



STATE OF NORTH DAKOTA
COURTS

Wrigley v. Romanick, et al.

Docket No. 20220260

Oral Argument: Tuesday, November 29, 2022 9:30 AM

Docket Info

Title

Drew H. Wrigley, in his official capacity as
Attorney General for the State of North Dakota,
Petitioner
v.
The Honorable Bruce A. Romanick, Judge of the
District Court, South Central Judicial
District; Access Independent Health Services, Inc.,
d/b/a Red River Women's Clinic, on behalf
of itself and its patients, and Kathryn L.
Eggleston, M.D., on behalf of herself and her
patients; and Birch P. Burdick, in his official
capacity as the State's Attorney for Cass
County, Respondents

Case Type

CIVIL ORIG. PROCEEDING : WRIT OF SUPERVISION (Civil)

Appeal From

Case No. 2022-CV-01608
South Central Judicial District, Burleigh County
Bruce A. Romanick

2023 ND 50
988 N.W.2d 231

 [View Opinion](#)

Oral Argument

11/29/2022

▶ 0:00 / 52:26



Highlight

There is a fundamental right for a woman to obtain an abortion in instances where it is necessary to preserve her life or health.

Access Independent Health Services, Inc., d/b/a Red River Women's Clinic has a substantial likelihood of succeeding

in establishing N.D.C.C. § 12.1-31-12 is not narrowly tailored to the State’s compelling interests.

A granting of a preliminary injunction will not be overturned unless the district court abused its discretion.

Briefs

Filing Date	Description	
10/10/2022	PETITION FILED	 View
10/10/2022	PETITIONER BRIEF	 View
10/12/2022	AMICUS CURIAE BRIEF (ND Catholic Conference)	 View
11/21/2022	RESPONDENT BRIEF (Access Indepent Health Service & Kathryn Eggleston)	 View
11/21/2022	SUPPLEMENTAL PETITIONER BRIEF	 View
11/21/2022	AMICUS CURIAE BRIEF (ACOG, AMA & SMFM)	 View

Counsel

Party	Type	Name
RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002
RESPONDENT	DISTRICT JUDGE	Bruce A. Romanick - 04390
PETITIONER	ATT. GENERAL OFFICE	Matthew Arnold Sagsveen - 05613
AMICUS CURIAE	PRIVATE PRACTICE	Christopher Eric Rausch - 06277
AMICUS CURIAE	PRIVATE PRACTICE	Not Licensed in ND - 00002
RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002
AMICUS CURIAE	PRIVATE PRACTICE	Not Licensed in ND - 00002
AMICUS CURIAE	PRIVATE PRACTICE	Not Licensed in ND - 00002
AMICUS CURIAE	PRIVATE PRACTICE	Not Licensed in ND - 00002
RESPONDENT	PRIVATE PRACTICE	Christina Anne Sambor - 06648
RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002
PETITIONER	ATT. GENERAL OFFICE	Courtney R. Titus - 08810
RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002
RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002
RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002
RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002

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RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002
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RESPONDENT	PRIVATE PRACTICE	Not Licensed in ND - 00002
AMICUS CURIAE	PRIVATE PRACTICE	Christopher Thomas Dodson - 05265
AMICUS CURIAE	PRIVATE PRACTICE	Elizabeth Anne Elsberry - 06286

Docket Entries ^

(Note: Attachments may not be available for recently filed cases and/or confidential documents.)

