

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

No: 20-1791

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

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

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

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.

/s/ Michael E. Gans

Abigail Temple

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:

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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]

[b335bb112cbe04a5878ae28ca74e240b045dd0bb5b7ef38a55b2f7b82af0cb5bf14fdfb88c41b8306682584d5c3d1964e28
b750406e0870d8d8a7dc9ad3fdfce]]

Recipients:

- [Honorable Kristine G. Baker, U.S. District Judge](#)
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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