

Year	Case	Emoji/Emoticon	Which?	Where used?	Did court display?	More than 1x	Type of legal issue
2004							
	MicroStrategy, Inc. v. Business Objects, S.A., 331 F. Supp. 2d 396 (E.D. Va. 2004)	Emoticon	Smiley	Email	No	No	Trade Secret
2007							
	Hiller v. United States, 2007 U.S. Dist. LEXIS 85536 (N.D. Cal. Sept. 28, 2007)	Emoticon	Not specified	Web posting (jeep	No (omitted)	Yes	Personal Injury
	State v. Atchison, 15 Neb. App. 422 (Neb. Ct. App. 2007)	Emoticon	Devil, Wink, Smug, Batting Eyelashes	IM	Yes	Yes	Sexual Predation
	U.S. v. Cochran, 510 F. Supp. 2d 470 (N.D. Ind. 2007). Affirmed U.S. v. Cochran, 534 F.3d 623 (7th Cir. 2018)	Emoticon	French kiss and others	Yahoo Chat	No	Yes	Sexual Predation
2008							
	Fair Hous. Council v. Roommates.com, LLC, 521 F.3d 1157 (9th Cir. 2008)	Emoticon	Multiple	Web posting (Roc	No	No	Housing Discrimination
	SD Prot., Inc. v. Del Rio, 2008 U.S. Dist. LEXIS 112043 (E.D.N.Y. Sept. 10, 2008)	Emoticon	Smiley	Email	Yes	No	Contract
	U.S. v. Angle, 2008 U.S. Dist. LEXIS 34074 (N.D. Ind. Apr. 24, 2008), repeated U.S. v. Angle, 2008 U.S. Dist. LEXIS 112043 (E.D.N.Y. Sept. 10, 2008)	Emoticon	Smiley	Email	Yes	No	Sexual Predation
	Woodson v. Lason Systems, 2008 WL 11333778 (W.D. Tex. Nov. 4, 2008)	Emoticon	Unspecified	MSN and Yahoo I	No	No	Employment Termination
2009							
	Smith v. Rose, 2009 U.S. Dist. LEXIS 43787 (W.D. Wis. May 20, 2009)	Emoticon	Smiley	Hand-written	No	No	Prison
	State v. Pischel, 277 Neb. 412 (2009)	Emoticon	Anger and others	IM	No	Yes	Sexual Predation
	State v. Prine, 13 So.3d 758 (La. Ct. App. May 20, 2009), habeus denied Prine v. Winn Corr. 2009 U.S. Dist. LEXIS 116934 (N.D. Ill. Oct. 1, 2009)	Emoticon	Smiley	Chatroom	No	No	Sexual Predation
	In re Trans Union Corp. Privacy Litig., 2009 U.S. Dist. LEXIS 116934 (N.D. Ill. Oct. 1, 2009)	Emoticon	Smiley	Email	No	No	Attorneys Fees
	U.S. v. Brown, 2009 U.S. Dist. LEXIS 59671 (S.D. Ind. July 13, 2009)	Emoticon	"smiling and winking"	Chat	No	No	Sexual Predation
2010							
	Career Agents Network, Inc. v. careeragentsnetwork.biz, 722 F. Supp. 2d 814 (E.D. Mich. 2010)	Emoticon	Smiley face or winky [sounded like a smiley to me]	Text message	No	No	Attorneys Fees
	FTC v. LucasLaw Center Inc., 2010 WL 11506885 (C.D. Cal. June 3, 2010)	Emoticon	Smiley	Email	No	No	Fraud
	Gearren v. McGraw-Hill Cos., 690 F. Supp. 2d 254 (S.D.N.Y. 2010)	Emoticon	Unspecified	Email	No	No	ERISA
	Lenz v. Universal Music Corp., 2010 U.S. Dist. LEXIS 16899 (N.D. Cal. Feb. 25, 2010)	Emoticon	Winky	Email	Yes	Yes	Copyright Takedown
	In re Oladiran, 2010 U.S. Dist. LEXIS 106385 (D. Az. Sept. 21, 2010)	Emoticon	Smiley	Letter	No	No	Attorney Discipline
	State v. Nero, 122 Conn. App. 763 (2010)	Emoticon	Winking, Happy Face, Confused	Chatroom	No	Yes	Sexual Predation
2011							
	Microsoft Corp. v. Shah, 2011 U.S. Dist. LEXIS 2995 (W.D. Wash. Jan. 12, 2011)	Emoticon	N/A	Website	No	Yes	Trademarks
	People v. Lesser, 2011 WL 193460 (Cal. Ct. App. Jan. 21, 2011)	Emoticon	Blushing and more	Chat	No	Yes	Sexual Predation
	People v. Patel, 2011 Cal. App. Unpub. LEXIS 8245 (Cal. Ct. App. Oct. 27, 2011)	Emoticon	Unspecified	Yahoo chatroom	No	No	Sexual Predation
	State v. Jacques, 332 Wis. 2d 804 (Wis. Ct. App. 2011)	Emoticon	Blushing and more	Chat	No	Yes	Sexual Predation
2012							
	Mims v. Chilton Med. Ctr., 2012 U.S. Dist. LEXIS 27755 (M.D. Ala. Mar. 2, 2012)	Emoticon	"I love you"	Text message	No	No	Harassment
	Intellect Wireless, Inc. v. HTC Corp., 910 F. Supp. 2d 1056 (N.D. Ill. 2012), affirmed 732 F.3d 1000 (7th Cir. 2013)	Emoticon	N/A	N/A	No	Yes	Patent
	People v. Reyes, 2012 Cal. App. Unpub. LEXIS 5347 (Cal. Ct. App. July 20, 2012)	Emoticon	"Sad face"	Handwritten journal	No	No	Physical assault
	Piping Rock Partners, Inc. v. David Lerner Associates, Inc., 2012 WL 5471143 (N.D. Cal. Nov. 1, 2012)	Emoticon	"Laughing face"	"Post"	No	No	Defamation
	State v. Croft, 2012 Kan. App. Unpub. LEXIS 1061 (Kan. Ct. App. 2012)	Emoticon	Smiley	Yahoo Messenger	No	No	Sexual Predation
	U.S. v. Shinn, 681 F.3d 924 (8th Cir. 2012)	Emoticon	Butt cheeks	Chatroom	No	No	Sexual Predation
	Wiswell v. Verticalscope, Inc., 2012 WL 13136295 (W.D. Tex. Aug. 1, 2012)	Emoticon	"cartoon character pointing archly at some sort of d	Message board	No	Yes	Defamation
	Xen, Inc. v. Citrix Sys., 2012 U.S. Dist. LEXIS 153787 (C.D. Cal. Oct. 25, 2012)	Emoticon	Angry face	N/A	No	No	Trademark
2013							
	Allstate Ins. Co. v. Chretien, 2013 U.S. Dist. LEXIS 175458 (D. Me. Nov. 5, 2013)	Emoticon	Not clear	Email	Not clear	No	Non-compete
	Arnold v. Reliant Bank, 932 F. Supp. 2d 840 (M.D. Tenn. 2013)	Emoticon	Smiley	Written document	No	No (repeats 2x)	Discrimination
	Commonwealth v. Bogle, 2013 Pa. Super. Unpub. LEXIS 2589 (Pa. Superior Ct. June 20, 2013)	Emoticon	Sad face	Written letter	No	No	Sentencing
	Finlay v. Potteiger, 2013 WL 2046546 (W.D. Penn. Jan. 23, 2013)	Emoticon	Not specified	IM	No	Yes	Sexual Predation
	People v. Zamora, 2013 Cal. App. Unpub. LEXIS 5537 (Cal. Ct. App. Aug. 5, 2013)	Emoticon	Sad face	Text message	Yes	No	Sexual Predation
	Scroggin v. Credit Bureau of Jonesboro, Inc., 973 F. Supp. 2d 961 (E.D. Ark. 2013)	Emoticon	Train wreck	Online postings	No	No	Debt collection
	State v. Stern, 346 Wis. 2d 731 (2013), habeus denied Stern v. Meisner, 812 F.3d 606 (7th Cir. 2016)	Emoticon	Smiley	Email	No	No	Sexual Predation

United States v. Capps, 2013 CCA LEXIS 842 (A.F. Ct. Crim. App. Oct. 9, 2013)	Emoticon	Smiley	Text message	No	No	Sexual Predation
United States v. Christensen, 2013 U.S. Dist. LEXIS 52464 (D. Mont. Apr. 11, 2013)	Emoticon	Smiley	Email	Yes	Yes	Criminal defense
2014						
Apatoff v. Munich Re Am. Servs., 2014 U.S. Dist. LEXIS 106665 (D. N.J. Aug. 1, 2014)	Emoticon	Smiley	Email	Yes	Yes	Discrimination
In re Family Dollar Stores, Inc. Stockholder Litigation, 2014 WL 7246436 (Del. Chancery Ct. [Emoticon	Smiley	Email	Yes	No	Stockholder suit
Ghanam v. Does, 303 Mich. App. 522 (Mich. Ct. App. 2014)	Emoticon	Tongue sticking out smiley	Online postings	Yes	Yes	Defamation
Kinsey v. State, 2014 Tex. App. LEXIS 5551 (May 22, 2014)	Emoticon	Winky	Text messages	No	No	Sexual Predation
Mobile Telecommunications Technologies, LLC v. Sprint Nextel Corp., 2014 WL 10726788 (E	Emoticon/emoji (in 1	N/A	N/A	Yes	Yes	Patent scope
Rhodes v. Commonwealth, 2014 Ky. App. Unpub. LEXIS 499 (Ky. Ct. App. June 27, 2014)	Emoticon	Winky	Facebook messag	No	No	Sexual Predation
2015						
Brown v. State, 2015 Kan. App. Unpub. LEXIS 221 (Kan. Ct. App. Mar. 20, 2015)	Emoticon	Smiley, winky, "indistinguishable"	Yahoo chat	No	Yes	Sexual Predation
Enjaian v. Schlissel, 2015 WL 3408805 (E.D. Mich. May 27, 2015)	Emoticon (but plaint	Unclear (maybe tongue sticking out smiley and big :	Text messages	Yes	Yes	Wrongful search
Eksouzian v. Albanese, 116 U.S.P.Q.2d 1972 (C.D. Cal. Aug. 7, 2015)	Emoji	Unspecified	Instagram	No	No	Trademark Settlement
Garza v. State, 2015 Tex. App. LEXIS 2205 (Tex. Ct. App. Mar. 10, 2015)	Emoticon	Winky	Text message	No	No	Criminal Defense
Hope-Jackson v. Washington, 311 Mich. App. 602 (2015)						
Lawyer v. Fino, 459 S.W.3d 528 (Mo. Dist. Ct. App. 2015)	Emoticon	Smiley	Text message	No	No	Stalking
In re L.F., 2015 WL 3500616 (Cal. Ct. App. June 3, 2015)	Emoji	Laughing, clapping hand, 100	Twitter	No	Yes	Criminal Threat
Mobile Telecommunications Technologies, LLC v. Blackberry Corp., 2015 WL 12698062 (N.D	Emoji and Emoticon	N/A	N/A	No	No	Patent
Parcel Mgmt. Auditing & Consulting, Inc. v. Dooney & Bourke, Inc., 2015 U.S. Dist. LEXIS 222	Emoji	Smiley	Email	Yes	No	Contract
People v. Arana, 2015 Cal. App. Unpub. LEXIS 4485 (Cal. Ct. App. June 23, 2015)	Emoticon	Winky	Not sure	No	No	Sexual Predation
People v. Krasnoperov, 2015 Cal. App. Unpub. LEXIS 343 (Cal. App. Ct. Jan. 15, 2015)	Emoticon (true?)	Crossing finger and unspecified [:-*]	AOL messenger	No	Yes	Murder
QED Holdings, LLC v. Block, 2015 WL 12659935 (C.D. Cal. June 11, 2015)	Emoticon	Unspecified	Email	No	No	Attorney-client relationship formation
Starry Assocs. v. United States, 125 Fed. Cl. 613 (Ct. Fed. Claims 2015) and 2016 WL 40136	Emoticon	Smiley	Email	No	No	Contract
State v. Ramey, 2015 WL 9393557 (Ohio Ct. App. Dec. 22, 2015)	Emoji	100'	Twitter	No	No	Criminal Assault
TransPerfect Global, Inc. v. Elting (In re Shawe & Elting LLC), 2015 Del. Ch. LEXIS 211 (Del.	Emoticon	Smiley	Text message	No	No	Corporate governance
2016						
Afont v. Alaska Airlines, Inc., 2016 WL 7011336 (Cal. App. Ct. Dec. 1, 2016)	Emoji	Hearts	Text message	No	No	Discrimination
Bellisile v. Landmark Medical Center, 2016 WL 4987119 (D. R.I. Sept. 15, 2016)	Emoji	Scissors	Text message	No	No	Discrimination
CREF, LLC v. Puskarz, 2016 WL 3912534 (Conn. Super. Ct. July 8, 2016)	Emoticon	Unspecified	Unspecified	No	No	Landlord-Tenant
In the Interest of DJC, 2016 WL 7379248 (Tex. App. Ct. Dec. 21, 2016)	Emoticon	Kisses and hearts	Facebook	No	No	Domestic violence
Doe v. Brown Univ., 2016 U.S. Dist. LEXIS 132824 (D. R.I. Sept. 28, 2016)	Emoji	Winky, Smiley	Text message	No	Yes	Sexual Assault
Forziati v. Gray Box Consultant, 2016 U.S. Dist. LEXIS 112268 (D. Mass. June 30, 2016)	Emoticon	Unspecified	Facebook Messag	No	No	Employment
Gatter v. IKA-Works, 2016 WL 7338770 (E.D. Pa. Dec. 19, 2016)	Emoji	Winky	Text message	No	No	Employment
Moldovan v. Polito, 2016 Tex. App. LEXIS 8283 (Tex. App. Ct. Aug. 2, 2016)	Emoticon	Unspecified	Email	No	No	Defamation
Odermatt v. Way, 2016 U.S. Dist. LEXIS 69202 (E.D.N.Y. May 25, 2016)	Emoticon	Mixed smile :-/	Facebook post	Yes	No	Civil rights
Olivas v. State, 2016 Tex. App. LEXIS 13853 (Tex. Ct. App. Dec. 30, 2016)	Emoticon	Frown	Text message	No	No	Murder
Painter v. Ill. DOT, 2016 U.S. Dist. LEXIS 94940 (C.D. Ill. July 20, 2016)	Emoticon	Smiley	Email	No	Yes	Discrimination
People v. Cramer, 2016 Cal. App. Unpub. LEXIS 5667 (Cal. App. Ct. Aug. 1, 2016)	Emoji	bombs, guns, knives, needles, and [a] fork and knife	Text message	No	No	Criminal assault
People v. Leuthold, 2016 Ill. App. Unpub. LEXIS 2700 (Ill. App. Ct. Dec. 19, 2016)	Emoticon	Smiley	Text message	No	No	Murder
People v. Moye, 2016 N.Y. Misc. LEXIS 1553 (N.Y. Sup. Ct. Mar. 31, 2016)	Emoji	money with wings, sad face	Facebook post	No	Yes	Evidence
People v. Murphy, 2016 Cal. App. Unpub. LEXIS 485 (Cal. Ct. App. Jan. 22, 2016)	Emoticon	Crossing finger and :-*	AOL messenger	No	Yes	Murder
People v. Saxon, 2016 WL 8540133 (Colo.O.P.D.J. Nov. 7, 2016)	Emoji	Unspecified	Text message	No	Yes	Attorney discipline
Ragunauth v. Bisailon, 2016 WL 3451762 (Conn. Superior Ct. June 1, 2016)	Emoji	Smiley and gun	Text message	No	Yes	Stalking
State v. Guzman, 276 Ore. App. 208 (Ore. Ct. App. Jan. 27, 2016)	Emoticon	Sad face	Text message	No	No	Criminal assault
State v. McBride, 2016 Iowa App. LEXIS 1246 (Ia. Ct. App. Nov. 23, 2016)	Emoji	Fists and others	Facebook commen	No	Yes	Criminal assault
State v. Sanders, 2016 WL 5885392 (Ohio Ct. App. Sept. 30, 2016)	Emoji	Not specified	Text message	No	No	Domestic violence
State v. Thomassie, 2016 La. App. LEXIS 2347 (La. Ct. App. Dec. 21, 2016)	Emoji	Red-cheeked smiley	Text message	No	No	Sexual Assault
State v. Warner, 2016 Neb. App. LEXIS 161 (Neb. App. Ct. Aug. 23, 2016)	Emoticon	Smiley	Facebook post	No	No	Sexual Predation
U.B. v. Cassandra B., 2016 Cal. App. Unpub. LEXIS 1441 (Cal. Ct. App. Feb. 29, 2016)	Emoticon	Smiley with halo	Facebook messag	No	No	Custody
U.S. v. Epps, 2016 WL 3771845 (6th Cir. July 15, 2016)	Emoticon	Gun pointed at head	Facebook post	No	No	Sentencing
U.S. v. Holley, 2016 WL 6595129 (N.D. Fla. Nov. 7, 2016)	Emoticon	Winky	Craigslist messag	No	No	Sexual Predation
U.S. v. Wilson, 2016 U.S. Dist. LEXIS 87908 (D.N.J. July 6, 2016)	Emoticon	Handgun, explosion	Twitter	No	Yes	Firearm possession
2017						
Allen v. Ambu-Stat, LLC, 2017 WL 11475406 (N.D. Ga. Dec. 6, 2017)	Emoji	"Tongue"	Text message	No	Yes	Employment discrimination
Canale v. Clarke, 2017 U.S. Dist. LEXIS 128280 (E.D. Va. Aug. 11, 2017)	Emoticon	Angel next to devil, jumping up and down tingling bu	Yahoo Chat	No	Yes	Sexual predation
Commonwealth v. Beattie, 2017 WL 3484292 (Pa. Superior Ct. Aug. 15, 2017)	Emoticon	Smiley	Facebook messag	No	No	Probation revocation
Commonwealth v. Castano, 2017 Mass. LEXIS 758 (Mass. Oct. 6, 2017)	Emoji	Face with Xs for eyes	WhatsApp messa	No	Yes	Murder

Commonwealth v. Paddy, 2017 Pa. Super. Unpub. LEXIS 2425 (Pa. Superior Ct. June 23, 2017)	Emoji	Gun	Social media post	No	No	Firearm violation
Delacruz v. State, 2017 Tex. App. LEXIS 3563 (Tex. App. Ct. Apr. 21, 2017)	Emoji	Smiley	Myspace Post	No	No	Murder
Doe v. Western New England University, 2017 WL 113059 (D. Mass. Jan. 11, 2017)	Emoji	"Positive"	Text message	No	Yes	Sexual assault
El Pueblo De Puerto Rico v. Pola, 2017 PR App. LEXIS 2839 (P.R. App. Ct. Sept. 15, 2017)	Emoji	Kissing face	Text message	No	No	Sexual assault?