Seq. #	Filing Date	Description	Attachment
1	09/07/2022	NOTICE OF APPEAL : 09/07/2022	 View
2	09/08/2022	Rec'd filing fee	
3	09/08/2022	NOT. OF FILING NOT. OF APPEAL AND PROOF OF SERV.	 View
4	09/08/2022	Notice Served on Matthew A. Sagsveen, Courtney R. Titus, Scott K. Porsborg, Austin T. Lafferty,	
5	09/08/2022	Thomas A. Dickson, Naz Akyol, Meetra Mehdizade, Lauren Bernstein, Luna Barrington,	
6	09/08/2022	Alexandra Blankman, Cassandra D'Alesandro, Liz Grefrath, Lauren Kelly, Todd Larson,	
7	09/08/2022	Melissa Rutman & Caroline Zalka	
8	09/20/2022	WRIGLEY RESPONSE ON APPEALABILITY	 View
9	09/22/2022	MOTION FOR PRO HAC VICE ADMISSION AND AFFIDAVIT OF PAUL B. LINTON	 View
10	09/22/2022	ACTION BY CHIEF DEPUTY CLERK - Granted	
11	09/28/2022	Updated Affdiavit for Pro Hac Vice Appearance of Lauren Kelly	 View
12	09/28/2022	Updated Affdiavit for Pro Hac Vice Appearance of Lauren Bernstein	 View
13	09/28/2022	Updated Affdiavit for Pro Hac Vice Appearance of Luna Barrington	 View
14	09/28/2022	Updated Affdiavit for Pro Hac Vice Appearance of Alexandra Blankman	 View
15	09/28/2022	Updated Affdiavit for Pro Hac Vice Appearance of Cassandra D'Alesandro	 View
16	09/28/2022	Updated Affdiavit for Pro Hac Vice Appearance of Liz Grefrath	 View
17	09/28/2022	Updated Affdiavit for Pro Hac Vice Appearance of Naz Akyol	 View

Seq. #	Filing Date	Description	Attachment
18	09/28/2022	Updated Affidavit for Pro Hac Vice Appearance of Meetra Mehdizadeh	 View
19	09/28/2022	Updated Affidavit for Pro Hac Vice Appearance of Melissa Rutman	 View
20	09/28/2022	Updated Affidavit for Pro Hac Vice Appearance of Colin McGrath	 View
21	09/28/2022	MOTION FOR STAY BY ATTORNEY GENERAL WRIGLEY	 View
22	09/28/2022	Order on Appealability and Procedure	 View
23	10/04/2022	ELEC. RECORD ON APPEAL DATED OCTOBER 3, 2022 (ENTRY NOS. 1-107)	 View
24	10/10/2022	PETITION FILED	 View
25	10/10/2022	PETITIONER BRIEF	 View
26	10/11/2022	ACTION BY SUPREME COURT (in part) - Granted	 View
27	10/12/2022	MOTION OF THE NORTH DAKOTA CATHOLIC CONFERENCE TO FILE AMICUS CURIAE BRIEF	 View
28	10/12/2022	ACTION BY CHIEF JUSTICE - Granted	
29	10/12/2022	AMICUS CURIAE BRIEF (ND Catholic Conference)	 View
30	10/13/2022	MOTION BY JUDGE ROMANICK FOR AN EXTENTION OF TIME TO FILE DECISION	 View
31	10/14/2022	ACTION BY SUPREME COURT - Granted : 10/31/2022	 View
32	10/13/2022	Rec'd 3 copies of ACB back from CD	
33	11/01/2022	District Court Findings On Substantial Probability Factor	 View
34	11/02/2022	NOTICE OF ORAL ARGUMENT SENT	
35	11/02/2022	1ST ELEC. SUPP. RECORD ON APPEAL DATED NOVEMBER 1, 2022 (ENTRY NOS. 108-113)	 View
36	11/04/2022	Rec'd copies of ACB from Central Duplicating	
37	11/04/2022	Rec'd copies of PTB from Central Duplicating	
38	11/21/2022	Request for Radio/TV Coverage (KFYR-TV, KXMB-TV, The Bismarck Tribune, Prairie Public Radio,	 View
39	11/21/2022	and Forum Communications)	
40	11/21/2022	ACTION BY CLERK - Granted	
41	11/21/2022	RESPONDENT BRIEF (Access Indepent Health Service & Kathryn Eggleston)	 View
42	11/21/2022	SUPPLEMENTAL PETITIONER BRIEF	 View
43	11/21/2022	Rec'd 3 copies of RPB from CSD	

