

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 20-1791

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In re: Leslie Rutledge, in her official capacity as Attorney General of the State of Arkansas; Larry Jegley, in his official capacity as Prosecuting Attorney of Pulaski County; Matt Durrett, in his official capacity as Prosecuting Attorney of Washington County; Sylvia D. Simon, M.D., in her official capacity as Chairman of Arkansas State Medical Board; Robert Breving, M.D., in his official capacity as member of the Arkansas State Medical Board; Veryl D. Hodges, D.O., in his official capacity as member of the Arkansas State Medical Board; John H. Scribner, M.D., in his official capacity as member of the Arkansas State Medical Board; Omar Atiq, M.D., in his official capacity as member of the Arkansas State Medical Board; Rhys L. Branman, M.D., in his official capacity as member of the Arkansas State Medical Board; Rodney Griffin, M.D., in his official capacity as member of the Arkansas State Medical Board; Marie Holder, in her official capacity as member of the Arkansas State Medical Board; Brian T. Hyatt, M.D., in his official capacity as member of the Arkansas State Medical Board; Larry D. Lovell, "Buddy" in his official capacity as member of the Arkansas State Medical Board; Timothy C. Paden, M.D., in his official capacity as member of the Arkansas State Medical Board; Don R. Phillips, M.D., in his official capacity as member of the Arkansas State Medical Board; William L. Rutledge, M.D., in his official capacity as member of the Arkansas State Medical Board; David L. Staggs, M.D., in his official capacity as member of the Arkansas State Medical Board; Nathan Smith, M.D., M.P.H., in his official capacity as Director and State Health Officer of the Arkansas Department of Health

Petitioners

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State of Alabama; State of Alaska; State of Idaho; State of Indiana; State of Kentucky; State of Louisiana; State of Mississippi; State of Missouri; State of Montana; State of Nebraska; State of Oklahoma; State of Ohio; State of South Dakota; State of South Carolina; State of Tennessee; State of Texas; State of Utah; State of West Virginia; American Center for Law and Justice

Amici on Behalf of Petitioner

American Academy of Family Physicians; American Academy of Nursing; American Academy of Pediatrics; American College of Osteopathic Obstetricians and Gynecologists; American Psychiatric Association; American Society for Reproductive Medicine; North American Society for Pediatric and Adolescent Gynecology; National Association of Nurse Practitioners in Women's Health; Society of Family Planning; Society of Gynecologic Surgeons; Society of OB/GYN Hospitalists

Amici Curiae

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Appeal from U.S. District Court for the Eastern District of Arkansas - Central  
(4:19-cv-00449-KGB)

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**JUDGMENT**

Before LOKEN, SHEPHERD, and ERICKSON, Circuit Judges.

Petition for writ of mandamus has been considered by the court and is granted in part. The district court is ordered to dissolve the TRO of April 14, 2020, in accordance with the opinion of this court.

The emergency motion to stay the ex parte TRO and for a temporary administrative stay is denied as moot.

Mandate shall issue forthwith.

April 22, 2020

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

## Abigail Temple

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**From:** ca08ml\_cmecf\_Notify@ca8.uscourts.gov  
**Sent:** Wednesday, April 22, 2020 9:44 AM  
**Subject:** 20-1791 In Re: Leslie Rutledge, et al "judgment filed granted in part for writ of mandamus" (4:19-cv-00449-KGB)

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### Eighth Circuit Court of Appeals

#### Notice of Docket Activity

The following transaction was filed on 04/22/2020

**Case Name:** In Re: Leslie Rutledge, et al

**Case Number:** [20-1791](#)

**Document(s):** [Document\(s\)](#)

#### Docket Text:

**JUDGMENT FILED** - Granting in Part [\[4903222-2\]](#) petition for writ of mandamus filed by Petitioners William L. Rutledge, Mr. Nathan Smith, Mr. Larry Jegley, Mr. Omar Atiq, Mr. John H. Scribner, Ms. Sylvia D. Simon, Leslie Rutledge, Matt Durrett, Mr. Robert Breving, Veryl D. Hodges, Ms. Marie Holder, Mr. Larry D. Lovell, Mr. David L. Staggs, Rhys L. Branman, Rodney Griffin, Brian T. Hyatt, Timothy C. Paden and Don R. Phillips. The district court is directed to dissolve the TRO of April 14, 2020, in accordance with the opinion of this court. [4905365]; Denying as moot [\[4903227-3\]](#) emergency motion to stay the ex parte TRO and for temporary administrative stay filed by Mr. Nicholas Jacob Bronni. JAMES B. LOKEN, BOBBY E. SHEPHERD and RALPH R. ERICKSON Adp Jan 2020 [4905365] [20-1791] (Catherine Dolan)

#### Notice will be electronically mailed to:

Honorable Kristine G. Baker, U.S. District Judge: Kristine\_Baker@ared.uscourts.gov  
Mr. Nicholas Jacob Bronni: nicholas.bronni@arkansasag.gov  
Ms. Bettina E. Brownstein: bettinabrownstein@gmail.com  
Ms. Meagan M. Burrows: mburrows@aclu.org, fyitayew@aclu.org  
Ms. Susan Talcott Camp, Deputy Director: tcamp@aclu.org, sfermin@aclu.org  
Mr. Michael A. Cantrell, Assistant Solicitor General: Michael.Cantrell@ArkansasAG.gov, cheryl.hall@arkansasag.gov  
Ms. Anisha S. Dasgupta, Deputy Solicitor General: anisha.dasgupta@ag.ny.gov  
Ms. Leah Godesky: lgodesky@omm.com, leah-godesky-1685@ecf.pacerpro.com  
Ms. Ruth E. Harlow: rharlow@aclu.org  
Ms. Rebecca Rhodes Jackson: beckywesth@gmail.com  
Mr. Dylan L. Jacobs, Assistant Solicitor General: dylan.jacobs@arkansasag.gov  
Mr. Jim McCormack, Clerk of Court: ared\_appeals@ared.uscourts.gov  
Ms. Elizabeth B. Murrill: murrille@ag.louisiana.gov  
Ms. Maithreyi Ratakonda: mai.ratakonda@ppfa.org, annie.mason@ppfa.org, jessica.quinter@ppfa.org,

angela.wu@ppfa.org

Ms. Nicole A. Saharsky: nsaharsky@mayerbrown.com, wdc.docket@mayerbrown.com,  
9664124420@filings.docketbird.com

Ms. Kelly M. Scavone: kscavone@omm.com

Mr. Benjamin Paul Sisney: bsisney@aclj.org, benjaminsisney@gmail.com

Mr. J. Scott St. John: stjohnj@ag.louisiana.gov

Ms. Kendall Turner: kendallturner@omm.com, hknoll@omm.com

Mr. Vincent M. Wagner: vincent.wagner@arkansasag.gov, cheryl.hall@arkansasag.gov

Ms. Brooke-Augusta Ware: brooke@mannkemp.com

Mr. Brett David Watson: watson@bdwpllc.com

Mr. Edward Lawrence White: ewhite@aclj.org, elwhite3@yahoo.com, JeanneWhite3@yahoo.com

**Notice will be mailed to:**

Mr. Christopher P. Burke  
O'MELVENY & MYERS  
Times Square Tower  
7 Times Square  
New York, NY 10036-0000

Ms. Ashley Robertson  
O'MELVENY & MYERS  
1625 Eye Street, N.W.  
Washington, DC 20006-4001

Mr. Stuart J. Roth  
AMERICAN CENTER FOR LAW & JUSTICE  
201 Maryland Avenue, N.E.  
Washington, DC 20002-0000

Mr. Jay Alan Sekulow  
AMERICAN CENTER FOR LAW & JUSTICE  
201 Maryland Avenue, N.E.  
Washington, DC 20002-0000

Mr. Jordan Sekulow  
AMERICAN CENTER FOR LAW & JUSTICE  
201 Maryland Avenue, N.E.  
Washington, DC 20002-0000

Ms. Christina A. Stierhoff  
AMERICAN CENTER FOR LAW & JUSTICE  
201 Maryland Avenue, N.E.  
Washington, DC 20002-0000

Ms. Olivia F. Summers  
AMERICAN CENTER FOR LAW & JUSTICE  
201 Maryland Avenue, N.E.  
Washington, DC 20002-0000

Ms. Maya Zagayer  
O'MELVENY & MYERS  
1625 Eye Street, N.W.  
Washington, DC 20006-4001

Mr. Erik Zimmerman  
AMERICAN CENTER FOR LAW AND JUSTICE  
Suite 203  
3001 Plymouth Road  
Ann Arbor, MI 48105

The following document(s) are associated with this transaction:

**Document Description:** Judgment

**Original Filename:** /opt/ACECF/live/forms/CathyDolan\_201791\_4905365\_JudgmentsForWrits\_493.pdf

**Electronic Document Stamp:**

[STAMP acecfStamp\_ID=1105112566 [Date=04/22/2020] [FileNumber=4905365-0]

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**Recipients:**

- [Honorable Kristine G. Baker, U.S. District Judge](#)
- [Mr. Nicholas Jacob Bronni](#)
- [Ms. Bettina E. Brownstein](#)
- [Mr. Christopher P. Burke](#)
- [Ms. Meagan M. Burrows](#)
- [Ms. Susan Talcott Camp, Deputy Director](#)
- [Mr. Michael A. Cantrell, Assistant Solicitor General](#)
- [Ms. Anisha S. Dasgupta, Deputy Solicitor General](#)
- [Ms. Leah Godesky](#)
- [Ms. Ruth E. Harlow](#)
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- [Mr. Dylan L. Jacobs, Assistant Solicitor General](#)
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- [Ms. Elizabeth B. Murrill](#)
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- [Mr. Jay Alan Sekulow](#)
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- [Mr. Benjamin Paul Sisney](#)
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- [Mr. Vincent M. Wagner](#)
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- [Mr. Brett David Watson](#)
- [Mr. Edward Lawrence White](#)
- [Ms. Maya Zagayer](#)
- [Mr. Erik Zimmerman](#)

The following information is for the use of court personnel:

**DOCKET ENTRY ID:** 4905365

**RELIEF(S) DOCKETED:**

for writ of mandamus

for stay

**DOCKET PART(S) ADDED:** 6517235, 6513112, 6513122, 6517236