Gonzales v. Organogenesis, Inc., 2017 U.S. Dist. LEXIS 86096 (S.D. Cal. June 5, 2017)	Emoticon	Smiley	Text message	No	No	Employment discrimination
Gonzalez v. Texas, 2017 WL 360690 (Tex. Ct. App. Jan. 25, 2017). On appeal 544 S.W.3d 31	Emoji	Unspecified	Facebook message	No	Yes	Murder
Graham v. Prince, 2017 U.S. Dist. LEXIS 111521 (S.D.N.Y. July 18, 2017)	Emoji	Raised fist	Instagram message	No	Yes	Copyright
Harmon v. Radcliff, 2017 WL 5664754 (Ohio Ct. App. Nov. 27, 2017)	Emoji	Devil	Text message	No	No	Custody dispute
Jackson v. McCurry, 2017 WL 6559912 (M.D. Ga. Dec. 22, 2017)	Emoji	Unspecified	Text message	No	No	School discipline
J.H. v. Williamson County, 2017 WL 11476338 (M.D. Tenn. Aug. 1, 2017)	Emoticon	Kissing face	Facebook posts	No	No	Court reporter disqualification
J.S. v. Grand Island Public Schools, 297 Neb. 347 (Neb. 2017)	Emoji	Fire and gun	"a social media website"	No	Yes	Student suspension
Keck v. Indiana, 2017 WL 3710902 (Ind. Ct. App. Aug. 29, 2017)	Emoticon	Sad face	Text message	No	No	Harassment
Koerner v. Vigilant Ins. Co., 2017 U.S. Dist. LEXIS 172283 (E.D. La. Oct. 18, 2017)	Emoticon	Smiley	Email	Yes	No	Contract breach
Mooneyhan v. Telecomms. Mgmt., 2017 U.S. Dist. LEXIS 188743 (E.D. Mo. Nov. 15, 2017)	Emoticon	Smiley	Email	No	Yes	Employment discrimination
Murgia v. Commonwealth, 2017 Va. App. LEXIS 141 (Va. Ct. App. May 30, 2017), rev'd Comn	Emoji	Smiley	Text message	No	Yes	Sexual predation
New York v. United Parcel Service 2017 U.S. Dist. LEXIS 43495 (S.D.N.Y. March 24, 2017), c	Emoticon	Smiley	Email	No	Yes	Settlement Agreement re cigarette shipment)
Shen v. Albany Unified School District, 2017 WL 5890089 (N.D. Cal. Nov. 29, 2017)	Emoji	Laughing face	Instagram	No	Yes	First Amendment
State v. Calderon, 2017 WL 1365357 (La. Ct. App. Apr. 12, 2017)	Emoji	Crying face	Facebook message	No	No	Murder
State v. Calhoun, 2017 WL 5192435 (Ohio Ct. App. Nov. 9, 2017)	Emoji	Unspecified	Backpage post	No	No	Prostitution
State v. Decker, 2017 Minn. App. Unpub. LEXIS 402 (Minn. Ct. App. May 8, 2017)	Emoji	Smiley	Facebook message	No	No	Indecent exposure
State v. Shepherd, 2017 Ohio App. LEXIS 328 (Ohio Ct. App. Jan. 30, 2017)	Emoji	Winky	Text message	Yes	Yes	Criminal assault
Stewart v. Durham, 2017 U.S. Dist. LEXIS 88656 (S.D. Miss. June 9, 2017)	Emoji	Blowing kiss; winky	Text message	No	Yes	Emotional distress
Supreme Xtract v. Laplante, 2017 Me. Super. LEXIS 59 (Me. Superior Ct. May 9, 2017)	Emoticon	Smiley, "multiple"	Instagram	No	Yes	Contract breach
United States v. Dish Network LLC, 2017 U.S. Dist. LEXIS 85543 (C.D. Ill. June 5, 2017)	Emoji	Smiley	Email	Yes	No	Telemarketing law violation
United States v. (D-11) Cary Dailey, 2017 U.S. Dist. LEXIS 193962 (E.D. Mich. Nov. 27, 2017)	Emoji	"Guns and drugs"	Instagram	No	Yes	Bond revocation
United States v. Johnson, 2017 WL 6205412 (D. Md. Nov. 21, 2017)	Emoji	Unspecified	Instagram	No	No	Evidence
United States v. Olaya, 2017 U.S. Dist. LEXIS 72520 (E.D. Mich. Apr. 19, 2017)	Emoji	"Nervous" emoji	Text message	No	No	Search and seizure
In re W. B., 2017 WL 2417781 (Ga. Ct. App. June 5, 2017)	Emoji	guns, bombs, and dollar signs	Facebook message	No	No	Burglary
Western Institutional Review Bd. v. Jenkins, 2017 U.S. Dist. LEXIS 157891 (W.D. Wash. Sep	Emoticon	Smiley	Email	Yes	No	Employment (non-compete)
Wilson v. Phillips, 2017 WL 5495402 (Tenn. Ct. App. Nov. 15, 2017)	Emoji	Unspecified	iMessage	No	No	Child custody
WordLogic Corp. v. Flesky, Inc., 2017 WL 5152369 (N.D. Ill. Nov. 7, 2017)	Emoticon	Unspecified	Mobile devices	No	Yes	Patent

2018

In re Bard Ivc Filters Prods. Liab. Litig. v. C. R. Bard, 2018 U.S. Dist. LEXIS 24766 (D. Ariz. F	Emoji	Cowboy	Social media	No	No	Evidence
Bellue v. Sheriff, 2018 U.S. Dist. LEXIS 156493 (M.D. La. Sept. 14, 2018)	Emoji	Winky	Text message	No	Yes	Discrimination
Bollinger v. State Dep't of Educ., 2018 Ohio App. LEXIS 4027 (Ohio Ct. App. Sept. 17, 2018)	Emoji	Angel face	Text message	No	No	Sexual predation