Seq. #	Filing Date	Description	Attachment
44	11/21/2022	Rec'd 3 copies of PTB Supp from CSD	
45	11/21/2022	MOTION OF THE ACOG, AMA & SMFM TO FILE AMICUS CURIAE BRIEF	 View
46	11/21/2022	AMICUS CURIAE BRIEF (ACOG, AMA & SMFM)	 View
47	11/21/2022	MOTION FOR PRO HAC VICE ADMISSION AND AFFIDAVIT OF JOCELYN KEIDER	 View
48	11/21/2022	MOTION FOR PRO HAC VICE ADMISSION AND AFFIDAVIT OF MOLLY A. MEEGAN	 View
49	11/21/2022	MOTION FOR PRO HAC VICE ADMISSION AND AFFIDAVIT OF KIMBERLY A. PARKER	 View
50	11/23/2022	ACTION BY CHIEF JUSTICE (Motion for leave to file amicus curiae brief) - Granted	
51	11/23/2022	ACTION BY CHIEF DEPUTY CLERK (MOT. PRO HAC VICE ADMISSION - KEIDER) - Granted	
52	11/23/2022	ACTION BY CHIEF DEPUTY CLERK (MOT. PRO HAC VICE ADMISSION - MEEGAN)	
53	11/23/2022	ACTION BY CHIEF DEPUTY CLERK (MOT. PRO HAC VICE ADMISSION - PARKER)	
54	11/23/2022	Rec'd 3 copies of ACB (ACOG, AMA, & SMFM) from CSD	
55	11/28/2022	MOTION TO WITHDRAW AS COUNSEL (THOMAS A. DICKSON)	 View
56	11/28/2022	Notice of Appearance of Christina A. Sambor as In-State Counsel	 View
57	11/28/2022	Updated Affidavit for Pro Hac Vice Appearance of Meetra Mehdizadeh	 View
58	11/29/2022	ACTION BY CHIEF JUSTICE (MOTION TO WITHDRAW) - Granted	
59	11/29/2022	APPEARANCES: Matthew A. Sagsveen/Courtney R. Titus/Meetra Mehdizadeh/Christina A. Sambor	
60	11/29/2022	ARGUED: Matthew A. Sagsveen/Meetra Mehdizadeh	
61	11/29/2022	ORAL ARGUMENT WEBCAST	
62	12/13/2022	Updated Affidavit for Pro Hac Vice Appearance of Lauren Kelly	 View
63	12/13/2022	Updated Affidavit for Pro Hac Vice Appearance of Lauren Bernstein	 View
64	12/13/2022	Updated Affidavit for Pro Hac Vice Appearance of Luna Barrington	 View
65	12/13/2022	Updated Affidavit for Pro Hac Vice Appearance of Alexandra Blankman	 View
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69	12/13/2022	Updated Affidavit for Pro Hac Vice Appearance of Melissa Rutman	 View
70	12/13/2022	Updated Affidavit for Pro Hac Vice Appearance of Colin McGrath	 View
71	02/16/2023	ANNOUNCED DISQUALIFICATION : Bahr, Douglas Alan	
72	02/16/2023	SITTING WITH THE COURT : Louser, Stacy Joan	
73	02/17/2023	ANNOUNCED DISQUALIFICATION : Louser, Stacy Joan	
74	02/17/2023	SITTING WITH THE COURT : Narum, Daniel D.	
75	03/16/2023	DISPOSITION (REVIEW GRANTED AND RELIEF DENIED)	
76	03/16/2023	SPLIT OPINION : Jensen, Jon J.	 View
77	03/16/2023	CONCURRING : Tufte, Jerod E.	
78	03/16/2023	CONCURRING SPECIALLY : McEvers, Lisa K. Fair	
79	03/16/2023	JOINING IN THE CONCURRING SPECIALLY : Crothers, Daniel John	
80	03/16/2023	JOINING IN THE CONCURRING SPECIALLY : Narum, Daniel D.	
81	03/16/2023	By order of the Court, that no party have and recover costs and disbursements in this appeal	
82	03/16/2023	Judgment	 View