

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

YASHICA ROBINSON, M.D., *et al.*,)
)
 Plaintiffs,)
)
 v.) CASE NO. 2:19-cv-365-MHT-JTA
)
 STEVEN MARSHALL, in his official)
 capacity as Alabama Attorney General,)
)
 Defendant.)

**NOTICE OF STIPULATED DISMISSAL PURSUANT TO FED. R. CIV. P.
41(a)(1)(A)(ii)**

Plaintiffs Yashica Robinson, M.D., Alabama Women’s Center, Planned Parenthood Southeast Inc., Reproductive Health Services, and West Alabama Women’s Center and Defendant Attorney General Steven Marshall (“Parties”) stipulate to the following:

1. On May 24, 2019, Plaintiffs challenged House Bill 314 (hereinafter “H.B. 314” or “the Act”), raising a single claim under the U.S. Supreme Court’s decisions in *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), that: “By prohibiting an individual from making the ultimate decision whether to terminate a pregnancy prior to viability, [the Act] violates the rights to liberty and privacy secured to Plaintiffs’ patients by the Due Process Clause of the Fourteenth Amendment to the United States Constitution.” Doc. 1 ¶66.

2. On June 21, 2019, Plaintiffs sought a Preliminary Injunction against the Ban as applied to previability abortions on the grounds that it violated the Due Process Clause of the Fourteenth Amendment and the Supreme Court's decisions in *Roe* and *Casey*. Docs. Nos. 50-51.

3. On October 29, 2019, this Court preliminarily enjoined the Attorney General from enforcing H.B. 314 as applied to pre-viability abortion on the grounds that it "contravenes clear Supreme Court precedent," "violates the right of an individual to privacy, to make 'choices central to personal dignity and autonomy,'" "diminishes the capacity of women to act in society, and to make reproductive decisions," and "defies the United States Constitution." Doc. 68, 16–17 (quoting *Casey*, 505 U.S. at 851, 860); *see also* Doc. 69.

4. On June 24, 2022, the U.S. Supreme Court reversed *Roe* and *Casey*. *Dobbs v. Jackson Women's Health Organization*, ___ S.Ct. ___, 2022 WL 2276808 (June 24, 2022). In light of that overruling, that same day, this Court granted Defendant's unopposed emergency motion to dissolve the preliminary injunction (doc. 190). Doc. 193.

5. The Parties hereby stipulate that, in light of the Supreme Court's ruling in *Dobbs*, the federal precedent underpinning Plaintiffs' sole claim for relief against H.B. 314 has been overruled, and the above-captioned action should be dismissed pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

Dated: June 30, 2022

Respectfully submitted,

s/Alexa Kolbi-Molinas

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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/Alexa Kolbi-Molinas

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