Briggs v. Kent Sch. Corp., 2018 Conn. Super. LEXIS 4465 (Conn. Super. Ct. Nov. 9, 2018)	Emoji	Unspecified	Social media	No	No	Discovery
City of Delaware v. Boggs, 2018 Ohio App. LEXIS 4996 (Ohio Ct. App. Nov. 19, 2018)	Emoji	Unspecified	Facebook message	No	No	Harassment
Commonwealth v. Casbohm, 2018 Mass. App. LEXIS 182 (Mass. Ct. App. Dec. 27, 2018)	Emoticon	Unspecified	Unspecified	No	No	Sexual predation
Crowley v. State, 2018 Tex. App. LEXIS 5767 (Tex. Ct. App. July 26, 2018)	Emoji	Grinning	Text message	No	No	Murder
D'Agata v. D'Agata, 2018 WL 1734724 (Conn. Superior Ct. March 14, 2018)	Emoji	Unspecified	Text message	No	No	Child custody
In re Elijah H., 2018 Ill. App. Unpub. LEXIS 1099 (Ill. Ct. App. June 29, 2018)	Emoji	Smiley and winky	Facebook post	No	Yes	Juvenile delinquency
Emerson v. Dart, 900 F.3d 469 (7th Cir. Aug. 14, 2018)	Emoji	Smiley, poop	Facebook post	Yes	Yes	Witness retaliation
Estrada-Puentes v. Nevada, 2018 WL 1720662 (Nev. Ct. App. March 30, 2018)	Emoji	"Kissing"	Text message	No	No	Murder
E*Trade Financial Corp. v. Eaton, 2018 U.S. Dist. LEXIS 68683 (D. Ariz. Apr. 24, 2018)	Emoji	Unspecified	Text message	No	No	Employment
Fairbanks v. Roller, 2018 WL 2727897 (D.C.D.C. June 6, 2018)	Emoji	Face With Stuck-Out Tongue and Winking Eye	Twitter post	No	No	Defamation
Guirguis v. Brown, 2018 WL 853037 (Cal. Ct. App. Feb. 14, 2018)	Emoji	Two eyes	Instagram post	No	No	Contract/arbitration
Hill-Rom Services, Inc. v. Tellisense Medical, LLC, 2018 WL 5044686 (S.D. Ind. Oct. 17, 2018)	Emoji	Unspecified	Email	No	No	Trade Secrets
In re Jacobson, 2018 Iowa App. LEXIS 325 (Iowa Ct. App. April 4, 2018)	Emoji	Zipper mouth, skull	Text message	Yes	No	Child custody
K.N. v. Stowell, 2018 Cal. App. Unpub. LEXIS 5823 (Cal. App. Ct. Aug. 27, 2018)	Emoji	Winky	Email	No	No	Stalking
Lindsey v. Tex. State Bd. of Veterinary Med. Examiners, 2018 Tex. App. LEXIS 2994 (Tex. Ct.	Emoticon	Cat, laughing/crying	Facebook post	No	Yes	Professional licensure
In re M.J., 2018 Md. App. LEXIS 157 (Md. Ct. Special App. Feb. 14, 2018)	Emoji	Surgical mask face	Twitter post	No	No	Harassment
Murdoch v. MedJet Assistance, 2018 U.S. Dist. LEXIS 33400 (N.D. Ala. March 1, 2018)	Emoji	Smiley	Text message	No	Yes	Employment harassment
Nexus Servs. v. Moran, 2018 U.S. Dist. LEXIS 47911 (W.D. Va. March 23, 2018)	Emoji	"Hitler emoji"	Email	No	Yes	Civil rights
People v. Bogseth, 2018 WL 842904 (Mich. Ct. App. Feb. 13, 2018)	Emoticon	Unspecified	Facebook post	No	No	Murder
People v. Brumsey, 2018 WL 2174086 (Cal. App. Ct. May 11, 2018)	Emoticon	Unspecified	Unspecified	No	No	False Imprisonment
People v. Gary, 2018 WL 416080 (Cal. App. Ct. Jan. 16, 2018)	Emoji	Unspecified	Text message	No	No	Trafficking
People v. George, 2018 WL 1100942 (Cal. App. Ct. March 1, 2018), on rehearing, 2018 WL 2	Emoticon	"the precise meaning of which we decline to take jurisdiction of"	Text message	No	No	Murder
People v. Hastings, 2018 Mich. App. LEXIS 3561 (Mich. Ct. App. Nov. 27, 2018)	Emoji	two eyes, thumbs down, face with tongue hanging out	iMessage	No	Yes	Sexual predation
People v. Kelso, 2018 WL 1830494 (Cal. App. Ct. April 17, 2018)	Emoticon	Smiley, winky and sad face	Email	No	Yes	Sexual predation
People v. Odle, 2018 Colo. Discipl. LEXIS 70 (Colo. Sup. Ct.	Emoji	Kiss	Text message	No	No	Attorney discipline
People v. Romero, 2018 Cal. App. Unpub. LEXIS 3550 (Cal. App. Ct. May 23, 2018)	Emoticon	Sad face	Facebook message	No	No	Murder
Randall v. Ups, 2018 U.S. Dist. LEXIS 175969 (D. Ore. Oct. 12, 2018)	Emoji	Unspecified	Text message	No	No	Harassment
Starry Assocs. v. United States, 2018 U.S. App. LEXIS 17017 (Fed. Cir. June 22, 2018)	Emoticon	Smiley	Email	No	No	Contract

State v. Ahmed, 2018 Minn. App. LEXIS 490 (Minn. Ct. App. Dec. 17, 2018)	Emoji	Smiley	Facebook	No	No	Nonconsensual Pornography
State v. Aracena, 2018 WL 3978016 (N.C. App. Ct. Aug. 21, 2018)	Emoji	Face with tears of joy	Facebook	No	Yes	Robbery and assault
State v. Caslin, 2018-Ohio-5362 (Ohio Ct. App. Dec. 31, 2018)	Emoticon	"Enthusiastic"	Facebook	No	No	Rape
