

No. 22-5451

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Jun 30, 2022
DEBORAH S. HUNT, Clerk

PLANNED PARENTHOOD GREAT)
NORTHWEST, HAWAII, ALASKA, INDIANA)
AND KENTUCKY, INC., on behalf of itself, its)
staff, and its patients,)

Plaintiff-Appellee,)

EMW WOMEN’S SURGICAL CENTER, P.S.C.,)
et al.,)

Intervenors-Plaintiffs-Appellees,)

v.)

DANIEL J. CAMERON, in his official capacity as)
Attorney General of the Commonwealth of)
Kentucky,)

Defendant-Appellant,)

ERIC FRIEDLANDER, in his official capacity as)
Secretary of Kentucky’s Cabinet for Health and)
Family Services, et al.,)

Defendants.)

ORDER

Before: CLAY, ROGERS, and STRANCH, Circuit Judges.

Kentucky comprehensively overhauled its laws governing abortion in House Bill 3, the Humanity in Healthcare Act of 2022 (“the Act”). The district court preliminarily enjoined

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enforcement of certain sections and subsections of the Act. Defendant Daniel Cameron, the Attorney General of Kentucky, appeals. He moved for a limited stay pending appeal concerning a subset of these enjoined provisions. Plaintiff Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana and Kentucky, Inc. responded in opposition, and the Attorney General replied. While this motion was pending, the Supreme Court issued its opinion in *Dobbs v. Jackson Women's Health Organization*, No. 19-1392, 2022 WL 2276808 (June 24, 2022), overruling *Roe v. Wade*, 410 U.S. 113 (1973). The Attorney General now renews his motion for an injunction pending appeal, expanding it to include the entirety of the injunction pending below. The response time for the renewed motion has not yet lapsed.

As the Attorney General acknowledges, *Dobbs* potentially significantly alters the considerations underlying the preliminary injunction. And a portion of the district court's injunction was issued pending the Supreme Court's decision in *Dobbs*. Consequently, the district court is better positioned to reconsider its injunction in the first instance.

The appeal is **REMANDED** to the district court for further proceedings consistent with the Supreme Court's decision in *Dobbs*.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk