions of the truth at trial." 391 U.S., at 288–289, 88 S.Ct., at 1592.

We went on to hold that, in the face of the defendant's properly supported motion for summary judgment, the plaintiff could not rest on his allegations of a conspiracy to get to a jury without "any significant probative evidence tending to support the complaint." *Id.*, at 290, 88 S.Ct., at 1593.

Again, in *Adickes v. S.H. Kress & Co.*, 398 U.S. 144, 90 S.Ct. 1598, 26 L.Ed.2d 142 (1970), the Court emphasized that the availability of summary judgment turned on whether a proper jury question was presented. There, one of the issues was whether there was a conspiracy between private persons and law enforcement officers. The District Court granted summary judgment for the defendants, stating that there was no evidence from which reasonably minded jurors might draw an inference of conspiracy. We reversed, pointing out that the moving parties' submissions had not foreclosed the possibility of the existence of certain facts from which "it would be open to a jury ... to infer from the circumstances" that there had been a meeting of the minds. *Id.*, at 158–159, 90 S.Ct., at 1608, 1609.

[5, 6] Our prior decisions may not have uniformly recited the same language in describing genuine factual issues under Rule