State v. Harper, 2018 Fla. App. LEXIS 12666 (Fla. Dist. Ct. App. Sept. 5, 2018)	Emoticon	Winky	Text message	Yes	No	Entrapment
State v. King, 2018 N.J. Super. Unpub. LEXIS 2215 (N.J. Superior Ct. Oct. 9, 2018)	Emoji	100, middle finger	Facebook	No	Yes	Witness Tampering
State v. Lewis, 292 Or.App. 1 (Ore. Ct. App. May 23, 2018)	Emoji	Smiley	Text message	No	No	Sexual predation
State v. M.F., 2018 WL 333493 (N.J. App. Div. Jan. 9, 2018)	Emoji	Lips and broken hearts	WhatsApp message	No	Yes	Restraining order
State v. Nickell, 2018 WL 1158897 (Mo. Ct. App. March 6, 2018)	Emoji	Unspecified	Facebook message	No	No	Sexual predation
State v. Pyles, 2018 Ohio 4034 (Ohio Ct. App. Oct. 4, 2018)	Emoji	Unspecified	Text message	No	No	Witness intimidation
State v. Robertson, 2018 WL 1975966 (Ohio Ct. App. April 26, 2018)	Emoji	Sad	Facebook post	No	No	Sexual assault
State v. Stotts, 2018 Ohio App. LEXIS 4207 (Ohio Ct. App. Sept. 21, 2018)	Emoji	Unspecified	Text message	No	No	Sexual assault
State Line Bag Co. v. Companionlabs Sys., 2018 U.S. Dist. LEXIS 142550 (W.D. Mo. Aug. 22, 2018)	Emoticon	Winky	Email	No	No	Contract
T.C. v. Metropolitan Government of Nashville, 2018 WL 3348728 (M.D. Tenn. July 9, 2018)	Emoticon	Unspecified	Social media	No	No	Discrimination
Ukwauchu v. State, 2018 WL 2711167 (Tex. Ct. Crim. App. June 6, 2018)	Emoji and Emoticon	Court doesn't say, but appears to be smirking face	Text message	Yes	Yes	Sexual assault
U.S. v. Dadona, 2018 WL 3241488 (U.S. Air Force Ct. Crim. App. July 2, 2018)	Emoji and Emoticon	Unspecified ("This opinion quotes Kik messages as Kik Messages	Kik Messages	No	No	Sexual predation
U.S. v. Edwards, 2018 U.S. Dist. LEXIS 7456 (S.D. Ohio Jan. 17, 2018)	Emoji	Laughing face and skull	Facebook post	No	No	Witness retaliation
U.S. v. Jefferson, 2018 U.S. App. LEXIS 36657 (10th Cir. Dec. 28, 2018)	Emoji	Firearm	Facebook post	No	Yes	Robbery
U.S. v. Lanier, 2018 U.S. Dist. LEXIS 176411 (E.D. Tenn. Oct. 15, 2018)	Emoji	Unspecified	Text message	No	No	Jury interference
U.S. v. Schweitzer, 2018 WL 3326645 (U.S. Air Force Ct. of Crim. App. May 8, 2018)	Emoji and Emoticon	Frown emoji, grin emoji, sad face emoticon	Yahoo Messenger	No	Yes	Sexual predation
U.S. v. Smith, 2018 CCA LEXIS 48 (U.S. Air Force Ct. of Crim. App. Jan. 31, 2018)	Emoji	Winky	Craigslist post; Ya	No	Yes	Sexual predation
U.S. v. Westley, 2018 U.S. Dist. LEXIS 118571 (D. Conn. July 17, 2018)	Emoji	"celebratory emojis," car, cloud, phone, gas	Facebook post	No	Yes	Gang activities

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2 Bubbles LLC v. Bowers, 2019 Del. Trial Order LEXIS 38 (Del. Justice of the Peace Ct. Sept. 2019)	Emoji	Happy face, thumbs up, laughing face, winky	Text message	No	Yes	Landlord-Tenant
Angelakos v. Inst. for Bldg. Tech. & Safety, 2019 U.S. Dist. LEXIS 164701 (E.D.N.Y. Sept. 24, 2019)	Emoji and Emoticon	Thumbs-up	Email	No	Yes	Contract (settlement)
A.S. v. Lincoln County R-111 Sch. Dist., 2019 U.S. Dist. LEXIS 216518 (E.D. Mo. Dec. 17, 2019)	Emoji	Crying and praying hands	Snapchat	No	Yes	School discipline
Bardales v. Lamothe, 2019 U.S. Dist. LEXIS 186273 (M.D. Tenn. Oct. 22, 2019)	Emoji	Thumbs-up	Text message	No	Yes	Custody
Bayne v. State, 2019 Ind. App. Unpub. LEXIS 706 (Ind. Ct. App. June 10, 2019)	Emoji	Unspecified	Snapchat	No	No	Murder
Beach v. State, 2019 Ga. App. LEXIS 414 (Ga. App. Ct. June 28, 2019)	Emoji	Frownie	Text message	No	No	Sexual predation
Beeler v. State, 2019 Ind. App. Unpub. LEXIS 522 (Ind. Ct. App. April 30, 2019)	Emoji	Unspecified	Toys	No	Yes	Sexual predation
Blount v. State, 2019 Tex. App. LEXIS 3217 (Tex. Ct. App. April 23, 2019)	Emoji	Unspecified	Facebook post	No	Yes	Robbery
Brown v. Genesis Healthcare, Inc., 2019 WL 6119757 (D.S.C. May 28, 2019)	Emoji	Unspecified	Text	No	No	Employment discrimination
Brown v. Pacifica Found., 2019 Cal. App. LEXIS 392 (Cal. App. Ct. April 29, 2019)	Emoji	Unspecified	Email	No	No	Corporate governance
Cabrera v. Camden County & Police Chief, 2019 U.S. Dist. LEXIS 134042 (D.N.J. Aug. 9, 2019)	Emoji	Gun	Facebook post	No	Yes	Police use of deadly force
Campos v. Jensen, 296 Ore. App. 402 (Ore. App. Ct. March 6, 2019)	Emoticon	Heart	Facebook post	No	Yes	Defamation
Cannon v. S. Univ. Bd. of Supervisors, 2019 U.S. Dist. LEXIS 63076 (M.D. La. April 12, 2019)	Emoji	Winky	Email	No	No	Constitutional litigation
Castano v. Cowen, 2019 U.S. Dist. LEXIS 224916 (D. Mass. Dec. 27, 2019)	Emoji	Xes for eyes	WhatsApp message	No	Yes	Murder
In the Matter of C.I.R., 2019 Ohio 335 (Ohio Ct. App. Feb. 4, 2019)	Emoji	Smiley	Snapchat	No	No	Threat
Commonwealth v. Bennett, 2019 Mass. App. Unpub. LEXIS 738 (Mass. Ct. App. Nov. 6, 2019)	Emoji	Gun	Text message	No	Yes	Gun possession
Commonwealth v. Danzey, 2019 Pa. Super. LEXIS 454 (Pa. Superior Ct. May 9, 2019)	Emoji	Smiley, unspecified	Facebook post	No	Yes	Harassment
Commonwealth v. Foster, 2019 Pa. LEXIS 4593 (Pa. Supreme Ct. Aug. 20, 2019)	Emoji	Pill	Social media post	No	No	Probation revocation
Commonwealth v. Hackenberger, 2019 Pa. Super. Unpub. LEXIS 1447 (Pa. Superior Ct. April 2019)	Emoji	Smiley, smiley with tongue sticking out, excited smiley	Text message	No	Yes	Sexual predation
Commonwealth v. Hites, 2019 Pa. Super. Unpub. LEXIS 4419 (Pa. Superior Ct. Nov. 26, 2019)	Emoji	Unspecified	Video	No	No	Gun possession
Commonwealth v. Hunt, 2019 Mass. App. Unpub. LEXIS 142 (Mass. App. Ct. Feb. 22, 2019)	Emoji	Kissy, 2 people with heart above, diamond ring	Text message	No	Yes	Assault
Commonwealth v. Smith, 2019 Pa. Super. Unpub. LEXIS 1889 (Pa. Superior Ct. May 14, 2019)	Emoji	Cat	Text message	No	No	Sexual predation
Deggeller Attractions, Inc. v. North American Midway Entertainment-Southeast LLC, 2019 WL 2019011 (N.D. Cal. Sept. 11, 2019)	Emoji	Smiley	Letter?	No	No	Tortious Interference with Contract
De Lucia v. Castillo, 2019 U.S. Dist. LEXIS 71303 (M.D. Ga. April 29, 2019)	Emoji	Smiley, Frowny Face	WhatsApp message	No	Yes	Child abduction
Doe v. Univ. of Ky., 2019 U.S. Dist. LEXIS 8897 (E.D. Ky. Jan. 18, 2019)	Emoji	Stars	Text message	No	No	Sexual assault
Dragonite v. S. Lake Clinic, P.A., 2019 U.S. Dist. LEXIS 171087 (D. Minn. Oct. 2, 2019)	Emoji	Sad face	Email	No	Yes	Employment discrimination
E.P.R. v. I.M.R., 2019 WL 2896206 (N.J. App. Div. July 5, 2019)	Emoji	"representing sarcasm"	Text message	No	No	Harassment Protection Order
Evans v. Epimed Int'l, 2019 U.S. Dist. LEXIS 185774 (N.D.N.Y. Oct. 28, 2019)	Emoji	"Mad"	Text message	No	No	Employment discrimination
Game & Tech. Co. v. Activision Blizzard, 2019 U.S. App. LEXIS 18601 (Fed. Cir. June 21, 2019)	Emoticon	Unspecified	Game	No	No	Patent
Gonsalves v. People, 2019 WL 539852 (V.I. Sup. Ct. Feb. 7, 2019)	Emoji	Unspecified	Unspecified	No	No	Sexual predation
Gonzales v. State, 2019 Ark. App. 600 (Ark. Ct. App. Dec. 11, 2019)	Emoji	Thumbs-up	Facebook Messenger	No	No	Murder
Grossman v. Rockaway Twp., 2019 N.J. Super. Unpub. LEXIS 1496 (N.J. Superior Ct. June 11, 2019)	Emoji	Unspecified	Snapchat	No	No	Negligence
Harrison v. City of Tampa, 2019 U.S. Dist. LEXIS 93131 (M.D. Fla. June 4, 2019)	Emoji	Smiley, Winky, "face kissing, a face with hearts for eyes"	Facebook Messenger	No	Yes	Sexual harassment
Haughwout v. Tordenti, 2019 WL 3403274 (Conn. Supreme Ct. July 30, 2019)	Emoji	Gun	N/A	No	No	True Threat/university dismissal
Herman v. Ohio Univ., 2019 U.S. Dist. LEXIS 202806 (S.D. Ohio Nov. 22, 2019)	Emoji	Winky	Text message	No	No	Discrimination
Herman v. Ohio Univ., 2019 U.S. Dist. LEXIS 202813 (S.D. Ohio Nov. 22, 2019)	Emoji	Winky	Text message	No	No	Discrimination/Harassment
Ismail v. Montchak, 2019 Cal. App. Unpub. LEXIS 4569 (Cal. App. Ct. July 8, 2019)	Emoji	Unspecified	Twitter post	No	No	Defamation
Jackson v. McCurry, 2019 U.S. App. LEXIS 7237 (11th Cir. March 12, 2019)	Emoji	Unspecified	Phone contacts	No	Yes	School discipline
Jansen v. State, 2019 Ind. App. Unpub. LEXIS 207 (Ind. Ct. App. Feb. 22, 2019)	Emoji	Laughing	Whisper post	No	No	Sexual battery
If Merch. v. Kangaroo Mfg., 2019 U.S. Dist. LEXIS 154841 (D. Conn. Sept. 11, 2019)	Emoji	Unspecified	Beach balls	No	Yes	Copyright and trademark
In re B.C., 2019-Ohio-3646 (Ohio Ct. App. Sept. 6, 2019)	Emoji	Laughing	Snapchat	No	No	Criminal threat
In re D.T., 2019 WL 5779778 (Cal. App. Ct. Nov. 6, 2019)	Emoji	"Super happy" and "happy"	Unspecified	No	Yes	Adoption

In re Judicial Disciplinary Proceedings Against Kachinsky, 2019 Wisc. LEXIS 334 (Wis. Sup. 2019)	Emoji	Sad face	Facebook post	No	No	Judicial misconduct
Kangaroo Manufacturing Inc. v. Amazon.com, Inc., 2019 WL 1280945 (D. Ariz. March 20, 2019)	Emoji	Unspecified	Beach balls	No	Yes	Copyright and trademark
Kryzak v. State, 2019 Tex. App. LEXIS 7786 (Tex. Ct. App. Aug. 27, 2019)	Emoji	Frownie	Text message	No	No	Manslaughter
Lema v. BTS Holdings, 2019 N.J. Super. Unpub. LEXIS 150 (N.J. Superior Ct. Jan. 18, 2019)	Emoji	Heart	"Social media app"	No	No	Employment discrimination
Manek v. State, 2019 Ark. App. 2142019 (Ark. Ct. App. April 10, 2019)	Emoji	Unspecified	Text message	No	No	Child pornography
Melendez v. State, 2019 WL 5406051 (Tex. Ct. App. Oct. 23, 2019)	Emoji	Laughing	Text message	No	No	Sexual predation
Menaker v. Hofstra Univ., 2019 U.S. App. LEXIS 24283 (2d Cir. Aug. 15, 2019)	Emoji	Winky	Facebook post	No	No	Employment
Mohammed v. Anderson, 2019 U.S. Dist. LEXIS 141773 (N.D. Ill. Aug. 21, 2019)	Emoji	Crying baby, "unitelligible"	Email	No	Yes	Judicial sanctions
Moir v. Seattle Cent. Coll., 2019 Wash. App. LEXIS 2650 (Wash. App. Ct. Oct. 21, 2019)	Emoji	Smiley	Email	No	Yes	Sexual harassment
Moreau v. St. Landry Parish Fire Dist. No. 3, 2019 U.S. Dist. LEXIS 154641 (W.D. La. Sept. 1, 2019)	Emoji	Angry, thumbs up	Facebook message	No	Yes	Employment
Murphy ex rel. NLRB v. NSL Country Gardens, LLC, 2019 U.S. Dist. LEXIS 79086 (D. Mass. Nov. 1, 2019)	Emoji	Mouse (rat)	Unspecified	No	No	Employment
People v. Anderson, 2019 WL 1275129 (Cal. App. Ct. March 20, 2019)	Emoticon	Heart, Smiley	Chat messages	No	Yes	Sexual predation
People v. Griffis, 2019 Cal. App. Unpub. LEXIS 1249 (Cal. App. Ct. Feb. 21, 2019)	Emoji	crying face, hands praying, thumbs down, gun	Facebook post	No	Yes	Murder
People v. Jamerson, 2019 Cal. App. Unpub. LEXIS 940 (Cal. App. Ct. Feb. 6, 2019)	Emoji	Crown, high heels, bags of money	Instagram	No	Yes	Sex trafficking
People v. JP (In re JP), 2019 Mich. App. LEXIS 5751 (Mich. Ct. App. Sept. 24, 2019)	Emoji and Emoticon	Smile, XD (representing "laugh out loud")	Snapchat	Yes	Yes	Criminal threat
People v. Leon, 2019 Cal. App. Unpub. LEXIS 8139 (Cal. App. Ct. Dec. 6, 2019)	Emoji	Frownie, "Angry"	Text message	No	Yes	Murder
People v. Lopez, 2019 Mich. App. LEXIS 595 (Mich. Ct. App. March 26, 2019)	Emoji	Skull	Text message	No	No	Murder
People v. Maldonado, 2019 Cal. App. Unpub. LEXIS 5402 (Cal. App. Ct. Aug. 15, 2019)	Emoji	Hearts	Text messages and photos	No	No	Sexual predation
People v. Obioha, 2019 Cal. App. Unpub. LEXIS 1613 (Cal. App. Ct. March 7, 2019)	Emoji	Unspecified	Facebook post	No	No	Murder
People v. Smith, 2019 Cal. App. Unpub. LEXIS 1691 (Cal. App. Ct. March 12, 2019)	Emoji	two pairs of eyes, three fingers pointed, thumb and index finger	Facebook post	No	Yes	Witness intimidation
People v. Valenzuela, 2019 WL 4464264 (Cal. Ct. App. Sept. 18, 2019)	Emoji	Sad face, happy face, crying face (?)	Text message	No	Yes	Rape
People v. Webster, 2019 Cal. App. Unpub. LEXIS 4504 (Cal. App. Ct. July 2, 2019)	Emoji	bare feet, money bag, dollar sign	Caller ID	No	Yes	Pimping
Pizza Di Joey v. Mayor and City Council of Baltimore, 2019 Md. App. LEXIS 433 (Md. Ct. Spec. App. Dec. 1, 2019)	Emoji	Unspecified	Unspecified	No	No	Land use
Porter v. M.W. Logistics Servs., 2019 U.S. Dist. LEXIS 143653 (N.D.W.V. Aug. 23, 2019)	Emoji	Smiley	Text message	No	Yes	Sexual harassment
Redacted v. Redacted, 2019 Del. Fam. Ct. LEXIS 16 (Del. Family Ct. May 13, 2019)	Emoji	Unspecified	Text message	No	No	Custody
Richmond Compassionate Care Collective v. 7 Stars Holistic Found., 2019 Cal. App. Unpub. LEXIS 1000000 (Cal. App. Ct. Dec. 1, 2019)	Emoji	Unspecified	Unspecified	No	No	Antitrust